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THE HOUSE
OF
COCKBURN OF THAT ILK
AND
THE CADETS THEREOF :

*WITH HISTORICAL ANECDOTES OF THE TIMES IN WHICH
MANY OF THE NAME PLAYED A CONSPICUOUS PART.*

BY
THOMAS H. COCKBURN-HOOD,

AUTHOR OF

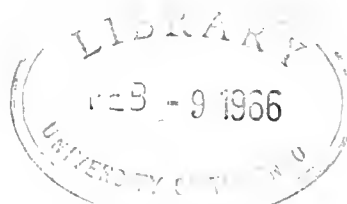
"THE RUTHIRFURDS OF THAT ILK."



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TO HIS

MUCH ESTEEMED FRIEND

MARIANA-AUGUSTA COCKBURN,

LADY HAMILTON OF WOODBROOKE,

REPRESENTATIVE OF THE

BARONIAL HOUSE OF LANGTON,

AND TO HIS COUSIN

SIR THOMAS COCKBURN-CAMPBELL, BART.

OF GARTSFORD, MEMBER AND CHAIRMAN OF COMMITTEES OF THE
LEGISLATIVE COUNCIL OF WEST AUSTRALIA,

THIS ACCOUNT OF THEIR ANCESTORS
IS DEDICATED.

IN this attempt to trace the descent of the principal branches of the Family of Cockburn, the author has relied almost entirely upon the Public Records, finding that the printed genealogies and MS. accounts of them are singularly erroneous.

The descendants of the Barons of that Ilk and Langton are, for the most part, landless now ; but there may arise influential families of the name in the great Dominions of Canada and Australasia, to whom this compilation will possibly be of service in enabling them to trace their descent from distinguished ancestors. With them might be revived the feeling that *the glory of children is their fathers*.

In the old countries of Europe, the growth of democracy and the fierce pursuit of wealth are rapidly annihilating interest in bygone times, and obliterating the memory of those warriors of whose deeds men once delighted to hear. In our own land, admiration for the chivalry of the days of THE BRUCE and WALLACE was awakened for a time by the magic pen of Sir Walter Scott ; but the spirit of true romance has but little fascination for the rising generation, and in few breasts seemingly lives the sentiment which animated the circle that sat entranced around the winter fire in the Roman cottages—

“ When with weeping and with laughter was the story told,
How well Horatius kept the bridge in the brave days of old.”

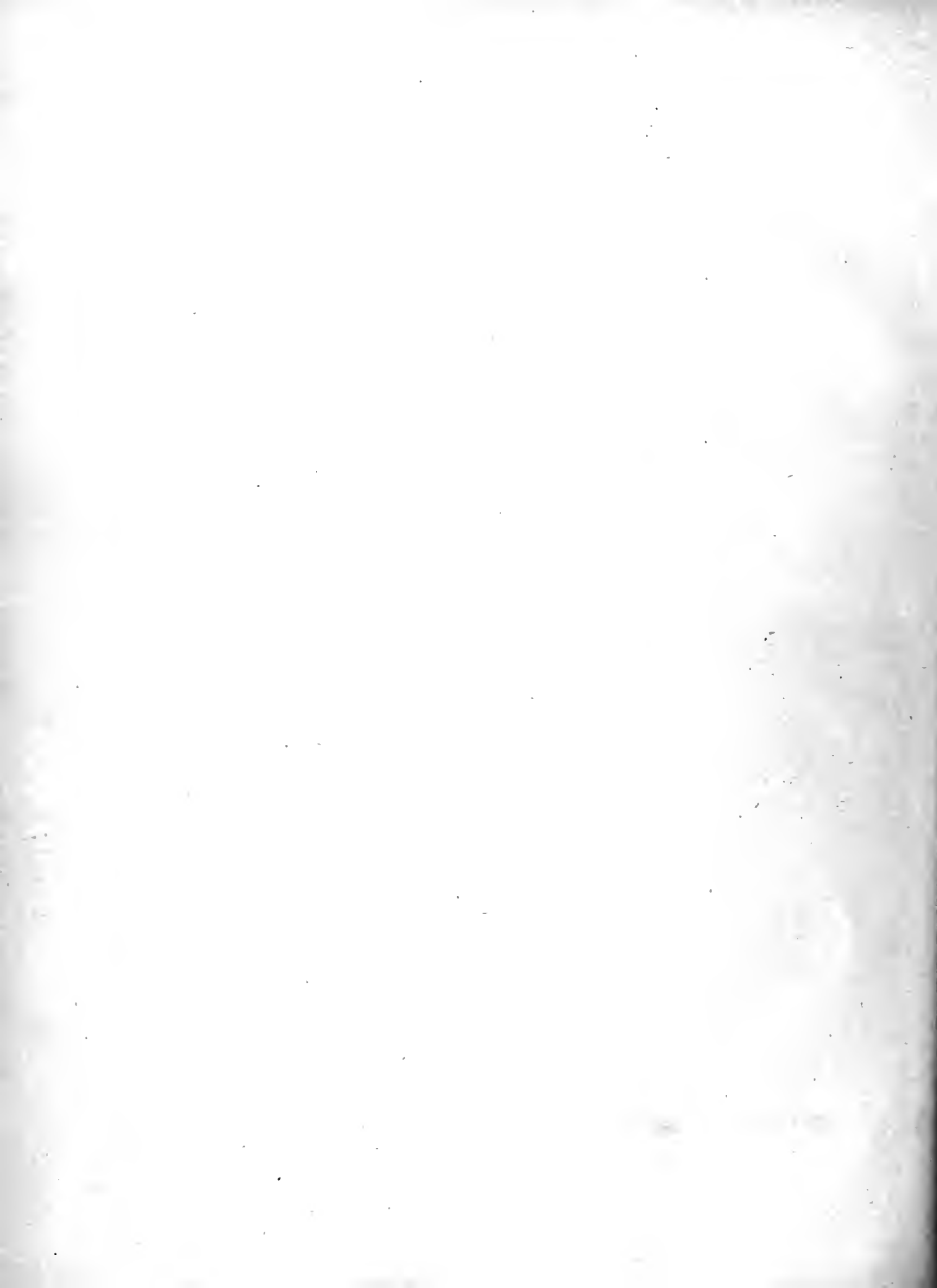
Should this account of the Cockburns, who have played, it will be seen, no unimportant part in Scottish history, meet with the approval accorded to that of the "Ruthirfurd of that Ilk," it will be in a great measure due to the encouragement to undertake it given to the author by his friends Mr. BURNETT, Lyon King-of-Arms, and Mr. DICKSON, Curator of the Historical Department of H.M. Register House.

Since his first adventure referred to was printed, one to whom he was much indebted—Mr. ROBERT RIDDLE STODART, Lyon Clerk-Depute—has passed away, deeply regretted by all who had the privilege of his intimate acquaintance, and who had experienced his readiness to impart information from his great store of historical and genealogical knowledge, as well as by the public, in the place he was so peculiarly adapted to fill.

The author avails himself of the opportunity of gratefully expressing his sense of the most important help he has received from the Reverend WALTER MACLEOD in compiling this volume, and of offering his cordial thanks to the Reverend Canon GREENWELL of Durham, Mr. WALFORD D. SELBY of H.M. Record Office, and Mr. W. DE GRAY BIRCH of the British Museum, for the courtesy and kindness with which they have assisted him; also to Mr. JOSEPH BAIN for his valuable notes; from the important Calendar of State Documents relating to Scotland, edited by him, much of the information is derived

that may interest the general reader, who may chance to look into this history of the House of Cockburn.

He has also to acknowledge his obligation to the Reverend ALEXANDER THOMSON GRANT, and to Mr. HARDY, Secretary of the Berwickshire Naturalists' Club, for their valued communications.



CONTENTS.

	PAGE
PREFATORY NOTES, relating to the Merse in early times — The Bonkills—Sir David de Brechin—Surname of Cockburn—Sir Anthony de la Bastie, &c.	i-xxx
COCKBURNS OF THAT ILK AND LANGTON,	1-86
THE ELEVEN BARONETS OF LANGTON,	87-109
COCKBURNS OF ORMISTON,	111-160
COCKBURNS OF HENDERLAND,	161-215
COCKBURNS OF SKIRLING AND CESSFORD,	216-256
COCKBURNS OF CLERKINGTON,	257-287
COCKBURNS OF CHOICELEE,	288-306
COCKBURNS OF COCKBURN,	307-330
COCKBURNS OF TORRIE, DALGINCHE, AND TRETTOUN,	331-351
NOTES : Respecting Tomb of a Cockburn at Coldingham — The Families of de Vesci, St. Andrea, de Quinci, Pennicuik, &c.— Crest of the Hepburnes,	
	353-358
APPENDIX : Chart Pedigrees of de Veteriponte, Lord of Westmore- land, Ewyas, and Clifford,	
	361-363
COCKBURN, called of Cockburn and Ryslaw, Baronets,	364-371

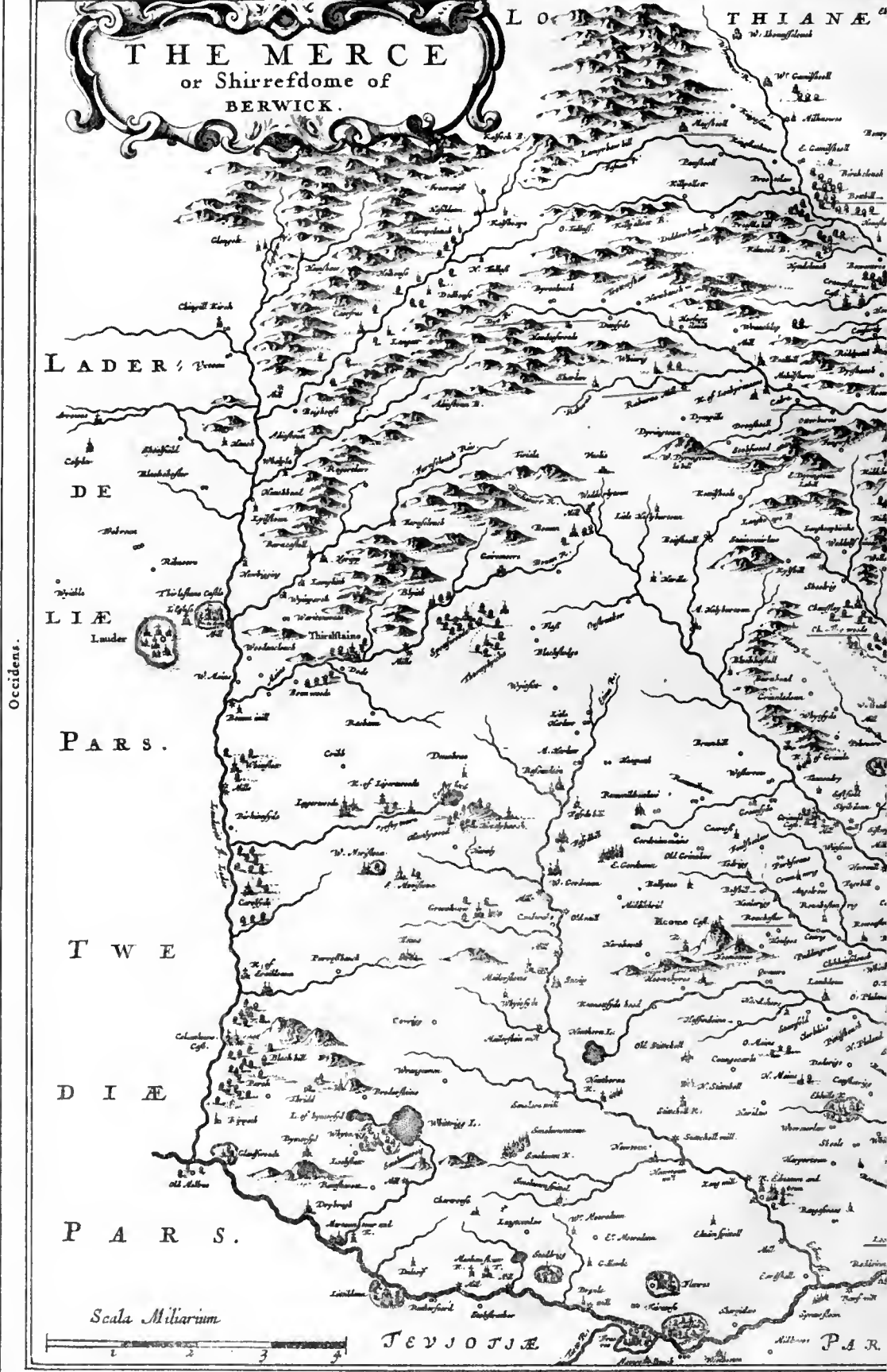
FACSIMILES.

DEED of RESTITUTION by Patrick, Earl of Dunbar, to the Prior and Convent of Durham, of the Ward of East Nesbit, &c.	5
CHARTER by William de Veteriponte [of Langton] restoring to the Monks of Coldingham the lands he had unjustly taken from them,	22
CHARTER by William de Veteriponte [Primogenitus], confirming his Father's Grant of the tenth of his Coal of Kareddin, &c., to the Church of the Holy Rood, Edinburgh,	26
DEED of SALE by Adam of Little Reston to the Prior of Colding- ham of Adam, Son of Thurkill, Serf,	51
DEED of SALE by Bertram, Son of Adam of Little Reston, to the Prior and Convent of Coldingham, of Turkill Hog and his Children, Serfs,	52
CHARTER by Thomas de Melsonby, Prior of Coldingham, to John of Hunsinghoure, of a Carucate of Land in Renington,	353

ERRATA.

- Page iii. line 11, *for long gone read now gone.*
- „ xvi. „ 6, *for knights, read knight.*
- „ „ „ 28, *for uncles, read grand-uncles, as in page 65.*
- „ xvii. „ 16, *for Chaudmella read Chaudinella.*
- „ xx. „ 28, *for Harry as his, read Harry or his.*
- „ xxiv. „ 3, *for the same—Ermine, &c., read the same as those of William de Soulis, ermine three bars.*
- „ 4, „ 19, *for affixed his seal of arms to, read he was also witness to another charter by.*
- „ 30, „ *for Seal of William de Veteri-Ponte, A.D. 1200, read 1244.*
- „ 32, „ 9, *for Anina, read Alina.*
- „ 41, „ 32, *for 1334 read 1384.*
- „ 43, „ 2, *for he married Marjorie, read he married, secondly, Marjorie.*
- „ 45, „ 22, *for unhappy Duke of Albany, read the late Duke of Albany, as at page 115.*
- „ 48, „ 2, *for Alexander read Archibald, as in line 13.*
- „ „ „ 7, *for Lanak read Lanark.*
- „ 55, „ 26, *for and is mentioned, read though not mentioned.*
- „ 64, „ 1, *for det read dit.*
- „ 68, „ 21, *commas wanting after William, and James.*
- „ 79, „ 26, *for observations read observation.*
- „ 82, „ 32, *for his read her fourth cousin.*
- „ 127, „ 33, *for Alice Heath's son, read John Heath's son John.*
- „ 171, „ 28, *for Chastell de Hamlye, read de Hambye.*
- „ 184, „ 10, *for lanigerarum le Wedderis, read lanigerarum, viz., le Wedderis.*
- „ 199, „ 14, 15, *for Romannos, read Romanno.*
- „ „ „ 16, *for Culross, read Culrop.*
- „ 212, „ 8, *for in 1596 had been, read they had been.*
- „ 223, „ 36, *for jure uxores read uxoris.*

THE MERCE or Shirrefdome of BERWICK.



Occident.



Ordn.

PREFATORY NOTES.

THE Merce, or Merse, may vie with Cheshire, in England, as a *Seed-Plot of Gentry*.

It is separated, says one writer, "from the country of the Forth, which far excells all the rest in the civility of its inhabitants, and in plenty of all things for the use of life, by the hills of the Lammermoors and Cockburn's-peth or Forest."

Nevertheless, this "marcia," or march-land, lying between the *Tueda Flumen* and these *Lamyrios Montes*, as a celebrated old geographer styles this somewhat bleak, low range of hills, has supported, as stated in his "Theatrum Scotiæ," on its fertile plain a large population, industrious in peace, most determined in war, who, divided from them by a river of but moderate size, have defended their own most bravely against the English.

Although of the majority of the most ancient families who possessed the Border-Land "the name only remaynes, the land in others," the fields of the Merse [or Berwick-shire] have not proved altogether "so skittish and apt to cast their owners," as old Fuller

says those of the English county with similar sounding name—Berkshire—had done. Although of the *names which were in days of yore few remain here of a great store*, still not an inconsiderable number of those that were of “a great store” on the marches remain still prominent. A fair proportion continue to hold part, at least, of their ancestral territories, whilst others have transplanted themselves, and have flourished greatly on northern soils, giving the names their ancestors assumed from their earliest possessions there, to their new acquisitions, such as the powerful house of Gordon, whose progenitors occupied the lands now forming the parish of Gordon, on the lower slopes of the *Lamyrios Montes*, in which is the ancient hamlet of Huntly, where a single tree grows near the spot where stood the castle of Adam de Gurdoune, mighty strong in the “grate wode,” and “the ladye built the chappell of Huntlie in the same place where the borr was slayne in King Malcolm Canmore hys days.”

In King Malcolm's days the denizens of this district slew many wild boars, for the forests swarmed with them; and being the favourite objects of the chase, the boar's head was assumed as their device of arms by the Gordons, the Swintons, and the families of Nisbet, Redpath, and Duns, &c., who took name from their respective territories, which lay contiguous in the shire of Berwick, “and carried *three boars' heads* of different tinctures, by which it seems that the tradition is probable that they were originally of one stock or *gens*, and afterwards became the heads of families of different surnames. Their antiquity appears in the charters of our ancient Kings, Edgar, Alexander, and David, the

sons of King Malcolm Canmore, to the church of Durham and abbacy of Coldingham." On the eastern march the ancient family, who were Lords of Bonkill or Bonekylschyre, carried *buckles* relative to their name, Mr. Nisbet remarks, and this figure is found in the arms of the Lumisdens and other families in that district, as well as of the Cockburns. Alexander de Cockburn in 1340 used a seal in which the *buckle* appears between *the three cocks*. It could not have been "as ane tockin of perpetual band of friendship," for the Bonkills were long gone from the land, so was doubtless placed to mark his descent.

In far bygone times the Princes of Northumbria held sway over the border county, and in their great castle, built at the confluence of the Tweed and Teviot, in the centre of the old Saxon kingdom, received their dues from the inhabitants "de la Merche and Coldynhinschyre." The people on both sides of the Tweed, being of the same race for the most part, then lived in amity, and had not begun to look upon each other as natural enemies, as Mr. Innes observes, when David, Prince of Cumbria, afterwards King of Scots, ruled in peace all Northumbria to the Tees, whilst England to the south of that river was distracted during the reign of Stephen by the troubles so vividly related by its chroniclers. This able and powerful monarch—"sair saint for the Crown," as he has been termed in consequence of his lavish expenditure in building abbeys and religious houses of various importance—saw the influences he thus brought to bear were the most potent in the civilisation of the rude inhabitants of his kingdom. The Castle of Merch or Roxburgh

*Liber de Cail-
chou, pref. i.*

was his favourite residence, and close by he built the "nobill abbay" on the bank of the Tweed "at the place called Calkou."

Haddington's
Collections.

The country in his time extending from that river to the Forth bore the general designation of Loudonia. The "Tueda flumen" was then spoken of as dividing Northumbria from Loidane [Lothian], and in a charter of this king to Coldingham are mentioned, "omnes terras quas habent in Coldingham, Reston, Eitun, Swynton, Lumisdane, Prendergast, Paxton in Laudonio."

Gospatricius Comes was Vice-Comes within its boundaries in the year 1126, the date of the charter above referred to. Like him, many of the great proprietors held extensive estates on both sides of the Tweed; others besides the de Vetere-Pontes possessed territories in Cumberland or Cumbria, as well as in the Merse.

Note by A.
H. Dunbar.
Stodart's
Scottish Arms,
vol. ii., p. 6.
Chron. Melros,
156.

Gospatricius, or Quaspatricius as his name is sometimes written, was of the noblest Saxon blood. "His mother, Aldgitha, was the granddaughter of King Æthelred, and his father, Maldred, son of Crinan the Thane, seems to have been brother as well as neighbour of *the gracious Duncan*, who was King of Cumbria for about sixteen years before he succeeded his maternal grandfather, Malcolm II., as King of Scotland on 25th November 1034." Gospatric, who had been made Earl of Northumberland by William the Conqueror in 1067, disgusted with the Norman government, came with other magnates into Scotland, after having led all the power of Northumbria to the aid of the Danish invaders and stormed York, putting the Norman garrison to the sword, and received from Malcolm Canmore "Dun-

bar and the lands adjacent in Lothian." He made friends again with the Conqueror, and, it is stated, "invaded and ravaged the King of Scots' province of Cumbria." From him descended the great Earls of Dunbar and March, and from them the Earls of Home. The house of Dundas is also supposed to be of the same race. Towards the close of the twelfth century the lands of Dundas were granted by Waldeve, son of Gospatric, to Helias, son of Uchtred, whose descendants took name therefrom. No doubt other scions of this great Saxon race founded families whose origin is lost in the mists of antiquity.

Chron. Melros,
p. 50.

Camden says that the Culwens or Corwens of Gallo-way descended directly from Gospatric himself, and it is not at all improbable that the progenitor of the Bonkills, Lords of Bonkill in the Merse, was of the same blood. From very remote times they are found holding extensive estates on both sides of the Borders, and took name from the territory they acquired in the Merse, known as Bonekylschyre in the time of King Edgar. It marched with Coldinhinschyre. Part of it now constitutes the parish of Buncle. Their English estates lay principally in Cumberland. On 12th March 1218, Henry III. ordered the Sheriff of Cumberland to restore to Ranulf de Bonkille his chattels, "as he had come to his allegiance on the same day as Alexander, King of Scotland." His descendant, Alesaundre de Bonekill [written also Bonequil], was Seneschal of Scotland in 1291, and was one of the auditors who reported that the competitors Bruce and Baliol had so concluded their pleading that the King might proceed to judgment. The "magnates Scotiæ" who appeared on that occasion "devaunt le tresnoble

Camden's
Britannia,
vol. ii., p. 1010.

Raine's *North
Durham*, Ap-
pendix, Cold-
ingham, p. 4.
No. xiv.

Bain's
Calendar, vol.
i., p. 122.

Sir Francis
Palgrave's
Collectanea,
vol. i., p. 197.

Prince, le Seigneur Edward par le grace de Dieu Roi d'Engleterre et souverain Seigneur d'Escoce," were Alesaundre de Ergyl, Andrew de Moreff, Herebt de Makwell, Malcolm Conte de Levenax, William de la Haye, Wautier de Lindessay, Michel de Wymes, Nichol de la Haye, Johan de Lindessay, Robert Bruce Conte de Carick, James, Seneschal of Scotland (the Lord High Steward), John, his brother, Sir William Douglas, and Sir Alexander Lindessay, who all submitted unconditionally to Edward in the twenty-fifth year of his reign.

Bain's *Calendar*,
vol. ii.,
p. 410.

Sir David de Brechin, nephew of ROBERT THE BRUCE, married Margaret, the daughter and heiress of this Sir Alexander de Bonkill. On the 7th July 1304 King Edward gave orders to his chancellor "that as David de Breghyn, and Margaret, his wife, Scottish rebels, had come to his peace, and David had done homage and fealty, the English lands of Alexander Bonkyll, father of Margaret, whose heir she was, should be restored to them." It has generally been assumed that Sir John Stewart, the gallant brother of James, the Lord High Steward, who had been compelled to swear fealty to King Edward with the other magnates of the kingdom, and who was knighted for his gallantry in an affray with the Percy, obtained the barony by marriage with "Margaret, the aire of Bonkle, ane virgine of gret beawtie." The date of their marriage has been stated to be about 1294. But it must have been considerably earlier, for Sir John fell at Falkirk in 1298, leaving six sons, and probably other daughters besides Isobel, married to Ranulph, commonly written Randolph, afterwards Earl of Moray. David de Brechin certainly possessed part of his wife's estates in the county of

Nisbet's
Heraldry, edit.
1722, p. 401.

Berwick, as well as in England. Amongst the petitioners to King Edward for lands was Ketyl de Letham [Leitholm] vic Berwick, who asked for divers properties, amongst them those which he had by "le feffement Johan de Letham jadis son piere devant le dite guerre comence et ausint des terres et des tenementes q'il tint de son p. chaz p. my le feffement David de Breghyn puis le commencement de la guerre avantdite."

Sir Francis
Palgrave's
Collectanea,
p. 291.

The Lord of Brechyn made his submission on 30th May 1297: "Come nostre chier Seigneur Edward, par la grace de Dieu Roi d'Engleterre, Seigneur d'Irland et Ducs de Aquitaine, . . . juray sur Seyntes Evangeiles, me eit otroie de sa grace d. aler en Escoce pur moy apparailler pur li servir selonc mon poer en ceste guerre qu. il ad au Roi de France. Don. a Maghefeld. le trentisme jour du May l'an du regne nostre Seigneur le Roi avantdit vintisme quint." Robert de Brus, Earl of Carrick, William de Douglas, Alexander de Lindesei made their submission 9th July following, and David de Wemis and his wife Marjorie came to Edward's peace, and had their lands restored at the same time.

The melancholy fate of "Gud Schyr Dawy off Brechyn that to behald was gret pity," was deplored throughout Scotland. "That brave young man had served with reputation against the Saracens; to him the conspirators, having exacted an oath of secrecy, had revealed their plot. He condemned the undertaking, and refused to share in it, yet, entangled by his fatal oath, concealed the treason. Notwithstanding his relation to the Royal Family, his personal merits, and the favourable circumstances of his case, he was made an example of rigorous justice." "The

Barbour's
Bruce, buke
threttene, 415,
and *infra*.

Sir David Dal-
rymple's
Annals, vol.
ii., p. 96, edit.
1779.

King would fane that he had been sauffit, nochtheless he was sa rigorous on the laif that it micht not be esaly done, and becaus na man labourit for him, he was heidit with gret lament of pepill, for he was halden the floure of chevalry, and had fochten money yeiris afore with gret honour and victory aganis the Turkis." His trial took place at the Parliament assembled at Scone, August 1330, commonly known as the Black Parliament, when so many suffered for being concerned in this atrocious plot, which had no doubt as its object to compass the death of the heroic Robert Bruce :

Bellenden's
*Croniklis of
Hector Boece*,
vol. ii., p. 399.

Barbour's
Bruce, buke
threttene, v.,
365.

" And to bruk eftre his dede
The Kynrik, and to ryng in hys steid,
The Lord Soullis Schyr Wilyam."

So Sir David de Brechin "jugyt to hang and draw was he," whilst the Parliament spared Sir William, the Lord of Liddesdale's life, and condemned him to end his days in Dumbarton Castle, instead of upon the throne to which he aspired, as his grandfather Sir Nicholas had done, being one of the competitors in 1292, claiming it in right of his descent from Marjorie, a daughter of Alexander II., and wife of Alan Durward, Justiciar of the Kingdom. Sir William de Soullis merited his sentence, which, however, was a severe one to have been passed upon the Countess of Stratherne, who revealed the plot and saved the King's life.

When in June 1308 Sir James Douglas made Ranulph [or Randolph], another nephew of THE BRUCE, who was still on the English side, prisoner, he found that in his company

Ibid., buke
sewynt, v., 230.

" Off Bonkle the Lord there was
Alysander Stuart hat he,"

who could only have been a lad of twelve or thirteen years of age, according to the date usually assigned for the marriage of his father with Margaret, heiress of Sir Alexander de Bonkill.

Doubts have very naturally been entertained by able students of the history of this period about the alleged marriage of Sir John Stuart with this Margaret, who received with her husband, David de Brechin, from Edward in 1304 restitution of her father's lands of Ulvedale, &c., in Cumberland. The editor of Barbour's *Bruce* [the learned compiler of the Dictionary of the Scottish Language] certainly errs in thinking that "Alysander" Stuart was the Lord of Bonkill whose name is found on the Ragman Roll. This was Margaret's own father, Sir Alexander Bonkill, who was alive in 1300, and therefore, as Mr. Bain justly observes in the preface to his invaluable Calendar, "Sir John the Steward [second son of Alexander the Lord Steward], generally styled of Bonkill, could only have been so in expectancy," and Margaret, with a family of eight or nine children, could not have been a very juvenile widow when she married the "gallant youth" Sir David, as Sir Walter Scott calls him when noticing the rebuke given by the indignant Sir Ingram de Umfraville, a favourite follower of Robert Bruce. "Why press ye," he said to the people who crowded to the execution to see the dismal catastrophe of so generous a knight, "I have seen ye throng as eagerly around him to share his bounty, as now to behold his death;" with these words he turned him from the scene of blood, and repairing to the King, craved leave to sell his Scottish possessions, and to retire from the country. "My

Barbour's
Bruce, note,
page 449.

Sir Walter
Scott's *Min-
strelsy*, vol. iv.,
p. 240, note.

Bain's *Calendar of Documents relating to Scotland*, vol. ii., preface, p. 58.

heart will not for the wealth of the world permit me to dwell any longer where I have seen such a knight die by the hand of the executioner." With the King's leave he interred the body of David de Brechin, sold his lands, and left Scotland for ever. This tragedy was enacted in 1320. Margaret de Bonkill did not, happily for her, live to see that day, as she died in September 1304. There is a note quoted in the Report of the Commissioners on Historical MSS., in which it is stated in the record of a dispute about the presentation by the Bishop of Carlisle to the church of Ulvedale, "that Margaret's heir by John Stewart was a minor, that she had married David de Brechin under a papal dispensation, and had issue by him, and that he survived her." It seems, nevertheless, very unaccountable that when her mother Crestiene petitioned Edward I. for her dower three months after her husband Sir Alexander de Bonkill's death, no mention should have been made of the heir to the estates being the young son of Sir John Stewart, and that when the Report of the Commission was given in, after inquisition had been taken regarding Sir Alexander's lands in Cumberland, and it was stated that his heir Margaret remains with the enemy in Scotland, that nothing should have been said about her being the widow of this Sir John.

Ibid., pp. 206, 207, 214.

Besides Sir Alexander, several other scions of the family had to sign the deed of homage, showing the position of the Bonkyls at this time. On the Ragman Roll are inscribed the names of Johan de Bonekel, Anneys de Bonkhille del counte de Berwick, and Thomas Bonequil, of same county, all on the 28th August 1296.

What became of these important personages is not recorded,—their names appear no more; but it is thus evident that the ancient heritage had given the surname to their race, which continued for a long time. Johannes de Boncle was a witness to the agreement made 2d July 1449 with Henry VI. by James II., to abstain from war. His seal, appended thereto, bore “three buckles on a chevron, the shield, supported by an angel’s wings expanded, surrounded by clouds.” James IV. gave a charter “*familiaro suo servitore*” Johanni Lindesay [son of John Lindsay of Collyntoun or Covinton] and Mariota Bonkle, his wife, of half the lands of Redehewis in 1503. Adam de Bonkill was a man of good position in Edinburgh in the reign of James I., and Radulfus de Bonencle was his contemporary. Several of the descendants were prominent citizens of Edinburgh, treasurers and consuls of that city, in succeeding reigns. In 1558 the Queen granted letters of legitimation to “Dominus Michael Bonkill,” whose father, Thomas, was a person of influence in Dunbar.

Reg. Great Seal, vol. ii., No. 2709.

Ibid., Nos. 34, 105.

Ibid., vol. iv., No. 1304.

The surname of Cockburn is one of the oldest in Scotland, and has generally been deemed territorial, having been adopted, it is said, from lands so called, which the ancestor acquired in the Merse. Through them ran a small stream, the Cok-Burn, which falls into the River Whitadder, near the foot of the hill now called Cockburn-Law. These lands, whether they gave name to the owner or not—a matter open to doubt—lay in the Bonkyl country, and may have been acquired by the progenitor of the race by marriage with a daughter of the then Lord of Bonekylschire, hard by whose castle was built the Cockburn’s tower. The patriarch of the Cockburns came, according to

Cockburn Family, *Edinburgh Courant* 31st Dec. 1856.

Hector Boece, with the crowd of English colonists who crossed the Tweed after the marriage of Malcolm Canmore with the Saxon Princess Margaret, sister of Edgar Atheling. These new colonists, the able and learned historiographer Cosmo Innes remarks, in his preface to the "*Origines Parochiales*," were of what we should call "the upper classes" of Anglican families long settled in Northumbria, and Normans of the highest blood and names, men of the sword, above all servile and mechanical employment. They were fit for the society of a court, and many of them became chosen companions of our princes." Many of them, according to the old Canon of Aberdeen, were with that "nobill man Lord Patrick of Dumbar," when

" At Colbrand's peth the Captane Carle he killed,
And sax hundreth of his men into the field."

Archdeacon
Bellenden's
Hector Boece.

" Malcolm Canmore, be support of Edward, King of England, recovereit his realme in the viii. yeir of the reign of the said Edward, and was crownit at Scone the xxvth day of Aprile from the Incarnacioun MLXI. yeris. He made a general convention of his nobils that assisted him aganis Macbeth. . . . He maid mony Erlis, baronis, and knichtis, mony of thame that war thanis afore was maid Erlis, as Fif, Menteith, Athol, Lennox, Murray, Cathnes, Ros, and Angus. Thir war the first Erlis amang us, as our croniklis beris. Many new surnames come at this time." Amongst those he enumerates are Dundas and Cokburn.

The patriarch of the latter patrician family may, as suggested, have been one of those distinguished colonists who came into England in King Malcolm's reign, as he was apparently a contemporary. He or

his descendants may also have placed the cock upon their shield in reference to the name assumed from their lands, but they may have been one of those old families who gave their own names to their possessions. We cannot say. The prow of Colbrand's galley may have had carved upon it that "emblem of watchfulness and herald of the approaching day, and for its nature and royalty is ensigned with a diadem, singular for its valour and mirth after victory." The cock has been a favourite device of arms amongst nations generally, from remote antiquity. The great Daimios of Japan bore it long before the days of Colbrand. Whoever the author of the race was, his descendants are found, A.D. 1200 or thereabouts, men of position, powerful barons of knightly rank, holding lands in various counties. Langton, which was adjacent to their earliest possessions, was the seat of the chief from the time that Sir Alexander de Cokburn got it in David the Second's reign, with the hand of the heiress of the great Norman house of de Vetere Ponte down to 1757, when hard fate deprived Sir James, the seventh Baronet, of his heritage. During the centuries that rolled by, from the day Sir Alexander received from his patron King David the important office of Ostiarius Parliamenti, to be held by him and his heirs for ever, down to that which saw his lineal descendant Sir Alexander take his seat as Lord Chief-Justice of England, there are few intervals in the history of their country in which the name of at least one of the Cockburns is not found prominently mentioned, either as soldier, sailor, diplomatist, statesman, or lawyer.

They are sometimes certainly found concerned with proceedings equally lawless as barbarous.

Allowance has to be made, however, for circumstances that naturally excited the fiercest passions of men living in times of incessant wars and bitter private feuds, carried on *more majorum*, which seemed to them but fit and proper. It would have taxed the powers of persuasion and the eloquence, nevertheless, of the most brilliant legal luminaries that have risen amongst the Cockburns,—the late Chief-Justice of England, Adam Lord Ormiston, and John of Ormiston, Lord Justice-Clerks, had they lived in those days, to have swayed a jury to acquit William Cockburn, his brother-in-law Sir David Home of Wedderburn and their accomplices, of the murder of Sir Anthony de la Bastie. Possibly a Henry Lord Cockburn might by his wit and ingenuity have so bamboozled twelve of his own countrymen, that they might have found in William Cockburn's case a verdict of *not proven*. The unfortunate French knight had often shown himself brave as he was handsome, as on an occasion, whilst he acted as Regent in the Duke of Albany's absence in France, when William Meldrum, Laird of Binns, was mercilessly attacked by Lucas Striveling of Keir, "who envied the love and marriage between him and a fair lady Glenagis, daughter of the Laird of Humbie. The Regent Monsieur Delabatie incontinently gart strike an alarm bell, and blew his trumpets, and rang the common bell, commanding all men to follow him. . . . The Laird of Meldrum fought cruelly againis the Laird of Keir, and slew twenty-six of his men; but, nevertheless, through multiplication of his enemies, he was overset and driven to the earth, and left lying for deid, hought of his legs, stricken through the body, and the knobs of

his elbows stricken from him, yet by the mighty power of God escaped death and lived fifty years thereafter. So Delabatie past fiercely after his enemies and over-hyed them at Linlithgow, . . . and lap manfully about the Peel-house they were in, and took it, . . . and syne the Regent passed to the Merse." Thir Novils had come to him from there (to use this quaintest of historians, Robert Lindsay of Pitscottie's, favourite expression) that disturbances had taken place amongst the Cockburns, and that the young heir had been turned out of his castle with his guardians by his uncle William Cockburn and his brother-in-law Sir David Home of Wedderburn, and his brethren - *the Seven Spears of Wedderburn* [for although the eldest brother, George, fell with his father at Flodden, there were still seven sons remaining, according to Hume of Godscroft, the eighth son being Bartholomew]. De la Bastie had now been bold enough to fill Lord Hume's place as warden, who had been judicially murdered by the hated Duke of Albany, but there does not appear to be any reason to suppose that the chivalrous Frenchman had in any way been an adviser in the matter.

We cannot tell, however, what causes may have roused the thirst for vengeance to an ungovernable pitch in the breasts of the redoubted chieftain Sir David Home and his relatives. There may have been other circumstances besides their desire to revenge the death of their chief, the Lord Home, upon the man whom they may have deemed the instigator of his being done to death, and now the shameless usurper of his office. We can but surmise what may have passed during their conversation on Langton Green on the 17th September 1517. The

impetuous and haughty *Sieur de la Beauté*, as David Scott and some other old writers call him, may have indulged in contemptuous expressions, such as those fiery spirits under the peculiar circumstances ill could brook, and spoken to them as to untutored bucolical Juvenals, or the gay and attractive knights may have given Sir David and his family graver cause for seeking revenge. Be this as it may, it was a ruthless deed. There is no doubt that some of the Cockburns were present when, as the historian quoted before says, "*Monsieur Delabatie tried to escape, and fled to the Castle of Dumbar, thinking to win the same because his horse was good. Notwithstanding all was for nought, he being a stranger, and knew not the gait, laired his horse into a flow-moss, when he could not get out, till his enemies came upon him, and murdered him, and verie vnhonestly cutted off his heid, and took it with them, and because his hair was long like women's, and plat on a head-lace, David Hume of Wedderburn knitted it on his saddle-bow ;*" and so they rode with it to Hume Castle, and there placed it on the point of a spear upon the highest battlement. Very possibly James Cockburn, the young heir of Langton, witnessed the scene, and though a mere boy at the time, his feelings would naturally be strong, for the Lord Home and his brother William Home, executed by Albany, were his uncles, and he knew how the Regent had seized the castle and ravaged the lands of Home.

The matrimonial alliances with the Homes did not prevent serious quarrels between the families ; for whilst the heathenish custom of deadly feud prevailed, relationship only intensified their bitterness, and, as Sir Walter Scott makes the Monk of Melrose

say, "It were endless to count up their fatal results. On the eastern border the Homes are at feud with the Swintons and Cockburns; in our middle marches, the Scotts and Kerrs have spilled as much brave blood in domestic feud as might have fought a pitched field in England, could they but have forgiven and forgotten a casual encounter that placed their names in opposition to each other." Some thirty years after the events to which Sir Walter alludes, things were becoming quieter and more settled on the eastern marches, King James having most strenuously exerted himself to put a stop to the lawless proceedings so common. But about six years after he was crowned King of England, there chanced *ane grate inconvenient, through that unhappie slaughter having fallen oute vpoun a suddane chandmella*, when Matthew Sinclair (son of Matthew Sinclair of Longformacus and his wife, Elizabeth, daughter of Swinton of Swinton) was slain by John Spottiswoode of Spottiswoode.

The Monastery, vol. ii.,
p. 154, edit.
1829.

The family partisans were numerous on both sides, and much trouble threatened to ensue, so much so, that the King personally interfered in the matter, and sought—as he often did successfully—to get the aggrieved party to accept pecuniary consolation for their bereavement and wounded honour. For a time this course did not promise to achieve the desired result. The Lords of the Council sent a letter to James, saying — "According to your Maiestie's direction we convenit befor ws the Laird of Locharmachus, and his brethren, and the Laird of Spottiswoode, and did vrge the reconsiliatioune and aggreement of that feid betuix thame, with all such argumentis as possiblie we could, laying before thame

the great care, pains, and travellis tane be your Maiestie, and the happie and good succes whiche your Maiestie has had in the removing of the deidlie feidis in this kingdome, &c." The Sinclairs and their friends were not easily to be brought to terms, and refused their consent to those offered, unless "Spottiswoode wald enter his persone in warde to be forthcomeand to justice in cais he succumbit." The said Spottiswoode sent answer : To the Rycht Honnourable Robert Sincler of Langformachus, Johnne Sincler, burgess of Edinburgh, George Sincler, his bretherine, the relict, bairnis, kin, and freindis of umquhill Mathew Sincler, brothergermane to the Laird of Langformachus, declaring, "In the first, I, the said Johnne, vnfeinzedlie repentis fra the bottome of my hairt the vnhappie and doleful slauchter of the said Mathew Sincler, committed be me aganis him quha wes my freind most enterly belovit that euer I had in this world ; protesting before the Lord quha maun judge all hairtis, that for that deid fact I haue passit my dayis and tyme euir since in grieff of conscience and bitternes of hairt ; remembering the grite and tender affectioun amongst vs euir enterteynit in all brotherlie love, till that instant tyme that the devill, taking advantage, maid me instrument of that lamentable and wicked deid ; . . . and that they may know that I am penitent, and deallis vnfeinzedly in this mater, I refer me to thame selffis what homage and assythment they will command me in my persone and body to do (my lyff being excepted) I will obey ; nixt knowing my awine hard estaite, quhilk I doubt not is notour to thame selffis, I offer in money ane thousand merkis, quhilk I protest to the Almichtie God

Spottiswoode
Miscellany,
vol. i., p. 23.

is above my power, and I have no meanis that I know of to exceid the samyn. Nochwithstanding, gif I nicht, I could gif als grite sowme as wer in my possibilitie to gif, albeit I sould leive in miserie thairefter, my burdyne and exhorbitant chargeis being sua accressit since the committing of that euil fact, that I am altogidder broght to ruyne. Gif thir heidis fairsaidis sall not satisfie thame, I will farther submit my selff to be jugeit in all thingis quhilk possiblie I am able to performe, be thair narrest kynnismen and freindis, viz. the Richt Honnorable William Sincler of Roisling, Robert Swenton of that Ilk, — Sincler of Hirdmaston, and William Sincler of Blanss."

The Sinclairs replied, protesting that "na imputatioun justlie may be attributed to vs for vewing and reiding thairof, proceiding from His Maiestie's rebell and ane excommvnicat person, and sua Godis and his Maiestie's enemye, . . . and maist humblie desyre that his Maiestie's lawis may have course in the said mater to the punischment of the nocent, and conforte of the innocent; and gif it try that the murthour of oure brother wes committed be the said Johnne in his awne defence befor the Judge Ordinar, the Chief Justice, we sall willinglie imbrace him and tak him be the hand, &c." As the case did not proceed, it appears that the Sinclairs were contented to please His Majesty, and take the Laird of Spottiswoode's money as a solatium, and so prevented the continuance of a feud which would have embroiled many of their neighbours, especially the Cockburns. The murdered Matthew and his brothers were trustees for the children of their sister Elizabeth, the lady of Langton, and another sister was

Pitcairn's
Crim. Trials,
vol. v., p. 455.

the wife of Christopher Cockburn of Choicelee, and the Sinclairs of Herdmanston and of Blanss were at that time also nearly related to the Cockburns and the Swintons. So it was well that John of Spottiswoode again got "lettre of slanes," as he had done before, "for the cruall slauchter be him of umquhile Thomas Quippo of Ley-Houssis," in 1595.

To return, the earliest possessions of the Cockburns in the Merse, as already stated, appear to have lain in the valley of the River Whitadder, in the Bonkyl contry, and stretched away from the hill now called Cockburn-Law towards that part of the coast where the Blind Minstrel tells us that Wallace—

"At Cokburn's-peth he had his gaderyng maid."

Dalrymple's
Annals, vol.
i., p. 8.

This place was also called Colbrand's-peth [or Forest]. Here Colbrand the Dane, it is said, built a stronghold, being one of the "generals," as an old writer calls him, who came with the Danish invaders in 1068, "encouraged by the malcontent Lords to unite with them in an enterprise against England." So Cockburn has been considered to be a corruption of Colbrand. It is impossible to prove now that it is not, and that the first ancestor who settled in the Merse was a Saxon and not a Dane. The name of his supposed first foothold, now so familiar from being a station upon a main line of railway, has long been called by the name Blind Harry, as his translator gives it. In a charter of King David's it appears as Colbrance-peth, in other old charters Colburnis-peth, Colbrandis-pad, &c., and sometimes in a sort of transition form, Cokbrandis-peth, which is certainly suggestive. In a perambulation of the

*Reg. Great
Seal*, vol. i.,
p. 73, No.
257.

bounds of the Merse mentioned by Hector Boece, the march line ran from Cockburn's-peth by Soltrehege. Following this quaint, credulous old churchman in his story, Holinshed says, speaking of the times of Malcolm Canmore — "After this the realme continued in great peace certain years, till it chanced that a great number of theeves and robbers assembling themselves together at Cocbournes-Pethes did much hurt by robbing and spoyling the people in the countrys of the Mers and Louthane; howbeit, at length one Patryke Dunbar of Dunbar, by commaundment of the King, fought with them, slue their captaine with sex hundred of his companie, and took fourscore prisoners, the which he caused to be hanged; and thus having delivered the country of these pyllers, with losse of fortie of his oune men, he returned to the King with the head of the captain of that route, so that for his manhood herein shewed, he was made by the King Earl of Marche, and for the maintainance of his estate had the lands of Cocbournes-Pethes given to him and his heyres for ewir, upon the condition that in tymes coming the Earle of Marche should purge Mers and Louthane of all theeves and robbers." This story may be a mere mythical tradition; but although Hollinshed is not an authority to be deemed a reliable one in many things, any more than the old Canon of Aberdeen, when the latter has left the region of fabulous romance, and is not telling us of the wondrous merveils shown in the reaulme, and is merely mentioning the name of a place as known in his own time, it is shown for certain that the lands so long held by the descendants of Gospatric were associated with the name of Cockburn in early times.

Hollinshed's
Chronicles,
edit. 1577, p.
252.

Riddell's *Law
and Practice of
Scottish Peer-
ages*, vol. ii.,
p. 989.

The castle was once a very strong one, and was for a considerable time the principal messuage of the Earls of March. Alexander, Duke of Albany, to whom the Earldom was given by his father, James the First, on the forfeiture of that family, married Anne, daughter of Bertrand, Count of Boulogne, in 1477, and settled upon her for life the "palatium nuncupatam Colbrandis-pecht." The Duchess would be probably disappointed when she saw her palace.

When King Edward over-ran Scotland he forfeited the estates of the nobles and barons, great and small, who had repudiated the rule of Baliol after he acknowledged the suzerainty of the English monarch at New-Castle-on-Tyne, a month after he was crowned King at Scone—20th November 1292.

Rymer's
Fœdera, tom.
ii., p. 94.

Barbour's
Bruce, buke
sewynd, v.
1062.

Bain's *Ca'en-
dar*, vol. ii.,
pp. 257, 289.

Amongst those thus dealt with was Piers de Cokburn, who had distinguished himself by unswerving fidelity to his country's cause, and his lands were bestowed on Pers de Luband, Liband, or Lubaut, as his name is variously written. This person—whom Lord Hailes calls a knight of Gascony, upon the authority of Leland the antiquary, and of Barbour, who speaks of "Schir Peris Lubant that was tane,"—is first mentioned as the Gascon vallet of Gaillard de Garsak. It does not follow because he is styled valet that he was a man of low origin. The chivalrous Sir Giles Argentine was valet once to Sir Hugh le Despencer; but it seems probable that Lubant's parentage was not a distinguished one. He came [as stated in the roll of bannerets, knights, esquires, and valets not of the King's household, valued in the Scottish war in 1298] possessing a *rough liard* or hackney, valued at 20 merks. He proved himself a clever but very treacherous valet, and had got on

wonderfully during the ten years which had passed, when he is found in 1308 holding, with Ingram de Umfraville and other persons of rank, a guardianship in Scotland, and had been knighted before—

“ That tyme Edward off Ingland King
Had gevin that castill in keping
Till Schyr Peris Lombart of Gascone.”

Barbour, buke
sewynd, v.
625.

The castle was that of Edinburgh; he was Governor of it when Randolph besieged it, but when he and his thirty brave companions scaled the crag and walls in the dark night of 14th March 1313, killing the acting Governor, who made a desperate defence, he found that the garrison, suspecting treachery, had thrust Piers Luband into a dungeon, and put a commander they could depend upon into his place. He then entered the service of the everywhere-victorious Scots, and “became suoren to Bruce;” but turning traitor again, was executed with ignominy. Leland writes his name as he did his own, terming him Petrus Lelandius, Vicount of Edinburgh, and says “that Randolph surmised treason upon hym, because he thought he had an English heart, and made him be hanged and drawen.” But the monk of Malmesbury says he betrayed the castle to Robert Bruce, and states that the King himself inflicted upon him condign punishment for treason. In the edition of Barbour’s “Bruce” of 1620, his name is spelled Liband.

Sir D. Dal-
rymple’s
*Annals of
Scotland*, vol.
ii., p. 38.

Leland’s *Col-
lectanea*, ii.,
p. 846.

W. of Malmes-
bury, p. 145.

It has been very absurdly suggested that Piers de Luband de Cokburn was the same man as Piers de Cokburn. There is not the faintest grounds for the supposition, save their having the same name—a common one at the time, and had been since the time of the Conqueror. Besides being a usual name

in the family of Cockburn, we have their neighbours, Piers, son of Helias de Prendergest, whose seal of arms was the same—ermine three bars—and Piers, son of Waldeve de Morthyngtoun [Mordington]. Conspicuous amongst those who bore it at the era under notice were Piers de Galveston, the brave defender of Scarboro' Castle, who suffered for his misplaced confidence in Aymer de Valence, Earl of Pembroke, and the Percy in 1313; Sir Piers de Bermingham, Edward Bruce's antagonist in Ireland, and Piers de Montfort, whom Bruce with his own hands killed "in the woods by Stryvelin." We have the seals, too, of the two owners of the lands of Cockburn. That of the hereditary one, appended to the deed of homage, bears the emblem of his family, "a cock walking;" that of Piers de Luband, attached to a receipt for stores given out by him when he was constable of Linlithgow, 26th June 1305, has the device of "a wolf passant," assumed by him [as the learned Dr. Dickson, Curator of the Historical Department of H.M. Register House, observes] probably from a fanciful reference to his name. It certainly was an appropriate token for the treacherous Gascon, who proved the truth of the adage "*Homo homini lupus*."

Close Rolls,
13. Edward
III.

He left a family, who are found soliciting and obtaining aid from the King of England. On the 1st December 1339 Edward III. requests the Abbess of Shaftesbury to receive into her house till Pentecost next Sybilla Leband of Scotland, and Thomas, her son, who is of tender age, as she has lately come to England, and has petitioned for aid. On the 7th June 1348 there was paid to Sibilla Leband, a damsel of Scotland, to whom the King granted an

annuity of sixty shillings till she receives her lands in Scotland under a peace or truce, in part of last term, twenty shillings.

The lands acquired by Piers de Luband were not destined to revert to his descendants. His estates in the Lothians were granted by THE BRUCE to Alexander Seton and Sir Robert Lauder, "justiciar Loudonie;" those of Cockburn in the Merse to the brave "hammerer of the English," that friend, tenderest and true, of his King, the good Lord James of Douglas, "upon whom the Lord bestowed so much grace in this life that he everywhere triumphed over the English." The wording of the grants of his other forfeited lands was, so far as Luband's name is concerned, the same as in that of the territory of Cockburn, which was as follows:—

John of
Fordun's
Chronicle
[Skene],
p. 268.

"Sciatis nos dedisse, concessisse et hac presenti carta confirmasse Jacobo de Duglas militi delecto et fideli nostro, totam terram de Cokburne vic Berwyk cum pertinenciis que fuit quondam Petri de Luband militis in cura nostra de prodicione erga nos, et regnum nostrum nuper convicti." Archibald Douglas, Sir James' youngest brother, son of Eleanor of Louvaine, Regent of Scotland in 1333, succeeded to his estates, but in the list of them Cockburn is not mentioned. The superiority which once vested in the Lords of Bonkill fell to the Dunbars, Earls of March. Edward Baliol bestowed Bonkill Barony upon "Thomas de Ughtred at Rokesburg," 20th October 1332. This Ughtred was made Governor of Perth by King Edward's orders, and bravely defended it, but he had no more to do thereafter with Bonkill or Cockburn. In 1439 Sir David de Dunbar, son of George, Earl of Dunbar, was

*Reg. Great
Seal*, vol. i.,
No. 3.

*Reg. Great
Seal, vol. ii.,
No. 32.*

*Exchequer
Rolls, preface
to vol. v., p. xl.*

*Hume of
Godscroft's
History of the
House of
Douglas and
Angus, vol. ii.,
pp. 258-261.*

styled Dominus de Cokburn. On 7th February 1425, Rex confirmavit donationem quam fecerunt quondam Georgius de Dunbar Comes Marchiæ et Georgius de Dunbar modernus qua concesserunt Davido de Dunbar filio dicto Georgii terras de Cokburn et de Bregham [Birgham] vic Marchiæ. This David de Dunbar de Cokburn, as mentioned by Mr. Burnett, Lyon King of Arms, in his admirable preface to the fifth volume of the "Exchequer Rolls of Scotland," edited by him, notwithstanding the very harsh treatment his brother had received from King James, was the first to rush to his rescue, and killed one of the assassins, for which his son, James the Second, rewarded him with the lands of Auchtermenzie, &c., which passed to his daughter and heiress, Margaret, married to Alexander, fourth Earl of Crawford. On the 13th January 1496 James IV. confirmed the charter of Margaret Dunbar, Countess of Crawford and Domina de Cokburne et de Birgheam, by which she granted to her son Sir Alexander Lindsay and his heirs the lands of Cokburne, with the mill thereof; although it had been urged by John Ogilvie of Fingask, and Hugh Douglas, Dean of Brechin, that Archibald, Earl of Angus, should have Cockburn and Birgham. Sir George Douglas of Pittendreich bought Cockburnspath; his son David, afterwards eighth Earl of Angus, took designation therefrom. He got Birgham from the Countess of Crawford in exchange for Cockburn, agreeing to give lands of equal value in Angus. William, ninth Earl of Angus, Hume of Godscroft says, intended to have made George his heir, and to have disinherited his eldest son, but George died at Cockburn 1st December 1590. If

this is correct, he must have been visiting William Cockburn, who had then acquired in fee the home of his ancestors. In 1458 an allowance of *xiii.lib. vi.s.* and *viii.d.* was made to the Countess of the rents of Cockburn *propter vastitatum per guerras Anglorum*, and on 30th September 1497 the Earl of March had allowance made to him *propter vastitatum terrarum de Hirsell, Graden, Letham [Leitholm], Greenlaw, Birgheame, and Cockburn vastatas per guerras Anglorum*. Alexander Home, miles, had in 1461 an allowance for the dues from Loch Brigheame and Brigheamschelis *pro combustarium et devastarium per Anglicos post obsiderum Castri de Norham*. In 1489 the superiority of most of the lands mentioned had come from the Dunbars to the branch of the family who had taken the name of Home from their territory so called; and Alexander Lord Home had charter of Greenlaw, Cockburn, Lethame, and the mansion called *Le Volte*. On the 4th January 1490 he got some of these lands, with Chirnside, Mersington, and Halsingtoun, incorporated into the Barony of Home, but Cockburn was not included. The lordship of it still vested with the son of the heiress of David Dunbar de Cockburn—David, Earl of Crawford. In 1479 John Lindsay of Cockburn married Margaret Summerville.

*Exchequer
Rolls*, vol. vi.,
pp. 310, 304,
and 404.

Ibid., vol. vii.,
p. 495.

*Reg. Great
Seal*, vol. ii.,
No. 1902.

*Origines
Parochiales*,
vol. i., p. 184.

In 1527 William Cockburn, second son of Sir William who was killed at Flodden, had confirmation under the Great Seal of the charter of Cockburn from Earl David to himself and Isobella Hume, his wife, and Alexander, their son, and made the ancient home of his ancestors his residence. In 1532 he had charter also of Lochtoun or Loch-Brigheame. The right to the adjacent forest on

*Reg. Great
Seal*, vol. iii.,
No. 447.

Raine's *North
Durham*, p.
16.

the slopes of Cockburn-law was his, cum piscatione salmonum et aliorum piscium in Aqua de Quhittiter. The keep, which stood upon an eminence overlooking the river valley, had escaped in 1542, when the English army advanced into Scotland under the Duke of Norfolk, whose orders from the Council were that "necessary y^t is by some notable exployte the dishonour be in some part purged which the Skotts brute of this realme, that the King's subgetts in the late enterprise of Bowes, being in far gretter number, durst not abyde to encountre with the Skotts, ye shall not stay and totally absteine from this enterprise, whatsoever condicions the Skotts shall offer to you, before you have done some notable exployte against the said Skotts." Sir Robert Bowes with 3000 men had been defeated and taken prisoner with his brother and 600 men at Hadden-rig, where the Earl of Angus fought with him against his countrymen, by the Earl of Huntly and the Lord Home, with some six or seven hundred horsemen.

It may be noticed as a coincidence that Hirsell, the residence now of the Earls of Home, was given on this occasion to Sir Andrew Ker of Littledeane by James V., who, in his exultation at the news, bestowed this reward upon him as the bearer of the welcome tidings. Cockburn, however, suffered much damage, as well as the most important fortress of Langton, in 1544, in that "expedition in Scotland made by the Kyng's armies under the conduct of the rycht Honorable the Earl of Hertford," when, as stated in the account "sent by a friend of hys with the armie to the Rycht Honorable Lord Russel, Lord Priuie Sele, were brunte and destroyed two

hundred and eighty touns and castells, grate and small, betwixt Coldingham and Mailros." He is silent about their sacrilegious burning and destruction of the beautiful abbeys they plundered. Langton, which had again been sacked and burned by Sir Henry Percy and Sir George Bowes in their raid into the Merse in 1558, had been rebuilt, and was a stately castle when Queen Mary honoured her brave and faithful adherent Sir James Cockburn with her presence there, after her recovery from her severe and suspicious illness at Jedburgh in 1566. It is not probable that it was caused by the fatigue of her ride to Hermitage from thence and back in one day. Mary Stuart, a splendid horsewoman, was accustomed to such exertions, delighting in spending much of her time in the saddle. "The Erle of Bothuil had been deadly woundit in the hand by John Ellet, *alias* John of ye Park, quha's heid was sent into Edinburghe thereafter." "The insurgents vowed to withstand to the uttermost, and yield only to the Queen in person; so, incited by the circumstances, and fond of appearing in the field, and of recalling to her people the renown of her ancestors, Mary, with a proper attendance, took the road to his castle." It would have fared badly with any of the partisans of her base brother Murray, and John Knox, had Langton heard them venturing to sully her fair fame, as they so wickedly did by their vile insinuations as to the motive that induced "this most admirable and hapless woman," as Mr. Chambers justly calls her, to take the certainly severe and fatiguing ride through forests and morasses, which, as he says, "was a simple diplomatic transaction, and occurred as a matter of course in public business." She little knew the man for whom she showed such compassion.

Redpath's
Border His-
tory, p. 589.

Birrel's *Diary*,
p. 6.

Dr. Stuart's
Hist. of Scot-
land, Book ii.,
p. 170.

R. Chambers'
James VI.,
vol. i., p. 26.

*Diary of
Robert Birell,
p. 9.*

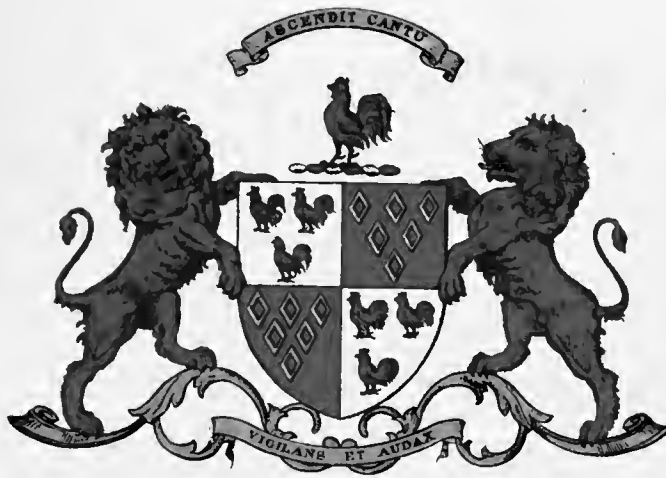
Well would it have been for Mary had John of ye Park's dagger pierced his heart; she would have escaped the record being made, that "on ye 15 Maii ye Queine was marreit to ye Duck of Orkney in ye Chappell of Holyrud-hous by Adam Bothuil, abbot of Holyrud-hous, and his text was Genesis ii."

Through all her subsequent trials in Scotland, Sir James Cockburn of Langton, as well as his brother-in-law, Sir James Cockburn of Skirling, stood stoutly by her. He went with his loved sovereign to Carberry Hill and Langside. Leaving him meantime, this endeavour will now be proceeded with to trace his family and its principal cadets, not from the first patriarch of the race, whether Saxon or Dane, who built his fortalice of Cokburn on the Whitadder, near Bonkill Castle, but from the earliest proved ancestor of the Cockburns when they had risen to an important position, and were enumerated amongst the Magnates Scotiæ of knightly rank, when knighthood was really a distinction, and conferred only upon men of a different order from the worthy persons so decorated in modern days, the

" Sir Moses, Sir Aaron, Sir Jam-ram-agee,
Two stockbroking Jews, and a shroffing Parsee,
Who have girt on the armour of old Chivalrie,
And instead of the Red Cross have hoisted balls three."

GENEALOGY

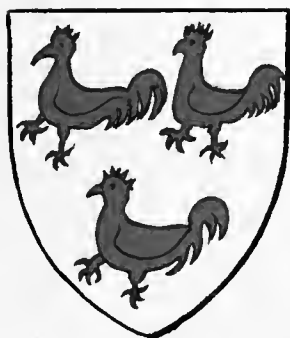
OF THE



COCKBURNS OF THAT ILK

BARONETS.

COCKBURN OF THAT ILK AND LANGTON, BERWICKSHIRE.



Cockburn of Lanton,
Armorial de Berry,
A.D. 1380-1410.



de Veteri-Ponte of Langton
and Carridin,
1296.

I. PIERS DE COKBURN is the first *proved* ancestor. He inherited the lands of Cokburn in the Merse in the reign of William the Lion. In that of his son, Alexander the Second, he witnessed the donation to the Monastery of Soltra from "Fleuria relictæ quondam Domini Adæ de Quintini," not Adam of Swinton, as the name has been rendered. The charter was given before 1232. Contemporary with him, according to Mr. Alexander Nisbet, lived Sir John Cockburn of Torry, County Fife. The date 1237 appears however to be a misprint.—Of this Fifeshire branch in its place.

In repairing the very ancient Priory of Coldingham in 1851-5 "at the instance of the late John Cockburn-Hood of Stoneridge [who, as Mr. Hunter

*Registrum
domus de
Soltra*, No. 9.

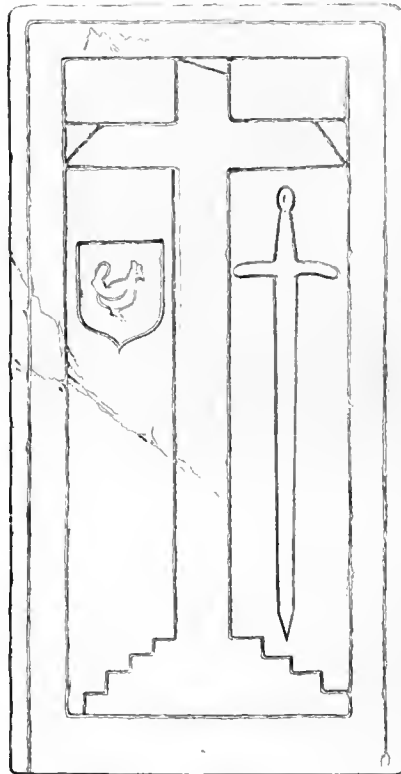
A. Campbell
Swinton of
Kimmerghame's
*Swintons of
that Ilk*, p. 6.

Nisbet's
Heraldry,
edit. 1722,
p. 355.

W. K. Hunter's *History of Coldingham Priory*, pp. 15, 16, 97.

states, found a ready supporter in David Milne Home of Wedderburn], there was found a stone coffin deposited directly over and two feet above the foundation of the ancient wall, upon which the newer

monastery had been built. It was covered by a dressed slab of stone, upon which is carved a sword in form of a crucifix, on one side of which there is the figure of a domestic cock, and on the other a bugle-horn. From the insignia it must have been some person of distinction who was here entombed, not improbably one of the Cockburns of Langton, who possessed a fortalice at East Reston." Langton and East Reston, however, did not come into the possession of the family until the days when



upon the tomb of one of their chiefs would have been carved the armorial bearings then carried, viz., three cocks two and one, instead of a single "cock walking," as shown in the well-cut seal of the first Cockburn of Langton in 1340.

Had the author quoted seen the impression of the old one used by the Piers de Cockburn, who made his submission at Berwick in 1296, he might have concluded that the mouldering remains exposed to view when the lid of the sarcophagus was raised, and which fell to dust immediately, were those of some early ancestor of the Cockburns of Langton, perhaps of this very Sir Piers de Cockburn, who had the "dominium" of Cockburn with its castle before the year 1230. The seal appended by the Piers de Cockburn in 1296 to the deed of homage perhaps was the impression of his predecessor's signet; the device thereon being so similar in its antique character to that carved upon the lid of the sarcophagus.

If it contained the body of Piers, the contemporary of Sir Adam of Quinton, it would, with due reverence, be placed by the Abbot and Monks of Coldingham within the precincts of their Abbey church; for story tells that he set out for the Holy Land, with his feudal-lord Patric, sixth Earl of Dunbar, who joined the disastrous crusade of Louis IX. of France in 1248.

In his most valuable history of his ancient and celebrated family, Mr Campbell-Swinton of Kimmerghame, after mentioning Sir Alan Swinton of that Ilk, who died about the year 1200, observes—"Of the Barons of Swinton for the next century and a half little can be said, except that their existence is proved by various charters where their names appear as witnesses." This is the case also with their neighbours, the Cockburns of that Ilk. Their old documents have been destroyed, and in consequence of the many occasions upon which their

*Swintons of
that Ilk, p. 6.*

castles of Cockburn and Langton were sacked and burnt, those of the sixteenth century have likewise been lost. Fortunately in the Public Records notices of members of the family are found during the darkest period of history, enabling a fair idea to be arrived at of the succession of their chiefs from the commencement of the thirteenth century.

The next possessor of the property, who may confidently be taken to have been the son of this Piers, was—

*Cartulary de
Cauldstreme,*
p. 81, No. 13.

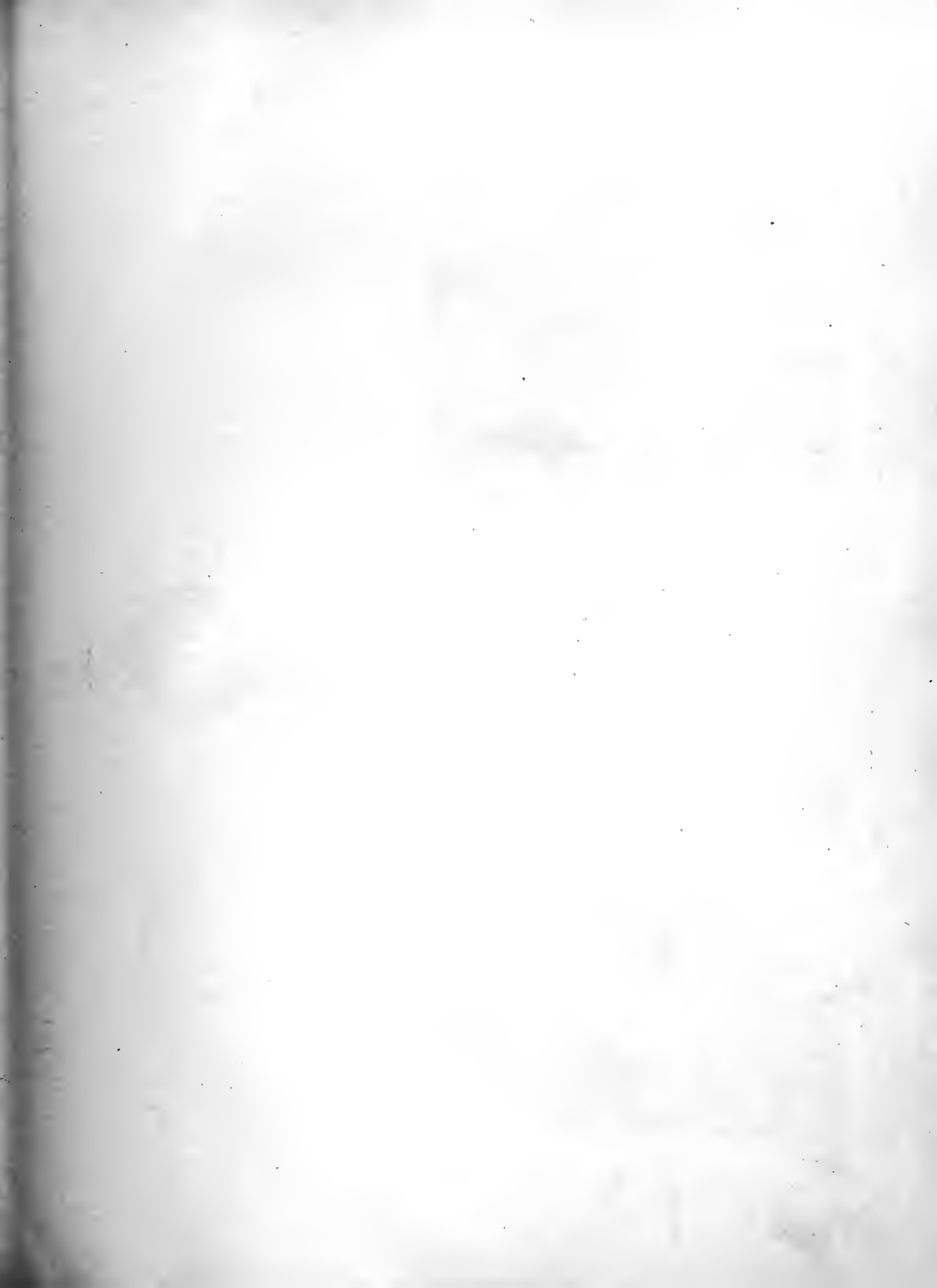
II. SIR ROBERT DE COKBURN of that Ilk and Henderland.—He was knighted by King Alexander III. In 1262 he witnessed the deed whereby Earl Patric of Dunbar granted a donation to the nuns of Coldstream out of the lands of Leynal [Lennel] adjacent thereto. His name is placed first of the four attesting knights. Philip de Haliburton and Thomas Papedie were also amongst the witnesses.

Raine's *North
Durham,*
Appendix,
Coldingham,
No. 137.

In the previous year he affixed his seal of arms to another charter by this same Earl Patric, in which the Priors of Durham and Coldingham were both interested. His name appears also in a charter of 1270 to Sir Hugh Bellenden, and about the same time he was one of the witnesses to the deed by which Falethaugh resigned his rights in the lands of Drumkaraucht to Sir Hugh de Abir-nethin, giving "in maiorem securitatem nos plegias inueni videlicet Falethauh meum filium primogenitum et Michaellem Mac Alanh." A facsimile of this beautifully written document is given in the *Book of Douglas*.

Sir William
Fraser's *Book
of Douglas,*
vol. iii., No. 5.

Sir Robert having acquired very extensive terri-



DEED of RESTITUTION by PATRICK, EARL of DUNBAR, to
the PRIOR and CONVENT of DURHAM, of the Ward of East
Nesbit, &c.—Dated (4th) November 1261.

TRANSLATION.

To all who shall see or hear this writing, Patrick, Earl of Dunbar, son of Patrick the Earl, wisheth health in the Lord: Wit ye us to have restored to the Prior and Convent of Durham, the ward of East Nesbit, with the marriage of the heirs of the said vill, as their own proper right for ever, so that neither we nor our heirs shall be able to claim any right whatever to the said ward and marriage; saving to us and our heirs fully thirty shillings yearly at the Feast of Saint Martin, to be received from the Prior of Coldingham, who for the time shall be, from Edenham, and from the aforesaid vill of East Nesbit; and likewise saving to us and our heirs the forinsec service due from the said vills; of which thirty shillings yearly, and of which forinsec service we and our ancestors have hitherto been vested and seized: Providing moreover that the aforesaid heirs of the said vill do not disparage.—In witness of which thing to this writing we have caused our seal to be set; these being witnesses, Sir Robert of Meyners, Hugh de Gurlay, then steward to the Earl, John de Esselington, Patrick, son of Walter, Thomas de Herinton, Richard de Tweng, Robert de Cokeburn, Knights, John, Rector of the Church of Oldehamstoks, Henry Gategang, and others.—Given at Chirneside on Friday next after the Feast of All Saints, in the year of the Lord a thousand two hundred sixty-one.

tories in Tweeddale, resided there, and his name is not met with in records affecting the Merse after the year above mentioned.

The gift of Richard de Heton, son of the deceased Magister Adam de Heton, of lands in the territory of Molle, which had belonged to the Lady Eschina de Molle, to the Monastery of Melrose, was witnessed "Roberto de Cokeburne tunc constabulario de Rokesburg." The name of his wife has not come down to us. She was probably the daughter and heiress of some old chieftain of Upper Tweeddale, of whom as little is known as of Falethaugh, by whom he got large estates ; amongst others Henderland, &c., on Megget. It may have been that she was the inheritrix of the possessions of Ranulf de Megget, who is mentioned as lord of that territory in 1200, in which year he witnessed the perambulation of Stobo. This Henderland in Rodonna [which ancient barony included all the Valley of the Megget] he seems to have made his chief seat. Dr. Alexander Pennecuik, in his accurate description of Tweeddale, says—*The old and Honorable Cockburns of Henderland were then acknowledged to be the chief of that surname in the Kingdom.* Of course he alludes to the times before Sir Alexander in consequence of his match with the heiress of the de Veteri-Pontes, returned to the immediate neighbourhood of the original home of his ancestors in the Merse, and made their castle of Langton his seat. It continued to be that of the chief family of the Cockburns for four hundred years.

There seems to be no reason for doubting that three of the name, prominent men in the latter part of the thirteenth century, were Sir Robert's sons, namely,

*Liber de
Melros, vol. i.,
p. 260.*

*Origines
Parochiales,
vol. i., p. 233.*

*Pennecuik's
Tweeddale,
p. 248.*

*Exchequer
Rolls*, vol. 1,
p. 21.

Ibid., p. 29.

Stodart's
Scottish Arms,
vol. ii., p. 154.

Nigel, Piers, and Thomas. He had also a daughter, who married the son of Thomas Finemund. In 1264-1266 Hugh de Abernethy was Sheriff of Roxburghshire. In his accounts is noted, "Item pro relieuam et maritagium filii Thome Finemund de illo termino vj. marce, &c." Following this is the computum of Thome Kauer Vicecomitis de Rokesburg, with "Memorandum quod Robertus de Cokeburn miles tenetur in quindecim marcis pro maritagio filie sue que non ponuntur in hoc computo quia nihil boni habuit in ballia de Rokesburg unde possit compelli. By a later entry this merchet appears paid. Sir Hugh de Abernethy credits the accounts of the county, "pro relieuium et maritagium filii Thome Finemond x. marcas et de xxx. marcis quas Robertus de Kokeburn miles finiuit pro ea." The name of Thomas Kauer or Kerr, sheriff in 1264, is also, Mr. Stodart says, written Kaurr. Sir Robert Sibbald says that Thomas Kayr was Judex de Fife in 1292.

The Finemunds were extensive landowners, and are found bestowing liberal donations upon the Church.

When King William the Lion was at Roxburgh Castle [which in those days overlooked the large town of Roxburgh, of which no vestige is now to be seen, where was the Royal mint, and coins were struck in the reigns of his grandfather David I. and his brother Malcolm the Maiden] he confirmed many grants to the Abbot and Monks of Kelso made in their time, and since he himself had ascended the throne. Amongst the earliest donors was Roger de Ov or Ow, who gave to them the advowson of the "Ecclesiam de Langtoun cum

omnibus ad eam pertinentibus." His grant was renewed by William de Veteri-Ponte, who got Langton from this Roger a few years after this gift, *i.e.*, about 1150. In like manner William Finemund bestowed upon the Abbacy, *ecclesiam de Kambus-naythan*. The Finemunds, lords of Cambusnethan in Lanarkshire, whose name in old records is sometimes written *ffinemund*, were probably of Flemish origin, and came to Scotland about the same time as their neighbours in that part of the kingdom, the Flemings of Biggar and Cumbernauld, to whom they were perhaps of kin. Warin de Finemund, the grandson probably of Sir Robert de Cokburn, is the last of the family mentioned as a man of position. He witnessed in 1304 the settlement of the marches of an estate, "bounded partly by the fosse of Galloway and the rieulet running thence into the Lydd."

*Liber de
Calchou, p. 6,
No. 14.*

SIR PIERS DE COKBURN, Sir Robert's second son, being the possessor of a strong fortalice in the immediate vicinity, could not well escape having to ride to Berwick, and with the generality of the Scottish nation who had any position subscribe the deed of homage to Edward of England. It was on the 28th August 1296 that he did so along with Nichol de Vieuxpont of Tyndale, Michael de Wymes



Seal of Piers de
Cokburn, 1296.

Henricus de Haliburton, and one or two others of his companions in arms. His seal, appended to the deed of submission, bore "a cock walking." He was an early supporter of THE BRUCE, and his lands were forfeited, and those in the Merse bestowed upon Edward's minion Pers de Luband, as already noticed. Amongst the petitions presented to the English monarch for restoration of lands was that

of Michael de Wyton, keeper of the King's stores at Berwick,

Sir F. Palgrave's *Collection of State Papers*, vol. i., p. 309.

Raine's *North Durham*, p. 45.
Ibid., Appendix, No. 114.
 Nisbet's *Heraldry*, edit. 1722, p. 357.

Bain's *Calendar*, vol. i., No. 448.

who claimed, "le iii. jour de August 1304 a Derlington la terre Pierres de Cokburn qi est de l'acord le Conte de Carrik, et la quele terre [il] dona aut dit Michele p. sa chartre avant ces houres—Le Roi le granta." These lands of Wytton, in the constabulary of Haddington, belonged in after times to the Cockburns of Skirling. Adam, laird of Skirling, was retoured heir to them in 1460.

Piers de Cokburn married Helena de Papedy or Pepdie, the daughter most probably of Stephen de Papedy and his wife Helena, who was one of the widows who had restitution of their husband's lands in 1296 from King Edward. One family of Papedei, as the name was generally written of old, ended in an heiress, who carried Dunglas and other lands in the Merse to the Homes. The Earls of Home still quarter their arms. Papedie was sheriff of Norhamschyre and Islandschyre before the year 1110. The charter of "Waldev the Earl, son of Gospatric the Earl, was witnessed in 1166, primo anno Willelmi Regis Stephano papedi." The three papingoes [parrots] carried by the Papedies of Dunglas are also found in the achievement of the Lumleys, Earls of Scarboro', descended, it is said, from Liulph in the reign of Edward the Confessor. Similarity of armorial bearings in ancient times is the strongest proof of common descent. The Papedies were a family of great consequence and wide possessions in the reigns of Richard and John of England. In 1208 Walter de Ferlinton, being reported to have married [duxisse] without permission the daughter of Henry Pappede, who was said [devenire] to belong to the King, was ordered to stand his trial at Westminster, and to bring his wife Wimarca with him.

There are no good reasons for supposing the tradition to be incorrect that this faithful adherent of THE BRUCE was one of the companions of his nephew, the gallant David de Brechin, when he went to war against the Saracens. So chivalrous a man as Piers de Cokburn would be certain eagerly to embrace any opportunity of gaining renown, and of performing the devoir of a true knight. Their respective wives, Helen Papedy and Margaret de Bonkyll, having been occasionally neighbours and no doubt friends from childhood, would be companions to each other in the absence of their knights. Edward and Adam mentioned below are taken to have been their sons.

The Scottish barons at this time, especially those who held lands on both sides of the border—such as the Bruces, Baliols, &c.—seem to have been partial to the name of Edward. They bestowed it upon their sons probably in admiration of Prince Edward of England, their suzerain, who in his younger days had gained well-merited fame for his wisdom as well as courage, displayed not only at home, but in the East, where he so chivalrously restored the prestige of the English arms amongst the Saracens. To receive the accolade of knighthood from the hand of Edward of England was an honour sought for by the noblest men of that age. The renowned warrior Sir Simon Fraser, Lord of Tweeddale, who afterwards with his brave borderers defeated Edward's army of 12,000 men at Rosslyn, had been thus distinguished, and when the vengeful king sentenced him to the same ignominious death as Wallace, he perhaps justified the proceeding to himself by looking upon him as a forsworn knight; the more so that he had sworn with David de Brechin, "*Aler en Escoce por le suivre selonc mon poer en ceste guerre q'il ad au Roi de France.*" The estimation in which he held the honour, was evinced by the solemn ceremonial at Westminster, when he conferred it upon his son, the Prince of Wales, "to kindle in him a martial spirit, and inspire him to maintain his conquests and avenge his quarrels, bestowing their spurs at the same time upon 300 of the noblest of the youth of England, thenceforward deemed bound to him as his brethren and faithful companions in war."

Sir Francis
Palgrave *Col-
lectanea*, p.
191.

I. EDWARD DE COKBURN is found on 5th August 1300 in attendance upon Patric de Dunbar, first Earl of March, the feudal superior of the dominium of Cockburn, as his valet or page, and no doubt would be present with him in the previous month, at the siege of Caerlaverock along with Patrick the Earl's son, who succeeded as second Earl of March and ninth Earl of Dunbar, then a lad of sixteen. Edward Cockburn was probably not much older. He afterwards drew his sword for King Robert, in whose reign he is found possessed of the barony of Ord or Urde, County Peebles. The Earl of March "a man lightly esteemed by all parties, had abandoned the English interest and espoused the party of Bruce when Berwick was taken in

Hailes' *An-
nals*, vol. ii.,
pp. 97, 382.

1318. After Bannockburn he full gently reseived King Edward into his castel of Dunbar and thens the King cam by water to Berwick." The castle thereof was in his keeping in 1333 when he "became English" again, and surrendered it to Edward III. Where Edward Cockburn was then, or whether he was still alive, is not known; nor whether he inherited Urde from his father, upon whom the territory may have been bestowed by "the good" Sir James Douglas, or had acquired it himself.

*Origines
Parochiales,*
vol. i., pp.
186-187.

It is not altogether unlikely that he may have got it by marriage with the daughter and heiress of "Adam de Horde, or of Thomas of Ladye-Ord vic Peblis, both of whose names are found on the Ragman Roll. The Manor of Urde belonged to Robert de Londoniis, natural son of William the Lion, and was held from him as feudal vassal by William de Orde in 1214, as it had been by his father, Geoffrey Dominus de Orde or Urde.

Robertson's
Index, p. 24.

John de Crake had charter from King Robert Bruce "of half the bounding of the barony of Urde quhilks he got in marriage frae Edward Cockburn boundand." Craik, on the head of the Borthwick Water, was adjacent to Glenkerry and Dalgles, which territories belonged to the Cockburns.

*Liber de
Melros*, vol. ii.,
p. 396.

In 1329 Patrick, Earl of Dunbar, as over-lord, confirmed the grant from Master William de Greinlaw of some lands in the territory of Halsingtoune and of Pittilscheuche [both within the bounds of the present parish of Eccles] to the Monastery of Melrose. The deed was witnessed by Edward de Cockburn and Stephen de Papedie. They were probably first cousins. This is the last notice met with of Edward, who does not appear to have left any child except John de Crake's wife.

II. ADAM DE COKBURN, deemed to have been the progenitor of the Cockburns of Torrie, County Fife, and will therefore be mentioned again, is found at one time in an unpleasant position, a prisoner in England, being amongst the "homines Berwici qui ob suspicionem ad Novum Castrum [Newcastle-upon-Tyne] misi fuerunt." Orders were sent relating "aliis Berwicientiis in castris et oppidis Anglicis relegatis." Especial reference is made to

Adam de Cokburn and Bartholomew de Prestun, "who were confined in the Castle of Baumburg" [Bamborough].

Where or when their father the gallant Sir Piers died is not known with any certainty. Traditions, although handed down in families from generation to generation, are very frequently destitute of foundation, but a halo of romance attaches to the name of Piers, who stood with his kinsmen and their retainers, it is believed, beside "the good" Sir James of Douglas in the centre of the battle at Bannockburn, and aided in gaining that glorious victorie succedit to Scottis on the Nativitie of Sanct Johne the Baptist fra the Incarnatioun MCCCXIV. zerbis. It may be also true that he accompanied his patron when he started with THE BRUCE'S heart for Palestine, and fell with him on the plains of Spain.

SIR THOMAS, supposed to have been the third son of Sir Robert de Cokburn, is styled "del Counté de Rokesburgh," when he was with his brother compelled to take the unlawful oath of fealty to "the Hammer of the Scottish Nation," for which humiliation they were to have ample amends.

Sir F. Palgrave's
Collectanea,
vol. i. p. 184.

He was with him on the field of Bannockburn, and it was probably from the hand of Robert Bruce that both brothers received the honour of knighthood, or it may have been from the Lord James of Douglas. In all likelihood he received from him charters of the large estates he held in Tweeddale; but if so, they are amongst the numerous missing ones, and are not mentioned in the *Registrum Magni Sigilli* until his grandson or grandnephew Piers came into possession about 1360-63. Sundirland and Sundirland-hall, County Selkirk, were included in the grant of Piers de Kocburn de Henriland to his son Piers. These estates were annexed formerly to the extensive Barony of Hawick, county Roxburgh, which belonged to the Lovels. Cavers and Branxome were also within its boundaries. Henry Lovel held this great territory in the reign of William the Lion. In 1183 Henry Luvel [Lupellus] bestowed upon the canons of St. Andrews "two oxin-gang of land in Branchishelme, which his son Richard, Lord of Hawic, gave them other lands in exchange for between Quikuene and Chesteris. Amongst those named were Harwod and Quhammes or Wammes [Weens]. His descendant Sir Richard Lovel had, besides this great barony,

Reg. Great Seal, vol. i., p. 163, No. 11.

Origines Parochiales, vol. 1., p. 339.

very extensive territories in Eskdale and Ewisdale, and also in Annandale. He married Muriella, daughter and heiress of Sir John de Soulis, who inherited the manor of Auld Roxburgh and half the barony of Wester Ker (or Wester-Kirk) in Eskdale. The other half still belonged to her relatives on the mother's side—the Lovels. The Commissioners appointed to inquire into the circumstances narrated in a petition from Richard and Muriella, reported that "the barony of Hawick had belonged to Richard Lovel's ancestors from time to which no memory runs to the contrary." The advowson of its Church had also been in their hands as lords of the manor for several centuries. With his wife's consent he exchanged Auld Roxburgh for lands in Somersetshire in 1310. Having succeeded to the ancient heritage of his family, the historic Castle Kari in that shire, he was summoned as a Peer of Parliament in 1348. It was a fortunate arrangement Muriella de Soulis and her husband made, as their grand-daughter Muriel would not have brought as portion of her inheritance this great estate in Scotland to her husband, Sir Nicholas St. Maur, Lord St. Maur. Sir Richard Lovel appears to have had a brother William (not named in the pedigree given in Sir Bernard Burke's "Extinct Peerage"), who continued to hold the other estates forfeited in the reign of David II. William Lord Douglas had charter of "Eskdale and Ewisdale, quhilks William Lord Lovel forisfecit." On 19th July 1327 protection was craved for Monsire William Lovel and his vadlet, John de Rallesden, as they have "forclos" the Scots, by the aid of God, from entering their lands, and the writer begs his correspondent to raise the country on them wherever they draw to, in obedience to the King's command.

A branch of the family continued in Scotland, and possessed the lands of Ballumby, in Forfarshire, where they had a strong fortress, till the latter end of the sixteenth century. Sir Henry Lovel of Ballumby, who married Margaret Montcrief, had infestment of various lands held by him from the forfeited Earl of Angus, 11th May 1529. In many instances families whose chiefs disappeared and whose principal estates were escheated in Robert the Bruce's reign, continued to be represented by younger branches who have been overlooked. That monarch granted "Henrico de Balliol militi delecto et fideli nostro" all the lands of Brankishelme [Brankholm], in

*Origines
Parochiales,*
vol. i., p. 389.

Robertson's
Index, p. 38.

Stodart's
Scottish Arms,
vol. ii., p. 140.
*Reg. Great
Seal*, vol. iii.,
No. 780.

*Reg. Great
Seal*, vol. i.,
p. 6, No. 24.

the barony of Hawic, which belonged to Richard Lovel, Knight." Cavers, another portion of that barony, was in the possession of Sir Alexander de Balliol, Lord Chamberlain of Scotland, who was forfeited; but, nevertheless, "Monsire Thomas de Baylliol" inherited Cavers, which he or his son resigned, having no children, to his brother-in-law William, Earl of Douglas, in 1368, whose grandson, Archibald, not recognised as legitimate, had charter of Cavers. He it was who carried the standard of the Earl, the dauntless hero of Otterburn, "his father." Cavers remained in the possession of his descendants in the male line until the death of James Douglas of Cavers in 1878. The banner carried in 1388 by his ancestor is still preserved in the hall of his ancient seat.

Sir Bernard
Burke's *Ex-
tinct Peerage*,
p. 22.

W. Riddell-
Carre's *Border
Memories*,
p. 11.

The lordship of Hawic barony appears to have been given to "the 'Good' Lord James of Douglas, who granted the lands of Sundirland to his kinsman, Douglas of Lintonrothbrekis, and the other part of that estate, known as Sundirlandhall, he gave, or more probably confirmed as over-lord, to Sir Thomas de Cockburn, who may have been in possession of it in right of his wife, a daughter of the house of Lovel. When James III. forfeited in the next century the estates of William Cockburn of Henderland, Sundirland, Traquair, &c. were united into the one barony of Sundirlandhall, and given to William Douglas of Cluny, but Sundirlandhall proper was restored almost directly to Cockburn.

Robertson's
Index, p. 27.

The relationship between the great families above-named, the forfeitures and counter forfeitures by the Bruces and Baliols, or rather their English Suzerains, Edward I. and II., and the protection in many cases given by mutual concession to the rights of heiresses, render following the possession of estates at this period very difficult. A distinguished writer upon the history of his country has observed with much truth that "it is doubtless more easy to complete a history of any civilised country in Europe than to elucidate one obscure century of the history of Scotland." From the causes alluded to, that of its principal families from 1280 to 1350 is more especially obscure and uncertain. We do not know where Sir Thomas made his usual residence. It may have been at Sundirlandhall; and as this place was in the barony of Hawick, in Roxburghshire, it would account for his being styled of that county. He would doubtless often hunt in

Sir J. G.
Dalyell's
*Fragments
of Scottish
History*, Pre-
face.

Rodonna, along St. Mary's Loch and Megget Water from Henderland with his brother Nigel, where, two centuries afterwards, James the Fifth killed his eighteen score of harts, and then executed William Cockburn of Henderland in front of the gate of his own castle. Of Sir Thomas again, presently.

III. NIGEL DE COKBURN, of Henderland, succeeded his father Sir Robert in the property in Meggetland. He was evidently also an influential personage, and had made himself conspicuous by his devotion to the cause of Wallace, so his estates were forfeited like his brother's by King Edward.

The Cockburns were, we may reasonably think, amongst the "saxte nobil men in wer" who under Sir Nichol de Rothirforde joined the Patriot's standard from Atryk-wode.

Nigel, like many of the foremost men of the time, submitted in 1306-7, and had his lands restored to him. The properties of many of the forfeited Scottish nobles had been given to Robert Hastang, made Sheriff of Roxburghshire and of Peeblesshire; but on 20th March 1311 was dated the following mandate from Edward II. :—"The King, considering that his late father gave to Robert Hastang for his good service, the Scottish lands of the following rebels, viz., Nicholas de Soule's lands of Tulk and Cluny, Roger le Mareschal's in la Halle-del-Mire of Rowmanok, David de Breghyn's in Lyiardwode, Nigel de Cokburn's in Megget, John de St Michael's in Heveside, John le Mareschal's in Tocstrother, Roger de Aylmor's in Aylmor, Alexandre de Lyndesay's manor of Byres, Geoffrey de Moubray's manor of Ecford, Thomas Randolph's manor of Broxmouthe, Agnes de Vescy's lands in Applebryggs, and Herbert de Maxwell's

manor of Maxwell, as worth 300 marks per annum, and thereafter resumed the whole, except Broxmouth and Byres, restoring them to their former owners who came to his peace. Therefore, to make up the deficiency, grants to Robert Hastang the following Scottish rebels lands, viz., those of Robert de Kethe in Lothian, of Peter de Pontekyn in Pontekyn, barony of Muscledrugh, of Edmund de Ramesye in Cokpen, of Godfrey Brun in Comber-Colstone."

Sir David Dalrymple [Lord Hailes] thought that the "Marchell" spoken of by Archdeacon Barbour,

"Who had with him the best of Lothiane
For Sehyreff tharoff than wes he,"

Hailes' *Annals*, vol. ii., p. 97, Note

Barbour's *Bruce* Buke Eleventh, pp. 334, 335.

was a corruption of "the March Earl," or Patric Earl of March, but the two le Mareschals mentioned in the above document seem to make this doubtful. They were evidently men of consequence, and had made themselves conspicuous in their opposition to Edward I. Roger of Rowmannok [or Romanno] Nigel Cockburn's neighbour in the county of Peebles, and who was forfeited along with him, or John le Mareschal of Tocstrother may have been "the Marchell quhay's cosyne Syme of Spalding, burges of Berwick, had weddyt till his wyffe," who so signally assisted Randolph, now Earl of Moray, and James Douglas in taking Berwick in 1318. Maydouse or Manduca, widow of Sir John le Mareschal of Tocstrother of Scotland had in 1335 gift of £20 from Edward III.

Bain's *Calendar*, vol. iii., No. 1162.

"Randolf obtained mercy through the intercession of Adam de Gordon, and was admitted to swear fealty to Edward in 1306," as did James "the Gud" Steward, in the most complicated way, upon

Hailes' *Annals*, vol. ii., pp. 20, 21.

la Croix Neyts et la Blacke rode, the two crosses of Scotland most esteemed for their sanctity, on the consecrated Host, on the Holy Gospels, and relics of Saints, &c. Nigel Cockburn, who had stood it may be beside the dauntless Edward Bruce, and his gallant young brother Nigel, so mercilessly put to death when Kildrummie Castle was taken in the same year, submitted temporarily with the rest, when their great champion had suffered the frightful death at Edward's hands. The times were "out of joint," and unexpected events followed each other so rapidly, judgement cannot be passed at this day upon the principal actors, whose position was so singularly difficult. In 1297 Robert Bruce himself, called in the Ragman Roll "le jeovine" Earl of Carrick, wasted Douglasdale with fire and sword, and carried off the wife and children of Sir William Douglas, who had espoused the cause of Wallace, which course he also himself followed ere long.

*Origines Paro-
chiales*, vol. i.,
p. 159.

Had Nigel Cockburn lived, he would, we may well believe, have been found again with Sir Alesandre de Lyndesye and the many warrior nobles who had sworn fealty to "Schyr Edward the mychty King," tactis sacrosanctis, and kissing the Holy Evangeyles, fighting for the freedom of his country, and following the illustrious Robert Bruce during the most arduous period of his struggle.

He had escaped doing homage with his brave brothers Piers and Thomas in 1296, being then it is very likely in Wallace's company, so Nigel de Cockburn, not appearing in the Ragman Roll, was unknown to Mr. Crawford when he wrote his notes upon the persons whose names are handed down in that famous document.

He says of "Piers de Cokburn," *this seems to be the root of the Cockburns of Langton, Ormiston, and Clerkington, of whom the rest of the Cockburns are come.* This would have applied correctly to the Piers de Cokburn with whom this memoir commences, but he could not have been the person who did homage at Berwick in 1296. Previously he had noticed "Thomas de Cokburn" *as the ancestor of the Cockburns of Langton.*

Historical and Critical remarks upon Mr. Prynne's History, p. 37. Nisbet, vol. ii.

Ibid., p. 33.

IV. SIR THOMAS DE COKBURN, stands accordingly in the pedigree of the family [which has been based no doubt upon Mr. Crawford's remarks] as son of Piers, and father of Sir Alexander.

Had either Piers or Cockburn in the Merse or Sir Thomas of Roxburghshire succeeded to the lands on the Megget and the Lyne, they would not have been found in quiet possession in 1311, both being then active in the cause of BRUCE. The probability seems to be that Nigel, who is not heard of afterwards, died soon after his lands were restored to him, leaving a son too young to be dangerous, who succeeded eventually to the estates of the family. Sir Thomas having acted as his guardian probably, and being the apparent representative of his house, has been assumed to have been the father of his successor.

However the truth may be as to his own parentage, there is no question that from Sir Alexander and his two wives, respectively Mariota de Veteri-Ponte and Margaret de Monfode, descended all the families of the Cockburns, excepting that established in the county of Fife.

V. SIR ALEXANDER DE COKBURN of that Ilk and Henderland, was evidently a man of parts and accomplishments, and became a very prominent personage in the reign of David Bruce, who naturally desired to do all he could to evince his sense of the great services rendered by his predecessors to his father.

One of the latest favours conferred upon him was very shortly before his death, when he granted to him and his heirs for ever the office of Ostiarius Parliamenti.

He married about 1335 Marion or Mariota, daughter and heiress of Sir William de Veteri-Ponte, who fell at Bannockburn. Her family possessed, besides other estates in Scotland, and in several counties in England, the Baronies of Langton in the Merse, of Carriden in Linlithgowshire, and Bolton in the constabulary of Haddington, which in 1312, on his forfeiting Sir William de Veteri-Ponte, Edward bestowed upon Alexander de Moubray.

Before proceeding with the memoirs of Sir Alexander and his descendants, who by this marriage came to possess their estates, it will be convenient here to give some notes regarding—

THE DE VETERI-PONTES OF LANGTON, CARRIDEN, AND BOLTON.

Planche's
*Companions of
the Conqueror*,
vol. ii., p. 100.

"Poyntz, the Norman," appears to have been the ancestor of this distinguished race, who took name from the Lordship of Vieuxpont-en-Auge, near Caen. There appear to have been two of the name companions of the conqueror on the field of Senlac, more familiarly known to us as "the Battle of Hastings," namely, Robert de Vieuxpont and William

de Vieuxpont. The latter was the warrior who saved the life of William Mallet on that 14th of October 1066. He is presumed to have been the ancestor of the Scottish branch, and Robert of the Lords of Appleby and Brougham, in Westmoreland, and possessors of other vast estates in Cumberland and other counties in the south. In the Scottish records the name is nearly always written de Veteriponte, although the French rendering of Vepount or Vieuxpont is occasionally met with. Scotch genealogists in after times give it less euphoniously Weapont.

The most puissant family of the name were the Lords of Appleby and Brougham, whose estates in England and Normandy were of great extent, and were largely increased during the reign of King John, who gave William de Veteripont precept to the Steward of Normandy, ordering him to give him full possession of the Lordship of Vepount there, as Robert his brother had when he went into France after the war. They were the sons of Robert de Veteripont, by his wife Maude, daughter of Hugh de Moreville, who was the fourth of his family holding the high office of Great Constable of the kingdom. It is said that "Heughe de Moreweill, Lord of Laudirdaill, being one of the killers of Thomas Becket, Archbishope of Canterbury, he then liuing at ye Englishe Courte, returns home prudently. He foundit ye Monasteries of Kilwinning in Cunninghame ordinis Tyronensis, and yat of Driburghe, in Teuittdale ordinis Præmonstratensis, and endowed them bothe werey richeley, and dyed A° 2 regnis regis Villelmi. William de Moreweill, Lord of Laudirdaill, succeidit his father, and was Grate Constable of Scotland in A° 1167, in ye

Planche's
*Companions of
the Conqueror*,
vol. ii., p. 103.

*Fragments of
Scottish His-
tory*, p. 71.

beginning of wich zeir his father departed this lyffe." But by the "Chronicle of Melrose" it appears that "A.D. 1162 obiit Hugo de Moruele, fundator ecclesie de Driburg," so it was not in expiation of the murder of this prelate that he was so liberal a donor to these religious establishments, as the generally accepted date of this event is 19th December 1170, so if a de Moreville was concerned in the affair, it must have been his son, not himself.

*Chronica de
Mailros, p.78.*

Bain's
Calendar,
vol. i., No. 361.

On the 15th March 1205 the King commanded that all the knights and freeholders of Westmoreland should do homage to Sire Robert de Veteripont for their lands and tenements, in terms of his charter from the King. He was one of the witnesses to the bond of King William the Lion in 1209, whereby "he bound himself to pay to his lord, John, King of England, 15,000 marks, for having the goodwill of the said lord the King of England, and fulfilling the convention between them for receiving payment of the said sum." King William gave the hostages named in the charter, except his two daughters, whom he had already delivered.

*Ibid., vol. i.,
No. 453.*

*Ibid., vol. i.,
No. 514.*

On the 13th June 1213 Saher de Quenci, Earl of Winchester, was ordered to send William, the son of William de Veteri-Ponte, to Portsmouth, on the Vigil of St. John the Baptist, as one of the hostages for the payment of this bond. At the same time Robert de Veteri-Ponte, Lord of Appleby and Brugham, was ordered to send the son of Earl Patric [of Dunbar and Northumberland], and their respective fathers or guardians were commanded to send the son of William de Vaux, Nigel, son of Philip de Moubray, Gervase, son of Gervase Avenel Piers, brother of Robert de Bruce, and the son of David de Lindsei, for whose appearance Earl David

was responsible. These young nobles were doubtless very jubilant as they rode along to the English Court, for King John's was a gay one, and they knew that they would meet there their own Princesses Margaret and Ysabell. These fair hostages resided some time at the Castle of Bristol, and afterwards at Nottingham, moving about with the Court, Geoffrey Fitz-Piers, Earl of Essex, having preferred to pay a fine of ten palfreys and ten goshawks to the risk of being their custodian. The King, however, remitted the delivery of the palfreys, sympathising perhaps with Geoffrey's alarm at having to guard a King's daughters. They seem to have been treated with the utmost attention, and liberally provided with all the garments they set their hearts upon, as well as dainties. They rode up to Windsor on one occasion, and had robes for the journey trimmed with hind's fur [penulis de bissis] and with rabbit's fur, which cost £36:18:4, and £14:19:3 was allowed for their other expenses there, besides a large bill paid to their grocer, who had supplied them with fifty pounds of almonds and a hundred pounds weight of figs. It is wonderful that they lived to leave Windsor. On another occasion the Mayor of Winchester was required to provide for the Queen, the King's niece, Eleanor of Brittany, and the two daughters of the King of Scots, such robes and hoods as Robert de Veteripont might direct by his letters patent. The Baron of Appleby gallantly lost no time in ascertaining the ladies' requirements; the order was received on 29th June, and on 6th July the Mayor was ordered to provide tunics and super-tunics of dark green, with capes of cambric furred with miniver and rabbit skins for them, and others furred with lamb skins, and tunics and super-tunics

Bain's
Calendar,
vol. i., Nos.
463, 487.

of bright green for their three maids, and for the use of the King's niece, and the daughters of the King of Scots, and their three maids, their summer shoes, and for the King's niece a saddle with golden reins. The young ladies were looking to have a canter through the forest, as well as dancing. The younger fair hostage appears to have been attired in panace, trimmed with black squirrel's fur, when she captivated Roger le Bigod, Earl of Norfolk. Margaret became the wife of Hubert de Burgo, Earl of Kent, whom she visited upon a safe conduct with their daughter Magota at the time when he was in a very unpleasant position, a prisoner in Devizes, with three iron chains affixed to his limbs by the King's express command, allowed food only once in the day, and that not luxurious or plentiful, consisting of only a halfpenny loaf and a measure of beer; this, certainly, was ordered to be large. No man was allowed to speak to him, and his Psalter even was taken away from him. But he managed to make his escape. Geoffrey de Brus, his custodiar, perhaps had a shrewd idea that his failing to produce the body of his prisoner would meet with no severe consequences. It was not very long before Earl Hubert, having surrendered some of his castles in Wales, "was remitted the King's rancour, indignation and anger," and received into full favour and friendship. In 1227 Henry III. gave him "the ward of the son and heir of Robert de Veteripont, with the castles of Peverelthorpe, Malvestong, Appelby, Bruham and Burgh, which were Robert's."

Bain's *Calendar*, vol. i.,
No. 998.

Ibid., No. 453.

The said Robert de Veteripont had in 1217 Carlisle Castle and the county of Cumberland committed to him to keep during pleasure. He had the

custody of Prince Arthur, son of Geoffry, King John's elder brother, taken prisoner when he was at Miravelt [Mirabeau] in 1203, for which reason he had grant of the Castle and Barony of Appleby. It must be hoped that in accepting so many favours subsequently from his reputed murderer that Robert de Veteri-Ponte had no misgivings as to what might be the fate of the unhappy heir to the throne, then a mere boy of seventeen years of age, when he brought him to Rouen. He married Idonea, daughter of John de Builly, Lord of Tickhill, and died in 1228. His son John, the ward of Hubert de Burgo, as above-mentioned, second Lord of Appleby and Bruham, was also a power in the north. In 1256 "Thomas de Hastings and others, Robert de

Planche's
*Companions
of the Con-
queror*, vol. ii.
p. 103.

Bain, vol. i.,
No. 2067.



Coat of Robert de Veteri-Ponte,
Lord of Westmoreland,
A.D. 1216.

Veteripont's men of Westmoreland," held all their lands in Cornage. The King [Henry III.] granted that for a price of two marks of gold, at no time of their life shall they be distrained to take knighthood [arma militaria] against their will. The male line of the house of Westmoreland ended with this Robert, third Lord, who was slain at the battle of Evesham, fighting under the banner of Simon de Montfort, 1265. His lands were forfeited, but restored to his daughters, Sybella and Idonea, his co-heiresses. The former married Roger de Clifford. Through this match the Castle of Appleby and the great estates in Westmoreland and Cumberland came eventually to the Tuftons, Earls of Thanet. Idonea married Roger de Leyburn; secondly, John de Cromwell. She had her portion of the estates given back to her

Sir F. Palgrave, *Collectanea*, vol. i., p. 217.

during her first husband's lifetime, "Regine Consortis pro dicta Idonea supplicante."

Cotton MS.,
Julius, F. xi.,
fol. 47, British
Museum.

The first Lord of Westmoreland had a brother Ivo, one of King John's Council, whose line also ended with Elizabeth and Johanna, co-heiresses.

The Scottish branch, although it did not attain to the great position and power of the Westmoreland one, was always distinguished, so far as can be gathered from history, by the gallantry and chivalrous conduct of its chiefs, over whose fame there hangs no shadow of suspicion, such as that which mars the reputation of Robert de Veteripont, the friend of King John.

Nisbet's
Heraldry, edit.
1722, p. 212.

Sir R. Sib-
bald's *History*
of *Fife*, p. 303.

The first known to us is John, presumed to have been the son of William de Vieuxpont, the Conqueror's companion, who came north, and was one of the band of Norman colonists endowed with lands by Malcolm Canmore. In 1126 the Mortimers got Aberdour, County Fife, by the match of the representative of the Mortuomaris, as the name is written in old Scottish deeds, with Anicia, daughter and heiress of Domini Johannis de Veteri-Ponte. There was a William de Vepount who claimed lands in Devonshire in 1131, and agreed that his rights should be determined by battle. He possibly may have been this John's brother, and the Baron who afterwards acquired great estates in Scotland, as well as in the north of England. William de Veteri-Ponte was possessed of Carridin in Linlithgowshire about 1140, and soon afterwards acquired Langton in the Merse from Roger de Oy or Ov, whose gift of the patronage of the church of Langton to the "ecclesiæ Sancte Marie de Kelkou," he confirmed. With consent of his wife Matillidis, he also bestowed upon the same establishment certain quarries [Eschalin-

Liber de Kelso
[*Calchou*],
Nos. 138, 140,
141, 319, 321,
&c.

CHARTER by WILLIAM DE VETERIPONTE, restoring to the
MONKS of COLDINGHAM the Lands which he had unjustly
taken from them.

TRANSLATION.

To all the faithful, William de Veteriponte, greeting : Wit ye
that I, led by penitence, do render to God and Saint Cuthbert,
and his Monks of Coldingham, that land concerning which there
was contention between me and the said Monks in the time of
David the King, which I had unjustly seized from them—free
and quit from all claim for ever ; by the old march, that is to
say, from the ridge of the hill over against Horuordresdene,
as far as to the valley, as the stream runs down into Tweed ; in such
sort, however, that the way may be open free for the people of
Horuerdresdene to the same Tweed : These being witnesses,
Ernald Abbot of Kelso, Richard, John, Rainald, Monks thereof,
Rabel del Chene, Thomas Abbet, John de Baiols, Richard de
Aldre, Ulkil de Haudene, William son of Thor, Alan son of
Cospatric.

Ommb; fidelib; . Willelm^o de uen^o ponce sat. Scias qd penitētia dūc^o reddo dō 7 sco
cuthberto 7 monachis eius de colingham terram illā de q^o contentio fuerat int^o me
et eosdem monachos tempore dānd^o regis . qm ego inultē sup^o eos occupauerā . ab omni
calumpnia liberam 7 q^oeram in p^opetuū p^oatq^om dānsam s^ol^o acilio monach^o cont^o
honorredresdene usq; in uallē sicut p^ouul^ois decurrit in thewedam . ita tām ut uia
pateat libera p^o gentib; de honorredresdene ad eandem thewedam . his testib; .
Ernaldo abbe de cheichethou . Ric^o . Ioh^o Ramaldo . monach^o ei^o . Rabel del
chene . Toma abbe . Ioh^o de baiois . Ric^o de aldre . Skil de haudene . Wlto
fil^o chor . Alano fil^o Gosparici .

gas in Lambermore que vocat Dieueringdownes], which pertained to Hworuorderesdene, and the church of this place [Horndean]. His charter was witnessed by Fulcon [Fulke] de Vyerpunt, as his own name is likewise written, and confirmed by William the Lion. He also gave the Abbot and his monks some land near Wedderburn. From his barony of Carridin he gave donations to the Abbacy of Holyrood, and to the same "Ecclesia de Sancti Crucis de Castell puellarum" he granted the Church of Boeltun, with the consent of his first wife,

Ibid., vol. i.,
p. 37, No. 13.

Emma de St. Hilary, and also the lands of Okelffas [Ogilface].

Liber de Ecclesia Sancti Crucis de Edwinesburg, Nos. 41, 33.

Godwin de Carreden witnessed this deed of gift; which his son confirmed in 1204. He had a dispute with the monks of Coldingham about lands near Horvorderesdene in the reign of King David, but in that of his grandson Malcolm, ductus penitentia, he gave them to St. Cuthbert and his monks. His charter was witnessed by Ærnaldus, then Abbot

Raine's *North Durham*, Appendix, Coldingham, p. 36, Nos. clv. and clvi.



Seal of William de Veteri-Ponte,
A.D. 1150-59.

of Kelso. As this Arnold was appointed Bishop of St. Andrews, and went there in 1159 to commence the building of its splendid Cathedral, it must have

been before that date that he made this gift to the Priory of Coldingham. These grants were confirmed by his son when Ingleram was Bishop of Glasgow, 1164-1174. So this munificent patron of the church must have died before the latter year. He was twice married, and both his wives were heiresses. The first, "Emma de Sancto Hilario," inherited the barony of Boltoun, in the constabulary of Haddington, the possession of the St. Hilarys. In a charter dated 25th July, in the tenth year of King John's reign, styled therein "Rex Anglie, Dominus Hiberniæ, Dux Normannorum et Aquitanorum, Comes Anglevorum," is mentioned a donation by Matilidis, Comitisse de Clare, filie Jacobi de Sancto Hillario. In the reign of Edward II., Robert Clifford, son of Sybella de Veteri-Ponte, heiress of Appleby and Brougham, married "Maude de Clare, cozin and co-heire of Thomas de Clare, a nobleman and seneschall of the fforest of Essex." The second was Matillidis de Sancti Andrea [Bishop Arnald's daughter?]. She brought him these lands of Horn-dean in the Merse. By Emma St. Hilary he had two sons, both named William, being distinguished as "Primogenitus" and "Medius," and another, Ivo. A third William, his son by Matillidis, was styled "Junior." What relationship Alan and Ivo, possessors of lands in Galloway, bore to him is uncertain; they were probably his grandsons. Alan had two sons whom we find distinctly mentioned, Robert and Ivo. In 1220 he is recorded as confirming the grant by Robert of the Church "Sancti Michaelis de Minore Sourby, Deo et ecclesia Beate Marie de Driburgh." Ivo, his brother, bestowed upon the same abbacy "Ecclesiam Sancti Foylani, 'St. Fillan's'

Additional
Charter
British
Museum, 6014.

Harley MS.
in British
Museum, 154,
fol. 29.

*Liber St.
Marie de Dry-
burgh*, No.
72.

Ibid., No. 75.

de Majore Sourby." Robert seems to have become a brother of this fraternity of Premonstratensians. The two Sourbys now form the parish of Sorbie, Wigtonshire, which has Garlieston for its seaport. William de Veteri-Ponte himself was one of the earliest patrons of Driburgh, as well as of Holyrood and Kelso, and gave to its Abbot the lands of Nebrun [Neutun], County Roxburgh.

*Liber St. Marie
de Dryburghe,
No. 249.*

William de Veteri-Ponte of Langton and Carriden, Bolton, &c., in Scotland, was the owner of very extensive properties in Yorkshire and Northamptonshire, as also in Cumbria, which were partitioned amongst his sons. Robert and Ivo, above alluded to, used seals, bearing the device of "a lion," similar to that of the progenitor of the Barons of Langton, which is very strong evidence of their paternity. They may have descended from The Fulcon de Vyerpunt, who witnessed the grant of the "Eschalingas" in Lammermoor by William de Veteri-Ponte, first of Langton, and was perhaps his brother. Fulcone de Veteri-Ponte witnessed the charter of Ricardus de Humetis, Constable of the Kingdom in the reign of Henry II.¹

Nicholson and
Hume, *West-
moreland and
Cumberland*,
vol. i. p. 270.

Harley
Charter, 83,
A. 6, British
Museum.

William "Primogenitus," who inherited the estates above named in the counties of Berwick, Linlithgow, and Haddington, confirmed his father's many grants for the welfare of the souls "Dominorum King William and his Queen, and their son Alexander, and their other children, and for the benefit likewise of the souls of Kings David and Malcolm, and of Earl Henry and those of his own father and mother, and of all his ancestors and successors." The deeds were sometimes witnessed by his brothers, William "Medius" and "Junior," as in

¹ Before A.D. 1181.

*Cartulary of
Holyrood*, p.
28, No. 33.

Liber de Kelso,
Nos. 139, 141.

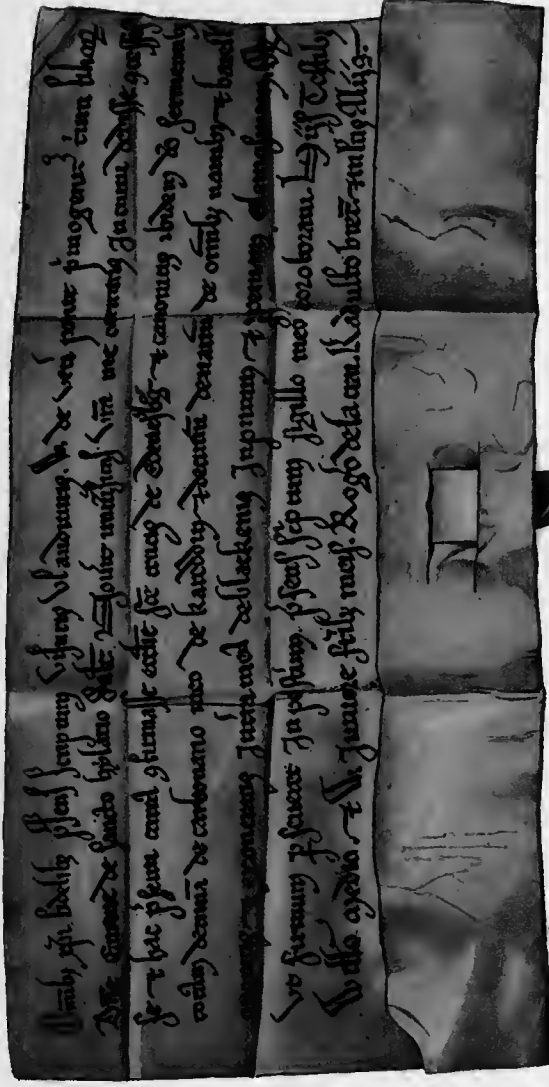
*Cartulary of
Holyrood*, p.
33, No. 41.

the confirmation of "Boeltun," and also upon two occasions by "Matillidis de Sancto Andrea," the latter's mother, as she is therein distinctly designated, showing that the statement that the three Williams were all sons of Emma de St. Hilary is an error. The latter's consent was given, it appears by the charter of which a facsimile is given opposite, to his father's providing for the comfort in winter of the monks of that abbey, which, as the story goes, was built upon the spot where "incontinent the haly Cross slaid into the Kingis handis, when he kest them abak betwix the awfu and braid tyndis of that farest hart that euir wes sene afore with lewand creatour." The tithes of the coal mine at Carridin, hereby bestowed upon the said church of the Holy Cross of Edinsburg, were no doubt paid in kind, and this liberal provision served to roast the fat bucks for the Abbot and his companions.

The working of coal at Carridin, Caer-Aden [or Edinfort on the Wing], dated from very early times, as is to be accounted for by the ease with which it was first obtained from the surface out-crops there. The following is the translation of this interesting document :—

To all the faithful of Christ, who shall see or hear this writ, W. de Veteriponte, the first-born of the three children of Lady Emma de Saint Hylary, salutation.—Know all of you that I, from the motive of charity, have given, granted, and by this present charter confirmed to the Church of the Holy Rood of Edinburgh, and the canons there serving God, the whole tenth of my coal of Karriddin, and the tenth penny of all ships and boats laden and discharged on my land of Blackness, in pure and perpetual alms gift, which, that it may remain firm hereafter, I have corroborated this present writ with my seal, these being witnesses, William Medius, and W. Junior, my brothers ; Roger de la Crai, Ralf Brete (or Bretem), and many others.

CHARTER by WILLIAM DE VETERI PONTE [Primogenitus] confirming his Father's Grant of the
Tenth of his Coal of Karredin, &c. to the Church of the Holy Rood, Edinburgh.



The three William de Veteri-Ponte brothers left many descendants, who appear to have intermarried frequently with the families who had Robert, Lord of Westmoreland, and his brothers, Ivo and William, for their founders. Ivo was deemed by Matthew Paris as equally wicked a counsellor of King John as his brother Robert. Their mother, as before stated, was daughter of the Great Constable of Scotland, Hugh de Moreville. William married his kinswoman Matillidis de Veteripont, and had several sons. One named Ivo married Isabel de Loncastre, Another William's wife's name was Mahald. He gave, with her consent, a donation of land to the friars of St. Peter's Hospital, York, for the soul's weal of Earl Henry, his own father and mother, and of Fuco and Ivo, his brothers. His own son Ivo granted Gauthorn and the mill by special boundaries to the poor of St. Leonard's Hospital, York, for his soul's weal, and those of Hugh de Morville, William de Veteripont, his father, and Matillidis de Veteripont, his mother, Robert, his brother, and Isobel de Loncastre, his own wife. The brave and generous Prince Henry was always remembered by the de Veteri-Pontes, and many were the candles burned on altars in Scotland for his soul's benefit. From one of these Williams of Langton, or it may be from their supposed uncle, Fulcon de Vyerpunt, who witnessed their father's grant of Langton Church, appears to have descended one of the families in Tynedale; another came from Ivo above named. At the request of his nephew Alexander, son of King Alexander the Third, Edward the First restored, in 1291, to Nicolas de Veteripont the lands of Aldenestone [Alston], in the King of Scots' liberty of Tyne-

Bain's *Calendar*, vol. ii.,
No. 690.

Bain's *Calendar*, vol. ii.,
No. 205.

Chart Pedigree, see
Appendix.

dale, in the county of Cumberland, reserving to himself the mines in the said manor of Aldenestone.

The estates of Nicolas of Alston fell to two co-heiresses, as did those of the puissant Lords of Westmoreland.

Liber de Calchou [Kelso],
No. 143.

Bain's *Calendar*, vol. i.,
No. 743.

III. WILLIAM DE VETERI-PONTE succeeded his father, whom it is convenient to style "Primogenitus," in Langton, Carriden, and Bolton. In 1203 he made an amicable agreement with the abbot and monks of Kelso, whereby he discharged them from their obligation "de ossibus patris sui de Anglia reportandis, et in cimitrio Kalchoënsi tumulandis." The ecclesiastics had undertaken to bring the bones of his father to Scotland, and to bring them within the precincts of their consecrated grounds at Kelso Abbey, the least they could do, considering his and his father's liberality to them, was to have shown all honour in their power to his remains. This duty as promised they had not fulfilled, but now, instead of such material service, they engaged that the welfare of his said father's soul should for ever be specially attended to in their prayers for the benefactors to the abbey. In the following year he had a safe conduct to pass himself into England and return from thence unmolested "cum ossibus patris," who died probably at one of his estates in the more southern counties. In 1219 the Abbess of St. Mary de Pratis claimed from him a hide of land in Hardington, Northamptonshire, as the right of her Church. He went and defended his rights thereto, and called to warrant Alexander II., King of Scots. She also claimed a hide against Ivo de Veteripont in the same village, and Ivo, by his attorney, called to

warrant the said William de Veteripont, who called the aforesaid King of Scots by aid of court, in the Octaves of St. Hilary, regarding both lands.

IV. WILLIAM DE VETERI-PONTE of Langton, &c., succeeded his father in 1221. He was the young noble who, as mentioned before, Saher de Quenci was ordered by the King to send as one of the Scottish Princess' companion hostages. In 1233 he is found doing homage for his various lands in England as Patric, Earl of Dunbar [one of his companions on that occasion on his journey to Portsmouth], did in February of the same year, for the territories in Northumberland, which Earl Patric, his father, held "in capite," and fell to him by inheritance. His said father owed, in 1204, ten marks and two brachets [deerhounds], and six leporarios [greyhounds], for having an inquisition by lawful knights of the county, whether the service that Liulf, father of Thomas, made to Edgar, son of Earl Gospatric, for the manors of the three Middletons and of Roddim, should not remain on the same footing, and Thomas make the ascertained service and homage to Earl Patric for these manors. The charter of Roddam to the progenitor of the family of Roddam, which continued to hold their ancient heritage in the male line until the middle of last century, was from King Athelstane, as mentioned in the memoir of that family given by Sir Bernard Burke.

Bain's *Calendar*, vol. i., No. 1179.

Ibid., No. 348.

I, Konig Athelstane,
Giffes heir to Paulane,
Odeham, and Roddam,
Als gude and als fare
Als euer ye mine ware,
And yair to witness
Maude my wife.

Sir Bernard
Burke's
*Landed
Gentry.*

Bain's
Calendar,
vol. i., No.
1654.

In 1244 William de Veteri-Ponte was with the aforesaid Earl Patric of Dunbar, and many of the principal nobles of Scotland [amongst them Alan Lord of Galloway, the Earls of Fife, Stratherne, Mar, Buchan, Athol, Henry de Balliol, Robert de Bruis; the Bishops of Glasgow, St. Andrews, Dunblane], "caused by Alexander, King of Scots, to swear on his sovl, that in case he did not keep the peace to his liege lord Henry III., King of England, and fulfil his agreement regarding the marriage of his son Alexander and the daughter of the said King of England, they should not give aid or counsel



Seal of William de Veteri
Ponte, A.D. 1200.

themselves therein, but constantly labour against their King and his heirs to compel perpetual observance." The seals of Alexander, King of Scots, William de Veteri-Ponte, and William de Lindesia, were appended at once to the deed [incontinenti]. The patriotic Alexander and his

nobles acknowledged the suzerainty of King Henry of course only in so far as possessions in England were concerned. It had been arranged at Norham in the preceding year that the King of Scotland, for all lands and possessions held by him from the King of England, should render homage as his predecessors had done, and that henceforth "quod nunquam de cetero Rex, sed heres regni Scociæ qui pro tempore fuerit, pro predictis terris, honoribus, et possessis fidelitatem Anglorum rege facta, et homagium."

Fordun,
Gentis Scot-
orum Gesta
Annalia,
xxv.

Reg. Great
Seal, vol. i.,
No. 137.

William de Veteri-Ponte, whose father had confirmation charters of Langton, Carriden, and Bolton

from William the Lion, had several sons. The eldest bore as usual the name of William; one brother was named Robert; their father, some have thought, was killed at the battle of Evesham along with his kinsman Robert, Lord of Appleby and Brougham, but this is not substantiated, and appears to be merely an idea founded upon vague tradition, favoured by the well-known warmth with which Alexander II. espoused the cause of the disaffected barons against King John, as Sir Walter Scott remarks. But it certainly was about the time of this battle that he was succeeded in his estates by—

V. WILLIAM DE VETERI-PONTE, who died, or was slain more probably in some of the engagements in the earlier days of Wallace's struggle for the freedom of his country. His wife's name was Petronilla or Peronel; they appear to have had three sons, all devoted to the cause of Wallace—William, whose wife's name was Anina, Alan of Carriden, and Henry, called of Dumbarton.



Seal of Petronilla de Veteri-Ponte.

Petronilla de Veteri-Ponte having done homage and signed the deed of submission at Berwick, appending thereto her seal of arms, received an order from King Edward to the Sheriff of the county of Berwick for restitution of her husband's lands there, and a similar command to the Sheriff of Edinburghshire for those lying within his jurisdiction. The French spelling of the name is adhered to in these documents, she being styled Peronel de Veupont del Countè de Berwyk.

Bain's
Calendar,
vol. ii., p.
1208.

Redpath's
Border His-
tory, p. 201.

Ragman Roll,
Bain's, vol. ii.,
p. 202.

Ibid., p. 213.

Veteri-Ponte, however, appears upon the margin around her device of arms, "two mascles in pale." The widows of the Merse who had similar orders to the Sheriff of Berwickshire were Mariota of Benedict le Clerk, Mary of Philip de Keth, Alice of Philip Haliburton, Helen of Stephen Papedei, Joan of Thomas of East Nisbet, Margaret of Adam de Gurdon, according to Redpath, who quotes Rymer. Anina, widow of William de Veteripont of the counties of Berwick and Haddington, however, was also thus favoured. She was the wife of William and Petronilla's eldest son, who had also fallen. These ladies' castles were reserved, and to be at the disposal of the guardian of the kingdom, as he might think fit, and the sheriffs were specially instructed to take care that their husbands had died before the alliance of the Scots with France, and that their widows had not since been married to any of the King's enemies. When old Petronilla and her daughter-in-law Anina made their petition for restitution of their lands, they no doubt took good care to conceal the fact of the heir of Langton being alive. The family was represented by his brother and his uncle Henry, who had come to the Conqueror's peace for the time, and made submission at Berwick. Henry appears to have been in favour with Edward, and is supposed to have been knighted by him, and made Governor of Dumbarton. His name is appended to the famous deed, and his seal is thereto attached. He was styled Henricus de Vypunt miles del Countè de Dunbretan. The gallant Alan, called "Aline de Veepount del Counte de Edneburk," of whom the King and his son were to know more, also

made his submission, and Robert de Weepunt, styled likewise del Counte de Edeneburk, who affixed a seal with a fleurs-de-lys, some old family secretum probably. These gentlemen styled of Edinburghshire were no doubt in occupation of some of the family lands there as tenants of their chief, the Lord of Langton, Bolton, and Carriden.



Ragman Roll,
Bain's, vol. ii.,
p. 201.

VI. SIR WILLIAM DE VETERI-PONTE, who was in France in 1296, and never made submission to Edward, unfortunately had the mischance to be taken prisoner there, having gone over again on a mission some time after the battle of Falkirk. On the 3d January 1301 the English monarch gave orders "to all masters of ships trading to Bordeaux or other places in Gascony to be ready to receive from the Constable of the Castle of Blaye William de Veteripont, a Scottish Knight, and another prisoner, and to take them to Porchester Castle." From Porchester he and his squire, William de Newton, were taken to Winchester, thence to York. When at Winchester the Sheriff of Southampton was ordered to pay them their arrears, as also to Sir Richard de Dundernor, Elias de Rameseye, John de Putfurich, and Walter de Laundeles, Esquires, Scotch prisoners, and their warder. Edward was then at Linlithgow, near which place Sir William's barony of Carriden was situated, the revenues of which perhaps he appropriated. Seven years afterwards, "having come to his peace," he is found with Sir David de Brechin, Sir John Moubray,

Ibid., vol. ii.,
Nos. 1185,
1213, 1283.

Bain's
Calendar,
vol. ii., No.
1961.

Sir Ingram de Umfraville, Sir John de Graham, and Sir William de Abernethy, ordered by Aymer de Valence, second Earl of Pembroke, Warden of Scotland, who was searching for Bruce, to remain at Ayr to guard the town. Many of the great Scottish nobles had at this time a very difficult part to play, holding, as did the Bruces, Baliols, Umfravilles, Veteri Pontes, &c., large estates in England, and so were lieges of its sovereign as well as the King of Scotland, the country of their birth or adoption. Sir William de Veteri Ponte is ere long with most of his companions found ranged with Robert THE BRUCE, who had himself sworn fealty to Edward on the sword of Becket, and the Knight of Langton had the hard fate to be one of the two Scottish magnates who fell in the hour of victory on the field of Bannockburn.

Archdeacon
Barbour's
Bruce, buke
nynte, line
651, and *infra*.

And upon the Scottis mennys party
Ther wes slayne worthi knichtis twa,
Welyame the Wepoynt wes ane of tha,
And schyr Waltre of Ross ane othyr.

This Sir Walter Ross was he whom Edward
Bruce, the King's brother,

Luffyt, and had in sic daynte
That as him selff luffyt he,
And qwhen he wyst that he was ded
He was sa wa, and evill of reide
That he said, makand ewill cher
That him war lewer that journey wer
Wdone than he sua ded ha bene.

*Reg. Great
Seal*, vol. i.,
p. 47, No.
137.

Sir William had renewed charter from King Robert of his baronies of Langton, Carriden, and Bolton. He left an only child, Mariota, his heiress, married to Sir Alexander de Cokburn.

Alan de Veteri-Ponte, who appears to have got Carriden in fee from his nephew Sir William [to which his son John succeeded], was one of the brave defenders of Stirling Castle in 1304 with Sir William Oliphant. The English monarch, although so far advanced in years, had during this famous siege constantly exposed himself with all the fire and temerity of a young warrior; but he sullied the reputation he gained as a young man, as a chivalrous knight, as well as most daring soldier, on this occasion, [unhappily for his posthumous fame, to be soon further blackened by his savage treatment of Wallace], by his cruel severity to the heroic garrison when compelled to surrender—"a tedious pageant of submission having been exhibited, with all the circumstances of refined ignominy, Edward pronounced the sentence, "Let them not be chained." This was the only hope of pardon indulged to men whose valour would have been revered by a more generous conqueror," and so Alan de Veteri-Ponte went with his companions to languish in an English prison. The Constable of the Tower of London was commanded to guard those committed to his custody carefully, and to answer body for body; and similar orders were sent to the constables of the many prisons throughout the country to which they were separately consigned. Alan de Vieux Pont is mentioned as having been transferred to that of Gloucester. In after years his name was made famous by his defence of Loch Leven Castle. "When Sir John de Stryvelyn and the Inglismen devysit by ane subtill slicht to take the castell, and biggit ane high dike with fale divets and trees, that the water of Leven suld have na passage, but enclosit per force quhill it war even above the castell and all the peple

Sir David
Dalrymple
[Lord Hailes]
Annals, vol.
ii., p. 177.

Bellenden's
Hector Boece,
vol. ii., p. 416.

in it perest. Bot he maid ane hole throw the dike in the nicht, and incontinent the stream followit sa fast quhen the water had passage, that it brake down the bastailyais, and nocht only drownit the peple under the dam, but brocht thaim, with hors and carriage and al thair provisione, to the see. Alan Vepount, quhen the water was fallen to the auld mesure, ischit out of the castell and slew ane part of thaim that werr eschapid at this time, and the remnant put to flecht."

Robertson's
Index, p. 27,
No. 7.

Alan, who received from Robert Bruce grant of the lands of Haknakel-Teldun, in the county of Kinross, had a son John, who succeeded to Carridin. His heiress, some say, was Sir Alexander Cokburn's wife; but this is a mistake, as will be seen by the charter of that barony from David II., to be referred to presently.

*British
Museum
Harley MS.*,
1160, fol. 75.

Richardus Puntius Normannus bore upon a "shield gules ten rings or annulets or." He appears by the chart pedigree (see Appendix) to have been the ancestor of the de Veteri-Pontes, Vipontes, or Bipontes, magnates in Normandy, who carried gules six annulets, three, two, and one, or. The same arms were borne by the Lords of Appleby and Brougham. William de Veteri Ponte, first Baron of Langton, affixed to the charter of the lands of Horndean, A.D. 1156-8, his seal with a lion rampant. His grandson and great-grandson placed on the honor point, between three lions rampant, a star of eight points. His son William, "Primogenitus," also used a secretum, with the device of a star. It does not appear when or why the six mascles, three, two, one, became the bearing of the Scottish family. The beautiful seal of Sir Henry de Veteri Ponte of Dumbarton is the first evidence of this coat having been adopted. Mr. Nisbet says that the Kers of Roxburgh and Lothian carry mascles on account of their descent from the Weaponts [or Veteri-Pontes], but no such descent is found by Mr. Stodart, who says they were apparently added by them on account of their marriage with Elizabeth de St. Michael, an heiress of that old Cumberland family, and remarks it is

Nisbet's
Heraldry,
edit. 1722, p.
212.

probable that the Fernyhirst family added a stag's head in base to the chevron charged with "three mascles" about 1530, in consequence of the marriage of Sir Andrew Kerr with Margaret Colville, co-heiress of her family. The Colvilles or Kolvilles held Oxnam and Heiton, County Roxburgh, got from the Percies in the twelfth century. Although there was no issue of this marriage, the Kers retained Oxnam and the other lands of the Colvilles. It may be observed that the lions which appear upon the seals of the Veteri-Pontes in the reign of King William the Lion, and those figured upon the seal of Patric the Earl, son of Waldeve the Earl, who married Ada, that monarch's natural daughter, are so similar in character that they would seem to have been the work of the same artist who thus delineated that lion rampant, "of which this is the first appearance, which afterwards *shook his brinded mane* upon the shields of at least an hundred Scottish families descended from the noble house of Dunbar." The three lions rampant appear on the seals of the de Veteri-Pontes, as well as of the Dunbars, at the same time soon afterwards.

Stodart's
*Scottish
Arms*, vol.
ii., p. 154.

Raine's *Dur-
ham*, Appen-
dix, pp. 31-36.

By his fortunate match with the heiress of this illustrious Norman family, Sir Alexander de Cokburn got the barony of Langton in the Merse, which, as pointed out, brought him back to the district, also the Barony of Boltoun, County Haddington, and shortly afterwards King David granted to him that of Carridin, in Linlithgowshire, forfeited by Mariota's kinsman, John de Veteri-Ponte, for alienation thereof without the royal consent, and consequently in the Sovereign's hands. This was a proceeding which led to the loss of many estates held from the Crown in those days. Robert Bruce, as has been mentioned, gave in the fourth year of his reign charter to William de Veteri-Ponte, Mariota's father, confirming William the Lion's, of the three baronies of Langton, Carridin, and Boltoun, and King David renewed the same to Alexander de Cokburn in the

Robertson's
Index, p. 79,
Nos. 136, 137.

*Reg. Great
Seal*, vol. i.,
p. 36, Nos. 93,
47; No. 137.

*Exchequer
Rolls, vol. ii.,
pp. 347, 603.*

thirty-sixth year of his reign. He was frequently employed in important State transactions. Record appears of payments made, "Alexandro de Cokburn militi," of a sum of money for his expenses in going to Berwick with letters of truce, and again for those incurred by him in various towns as he passed to that place with money to be paid to the English Treasurer. In 1379 he received vii. lbs. iiij. s. "pro multonibus et tribus quateribus brasei emptis et deliberatis ad expensas Domini Contè de Fyfe apud Coldyngham."

By Mariota de Vetere-Ponte he had three sons—

I. **ALEXANDER**, his heir in Langton and Carriden, &c.

II. **JOHN**, who had the lands of Bolton from his father, with others, in the county of Haddington, and became Lord of Ormiston, in that county, by his marriage with Joneta, daughter and heiress of Sir Alexander Lindsay. From them the important house of Ormiston, of whom hereafter, descended.



SEAL of JOHN [PAPEDY]
DE MANDRISTON.

III. **PIERS**, who was the author of that of Henderland, County Peebles, of which family also in its place.

*Raine's North
Durham,
Appendix,
Coldinghame,
p. 104, No.
597.*

*Robertson's
Index, p. 34.
Raine,
Appendix,
No. 595.*

They had also a daughter, Helena, married to John de Mandredistown [Manderston], County Berwick, who was her kinsman, being of the family of Papedy, as shown by his seal of arms, which bore "a chevron between three popinjays," appended to a charter in 1410. Thomas Papedi, who died 28th April 1336, is mentioned as holding a carrucate of land in Mandrestow, which property, with many adjacent lands, and great part of Lauderdale, belonged to William le Zouche, who was forfeited. Thomas Papedy had confirmation charter of Mandir-stoun from David II. The above-named John was no doubt his son. Prior Drax of Coldingham termed him "his der friend." It is to be hoped that Helen Cockburn's husband did not reciprocate the proffered

feelings of friendship of this disreputable churchman, who was suspected of having set fire to Coldingham Abbey with his own hands, and was accused of many crimes; amongst them, of having been concerned in robbing the Scottish Ambassador who carried 2000 merks to the King of England.

Sir Alexander married, secondly, in 1363, Margaret, daughter of Sir John de Monfode de Braidwud, County Lanark, the widow of John de Cragi. She and her sister, the wife of Sir John Douglas, Captain of Loch Leven Castle, were great heiresses. Margaret inherited, with other lands, Scraling or Skirling in Peeblesshire, and Heudis or Hebbedes in Lanarkshire. She settled Scraling upon her daughter by her first marriage, Margaret de Cragi, and her husband John Stuart, reserving to herself an annuity therefrom. She had also "an annual furth of the lands of Hochkello" [called also Hop-Kelloch, Kailzow, Kelzow, &c.] belonging to her cousin, James Tuedy of Drummelziare. During her widowhood she also gave a donation to the Chapel of Dunmanayne, confirmed by charter from King David, 9th March 1364. The lands of Heudis she bestowed upon her son, Walter de Cragi. Soon after their marriage the King granted an annual payment "viginti libras Sterlingorum" out of the customs of the burgh of Haddington to Alexander de Cokburn, and Margaret de Monfode, his spouse. Memorandum is found of sums paid "in solucione facta Alexander de Cokburn recipiente per annum viginti libras per literas Domini Regis." By Margaret de Monfode he had two sons, William and Edward, and a daughter Agnes.

Robertson's
Index, p. 72.

*Reg. Great
Seal*, vol. i.,
p. 26, No. 34.

Ibid., p. 18,
No. 44.

Ibid., p. 31,
No.

*Exchequer
Rolls*, vol. ii.,
p. 121.

IV. WILLIAM, Sir Alexander's fourth son, got Scraling from his half-sister, Margaret de Cragi, and was progenitor of

the Cockburns of Skirling, who, as will be shown in the memoir of that branch, became conspicuous and powerful.

V. EDWARD, the fifth son, second by Margaret de Monfode, had the lands of Cockburn, holding them from the Earl of March, the over-lord, and had some other estates, both in the counties of Peebles and Haddington. He was in the Church, and was the King's chaplain at Stirling Castle. His lands in Peeblesshire and Haddington were inherited by his nephew, the Laird of Skirling.

Sir Alexander de Cokburn was a very prosperous man. Things seem always to have gone well with him in consequence of his enjoying the favour of his sovereigns, King David II. and Robert II. Besides Carridin barony, he had grants from the former of other valuable estates. Bouryfelde [Barrowfield], adjacent to the town of Haddington, was one of them. The charter of it was dated 27th April 1361. He had also confirmation 13th January 1367 of the charter from Malcolm, son of Sir Roger Fawside of that Ilk, of Letham, in the constabulary of Haddington. Dying in 1387-8, he was succeeded by his eldest son, Alexander.

*Reg. Great
Seal, vol. i.,
p. 55, No. 168.*

*Ibid., p. 46,
No. 135.*

Sir Alexander placed a buckle similar to that borne by the Bonkills between the three cocks on his seal.



Seal of Sir Alexander de
Cokburn, A.D. 1370.

In consequence of his match with the heiress of the de Veteri - Pontes, the arms of that house were carried quarterly by her descendants. Sir David Lindsay of the Mount, Lyon King of Arms, blazons

the coat of Langton in his armorial, A.D. 1542, first and fourth argent, three cocks gules for Cock-

burn, second and third azure, six mascles or, three, two, and one, for de Veteri-Ponte. In after times the tincture was changed, and gules substituted



Seal of Sir Alexander de
Bonkil, obiit A.D. 1300.

for azure in the second and third quarters. In his splendid work on *Scottish Arms*, Mr. R. R. Stodart, Lyon-Depute, mentions the circumstances under which the Armorial de Berry in the Bibliotheque National of France (which he designates "the most valuable

heraldic manuscript in existence") was compiled by Gilles de Bouvier, who entered the service of Charles VII. in the year 1386, and was by him crowned King of Arms at Melun on Christmas day, A.D. 1420. He travelled over great part of Europe, having been desired by his sovereign to make an authentic collection of the bearings of the princes, nobles, and gentlemen of the countries he visited, the science and practice of arms being then deemed of the utmost importance. The result was "this magnificent register." He gives a hundred and twenty coats of arms borne by the dominant families of Scotland; amongst them he blazons Ceulz de Lanton, "trois coques de geules," of which a facsimile is given above the first page of this memoir. In his splendid volumes is presented also an admirable copy of the Armorial de Gelre Herault d'Armes, as made by Mr. Bainbridge. The original is in the Bibliotheque of Brussels, and is of the date 1334. The Cockburns of Langton carried as supporters two lions, the dexter gardant, sinister regardant; their crest was a cock proper, and the motto

Vigilans et audax ; but an older one was *Peradventur*. Recently the first motto was placed upon a scroll underneath the shield, and over the crest the words *Accendit cantu*.



VI. SIR ALEXANDER COCKBURN OF LANGTON AND THAT ILK was usually styled "de Langtoun," that property becoming the one from which he and the succeeding representatives of the main stem of the family took designation. He was in great favour at the courts of Robert the Second and Robert the Third. From the former he received the high office of Keeper of the Great Seal before 1389, as his name constantly appears in the reign of his son. One of the Rolls of Charters is endorsed, "Here endeth the Roll of Robert II.;" and the following, "Hinc incipit Registrum Domini Roberti tertii Regis Scotorum, tempore Alexandri de Cockburn custodis magni sigilli." He was one of the ambassadors sent to treat with the English in 1394. On 6th October 1469 he witnessed the deed whereby David Bruce, Lord of Clackmannan, renounced the tithes of the mill of Clackmannan in favour of the Abbot and monks of Cambuskenneth; and in 1417

Reg. Great Seal, vol. i., p. 178, No. 4.

Robertson's *Index*, p. 126.

Rymer's *Fædera*, tom. 7, p. 88.

Chartulary of Cambuskenneth, p. 86, No. 70.

he attested a charter of the Lady Mary Stewart, Countess of Mar and Angus. He married Marjorie, daughter of Patrick Hepburne, Dominus de Halis et Aldhamstokkis, now the parish of Oldhamstocks, adjoining Cockburnspath. This Sir Patrick was the hero of Otterburn, whose second wife was Eleanor Bruce, Countess of Carrick, for which marriage a dispensation was had from Pope Gregory permitting the noble man Patrick de Hepborn Knicht and Eleanor Bruce to marry, notwithstanding Agnes his first wife, having been within the fourth degree of consanguinity to the Countess, who was the daughter of Archibald Douglas Earl of Galloway, and was married first to Alexander Bruce Earl of Carrick, and to four husbands after—Sandilands of Calder, the Laird of Dalry, Wallace of Sundrum—so must have been rather old when Sir Patrick made her again a bride. Alexander Cockburn and Marjorie Hepburne had five sons—William, Patrick, Alexander, and John; the fifth was Henry Magister Hospitalis Sancte Laurencii de Haddington. William and John were taken prisoners at the battle of Nisbet, near Duns, in the Merse—not Nesbit in County Roxburgh, as has been erroneously stated, a place belonging to the Ruthirfurds, and not noted as the scene of a sanguinary engagement such as this, which was fought on the 22d June 1402.

*Exchequer
Rolls, vol. iii.,
p. 264.*

“George, Erle of March, come with the Erle of Northumberland in Scotland to revenge the contemptioun done to him be the Erle of Douglas, and had ane gret pray of men and guddis out of the samyn. To revenge thir attemptis the Erle of Douglas come with an army in Northumberland, and waistit the cuntre with gret displeisieris. Als

*Hector Boece,
Canon of
Aberdeen's
Chronicles of
Scotland,
translated by
J. Bellenden,
Archdeacon
of Ross, vol.
ii., p. 476.*

sone as he wer returnit, Patrik Hepburn went in Ingland, and did litill les dammage to it than the Douglas armie did afore, and thought he was consalit be his freindis to depart hame because the Inglismen wer cumand on him with more multitude of people than he micht resist, yet he refusit, and finalie foucht with sic manheid aganis the Inglismen, that he apperit to haif the victorie; and incontinent George Dunbar, eldest son to the Erle of March, come with ane hundreth speris on him and put his folks to flicht. In this battaill was slane Patrick Hepburn of Halis with many gentill-men of his house. Sindry were taken, as John and William Cockburn, Robert Lauder of Bas, John and Thomas Haliburton. This battall was stricken at Nisbet, in the Mers, the xxivth Junij fra our Redemptioun, m.cccc. and twa yeris." Patrick Hepburn was the warrior whom Fordun calls "miles magnanimus et athleta bellicosus." Their son, Adam Hepburn, married the heiress of the Normanvilles of Gargunnock, who will be noticed hereafter. The Hepburns, with whom the Cockburns became allied by many intermarriages, and with whom they sided against the Homes, became very powerful in after times; but their advancement was due to the above-mentioned Sir Patrick and his gallant son. It was after the English were "discomfut at Otterburn, the Erle of Douglas slane, and the Perse brocht presoner in Scotland, the Hepburns took beginning, but doubt they had won the anseynis of Douglas and putt the armis to flecht was not Patrick Hepburn with his son and freindis come the mair hastelie to support the Scottis," says old Boece. Their origin he traces thus: "It is said, in the tyme of King

David Bruce, an Englishman was tane presoner, namit Hebburn, and haddyn mony zeris in Scotland for non-payment of ransom ; at last, quhen ye Erle of Marche was in danger of his lyfe be rage of an insolent and undanted hors, this Hebburn cam pertly to his ayd quhen na uther man darst restrene this horse, thus sauit the Erle's lyfe and gat certaine landis in Louthiane." The memory of this insolent and undaunted charger was preserved, we may believe, in the "horse's head bridled," the crest of the Hepburnes, Earls of Bothwell, whose ancestor took name from his paternal lands of Hebborn or Hayborn in Northumberland. The Master of Dunbar, fighting against his countrymen on the side of the enemy, had forgotten the rage of the horse subdued by the ancestor of the gallant Patrick, whom he set upon so fiercely.

Sir Alexander Cockburn received, besides other favours and the payment annually of the "viginti libras sterlingorum" granted to his father out of the customs of Haddington, part also of the pension of the unhappy Duke of Albany. He was able to assist his sovereign with money ; for we find him receiving payment of eighty gold nobles which he had lent for his accommodation. His daughter Christian married Sir John Preston of Craigmillar. Their son William had new charters of his mother's patrimony in Lauderdale and of the other estates united into one barony from James III. in 1472. He was a minor at the time of his father's death, and his uncle, Alexander Cockburn, Sir Alexander's second son, was his guardian, as appears by the note of the payments to him of certain sums in the year 1455 for the ward of William Preston of

*Exchequer
Rolls*, vol. iii.,
pp. 542, 567.

*Reg. Great
Seal*, vol. ii.,
Nos. 705 and
1086.

*Exchequer
Rolls*, vol. vi.,
p. 5.

Craigmillar. The grand old ivied castle, so commandingly situated, testifies to this day the consequence of this old family. It was purchased from John de Capella in 1374 by Sir Simon Preston, and possesses additional interest from its association with the name of Mary Stuart, who made it her residence on her return from France,—the little village below where her retinue lodged bearing the name of Little France. It was in Craigmillar Castle that the unhappy Queen of Scots lay sick in 1566 ever repeating the words “Je pourrais presque espérer de mourir.”

Nisbet's
Heraldry, edit.
1722, p. 312.

In the reign of David the Second the Prestons were designated of Gourtowne, which lands were afterwards called Preston, and they were then styled, Mr. Nisbet says, of that ilk, and sometimes of Craigmillar, which was the principal seat near Edinburgh. On the inner gate of the castle in his time—1700-1730—he goes on to observe, “their arms are to be seen cut on an old stone within a shield conchée, three unicorns’ heads coupéd [in paintings argent three unicorns’ heads coupéd sable], supported by two lions; crest, an unicorn’s head issuing out of a coronet, instead of a wreath; motto, *Præsto ut Præstem*. Below, on the stone, is the year of God 1427.” The date is not legible now in this year of grace 1887; but Sir John’s arms are still to be seen over this gateway, placed there by him perhaps when he was adorning his castle for the reception of his bride, Christian Cockburn, adding the picturesque embattlements to the lofty walls. But as Craigmillar suffered grievously at the hands of the ruthless Hertford in 1544, these may be of later date. His descendant, Sir Richard Preston, was raised by James

VI. to the peerage by the title of Lord Dingwall. Christian was not the only daughter of the house of Langton, as will be seen, who entered Craigmillar Castle as the bride of its owner.

Patrick, Sir Alexander Cockburn of Langton's third son, was a man of note; he had the Tempillands and Myrside in the Merse—old possessions of the Knights Templars, inherited through his mother from the Hepburns, and became possessed of Newbigging and Clerkington. Of him and his descendants more in their place.

Sir Alexander, Keeper of the Great Seal, to whom in 1390 a letter was addressed by the Prior of Coldingham, "Alexandro de Cokburne, cancellario reverendissime Domini et amico eximie probitatis vero," died in 1418-19, and was succeeded by his eldest son—

*Coldingham
Priory, Sur-
tees Collect.,
vol. i., p. 69.*

VII. SIR WILLIAM COCKBURN OF LANGTON AND THAT ILK, who was also a prominent personage of his day, and enjoyed, as his father and grandfather had done, the friendship and confidence of his sovereigns, James II. and III. He was evidently a man of uncommon ability and judgment, as well as a gallant soldier. When quite a young man he was deputed in 1413 as ambassador to the English court, along with his kinsman Adam Cockburn of Ormiston, and his near relative Alexander Lindsay Earl of Crawford, who married Mariota daughter and heiress of Sir David Dunbar de Cockburn. On his return safe-conducts were granted to "Willelmus Douglas, miles, Willelmus de Cockbourne, chivaler, and John Sinclere, armiger." He had from James

*Rotuli Scotie,
vol. ii., pp.
206 and 207.*

*Reg. Great
Seal, vol. ii.,
No. 256.*

III., 5th January 1441, confirmation of the grant he had obtained twenty years before from Alexander, Earl of Douglas,—“Willelmo de Cokburne filio quondam Alexandri de Cokburne militis pro fideli servitio sibi impenso et impendendo terras de duabus villis in Curmanws in baronia de Curmannaws [Curmanoc] vic Lanak ac terras de Aldiriston, Ricat, Yongiston et de Kirclee in baronia de Bothville vic predict. Tenend. dicto Willelmo heredibus ejus de corpore suo legitime procreatis, quibus deficientibus Patricio fratri ejus et heredibus ejus quibuscunque, apud Botheville 10 Dec^r 1423.” He was then “Scutiferus” to the gallant Earl Archibald, who fell at the battle of Verneuil in the following year. Whether Sir William Cockburn was with the unfortunate Scottish army on this fatal field, when so few of his brave countrymen deserted by their allies escaped death, is uncertain, although it could only have been from some accident that he was not there, being then in France with his patron, the brave but unfortunate “Tineman,” created Duke of Touraine by Charles VII. Sir William, who probably received the accolade of knighthood from the hands of the great Earl, married Margaret, sister of John and

*Hector Boece,
Chronicles,
Bellenden, vol.
ii., p. 476.*

*Redpath's
Border His-
tory, p. 371.*



*Fordun's
Annals,
clxxi.-ii.*

Thomas Haliburton, who were taken prisoners with himself and his brother John at the battle of West Nisbet in 1402. Balfour says the two brothers Haliburton were knights, and were both slain; but this seems to be an error. John was knighted subsequently, and fell at Cravant in 1422. Their grandfather or granduncle was the

"brave and warlike knight, Sir John Haliburton, who had always given the English much trouble." He was killed with Sir James Turnbull at the battle of Nisbet-moor, in the Merse, in 1355, when the Scots won a notable victory over Sir Thomas Grey and Sir James Dacres. Sir John Haliburton, Sir William Cockburn's near neighbour and brother-in-law, seems to have been at one time in favour at the English court during the few halcyon years of that era, and had frequently safe-conducts to pass to and fro. It is very probable that he was as a young man one of the companions of another celebrated neighbour of theirs, Sir John Swinton, the Sir John Assueton spoken of by Froissart as serving under Edward the Black Prince with other Scottish knights, and winning the admiration of the enemy by entering alone and on foot within the barriers of the city of Noyon. He had again in 1374 protection for a year to go in the King's service beyond the seas with his son the Earl of Cambridge. Sir John de Halyburton, Chevalier de Scotiæ, had a safe-conduct also from Richard II. to pass with twenty horsemen from 26th November 1389, usque ad festum Sancti Johannis Baptiste, si guerra inter regem et adversarum suum Scotiæ medio tempore non existat. Sir William de Halyburton had a similar safe-conduct in the previous year. He was the brother apparently of the above-named Sir John and Thomas. Sir John married the heiress of Sir William de Vallibus, Lord of Dirleton, from which place his descendants took designation.

Sir William Cockburn placed a *cross crosslet fitchee* between the three cocks on his seal of arms, for Somerville, probably in place of the Bonkyll *buckle*, which is, however, conspicuous on the mantling.

Redpath's
Border His-
tory, page 341.

Swintons of
that Ilk, page
10.

Rotuli Scotiæ,
vol. ii., pp.
101-137.

Carr's *History of Coldingham*, pp. 121-123.

Priory of Coldingham, Surtees Collect.

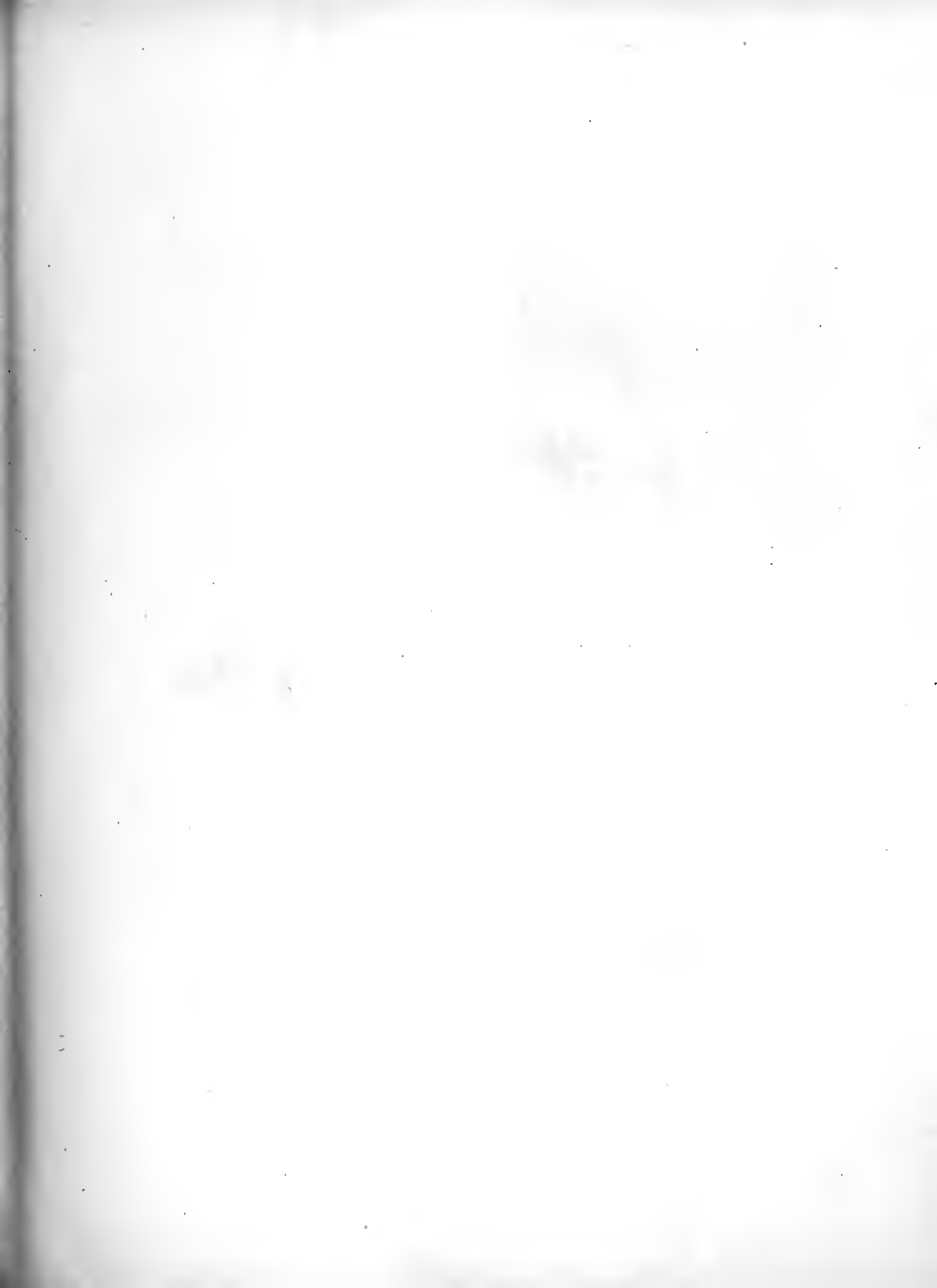
Raine's *Durham*, Appendix, Coldingham.

Ibid., Nos. 1134-35.

VIII. WILLIAM COCKBURN OF LANGTON AND THAT ILK married Helen, who inherited the lands of East Reston. Mr. Carr, in his "History of Coldingham," calls her daughter of Reginald de Reston. Reginald was an old name in the family, but it does not appear after 1230. About that time Patrick, son of Alexander Ristona, held East Reston, as his grandfather Adam did, from the Priory of Durham.

There was a very extensive forest in ancient times in this part of the Merse, from which the monks of Coldingham got many a fat buck. Amongst other grants to the Monastery confirmed by William the Lion was that of his brother, King Malcolm, bestowing upon them "totum nemus de Restun." Some of the Reston lands fell into the possession of the family of Aldincraw, so named from their property adjacent. Adam de Aldingrawe was witness to a charter of Arnold, Prior of Coldingham in King William's reign. William Aldencrawe de Eist Reston appears as a witness to an inquest held before Sir Alexander Home of Reston in 1455. Reston Magna and Reston Parva [East and West Reston] were held by different branches of the same family respectively designated from their lands. Being within a short distance of Coldingham, there were many dealings between them and the priors and their monks, especially in the matter of slaves, as likewise had many of their neighbours and relatives, such as the Prendergasts.

Reginald de Restun-Parva, Elyas de Prendergest, and William his son, with many other representatives of the principal families near, witnessed the deed



DEED of SALE by ADAM of Little Reston to the PRIOR of
COLDINGHAM, of ADAM, Son of Thurkill, Serf.

TRANSLATION.

To all the faithful of Christ to whom this present writing shall come, Adam of Little Reston wisheth health : Wit ye all, that I have made Adam, son of Thurkill, free, with all his goods, and have delivered, and for ever quit-claimed him, from me and my heirs, to my Lord Prior of Coldingham, for three marks of silver, which the Prior and Monks of Coldingham have given to me of the proper money of the House of Coldingham.—And in witness of this thing I have set my seal to the present writ ; these being witnesses, Sir William of Morthinton, Sir Alan of Swynton, Adam of Prendergest, Galfrid Ridel, Walter and Andrew of Paxton, William of Lummisden, Maurice of Ayton, William the Clerk, Robert son of Gregory, William Scot, John of Lummisden, Ralf the Provost, Adam son of Ylif, and many others.

DEED of SALE by BERTRAM, Son of ADAM of Little Reston,
to the PRIOR and CONVENT of COLDINGHAM, of TURKILL
Hog and his Children, Serfs.

TRANSLATION.

To all who shall see or hear these letters, Bertram, son of Adam of Little Riston, greeting : Be it known to you all, that I have granted, sold, and wholly quit-claimed from me and my heirs for ever, Turkill Hog, and his sons and daughters, to the Prior and Convent of Coldingham, for three marks of silver, which they gave to me in my great need, of the money of the house of Coldingham : Wherefore I will and grant that the aforesaid Turkill and his sons and daughters are free and for ever quit of me and my heirs from all reclamation and demand.—And in witness of this thing I have set my seal to this writing ; these being the witnesses, Sir William of Mordington, Walter and Andrew of Paxton, Adam of Riston, John, son of Helye, and Maurice of Ayton, Adam of Prendergest, and many others.

whereby Henry de Prendergest certifies to have sold, free of all claim from him or his for ever, Joseph, son of Elwold, "et omnes ei exitum Priori et Conventui de Coldingham pro precio trium marcarum quas in magna necessitate mea de denariis domus de Coldingham dedit, quare volo et concedo ut predictos Joseph et omnes qui ex eisdem de cetero exient liberi sint, et quieti de me, et heredibus meis ab omne reclamacione et demanda." He also disposed of Roger, son of Walter, and all who might be born of him, for two merks, which amount he received in goods from the Monastery in his great necessity. Helias of Prendergest, William of Lumisden, Adam and Reginald of Reston-Parva, &c., witnessed this settlement of accounts.

Raine's *Durham*, Appendix, Coldingham, No. 328.

Ibid., No. 334.

In like manner Sir William de Lindesey, Sir William de Mordington, Sir Alan de Swinton, Thomas de Nesbit, Adam de Prendergest, David de Lumisdene, Gilbert de Lumisden, Bertram de Restun, and others witnessed the extensive transfer by Adam, son of John of Ayton, of all his rights to Henrico filio Dolfini, et Waltero fratri suo, et in tota eorum sequela, et Roberto filio Osulphi et filiis suis, to Anketin, Prior in 1230.

Ibid., No. 339.

Adam of Restun-Parva sold Adam, son of Turkill, with his progeny, for three merks of silver before the same witnesses mentioned. Galfridus de Rydale was also present at this sale. Galfridus died about 1300. Bertram, son of Adam de Ristona, sold Turkill Hog and his sons and daughters very cheap, getting only three merks for the family. Robert de Prendergest got a high price for Osulfus Ruffus, and Walter, his son, and all who might

Ibid., No. 336.

Ibid., No. 337.

Ibid., No. 336.

descend from these doubtless superior specimens of the serf—no less than ten marks, the value of which he had got from the Monastery in his great need. Possibly it was a good day for Osulf the Red and his son Walter when they removed from their throats the gorgets denoting that they were the born thralls of Robert de Prendergest, and entered the easier service of the Monastery, going to live amongst the Prior's theines and drengs at Horndean, and there cultivate small holdings for their own advantage. Their progeny would also escape being called upon to attend William de Prendergest when he plundered the bakery and brewery of the monks of Lindisfarne in 1326.

Raine's Appendix, No. 332.

Ibid., Nos. 401, 402, 403, and 404.

Ibid., No. 329.

Swintons of that Ilk, pp. 7-8.

When in a generous or a penitential mood the Barons sometimes gave their stock of this kind as gifts to their spiritual counsellors. Patrick, son of Waldeve de Pendergest, bestowed upon St. Cuthbert's and St. Ebba's monks Reginald, son of Erneway, "puram elemosinam;" and there were several donations of the kind by the Reginalds, Rogers, and Bertrams de Restun. Bertram son of Adam, son of Cospatric of East Restun [or Restun-Parva], bestowed upon them, for the good of his own soul and his wife Margaret's, some land in Prior Anketin's time. Amongst the witnesses to the deed were Alan, Lord of Swinton, and Alan his son. This Bertram was succeeded by his son John, who, with Sir Peter of Morthyngton and Sir Henry Prendergest, Knights, witnessed the grant of Alan "de Superiори Swyntoun" to the Priory for the welfare of his own soul and his wife Lucia, on 20th March 1271.

The day had gone by when William Cockburn

would have gained chattels of this description by marrying a daughter of this old Saxon family, whose ancestor Roger was of Restun in 1168, when he witnessed a deed by Waldeve, Earl of Dunbar, relating to lands that belonged to Swain, Priest of Fishwick. But with Helen's hand he got the lands of East Reston, and the fortalice thereof, afterwards known as Langton's Tower. A part of the property bore the name of Cockburn-haugh.

*Carr's History
of Colding-
ham, p. 121.*

He was succeeded in Langton by his eldest son, Alexander; his second son, Patrick, had the East Reston lands. Whether he was married and was progenitor of any of the Cockburns in East Reston cannot be with certainty ascertained. There were always some of the Langton family resident there, it being apparently used frequently as a dowager's provision. Margaret Cockburn, second wife of Sir James of Langton, had the liferent of it settled upon her, and their son Alexander appears to have been given it in fee, as his brother-german Archibald, who married Agnes Aldincraw in 1606, succeeded to East Reston as heir of tailzie of Alexander. The Aldencraws or Craws held lands after this for some generations in East and West Reston, as did Humes and Nesbits. William and Helen Cockburn had a son Alexander, who succeeded, and a daughter—

*Register of
Deeds, Scott.
Office, vol.
xxix., fol. 120.*

MARGARET, who married first Gawin de Crichton. On 11th February 1480, confirmation was given under the Great Seal of James III. of the charter of several lands in the barony of Kirkmichael, from William, third Lord Crichton, to his brother-german, Gawinus de Crichton, in conjunct fee with his wife, Margaret Cockburn. She married, secondly, John Wardlaw, with whom she is mentioned in 1492 in proceedings

*Register Great
Seal, vol. ii.,
No. 1439.*

*Acta Domini-
norum Concilii
James III.,
p. 211.*

before the Lords of the Council. Margrete of Cockburn, spouse of umquhile Gawin of Crechton, and John of Wardlaw, now her spous, having raised an action against Thomas Kirkpatrick of Closeburn for wrangis uptaking, and withhalden fra thaim of the malez and fruitis of Rahil, Monygap, &c.

IX. ALEXANDER COCKBURN OF LANGTON AND THAT ILK married first Elizabeth de Crechton, sister of William, Lord Crichton, above mentioned, and Gawin, his sister's husband. By her he had William, his heir, Patrick, Robert, and Christopher.

PATRICK, the second son, called of East Borthwick, was tutor of Langton during the minority of his grandnephew, Sir James. He married Isobel, daughter of George Home of Wedderburn, the sister therefore—not daughter, as Sir Robert Douglas supposed—of Sir David Home of Wedderburn, killed at Flodden. The latter's daughter, Isobel, married Patrick's nephew, William Cockburn of Cockburn.

George Home of Wedderburn's wife was a daughter of Sir John Sinclair of Herdmanston and Polwarth, adding thus another link to the chain of intimate connection between the Cockburns and Sinclairs. Patrick had by his wife Isobel a son, Patrick, of whom the learned John Spottiswoode, Archbishop of Glasgow and Chancellor of Scotland, says, "Next to Sir David Lindsay of the Mount [Lord Lyon King of Arms], must be remembered Mr. Patrick Cockburn, a gentleman of the house of Langton, in the Merse. This man having attained by his studies great learning, lived a long time in the University of Paris well esteemed." He was Professor of Oriental Languages. Relinquishing this after a time, he returned to Scotland, and embraced the doctrines of the Reformers. As he was the most learned, so he was likewise the most moderate of their leading men. He died at Haddington in 1559, of the church in which town he was

Archbishop
Spottis-
woode's *His-
tory of the
Church*, vol.
i., p. 192.

Michel's *Les
Eccossaises en
France*, vol. i.,
p. 281.

minister. The erudite Patrick had a sister, Agnes, married to Patrick Duns, a scion of the old family of Duns of that ilk. She had the liferent of East Borthwick settled upon her.

ROBERT, the third son, went abroad, and rose to great distinction in the French court, and, with James Stewart, Earl of Moray, stood close by the King, Francis the First, at his coronation in 1515.

CHRISTOPHER, the fourth son, was of Chouslie or Choicelee, a small estate in the vicinity of Langton which his descendants possessed, as vassals of their chief, for several generations.

Alexander Cockburn married, secondly, Margaret de Dundas. Confirmation of the settlement made upon her and himself conjointly of the barony of Carriden on his own resignation was dated 15th March 1472. Provision was made therein that it was to descend to his heirs by his first wife, Elizabeth de Crechton. It does not appear that Margaret Dundas had any children. Alexander, ninth Baron, sold, 18th July 1449, the lands of Barnehard, in Carreden barony, to Patrick de Cornewall, called de Barnehard, his predecessors having held these lands some time from the House of Langton. The charter was witnessed by Sir John de Cockburn dominus de Brunetun and Dalginche, County Fife. This Sir John is also called of Torrie in 1432, and is mentioned by Sir Robert Sibbald.

Reg. Great Seal, vol. ii., No. 1156.

Ibid., vol. iv., No. 313.

X. **SIR WILLIAM COCKBURN OF LANGTON AND THAT ILK** succeeded his father in 1480. He married Anna, daughter of Alexander, second Lord Home, and had by her Alexander,

Mylne's Collection, 336.

William, and Christopher, and a daughter, Margaret, married to her kinsman, Sir William Cockburn of Skirling. She was one of the ladies of Queen Margaret's court, and appears to have been a great favourite and personal friend of Her Majesty, as her father and eldest brother were of King James IV. Sir William was frequently in attendance, and accompanied him in his expeditions, in which sport and amusements of various kinds were combined with business. In 1504, when the King was at Canonbie, they were very merry hunting the deer and boars, dancing and playing at cards in the evenings. James had to make more than one request for money to pay his losses—chiefly to Lord Dacre. One can quite imagine the impetuous monarch would not be a successful player at anything but a game of chance. A court was held there on 21st August before Alexander Seton, William Cockburne of Langton, and Patrick Haliburton. It was an unhappy time for some of the border marauders evidently, for viij. paid for ane raip to hing the thevis in, and xiijs. to the man that hangit thaim, are significant memoranda of the proceedings. He went with his ill-fated sovereign to Flodden Field, and with him rode his eldest son, Alexander, and no doubt William, his second son also, who was married to the daughter of Sir David Home of Wedderburn, who was there also with his stalwart sons, the seven spears of Wedderburn. The eldest, George, lay dead beside his father, and Alexander, apparent of Langton, did not return to tell the melancholy news of his father's death. They lay all four beside many of the noblest of Scotland's chivalry when this sorrowfull battel was stricken and ended in this manner at the

Lord Treasurer's Accounts, fol. 163.

MS. Books of Adjournal, Justiciary Office, vol. 1494-1504, fol. 93, p. 1.

Lord Treasurer's Accounts, fol. 162.

Flowdon Hills in the month of September, the ninth day, in the zeire of God one thousand five hundred and thirteen zeiris.

There is no doubt that Sir William and his heir, and Sir David Home and his, died as brave soldiers on that day. Thomas Lord Dacre wrote to the Lords of the Council 17th May 1514 as follows:—
 “My Lords,—As for any intelligence, familiarite or kyndnesse that is betwixt me and the Chamberleyn, trewly I know non, for in the felde of Branxton (Flodden), it fortuneth that I and my freyndis, beyng in my hoost and companye, mett the Erle of Huntley and the Chamberlyn, and encountered togedders, wher as S^r John Home, S^r William Cokburne of Langton, Knights; Cuthbert Home of Fast Castell, the son and heir of S^r David Home, the lard of Blacatre, William Carr, and three brethren of the Brounfields, gentilmen, with many other kynnesfolks, freyndis and servaunts of the said Chambreleyn’s, were slayne be me and my folks, and my brother Philip Dacre taken prisoner with many other my kynnesfolk servaunts and tenaunts taken and slayne in the said battell as is well known.

Raine’s
Durham,
General His-
tory, p. 7.

“And as for any intelligence had with any Scot in Scotland, I assure your Lordshipps of trouthe I have non, as shalbe sufficiently proved, for they love me worst of any Englishman living, be reason that I fande the bodye of the King of Scotts slayne in the felde. . . . Have kept good espials, and will do so. Did not think proper to write of trifles and flying tailles.”

This letter was dated from Kirkoswald, 17th May 1514, after Lord Dacre had burnt and destroyed, as he goes on to describe, “six times moe townes and housys within the west and middle

marches of Scotland in the same season than is doone to us. "He had ravaged and desolated all the western country especially, and Eskdale down to Canonby, where he had ten years before hunted and played cards with unfortunate King James, Sir William Cockburn, and the rest, and won their money."

His allusion to "flying tailes" had reference perhaps to the absurd story of King James being carried off by Lord Home to the Castle of Home, and there put to death.

The fate of Sir William and Alexander Cockburn, and Sir David and George Home of Wedderburn, and their kinsmen and friends, was a better one far than that of the maligned Lord of Home and his brother William, who, after a mock trial, were put to death by the weak, and at the same time sanguinary, John Duke of Albany in 1516.

Pitcairn's
Criminal
Trials, vol. i.,
p. 15.

In his younger days, Sir William of Langton, who had been knighted by James IV., was not unfrequently in scrapes. There was a court held at Lauder before the nobil Lords Justices Robert the Lord Lyle, and Laurence, Lord Oliphant, which opened on November 9th, 1493, being dies Sabbati (Saturday or Sabbath, Sunday, being always translated in old documents dies solis, or dies Dominica), when letters of remission were read, granted to the inhabitants of Berwickshire, the Merse, and Lauderdale, in which, referring to a number of persons not having as yet availed themselves of the pardon given at the time of his coronation, it was announced that "We herefoir, of our special grace and favoris, has respectit, remittit, and forgevin, and be our letteris specialie respectis, remittes, and forgevis for evermore, all and syndri our liegis and

subditis, inhabitant the boundis of oure sherefdome of Beruic, the Merse, and Lawdirdale, of quhat estate, degre, or condition thai be of, to be unattachit, unarrestit, unpersuit, unfolowit ony maner of way in all tyme to cum be ony of our officiaris, liegis, or subditis foirsaidis, for ony crimez, offensis, ressis, herschippis, slauchteris, byrnynges, murthers, tresonis, or uther trespassis quhatsumever committit or done ony maner of way before the date of our coronatioune foresaide," &c. On that day a number of the Baron's dependents in Langtoun were tried, and two beheaded there and then, for the slauchter of Thomas Achinsoune; on the second day of the assize he himself and nine others were permitted to compound for art and part of the forethought felony, and "hamesukin" (*i.e.*, thrashing or assaulting a man in his own house) done to Robert Sleich and his family at their place of Oxindin; and further, William Cokburne, son and heir of the laird of Langtoun, came in the King's will for slaying of hares during the forbidden time; for letting his dogs have a run on Cockburn Law, we may presume. He had not much to fear for coming under the King's will, he and his son Alexander being such especial favourites of James IV., who, in 1510 granted to them the following charter, which it will be well to give at length, on account of its peculiarity in constituting the office of principal usher an appanage of the barony:—

Reg. Great Seal, vol. ii., p. 733, No. 3422.

"Rex concessit familiari suo Alexandro Cokburne filio et heredi apparenti familiaris sui Willelmi Cokburne de Langtoun militis, camere sue hostiarum principalis et heredibus dicti Alexandri—terras et baroniam de Langtoun cum molendino tenentibus &c. vic Beruik; necnon terras et baroniam de Carridin et molendinum

nuncupatum le loch-myll de Linlithgow, cum tenentibus &c. vic Linlithgow una cum officiis principalis hostiarii regis, capiendo de rege ac domicilii regii servitoribus liberationem quotidie pro ipso, cum duobus armigeris et duobus architenentibus cum eorum equis et servitoribus pro custodia earundem;—quas dictus Willelmus personaliter resignavit; et quas baronias rex pro bono servitio incorporavit in unam liberam baroniam de Langtoun cui quidem univit dictum officium ut esset dependentia dicte baronie: cum potestate creandi liberum Burgum in baronia infra dictas terras de Langtoun et habendi crucem et forum singulis ebdomadis ac nundinas publicas bis in anno, cum aliis privilegiis sicut dicto Alexandro placeret—Proviso quod Burgenses aliis privilegiis non uterentur nisi que eisdem per dictum Alexandrum et ejus heredis data forent—Reddendo unam denarium argenti nomine albe firme—Reservatis libero tenemento dicto Willelmo necnon rationabili tertio ejus sponse cum contingeret, cum libero tenemento terrarum de Stobbis-Wod, le Crayis et Stokfute ejus sponse reservato.”

*Register Great
Seal*, vol. ii.,
No. 1440.

Ibid., Nos.
3422, 3488.

I. ALEXANDER, eldest son and heir-apparent of Langton married Mariota Hepburne, daughter of Archibald, the grandson of Sir Patrick Hepburne, Dominus de Dunsyar and Sheriff of Berwickshire, where he held large estates. His wife was Mariota Normanville, heiress of Gargunnoch, County Stirling, whose large properties were inherited by their son Alexander Hepburne. Mariota appears to have been, like her husband's sister, Margaret Cockburn, an especial favourite of Queen Margaret and of King James the Fourth, who, on 16th July 1510, granted confirmation of the new investitures taken out on their marriage:—"Familiario suo Alexandro filio et heredi apparenti familiaris sui Willelmi Cockburn de Langtoun militis et Mariote Hepburne sponse dicti Alexandri,"—of the joint tenure of Carrydin, and the church lands thereof, in the county of Linlithgow, resigned in their favour by his father and himself for this purpose. Mariota had as her dower lands in Quhitsun [Whitsome], in the Merse, held by her father from Adam Hepburn, Lord of Halis. They had, with three daughters, a son James, who succeeded his grandfather as eleventh Baron.

MARIOTA, the eldest daughter, was Prioress of North Berwick, which she resigned to Margaret Home in 1568.

ELIZABETH married John Boswall of Bowhill, son of Sir Alexander Boswall or Boisvill of Balmuto, who fell at Flodden, by his second wife, Alison, sister of Sir James Sandilands of Calder. Douglas' *Baronage*, p. 309.

JEAN, the youngest, married John Renton of Billie, in the Merse, and lived to a good old age. The will of "Jean Cockburn, Lady Billie," was recorded in 1586.

They were all young children when their father fell on that day, when, as the war correspondent with the English army wrote thirty years afterwards, "the Scottische menne had a grate overthrow from vs at Floddome-Felde, and thair Kyng Jamy was slayne, and thairfor thys day is not smally markt amongst them."

Great indeed must have been the distress in Langton Castle when the terrible tidings came that amongst those who had gone forth in the pride of their strength with the border warriors, led by the gallant Home, to fall on that fatal field, were the Baron William and his son. To the stout-hearted brave "Ladye Anna Home, auld Ladye Langtounne," who survived for some considerable time afterwards, fell the hard task of trying, whilst herself mourning for her husband and her son, to comfort Mariota, left with her fatherless children to the charge of guardians in days when might made right, and young heirs did not always come by their own.

II. WILLIAM, second son of Sir William and Lady Anna Home, became of Cockburn, of whose family in its place.

III. CHRISTOPHER, their youngest son, [Cristofle de Quoebroun, as his name appears sometimes in the record books of France, and at others Cokbron,] went early to

Forbes Leith's
*Scots Men at
Arms and Life
Guards in
France*, vol. i.,
p. 92.

*State Papers
[France] rela-
ting to Scot-
land*, vol. ii.,
p. 390.

*Scots Men at
Arms*, vol. ii.,
p. 222.

Sir W. Fraser's
*Scots of
Buccleuch*, vol.
i., p. 173.

Francisque-
Michel's
*Les Ecossais
en France*,
vol. i., p. 281,
283.

Playfair's
*British
Antiquities*,
vol. viii., p.
303.

that country, where the spirited young men of the noble Scottish families were then wont to seek a field for distinction and glory, as well as advancement in the world. His uncle, Robert Cockburn, had risen there to a high position, and, as mentioned above, with James Stewart, Earl of Moray, stood close by the King [Francis the First] at his coronation in 1515. There were during many centuries several of the name of Cockburn constantly found on the rolls of the "Garde Ecossaise du corps du Roi." In 1578 M. le Capitane Cobron came to Scotland with letters from "M. de Castlenau au Roi," dated 12th November of that year, in which he stated "le Capitaine Cobron est icy qui m'a faict faire plusieurs recommendations de tous les Seigneurs de ce Conseil, pour escrire à vostre Majesté en sa faveur, affin d'avoir pitié de luy et luy faire donner quelque chose de ses pensions, Je croy qu'il partira bientôt d'icy et ne luy pourray reffuser les lettres qu'il me demande, et dont Je suis prié, aussis que c'est une bon pauvre homme, &c." This person was not one of the fortunate scions of the house of Langton, who for some time flourished greatly in the land of their adoption, their names appearing in the rolls of the Noblesse of Champagne and in other public documents as "de Cokbornes Seigneurs et Barons de Villeneuve-au-Chemin, and Vicomtes et Seigneurs de Fussy."

In 1600 Sir William Cockburn of Skirling was one of the jury who investigated the claim of Gualtier Scot [an officer of the Gard Ecossaise,] to be of the house of Buccleuch, and their decision that he had proved himself to be the grandson of Bernard, son of Gualtier Scot, who had gone to France in 1540, was proved, and signed by BACLOUGH. So in like manner in 1664 Esmè Eleonor de Cokborne, son of Guillaume de Cokbrone, Baron de Villeneuve, came over to Scotland, and got a patent of nobility under the sign-manual of King Charles II., in which it was set forth that he was lineally descended from the House of Langton.

Adam de Cokborne, écuyer Marechal-des-logis des gardes écossaises, married damoiselle Gabrielle de Fontaine Dame et Barronne de la Villeneuve-au-chemin. Their son succeeded to the estate and dignity.

In a note to the account of the family of Cockburn in Mr. Playfair's work, this Adam is stated to have been the son of William Cockburn of Choicelee, but no son so called is men-

tioned in his will. William was the son of Christopher Cockburn of Choicelee. He had a brother named Adam, but he was not in the Scots Guards in France; so the husband of Gabrielle de Fontaine may have been the son of Christopher, the Baron of Langton's son, as claimed by the Barons de Villeneuve. In 1798 Guillaume-Henri de Cockburne paid a visit to the home of his ancestors. His family had been ruined in the Revolution, and he, its representative, was then an officer in the French army. In a letter of his to John Cockburn-Ross of Rowchester and Shandwick [in the author's possession], his descent from the above-named Esmé or Aymée de Cokbron, Baron de Villeneuve-au-Chemin, is clearly stated. [Esmé Stewart's name was also written Aymée when he came over from France to prosecute his claim to the Lennox estates and honours.]

The "Viscomtes de Cokburn" in Berry may have descended from that Seigneur Cocquebourne, son-in-law of Claude de la Chastre, who was Lieutenant "de Seigneur d'Aubigny," and died in 1495. Sous M. M. d'Aubigny et Coqueborne les arches écossais étaient commandés par Capitaines de leur nation. Jean de Coqueborne que Guillemette Bâtard épousa en secondes noces [vers 1538] était fils de Messire Georges de Coqueborne, Capitain de cent Ecosais de la garde du Roi, s'habitua en Berry et y acheta la terre de Fussy. His descendants were Viscomtes de Fussy. M. Michel quotes these notices from various authorities, such as the Genealogie de la famille de Cokburne dans "les Reserches de la Noblesse de Champagne," the "Nobiliare Universel de France," &c. He found it difficult to trace the different branches clearly, and observes "entre ces temoignages contradictoires, on doit comprendre notre embarras." Guillemette Bâtard above named had married first, another officer of the Garde Ecossais, David Lisle, son of Honoré de Lisle and Andrevette de Boniface.

Francisque-
Michel's
*Les Ecosais
en France,*
p. 283.

The cadets of the house of Langton established in France held a high position in their adopted country. The principal branch carried the simple paternal coat. The author quoted says, La famille de Coqueborne etablie dans la Berry portait, '*d'argent à trois coqs de gueules*' brisé pour la branch de Fussy '*d'un cor de même en abîme*,' ou suivant la Genealogie du nobiliare manuscrit on maintennes du Berry *d'argent à trois coqs de Gueules au Cor de de Chasse de Sable lié d'or en cœur*.

Another family is mentioned, *i.e.*, that of Fontaine det Coqueburne, com portant *d'azur* au chevron d'or accompagné



de cinq coqs d'argent ecartelé de gueules, mais il n'y a pas douter, que ce ne soit une branche collatérale, issue du mariage d'Adam de Cokborne ecuyer, avec Gabrielle de Fontaine, Dame et Baronne de la Villeneuve-auchemin. Azure is not often found as a tincture in a Cockburn's shield. One scion of the family appears to have adopted it. In 1540 George Bullock,

"master gonner of Berwick-upon-Tweed, wonne an armes of a Scottish gentilman, one of the house of Cockburn, which had certayne moor cockes standinge in a shielde, thone half blacke and the other half blewe." This Scottish gentilman, stripped of his armour, may have been a connection of the ancestor of the French family who bore the above peculiar coat. Whether he carried white cocks or not, is not mentioned in the curious document regarding the conquest of his armour [a copy of which will be found elsewhere], but very probably he did.

There was also a family of the name descended from Pierre Cokborne, ecuyer seigneur de la Rippe de Magny et en partie de Pouilly marié, era 1621, avec Francoise du Bois.

XI. SIR JAMES COCKBURN OF LANGTON succeeded his grandfather, Sir William, killed at Flodden. He was Sheriff of Berwickshire in the reign of Queen Mary, and during the time of her mother's regency.

It is certain that he was a minor, and still under the guardianship of Patrick Cockburn of East Borthwick when the Warden de la Bastie was slain. There is no evidence that he was one of the Cockburns who are stated to have taken themselves off

across the Border with the Homes after the tragedy.

He may possibly have been a spectator, being in company with old Patrick, his granduncle, and perhaps the other guardians, Sir Adam Nisbet of that Ilk and Chirnside of Chirnside. If he was, no doubt he would sympathise with the actors for the Lord Home and his brother William, put to death by Albany, were his granduncles, and he knew how he had seized the castle and ravaged the lands of Home. It has been said by more than one of the old historians that his uncle William, offended at not being appointed one of the guardians, and depending upon the assistance of his brother-in-law, Sir David Home of Wedderburn, proceeded to extremities, and actually turned his nephew and his tutor out of Langton Castle. This, however, seems most improbable. Considering that two of the guardians were also nearly related to Wedderburn—Patrick having married Sir David's aunt, and Nisbet, if not already married, betrothed to Sir David's daughter—the other guardian, Sir Robert Blackadder of that Ilk, had been killed at Flodden with his friend Alexander Cockburn, and left two daughters co-heiresses, Beatrice and Margaret, married to Sir David's brothers, John and Robert [by compulsion, it is said] ; it is much more likely that those are correct who agree with Mr. Guthrie in supposing that it was a seeming quarrel that had been got up between William Cockburn and the rest, to settle which the unfortunate Warden came to Langton, and to his death, as described in Pitscottie's words, already quoted. Guthrie says many Homes and Cockburns were denounced rebels, and orders given

Guthrie's History, vol. v., pp. 31-33.

Redpath's
*Border His-
tory*, p. 507.

Pitcairn's
Crim. Trials,
vol. i., p. 143.

Redpath's
*Border His-
tory*, p. 621.

*History of
Mary Stuart*,
by Claude Nau,
edited by the
Rev. Joseph
Stevenson,
p. 43.

to the new Warden to seize the Castles of Home, Langton, and Wedderburn, which were surrendered at discretion, and strong garrisons placed in them.

As a young man, Sir James was found sometimes mixed up in the affairs so common at the time. There was a deadly feud betwixt the Edmonstones of that Ilk and the Wauchopes of Niddry-Marischall. In 1529 Langton took part in an encounter with Patrick Cockburn of Newbigging, John Pennicuik of that Ilk, Patrick Sydserf of that Ilk, Lauder of Bass, Cockburn of Newhall, with their respective followers, in support of Gilbert Wauchope of Nuddry-Marschal against George Lord Home and ninety-eight others, chiefly Trotters, Dicksons, and Brownfields, ranged on the side of John of Edmonstone.

But he proved a true and loyal man, and was during all his life the bold and faithful adherent of Queen Mary, whom, as previously noticed, he had the honour of entertaining at his Castle of Langton in 1566. He marched with his retainers in force to Carberry Hill. Her secretary Nau says that when pressed by the Lords Morton and Home (the latter had espoused the side of the rebel lords for a time, but afterwards repented himself and returned to his allegiance), "Bothuil tire le mesme jour le Royne hors de cette fortesse, et la conduict a Dunbar ou les vendrient trouver Lords de Seton, Yester, et Borthwicke, Lairds de Wakton, Bas, Ormiston, Wedderburne, Blacater et Langton faisons tous ensemble quatre mils hommes." The Ormiston here referred to was not Cockburn of Ormiston, who unfortunately had ranged himself on the opposite side, but Ormiston of that Ilk, in Roxburghshire.

The high-spirited barons who stood by their

Queen must have felt deeply for her when the execrable Bothwell fled, after refusing to enter the lists against that loyal warrior, "meek and gentle like a lamb in the house, but like a lion in the field," Kirkaldy of Grange, or Murray of Tullibardine and Lord Lindsay of the Byres, who each challenged him to a duel to prove his innocence of Darnley's murder, but he went off, and took ship at Dunbar, leaving Mary to submit to her enemies. Langton and others of her faithful adherents hastily got some men together afterwards, and very nearly succeeded in intercepting the rebels, whom they learned were carrying their mistress to Lochleven Castle. On 13th May 1568, he again, with a strong following, marched under her banner to Langside, after which day—rendered so fatal to her by the headlong impetuosity, although accompanied as it was by the most dauntless valour of her supporters—he saw his beloved Queen no more. In 1575 Langton Castle was occupied by the Regent Morton, who has been described as "a character almost the most frightful of all those produced by his age and nation." His unhappy end could produce no feeling of pity in the heart of even the amiable Doctor Pennicuik, who could but regard it as an instance of retributive justice" that he "hanselled the merceless maiden, which hideous engine of death he had brought from France to be head his ancestor with, the Laird Pennicuik of that Ilk."

Keith's History, pp. 401-443.

Ibid., p. 404.

Robert Chambers' *King James VI.*, p. 61.

Pennicuik's *Tweeddale*, p. 191.

The Regent rode each morning to Foulden from Langton to meet the Earl of Huntingdon, Queen Elizabeth's envoy, *who lay at Berwick*, and give him the immediate satisfaction she demanded for the rout of her Warden and his followers by the Ruthirfurds

Redpath's *Border History*, p. 651, note.

and men of Jedburgh and Hawick, and their allies, at the Red Swyre. This the obsequious Morton (a man sold to all wickedness, Archbishop Spottiswoode designates him) at once did in "the most humble manner. On the 23d March 1587 the Commissioners sent by Elizabeth to meet those appointed by King James to hear the vindication offered by her for the execution of his mother the Queen, met at the same place. The old Baron was not there to see these convenient emissaries ride forth from the gates of Langton Castle on this errand, being then dead. Three years before his death he had been constrained to grant a bond for £1000 to the Earl of Morton, along with James Hamilton of Samueltoun. In 1588 King James VI. was at Langton, and thence ventured to ride near enough to Berwick to get a good view of the town.

Reg. of Privy Council, vol. ii., p. 385.

Redpath's *Border History*, p. 672.

Sir James Cockburn married first Joneta, daughter of Sir John Ottirburn of Reidhall by his wife Joneta Stewart, and by her had Alexander, heir-apparent of Langton, William Patrick, Adam, James Thomas, and John, and three daughters. Margaret married to Patrick Hepburne of "Quhitcastell;" they had joint charter 22d August 1566 from her aunt, "the Ladye Elizabethhe Hepburne, Prioress of Haddington," of some properties; and Mariota married to her cousin Thomas Ottirburn, younger of Reidhall, whose ancestors were originally of Ottirburn, in the parish of Morebattle, County Roxburgh.

Reg. Great Seal, vol. iv., No. 1752.

I. **ALEXANDER**, the eldest son and heir-apparent of Langton, had, 9th January 1542, new charter of the baronies of Langton and Carridin in similar terms as that granted to his grandfather by James IV. in 1510, which it may be well to give, also the excerpt thereof as it appears in the Register

of the Great Seal. It proves that Sir William, killed at Flodden, was succeeded by his grandson, Sir James, and not by William, as appears in some genealogies of the family, or by his eldest surviving son, John, as stated in the fanciful pedigree of *Cockburn, styled of Cockburn and Ryslaw, Baronet*, given by Playfair, and followed in other publications.

"Apud Edinburgh 9 Jan. 1542.—Rex pro bono servitio Jacobi Cockburne de Langtoun ac pro compositione persoluto concessit et de novo dedit ALEXANDRO Cockburne filio et heredi apparente dicti JACOBI, heredibus ejus et assignatis, terras et Baroniam de Langtoun cum castro, turre, fortalicio, maneriis, molendinis, piscatoriis, toftis, croftis, pendiculis &c. vic Berwik, terras et Baroniam de Carridin, cum molendino earundem vocato *lie* Lochmyll de Linlithgw, cum granerio, toftis, croftis, *lie* outsettis tenentibus de vic Linlithgw; cum officio ostiarii regis principalis;—quas et quod [per regem Jacobum IV. in Baroniam de Langtoun incorporatas pro unica sasina per quondam ALEXANDRUM COCKBURNE de Langtoun patrem dicti JACOBI et ejus heredis apud fortalicum de Langtoun capienda] dictus Jacobus resignavit et quas Rex de novo incorporavit in Liberam Baroniam de Langtoun Tenend. cum privilegio libere foreste cum potestate creandi villam de Langtoun liberam Burgum in baronia, habendi in eadem crucem et forum hebdomidatem, ac liberas nundinas bis in anno cum aliis liberis burgi privilegiis in burgensium creatione, administratione et executione justitie, electione ballivorum &c. pro ut Dictis Alexandri &c. melius visum foret proviso quod Burgenses aliis privilegiis non uterentur nisi, ne per dictum Alexandrum &c. concessit ferent. REDEND. annuatim unum denarium albe firme. Reservatis libero tenemento dicto JACOBI, necnon libero tenemento proprietatis terrarum et baronie de Carryddin dicto JACOBO et JONETE OTTIRBURNE ejus sponse et eorum alteris diutius vivente; cum rationabile tertia omnium dictis terrarum dicte Jonete aut cui cunque alteri sponse dicti Jacobi cum contingeret."

Reg. Great Seal, vol. iii., No. 2571.

Alexander, with consent of his father, Sir James, disposed of the lands and barony of Carrydin, in Linlithgow, to Robert Carnegie of Kynnarde, confirmation being given under the Great Seal 18th February 1552. A portion of the estate had been alienated with the mill called Le Lochmylne, the hill called Mylne Hill, with the aqueduct *lie* Wattergang of the King's loch of Linlithgow, with the *lie* suckin, &c., by his

Ibid., vol. iv., No. 680.

*Reg. Great
Seal, vol. iv.,
No. 73.*

*General Regis-
ter of Sasines,
County Edin-
burgh, vol. x.,
fol. 348.*

*Register of
Deeds, Scott.
Office, vol. 23,
fol. 173.*

father, with consent of his wife, Janet Ottirburn, to William Dennistoun or Danzielstoun, whose daughter Elizabeth was second wife of Patrick Cockburn of Clerkington. This deed was executed by Sir James at Langton Castle 21st September 1540. The Queen's confirmation thereof was dated 12th March 1546. On 13th August 1666 was registered a deed by Sir Archibald Cockburn, second Baronet of Langton, granting confirmation of the barony of Carridin to Anna, Duchess of Hamilton, as follows:—"Forasmuch as I stand heritably infest and seased in all and haill the lands and baronie of Carridin, with the mylne and pertinents thereof, lyand within the sherifdome of Linlithgow, as being ane pairt and portion of the lands and baronie of Langtoun, quhairunto the samen was annexed and conjoynd by virtue and conforme to ane charter granted to umquhill Alexander Cockburne of Langtoun my . . . under the Great Seale, of the date of the nyynth of Januarie j^mvi^e fourtie-ane yeiris, notwithstanding I find by authentick wreats and evidents produced to me that the said umquhile Alexander Cockburne, my grandsire's brother, with consent of Umquhill James Cockburn, his father, was formallie and legallie denudit of all and haill the said lands and baronie of Carridin," in favour of the deceased Robert Carnegie of Kinnaird, by contract of alienation of date 15th February 1552; which lands and barony were disposed by the said Robert Carnegie in favour of the late James, Earl of Arran, and are now possessed by Anna, Duchess of Hamilton, as heir by progress to the said deceased Earl, in whose favour the said Sir Archibald Cockburne, by the present deed, renounces the said lands and baronie of Carridin, dated at Langtoun 21st July 1666.

Alexander Cockburn, heir-apparent of Langton, appears to have died unmarried or without issue before 1574, in which year a deed was executed by his father, Sir James, and his second son, William, to be referred to presently, by which it appears that Alexander's sale of Carridin had not then been carried into effect.

II. WILLIAM, who succeeded his father, of whom presently.

III. PATRICK, the third son of Sir James by his first wife, appears to have been an amiable as well as trustworthy

man, always helping to get his friends and relatives out of scranes. Over and over again in Pitcairn's Criminal Trials the name of Patrick, son to Sir James Cockburn of Langton, is found as suretie for persons ordered to appear to underlie the law for crimes to be imputed to them. In 1572 he became answerable for the appearance of Sir John Ramsay, accused of contravening the "actis and ministracionis of the Sacramentis in ye Papistical manner," for which the said Sir John stood in danger of being "brint." In 1592 he came into court before his kinsmen, Sir John Cockburn of Ormiston, Justice-Clerk, and Sir Richard Cockburn of Clerkington, Lord Priuie Seal, to give security for George Haitlie of Hadland (a scion of the old family of Haitlie of Mellerstain, whose ancestor Alexander signed the deed of homage in 1296), who was a relative, and had been summoned to answer, along with Lord Glencairn, Lord Gray, Edmonstone of that Ilk, and many more, "twicheing the observacione of peax and gude reule in the country, onder pane of rebelliousne." He was tutor of Langton for his nephew William, his brother William's son, and was owner of the property of East Borthwick, in Langton barony, of which he had charter in August 1587, and had previously got a charter of Barjarg. This was the second time a Patrick, designated of East Borthwick, was guardian of the heir of an Alexander, apparent of Langton, but not destined himself to come into possession. He married Elizabeth, daughter of Patrick Home of Renton, and in his will, dated at Langton Castle in 1601, shortly before his death, he appointed her and her brother, John Home, portioner of Renton, executors, and his wife to be sole tutrix of their children. He did not accumulate much property himself, well as he guarded that of others, his personal effects being of not more value than the amount of his liabilities, *i.e.*, £9000. He was particular in mentioning that he owed to "John Cockburn, faderbroder to the laird of Cockburn, for ane ox, xx. lb." He had three daughters: Margaret, married first to her kinsman, Alexander Home of Renton; secondly to Sir William Graham of Braco, county Perth, who gave her sasine in 1625 of part of the lands of Drumquhandle. Jeane was the second daughter. On 31st December 1634, "sasine was given to Jeane Cockburn, sister-german to ane honorabill man, Patrick Cockburn of East Borthwick, of half the lands of Forgandenny, apprised from Sir James Oliphant, Knight

Reg. Great Seal, lib. xxxv., p. 889, lib. xlvii., p. 520.

Commiss. of Edin. Test., vol. xxxvi.

Sasines, Perthshire, vol. i., fol. 324; vol. vi., fol. 196.

Baronet." Agnes, the third daughter, married Hugh, son of James Eccles of Kildonan, County Ayr.

*Inquisit.
Retorn.
Abbrev.,
County Ber-
wick, vii., 2.*

His eldest son, Patrick, was retoured heir to East Borthwick, in the parish of Dunse and barony of Langton, 27th November 1617, to which his son John was served heir, 1st May 1683. He married Anna, sister of Sir David Home, Lord Crossrig, Senator of the College of Justice, and had a daughter, Anna Cockburn, married to Thomas Baillie of Polkemmet, who settled an annuity of 1200 merks upon her out of the lands of Polkemmet by their marriage-contract, dated 7th December 1701. John Swinton of Swinton, the Quaker laird, who was persecuted with such rigour, and narrowly escaped death for his opinions, was witness to this deed.

*Swintons of
that Ilk, p. 74.*

IV. ADAM, the fourth son, was Sheriff of Berwickshire, and was of those holding similar office who were summoned, 10th January 1600, to account for the manner in which they had disposed of the revenues of their respective shires. Sir George Home was excused for not appearing on account of "his sickness," and the Lord Yester because of the compearance of his deputy, William Horsburgh of Horsburgh; but the Lords ordained that Adam Cockburn should be declared a rebel for not appearing himself or by deputy. He had no doubt used the money during the time he held the position in a manner not in accordance with the views of the Government at the time, his family being loyal to their Queen.

V. JAMES, fifth son, was styled of Selburnrigg, of which property, in Lammermoor, under Dirington-Law [Diuringdon], he had possession from his father, subject to his step-mother's liferent charge thereon. Sasine in fee was given to him after her death by his brother William, Laird of Langton. He was living there when he witnessed, with his brother Patrick, tutor of Langton, then in Stobiswoode, the will of Elizabeth Sinclair, widow of his half-brother Alexander, styled of the latter place and Leyiswod, 3d January 1609, and was one of "the brethren of William Laird of Langton," for whom Patrick, as tutor thereof, gave security that they would not, with steil bonnettis on their heads, and weapons invasive in their hands, disturb their neighbour's peace, and "invade them to their slaughter." His wife Marion was a daughter of

*Edin. Reg. of
Testaments,
vol. xlii.*

*Reg. of Privy
Council, vol.
iii., p. 48.*

the family of Quhytelaw [Whytelaw], who long held lands in the parish of Greenlaw. James Quhytelaw, son of Quhytelaw of that ilk, had confirmation under the Great Seal of James II. of the charter from John Heryng, dominus de Edmeresdene [Edmiston] vic Berwick, of "ro mercatas terrarum in villa et territorio de Greenlaw, ex parte occidentali Aque de Blacadre in comitatu marchie vic Berwici; que terre vulgariter vocantur Blasonbrade." His grandson, James Cockburn of Selburnrigg, is numbered amongst the many of his race who suffered for their loyalty; he was faithful to the cause of Charles I., and had to take refuge abroad for a time, leaving his lands and the titles thereto in the hands of his kinsman and chief Sir William, who kept possession, as under similar circumstances, the lands of a branch of the Dalrymples were afterwards retained by Lord Stair. Selburnrigg was included in the new charter obtained by Sir Archibald. It was but a wild heather-covered country for the most part, but nevertheless was the valued home of his family. He married Isobel, daughter of John Cockburn, whose father was of Newholme in the County of Peebles.

His great-grandson Thomas, whose mother was also a Mary Quhytelaw, became possessed of Rowchester estate, in the parish of Greenlaw; he had also Scarlaw, in Cranschaws parish, and Bankhead and other lands in the parish of Eccles, in the Merse. He was a Writer to the Signet and Deputy-Keeper of the Great Seal, of which his ancestor Sir Alexander was Keeper in 1390. He married, 3d December 1752, Agnes, eldest daughter of John Scott of Belford, in the parish of Morebattle, County Roxburgh, by his wife Marion daughter of Alexander Baillie of Asbesteel, whose wife Mary was daughter of Bishop Wood of Edinburgh, *temp.* Charles II. John Scott's father Charles second son of Sir John Scott, first Baronet of Ancrum, was a devoted adherent of the Stuart cause, and being "out" in 1715, died in the Tower of London. His wife Margaret was the daughter of John Ruthirford of Capehope, Captain in H.M. Guards, who was *de jure* fifth Lord Ruthirfurd. Their son, the above-named John Scott, was true to the loyal instincts of his race, and met Prince Charles Edward at Kelso in 1745, bringing all the money he could raise, carried in saddle-bags by himself and his servant. Many a hunted Jacobite found refuge in a hiding-place in the old house of Belford, and much as they

Reg. Great Seal, vol. ii., No. 497.

General Reg. of Sasines, vol. 341, fol. 31. *Berwickshire Sasines*, 1770.

Edin. City Reg. of Marriages.

*London
Gazette, date
1757.
Scots Maga-
zine, A.D.
1757, p. 220.*

*Edin. Reg. of
Marriages.*

had suffered for the Stuarts, he and his in after years never raised their wine-glass to their lips without passing their hand across it in token that they drank to the health of "their King over the water." Margaret Ruthirfurd's brother, Alexander, Lord Ruthirfurd, was thus styled in the *Gazette* of 16th April 1757, in which his promotion to a company in the Royal Regiment of Horse Guards was notified. On his death unmarried the representation of the family of the Ruthirfurds of Capehope, and the Lords Ruthirfurd, fell to John, the eldest son of Thomas Cockburn of Rowchester, through his mother, Agnes Scott. This John Cockburn of Rowchester married Jane Ross, heiress of Shandwick, County Ross, representative of the ancient Earls of Ross. He assumed the additional surname of Ross, and, going to reside on his wife's estate in Ross-shire [of which county, as well as of Berwickshire, he was a deputy-lieutenant], he sold Rowchester and his other lands in the latter county, and the name of Cockburn ceased to appear on the roll of its landholders after having been so prominent for seven hundred years. It still, however, continued to be represented there by his nephew, John Cockburn-Hood of Stoneridge, a Magistrate and Deputy-Lieutenant for the shire, who also paternally descended from the family of Selburnrigg. He was the grandson of Thomas Cockburn of Rowchester and Agnes Scott. His estate in the Merse is held by his son, General John Cockburn-Hood, C.B.

Sir Alexander Cockburn-Campbell, Baronet, another grandson of the same Thomas and Agnes, inheriting under special limitation, a Campbell baronetcy, assumed that additional surname. His son, Sir Thomas Cockburn-Campbell, fourth Baronet, is the present representative in the male line of James Cockburn, first of Selburnrigg. Sir Stafford H. Northcote, Baronet, of Pynes, created Earl of Iddesleigh, was the grandson of Thomas, second son of the above-named Thomas of Rowchester and Agnes Scott, who married Henrietta Colebrooke. They had besides Agnes Cockburn, Lord Iddesleigh's mother, a son Thomas, who died unmarried. Thomas Cockburn of Rowchester died in 1796, aged seventy-three. His father's tombstone at Langton bore the following inscription:—

"Hic Jacet quicquid mortale Davidis Cockburn unicus filius legitimus Thomæ Cockburn qui fuit filius legitimus natus maximus Jacobi Cockburn de Selburnrigg, vir erat

fortis pius, honestus in negotiis assiduus, verus, obiit tertio die mensis Junij anno salutis 1763, ad annum septuagesimum sextum vitæ perutilis.

The following is a copy of the Rowchester arms, as matriculated 13th August 1779 :—

Thomas Cockburn of Rowchester Esquire, Writer to His Majesty's Signet, His Majesty's own Writer for Scotland and the Isles thereof, and Deputy-Keeper of the Great Seal of Scotland, descended from the family of Langtoun the chief of that antient sirname by that branch thereof sometime designed of Selburnrigg bears quarterly, first and fourth argent a pen in pale surmounted of an imperial crown both proper for the office of King's Writer between two cocks in chief gules, his paternal figures, and a lion's head erased in base of the last langued azure on account of his marriage with Agnes Scott, daughter of John Scott, Esquire grandson of Sir John Scot of Ancrum Baronet second and third gules six mascles, three, two, and one, or for Weapont crest a cock proper. Motto, Vigilans et audax.

Lyon Office Register.

VI. THOMAS, sixth son, was named in his father's will his executor. He married Elizabeth his kinswoman, daughter of William Cockburn of that Ilk, and widow of William Chirnside of East Nesbit. The will of umquhile ane honorabill Ladye Elizabeth Cockburn Ladye of East Nesbit, sumtyme spous to Thomas Cockburn quha deceisit vpoun the xxij. day of August in the zeir of God I^m V^e lxxxij. yeris, was recorded 22d Nov^r of that year. She left Thomas intromittour with her haill gudis, geir, cornes, and plenising, and thair fore nocht onlie to pay the dettis of the barnis extending to twelf hundreth merkis bot alsua all vther dettis and scho willis the foresaid soum of twelf hundreth merkis pertening to the barnis to be payit to the laird, her eldest son, of the reddiest gudis before ony thing be removit of the grund, and levis to the laird her sone twa of the best furneist beddis in the place, with sex buird clathis, sex dozine servattis, and fouer towellis. The Chirnsides of East Nesbit were cadets of the family of Chirnside of Chirnside whose representative was one of the guardians of Sir James Cockburn of Langton, appointed by his father Alexander killed at

Commis. of Edin. Test., vol. xi.

*Egerton
Charters in
British
Museum,
No. 364.*

Flodden. William Chirnside, who married Elizabeth Cockburn was probably grandson of the Alexander named in the following precept given in regal style by Patrick first Earl of Bothwell. "Patricius comes de Bothuil Dominu Halis, &c. Delectis nostris Thome Hume de Langschaw, Alexandro Chyrnside de Est Nesbyt et Georgio Ellem de Buttirdene, et eorum alteri, Ballvis nostris in hac parte specialiter constitutis salutem—Quia dedimus et concessimus hereditarie dilectissimo avunculo nostro Patricio Hume de Fast Castel omnes et singulas duas terrarum husband. nostras cum pertinen. jacentes in villa et territorio de Colbrandis-peth . . . apud Edinburgh sexto die mensis Januarii anno Domini millesimo quadragintesimo nonogesimo primo." [Earl Patrick's seal bore on a shield couché, first and fourth a bend [for Vaux of Dirleton], second and third a chevron with two lions regarding each other for Hepburn. Crest on a helmet a cameleopard's head, supporters two lions. It is reasonable to give here the coat of the chief of this family with whom the Cockburns were so intimately allied generation after generation.]

*Reg. of Deeds,
Scott. Office,
vol. xlv.,
fol. 119.*

VII. JOHN, of whom we know only that, "bodin in feir of wer" he disturbed his neighbours along with his brothers, and that Mark Swyntoune of Luskar agreed 20th January 1592 to infeft "John, lawful son to Sir James Cockburn of Langton, knight in the lands of Stanyflatt, on payment of 600 merks."

*Ibid., vol. xiii.,
fol. 173.*

Sir James Cockburn married secondly his cousin Margaret, daughter of Sir William Cockburn of Skirling. In 1554 infeftment was given to her for her life of Stobbiswoode and Selfburnrigg and the mill thereof, she binding herself in case of the decease of her said husband James, and the marrying another husband, to renounce the equal just half of said lands to the bairns of the said James and Margaret gotten betwixt them. The contract was agreed to by William now heir-apparent of Langton, who promised "that he shall in nowise marry during

his father's lifetime without his consent, and at the sight and judgment of [Margaret's brother] James Cockburn of Scraling, John Cockburn of Ormiston, and Patrick of Clerkington; and in the event of the said William acting contrary to this, it being leisome to the said James to dispone all and sundry the fore-said teind sheaves of the barony of Langton and the lands of Simprim and all other tacks and steidings which he presently has, to any person he may think expedient, it being leisome to the said Margaret to have free access to her terce and third of the baronies of Langton and Carridin." Confirmation was given to her infestment of liferent of Stobbiswoode, Selburnrigg, &c. under the Great Seal of James VI., 15th November 1574. She had also the liferent of East Reston lands. Sir James retired to Stobbiswoode during his later years, a garrison having been placed in Langton Castle. He had been too zealous and uncompromising a supporter of the cause of Mary Stuart to escape the revenge of her unnatural brother Murray when he became Regent. He could not accuse him of being an accomplice in the murder of Darnley, as he was one of the assize who sat on the trial of Bothwell. So he was not declared a rebel and his castle blown up, as his brother-in-law Sir James of Skirling's was by Murray's orders. Langton was much too convenient a place for the Government to be thus ruthlessly destroyed, and was, as already alluded to, used as a residence by the Regent Morton. By Margaret Cockburn he had three sons, Alexander, Robert, and Archibald, and a daughter Agnes married to James Craig sheriff-clerk of Berwick-

Reg. Great Seal, vol. iv., No. 2331.

Birrel's Diary, Note, p. 8.

Reg. Deeds, Scott. Office, vol. xxxvii., fol. 173.

shire to whom she and her son Alexander gave an obligation dated at Langton, 11th December 1590.

A VIII. ALEXANDER, called of Leyiswod and Stobbiswod, has been confused with his half-brother Alexander, heir-apparent of Langton referred to above. In consequence of Sir James having named his first-born son by each wife Alexander, William the laird has been thought to have been the son instead of the brother of the elder Alexander, the son of Janet Otterburn. The second son of same name married Elizabeth, daughter of Matthew Sinclair of Longformacus by his wife Elizabeth, daughter of Sir John Swinton of Swinton; her sister Sybil was the wife of William Cockburn of Choicelée. By her he had a daughter Jean, married to Alexander Dunbar of West Grange, [in their marriage-contract dated 16th May 1632 her father is designated Sir Alexander Cockburn] and also two sons, Alexander and James. The will of "Alexander, son lawful to Sir James Cockburn of Langton, who died 29th May 1597, was recorded 6th July 1599."

Stodart's
Scottish Arms,
vol. ii., p. 16.

*Edin. Reg.
of Test.*,
vol. xxxiii.

Ibid., vol. xli.

He is therein designated of Stobbiswoode. He appointed his wife tutrix to his children, "the charge" to rest upon Robert and Archibald his brothers-german, and Robert and James Sinclares his wife's brothers. Elizabeth his widow, died 19th May 1601. By her will Robert Cockburn her brother-in-law, was to satisfy her son Alexander, "at his perfect adge, with his airschip hors." Patrick of East Borthwick tutor of Langton (then in Stobbiswood), and James in Selburnrigg, her husband's half-brothers, were the witnesses to this document.

IX. ROBERT, the second son by Margaret Cockburn, had the property called Blackis-milne adjacent to Selburnrigg in the barony of Langton, from his father Sir James, and was trustee under his brother Alexander of Stobbiswood's will. He was sheriff in that part of the county when John Swinton of Swinton was served heir before him—20th March 1628—to his father. He had a son, Robert of Blackismylne, who left one daughter Elizabeth who inherited

*Swintons of
that Ilk*,
Appendix,
clxxviii.-ix.

his lands, and carried them to her husband Alexander son of Christopher Cockburn of Choicelee. Robert had two other sons, James and William. James had lands in East Reston and also in the territory of Eyemouth, dying unmarried, William was served his heir.

*Inquisit.
Retorn.
Abbrev.,
County
Berwick, xx.,
116.*

X. GEORGE is only found mentioned as brother-german of Robert and Archibald, and as being in Blackismylne when a contract was entered into by his brother Archibald, with his and Robert's consent, as heir of tailzie of his brother Alexander of Lesewod, and their mother Margaret Cockburn Lady Langton, 4th March 1617.

*Reg. of Deeds,
Scott. Office,
vol. xxix., fol.
110.*

XI. ARCHIBALD, who had the East Reston lands, as heir of tailzie of his brother Alexander called of Leyiswood, married Agnes Aldincraw; he also had some property in the parish of Eyemouth, County Berwick, and appears at one time designated "in Blackismylne," his brother Robert's property.

Ibid.

Sir James Cockburn eleventh Baron died in Edinburgh 4th March 1578. His will was dated at Stobbiswoode, and was given in along with the inventory of his property by his son Thomas whom he had appointed executor. It is a very remarkable instance of the incorrectness of family histories, that in all printed accounts of the house of Langton, as also in the MS. genealogies that have come under the author's observations, the patriotic Sir James though mentioned in the pages of the history of his country, is altogether ignored. The patriarch of so many families one would have imagined could not have failed to be noticed. Of his descendants it may well be said in the words of old Fuller, "Hungry tyme hath made a glutton's meal on this catalogue of gentry, and hath left but little for manners remapning."

XII. WILLIAM COCKBURN OF LANGTON married Janet, daughter of John Home of Blackadder, by his wife Beatrice, daughter and co-heiress with his sister Margaret [married to John's brother, Robert Home] of Sir Robert Blackadder of that ilk, killed at Flodden, who had been named as one of the guardians of Alexander Cockburn's son and heir Sir James, William, Laird of Langton's father.

*Commis. of
Edin. Testa-
ments, vol. xxi.*

The doubts regarding the next William's descent are cleared up by reference to the "Testamentative and inventar of the guidis, geir, sommes of money, and dettis pertaining to umquhile honorable personnis William Laird of Langtoun in the Merse, and umquhile Janet Home, Ladie Langtoun his spous, the tyme of thair deceissis, quha deceisit intestate in the month of Februar, the yair of God, I^m V^c lxxxij. yeris, maid and given up be Patrick Cockburne tutoure of Langtoun, his brodergermane, in name and behalf of Margaret Cockburne onlie lawful bairne to the defunctis by the air, &c." These words "by the air" [beside the heir] had been totally overlooked by genealogists of the family, and until pointed out by that acute and accurate scholar the Reverend Walter Macleod [whom the writer has to thank for many elucidations of difficult problems in these memoirs], Margaret had been deemed to have been an only child, and the Sir William who succeeded in 1587 to have been the son of a William, son of Alexander, eldest son and apparent heir of Sir James and Janet Otterburn his first wife. It seems singular that the contract between Sir James and his second son, William, which settles the question, should also have escaped

*Playfair's
British Antiq.,
vol. viii.,
Appendix,
p. 160.]*

notice. The contract alluded to, which is dated 18th June 1574, was made between James Cockburn of Langton and Margaret Cockburn his spouse, on the one part, and William Cockburn son lawful to the said James, on the other part, and it sets forth that the said James Cockburn of Langton consents that his said son William should obtain himself served and retoured as nearest and lawful heir to the deceased Alexander Cockburn his brother, of All and Whole the lands and barony of Langton, with tower, fortalice, manor-place, &c. &c., and of All and Whole the barony of Carridin, with pertinents thereof, lying in the sherifffdom of Linlithgow, and obtain heritable infestment of the said lands and baronies, with towers, &c., to him and his heirs : to be holden from our Sovereign Lord and his successors as freely as the same was holden by the deceased Alexander his brother of before ; reserving always the liferent thereof to the said James : And also the said James by this contract constitutes the said William and his heirs-céissoners and assignees of the nineteen year tack of the teind sheaves of the barony of Langton and lands of Simprim, with their pertinents, which he has of the Commendator of the Abbey of Kelso, by assedation of date 7th June 1565 ; and another tack which he has of the said teind sheaves from William Lumisden administrator of said abbey, of date 29th April 1573 ; and for sundry good deeds done to her and the bairns gotten betwixt her and the said James her spouse, both in lands and goods, whereby apparently he hurt and prejudged the said William his son and apparent heir, “ Margaret Cockburn renounced her right and interest in the said tacks, and all right and

Reg. of Deeds,
Scott. Office,
vol. xiii.,
fol. 173.

title and interest she had or can claim to the terce and third of the aforesaid lands and baronies of Langton and Carridin," and then follows the clause about William's marriage, and the infestment of Margaret in liferent of the lands of Leyis, Stobbeswood, and Selburnrigg.

*Familia
Humia
Wedder-
burnensis,*
p. 19.

*Swintons of
that Ilk,*
p. 44.

There has also been a doubt about William's wife, Janet Home, arising probably from the statement by David Hume of Godscroft, in his account of the house of Wedderburn, that one of the daughters of Sir David Home of Wedderburn married John Swinton of Swinton, "et eo defuncto nupsit Guillelmum Cockburnium, alteram que Turio Innerlethio." He does not give the ladies' christian names. We know however from indisputable deeds that Isobel, daughter of Sir David, married William Cockburn "de eodem," not of Langton, and that Sir John Swinton married her sister Marion, "the prudent damsel whom, under God's guidance, he purposed to take to wife," having obtained a dispensation from the Pope, as they were within the third or fourth degree of consanguinity. Sir John died in 1549, and it is certainly just possible that she was the first wife of William Cockburn, Laird of Langton, but the above quoted document proves that she was not the mother of his two children; and there is no mention of his having obtained a dispensation to marry her niece Janet, which certainly would have been requisite, seeing that his ancestor Sir Patrick Hepburn had to obtain a dispensation to marry the Countess Eleanor Bruce, his first wife Agnes having been his fourth cousin.

*Reg. of the
Privy Council,*
vol. iii., p. 48.

On the 23d August 1581, Patrick, tutor of Langton, is found becoming suretie for Adam, James, John,

and Thomas, brethren to William Cockburn, Laird of Langtoun, who bodin in feir of wer, with steil bonnettis, &c., to the nomer of fiftie personis, had been disturbing their neighbours' peace. In 1585 Peter Denelstoune, Vicar of Duns, had obtained "letters of horning" against George Home of Wedderburn, and William Ker, apparent of Littildene, who had interfered with his possession in quiet of the vicarage and parsonage of Duns; so on 15th April of that year William Cockburn, Laird of Langtoun, became suretie "that they sall obtemper the said lettres according to the deliverance of thair suspenciounis, and sall pay to Peter Denilstoune for the vicarage and parsonage of Duns whatever he sall be found to have a right to claim at thair handis." The above-named William Ker of Littildene was, with William Cockburn of Langton, bound in the penalty of £10,000 that George Home of Wedderburn shall not intercommune with the Earl of Angus.

*Reg. of the
Privy Council,
vol. iii., p. 48.*

Ibid., p. 737.

Ibid., p. 414.

Margaret Cockburn, daughter of this Baron, and Janet his wife [who thus appear to have died in the prime of life in the same month, perishing together possibly crossing the flooded Whitadder, or by some other fatality], married her kinsman Sir Richard Cockburn of Clerkington, at one time Secretary of State for Scotland, and afterwards Lord Privy Seal. The bond thus renewed between this influential branch and the main stem of Langton had always been a very close one.

XIII. SIR WILLIAM COCKBURN OF LANGTON was within three or four years of his majority when his father and mother died. He had the following *novodamus* of Langton—

*Reg. Great
Seal, lib. 42,
No. 10.*

Charter by King James the Sixth to William Cockburn, now of Langton, son and heir of the deceased William Cockburn of Langton, and to his heirs-male whomsoever bearing the surname and arms of Cockburn, of the barony of Langton, with castle, tower, fortalice, manor-place, &c., together with the office of His Majesty's principal doorkeeper, with two esquires and two archers, with their horses and servitors, to do service to him and his heirs-male in the execution of the said office—proceeds on resignation by the said William Cockburn with consent of Patrick Cockburn of East Borthwick, his tutor, in implement of the will and obligation of his said deceased father—for this new infeftment—wherein the King calls to mind the faithful, prompt, and thankful service of the progenitors of the said William Cockburn, younger, on many occasions; and understanding that the said William has obtained the consent of the present vicar of Langton, and also in consideration of certain sums of money paid to His Majesty and his Treasurer by the said William, grants to him the advocation, donation, and right of patronage of the Parish Church and Parish of Langton, which of old pertained to the Commendator of Kelso: To hold of the Crown in fee and heritage, with privilege of free forest, and with power to erect and create the town of Langton into a free burgh of barony, with market cross and other usual privileges, rendering therefor one penny yearly in name of blench ferme.

Dated 11th November 1595.

*Ibid., lib. 51,
No. 22.*

William, Laird of Langton, was knighted by King James VI. He had confirmation under the Great Seal of Charles I. of the charter from Sir George Home of Manderston, his cousin, of the ten husband-lands of Symprine, and the kirk lands thereof, to himself and his direct heirs; whom failing, they were to go to Sir Richard of Clerkington, his brother-in-law, and his heirs. According to Hume of Godscroft, Symprin belonged to Bartholomew, eighth son of Sir David Home of Wedderburn, so there were still seven spears of Wedderburn, after George, the eldest brother, fell at Flodden. Bartholomew, he says, "got the lands of Borg in Galloway, and had also Simpryne, in the Merse."

*Milne's
Collect.,
p. 242.*

The liferent of the barony of Simprin was settled by Sir William upon his wife Helen, fifth daughter of the fourth Lord Elphinstone, by his wife Helen, eldest daughter of the sixth Lord Livingstone.

"Helen, Lady Langtounne," married afterwards the Reverend Henry Rollok or Rollo, and was much troubled in her possessions by the quartering of soldiers upon her tenants at Symprine and other lands in Langton barony, of which she had the life-rent. So she petitioned Parliament for redress, stating that "shoe and her tennents are redacted to great straits and extreame povertie, which throw quarterings and uther burdings susteined be them these diverse zieres bygone, bot cheiflie since the last unlawful engadgement against Ingland by the plunderings of the forcis that wer upon the said ingadgment, quhilk not onlie quartered themselffis upon the lands pertaining to hir within the said paroschis, bot took money also, horses, mears, and uthir goods pertaining to hir said tennents, &c." The result of her artful reflection upon the ill-conducted expedition of 1648, in the cause of Charles I., was that the Estates recommended a large sum to be given to her in compensation.

Acts of Parliament, Scot.,
vol. vi., Part
II., p. 453.

Whether after the Restoration she suffered as many did for her display of feeling against the "Engagers," who raised the undisciplined army that went under the unfortunate Duke of Hamilton to the relief of the King, and surrendered so pitifully to Cromwell, does not appear. She deserved to do so, for Dame Rollok, under the influence of her husband, had lost the loyal sentiment so strong in the Cockburns, and in the breasts of her own ancestors the Livingstones and Elphinstones. Her teaching unfortunately

appears to have dulled those feelings also in her son and heir William, and, combined with other circumstances, to make him act as he did. By her Sir William had another son—

*Register of
Sasines,
County
Berwick,
vol. 16, fol.
180.*

*Edinburgh
Medical
Journal,
August 1876,
p. 150.*

*Westminster
Abbey
Registers,
p. 356.*

*Autobiography
and Corre-
spondence of
Mary Gran-
ville, Mrs.
Delaney,
edited by
Lady Llan-
over, First
Series, p. 209.*

JOHN, an advocate in Edinburgh, who died in 1666, leaving a son William. In 1667 Alexander Don of Newtown [now Newton-Don], assignee of the late John Cockburn, advocate, brother-german of Sir William Cockburn, Knight and Baronet of Langton, renounced in favour of Sir Archibald Cockburn of Langton and Sir Robert Sinclair of Stevenson an annual rent out of the lands of Symprin. His son William had also a son of same name, born 1669, who had a large practice as a medical practitioner in London. He held the appointment of Physician to the Fleet and to Greenwich Hospital. Dr. Cockburn was a voluminous writer, and some of his works ran to several editions. He was quite a prominent person in London for many years, and was the intimate friend of Dean Swift. He died in November 1739, aged seventy, and was buried in the middle aisle of Westminster Abbey. The journals of the day described him as an eminent physician, and immensely rich; but Colonel Chesters says that "he was estimated very differently in social life." He had no children, but was twice married, first to Mary de Branddisson, widow, who died in 1728; and secondly, 15th April 1729, to Lady Mary Fielding, eldest daughter of Basil, fourth Earl of Denbigh. Mary Granville [Mrs. Delaney], who does not spare the doctor, calling him "an old, very rich quack," and describes his second wife as "very ugly," gives the following account of their courtship. She says, "He went one morning to make a visit and found Lady Mary weeping. He asked her what was the matter. She said her circumstances were so bad she could no longer live in town, but must retire into the country. She was not anxious to leave London, but regretted some friends she must leave behind. He said, "Madam, may I hope I am one of those." "Certainly," says she. "Doctor, you have always shown us a great kindness." "Then, Madam," says he, "if an old man and £50,000 can be acceptable to you, you may put off your long journey whenever you please." She did not demur, and after ten

days' courtship they were married. Nobody blames the lady ; the man is called an old fool."

The doctor by his will, dated 4th December 1738, commending his soul to heaven and his body to the earth, gave directions for a pompous funeral, in a manner which gives the impression of his being an ostentatious person, as does his possession of a considerable amount of personal jewellery, which he bequeathed partly to "his cousin Helen Cockburn, Lady Allanbank," and partly to John Cockburn of Ormiston. The chief part of his property he left to Sir Alexander Cockburn of Langton. The fact of his disposing of his property there is in itself a strong proof that his descent is given correctly in the note from which the above notice of his grandfather is taken. In the new *Biographical Dictionary* he is called the second son of Sir William Cockburn, Baronet of Cockburn and Ryslaw, a person who, as it will be shown hereafter, never existed.

XIV. SIR WILLIAM COCKBURN OF LANGTON, in the retour to his father, Sir William, Knight of Langton, 31st May 1626, is styled miles, Baronettus having had the hereditary title conferred upon him immediately after his father's death, who perhaps did not care to acquire either it or lands across Atlantic.

*Inquisit.
Retorn.
Abbrev.,
County
Berwick,
x., 306.*

With the title, Sir William had [in common with all "Nova Scotia Baronets," as they came to be usually designated] an estate granted to him in that province, which might have proved very valuable. The grant comprised eighteen square miles of the very finest part of it, on the west side of the Bay of Fundy, bounded by the River St. John for three miles, erected into the barony of "Cockburn," with most ample privileges. Infeftment was duly taken out as prescribed in the patent. [This was allowed to be done in Edinburgh.] There certainly

appears to have been grounds for dissatisfaction amongst the recipients of these grants in the new colony. By the arrangements made by King Charles with the French Government, the value of their acquisitions must have seemed seriously deteriorated, if not altogether gone. A thousand pounds was a large sum at that time, and the possession of great territories in the New Scotland could have been the only temptation to men of name and position like Sir William Cockburn to pay it. The novel dignity of Baronet, to which time has given value, did not present much attraction to an old hereditary Baron of Scotland.

In July 1630 the King wrote to the Privy Council of Scotland to the effect that there was a controversy between him and the French "concerning the title of lands in America, and particularly of New Scotland, it being alleged that Port Royal, where the Scottish Colony is planted, should be restored, as taken since the making of the peace," and asking the Council to consider the matter. On the 10th July 1631, the King writes to Sir William Alexander that "there is a final agreement betwixt us and our good brother the French King, by which we have condescended that Port Royal shall be put in the estate it was before the beginning of the war," and therefore granting warrant to Sir William to give orders to Sir George Home, Knight, to demolish the fort which was built by the son of Sir William Alexander, and to remove all the people, goods, ordnance, &c., leaving the bounds altogether waste and unpeopled, as it was at the time your son landed first to plant there by virtue of our commission." Again, on 14th June 1632, His Majesty writes to the Lord Advocate, rehearsing the preceding

warrant, and in case his loving subjects should misunderstand the meaning of the transaction, orders the Advocate to draw up a warrant to pass the Great Seal, to the effect that it was not His Majesty's intention to give up the title to the said bounds, although they were now to be abandoned by the colonists, which warrant was given to the Sir William Alexander, created Viscount Stirling [to whom was granted in 1628 the Lordship of Canada], for the encouragement of him or such others as might "hereafter" wish to go on with these plantations. It must be confessed that the King's diplomacy seems very peculiar, and few would be encouraged by his promise to proceed to establish themselves upon their territories in Nova Scotia, now under the French flag. However, the £1000 premium continued to be paid into His Majesty's treasury, by aspirants to the possession of a hereditary dignity, whose position at the time was not an important one. Their representatives to-day may deem that their ancestors received a sufficient *quid pro quo*. There is little doubt that the sovereign's dubious conduct rankled in the minds of some, and amongst them in Sir William Cockburn's, who is found afterwards on the parliamentary side, and was appointed one of their committee, 16th November 1641. Smarting under the chagrin for this disappointment, it is probable that the circumstance which took place in Parliament in that year finally influenced him in his subsequent action—a dispute having occurred about the office of usher, he carried himself in such a manner in the house in the presence of the King, that Charles ordered him into custody. The notice of the affair runs as follows:—

*Rescinded
Acts of
Parliament.*

"10th September 1641, 18th day of this Session of

*Acts of
Parliament,
vol. v., p. 351.*

Parliament, prayer said, and rolles callet.—Rege presenti—Protestatione be the Laird of Langtoun anent the place of wsharie. The supplicatione presented be the Laird of Langtoun consarning his ansueres anent the wscherie to the petitione exhibit to the Erle of Lanark, in name of James Maxwell, being red, appoyntis ane double thereof to be given to the Erle of Lanarke, and ane vther to the Erle of Wigtoun, that they may be advysed therewith; and the said Sir Williame Cockburne of Langton askit instrumentis that he was debarrit violentlie from the possession of his place of wscherie, and protestit that the samem my^t not be prejudiciall to his right of the said place and office.”

It is to be presumed that the duties of the office had not been very assiduously performed, otherwise it is scarcely likely that an encroachment upon the rights of the Baron of Langton would have been made, by giving temporary holding to James Maxwell of Innerwick, William Maxwell of Kirkhouse, and Robert Cunningham.

Sir William got confirmation of the ancient grants of the office afterwards from the Government, with all the advantages enjoyed by his predecessors since 1370 to the date of confirmation, 2d January 1647, to himself and his heirs for ever. Although he had displayed so much irritation, and conducted himself in so very unseemly a manner, as to cause the King to sign a warrant then and there for his being committed as a prisoner to Edinburgh Castle [which, however, at the intercession of the House was not carried into effect], Sir William did not in reality attach much importance to the office so long held by his ancestors, except in so far that it

had a marketable value, for he alienated the moiety of it to Colonel Robert Cunninghame, brother of the Earl of Glencairn, and became joint Usher with him. One result of the scene in the Parliament-House was to secure the members from arrest during the time of session, Charles the First having on the following day guaranteed this privilege for himself and his successors in all time coming.

He married Margaret, daughter of Sir Archibald Acheson or Aitcheson of Gosford and Glen-carnie, who had also been created a Baronet of Nova Scotia in 1627, being Solicitor-General and Secretary of State for Scotland, which offices he held until his death in 1634. Large estates were granted to him in Ireland, and descended to Sir Archibald Acheson, raised to the peerage by the title of Lord Gosford, in 1776. The property of Gosford belonged in 1560 to Marion Cockburn, widow of Alexander Sinclair of Gosford, or as then written Guisefoord [*i.e.*, the place where the geese passed to their feeding grounds]. She made over the third part of it to Alexander Aitchison and Helen Ryd, his spouse, who had, besides the above-mentioned Archibald, a daughter Margaret, married to Robert Scott, eldest son and heir-apparent of Robert Scott of Scotstarvit. Sir William Cockburn died in 1656, and was succeeded by his only son Archibald, who, according to one writer, "was distinguished like his father for piety." The first Baronet of Langton's piety was displayed in a peculiar manner when he associated himself with the rebels who put their sovereign to death. We must trust that he was influenced by no revengeful feelings, but deemed with many of the other leaders

Reg. of Deeds,
Scott. Office,
vol. ix.,
fol. 78.

of that party that there was danger to his country from Charles' too implicit faith in the Stuart creed of the divine right and power of kings.

Sir William had by his wife Margaret Aitchison, besides this son Archibald, a daughter Margaret, married as second wife to Sir Alexander Gilmour, Baronet of Craigmillar, whose sister Margaret was the wife of Andrew Wauchope of Niddrie. The Gilmours were related to the Cockburns by various marriages. The above Sir Alexander and Margaret were the children of Sir John Gilmour of Craigmillar, Lord President of the Court of Session [who acquired that estate in 1661], by his third wife Margaret Murray, daughter of Sir Alexander Murray, second Baronet of Black Barony, by his wife Margaret, daughter of Sir Richard Cockburn of Clerkington, Secretary of State for Scotland.

From Sir Charles Gilmour, the son of the above Sir Alexander, and his wife Jean, daughter of Sir Robert Sinclair, Baronet of Longformacus, descended the late popular proprietor of Craigmillar, Walter James Little-Gilmour, who was one of the knights at the Eglinton tournament, and died in 1887, in the eighty-first year of his age. The Sinclairs of Longformacus were much allied with the Cockburns also. The above-mentioned Jean Sinclair's mother, Jean, was the daughter of Adam Cockburn of Ormiston, Lord Justice-Clerk. Margaret Cockburn, Sir Alexander Gilmour's widow, had sasine of the liferent of the lands of Craigmillar.

*Reg. Great
Seal, lib. 58,
No. 127.*

XV. SIR ARCHIBALD COCKBURN OF LANGTON, second Baronet, had a charter from King Charles II., Domino Archibaldo Cockburn de

Langton, militi, Baronetto, terrarum et baroniæ de Langtoun, 10th May 1682. He has been regarded as the reckless waster of his ancestral estates, whereas he was probably in reality an able and enterprising man, but like his kinsman John of Ormiston, fifty years afterwards, was in advance of his age, and attempted improvements, badly carried out in all likelihood by agents wedded to old customs, and the prospective value of which was utterly beyond the comprehension of his contemporaries.

The results of his enterprises were indeed most disastrous, and he left to his successors obligations which led to the sale of the ancient heritage, and wrecked the fortunes of many of his name and family. His life was one of perpetual struggle against the difficulties that crushed him; but he struggled, it must be admitted, with much courage and determination, having a thorough faith in his schemes. He was much pressed in 1690, so much so that an Act of Parliament was passed in that year giving him protection from his creditors for three years until Whitsunday 1693. His attempts to recover his position were, however, without avail; for we find that on the 17th of July 1695 a petition was given in and presented to His Majesty's Commission and the Estates of Parliament setting forth that "the said Sir Archibald coming to fail about the year one thousand sixteen hundred and nynty, it pleased the Lords of Session to give a summand warrant, at the desire of some of his creditors, to one of their own number to convene the auditors, and to appoynt a factor for applying the rents of the estates. . . . That they would have set the estate to any person that would have taken the same, and found

*Acts of Parl.
Scol., vol. ix.,
p. 479.*

caution for the sum of 20,000 merks yearly. The said Sir Archibald offered 30,000 merks if they wold intrust him upon his word and promise, which was accordingly accepted, . . . and that he also did fully perform, &c." It appears that the Estates of Parliament having considered the petition, the nature of his extensive, and, to the members of the Committee, perhaps incomprehensible works on his estates, came to the conclusion that they could not be managed to better advantage than under his own active administration, so his petition was ordered to lie on the table of the House, and protection was again granted to him. But he struggled on unsuccessfully, and his creditors became more importunate, and had actually seized upon him and placed him in the Tolbooth prison in Edinburgh, from which he escaped, when the mob broke into it, on 20th June 1700. He possessed large estates, and had he lived in later days would have been celebrated no doubt as a successful gentleman farmer. "Cockburn's Barns, at Simprim (the whole parish of which belonged to him), remain a landmark for many miles around, and are evidence of his enterprising but too adventurous schemes; it would have been well had he been able to fill them. Amongst other new methods of farming, he introduced the purchasing of highland cattle for the purpose of fattening, and entered into a contract with John Campbell of Genorchy, afterwards Lord Breadalbane, who engaged to supply him with five hundred "highland coves yeirly for the space of thrie years, the price for ilk cove to be twenty merks Scots." He married first Marion, daughter of John Sinclair, eldest son of Sir Robert Sinclair of Stevenson, Baronet, by his wife Isobel,

daughter of Robert, sixth Lord Boyd, and by her, with a daughter Helen [married to Sir Robert Stewart, Baronet of Allanbank, County Berwick, who had a settlement of £1200 yearly for her life out of Allanbank, dated 30th December 1704], three sons—

- I. Archibald, apparent of Langton.
- II. Alexander, who succeeded as fourth Baronet.
- III. James, who settled in Jamaica, and was the progenitor of the family established there.
- IV. William, baptised 21st February 1660.

Part. Reg. of Sasines, County Berwick, vol. vii., fol. 202.

Edinburgh Reg. of Baptisms.

ARCHIBALD COCKBURN, eldest son, commonly styled in Acts of Parliament and deeds "Younger of Langton," was an advocate at the Scotch bar. He married in 1684 Elizabeth, daughter of Sir George Mackenzie of Rosehaugh, the Lord Advocate, and had, besides George Margaret and Elizabeth who died unmarried, Anne, who married Sir George Stewart, Baronet of Grantully, and Archibald, baptised 16th November 1687, who succeeded as third Baronet. It is stated erroneously in Anderson's "Scottish Nation" and other genealogies that he died without issue, and was created a Baronet in his father's lifetime. Of this there is no evidence. Certainly in the register of the baptism of two of the children he is called Sir Archibald, but this was merely as the supposed right of a Baronet's eldest son. In his will, dated 8th December, he is designated Mr. Archibald Cockburn, younger of Langton. He died 22d August 1702, having been much troubled by his father's creditors, and had to get the protection of Parliament as well as his brother Alexander. He spent some time abroad in consequence. His resignation of an annuity out of the lands of Newbyth, of which he had sasine from Sir John Baird of Newbyth, was dated at Paris in 1681. Elizabeth, his widow, married Sir James Mackenzie (third son of the first Earl of Cromartie), who sat on the bench as Lord Royston. In 1701, with his father's sanction, he gave sasine to Ninian Home of Billie of some of the family property in Duns, in consideration of his being his surety for £10,953.

Part. Reg. of Sasines, County Edinburgh, vol. xxxi., fol. 399; vol. xxxii., fol. 216. Douglas' Peerage, vol. i., p. 398. Part. Reg. of Sasines, County Berwick, vol. x., fol. 442.

JAMES COCKBURN, M.D., the third son, settled, as above mentioned, in Jamaica. Upon his tombstone, in the churchyard of the parish of St. Mary's there, are engraved the arms of the house of Langton, with an inscription, "To the memory of Doctor James Cockburn, who died 1718, and of Sarah, his wife; also of Prudence, late wife of Doctor Thomas Cockburn, his son. She died aged thirty-one, with her only child, August 1738."

This Dr. Thomas Cockburn married secondly Rachel Martin, and had three sons; two died young. The eldest, James, was also in the medical profession. He was born 1771, and died 1798, having by his wife, Sarah Stratford, daughter of Charles Seymour of Charlemont, Jamaica, a son, Charles Seymour Cockburn, who got that place. He was born in 1771, and died 1821, having married Isabella, daughter of William Turner, of the parish of St. Mary's, Jamaica, and had a son, George Alexander Cockburn of Charlemont, born 1829, heir presumptive to the baronetcy of Langton, whose only son died in Australia unmarried; and three daughters, Frances Elphinstone Howard, married Robert C. Carr, Marian and Sarah Stratford. Thomas Cockburn [third son of Dr. James, the son of Dr. Thomas, and thus great-grandson of Sir Archibald of Langton] married Mary Aylward, and with two sons, Thomas and James, who both died unmarried, had three daughters—Sarah, married to Admiral C. Ross, R.N.; Frances, married to James Sims, and had a daughter, Frances Cockburn Sims, married in 1837 to George Arthur Annesly, Viscount Valentia; and Mary, who married her kinsman the Right Honourable Admiral Sir George Cockburn, G.C.B., eighth Baronet of Langton. Dr. James Cockburn had, besides the above-named son Dr. Thomas, two daughters, Frances, who married her cousin William Cockburn of Ayton, and was mother of Alexander, the sixth, but not recorded, Baronet, and of James, the seventh Baronet; and Sarah, married to George Turnbull of Houndwood, County Berwick, who had an only child, Sarah, married to John Vaich or Veitch, M.D., and had likewise an only child, married to Dr. Dunbar, and had also an only child, Sarah, married to Captain Coulson, R.N. This lady proprietrix of Houndwood died in 1885, at a very advanced age, leaving issue.

Sir Archibald Cockburn repurchased from Colonel Cunningham in 1674 the moiety of the office of Heritable Usher, alienated from his father, and had a new grant thereof, with a salary of £250 per annum, and other emoluments to him and his heirs for ever, with a *novodamus* of Langton Barony and the Kirk of Langton. He married secondly Anna, daughter of Sir Thomas Stewart, Baronet of Coltness, by his second wife, Marion M'Culloch, "a greave matron, and a widdow of middle age, a woman of approved virtue and piety; she was the daughter of David M'Culloch, W.S., and had been married before to John, younger son of Gilbert Elliott of Stobes [Gibbie wi the gouden gartins], by whom she had an only child, Margaret Elliott. By her Sir Thomas Stewart had a daughter, Anna, who married Archibald Cockburn in 1689, and had three sons, who predeceased her; the youngest was choked with a dice. Sir Archibald Cockburn after Anna's death for the most part was in Edinburgh prison or the Abbey Sanctuary, and was buried from Holyrood-house in his own burial-place in Langton Church, and in his second wife's grave, the rubbans . . . and I saw them when we buried Sir Archibald.

Sir Archibald
Stuart Den-
ham, Bart. of
Coltness,
Collect., page
63.

"Mr. Gavin, who acquired great welth in Middleburg in Zealand by head and marriage, but of low birth and obscure, purchased Langton in 1757 at 60,000 lib., and Lord Elibank gave 12,000 lib. for Symprine barrony, another part of Sir Archibald's estate. The heritable ushership, Mr. Coutts at London gave 600 lb. for it."

Sir Archibald Stewart was mistaken in saying that the three sons of Sir Archibald Cockburn and Anna

*Particular
Register of
Sasines,
County Edin-
burgh, vol. lxi.,
fol. 306.*

*General Reg.
of Sasines.*

*Playfair's
British An-
tiquities, vol.
viii., Appen-
dix, p. clx.*

Stewart all died before their mother. On the 13th July 1700 sasine was given on precept from Chancery to the sons of Sir Thomas Stewart of Coltness, now of Kirkfield, and Margaret Eliott, his first spouse, and also in favour of William Cockburn, lawful son of "Sir Archibald Cockburn of Langton, and the deceased Lady Anna Stewart, his second spouse, which Anna Stewart was lawful daughter procreat betwixt Sir Thomas Stewart and Margaret Elliot, the said William Cockburn being also served heir of provision to the said Margaret Elliot, his grandmother, of the lands of Goodtrees, *alias* Guthers, with the lands of Gilmertoune, in the parish of Liberton, in warrandice thereof." John Eliott was styled of Goodtrees or Godestree *jure uxoris*. William Cockburn was previously retoured heir of "David M'Culloch of Goodtrees, his great-grandfather on his mother's side." He died unmarried. His father, the unfortunate Sir Archibald who sat as member for Berwickshire in the Convention Parliament, died 22d June 1705. It is singular that even at this modern date so great a mistake should have been made as giving him for wife Lady Mary Campbell, who married his grandson Archibald, younger of Langton.

XVI. SIR ARCHIBALD COCKBURN OF LANGTON, third Baronet, succeeded his grandfather, dying unmarried shortly after, the title and estates reverted to his uncle—

XVII. SIR ALEXANDER COCKBURN OF LANGTON, fourth Baronet, who was retoured

heir to his father, Sir Archibald, 11th February 1711. He was in the army in his younger days. "Captain Alexander, son of Sir Archibald Cockburn of Langton," had the protection of Parliament granted to him against his father's creditors 21st May 1703. In 1687 his brother Archibald had given, with his father, a bond for a considerable sum to the Dowager Lady Nairn. In 1695 Captain Alexander, then serving with his regiment, gave corroboration of the bond, which in the following year he managed to pay for his father; but in August of same year Lady Nairn generously gave him back the money, seeing him so troubled by pecuniary difficulties which he had no share in creating. He married not long after Mary, daughter of William Ancrum of Duns, who possessed a fair fortune. He had seisin of Grueldykes, in the parish of Duns, originally belonging to Langton, on disposition from Andrew Duns, and of the teind sheaves of the same, and from William, Earl of Home, of the teinds, great and small, parsonage and vicarage, of the lands of Houndwood, in the parish of Coldingham, and some other small appanages of Langton barony that had been alienated by Sir Archibald.

*General Reg.
of Sasines,
vol. clxxiv.,
fols. 307, 345,
347.*

Sir Alexander by his wife Mary Ancrum had two sons, Archibald and William.

ARCHIBALD COCKBURN, like the former heir-apparent of same name, was an advocate at the Scotch bar, and like him was not destined to succeed to his father's honours and estates, dying before him in 1735. He married Lady Mary Campbell, daughter of John, first Earl of Breadalbane, by his third wife, Mrs. Littler. In Sir Bernard Burke's work she is stated to have been the daughter of his second wife, Lady Mary Campbell, the daughter of Archibald, Marquess of Argyll, and widow of George, sixth Earl of

*Douglas'
Peerage,
vol. I., p. 239.*

Caithness ; but Sir Robert Douglas' statement is correct, for by a deed, dated 8th December 1716, the Earl made a settlement upon "Lady Mary Campbell, my daughter by Mrs. Littler." He, with his second son, Lord Glenorchy [this high-handed John of Glenorchy having disinherited his eldest son Duncan, Lord Ormalie], gave a heritable bond conjunctly to "Mrs. Littler, the Earl's spouse," Lord Hailes gives a most *naïve* account of their marriage. Archibald Cockburn and Lady Mary Campbell's marriage-contract was dated in 1719. They had, with a daughter Hariot, married to Sir David Kinloch, Baronet of Gilmerton [the baptism of "Hariot, daughter of Archibald Cockburn of Langton, Advocate, and Mary Campbell, his spouse," is thus registered 9th December 1722], a son Alexander, who succeeded as fifth Baronet. Archibald was served heir to his mother, Dame Mary Ancrum, and had sasine as such of Wedderburn, Peilrig, and Ladielands, County Berwick.

*Edinburgh
Register of
Baptisms.*

WILLIAM COCKBURN, second son of Sir Alexander and his wife Mary Ancrum, was a merchant in Ayton, County Berwick. He married first Jean, daughter of George Ruthirfurd, merchant, of Dunbar, by his wife Jean, daughter of Robert Pringle, merchant, of same place. George Ruthirfurd died in 1710. Had he survived his cousin Robert, fourth Lord Ruthirfurd of Ruthirfurd, he would have succeeded to his honours. He left no son ; in consequence all the disputes arose, which resulted in the title remaining in abeyance. Jean, his eldest daughter, died soon after without issue, and William Cockburn married secondly his cousin Frances, daughter of Dr. James Cockburn of Kingston, Jamaica, by whom he had, with a daughter Mary, two sons, Alexander sixth Baronet, and James seventh Baronet of Langton. He died in July 1731, leaving by his will, dated 2d of that month, his wife Frances tutrix, and Archibald Cockburn, younger of Langton, tutor to his children.

*Ruthirfurds
of that Ilk,
p. xlv., and
Chart
Pedigree.*

*Commiss. of
Lauder Testa-
ments, vol. vi.*

Sir Alexander Cockburn, seventeenth Baron, died in 1742, and was succeeded by his grandson.

XVIII. SIR ALEXANDER COCKBURN OF LANGTON, fifth Baronet. He was in the army,

and was a most promising officer, admired for his gallantry, and esteemed also by his fellow-soldiers for his estimable characteristics. He was the very antithesis of his grandfather, Lord Breadalbane. Though a wise and prudent man, his wisdom was not that of the serpent, nor could it have been said of him as of this famous John of Glenorchy, that he was slippery as an eel, or cunning as a fox. He may have inherited the gravity of the Spaniard, but was generous and open-handed as he was chivalrous and brave.

Had he been old enough to have been taken into council, and had influence with that personage, he might have saved his name from being execrated in the north as the instigator of the massacre of Glencoe, and would have prevented his having the opportunity of giving the audaciously facetious answer he did when called upon to account for his distribution of the large sums entrusted to him by the Government to be apportioned amongst the Highland chieftains for the pacification of their country. He fell at the sanguinary battle of Fontenoy, on 30th April 1745, having managed during the short tenure of his position as chief of the name to do a good deal towards improving it, harassed though he was during those few years, and had been as heir-apparent, by the pressure of the obligations incurred by Sir Archibald. On the 3d of January in the year in which he was slain on that hard-fought battlefield, a petition was presented by his lawyers combating the claim of William Cockburn of Cockburn to the estates of Langton and the office of Heritable Usher to His Majesty in Scotland, attached to the barony, in virtue of a disposition made by Archibald Cockburn, younger

Sir Walter
Scott's *His-
tory of Scot-
land, Tales*,
vol. iii., p.
182, 1st Series.

of Langton, in 1690, with consent of his father, Sir Archibald. The consequences of his predecessor's arrangements were not, however, to be overcome, and two years after his untimely death, matters were brought to a crisis, which possibly, had this rising officer lived, might have been averted.

He appears to have had a presentiment that he was not fated to achieve the position he would have adorned, by the careful manner he provided for contingencies. By his will, dated 25th March 1745, he bequeathed his property, in the event of his dying without issue, to his cousin Alexander, and failing him, to his brother James, the two sons of William Cockburn of Ayton; whom failing, he entailed his estate upon James the eldest, Martin the second, and Thomas, the third son of Dr. Thomas Cockburn of Jamaica. He was unmarried, and was succeeded by the above-named eldest son of his uncle William by his wife Frances Cockburn.

XIX. SIR ALEXANDER COCKBURN OF LANGTON, who died in his seventeenth year on his way to India a few months after the battle of Fontenoy, so never knew that he had succeeded to the representation of the House of Langton. He was succeeded by his brother—

XX. SIR JAMES COCKBURN OF LANGTON, seventh Baronet, second son of William of Ayton, who was not left long in peaceful possession of his ancestral lands, and the hereditary office of Ostiarius Parliamenti granted to his ancestor by King

David II. He was retoured heir in 1755, being only fourteen years of age at the time of his cousin Sir Alexander's death. Nevertheless, on 20th November 1747, Sir Robert Dundas, Lord Arniston [whose daughter Martha married Archibald Cockburn of Cockpen], gave judgment that William Cockburn of that Ilk was entitled to the sums he claimed from Sir James Cockburn and Mrs. Hariot Cockburn, and awarded to him his estates and the hereditary ushership in warrandice; and on 5th March 1756 William got sasine under precept from Chancery of the lands and barony of Langton, the lands of Borthwick, Easter and Wester Wolferland, Grueldykes, Cumledge, Burnhouses, Oxindin, Easter Winschelis, and the lands of Simprim, in warrandice also of the sasine contained in bonds granted by Sir Archibald, second Baronet of Langton, and his son Archibald, younger of Langton, dated 4th January 1690. The representatives of Sir George Mackenzie of Rosehaugh, of Henry Lord Sinclair, Stewart of Grantully, Stewart of Ballechin, and Henry Rollo, had all large claims upon Langton upon other bonds given by Sir Archibald and his son Archibald, so the estates were all sold, with the result as given above in the words of Sir Archibald Steuart; and when Sir James came of age, he had but his sword, and such remnants from his ancestral possessions as might revert to him from their forced sale.

*Part. Reg.
of Sasines,
vol. xiii.,
fol. 494.*

On 12th July 1759 sasine was given by William Montgomerie of Macbiehill, Advocate, of Edinburgh, to Sir James Cockburn, Baronet, Captain in the Forty-eighth Regiment, commanded by General Webb, of an annual rent from Plewlands, County Peebles. It was a curious circumstance that the last owner of

*General Reg.
of Sasines,
vol. ccxxxiii.,
fol. 20.*

*General Reg.
of Sasines,
vol. ccl.,
fol. 78.*

Langton should become identified again with the county which his ancestor left four hundred years and more before, to take possession of that barony. On 11th October 1764 he had sasine on a disposition from Patrick Home of Billie, of the lands and estate of Over and Nether Manderston, County Berwick. He was M.P. for Peebles in 1762. On the 20th November of that year he went with thirteen other Scotch Baronets to court, wearing their Nova Scotia badges, which has since been looked upon as a privilege thereby conceded.

He married first in 1755 Mary, only daughter of Henry Douglas of Friarshaw, of the ancient house of Cavers [whose brother James, afterwards of Springwood, County Roxburgh, brought home the tidings of the taking of Quebec. He was an Admiral in the Royal Navy, and was made a Baronet for distinguished services in 1786]. By her he had three daughters, Mary, Frances, who both died unmarried, and Harriet, married in 1792 to James Nicholas, second son of Sir John Duntze, Baronet. Sir James married secondly Augusta-Anne, daughter of the Very Rev. Francis Ascough, Dean of Bristol, by his wife Anne, sister of the distinguished George Lyttleton, first Lord Lyttleton: and by her, who died 1837, had, besides a daughter Anne-Augusta, five sons—

- I. Sir James, a General in the Army, succeeded as eighth Baronet.
- II. Sir George, an Admiral in the Navy, succeeded as ninth Baronet.
- III. William, Dean of York, succeeded as tenth Baronet.
- IV. Alexander, Envoy-Extraordinary and Minister to Columbia, who married Yolande,

daughter of the Vicompte de Vignier, and by her had Alexander James Edmond, Lord Chief-Justice of England, eleventh Baronet, and two daughters, Louise Clemence Rose, who married Signor Biasini, and died at Milan 1862, and Yolande Bridget, who married Baron Pierre Francois Ferrari, an officer of the Italian army, and died in 1854.

- V. Sir Francis, a General in the Army, Governor of Honduras, who married Alicia, daughter of the Rev. Richard Sandys, of the very ancient family of Sandys of Greythwaite Hall, County Westmoreland, by his wife Lady Frances Alicia Bennet, daughter of Charles, third Earl of Tankerville. They had no children. Sir Francis, K.C.B., died in 1868.

Anne-Augusta married the Rev. Charles Hawkins, prebendary of York and canon residentiary. Their eldest daughter, Cecilia-Mary, married the Hon. and Rev. John Baillie, canon residentiary of York; her sister, Georgiana-Augusta, married James Charles Yorke, great-grandson of first Earl of Hardwicke.

Although the hereditary office so long enjoyed by the Cockburns of Langton, and attached as an appanage to that Barony, had been adjudged to William Cockburn of that Ilk along with the estates in security of his claims, and sold to Mr. Coutts, Sir James again held it, sasine thereof being given to him on charter under the Great Seal on 12th May 1769. On the 19th September in same year

*General
Register of
Sasines*, vol.
cclxix., fol.
143 ; vol.
cclxxiv., fol.
219.

Ibid., vol.
cclxxiv., p.
273.

Ibid., vol.
cccxlvi., fol.
219.

sasine was given by disposition from Alexander, Earl of Home, to Walter Scott, Writer to the Signet [Sir Walter of Abbotsford's father], and on disposition from the said Walter Scott in favour of Sir James Cockburn, Baronet of Langton, *His Majesty's Heritable Usher for Scotland*, of the lands of Mickle Birgheame, with the teinds thereof, in the parish of Eccles, County Berwick, which property had long been possessed by the Cockburns of Cockburn ; and on the same day sasine was also given by the same Walter Scott to him of "five husband lands in Birgham on disposition by Rosamond Dalglish, daughter of the late James Dalglish of Westwood, who had assigned the said lands to Walter Scott." So Sir James still held some portion of the family lands in the county in which his distant ancestors first made a figure in Scotland, as well as in the county of Peebles, where his predecessors had held such extensive territories.

There was a bond of reversion to himself and his father-in-law, Henry Douglas of Friarshaw, dated 13th June 1777, the latter having given "sasine in favour of Mary, Frances, and Jane-Harriot, the three lawful daughters of Sir James Cockburn, Baronet, and grand-daughters of the said Henry Douglas of an annual rent out of the lands of Friarshaw."

Sir James Cockburn died at Hillingdon, 22d July 1804, and was succeeded by his eldest son, James—

XXI. SIR JAMES COCKBURN, G.C.H., eighth Baronet of Langton, was a General in the Army, an Under Secretary of State in 1806, Gover-

nor of Curaçoa in 1807, and subsequently of Bermuda. This gallant soldier married the Honourable Mariana Devereux, eldest daughter of the thirteenth Viscount Hereford, and had an only child, Mariana-Augusta, married in 1834 to Sir James John Hamilton, Baronet of Woodbrooke, who died in 1876. Lady Hamilton is now representative of the ancient baronial house of Langton. Her father, Sir James, died in 1852.

XXII. SIR GEORGE COCKBURN, G.C.B., succeeded his brother as ninth Baronet. He was also a very distinguished officer. He was Admiral of the Fleet and Rear-Admiral of England, and a Privy Councillor. His most brilliant services were on the American coast during the war, when he became very conspicuous by his dash and gallantry. The credit of the successful operations on shore in 1813, when the joint naval and military forces entered Washington, was due to him, and was generously acknowledged to be so by General Ross, the commander of the troops. He commanded at the siege of Cadiz in 1810, and served at the battle of St. Vincent, and was afterwards Commander-in-Chief at the Cape and St. Helena, to which place he conveyed the Emperor Napoleon. He was a Lord of the Admiralty from 1818 to 1830, and again from 1841 to 1846, and sat in Parliament as Member for Portsmouth in 1818, and for Ripon from 1841 to 1847.

His name is handed down to posterity on the map of the world; many places in the remotest regions of the Empire, in both hemispheres, being named in his honour. So, thanks to him, the

representatives of a race so fallen from its ancient position know that "*et laus et honos nomenque tuum semper manebit.*"

The Right Honourable Sir George died in 1853, leaving, like Sir James, only one daughter by his wife Mary, daughter of Thomas Cockburn of Jamaica, Augusta-Hariot, married to Captain John Cochrane Hoseason, R.N. She died without having had children in 1869.

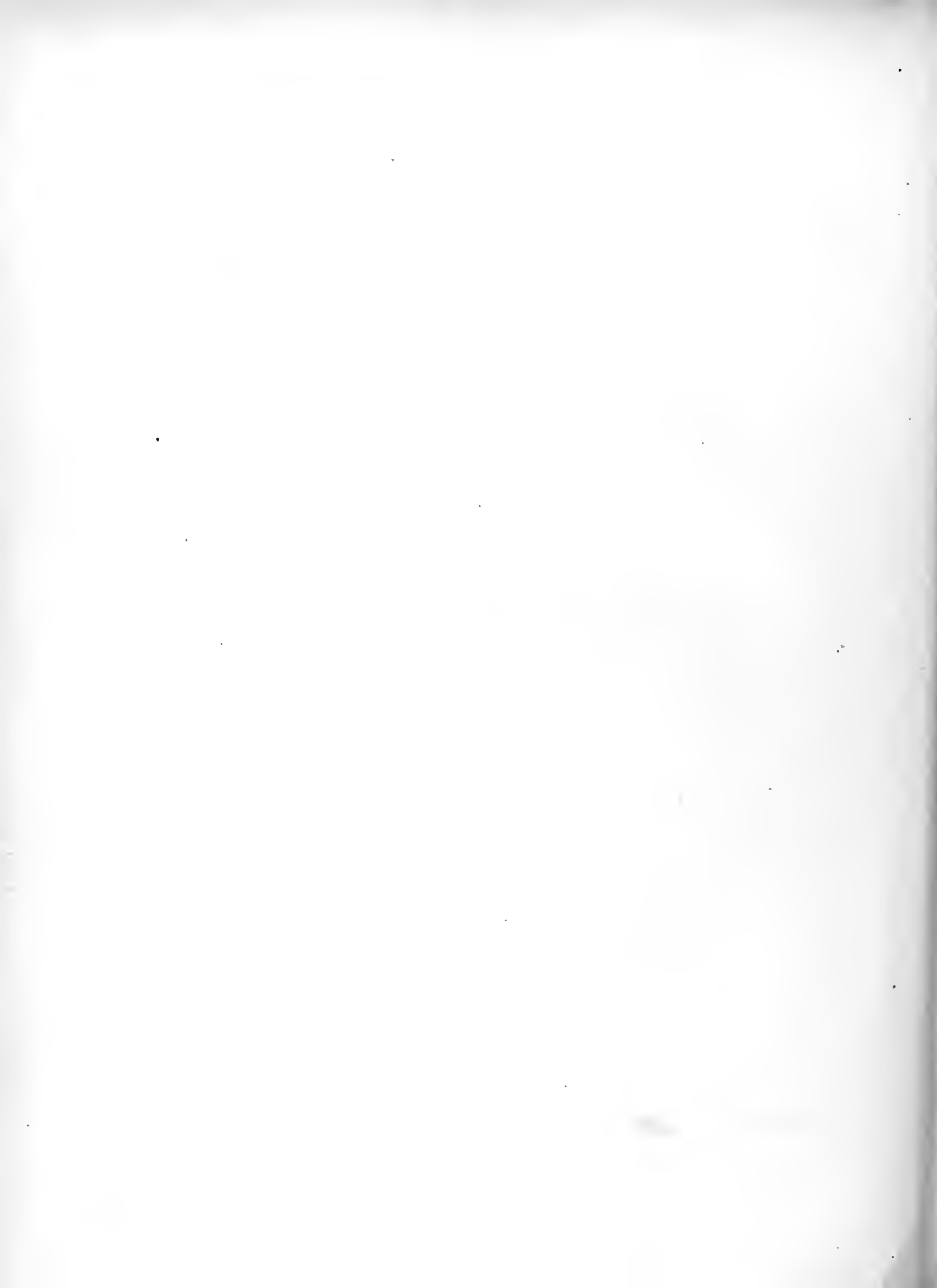
XXIII. SIR WILLIAM COCKBURN succeeded his brother as tenth Baronet. He was Dean of York, and married Elizabeth, sister of the celebrated statesman Sir Robert Peel. By her he had three sons, James Peel, Robert Drayton, and George. The two youngest died unmarried in the prime of life; the eldest, born in 1807, married Ellen, daughter and co-heir of Robert Peel of Wallington Hall, County Norfolk, and left two daughters, Augusta-Ellen, married to Hugh Francis Lethbridge, second son of Sir Francis Astley, Baronet, and had a son who died young, and three daughters, Ida-Mabel, who married Captain Benyon, Ada-Mary and Ruth-Ellen. Elizabeth, James Peel Cockburn's eldest daughter, married the Rev. Frederick Fane of Moyles Court, Hants, and had three daughters, Cecily Grace Augusta, married to W. R. Phelps of Montacute; Florence Mary Anna, married Wynne A. Bankes of Wolverton, County Dorset; and Lilla-Gertrude, married to the Hon. Arthur Fortescue.

The Very Rev. Sir William Cockburn, who married secondly Emma, daughter of Colonel Pearse, by whom he had no children, died 30th

April 1858, and was buried, as were his three sons, at Kelston, near Bath, of which he held the living. He was succeeded by his nephew.

XXIV. SIR ALEXANDER JAMES EDMUND COCKBURN, eleventh Baronet, whose name as a brilliant orator, far-seeing statesman, as well as a most able lawyer and judge, will be inscribed on the pages of the history of Great Britain during the reign of Queen Victoria. He was twice Attorney-General, and became Lord Chief-Justice of England in 1859. He died in 1880, in the seventy-eighth year of his age. The title remains in abeyance.

No opportunity occurred for his regaining the ancient heritage of Langton, with which the connection of the Campbells of Breadalbane was renewed. Mr. Gavin, the purchaser, married Lady Elisabeth Maitland, daughter of the seventh Earl of Lauderdale, and had a daughter, his heiress, Mary Turner Gavin, who married John Campbell, fourth Earl and first Marquis of Breadalbane, with whose heir the estate remains. Sir Alexander was offered a peerage upon two occasions, but declined the honour. He, however, accepted the Grand Cross of the Bath.







Illustrissimo ac Nobilissimo
D. GVILLIELMO
Lothianæ Comiti, Domino Kerr de
Newbattle et Sédburg, Consilario
Regio. et Scotici exercitus in
Hibernia Prefecto, etc.
Tabulam hanc D.D.D.
J.B.



COCKBURN OF ORMISTON.



I. **John de Cokburn**, second son of Sir Alexander de Cokburn, by his first wife Mariota de Veteri-Ponte, was the founder of this very eminent and influential branch of the family. With the hand of Joneta or Janet, only child of Sir Alexander de Lyndessay, Lord of Ormiston, he got this fine estate, which, with the lands of Muirhous, Tempilshall, and Peaston, and the manor-place thereof, was settled upon them conjointly for their lives, and to descend to their heirs; whom failing, all these properties were to go to William Lindsay, Lord of the Byres, who was Sir Alexander's youngest nephew. This Sir Alexander Lindsay was one of the heroes of THE BRUCE'S time, and was, when quite a young man, the friend and companion-in-arms of Wallace, being the son of the great "Sir Alexaundre de Lindesei," who had the honour in 1305 of being one of the seven allies of the noble patriot specially

Earl of Crawford's *Lives of the Lindsays*, vol. i., p. 46.

excepted by King Edward from the general conditions of pardon offered to their countrymen, as having been more obstinate in their rebellion, and deserving of more signal punishment; "the fact of his having received the accolade of knighthood from Edward's own hand some years before was remembered against him in aggravation." Joneta's father was the next younger brother of—

Schir Dawy the Lyndyssay
That was true and of steadfast fay.

The marriage of the son of the powerful and opulent Baron of Langton and that Ilk with this heiress of the illustrious house of Lindsay, was an event of no ordinary importance, if we are to judge by the array of noble names attached to the contract regarding it made by the respective fathers. It was witnessed 23d February 1370 Dominis Thomas, and Hugh, Abbots of the Monasteries of the Holy Cross and Newbotil; Archibald de Douglas, James de Douglas, Walter de Haliburton, George de Abernythy, Patrick de Hepburn, Alexander de Haliburton, Knights; John de St. Clair, William de Creichton of that Ilk, Symon de Preston Vicecomes of Lothian, Alexander de Rynclintoun, Adam Nesbit of that Ilk, Thomas de Hoppringil, John Spottiswood of that Ilk, and many others. Had there been a "Court Journal" in those days, we should have had a glowing account handed down to us of the gallant show on that morning when John Cockburn and Janet Lindsay walked between the crowd of brave knights and fair ladies to the door of the church, of the imposing ceremony within its walls, and the joyous festivities that followed; how King David

*Reg. Great
Seal, vol. i.,
p. 59, No. 184.*

kissed the bride, and led her out to the dance afterwards. We may well believe that in those days when the great nobles stood upon nearly even terms with the monarch, when men spoke as they did in the next reign of Sir James Sandilands, "marreit on ye Kingis daughter," and of Sir John Lyon of Glamis, and James Lindsay, Lord of Crawford, and others, as the King's nevoys, the excitement on an occasion such as this would be much greater, and the spectacle far more picturesque and imposing than in modern days, when the appearance of the onlookers varies but little from that of the principal actors in the scene. Passing amid the throng of rustics, all in their rude but quaint holiday attire, rode we may suppose in the morning the nobles on gaily caparisoned steeds, with their numerous retinues, the pennons waving and clarions sounding. Accompanying some of them would be the young married dames, and the maidens who were to attend their friend Joneta on the occasion, mounted on mettled palfreys, such as the one William de Seytone brought to Westminster on 19th December 1312, as a gift from King Edward to "Lady Nicola," wife of Piers de Luband, in the days of his prosperity, when he was styled "Dominus de Cokburn." The Scottish ladies, no doubt, had saddles little less sumptuous than that with which the monarch accompanied his gift to Nicola of this "liard palfrey," which he had bought from Adam of Strode for £6 [a large sum at that time]. It is described as being ornamented with a lion broidered in pearls and covered with purple cloth. The older dames would be borne in litters resplendent in their robes of cloth of gold and rich Mantuan velvets; for well did the

milliners' daughters in those days (who had no aspirations to wear such garments themselves and to mingle with Princes and Princesses and be presented to their Queen) know how with deft fingers to array their patronesses in imposing costumes.

There is not much to tell about the bride and her husband after that gay day when they passed "throw the Abbay-close strowed with girse at ye tyme of ye marriage," when outside its precincts were gathered the minstralis, the tambornaris, the danceiris, the schawmeris, &c. We may believe that brilliant were the scenes witnessed in after years when the Lady Joneta held her Court in the halls of Ormiston. She watched her sons grow up, trained to be warriors and statesmen under the eyes of their father and their uncles, Sir David Lindsay and Archibald of Douglas [who married Sir David's sister Beatrix], and it may be taught to hold a lance by their stout old grandfather Sir Alexander de Lyndesay himself. There is little doubt that one of them was the "Cockburn, the young Esquire of Scotland," who jousted with Sir Nicolas Haulert, and carried himself so gallantly at the tournament on London Bridge upon that St. George's day, A.D. 1390, when Richard II. and his Queen, Anne of Bohemia, saw the English champion, the Lord Welles, unhorsed by his antagonist Sir David Lindsay, Earl of Crawford, whose bride, the Princess Elizabeth, daughter of Robert II., watched the encounter with anxious eyes, and shuddered when she saw the spear strike full on his face, and heard the spectators shouting that he was bound to his saddle, so firm was his seat.

John Cockburn, who was made Constable of the

County of Haddington, an office held for generations by his descendants, had by his wife Joneta, with a daughter Mirabelle, three sons whose names have come down to us—Adam, a good soldier and able diplomatist, as was also John, the second son, who succeeded his brother.

PATRICK, the third son, was also a man of mark in his day. He was Governor of Edinburgh Castle and Sheriff of the County of Haddington, and was one of the ambassadors sent to treat with the English after the important victory gained by the Scots in 1448, under Hugh Douglas, Earl of Ormond, over Percy, Earl of Northumberland [there taken prisoner] and the Earl of Salisbury, when 3000 English were slain or drowned in the Solway, flying from the crimsoned battle-field, near where the All-for-naught burn joins the Sark.

Patrick married Helen Ker, daughter of Thomas Ker of Kersheuch [Ferniehirst]. We do not know whether they had any children or not. Helen, like her husband's kinsman Patrick of Newbigging and Clerkington's wife, Helen Dunbar, was a lady who liked to see all the damsels in her chambers in Edinburgh Castle usefully employed, and received the same grace as she did, having by the King's command the duties remitted to her due upon her sacks of wool in 1447-8.

*Exchequer
Rolls*, vol. v.,
p. 308.

John Cockburn of Ormiston died about 1410. He had various favours granted to him by the Sovereign. In 1404 there is a memorandum in the comptroller's accounts of there having been paid to him portion of the pension of the late Duke of Albany; another part of this was granted to his nephew Alexander of Langton, Keeper of the Great Seal. He was succeeded by his eldest son—

Ibid., vol. iii.,
p. 595.

II. Adam Cockburn of Ormiston, who is found entrusted on various occasions with the

Rot. Scotie,
vol. i., p. 206 ;
vol. ii., p. 197.

Rymer's Fœd.
tom. viii.,
p. 43.
Haddington's
Collect.

conduct of important negotiations between the kingdoms. In 1411 he had a safe-conduct from Henry IV. to come to London with his kinsman Sir William of Langton, Sir Robert Lawedyr [Lauder], and Robert Hogg, and in 1413 he again went as ambassador with Sir William and Alexander Lindsay, Earl of Crawford. He appears to have been unmarried, and to have died soon after his return from England.

III. Sir John Cockburn of Ormiston

Reg. Great
Seal, vol. ii.,
No. 255.

succeeded his brother. His name appears in 1416 as "Dominus Johannes de Cockburn de Ormiston miles," in a deed affecting some lands in the dominium of Crawford - John, County Lanark, granted by Archibald, Earl of Douglas, to John de Carnis; and he was witness also to the charter of the same lands to him by Earl Archibald's widow, Margaret, "the gentle Duchess of Touraine," in the reign of that royal lady's brother, King James the First, confirmation of which grant was given by her nephew, James the Second, in 1440.

Ibid., vol. ii.,
No. 3.

The same monarch's confirmation of the charter of Thomas de Summyrville of Carnwythe, wherein, with consent of his son and heir, William de Summyrville, he granted "puram perpetuam elemosinam uni capellano in perpetuum celebraturi pro salute anime Radulphi Were ad altare S. Marie infra monasterium S. Machuti," was also witnessed, 5th June 1424, by John de Cokburne, dominus de Ormystoune. Thomas Somerville had probably been glad to fly to "the pleasant fields of Les Macutes" [Lesmahago], County Lanark, and find himself safe within the bounds of the Sanctuary,

until it was settled by the assize whether the son of Were or Vere of Blackwood had been slain by him of "forethought felony," or in "chaudemelle." The church dedicated to Saint Machutus was one of the Sanctuaries similar to those in Judea of old, anxiously provided by our forefathers "that the slayer may flee thither which killeth any person unawares," "that the manslayer die not until he stand before the congregation in judgement." It was granted in 1144 by King David as a cell to Kelso, who by the same charter conferred upon it the secular privilege of sanctuary in these terms:—"Whoso for escaping peril of life and limb flee to the said cell, or come within the four crosses that stand round it, of reverence to God and Saint Machutus, I grant them my firm peace." To incur the censure and vengeance of the Church, Mr. Cosmo Innes, from whose instructive preface to the "*Liber S. Marie de Calchou*," or chartulary of the Tironensian Abbey of Kelso, these quotations are made, was sufficiently formidable; but to break "the King's peace" brought with it something of more definite punishment. It was not the mysterious divinity that doth hedge a king. "The King's peace" was a privilege which attached to the Sovereign's court and castle, but which he could confer on other places and persons. By a most ancient law the penalty of raising the hand to strike within the King's girth was four cows to the King, and one to him whom the offender would have struck, and for slaying a man in "the pes of our Lord the King" the forfeit was nine score of cows to the Monarch, besides the assythment or composition to the kin of him slain, "aftir the assize of the land." The candles burning

Liber de Calchou, Preface,
pp. 22, 23.

upon this altar in the Church of St. Macute were, we may presume, part of the peace-offering to the friends of Radulphus. This place of refuge was on more than occasion a welcome shelter to Peeblesshire Cockburns and Tuedys, &c., when they could not venture to try and reach another sanctuary nearer home, namely, that at Inverleithan, which possessed the same privileges by charter from Malcolm IV., who ordains therein "that the said church in which my son's body rested the first night after his decease shall have a right of sanctuary in all its territory as fully as Wedale [in Stow], or Tynningham, and that none dare violate its peace and mine on pain of forfeiture of life and limb." This charter, as Lord Hailes says, exposes the absurdity of chroniclers' fables about King Malcolm.

Liber de Calchou, Preface, p. 23.

Dalrymple, Lord Hailes' *Annals*, 1152.

John Cockburn, Knight of Ormiston, was one of the Commissioners of Scotland who met those for England at Haudenstank, near Redden, County Roxburgh, to settle the boundaries between the kingdoms on 12th July 1429, to which his secretum was appended. In 1457 he was again upon the border arranging with the English ambassador the treaty regarding Hot Trodd, or the pursuit of thieves and marauders across the respective borders. Being evidently a man of great firmness and ability, he was on other occasions entrusted with the conduct of state matters between the two countries. He was, as well as his brother Patrick, Governor for a time of Edinburgh Castle. On 20th March 1460 there was paid xxx. lib. vi. s. and 8d. Domino Johanni de Cockburne

Rymer's *Fed.*, vol. x., p. 428.

Rot. Scotia, vol. ii., p. 265.



Seal of John de Cockburn appended to a concordia for fixing march boundary, 12th July 1429.

Ibid., vol. ii., p. 375.

militi constabulario Castri de Edinburgh; and again "dicto Johanni pro reparacione certarum domorum in dicto castro x. lb." His wife was Margaret Seton. Dispensation for the marriage "Domini Johannis Cokburne cum Margareta de Cetone expedita sub cera, per pœnitenciarium," is noted in the Chronicles of Coldingham Priory.

He had three sons, William, Alexander, and John. The eldest, who sat in the General Council in 1440, died before his father.

*Coldingham Priory, Surtees Collect., p. 236.
Acts of Parliament of Scotland, vol. ii., p. 55.*

IV. Alexander Cockburn of Ormiston, the second son, succeeded his father about 1470. He was alive in 1503, when his son John, styled "apparent of Ormiston," witnessed the retour of Helen Ruthirfurd, "Ladye of that Ilk," to her brother Richard, as heiress of the lands of Edgerston. This deed is in the Edgerston charter chest.

Ruthirfurds of that Ilk, p. 25.

V. John Cockburn of Ormiston married Margaret Crichton. On 25th April 1472 the charter was dated whereby James III. "concessit Johanni de Cokburne et Margarete de Crechtoun ejus sponse, terras de Tempillaw ac 10 mercatas terrarum de Pastoune in constabulario de Haddingtoun vic Edinburgh, quas Alex. Cokburne de Ormistoun pater dicti Johannis personaliter resignavit, &c." Margaret was probably the daughter of "David de Creichton de Cranstoun-Redale." They had three sons and two daughters.

Reg. Great Seal, vol. ii., No. 1061.

I. ALEXANDER, who died before his father. Robert Scott of Quhitchester owed him some money, and placed the

lands so named in the hands of Sir Walter Scott of Branxholm till the debt was paid.

II. **JOHN**, who succeeded as sixth Baron of Ormiston.

III. **THOMAS**, who had the Kirklands of Bolton [situated in the parish now so called]. The Barony of "Boeltun" was an ancient possession of the Cockburns of Ormiston, though the greater part had been for some time disposed of. It was the patrimony of John Cockburn, who married Janet Lindsay, heiress of Ormiston. His father got it along with Carriden, after his marriage with the heiress of the de Veteri-Pontes. The charter of Boltoun [renewing the previous ones by Robert Bruce and William the Lion to William de Veteri-Ponte] was given to him by King David II. . . . The patronage of the ancient church of Boltoun was granted to the Monastery of Kelso by this William de Veteri-Ponte, as previously mentioned.

Robertson's
Index, p. 79.

*Reg. Great
Seal*, vol. iv.,
No. 2532.

*Commiss. of
Edin. Testa-
ments.*

Thomas had a son, Laurentius, married to Helen, daughter of Sinclair of Blans, which place was adjacent. They had joint sasine of the Kirklands of Bolton 16th January 1553. Helen's father, John Sinclair of Blans, married Katherine, daughter of William Cockburn of that Ilk. Laurence and Helen Cockburn had a son John, designated of the Kirklands of Bolton, who was Sheriff-depute of the County of Haddington. He appears as cautioner in 1587 for the Cockburns of Clerkington regarding an agreement made by them with the Fawsides of that Ilk, which will be referred to in the memoir of Clerkington. The will of John Cockburn of the Kirklands of Bolton, Sheriff-depute of Haddington, was registered 13th June 1599. His son Henry was served heir to the same lands. He was a merchant and Provost of Haddington, and was the progenitor of several families whose representatives held offices in that burgh and in Edinburgh. The third part of Bolton belonged to Alexander, Lord Home, who sold it in 1563 to William Maitland of Lethington.

*Reg. Great
Seal*, vol. iv.,
No. 2097.

IV. **HELEN**, married Alexander Gourlay of Kineraig, County Fife. They had joint charter of Aldiristown and Peddercraig, County Haddington, 14th May 1492, which lands were given to his nephew by John Gourlay of Kineraig.

Aldiristoun and Capounflats were granted to Simon Gourlay in the reign of David II. He was no doubt descended from "Alanus de Gourlay in Scotia," who is mentioned in a deed dated at Witefield, the Tuesday after the Feast of St. James the Apostle A.D. 1274, in presence of Sir Ingram, then Abbot of Albalanda, Sir Ida of Beveston, Robert Scot, and John de Veteri-Ponte, &c., as having engaged to relieve the Abbot and Convent of Newhouse, in the diocese of Lincoln, of a rent due by them to Elizabeth, Margaret, and Elizabeth, his nieces, daughters and heirs of Walter, son of Pagan of Hellay, and to Goda, their mother, at the term of Martinmas 1273. Alexander and Helen Gourlay's sons, William of Kincaig and John, had remission 23d November 1539 for the slaughter of *umquhile* Thomas Borthwick, committit by thaim at "Pettinweme."

R. R. Stodart's *Scottish Arms*, vol. ii., p. 157.

Cotton Charter in British Museum, v., 30.

V. AGNES, married William Murray of Touchadam, who had new charter to himself and Agnes Cockburn his spouse of the lands and barony of Touchadam, Stirlingshire, in March 1507.

Douglas' *Baronage*, p. 110.
Reg. Great Seal, vol. ii., No. 3212.

John, fifth baron of Ormiston, was succeeded by his eldest son—

VI. **John Cockburn of Ormiston**, to whom on 2d January 1508 King James the Fourth granted confirmation of the settlement made by his father upon him and his wife Margaret Hepburne of the barony of Ormiston, half the lands of Paystoun, &c., reserving Muirhous, twenty mercatas ville de Ormiston, to himself, and Tempillhall, with reasonable terce of the rest to his wife Margaret Creichton; so that there is no doubt that the preceding John of Ormiston's eldest son was not William, as has been stated.

Ibid., vol. ii., No. 3273.

On the 4th of the same month, the King granted to him the lands of Craik, in the barony of Chal-

Ibid., No. 3282.

merlane-Newton, County Roxburgh, which had been forfeited by the predecessor of Patrick Hepburne, Earl of Bothwell, for alienation thereof without the royal consent, and had not been restored to his son Adam, Earl of Bothwell.

*Pitcairn's
Crim. Trials,
vol. i., p. 171.*

He was not permitted very quiet possession of his new territory. On 30th October 1535 Christopher Armstrong [called John's Christé], brother of the unhappy John of Gilnockie, Archibald and Ingram Armstrong, John Elwand or Elliott [called Lawis John], Thomas Armstrong of Mangerton, and Symon Armstrong [called Sym the Larde], with their servants, were proclaimed rebels, and all their goods, moveable and immoveable, ordered to be escheated "for not appearing to underlie the law for act and part of stowthief under silence of night, on 27th July last, from John Cokburne of Ormistoun, furth of his lands of Craik, within the shire of Roxburgh, of seventy drawand oxin and thirty coves," &c.

*Reg. Great
Seal, vol. ii.,
No. 3207.*

On 10th March 1507 Robert, son and heir of the Lord Erskine, had charter of Syntoun, Quhitislaid, and Dalgleish, County Selkirk, with leave to infest John Cockburn of Ormistoun in the lands of Quhitislaid, and John Glendonwyn in those of Dalgleisch. The superiority of these lands was resigned in 1383 by Piers de Cockburn de Henriland to Sir Thomas Erskine of Dun. Quhitislaid, in the barony of Glenquhyme or Glenholm, County Peebles, was a different place; it belonged to the Glendonwyns in 1420, and then partly to Scotts, and came back by marriage to the later Cockburns of Henderland. John Cockburn of Ormiston had by his wife Margaret Hepburne a son William, his successor.

VII. William Cockburn of Ormiston

was perhaps not as great a farmer as his father. Instead of having numbers of "drawand oxin," he gave his attention to improving the amenities of his place of Ormiston. He appears to have had no small trouble in keeping his preserves there; for we find that George Ker of Lyntoun, Thomas Ker of Sundirlandhall, and James Ker of Fernylie had taken on one occasion a long ride to amuse themselves in his domain, and were on 21st October 1528 americiated for not appearing "to underlie the law, for art and part in the oppressioun done to William Cockburn of Ormistoun, coming to his park of Ormistoun under silence of night, armed with lances and other weapons invasive, breaking up the gates thereof, and with *bows and arrows chasing and wounding his parkit deer*, and also for invading and wounding his servants, the keepers of the said park, and the mutilation of one of them, Thomas Anderson." New letters were ordained to be issued against them, "under pain of rebelloun, &c." So much for the manner in which these Border lairds took their pastime by midnight. No doubt shooting deer by the light of the moon with bows and arrows must have been an exciting sort of sport. These three hunters were all scions of the house of Yair, and of the race of Ker or Carre of Ferniehirst, originally called Ker's-heugh, and were connected with the Ormiston family by the marriage of Patrick Cockburn with Helen Ker. William Cockburn married Janet Somerville, his cousin on his mother's side. Her kinswoman Marion was the wife of Sir William Cockburn of Skirling. They had joint precept of infeftment

Pitcairn's
Crim. Trials,
vol. i., p. 140.

*Reg. of Privy
Seal, vol. vii.,
fol. 68.*

in the lands of Meredene, County Roxburgh, in 1528. Their children were—John, the heir, Alexander, Rinzean or Ninian (of whose doings presently), Margaret, Marion, and Helen.

*Reg. Deeds,
Scott. Office,
vol. i., p. 336.*

*Inquisit. Re-
torn. Abbrev.,
County Had-
dington, iv.,
24.*

*Commissariat
of Edin.
Testaments,
vol. viii.*

*Reg. of the
Privy Seal,
vol. xxii.,
fol. 63.*

*Registrum de
Dunfermline,
p. 486.*

*Reg. of the
Privy Seal,
vol. xx. fol. 93.*

ALEXANDER COCKBURN, the second son, had Meredene, County Roxburgh, and Woodhead, *alias* Southwode, in the barony of Herdmanston. He sold Meredene to Thomas M'Dowell of M'Caristoun [Makerston], within which barony it lay. The deed of sale was dated 15th April 1566. His wife, Christian, was daughter of Lawson of Humbie.

They had with two daughters, married respectively to George and Ninian [or Ringan] Hamiltons, a son Alexander, who succeeded to Woodhead. The two sons-in-law above named witnessed his will made 12th Nov. 1579, by which he appointed his nephews John of Ormiston, Samuel his brother, and Robert Lawson of Humbie executors. A sum of money was left to his daughter Marion, presumably unmarried. He was at one time anything but a loyal subject, for we find that on 11th September 1545, "Alexander Cockburn of Meredene, brother-german to John Cockburn of Ormiston, had remission for treasonably assisting Lord Grey, warden of England, at the town of Haddington." In 1557 he was living in Tempilhill in Ormiston.

His elder brother, John of Ormiston, had remission 15th September in the next year "for treasonable intercommuning with an Englishman, the Earl of Hertford, being then in the town of Leith burning and destroying the same, and also for his evasion by caping and assault without the walls of Edinburgh Castle in the month of March last, without license from the Governor of the said Castle asked or obtained."

The Lord Russel's "frende with the Kynges Hyhnys' armye gives a most pithy description of these proceedings 'in the yere of our Lorde God 1544,' recounting the exploytes performed under the blessing of God, and as God wolde who doth all things for the best, and after longe soioynnge at Newcastle for lacke of commodeous wundes gave that south and south-south-weste wind, so apte and propice for oure iorney." He tells how they "brente thabbey called Holy Rode Hous, and the pallice adioynnge to the same;" how

"the fyrste man that fledde [out of Liyth] was the holy cardynall lyke a valyaunt champyon;" and after relating "that after they dislodged their camp out of Lith, having wan a fortress on a strong island called Ynchgarue, and set fyre in euery house and brente it to the grounde, and brente and reased Seton, the cheife castell of the Lorde Seton, which was ryght fayre, and destroyed his orchardes and gardens, whiche were the fayrest and beste in ordre that we saw in al that cuntry, and dyd hym the more despyte, because he was the chiefe laborer to helpe theyr cardynall out of pryson, the onely auctour of theyr calamytie,"—right merrily he goes on to tell how "We brente a fayre toune of the Erle of Bothewelles, called Hadyngton, with a great nonry and a house of freres; and the nexte nyght after encamped besyde Dunbar. . . . That nyght they loked for us to have brunt the toune of Dunbar, which we deferred tyll the mornynge at the dislodgyng of our campe, . . . and by reason we toke them in the mornynge, who, haveing watched all nyght for our comynge, and perceyuyng oure army to dislodge and depart, thought themselues saue of vs, were newly gone to theyr beddes; and in theyr fyrste slepes, closed in with fyre, men, women, and chyl dren were suffocated and brente."

Fragments of Scottish History—"The late Expedition in Scotland."

Little recked the party to which the Cockburns of Ormiston belonged of the miseries brought upon their country—the burning of the nuns and friars in their religious houses, the destruction of their abbeyes and other places of note—so long as the hated Cardinal was brought low. A man of Lord Seton's character, having "laboured for him," speaks in his favour to a certain extent.

MARGARET, the eldest daughter, married James Lawson of Hieriggs, County Edinburgh. They had joint sasine 10th January 1549 of Muirhouse, one of the earliest possessions of the House of Ormiston, from Patrick Hepburn, "Lord of Halis and Creichton, Great Admiral of Scotland and Earl of Bothwell." The will of Margaret Cockburn, widow of James Lawson, was recorded 1590.

Reg. Great Seal, vol. ii., No. 403.

Reg. Privy Seal, xxiii., fol. 62.

Edin. Reg. of Testaments.

MARION married Hew Douglas of Longniddry, who died in 1555, leaving a son, Francis, whose wife Agnes was the daughter of Sir William Lauder of Haltoun. An agree-

Reg. Deeds,
Scott. Office,
vol. ii., fol.
368.

ment was made 4th February 1557 that his mother "Marioun should bruike, jois, haif, hold, &c., half the lands of Longniddry, on condition of mainteyning in meit, claithing, and sustentation all her other children, the brothers and sisters of the said Francis—namely, Margaret, James, Issobel, Agnes, Hew, and David. George Douglas, son of Hew Douglas of Borg, by his wife Marion, daughter of Sir William Cockburn of Skirling, witnessed the contract. The Douglasses of Longniddry descended from Henry Douglas, youngest son of James, seventh Earl of Douglas, by Beatrix Lindsay, his wife. He had charge of Dalkeith, and the other family estates, during the time that his elder brother, Lord Dalkeith, was suffering from aberration of intellect. He got Borg, in Galloway, which was an extensive and important territory. Edward I. signified to Alexander, King of Scotland, that on Monday next, before the Nativity of St. John the Baptist, in the tenth year of his reign, Robert de Campania came before him in his Chanonry at Chester, and quitclaimed *in perpetuum* to Devorgulla de Galeweya, lady of Balliol, all the lands which he held of her in Borg, in Galeweya, in capite, &c.

*Reg. Great
Seal,* vol. ii.,
No. 1138.

*Reg. of Privy
Seal,* xxxii.,
fol. 22.

HELEN married James Heriot. They had the gift of the non-entry of the middle third of Aldiriston, in the barony of Tranent, 17th April 1548.

William Cockburn of Ormiston, who had remission himself 21st July 1522 for treasonably intercommuning with Patrick Cockburn of Newbigging, his brothers and servants, was succeeded by his eldest son, a very prominent personage in the troublous times in which he lived.

VIII. **John Cockburn of Ormiston**, as mentioned above, had remission for treasonably intercommuning with the Earl of Hertford in 1544. The miseries inflicted upon the country in that

famous raid did not deter him from actively assisting that nobleman when he invaded Scotland again in 1547. He actually guided the destroying army through the passes of the Lammermoors on that occasion. Hertford had now been advanced to the Dukedom of Somerset, and invested with the title of Protector of the Kingdom during the minority of his nephew Edward VI. His execution in January 1552 did not militate against the services of John Cockburn to the English forces under his command being remembered. Henry VIII. had granted in 1545 to Sir William Paget and Richard Cock the dissolved Hospital of St. Giles at Durham, with the great manor of Kepyer thereto belonging, who exchanged these estates in the following year for those which belonged to the Abbey of Burton-on-Trent. On 13th March 1552, "all the possessions of the ancient Hospital of St. Giles were granted [6th Edward VI.] to John Cockburn, Lord of Black Ormiston." He kept them for eight or nine years and then sold the whole to John Heath. Mr. Surtees gives a note of the fine levied in the year 1568 [10th of Queen Elizabeth] between John Heath of the city of London, merchant, and John Cockburn, Lord of Ormiston, and Alice his wife, of the manor of Kepyer, Old Durham, Iveston, Frossterly, Little Kepyer, and Tweedmouth, five hundred messuages, as many cottages, as many tofts, ten water mills, ten dovecotes, twenty thousand acres of land, twenty thousand of pasture, a thousand acres of wood, twenty thousand of marsh and moor, twenty pounds rent in Kepyer, Old Durham, Durham city, Spittle in Tweedmouth, &c. Alice Heath's son John had an only child, Elizabeth, who married, 27th

Robert Surtees' *History and Antiquities of Durham*, vol. ii., pp. 267-352.

Ibid., vol. iv., pp. 61-66.

October 1642, the representative of the ancient family of Tempest, and these immense estates came to their descendant, Lady Vane Tempest, who married the third Marquess of Londonderry. Had this magnificent property been inherited by John Cockburn's heirs, their position would have been a very powerful one in later times. His wife was Alison, daughter of Sir James Sandilands of Calder, the intimate friend of John Knox, and his warm partisan—a circumstance overlooked by the amiable Mary Stuart, who raised his second son James to the peerage in 1563 by the title of Lord St. John of Torphichen. The laird of Ormiston, a strong-willed man, and his brother-in-law John Sandilands [Sir James's eldest son], also espoused the cause of the Reformers with all the ardour which was characteristic of the more violent promoters of the movement. John Cockburn, who was a man who at all events had the courage of his opinions, and possessed the fire and determination of his race, thought to crush the powerful foe of John Knox when he guided the destroying army into the heart of his country, and quieted his conscience by the belief, it is to be presumed, that he was advancing the cause of true religion. No proceedings were too violent, no excesses too outrageous for the hot-headed enthusiasts who refused to be guided by the advice of wise and prudent men such as Lethington, Sir David Lindsay, or John Spottiswood, afterwards parson of Calder. Cardinal Beaton, who was one of the ablest statesmen of the day, would probably not have brought Wischart to the stake had it not seemed to him necessary to take the strongest measures against what he regarded as the seditious

teaching, as well as audacious heresy of Knox and his associates. No one, however, even under all the overlooked circumstances, would attempt to palliate the cruel ferocity of that execution any more than the murder of the Archbishop in revenge.

Archbishop
Spottis-
woode's
History, vol.
i., p. 78-91.

It was upon a day early in February 1546 that George Wischart had preached his last sermon in Haddington, and next morning, bidding those of his acquaintance farewell as if for ever, he went on foot to Ormiston, "for the frost was vehement," accompanied by the Laird of that place, John Sandilands of Calder, and Creichton of Brunstoun. John Knox was desirous to have gone with him, but he willed him to go back, saying one was enough at this time for a sacrifice. . . . About midnight the house was belayed with horsemen that the governor sent to take him prisoner. The Laird refusing to deliver him, thinking to get him shifted, the Earl of Bothwell, sheriffe of the county, came, and he required that he should be put into his hand, declaring to Wischart, "I shall not only preserve your body from violence if any be intended against you, but I will promise you on my honour in the presence of these gentlemen that neither the Governor nor the Cardinal shall be able to harm you, and that I shall keep you in my own power till I either make you free, or bring you back to the place where I now receive you." Upon this promise he was delivered by Ormiston into the Earl's hands, who took him straight to Elphinston, where the Cardinal was attending the successe, who immediately sent to apprehend Ormiston, Calder, and Brunston. The latter, if not as thoroughly bad and treacherous a man as he is represented by Mr. Tytler to have been,

was at best one of the very dubious characters of whom there were too many in those melancholy times. The men were not few in number who, under the guise of religious reformers, sought to gratify personal ambition and private revenge, and still more anxiously to grasp some of the spoils of the church. There were but very few of its dignitaries who espoused the doctrines of the Reformation, but one or two did so, and did not disdain to share in the plunder, to get themselves made commendators of the religious houses of which they had been abbots, and, ruthlessly turning the monks out to starve, secure the broad lands belonging to their abbeys for their descendants. Brunston had been Cardinal Beaton's confidential servant, but there is much reason for believing that he carried on a secret correspondence with Henry VIII., and offered to procure the Cardinal's assassination. On this occasion, had he fallen into his hands, it would probably have gone hard with him, but he managed to conceal himself in a thick wood. Young Cockburn and Sandilands were taken, and committed prisoners to Edinburgh Castle, from which, however, they were fortunate enough to make their escape. Few days passed ere the well-known tragedy was enacted in the courtyard of St. Andrews, where Wishart, a man of "primitive sanctity" and of ancient lineage, ended his day in that fearful manner under the eyes of his persecutor. "A barbarous part it was in him," says Archbishop Spottiswoode, "to sit and behold the martyrdom, taking pleasure in that which no man could look on without pity."

Archbishop
Spottis-
woode's *Hist.*
of the Church
of Scotland,
vol. i., p. 165.

On the 28th May following, on that very balcony which had been "hanged with tapestry and rich

cushions laid for ease of the Cardinal and Prelates who were to behold the spectacle of Wishart's death, lay the body of Beaton, hacked with swords." Of this murder John Knox wrote quite jubilantly, terming it "a godly fact." This expression may be fitly taken as an evidence of the state of men's minds at this time, actuated in many instances by thirst for private revenge, and a false zeal for religion, which seems to have been unfortunately characteristic of both parties. John Knox approved of putting Papists to death by fire. Cardinal Beaton had, as he proved, arrived at the same conclusion as to the best method of dealing with heretics, and so burned George Wishart. The idea of religious toleration had not entered men's minds. The large-hearted, amiable Queen of Scots was the first person to whom the idea, so far in advance of the time in which she lived, presented itself. John Knox says himself "that the bretheren having determined to put to their own hands to punish for example to others. Mary, fearing for the lives of her subjects, sent for him, and travailled constantlie with him for two houris that he would be the instrument to persuade the people, and principallie the gentlemen of the west, not to put handis to punishe any man for the using of themselfis in their religion as pleased them." For the fierce fanatics of the General Assembly of the Kirk had the audacity to demand "that all Papis-ticall idolatry be universally supprest and abolisht throwout this realme, not only in the subjects, but also in the Queen's own person, with punishment against all persons that should be deprendit to transgresse and offend in the same." When lying at Jedburgh, supposing herself on her deathbed, "the

Knox [Laing's
Edit.], vol. II.,
p. 371.

*Proceedings of
the Society of
Antiquaries of
Scotland, 1880-
1881, p. 26.*

*History of
Mary Stewart,
by Claude
Nau, Note,
p. cxxxvii.*

declaration of the will of the most mychtie and verteous Princess Marie, Quene of Scotland, Dowariare of France, duryng the tyme of her extreame maladie, with the praers and exhortations used by her, was recorded as addressed to the nobles present." One of her injunctions to them ran thus—"Ze knaw also, my Lordis, the favour that I have born onto ze since my arrivying in this reaulme, and that I have presit nane of ze that professe the relygioun by zour conscience; I pray ze also on zour part not to presse them that makkis profession of the auld faith Catholique, and gif ze knew quhat yt war of ane person that is in extremitie als I am, and that it behuit that he may rendre compte of his faltes als I do, ze wald newir presse thame, I pray ze brother, Erle of Maurey, that ze trouble nane."

The family of Cockburn of Ormiston and the old hall of Ormiston come to be mentioned on various occasions in these times. From its doors went the brave Wishart to his terrible death; and in consequence of a letter said to have been found there, another unfortunate victim of frenzied bigotry, or perhaps private animosity, was betrayed to his doom.

One of the most atrocious of the many judicial murders was that of Sir John Melvill of Raith, at the instigation, it is said, of "this dreadful Archbishop of St. Andrews, Arran's brother, who efter the Kingis death ran heid-longis into all kinds of vice, and his lands gevin to David Hamilton, the Governor's younger sone, maid the punischment more filthie." He was an old gentleman and most loyal, but nevertheless did the unfortunate "Lard of Raith most innocentlie suffer, and was forfaulted becaus that he writ a bill to his sone John Melvin, who was

*Anderson's
MS.
Pitcairn's
Crim. Trials,
vol. i., p. 340.*

then in England, which was alleged to have been found in the house of Ormestoun. But many suspectit ye prankis and craft of one Rinzean Cockburn, now since callit Captane Rinzean, to whom ye said lettre was delivered, . . . and the heid of the gentleman was stricken from him in the year 1549."

It is to be hoped that the insinuation that Ninian or Rinzean Cockburn acted treacherously on this occasion is a mistake, but appearances are much against him, and he seems to have been a very questionable character, addicted to dangerous practical jokes. He was in the Scots Guards, and at best was an unworthy representative of the family, many of whose scions had during centuries always filled their positions with honour in that force, of which it is recorded "that for so long a time as they have served in France never hath been one of them found that hath committed any fault against the Kings or their State." It appears that he was frequently on leave, and sent on various missions to Scotland, managing to get well paid for his services. On one occasion he had "500 livres tournois [money coined at Tours] pour les frais et d'espences d'un voyage que le dict Seigneur envoyait faire en diligence et sur chevaulx de poste de Blois en Ecosse passant par Angleterre portant lettres au dict Seigneur concernant ces affaires et services aux Roynes de ces dict pays." It is to be feared that anything entrusted to Captain Ringan, bearing upon the welfare of the Queen of Scots, was in very unsafe hands. M. Francisque-Michel, in his interesting work, gives an account of the manner in which he behaved to Sir James Melville at the Court of St. Germain's in May 1553, which caused Sir James, who calls the said

The Rev.
Forbes-
Leith's *Scots
Men-at-Arms
and Life
Guards in
France.*

Francisque-
Michel's *Les
Ecosais en
France*, vol. i.,
p. 516.

Captain "un brouillon," to become "rouge jusqu' aux yeux," in the presence of the "Connetable" [the title borne at this time by the first dignitary of France]. He had tried to betray Sir James into translating a slander against a high personage; but that gallant gentlemen was on his guard, and told the High Constable in spirited, firm language, which could not fail to strike the statesman, that he advised him not to waste time in listening to such idle stories as Captain Ringan's.

*Reg. of the
Privy Seal,
vol. xi., p. 458.*

It does not look well for the said Captain Ringan, who had returned in his old age to live in his native country, that in 1575 his brother, John Cockburn of Ormiston, had to give security that he would, as Chamberlain to the factor of the Priory of Siennes, duly account for the redemption money of certain lands belonging to the poor sisters of the convent. The dissolution of this religious establishment, dedicated to St. Catherine of Sienna, had been attended with great cruelty to these unfortunate ladies, who were turned out to starve, until Queen Mary compelled the Magistrates of Edinburgh to allow sustentation from the lands with which their predecessors had endowed the convent.

*Reg. Great
Seal, vol. iii.,
No. 3055.*

John Cockburn and Alison Sandilands, his wife, had joint charter, 5th February 1545, of Le Manis of Ormiston, with the old hall of Ormiston lying to the south of the mansion which had been settled upon his wife at their marriage. This settlement was of little avail, for very soon afterwards his estates were all forfeited. On 2d February 1548 the infant Queen of Scots, then six years old, was made to say that she, having learned the great services done by Sir Walter Scott of Branxholme in her father's reign in defending the

kingdom against the English, granted to him and his wife, the Lady Janet Betoun, the tower, fortalice, and manor of Ormiston, with its gardens, &c., in the Queen's hands, by reason of the forfeiture of John Cockburn, formerly Lord of Ormiston, for treason and other crimes imputed to him. His lands of Craik were also given to Sir Walter and the Lady Joneta Betoun on the same day. Sir Walter does not appear to have availed himself of the grant. On 26th September 1549, Arran bestowed the gift of the escheat of Johne Cockburn of Ormiston upon his brother James Hamilton. In 1559 the forfeited laird went to Berwick, as envoy from the confederate Lords, to confer with Sir Ralph Sadler and Sir James Crofts, Captain of the town, to try and get a supply of money for their immediate requirements. The workmen had gone off from the mint, taking with them the dies and other necessities for coining the plate and jewelry which the rebel Lords had collected and melted down, and so were in great straits in consequence. On his way back he fell into an ambuscade laid by Bothwell, and was wounded and made a prisoner, thus losing the four thousand crowns he had managed to borrow.

When Mary after the battle of Langside trusted herself to the faith of her dearest sister and cousin Elizabeth, things were all right again with John Cockburn, and Ormiston received its hereditary Lord. The lands of East Craik had got into the possession of the Earl of Bothwell, and in consequence of his forfeiture fell to the Crown, and new charter of them was given to John Cockburn 10th March 1574. He then sold this estate to Sir Walter Scott of Howpasley.

Reg. Great Seal, vol. iv., Nos. 283, 284.

Reg. of the Privy Seal, xxii., fol. 88.

Ibid., xxiii., fol. 39.

Reg. Great Seal, vol. iv., No. 2205.

Reg. Deeds,
Scott. Office,
vol. xv., fol.
143.

Inquisit.
Retorn.
Abbrev. Haddington, B.
235.

It had never been a very comfortable holding for the Cockburns, though not plundered latterly as it had been in his grandfather's time. The 1400 merks balance of the purchase money was paid by Sir Walter Scott 16th February 1566. He also sold Boithill or Bold to David Edington of Clarybarde, in the Barony of Waughton, County Berwick, son of Edington of that Ilk, in same county. But this sale appears to have fallen through, as his son Sir John was served heir to his father in the lands of Boithill, County Haddington.

By his wife, Alison Sandilands, he had three sons, Alexander, John, who succeeded him, and Samuel; and three daughters, Sybil, Alison, and Barbara.

Alexander, his eldest son, died unmarried in the prime of life. He seems to have been a very superior and most accomplished young man. In the family vault at Ormiston Hall a tablet records that "Hic conditur Alexander Cockburn primogenitus Johannis Domini Ormiston et Alisonæ Sandilands ex perclara familia Calder, qui natus 13th Januarii 1535, post insignam linguarum professionem obiit anno ætatis 28, Calend. Sept. 1563." His many admirable qualities are also set forth thereon, and it is mentioned that he travelled much throughout pleasant [pergrata] Britain and in France, more especially as it is expressed in that part of "Gaul subject to the warlike Helvetii, where he perfected himself in the languages of Rome, Sion, Athens, and in those spoken in polished [dicta] France and Germany." It is to be regretted that this gifted young nobleman had not lived, and inherited the great Durham estates. The appellation of "nobleman" is used advisedly, for he was essentially one

also by birth. His paternal descent has been detailed, and on his mother's side it was royal. Her father was lineally descended from Sir James Sandilands, who married the Princess Johanna, daughter of King Robert II., and this Sir James was the son of "Sir James the Sandilands" who married Devorgilla, daughter of John Comyn of Badenoch and his wife Marjory, sister of King John Baliol.

SAMUEL, the third son of the Laird of Ormiston, and his elder brother John, appear to have distressed their father in his old age by quarrelling about the marches between Tempillhall lands, which he had given to the former, and Ormiston. A contract was made 21st May 1583 "between John Cockburn of Ormiston, Mr. John Cockburn, his eldest lawful son and apparent heir, and Janet Home, his spouse, on the one part, and Mr. Samuel Cockburn, his second lawful son, on the other part, &c., in manner following,—that is to say, that the said Laird of Ormiston being most desirous, and the said Mr. John and Mr. Samuell, his sons, at his earnest desyre, as also of their own brotherly love and affection moved, and willing that all grudge and disdain heretofore betwixt them shall be extinct, buried, and removed in all time hereafter, and that they may live and abide in mutual amity, friendship, and brotherly favour, concord, and charity, as it becomes the elder and younger brethren by the law of God and Christian brotherhood to do, and also for obeying and fulfilling of the lawful desyre, mind, and will of their said father, therein tending to his great comfort, their great and singular weill, and to the perpetuity by God's good grace in favour of the living and house of Ormiston, that the same may stand in all time coming, as it has pleased the eternal God of His mercy to preserve the same from sundry dangers and troubles byegone,—Mr. John, son and apparent heir foresaid, consents by these presents that the said John Cockburn, his father, may and shall infest the said Mr. Samuell, his heirs and assignees, in All and Whole the half lands of Tempillhall called the Wester Tempillhall, with the manor-place thereof and their pertinents, and the twenty shilling land of old extent of Huntlaw and Dryburgh lands, in the constabulary of Haddington, and the said Mr. Samuell binding himself to

Reg. of Deeds,
Scott. Office,
vol. xxi.,
fol. 53.

resign into his father's hands all infeftments and rights which he had from him in the lands of Harhied and Bowschiel Hill, and also of the tower and lands of Ormiston, that the said Mr. John may enter thereinto after their father's decease, &c. Mr. Robert Park, Provost of Trinity College, beside Edinburgh, and one of the Lords of Session, was witness to the agreement. The old Laird died soon after this date. His sons, Mr. John and Mr. Samuell, did not rest quite in peace regarding their lands, and it became requisite to have an exact determination of the march betwixt the lands of Easter and Wester Tempillhall pertaining to Mr. Samuel, and the lands of Ormiston pertaining to Mr. John, and anent a contract between the said parties and Elias Sandilands, their mother, the relict of John Cockburn of Ormiston, and their respective claims upon the executory of the said John Cockburn of Ormiston, and the said Mr. Samuel taking burthen upon himself for Aleis Cockburn, his daughter, the aforesaid parties exoner and discharge each other." John Cockburn of Clerkington being witness thereto. In 1540 Sir John Campbell of Lundy sued John Cockburn of Ormiston, as heir of the late William Cockburn of Ormiston, his father, for the profit of the half-lands of Templehall belonging to him in tack from the late Lord of St. John.

Samuel married his kinswoman Elisabeth Douglas; they had a daughter Sybil, who married William Innes of Sandy-side, and had several sons; one of them, William Innes, had sasine, as co-heir of his mother Sybella 14th October 1629, of an annual rent of 400 merks out of Ormiston Barony, and also the lands of Tempillhall, in the regality of Torphichen, constabulary of Haddington.

From Samuel and Elizabeth descended families of the name in the vicinity of Haddington, who, in consequence of the intermarriages between their progenitors of the families of Cockburn and Douglas of Longniddry, placed a man's heart upon the fesse point of their shield, over the fesse chequy of the Lindsays, as in the copy opposite of a seal in the possession of J. Balfour Cockburn, Elm House, Guernsey, whose ancestors, from their armorial bearings, were doubtless of this branch of the house of Ormiston.



Reg. of Deeds,
Scott. Office,
vol. xxviii.,
fol. 147.

*Acta Domi-
norum Con-
cillii et
Sessionis,*
vol. xiv.,
fol. 165.

*Inquisit.
Retorn.
Abbrev.,
County
Haddington,*
x. 316.

IV. **SYBIL**, eldest daughter of John of Ormiston, married Sir William Sinclair of Herdmanston. Their marriage-contract was signed 26th February 1566, whereby the said Sir William Sinclair and Sybilla Cockburn bound themselves to complete the bonds of matrimony between that date and the 23d day of April next to come, the said Sir William binding himself to infest the said Sybilla Cockburn, his future spouse, in the lands of Tempillfield, the third part of the Mains of Pencaitland, and others, "the said John Cockburn of Ormiston binding himself to obtain the relief of Sir William of his marriage at the hands of Sir Richard Maitland of Lethington, and to pay him and the said Sybilla, his promised spouse, the sum of £1000 in name of tocher."

Reg. of Deeds,
Scott. Office,
vol. ix., fol. 11.

In the remnant of the old chapel erected by John de St. Clair in the thirteenth century, near the present house of Herdmanston, is to be seen the tombstone placed to the memory "of ye richt Honoribil Dame Sibella Cokburne," and beside it, that of "ye richt Honorabil Schir William Synclar, umq^{le} of Herdmiston, knyt, quha decessit ye 2 of June, anno 1594." The Sinclairs have possessed Herdmanston since 1190, when Henricus de Sancto Claro obtained the estate.

V. **BARBARA** married George Hamilton, eldest son of Sir David Hamilton of Fingaltoun, afterwards designated of Preston, whose mother Catherine was a daughter of James Tuedy of Drummelzier. Their marriage-contract was dated 31st May 1563. Therein the said George bound himself to solemnize the bond of matrimony between that date and the last day of June next to come, and the said David bound himself to infest the said George and Barbara in the five pound land of Priestisgill, in the barony of Avandaill and shire of Lanark. Sir David, son of Robert Hamilton of Fingaltoun, got Priestisgill, in Avandaill, in 1541, on the forfeiture of James Hamilton of Fynnart.

Ibid.,
vol. vi.,
fol. 284.

George and Barbara Hamilton had two daughters. Mary, the youngest, married Robert Cockburn of Butterdene, of whom further mention will be made in the account of the family of Clerkington. Joan married Alexander Lindsay of Dunrod. The will of "Barbara Cockburn, Ladie Prestoun," who died in 1610, was registered in the following year by Robert Cockburn, co-executor. Amongst other legacies, she

Reg. Great Seal, vol. iii.,
No. 2530.

Commiss. of Edin. Testaments, vol. 46.

Earl of Crawford's *Lives of the Lindsays*, vol. ii., p. 290.

left to Elizabeth Livingstone, her granddaughter, £66 : 13 : 4 ; to John Cockburn £100 ; to Robert, her son, £100 and two furnished beds ; the rest of her furnished beds to Lady Dunrod and her daughter Mary, and the residue of her plenishing to them and her son Robert Hamilton, Samuel Cockburn of Tempill, her brother, being cautioner. Poor Lady Dunrod would be thankful for the beds and plenishing, for her husband, the last of this warlike but wild race, that had flourished for centuries, was a terrible character. The history of the Lindsays of Dunrod "was a stormy one, in perfect keeping with the legend attaching to the memory of their ancestor James de Lindsay, Dominus de Dunrod, 1360, the abettor of the killing of the Red Comyn." The Earl of Crawford tells the sad conclusion of the career of one who had been the haughtiest Baron in the west country, and who traditionally is said never to have ridden from home without a retinue of twelve vassals, mounted on gallant white steeds, attending him. He at last came to eke out his subsistence by selling favourable winds and immunity from the evil one to the sea captains and fishers of the coast, in the character of a warlock, and in concert with some reputed witches amongst his former cottars at Innerskip.

" In auld kirk the witches ride thick,
And in Dunrod they dwell ;
But the greatest loon amang them a'
Is auld Dunrod himsell."

He had been guilty of many atrocious crimes, but none more dreadful than, when playing on the ice on one occasion, he ordered a hole to be made in it, and one of his vassals, who had inadvertently offended him in some trifle, to be immediately drowned. If Lindsay and his female friends had fallen into the hands of Sir John Cockburn, the Justice-Clerk, Barbara Lady Preston's brother, they would have had short shrift.

John Cockburn of Ormiston [Sir John, Archbishop Spottiswoode calls him] died in 1583. He was a remarkable man in many respects, a dauntless and most intrepid reformer, conscientious no doubt, but in his younger days utterly carried away by the

vehemence of his temperament, which led him to act as he did in leading the destroying army of Hertford into the heart of his own country. One regrets that it cannot be said of him as of Lord Home, who was at one time on the Regent's side, that he afterwards was loyal to his unhappy Queen, "and showed himself so true a Scotsman that he was unwinnable to England, to do anything prejudicial to his country."

The will of "Lady Dame Alison Sandilands, auld Lady Ormiston," who died in 1584, was dated at Woodheid in June of that year. In it she named her eldest son, who had been married for some years, her only executor.

Edin. Reg. of Testaments.

IX. Sir John Cockburn of Ormiston,

a prominent figure in the history of these times, was an eminent lawyer, Senator of the College of Justice, and for a number of years Lord Justice-Clerk. He was retoured heir to his father in Ormiston, and a few years subsequently—6th July 1590—in Boithill and the mill thereof, in the shire of Edinburgh and constabulary of Haddington. He married first Janet, daughter of Alexander Home of Manderston, County Berwick, who gave to his son-in-law, "Mr John Cockburn of Ormiston," a bond for £4000. There was an agreement made, 24th June 1584, that John Cockburn of Ormiston, and Janet Home, his spouse, should, on payment to them of the sum of 12,000 merks, infest James Ker, son to the deceased Thomas Ker of Zair, in an annual rent of £80 out of the lands of Muirhouse, in the barony of Ormiston. On the 17th May 1567 he agreed with his father, "with the consent of Elis Sandilands, his mother," to sell

Inquisit. Retorn. Abbrev., County Haddington, B. 235.

Reg. Deeds, Scott. Office, vol. xxxiii., fol. 189.

Ibid., vol. xl., fol. 305.

Reg. Deeds,
Scott. Office,
vol. ix.,
fol. 85.

the lands of Preston [Peaston?] to Alexander M'Dougall of Stodrig. These lands were in the constabulary of Haddington. By Janet Home he had a son, Patrick, and four daughters, Margaret, Catherine, Helen, and Jean.

Douglas'
Peerage,
vol. i., p. 211.

He married secondly Elizabeth, daughter of Sir John Bellenden of Auchinoule, by his second wife Janet Seton. Elizabeth Bellenden had been married before to James Lawson of Humbie. At the trial of George Forester, sumtyme servand to my Lord of Roxbrucht [Sir R. Ker of Cessford, created a Peer in 1600] "for coming in the moneth of Januar I^m V^c and four scoir and fiftene yeiris to the house of James Skirving, in the place of Humbie, vnder the silence of nyght, betwix aucht and nyne houris at even, with ane sword and whyngare, and maist cruellie persewit him for hys slauchter, hurt and woundit him in his rycht hand and airm, and hes mutilat and made him impotent in the samyn," it was objected "that my Lord Justice-Clerk and his deputis can noch be clerks in this process because the persuer is tennent to my Lady Humbie, spouse to my Lord Justice-Clerk, and payis her maill and duty, and Mr. Walter Bellenden, prolocutor for the pursuer, is brother-in-law to my Lord Justice-Clerk." On 20th November sasine was given for her life to "Elizabeth Bellenden, relict of James Lawson of Humbie, now Lady Ormiston" of Ormiston and Kirktonhall, County Edinburgh, and Muirhouse, County Berwick. On 21st May 1588 Lord Boyd, Justice-Clerk, certified his resignation of his appointments in John Cockburn of Ormiston's favour in the following words—"On account of my weaknesse of body be ressoun of my great agge, quhereby I am

not now so able to mak continual residence in ouer souveraine Lordis service to the ordinar place of Secret Council and extraordinary place of Sessioun, as I was wont to do of before of airnest affection and gud will, therefor of my awn free will and at His Majesty's gentil request, resigns the place in Privy Council and Sessioun to John Cockburn of Ormiston, of whom His Majesty hes maid speciall choiss to serve in the said places in my absence during my lifetime." He made a proviso that "I, Lord Boyd, sall half place and be free to occupy any of the said places during my lyfe tyme." When the time arrived that Sir John Cockburn himself was incapacitated by the infirmities of age from performing his duties in these offices as he was wont, he had no inclination to follow his predecessor's example, as appears from the following record:—

"The offices of the Clerkschip of Justiciare-Generall and Maister of the Ceremonies at the creatioun of all Erlis, Lordis, and Barronis, and of all vther solemn assembleis quhair honourable ceremonies ar accustomat and necessarie to be vsit within the kingdom of Scotland, &c., vacand in his Maiestie's handis be dismissioun of Sir Johnne Cockburne of Ormistoun, Knyght, last Justice-Clerk and Maister of the said ceremonies," were given 6th November 1623 to Sir Archibald Napier of Merchistoun. It appears that the old gentleman had become excessively infirm, and King James VI. had been made aware of the facts as set forth in a letter to Sir John Murray, a protégé of the Earl of Morton, and a great favourite of Court, being created Viscount Annand and afterwards Earl of Annandale. "Dismission" was, however, a hard word to apply to Sir

John Cockburn's case ; he had evinced, doubtless, great aversion to resign, although unfit to perform his duties, so was superseded.

Pitcairn's
Crim. Trials,
vol. i., part 2,
p. 595.

The letter was from Alexander Colville, Justice-Depute, and was to the following effect :—" Your Lordship shall be advertized that he who is presentlie Justice-Clerk [the lard of Ormestoun] is so afflicted with extreame aage, blindness, and vther infirmities, that he is altogether disenabled ather to valk abroad or discharge his place ; and by all appearance is not long to survive. And because it concerns me so neir, that sereuis His Ma^{tie} as Justice-Depute to be veil and ewill yoked in cace it pleis God that I lieue, I have adventured these few lynis, being confident of zour lo. goodness that His Ma^{tie} by your lordship's information micht be better prepared aganis the importunitie of vnfitt suitors for that place, quhilk aucht nocht to be geivin to thois that sutt it, but to thois that ar vorthie of it. And as the lywis of men ar mor pretious than their goods, so lett the vorthiness of him be respected to quhome the lywis of men are to be trusted. . . . Wee have zit in memorie of ane Thomas Scot of Abbots-hall, quho was Justice-Clerk to Kyng James Fyft of happie memorie, quho, being stricken with a terror of conscience at the hour of hys death, for his ewill cariage in that place, dyed in desperatione, crying, I am damned, I am damned ! Zit of all vthers zoung men and men of great clannis ar most dangerous for that place. Ceasing farther to fasche zour lo. earis, and referring all to your Lo. prudence ; vishing that by a happie electioun of such ane officiar, God may gett glorie, His Ma^{tie} contentment, and the people securitie by getting right quhen their lywes

shall be in question, &c. I rest your Lo. affectioned
and humble servitor, A. COLVILLE."

"To the Right honorabil His speciall good Lord,
"My Lord Viscount Annan."

It could not be objected to Sir John of Ormiston that in his office of Justice-Clerk he had been an unfaithful or lax servant to King James in carrying out his anxious desire to extirpate witches and warlocks from his realme, as expressed by the Royal author of the *Doron Basilicon* in his letter dated 26th October 1591, addressed to "Sir John Cockburn, Lord Justice-Clerk, from the King's Majesty with avyse of the Lordis of the Secret Counsell, in which he has givin and grantit, and be thir presentis givis and grantis his Hienes full power and commission, express bidding, and charge to putt to tortour, or sic vther punishment, the personis willfull or refusand to declare the veritie regarding all accusit and dilaitit of committing witchcraft, sorcherie, enchantment, and vtheris deyvilish devyses, &c." His Majesty especially admonished him, as set forth in his book, that no age, sex, or rank should be exempted from punishment. As related in the "True Discourse of the apprehension of sundrie Witches lately taken in Scotland, whereof some are executed and some are yet imprisoned," King James was present at various examinations, for he, "in respect of the strangeness of these matters, tooke great delight" therein. The confessions made on this particular occasion made his sapient Majesty "in a wonderfull admiration." He sent for Geillis Duncane, who, "upon the like trump, called a Jew's trump, did play the same before him." This trump was

Pitcairn's
Crim. Trials,
vol. i. part 2,
p. 261.

Pitcairn's
Crim. Trials,
vol. i., part 2,
pp. 214-251.

that with which it had been confessed "she did goe before Agnes thompson [Simpson] and a great many other witches, to the number of two hundreth, playing the said reill or short daunce, when they all went to sea, each one in a riddle or cive, and went in the same very substantially with flaggons of wine, making merrie and drinking by the way in the same riddles or cives to the kirk of North Barrick in Lowthian; and after they had landed, tooke handes on the lande, and daunced the said reill or short daunce, singing with one voice, Commer, goe ye before, &c." Miserable Agnes "was tane to the Castle Hill, and bund to ane staik and wirreit quhill she was deid." It does not appear what became of the lass that played the Jew's harp.

Ibid., p. 50.

A century later men had not become less mad on this subject. Sir George Mackenzie, the Lord Advocate, incredible as it seems, declared that he deemed witchcraft the greatest of crimes, and had arrived at the logical conclusion that the lawyers of Scotland could not doubt there were witches, since the law ordanis them to be punished. The clergy and kirk-sessions appear, Mr. Pitcairn observes, to have been the unwearied instruments of purging the land of witchcraft. Under their directions hundreds of unfortunate creatures were apprehended, "witch's bridles" and other inhuman tortures were inflicted upon them, which rendered them in a few days fit to confess anything, in order to be rid of the dregs of their wretched life," even though it was to be by being "brint to ashes."

If Sir George Mackenzie acted as adviser in the affairs of his son-in-law Archibald Cockburn, younger of Langton, and his father Sir Archibald,

the peculiar arrangements they made, in total disregard of the interests of their successors, are not surprising.

1. **MARGARET**, the Justice-Clerk's eldest daughter, Douglas' Patrick, sixth [more properly ninth] Lord Sinclair. Their *Peerage*, vol. ii., p. 449. son John succeeded to the title and estates.

2. **CATHERINE** married Sir James M'Gill, Baronet of Cranstoun-Riddell, created Viscount Oxfurd in 1651. Their *Ibid.*, p. 346. daughter, the Honourable Margaret M'Gill, married Patrick Hamilton of Preston.

3. **HELEN** married William Hay of Linplum. The will *Edinburgh Register of Testaments*, vol. 54. of "Helen Cockburn, Lady Linplum," was given up 31st January 1627 by William Hay, skinner burgess of Edinburgh.

4. **JEAN** married her kinsman Sir John Murray of Touchadam; and secondly, Sir William Lauder of Haltoun. Douglas' *Baronage*.

Sir John Cockburn, Lord Justice-Clerk, died in 1623. Patrick, his son and then heir-apparent, is mentioned in two deeds dated in May 1582 as receiving from Janet and Marion Boyman renunciation to his father and himself of certain rent-charges upon the lands of Ormiston. Little mention is found regarding him; nor is his wife's name recorded. *Reg. of Deeds*, Scott. Office, vol. 20, part I., fol. 455-456. Predeceasing his father, his son succeeded to the estates.

X. Sir George Cockburn of Ormiston

was retoured heir to his grandfather, Sir John, the Justice-Clerk, in the lands and barony of Ormiston 11th December 1628, and on 4th February 1629 in the lands of Wester Winschels, in the barony of Ellem, County Berwick. He married Margaret, daughter of Sir George Touris of Inverleith, *Inquisit. Return. Abbrev.* County Haddington, x., 338. *Ibid.*, County Berwick.

descended from "Turio Innerlethio," as Hume of Godscroft styles the laird who married a daughter of Sir David Home of Wedderburn. A more distant ancestor, Sir George Turis or Touris, was slain at Otterburn. Margaret's father had sasine 14th May 1605 of "Quhitchester in baronia de' Cauldstreme vic Berwick." By her Sir George Cockburn had three sons, Robert, who died young, John the heir, and George; also a daughter—

JEANE COCKBURN, married to Robert Hepburne of Keith Marischall. Their marriage-contract was signed at Ormiston Hall 2d April 1665. It was made with consent of her eldest brother [designated the Right Honourable Sir John Cockburn of Ormiston], and witnessed by Adam Hepburne of Humble, and George Cockburn, brother-german of the said Sir John. The liferent of Keith-Marischall was secured to her, and sasine was given of the estate to Jeane Cockburn, Lady Hepburne, 9th August 1655, to secure the same. In the latter deed her brother, the Laird, is styled properly "John Cockburn, now of Ormiston." This is one of the many instances in which from inadvertency or carelessness titles are given to persons possessing none, and in consequence of which their descendants have claimed baronetcies which were never created.

*Part. Reg.
of Sasines,
County Had-
dington, vol.
iii., fol. 124.*

GEORGE COCKBURN, the second son, had sasine 27th November 1662 of the lands of Easter and Wester Piltoun, in the parish of Cramond, County Edinburgh. He was tutor of Ormiston, and a commissioner for the county. The annual rent out of the barony of Innerleith, in the parish of St. Cuthberts, was given to him by his uncle, William Touris or Towers, Sir George of Innerleith's youngest son.

*Ibid., vol. vi.,
fol. 20; vol.
vii., fol. 367.*

In 1657 he witnessed the sasine of his brother John in Ormiston, and in 1680 the resignation by Adam Cockburn, now of Ormiston [his ward], "of the lands of West Byres, in the parish of Ormiston, to William, son of Sir William Thomson, Town-Clerk of Edinburgh." On 5th April 1673 "George Cockburn, son to Sir George Cockburn of Ormiston,

*Ibid., vol. iv.,
fol. 367.*

*Ibid., vol.
xxxii., fol. 158.*

designed George Cockburn of Piltoun," gave up to James Haliburton and Thomas Burnett of Innerleith an annual rent of £320 out of the barony of Innerleith. The deed was executed at Ormiston on 24th March in that year.

Part. Reg. of Sasines, County Haddington, vol. xxi., fol. 401.

These notices regarding him are given because there has been much misconception respecting this gentleman and his father, who have both been overlooked in genealogies of the family. This seems the more singular, the documents in which they are mentioned being so numerous and distinct. On 10th June 1682 sasine was given on charter under the Great Seal in favour of "Adam Cockburn of Ormiston and his heirs-male; whom failing, to George Cockburn, lately of Piltoun, his uncle, and his heirs-male, &c.; whom failing, to the eldest lawful daughter [without division] of the said Adam Cockburn and the heirs-male of her body; whom failing, to the second lawful daughter of the said Adam and her lawful heirs-male, and so on successively, of the lands and barony of Ormiston and the west field of Peaston, &c." In another deed George Cockburn of Piltoun, second son of Sir George Cockburn of Ormiston, is designated, on the accession of his nephew Adam, "next heir to Ormiston now living."

Ibid., vol. xxxv., No. 41.

He married Mary Stirling, and had, with several daughters, George, Archibald, and John. The baptism of this youngest son of "George Cockburn, son to the deceased Sir George Cockburn of Ormiston, and Mary Stirling, his wife, was witnessed 18th January 1673 by Adam Cockburn of Ormestoun." Their daughter Jeane married James Congleton of Skedsburgh. In her marriage-contract, dated 18th January 1689, she is called "eldest lawful daughter of George Cockburn, son to Sir George Cockburn of Ormestoun." She had a settlement of 1200 merks annually out of the lands of Mersington and Skedsburgh, in the barony of Newtown, County Haddington. Her brother George witnessed the deed. He married Marie Edgar, and, with other issue, had a son George, who was a merchant burgess of Haddington. George, the younger, married Margaret Grant, daughter of James Grant of Moyness, with consent of her uncle Sir George Mackenzie; the said Sir George taking burden upon him for his niece, and infesting her in a rent of 900 merks out of the lands of Easter and Wester Barnes, which George and Marie, her father and mother [both then dead], had sasine of from George Seaton of Barnes in 1681. It is not within the

Edin. Reg. of Baptisms.

Part. Reg. of Sasines, County Edinburgh, vol. xlv., fol. 140.

Ibid., vol. xli., fol. 378.

Ibid., vol. xxxiii., fol. 453.

limits of this memoir to follow all the branches of the family who may have descended from George Cockburn of Piltoun; the notes above given may serve to assist those who may hereafter seek to trace their descent from the house of Ormiston. Notice, however, must be made of a well-known cadet,—that styled of COCKPEN. Some have regarded the author of it as an Archibald, called son of Adam, Lord Ormiston; but there is no record of the Justice-Clerk having a son of the name, nor could the date of his birth possibly correspond with that of the Archibald Cockburn stated to have married “Robina Fairholm, cousin-german of Sophia, daughter of John Fairholm of Craigiehall,” who married in 1682 William, third Marquess of Annandale. [Her mother was also a Johnston, being daughter of Joseph Johnston of Hilton.] It appears almost certain that this Archibald was the son of George Cockburn and Mary Stirling. He also had a son Archibald, designated, as he himself was, “merchant burgess of Edinburgh,” who married in 1687 Isobel, daughter of John Butler of Harperdean, by his wife Isobel Swinton. On 24th October 1710 he had sasine from her brother “Robert Swinton, surgeon burgess of Edinburgh, of the lands of Petercraig, County Haddington, which lands formerly pertained to Peter Butler of Harperdean, or to the deceased Peter Butler, his father, or to the deceased Peter Butler, his grandfather, or one or other of them, who died vest and seised in the same, and were adjudged from them at the instance of the deceased Mr. Robert Swinton and James Congleton of Skeithbush [or Skedsburgh], and assigned to the aforesaid Robert Swinton, surgeon in Edinburgh.” Adam Cockburn of Ormiston is witness to this charter. This Robert was most probably a descendant of the “Robertus Suyntoun off Musselbruch,” mentioned as there in 1619. Petercraig or Peddercraig was settled on Helen Cockburn, daughter of John of Ormiston, and her husband, Alexander Gourlay, in 1491. Harperdean was an old possession also of the family. James Cockburn off Herperdene appears as owner in 1527, and George Cockburn of Piltoun had a rent-charge upon it of £300 a year. Sasine on charter under the Great Seal in favour of “Archibald Cockburn, merchant and late bailie of Edinburgh,” of Petercraig and Harperdean, was given 16th October 1713. Archibald and Isobel had likewise a son Archibald, who purchased Cockpen. On 20th May

Burke's
Extinct Peer- ✓
age, p. 300.

Part. Reg.
of Sasines,
vol. lxxviii.,
fol. 26.

Ibid.,
vol. lxxxii.,
fol. 49.

Swintons of
that ilk,
Appendix,
p. 175.

1733, sasine, proceeding on charter under the Great Seal, was given in favour of "Archibald Cockburn, merchant of Edinburgh, of the lands of Cockpen, with tower, fortalice, &c., in the parish of Dalhousie." On 20th May 1735 was given "sasine on disposition by Robert Rocheid of Masterton, with consent of Agnes Murray, his spouse, to Archibald Cockburn, merchant in Edinburgh, of the lands of Masterton, in the parish of Newbottle." He married 17th August 1735 Martha, daughter of Robert Dundas, Lord Arniston, President of the Court of Session [who died in 1727], by his wife Margaret, daughter of Sir Robert Sinclair, third Baronet of Stevenson, Baron of the Exchequer, and a Privy Councillor, by his wife Helen, daughter of John, fourteenth Earl of Crawford. Margaret's aunt, Marion Sinclair, was the wife of Sir Archibald Cockburn of Langton. On 2d November 1736 was noted sasine "following on marriage-contract between Archibald Cockburn of Cockpen and Martha Dundas, in favour of the latter, infesting her in liferent of the lands of Cockpen, &c., as the same were purchased by the said Archibald Cockburn at a public roup before the Lords of Council and Session, and also of liferent of 300 merks out of the lands of Masterton." John Cockburn, brother-german of said Archibald, witnessed the deeds.

Cockpen, which in 1320 belonged to Sir Edmund de Rameseye, was still possessed by his descendants in 1560, when James Ramsay was designated of Cockpen. Before it was regained by the House of Dalhousie, Cockpen was for a time also the property of a family named Carss. On 15th March 1693 Marcus Carss de Cockpen was served "hæres domini Marci Carss de Cockpen patris." This "Laird of Cockpen" had a good estate also in Roxburghshire. By his wife, Martha Dundas, Archibald Cockburn had a large family. With four daughters, Anne, Agnes, Robina, and Sophia, they had five sons—Robert died young, Archibald, James, John a Captain R.N., and George, who settled in Ireland, and was designated of Shanganah Castle, County Dublin. His son by his wife Anne Caldwell [sister of Admiral Sir Benjamin Caldwell, G.C.B.], General Sir George Cockburn, K.C.B., married Elisabeth Rial, and had a daughter Catherine, married to Captain Gawen Hamilton, R.N., C.B., son of Archibald Hamilton-Rowan of Killyleagh

Part. Reg. of Sasines, Edinburgh, vol. cxii., fol. 349.

Ibid., vol. cxv., No. 327.

Edin. Reg. of Marriages.

Part. Reg. of Sasines, vol. cxvii., fol. 444.

Acts and Deeds, vol. xx., fol. 253.

Inquisit. Retorn., No. 7344.

Gentleman's Magazine, Nov. 1847.

Burke's *Landed Gentry*, vol. i., p. 720.

Castle, County Down. Their son Archibald Rowan Hamilton of Killyleagh was High Sheriff of that county, and left by his wife Catherine Caldwell a son, Gawen Rowan Hamilton, present proprietor, and a daughter, Hariot Georgina, married to the Earl of Dufferin.

Archibald Cockburn, eldest surviving son, inherited Cockpen. He was a Baron of Exchequer and Judge Admiral for Scotland. Born in 1736, he died in 1820, having married Janet, younger daughter of David Rannie of Leith, who bought Melville Castle, County Edinburgh. The elder daughter and heiress, Elisabeth Rannie, married Henry Dundas [brother of Martha, Archibald Cockburn's wife], who was raised to the peerage as Viscount Melville. Baron Cockburn, who sold Cockpen in 1785 to Lord Dalhousie, had a large family by his wife Janet Rannie. One of his daughters, Matilda, married Sir Robert Dundas of Beechwood and Dunira; another, Elisabeth, married Thomas Randall Davidson of Muirhouse. Subsequent connections between the Swintons, the Rannies [who were wine merchants in Leith], and the Davidsons of Muirhouse, are to be easily followed by reference to Mr. Campbell-Swinton of Kimmerghame's valuable work. The eldest son of Baron Cockburn, Archibald, died *s.p.*; the second was the celebrated Henry Cockburn of Bonally, whose virtues, talents, brilliant eloquence, and genial character added new lustre to the name of Cockburn. Distinguished as so many of the families of Ormiston and Clerkington were on the bench, and the near relatives of the latter, the Maitlands of Lethington, none of them ever entered the Parliament House so generally beloved, as well as admired, as Henry Lord Cockburn. He was born in 1779 and died in 1833, having married Elisabeth M'Dowall, a daughter of that ancient historic race, M'Dowall of Garthland, descended from the old Lords of Galloway. By her he had five sons and three daughters. Her two sisters, Georgina Hay and Isabella Graham, married respectively John Lord Fullerton, and Thomas Maitland of Dundrennan, Lord Dundrennan, also Senators of the College of Justice. It was somewhat remarkable that the husbands of the three sisters should all have been upon the bench. Robert, the third son of Baron Cockburn, married Mary Duff, and had three sons and one daughter. John, the

*Swintons of
that Ilk*, p.
111.

Nisbet's
Heraldry,
p. 289.

fourth son, married Eliza, daughter of James Dewar of Vogrie, and had seven sons and six daughters. One of his sons, General Henry Alexander Cockburn, married Lucy Margaret, daughter of General Auchmuty Tucker, C.B., and has issue.

Sir George Cockburn of Ormiston died in 1654; his wife in 1636. The will of Dame Margaret Touris, sometime spouse to Sir George Cockburn of Ormiston, was registered 25th March 1637. *Commiss. of Edin. Testaments, vol. 58.*

XI. John Cockburn of Ormiston

was retoured heir to his father in 1654 in the lands and barony of Ormiston, County Haddington, and in the lands of Woolstruther, County Berwick. He married in 1643 Janet, daughter of Sir Adam Hepburn of Humble, and had two sons, John and Adam, and four daughters—Jean, born in 1648, married Richard Cockburn of Clerkington; Agnes, born in 1649, Margaret in 1650, and Barbara in 1653. She married Henry St. Clair, eighth Lord Sinclair, who is stated to have married Grizel, daughter of Sir James Cockburn of Cockburn, in 1680, and to have had by her a number of children. This James Cockburn had by his wife Grizell Hay a very large family. One daughter, named Grissell, was born in 1666. She seems to have died young, for they had another daughter also called Grissell born in 1674. It is evident that neither could have been Lord Sinclair's wife. In the "Edinburgh Register of Baptisms" the following records appear:—"14th January 1685. Harie, Lord Sinclair, and Dame Barbara Cockburn, his wife, a daughter Catherine;" and on "25th January 1688, Henry, Lord Sinclair, and Dame Barbara Cockburn, his wife, a daughter Margaret."

*Burke's
Peerage.
Douglas'
Peerage,*

*Edin. Reg. of
Baptisms.*

XII. John Cockburn of Ormiston

*Inquisit.
Retorn.
Abbrev., xx.,
188.*

succeeded his father. His retour is recorded as heir-male of his father, John Cockburn of Ormiston, in Ormistoun and Woolstruther, also in that part of Peaston barony called Westfield. He died soon after his succession to the estates, and was succeeded by his brother.

XIII. Adam Cockburn of Ormiston

*Part. Reg.
of Sasines,
vol. 20,
fol. 242.
Inquisit.
Retorn.
Abbrev.,
County Had-
dington, xxxi.,
12.*

was retoured heir to his brother John 28th December 1671. Sasine of the estates was given 12th June 1672 on precept from Chancery. This very able lawyer made himself famous in that hall, outside the doors of which stood the statues of Justice and Mercy. From all one can gather from history, the latter was not the quality which particularly distinguished the judges of that time, any more than it did their predecessors; nor were their successors for a long time considered to be swayed very much by either influence. Pointing to the effigy of the former, an old Jacobite laird, when invited by the amiable and brilliant Harry Erskine [as his *bonhomie* caused him to be familiarly styled] to come with him inside the Parliament House, wittily said, "Nae, nae, I'll no enter there! Tak the Leddy Justice wi' ye. Puir thing, she's stood lang at the door, and it wad be a treat to her to see the inside like other strangers!"

Adam, who took the designation of Lord Ormiston when appointed to the bench, became in 1692 Lord Justice-Clerk. This office, as has been recorded, was held by his ancestor a century before. Lord

Ormiston had his share of troubles during his official life, and made himself hated throughout the country by his severity towards the Jacobites,—“sparing in his vindictive persecution of all he deemed enemies to the established government of church and State neither sex, age, or quality, but like Jehu drove always furiously on, and by this means preserved his interest at Court.” His being a bigoted Presbyterian recommended him to King William. The motive attributed may be a very unfair suggestion, but there is no doubt that the epithet applied to him of “the curse of Scotland” was not undeserved, and so strong was the feeling, that ladies playing *the nine of diamonds* were now in the habit of calling it *the Justice-Clerk*.

Jacobite Relics,
Hogg, p. 230.

Lockhart's
Memoirs,
p. 129.

Houston's
Memoirs,
p. 92.

He was without doubt an excessively hot-tempered imperious man, but no one doubted his integrity and ability. His appearance was strongly in his favour, and his manners were refined and pleasing. There was a bitter animosity betwixt him and the Earl of Ilay, Governor of Scotland, and the Lord Advocate, Sir David Dalrymple. The quarrel culminated in a personal encounter, which resulted in a scene similar to that which took place in the wig-pulling battle between Sir Robert Walpole and Lord Townshend. The Earl of Ilay, who succeeded as third Duke of Argyll, wrote in 1715, “There has happened an accident which will suppress the Justice-Clerk's fury against me, for he and the King's Advocate have had a corporal dispute—I mean literally, for I parted them.”

Macky's
Memoirs,
p. 224.

Chalmers'
Caledonia,
vol. i., p. 870,
and Note.

Lord Ormiston, who sat in Parliament as Member for Haddington in 1685, married first Lady Susanna Hamilton, third daughter of the fourth Earl of

Haddington, and by her had Adam, baptised 20th February 1696, and died young, John, his heir, baptised 20th February 1698, Patrick, and Charles, and three daughters, Anne, Elizabeth, and Christian.

*Rutherfords
of that Ilk,
p. lxx., and
Chart Pedi-
gree.*

PATRICK, the second son, married in 1731 Alison Rutherford, of the Fairmile family, who was so much noted for her abilities and personal charms.

Sir Walter Scott speaks of her with the greatest admiration, "as a lady whose memory will be long honoured by all who knew her." They had one son, Patrick, who died unmarried.

*Douglas'
Peerage, vol.
ii., p. 88.*

CHARLES, the third son, called of Sandybed, married Margaret, daughter of Robert Haldane of Gleneagles, who entailed upon her and her descendants portion of the ancient Lennox estates, which had descended to him in right of his ancestress, Margaret, daughter and co-heir of Duncan, Earl of Lennox, who married Menteith of Burley, and had a daughter Agnes, married in 1460, to John Haldane of Gleneagles.

*Birth Brief
Records, vol.
vii., fol. 74.*

They had a son George, called also of Sandybed, who succeeded to Gleneagles, and under the provision of the entail assumed the name of Haldane. The Haldanes of Gleneagles held an important position in Scotland ever since the time of Robert THE BRUCE, in whose reign Ayelmer de Hauden, County Roxburgh, married the heiress of Gleneagles. George Cockburn was not destined to establish a lasting branch of the race of Ormiston under the name of Haldane. He died in 1799, and his son, an only child, in the same year. The estate of Sandybed had belonged to the Cockburns for some time. The house stood close upon the bank of the small River Tyne, and it was here that Bothwell, following up the bed of the stream, hid himself. Getting into the house by the back door, he changed clothes with the man performing the office of turnspit in the hospitable mansion, and remained there for some days, performing the duties of that menial. For the protection afforded to him he gave George Cockburn, the then laird, a perpetual ground-annual out of the Mainhill, County Haddington, which was enjoyed by his descendants, and sold along with the property of Sandybed by George Cockburn, called Haldane, to Buchan of Lethame, who conveyed it to the Earl of Wemyss.

ANNE, eldest daughter of Lord Ormiston, married Sir John Inglis, sixth Baronet of Cramond, Postmaster-General for Scotland, who settled upon her by their marriage-contract, dated 24th June 1708, "made with consent of her father, Adam Cockburn of Ormiston, Lord Justice-Clerk, and one of the Senators of the College of Justice," 3000 merks, and 25,000 merks in event of their having children, out of the lands of King's Cramond. Patrick Cockburn of Clerkington, John Cockburn of Ormiston, Mr. Charles Cockburn, advocate, and John Hepburn of Humble, were witnesses.

Douglas'
Baronage, p.
265.

Part. Reg.
of Sasines, vol.
xcii., fol. 164.

CHRISTIAN, the youngest daughter, married Sir Robert Sinclair, third Baronet of Longformacus. Their daughter Jean married Sir Charles Gilmour of Craigmillar.

Douglas'
Baronage, p.
250.

Adam, Lord Ormiston, married secondly Anne, daughter of Sir Patrick Houston of Houston. They had a daughter Jeane, baptised 29th March 1709, who married William Walker, and died at Kelso, in the eighty-fourth year of her age, 25th June 1792. Her mother had been married twice before she became the wife of the Justice-Clerk—first to Sir James Inglis of Cramond, who died in his twenty-ninth year in 1689; secondly, to Sir William Hamilton of Whitelaw, who was a Lord of Session and also Justice-Clerk. He died in 1704. Anne Houston, Mrs. Cockburn, died herself in 1721. Her husband Adam, Lord Ormiston, died in 1735, and was succeeded by his eldest son.

XV. John Cockburn of Ormiston.

This very able and public-spirited gentleman was the first representative of East Lothian in the Parliament of Great Britain after the Union, and continued to hold his seat until 1741. He was also for a long time a Lord of the Admiralty. For himself, and for the interests of his family, it would have been well had he been satisfied with a political

Chambers'
Biography,
vol. i., p. 544.

life; but unfortunately he was an enthusiastic agriculturist, and has been called the father of Scottish husbandry. His father, the Lord Justice-Clerk, had made the first attempts at introducing a new system of long leases, and let one of his farms for a term of eleven years, and his tenant, Robert Wight, thereupon commenced to enclose his fields, a proceeding quite novel in Scotland.

His son scorned all his own immediate interests for the sake of what he deemed the general good, and gave long leases to the tenants of great part of his estates upon very low rents. He also started a linen manufactory, a brewery, a distillery, and a bleaching-field, bringing over artisans from Holland to instruct his people at Ormiston. But the unfortunate result of his spirited and enterprising undertakings was that he was ruined, and Ormiston had to be sold. It became the property of the Hopes, Earls of Hopetoun.

Douglas'
Peerage,
vol. i., p. 755.
Scots Magazine for year.

John Cockburn married first in 1700 Lady Beatrix Carmichael, daughter of John, first Earl of Hyndford, Chief Secretary for Scotland, by whom he had no children. By his second wife he had a son George, at whose house, in the Navy Office in London, he died on 12th November 1758.

XVI. George Cockburn of Ormiston
was a Captain in the Navy, and in 1750 Commissioner and Comptroller of His Majesty's Navy, which office he held until his death. He married Caroline, Baroness Forrester, eldest daughter and heir of George, fifth Lord Forrester, and had two daughters, Anna Maria Cockburn, who succeeded her mother as Baroness Forrester in 1784, and died at Bedgebury Park, County Kent, in 1808, and the Honourable

Mary Cockburn, who married the Rev. Charles Shuttleworth. She died before her sister, without issue. The title on her death went to Baroness Forrester's cousin James Luckyn, called Grimston, third Viscount Grimston, created Earl of Verulam in 1815. On the 10th December 1747 was signed the disposition "by George Cockburn of Ormiston, whereby for the sum of £12,000 sterling he sells to John, Earl of Hopetoun, heritably and irredeemably, All and Whole the parts of the barony of Ormiston on the north side of the Tyne, comprehending the town of Ormiston, &c. &c., with right of weekly market, as granted to the late John Cockburn, his granduncle, by Act of Parliament 23d December 1649, &c. &c., and an infeftment upon the whole barony of Ormiston, granted by John Cockburn, father of said George, to the late Charles, Earl of Hopetoun, for £10,000, of date 14th May 1739;" and by a second disposition, dated 8th September 1749, "the said George Cockburn sold to the said Earl All and Whole the remaining portions of the barony, with the manor-place of Ormiston, &c., for £10,200." A very few years afterwards Langton also passed from the Cockburns, both families being effaced by the enterprising but fatal operations of gentlemen farmers.

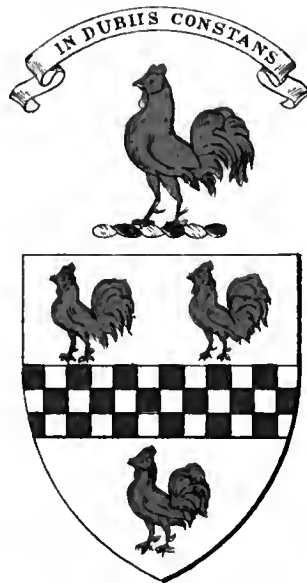
Mackenzie's
Deeds, vol.
clxxiii.

Captain George Cockburn, who no doubt with bitter regret signed the deeds alienating the heritage which had come down to him in uninterrupted succession from John de Cokburn and Joneta Lyndessay, his wife, married in 1370, died exactly four hundred years after that event.

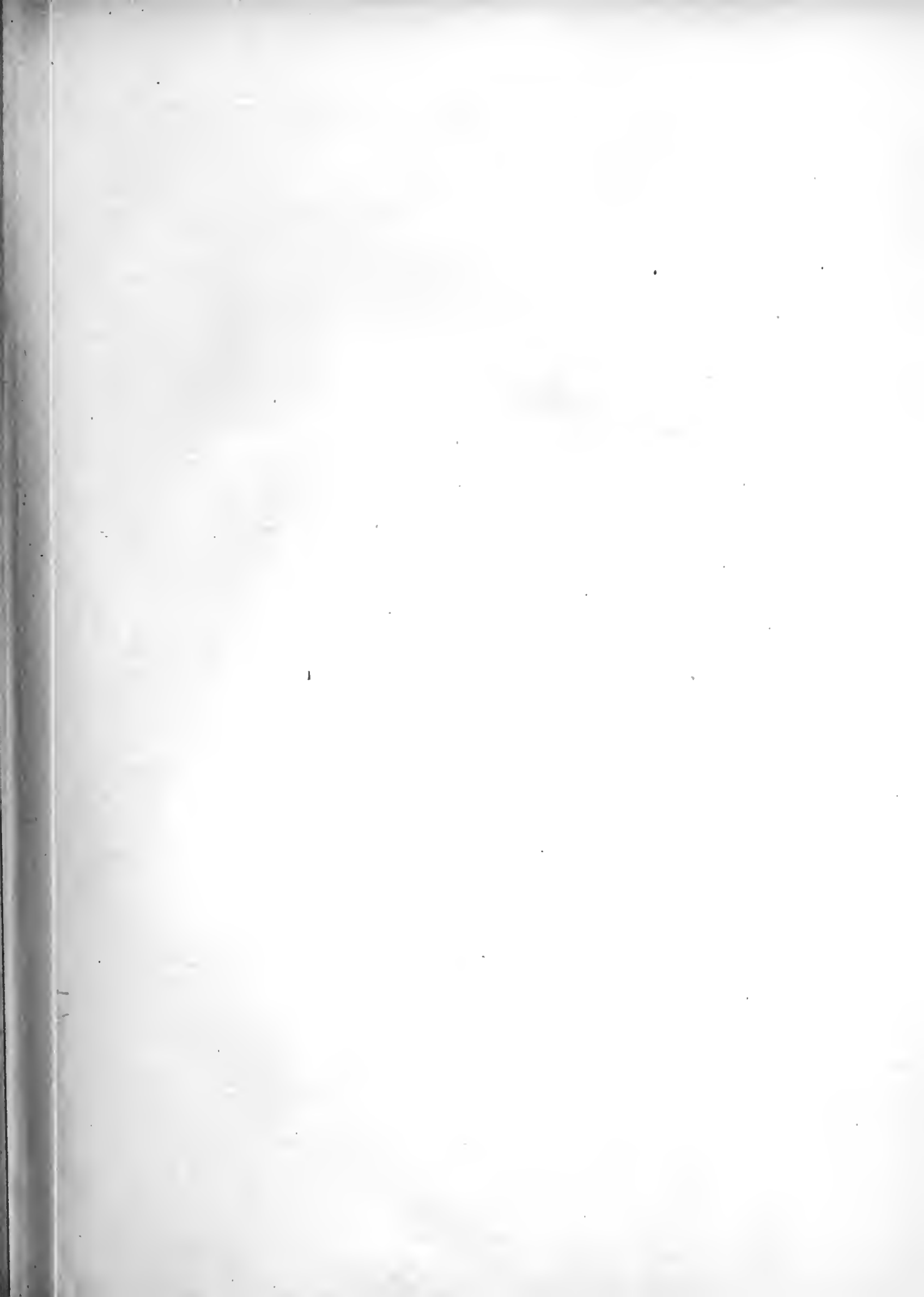
Sir David Lindsay of the Mount gives the arms of Ormiston in 1542, "*argent three cocks gules, within*

a bordure gules." Workman gives them argent or fesse chequy azure and of the field, between three cocks gules, which coat was registered in the Lyon Office by Adam Cockburn of Ormiston, Lord Justice-Clerk in 1672, and was the one usually adopted by the descendants of Janet Lindsay, heiress of Ormiston, the fesse chequy being borne to indicate the descent from the Lindsays.

Crawfurd gives another variation of the bearing, *i.e.*, argent three cocks gules within a bordure compo, azure and argent. Porteous says a border chequy, but the fesse was the oldest and most commonly used blazon. The crest of the Ormiston family was the same as that of Langton, a cock proper, the motto "*In dubiis constans.*" Nisbet gives them supporters also the same as those of the chief. Perhaps the Lords Justice-Clerk used these ornaments, but they are not recorded in the Lyon Office Register.



Coat of Adam Cockburn, Lord Ormiston, 1672.





Occidens

PART

OF CLYDE

DAIL

ANNANDIE

PARS.

Part of

Annan :

Gail.

ETTERICK

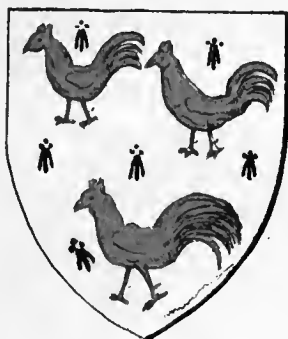
ESCIE PARS.

Part of Esk-dail.

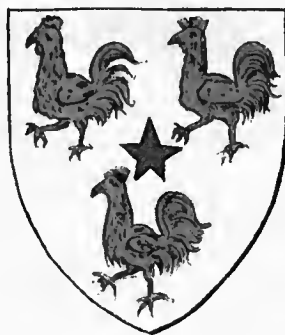
Auct. Timotheo Pons.



COCKBURN OF HENDERLAND, PEEBLESSHIRE.



Cockburn of Henderland,
1380.



As blazoned by Sir David
Lindsay of The Mount, 1542.

I. **Piers de Cokburn**, third son of Alexander de Cokburn of that Ilk and Langton, by his wife the Lady Mariota de Veteri-Ponte, was the ancestor of this younger branch which continued the name of "the old and honourable Cockburns of Henderland," in the county of Peebles, making that place their principal seat and taking designation therefrom.

Attractive as the situation was in some respects, where the Megget falls into St. Mary's Loch, one would have thought that Piers Cockburn's fine manor of Sundirlandhall, in a less remote and more accessible position, would have been preferred as the residence of the family. It was perhaps deemed too accessible. The old Scottish Barons, such as the de Soulis', the Frasers of Neidpath and Oliver Castle, &c., seem to have chosen the most

secluded situations to build their castles, although holding estates in more favoured localities. The de Veteri-Pontes kept their lands in Normandy long after they settled in Britain, as did the Lords of Liddesdale. The Lovels, too, seemed to favour their Scottish possessions as much as their fair estates in the west of England. "On 21st January 1321 Edward II. signified to the Archbishop of Rouen that Richard Lovel had by his wife Muriella, daughter and heiress of John de Soulis, a son James, now fourteen years of age, and begged his good offices for Richard regarding his son's heritage in his diocese."

It seems strange that a castle in civilised Normandy should not have been deemed a pleasanter abode than Hermitage in Liddesdale. Auld Roxburgh certainly had great recommendations, and Muriella perhaps looked back with regret to the days when she looked upon the fair scene at the junction of the Tweed and Teviot.

These strongholds in the north were well adapted certainly for the purposes of the chase, as well as for ruling with despotic power in their neighbourhood.

Origines Paro-
chiales, vol. i.,
p. 223.

Besides Henderland, described as "a ten pound land of old extent situated on the pleasant bank of St. Mary's Loch, which belonged of old to the Cockburns, the reputed chiefs of the surname in Scotland," and Sundirlandhall, with Sundirland, Piers Cockburn held Bothill and the ecclesiastical lands of Kirkurd, which he resigned in favour of his son of same name by "staff and rod." He was also Lord of Dalglese or Dalgleische in Selkirkshire, upon which lands a family that took name therefrom were living as vassals in 1407.

Ibid., p. 266.

On 8th December 1383, Piers de Kocburn, Lord of Henryland, resigned in favour of Thomas



Tomb of "Perys of Cokburne."

a representation is given opposite [taken from a careful rubbing by Mr.

Areskyn, Dominus de Dwn [Erskine of Dun, County Forfar], and his wife, the superiority of Dalgles, County Selkirk, and an annual duty therefrom — this tribute from the lands of Dalglese being a pair of gilt spurs rendered annually to him and his predecessors. Erskine had presumably married Piers de Cockburn's daughter. Alexander Cockburn of Langton, Keeper of the Great Seal, witnessed the charter of the "Baronie of Dune" from Robert III. to John, Thomas Erskine's son, in 1393. His descendant Robert, son of Alexander Lord Erskine, got new charter of Syntoun, Quhitislaid, and Dalglese, with leave to infest John Cockburn of Ormiston in part thereof. Thomas Lord Erskine was Sheriff of the Forest of Selkirk in 1467.

Scotts of Buccleuch, vol. ii., p. 13.

Reg. Great Seal, vol. i., p. 210, No. 44.

Ibid., vol. ii., No. 3207.

Origines Parochiales, vol. i., p. 248.

*Proceedings of
Berwickshire
Naturalists'
Club, 1884,*
p. 604.

Sir Walter
Scott's *Mins-
trelys of the
Scottish
Border*, vol.
iii., p. 94.

Sir T. Dick-
Lauder's *Scot-
tish Rivers*,
p. 89.

Riddell-
Carre's *Border
Memories*,
p. 57.

Pennicuik's
Tweeddale,
p. 102.

Hardy, whose able and interesting contributions to Border history are well known], had long been associated by local tradition with the memory of the tragedy enacted at Henderland in 1529. The very names of Perys and Marjory were in consonance with the romance that attaches to the story, and they were deemed to be those of the unhappy chieftain and his desolate wife, who witnessed his cruel fate. The young men and maidens of the Peeblesshire glens have been wont to picture to themselves as they read the inscription, the beautiful young lady of Henderland wringing her hands as, on her knees at the feet of the stern boy-king, she supplicated for mercy towards the gallant knight, her husband, being led to execution before the gate of his own castle. Wild and adventurous he doubtless was, but they would sympathetically feel that she, imbued with the spirit of the age, would admire him all the more for his daring nature.

This we know now to be but an imagination. Perys and Marjorie were laid here more than a hundred years before their descendant the Baron of Henderland, whose name was unquestionably William, was so mercilessly dealt with by James the Fifth.

This stone, we may take for granted, was laid over their grave by their son Piers, who inherited his father's broad lands, and built and dedicated to St. Mary, for the welfare of the souls of his parents, the little chapel of Henderland in Rodonna, which had protected for nearly three centuries after it fell in ruins (for "it was altogedder down and equall to ye erd" in 1603) the memorial he had placed there to their memory.

His mother Marjorie, there is much reason to think, was a lady of the race of de Soulis or Sules, a family of first consequence, and having great possessions—at one time, indeed, the most powerful in the Border country. Their territories spread far and wide. Liddesdale was theirs, and all the rich baronies of Nisbet, Longnewton, Caverton, and Merton, &c., included in the dominium of Auld Roxburgh. Saltoun [*i.e.* Soulistoun] in East Lothian was another possession, and great part of Eskdale and Ewesdale, with the upper part of Annandale, was also held by them and their relatives the Lovels, whose representative Sir Richard got the barony of Auld Roxburgh, as already noticed, by his marriage with Muriella de Soulis. Both families were numerous as well as powerful during the time of the contest between Baliol and Bruce, and most of them held to the former. Ranulf de Soulis was the first of the name prominent in Scotland; he was a personage of importance in the reign of David the First. In 1291 Nicholas de Soulis, Lord of Liddesdale, was one of the competitors for the Crown, claiming it as heir of Marjorie, natural daughter of Alexander II., who married Alan Durward, Justiciary of the Kingdom. The ruin of the family was, as is well known, brought about by the treason of William de Soulis, whose ambition led him to lend himself to the foul conspiracy by which he was to be placed upon the throne.

Marjorie, Piers de Cokburn's wife, inherited lands that belonged to a younger branch that held some of the estates in Eskdale and in Annandale, whose progenitor may have been that Thomas de Soulis, a loyal adherent of Bruce, whose wife's name was

Sir Walter
Scott's *Min-
strelsy of the
Border*, vol.
iv., p. 239.

*Reg. Great
Seal*, vol. i.,
p. 7, No. 29;
p. 8, No. 33.

Robertson's
Index, p. 20,
No. 7.

*Liber de
Melros*, pp.
397-399.

Alicia. In 1318 Edward II. ordered that "their heirs should not be disturbed in their third of the manor of Stamfordham that Thomas and Alicia held till his rebellion with the Scots." Or it may be the ancestor was John de Soulis, another trusted friend of Robert Bruce, to whom he gave lands in Annandale after the condemnation of the traitorous Knight of Liddesdale. He remained faithful till his death. In 1334, "Simon Basset asked for a grant of the land which Maurice gave one David de Berkeley, which came by inheritance of succession to one John Soullis, forfeited for his rebellion and adherence to the Scots in the late King's reign." Archibald Douglas got the baronie of Kirkanders, whilks were John Soullis, in vicecom. de Dumfries. Like the Baliols, the Soullis family seemed to have had few male descendants. The former might have continued a family prominent in the country had there been an heir-male to inherit Cavers. The Lovels, long after their general forfeiture, maintained the *prestige* of the name of the Barons of Hawick in the county of Forfar. Marjory's lands may have come through a female ancestor perhaps. There were no doubt other daughters of the Soulis race besides the mother of William de Kethe, whose husbands acquired portions of their vast estates; THE BRUCE was too generous and noble hearted a man to forget the services of the many brave soldiers of a house disgraced by the conduct of its chief. So even his sister's son, this William Keith, then a minor, was left in possession of half of the forfeited lands in Liddesdale. Edward III. proclaimed him a rebel and escheated his estate in 1333, after the battle of Halidon Hill. Ermygarda, William de Soulis' own

sister, was also left undisturbed in her possessions. During all these troublous times forbearance was shown on both sides towards the widows of men proclaimed rebels by each in their turn; to female heirs and minors, magnanimity might be a more proper expression, were it not to be suspected that policy had much to do with their treatment.

Muriella, Lady of Auld Roxburgh, wife of Richard Lovel, was the daughter of John de Soulis, one of the magnates of Scotland sent as envoys in 1283, with the Chancellor Charteris, to escort that loveliest of the ladies of her day, "*Dominarum Speciosissimam*" Joleta or Yolande, daughter of the Count of Dreux, the affianced bride of Alexander III. Although Muriella is spoken of as sole heiress of her father's estates, there is no mention of her husband interfering with that portion of her heritage which comprised half of the barony of Wester Ker or Wester Kirk, in Eskdale. This may have fallen to the collateral branch from which Marjorie Cockburn sprang.

We do not know the name of the warrior of the de Soulis race to whose memory was placed the obelisk at Deadrigg, now called Crosshall, in the parish of Eccles, in the Merse. This monolith, which stands ten feet in height above the large block of stone which forms its base, remains in wonderfully good preservation considering its exposed and unprotected situation, with the "three chevrons" of the Soulis family distinct. The ermine spots upon the shield, as might be expected, have been obliterated under the influence of the frosts of the five hundred and more winters that have passed since the encounter took place in which the knight fell in whose honour

it was set up. It was not in memory of that gallant Schyr Johne the Soullis—

Barbour's
Bruce, Buke
eleventh,
p. 327.



Monolith at Deadrigg, from a sketch by the author's mother made before 1830. The opposite or east side has carved upon it the figures of a man and a greyhound. There are a number of crosses also on the sides of the stone.

That to Schyr Androw Hardclay,
With fyfty men withset the way,
That had thar in his cumpany
Thre hundyr horsyt jolyly,
This Schyr Jhone in till playn
melle,
Throw sowerane hardiment that
felle,
Wencussyt thaim sturdily ilk an,
And Schyr Androw in hand has
tane ;

for he was slain fighting in
the cause of Edward Bruce
at the battle of Dundalk in
1318.

Marjorie Cockburn's possible ancestor, that other John de Soulis alluded to as a loyal adherent of King Robert, who got the lands in Dumfriesshire given to him, may have been the knight slain in the hard-fought and sanguinary skirmish on the bank of the small burn called Lepraik-Syke, the traditional story of which lingered long in the district.

Nisbet gives the bearing of the House of Soulis in 1278—ermine, three chevrons gules. Different arms

are, however, found upon many of their seals.

Nicholas de Soulis, when he, with the seven other competitors for the throne, affixed his seal of arms to the document executed in 1291 at Upsettlington, in the Merse, whereby they agreed to receive judgment from King Edward, as Lord Paramount, used a secretum bearing merely "a raven," not on a shield; but that appended by him to the deed of homage had thereon a shield "*barry of six*."

In 1303 Dominus John de Soulis, whose seat was Soulistoun [or Saltoun] in Lothian, was one of the "seven Commissioners sent to France to watch over the national interests." Appended to the letter they sent from there to Wallace [the Governor], advising him to offer strenuous resistance to Edward if he refused the truce asked for by the French monarch, was his seal of arms bearing "a shield hanging from a tree, thereon three bars, surmounted by a ribbon."

The traitor knight of Liddesdale also carried bars upon his shield. Sir Thomas de Soulis used a seal having a bend and other charges, but they are obliterated.

It is very unwise, when tracing the history of a family, to treat as facts alliances for which there is no authority but vague family tradition; but when such traditions are borne out by succession to lands and by similarity of armorial bearings, they may fairly be accepted as having solid foundation. Marjorie was a name favoured by the de Soulis family in remembrance of their ancestress King Alexander's daughter; and her presumed son, Piers de Cokburn held lands in Annandale which belonged to her house, and placed the three cocks upon an *ermine* field, the tincture of the Soulis shield. The name is far from being a popular one in Scotland.

Hailes' *Annals*, vol. i., p. 335.

Bain's *List of the Chapter-House Collection of Seals connected with Scotland*, vol. ii.

The conduct of the last Lord of Liddesdale covered it with opprobrium, and there is over it the shadow of that dreadful chief's memory, whose portrait, as Sir Walter Scott says, "is by no means flattering; uniting every quality which could make strength formidable and cruelty detestable, combining prodigious bodily strength and cruelty, with avarice, dissimulation, treachery, is it surprising that a people who attributed every event of life in a great measure to the interference of good and evil spirits should have added to such a character the mystical horrors of sorcery? Thus he is represented as a cruel tyrant and sorcerer; constantly employed in harassing his neighbours, oppressing his vassals, and fortifying his castle of Hermitage against the King of Scotland, for which purpose he employed all means, human and infernal, invoking the fiends by his incantations, and forcing his vassals to drag materials like beasts of burden."

Local story tells us that he expiated his crimes by being boiled in lead on the Nine Stane Rig. If such a personage ever existed, we may believe that as much fabulous exaggeration attaches to him as to Michael Scott, "who held in awe the fiends of hell," whose black spae-book True Thomas of Ersyiltoun consulted, when

" He found that to quell the powerful spell
The wizard must be boiled in lead."

We may safely also believe that no tragedy was ever enacted within the dark grim castle of Hermitage more cruel than that perpetrated there not very long after the forfeiture of the last Lord Soulis of Liddesdale. It was into its loathsome dungeon

that the wounded and bleeding knight, the gallant Alexander Ramsay, was thrust, and there starved to death in the year 1342. He had been captured after a severe struggle in the church of Hawick, where he had been holding a Court of Justice, by Sir William Douglas, now Knight of Liddesdale, called "the Flower of Chivalry," once his own intimate friend and companion in arms, who thus satiated his feelings of jealousy and revenge for his having been given the office of Sheriff of Roxburghshire by the King, which had formerly been held by the de Soulis, Knight of Liddesdale. Referring to the foregoing observations relative to the presumed ancestors of Marjorie Cockburn, whose names in the "*Liber de Melros*" and elsewhere, are written variously as Sules, Soules, Soulys, Soulle, &c., it may be further noticed that scions of the family are still found mentioned in the fifteenth century. There was a John de Soulle serving with the Scottish auxiliaries in France at the time things had been brought to the lowest ebb with Charles VI. On the 10th May 1417 an agreement was made for the surrender of the fortress of Hambye, between "Johan de Robessart Chivaler et Commis. de Tresbault et Trespuissant Prince mon Tresdoubte, Seigneur le Duc de Gloucestre d'une part et d'autrepart, Johan de Soulle Escuier pour et noun de Monsieur Philip de la Haye Chivaler, et Capitayne du Chastell de Hamlye." It was stipulated that "Congée et license d'en partir. le jour de la Rendue franchement avec leurs corps, leurs chevaulx, et tous leurs propres armures," &c., should be given to all the garrison who did not chose "attendre ne demourer soubz l'obbeisance du Tres Excellent Roy de France et d'Engleterre."

Rymer's
Fœdora, tom.
ix., p. 553.

Most probably Philip de la Haye and John de Soullis went with their followers back to their native glens in Tweeddale and Eskdale, to return to France in the next year with the army led by Buchan.

Rymer's
Fædora, tom.
x., p. 297.

There was also a Florimont de Soulle, who was taken prisoner in 1423 in the market-place of Mewes, in France, whom Henry VI. handed over to Robert Scot, who was answerable for his leaving the territories of the King of England and departing to his own country "*cum financia sua*,"—a safe conduct being granted to the said Florimont or Florimund, a name which was not uncommon amongst the Cockburns at that time.

II. Piers de Cockburn of Grenderland

*Reg. Great
Seal*, vol. i., p.
163, No. 11.

had, as has been stated, renewed charter upon his father's resignation in his favour of all the lands he possessed. It was dated at Stirling on the 10th April 1383, the thirteenth year of the reign of Robert II. It was provided that, "failing his father's other legitimate descendants and his own, or his brother's and sister's, Henriland with its appanages, the lands of Bothill, the church lands of Kirkurd, County Peebles, and Sundirland with its manor, County Selkirk, should revert to the heirs whomsoever of his grandfather Alexander de Cockburn de Langton." These were not all the lands he inherited. He had those also in Annandale and in Eskdale, supposed to have come from his mother's family, and the superiority of the territory on the Tima water, probably the oldest property of the Cockburns in the district, still belonged to him. On 18th June 1418 he ratified, as over-lord, the charter from Robert Scott, "*dominus de Rankylburn*," of the

lands of Glenkerry to the monastery of Melrose, an excambion having been arranged by which the Scotts got Bellenden. This Robert Scott of Rankylburn, in Selkirkshire, who also had Murthockstone [Mur-

Liber de Melros, vol. ii., Nos. 548 and 550.



Seal of Piers de Cokburne,
A.D. 1418.

diestone], in Lanarkshire, acquired six years before his death, which took place in 1426, half the lands of Brankishelme [Braxholm] from John Inglis of Manir. The charter was signed at the Kirk of Manir [or Manor] 31st January 1420. This estate his father

Riddell-Carre's *Border Memories*, p. 50, Note.

Sir William Inglis got, it is said, from his kinsman King Robert III. as a reward for the prowess displayed by him in his encounter with an Englishman, Sir Thomas Strothers, whom he slew in the duel at Rules-haugh in Bedrule, Archibald Earl of Douglas, and Henry Percy Earl of Northumberland, being onlookers. The vanquished English knight was doubtless of the same family as the Thomas del Strother [representative of an old Northumbrian race who had a strother or strath in Islandschyre], slain in a similar manner in single combat by Robert de Graunt. Sir Adomar de Athol was knight to Henry del Strother in 1365. Not much is known about Robert Lord of Rankylburne, who was a man of peace, but that he granted lands to the abbot and monks of Melrose for the good of his soul. Sir Walter Scott, called of Kirkurd, his successor, was a chieftain of very different disposition, and his neighbour Sir Robert Inglis was equally unlike his ancestor, the warlike Sir William. Unable to brook the insults he was subjected to, or protect himself against the

Origines Parochiales, vol. i., p. 240.

Fordun, vol. ii., p. 420.

Riddell-Carre's *Border Memories*, pp. 50, 51.

plundering propensities of the English Border marauders, Inglis exchanged the rest of the lands of Branxholm with Sir Walter Scott for Murdieston, situated in a quieter locality. This chief of the Scotts, styled afterwards of Buccleuch and Branxholm, was well able to keep his own against all comers, and laid the foundations of the fortunes of the great house of Buccleuch by the faithful and important assistance he rendered to James II. against the Douglasses. He married Margaret Cockburn, daughter of the Lord of Henderland and Sundirlandhall. "Margarete Cokburn, domina de Branxholme," as she appears styled, was thus ancestress of "the Bold Buccleuch," her son being the Sir David Scott who aided so materially in the final suppression of the Douglasses, and received from James III. the honour of knighthood and additional lands in recognition of his services. He sat in the Parliament of 1487 as Dominus de Buccleuch. Piers de Cokburn had besides Margaret three sons, William, his successor, Edward, and Thomas. We know nothing about Edward, except that he aided his brother William in slaying a Tuedy. Thomas was one of the Brygg-masters of Peebles, William of Balcaskie was another. Thomas Cockburn was a "Magister Artium," and no doubt a useful person in his time. The bridge over the Tweed, built under his joint supervision, was a substantial one, and stands to this day. The inhabitants of the burgh and neighbourhood were liberal in giving assistance in carrying out the work. On the 2d February 1465 the officers appointed to superintend the erection were appointed, and the same day "the nychbours consented that what tyme the bryg-

Riddell
Carre's
*Border
Memories*,
p. 52.

Chambers'
*History of
Peeblesshire*,
p. 81.

masters chargit them to cum to work to ye bryg, they sall cum under the payn of a man's day's work, and that is sixpence" [a halfpenny sterling].

III. William Cockburn of Henderland

witnessed 23d July 1446 the charter of Branhholm, &c. to his brother-in-law, Sir David Scott. He took the opposite side from him, and was a partisan of the Black Douglasses during their last struggle with the Crown, when, as the most illustrious of the Scotts, Sir Walter of Abbotsford, says—"The issue depending was, whether James Stuart or James Douglas should wear the Crown of Scotland, when their greatness, which had been founded on the loyalty and bravery of the good Lord James, was destroyed by the rebellious and wavering conduct of the ninth and last Earl."

Amongst those who suffered forfeiture for being present on the banks of the Carron on that summer evening in the eventful year 1453, "when the mighty host of forty thousand men gathered under the Douglas standard seemed suddenly to disband itself, and the great Earl found himself in the morning with scarce a hundred followers in his silent and deserted camp," was William, Baron of Henderland. On the 16th January 1464, the King granted to William Douglas of Cluny, one of the "Red Douglasses who put down the Black," the lands of Sundirlandhall, County Selkirk, belonging to the Crown by reason of the forfeiture of William Cockburne for his treasonable assistance, support, and favours to James de Douglas and his accomplices.

*Reg. Great
Seal, vol. ii.,
No. 775.*

These lands were by same charter incorporated into the one Barony of Sundirlandhall, along with Traquair and Lethanhope, County Peebles, and Cranstoun, County Edinburgh, forfeited by William de Moravia for the same cause.

*Reg. Great
Seal, vol. ii.,
No. 778.*

*Ibid., No.
1180.*

James III., however, was forgiving, and restored to him by charter dated 29th March, in the same year, great part of his possessions, namely, the barony of Henderland, with its pertinents, the lands of Boithill or Bold, in the county of Peebles, and Skifftonholme, in Annandale, and not long after the Sundirlandhall Barony, with Sundirland, were also given back to him; so that he was able to settle them upon his son William and his wife Katherine Ruthirfurd, resigning them into the King's hands, who granted new charter thereof to them conjointly, 20th July 1474. So that it was but for a short time that William Douglas was "Lord of Sundirland," which on one or two occasions he was styled.

*Exchequer
Rolls, vol. vi.,
p. 618.*

William Cockburn of Henderland had remission in 1460 for non-attendance at the Court of Justice-Ayre held at Dumfries, and two years previously, along with his brother Edward, he had pardon for the slaughter of Roger Tuedy. On the same day Sir William Cockburn of Skirling and his brother James had also remission for killing Walter Tuedy. He was connected with Dumfriesshire in consequence of possessing the lands in Annandale and in Eskdale, which were, as mentioned, once held by the family of Soulis.

*Reg. Great
Seal, vol. ii.,
No. 246.*

His wife's name was Egidia or Gelis, daughter seemingly of Frisell or Fraser of Overtoun. William Fresal, dominus de le Overtoun, had considerable estates in Peeblesshire and Lanarkshire. In

1439 he granted charter, "pro concilio sibi multipliciter impensis," to James Douglas, Earl of Aven-dale, and Beatrix his wife, of the barony of Glenquhim, County Peebles. Urrisland, in Glenquholm, however, still belonged in 1531 to Katherine Frisell, domina de Fruid, wife of Tuedy of Drummelzier. Richard Fraser had custody of the lands of the late Richard de Glen till the majority of the heirs with their marriage in the year 1292.

William Cockburn left two sons, William his heir, Gilbert, called of the Glen, and three daughters.

One of them [whose name in all probability is correctly called Marjorie by one antiquarian] married Walter Scott, seventh laird of Syntoun or Sinton, who had succeeded to his father before 1478, according to Sir Robert Douglas. Their eldest son Walter succeeded in his turn, and married a daughter of Riddell of Riddell, but died without issue. His father had married a second wife, Margaret Riddell, his son's wife's sister, and by her had several sons, the eldest of whom, Robert Scott of Strickshaws, was ancestor of the House of Harden. So, if this commonly accepted genealogy is correct, which there is no reason to doubt, the blood of the long-descended Cockburns of Henderland does not run in the veins of the Scotts of Harden, as it did in those of Anne Scott, Countess of Buccleuch, who married the unhappy Duke of Monmouth, and was the ancestress of the Dukes of Buccleuch. It has been thought possible that it may have done so by descent from Margaret Cockburn, the wife of Sir Walter Scott of Kirkurd, afterwards designated of Braxholm and Buccleuch. This, however, it is pretty certain, was not the case; for the ancestor of the old Scotts of Synton was in all probability a younger son of Sir Michael Scott, who fell at the battle of Durham in 1346, as stated by Sir Walter Scott in his MS. genealogy of his family.

MS. Notes,
by Mr.
Deuchar, Seal
Engraver to
H.M.

Douglas'
Baronage,
p. 214.

Memoir, by
Rev. C.
Rogers, p. xii.

MARGARET COCKBURN, another daughter, married first John Lindsay of Wauchopedale, representative of that very ancient branch of the House of Lindsay. She married

Earl of Crawford's *Lives of the Lindsays*, vol. i., p. 65.

*Acta Dom.
Concilii*, vol. i.,
p. 375.

secondly William Hay of Tallo, County Peebles, cousin to the Lord of Yester. On 12th July 1494 "comperit before the Lords of the Council John Lindsay of Wauchopedale, and protested that becaus William Hay of Tallo, and Margrete Cockburn, his spous, the spous of umquhile John Lindsay of Wauchopedale, gert summand hym for certain actiounis and causis, and would not compeir to follow hym,' &c. As she is not called his mother in the proceedings, she may have only been his stepmother, presuming that the John Lindsay whom he succeeded was his father, which does not appear certain.

Laing's Catalogue, vol. i.,
p. 221.

In 1513 she appended her seal, with the bearing of her own family thereon, *a mullet between three cocks*, to a deed by which she and her husband resigned certain lands in Barrow, County Haddington, the liferent of which had been settled upon her, to John Hay, Lord of Yester. These lands, as also Oliver Castle, had in 1439 been acquired by her husband's grandfather, Edmund de Haia, from his brother, "David de Haia, miles, dominus de Yhestir," whose ancestor William de Haia, in the reign of William the Lion, married the daughter of Ranulf de Soulis, Lord of Liddesdale. Edmund le Haya of Tallo's son William had a dispute with his kinsman of Yester about their respective lands, and his son, Margaret Cockburn's husband, was called upon to appear before the Lords of the Council to answer the complaint "aganis him, the said William Hay, ye son and are of umquhile, William Hay of Tallo, by Richert of Quhitelaw."

*Acta Dom.
Concilii*, A.D.
1480.

Bain's Calendar, vol. i.,
No. 2679.

GEILIS, a third daughter, married Alexander Murray. They had the lands of Shillinglaw or Scheylynlaw, upon the Quhair, settled upon them in conjunct fee by his father, William Murray of Traquair, anciently called Trevequhair. In 1262 Alexander King of Scots sent instructions to Symon Fraser, sheriff of Trevequhair, and . . . commanding them to go to the land of the Abbot and Convent of Melros, next the water of Gala, respecting a diversion of the water, and to return the inquisition with the writ under seal to the King at Berwick. Troucquair, Schelinlaw, and all the valley of the Quhair belonged to Thomas de Mautelant, ancestor of the Earls of Lauderdale, who had also the extensive barony of Halsyngton [Hassington], in the Merse, which he gave to his son William

*Reg. Great
Seal*, vol. i.,
p. 206, No.
31.

de Mautelant, on his marriage to Elizabeth, daughter of William Watson of Cranystoune [Cranston]. Alexander Cockburn of Langton, Keeper of the Great Seal, witnessed the charter. William Watson had in 1427 charter from Robert, Duke of Albany, of Trakware and Scheringlaw, with consent of his brother-in-law, William de Mautelant, failing whose heirs and those of his cousins Robert and Roger Watson, these estates were to go to Andro Murray, son of John Murray of Blackbarony. In 1490 James IV. granted them to John Murray, son of Patrick Murray of Falahill, as last heir to David Boswell, son and heir of Marion Watson, "quha deit in fee of the lands" [*i.e.* Traquair and Schelinglaw], which had passed through various hands in the meantime. On the forfeiture of William Murray in 1464 they had been given to Douglas of Cluny, then to Lord Boyd, on whose forfeiture in 1469 they were resumed by the Crown, and bestowed by James III. upon his favourite musician, Dr. Rogers, who held them for about ten years, and then sold, or rather, as Mr. Chambers says, "obligingly relinquished," under circumstances that will never be known now, the estate of Traquair, which produces £5000 sterling a year, for 70 marks Scots, or £3:15:10, to James Stuart, Earl of Buchan, the King's uncle. Nor did the noble purchaser pay him this down. By the deed of sale, dated 19th September 1478, 40 marks was to be paid at Martinmas next, and he was to have credit for the balance of 30 marks [about 30s. sterling] till eight days before Christmas in 1479. Very possibly it never was paid at all, but deferred from time to time till the Earl got quit of his creditor in a summary manner.

He was one of the nobles who in 1482 supported Douglas, Earl of Angus, "Archibald Bell the Cat," when James III.'s obnoxious favourites, Cochrane and the rest, were hanged by them over Lauder Bridge. Amongst those thus disposed of was the accomplished musician, wretched Dr. Rogers.

It was a capital bargain that Buchan made, and suited him well, as he was able to bestow this fine barony upon his natural son James Stewart, whose descendants, the Earls of Traquair, enjoyed this estate and the lands that came by the match of James Stewart of Traquair with Katherine, co-heiress of her father Philip Ruthirfurd of that Ilk.

Reg. Great Seal, vol. i., p. 233, No. 28.

Nisbet's *Heraldry*, edit. 1722, p. 257.

Origines Parochiales, vol. i., p. 519.

Chambers' *Peeblesshire*, p. 385.

Ibid., p. 86.

Upon the strength of his so-called purchase of the Traquair barony, the Earl of Buchan began to trouble Geilis Cockburn in her possession of Schelinglaw, but she was a woman of spirit, and would not resign her rights to the unscrupulous noble, even although so nearly related to the sovereign. On 3d February 1493 she is found maintaining them before the Lords in Council, to whom she produced her instrument of sasine from "umquhile William Murray of Traquare, faider to her spous the deceased Alexander Murray."

Margaret, Alexander's mother, widow of William Murray of Traquair, had a struggle to keep her liferent in the lands, and had to compromise her claim at last with Buchan for 8 merks yearly.

*Acta Dom.
Concilii,
vol. i., pp.
208, 309.*

*Origines
Parochiales,
vol. i., p. 221.*

*Ibid., vol. i.,
p. 222.*

*Ruthirfurds
of that Ilk,
pp. xi., xxvi.,
and xxvii.*

*Reg. Great
Seal, vol. ii.,
No. 3761.
Ibid., No.
1576.*

*Ibid., No.
1762.*

*Acta Dom.
Audit., p. 70.*

*Ruthirfurds
of that Ilk,
Chart
Pedigree.*

GILBERT COCKBURN, the second son, was styled of Glen. This barony was divided into three parts, Easter, Wester, and Nether Glen. It lay above Schelinglaw, on the upper part of the "winding stream" of Quhair, as that name signifies, and about 1460 was divided between the heirs of Christiana de Glen, who married David Stewart. James Stewart of Traquair and his wife, Kathrine Ruthirfurd, daughter of Philip Ruthirfurd of that Ilk, had one portion, which was incorporated into the barony of Traquair in 1512. Cunynghame of Polmais-Cunynghame, County Stirling, had another. Thomas Myddilmaist of Grevistoun, who married Margaret, daughter of Alexander Cockburn of Skirling, County Peebles, and Cessford, County Roxburgh, had the third, which Margaret, wife of Sylvester Rattray de eodem, daughter of Christian Glen, and her husband, David Stewart, resigned. After George Middlemast, son of Thomas, was murdered by the Dicksons, Gilbert Cockburn's nephew John appears to have possessed both Easter and Wester Glen. Gilbert was dead it seems before 1478, when Walter Tuedy of Drummelzier and Alexander Horsburgh of Horsburgh came before the Lords of the Council, to answer the complaint of "John ye Hay of Yestir," who claimed sums of money from them as assignees of Gilbert Cockburn of Glen, who must have been unmarried, or had no sons, as his nephew, son of William Cockburn of Henderland, and his wife, Kathrine Ruthirfurd, succeeded. Richard, son of Robert Ruthirfurd of Chatto, had part of the estate of Glennysland,

County Roxburgh, which the above-mentioned Christiana de Glen, with consent of her husband, David Stewart, had resigned. Sarra of Glen, County Peebles, did homage to Edward I. at Berwick.

Reg. Great Seal, vol. ii., No. 955.

JOHN COCKBURN of Glen married Isobel Murray, and had a son John, who succeeded to Glen. He was one of the assize, assembled in May 1562, that acquitted Robert Hunter of Polmood and several other neighbouring lairds, charged with "the crime of remayning and byding contempnandlie fra ouer Soueraine Ladie's Hoist and raid ordanit at Jedburgh, 13th day of November by-past." Robert Burnett of Barnis was denounced a rebel for the same cause, and his suretie, William Portwyse of Halkshaw, was ammerciated in £100 for his non-appearance, notwithstanding his son William, younger of Barnes, having presented a testimonial from the minister of "Menner," stating that "his said father was of the aige of thre scoir ane zeris, and laboris in ane hevy and continuall seikness of ye poplicie." George Ramsay of Dalhousie was more considerately treated, and received a license soon after to abyde from raidis, hoistis, weiris, and assemblies quhatsumever, because he is corpolent, and cannot from seikness and infirmitie weill endure trawell without danger of his lyfe, &c. [subscriuit with ouer hand and under ouer signet at Edin^r ye xiii. day of Januar the zere of God I^mv^el^{xiii}. zeris.—[MARIE R.]

Pitcairn's *Crim. Trials*, vol. i., p. 424.

John Cockburn died after 1576, as his son John is called "Younger of the Glen" in his wife's will made in that year. This laird of the Glen appears to have been one of the wild, reckless spirits of his time. On 13th April 1585 it is recorded that John Levingstone of Belstane made complaint to His Majesty that "on 3d February last he chanceit to pass furth at his awen yett of the Belstane befor the sone ryseing in the morning in quiet and peaceable maner, luing for harme, trouble, or injurie of na man, but to have levit under Godis peax and ouris. Nevertheless William, Master of Yester, being denouncet oure rebell and at oure horne for the slaughter of the Laird of Wistrawis servand, accompanyit with Alexander Jardane, y^r of Apilgirth, Hew Sommeruile, Mr. Alexander Vaiche of Hampton, William his son, John Cockburn of the Glen, &c., with convocatione of our leigis to the

Reg. Privy Council, vol. iii., p. 742.

nomer of fourtie personis or thairby, bodin in feir of wer with jakkis, steilbonnettis, speirs, staffis, bowis, hacquebuitis, and pistolettis, prohibite to be worne be ouer Actis of Parliament and Secret Counsall, and otheris vaponis invasive, come to the said complenaris place of Belstane the said day befor the sone rysing, as said is, and thair, be way of hamesuckin, pursuit the said complenar of his lyffe, and in the meantime dischargeit and schoitt divers schoittis of hacquebuitis and pistollettis at him, quhilk he having narrowlie eschait with the grite perell of his lyffe, he at last wan to his said hous, quhilk the said personis circuit and environit round aboute in all quarteris with men, and schoitt continuelie with hacquebuitis and pistolettis at the windois and oppin partes thairof, likeas ane of the same schoittis thay schoitt ane bullon throw his hatt, and putt him in dangear thairthrow of his lyffe, and lay continualie aboute the said place, assaging him within the same for the space of three houris or thairby. Farther, in their departing fra the said place meting his wyffe and dochter the same personis maist shamefullie and unmercifullie struik, hurte, and woundit thaim to the effusion of thair blude in perell of their lyveis." The accused were as usual denounced as rebels for not appearing to answer, and no more seemingly came of the matter. John of the Glen married Janet Horsburgh, whose family, the Horsburghs of that Ilk, was a very old and influential one in the county of Peebles, and remains to this day, being, Mr. Chambers says, "we conceive the oldest family of territorial distinction in an unbroken line in Peeblesshire." She died 23d March 1576. In her will, dated two days before her death, she begged that her husband, whom she appointed executor and intromitter with her whole effects, "would do weill to her barnes." From this expression it would seem that she had been married before, and that the said "barnes" were not John Cockburn's children. He left a son, either by this or some other marriage, named Samuel, who succeeded to Henderland, and a daughter Bessie or Elizabeth, served heir to her grandmother Isobell Murray in the third part of her third portion of the lands of Glen. The principal part of this estate in 1630 belonged to Cranstouns. Elizabeth, daughter of Sir James Murray of Philiphaugh, who died about that date, married Cranstoun of Glen.

Chambers,
P. 373.

*Commiss.
of Edin. Reg.
of Testaments,
vol. vi.*

*Inquisit.
Retorn.
Abbrev.
County
Peebles, No.
212, D. 139.*

IV. William Cockburn of Grenderland

married *Katrine* or Katherine, daughter of George Ruthirfurd of Chatto and his wife Elena, from whom descended the Ruthirfurds of Hunthill and the Lords Ruthirfurd, the first of whom was created Earl of Teviot.

Ruthirfurds of that Ilk, p. xxxi., and Chart Pedigree.

William and Katherine had joint sasine under his father's charter, as before mentioned, of Sundirland and Sundirlandhall, County Selkirk. Although within the bounds of this county, these estates were included formerly in the Lovel's great barony of Hawick, County Roxburgh. He succeeded to all his father's estates about 1480-85, and amongst them to part of the lands of North Synton, which had been forfeited by Veitch of Dawick, and which belonged of old to his own ancestors at the same time as Dalgleish, &c. In 1451 he or his father, but more probably he as a young venturous hunter, paid xv. lb. as a fine for killing the King's deer in Ettrick Forest, and in 1476 he was noted as debtor to His Majesty's exchequer "octo libre solidi et residuum" for a cow. His bolt had perchance pierced a royal vacca in that forest.

Exchequer Rolls, vol. iii., pp. 101 and 335.

With two sons, William his heir, and John, who succeeded to Glen, William and his wife Katrine had two daughters, whose names are recorded Margaret and Christian.

MARGARET married James Vache of Dawick, who had in 1536 new charter of the barony of Dawick, County Peebles, with the estate of North Syntoun, County Roxburgh, annexed thereto [exceptis 10 mercatis terrarum de Ester Dawick, quas Margareta Cokburn, sponsa dicti Jacobi habuit in vitali redditu]. This settlement had been made on her marriage in 1510 or thereabouts.

Reg. Great Seal, vol. iii., No. 1585.

They were a wild race these Veitches or Vaches of Daick or Dawick, and their feuds with the Tuedys of Drummelzier, in which all their neighbours, the Hays of Yester, Horsburghs of that Ilk, Geddes' of Rachan, Porteous' of Glenkirk, as well as the Cockburns of Henderland and Skirling, were more or less concerned, constitute the chief part of the domestic history of Peeblesshire in the sixteenth and seventeenth centuries.

CHRISTIAN married Robert Scott of Quhitchester [Chesters], which was included in the Lovel's barony of Hawick, as well as Branhholm, Cavers, &c.

V. William Cockburn of Henderland

was the chieftain whose tragic story is one of the most cherished traditions of Ettrick Forest. He succeeded to the full possession of his ancestral domains of Sundirland, Sundirlandhall, Bothill, &c., as well as Henderland. Descended on both sides from warlike ancestors, he inherited their fire and daring, and love of the excitement of the raid. His habits were no doubt as wild and lawless as those of most of his neighbours, and his proceedings not a



Seal of William Cockburn
of Henderland, 1499.

whit more justifiable than those of Johnie Armstrong, or of "the King of the Border" himself perhaps. Commonly spoken of as a mere border marauder or freebooter, it seems not to have been remembered that he was a belted knight, the chief of an old baronial family, from which descended "the Bold Buccleuch" himself. He had in all likelihood a host of retainers always equally ready to "ryde" as the nine and twenty knights who hung their shields in Branksome Hall.

Not very long after he came into possession of the estates, his hospitality and a reckless mode of life had evidently diminished his resources, and caused him to sell several properties, some without the King's consent, in consequence of which he forfeited the residue of Boithill or Bold in 1508. It appears that he was again in difficulties in 1522, for William Lauder of Haltoun [or Hatton] got letters of distrain against him for the value of "150 ovium matricum, price of each 5 shillings; and 150 ovium Lanigerarum le Wedderis, pretium pecii 6 sol. 8 den., and the profits of the same from the year 1514 to 29th March 1521, amounting in all to 363 libras 13 sol.," for which he had assignment of the lands of Brumelaw and Brigend, County Peebles, with right of redemption within seven years.

Reg. Great Seal, vol. ii., Nos. 3157, 3267.

Ibid., vol. iii., No. 262.

He did not confine himself to forays once in the year under the Michaelmas moon, and, like his relative, the Knight of Bránxholme, was not particular as to the district he rode into. He had received in consequence of his proceedings letters from the Parliament held in 1527 ordering him to find pledges for his leaving the lieges in peace. This was a very usual and very useless bond in those days. Over and over again do we find the Barons of Buccleuch, Fairnihirst, Hunthill, Hundalie, Edgerston, Crans-toun, &c., signing undertakings "to serve the wardens of the marches at their possible power in their office of wardening and lieutenancy for staunching of feuds, thefts, slaughters, and inconvenientis, and furth-bering ye Kingis autorite," which they are found directly afterwards setting at defiance.

Cockburn of Henderland and Scott of Tushielaw were no worse than their neighbours, and, if contem-

*State Papers
relating to
Scotland,
Henry VIII.,
vol. iv., pp.
501, 526.*

porary opinion is to be the guide, not more guilty or more to be reprobated than the warden of the Western Marches, the Lord Maxwell himself, only more bold and open in their proceedings than he was, who is mentioned together with "the Larde of Bukleuche, as chieff meynteneris of all offenders, murderouris, theivis, and vthers, daily procuring and seeking ways and occasionais to the breche and rupture of the peax between booth the two realmes." Conduct of this kind was only in accordance with the customs of the times, and the report comes from the enemy's side. There is a far more serious charge against Maxwell. He was much suspected, though nominally in ward, lest he should assist the borderers, of having for his own ends encouraged Armstrong of Gilnockie to meet the King as he did, and there appears to be grounds for the belief, seeing that after he and all his retainers were left "hangin vpoun the growand trees," under the King's own hand, "a lettre was maid to Robert Lord Maxwel" of the lands and goods "eschete throw justefying ye saide Johnie to death." Cockburn and Adam Scot, and poor "Johnie," whose *soubriquet* seems to tell us that there was much good nature and kindness in this bold borderer, were doubtless amongst the most noted of those who were "ever ryding" at this time when the lawlessness of the country on both sides of the Border was extraordinary. They were no better off in England than in Scotland. The Bishop of Carlisle wrote in 1522 to Cardinal Wolsey, then Bishop of Durham and Lord of Norham, saying, "There is more theftis, more extorcyon, be Englis theivis then thair is be all the Skottis in Scotland."

James V., then only seventeen years of age, acting

upon the advice of men who, like Cardinal Beaton, his principal adviser, combined no doubt with jealousy of the nobility, a real desire to improve the state of the country, set himself to put down the violence and tyranny of the chieftains both in the north and the south. But he displayed on many occasions a severity almost amounting to ferocity that no one would have expected from a youth "whose steadfast, brilliant blue eyes, and seeming sweetness of expression, combined with majesty," attracted all who came in contact with him. He had begun with the Highlanders, "and seeing that he had dantoned the north countrie, and the isles and thair throw fand grete peace and rest, . . . he rejoiced when he had brought the wild Highlands and the isles to this stability and perfectione, and set himself to establish the like peace in the Borders." He undoubtedly succeeded in doing much to restore quiet and order, for "afterwards there was great peace and rest a long time, wherethrow the King had great profit, for he had ten thousand sheep going in Ettrick Forest, in keeping by Andro Bell, who made the King as good count as they had gone in the bounds of Fife."

The necessity for action had been daily becoming more pressing; for, as Sir Walter Scott says, the insolence of the Borderers had risen to such a pitch after the battle of Flodden, and the country thrown into such confusion, King James resolved to take very severe measures against them. The Earl of Bothwell, the Lord Home, Lord Maxwell, Scott of Buccleuch, Ker of Fernyhirst, and other powerful chiefs who might have opposed the King's purposes, were imprisoned in separate fortresses in the low country. James then assembled an army in which

Sir Walter
Scott's
*History of
Scotland—
Tales of a
Grandfather*
—First Series,
vol. iii., p. 51.

warlike purposes were united with those of sylvan sport; for he ordered all the gentlemen in the wild districts which he intended to visit to bring their best dogs, as if his only purpose had been to hunt the deer in these desolate regions. This was intended to prevent the Borderers from taking the alarm, in which case they would have retreated into their mountains and fastnesses, from whence it would have been difficult to dislodge them. These men had indeed no distinct idea of the offences which they had committed, and consequently no apprehension of the King's displeasure against them. The laws had been so long silent in that desolate country, that the outrages which were practised by the strong against the weak seemed to the perpetrators the natural course of society, and to present nothing worthy of punishment.

Having thus somewhat treacherously, it must be admitted, lulled to sleep the suspicions of those he meant to destroy, on the morning of 2d June 1529, as old Lindsay of Pitscottie commences some of his quaint and picturesque descriptions of such scenes, "King James gart blow his trumpets, and lap on his horse, . . . and passed out of Edinburgh to the hunting, with many nobles and gentlemen of Scotland with him to the number of 12,000 men, and then passed to Meggitland, and hounded and hawked all the country and bounds—that is to say, Crammat, Pappert-law, St. Mary's-laws, Carlaveruck, Chapil, Ewindoors, and Langhope. I heard say he slew in these bounds eighteen score of harts. After this hunting he hanged John Armstrong of Gilnockie and his complices to the number of thirty-six persons. . . . He came before the

Pitscottie's
Chron., Edit.
1814, vol. ii.,
pp. 342, 343.

King with his foresaid number richly apparelled, trusting that in respect of his free offer of his person he should obtain the King's favour. But the King, seeing him and his men so gorgeous in their apparel, with so many brave men under a tyrant's command, turned him about, and bade take the tyrant out of his sycht, saying, What wants 'this knave that a King should have'? But John Armstrong made great offers to the King—that he should sustain himself with forty gentlemen ever ready for service on their own cost without wronging any Scottish-man. Secondly, that there was not a subject in England, Duke, Earl, or Baron, but within a certain day he should bring him to His Majesty, either quick or dead. At length, he seeing no hope of favour, said very proudly—'It is but folly to seek grace at a graceless face; but had I known this I should have lived on the Borders in despite of King Harry and you both, for I know King Harry would downweigh my best horse with gold to know that I am condemned to die this day.'"

The fate of his not very distant neighbours has been differently related, but there seems every reason to place faith in the old tradition, as repeated by Sir Walter Scott, "that the King in the beginning of his expedition suddenly approached the castle of Piers Cockburn of Henderland, and as that baron was in the act of providing a great entertainment to welcome him, James caused him to be suddenly seized and executed. Adam Scott of Tushielaw, called the King of the Border, met the same fate." The story, as commonly told, was that Henderland was sitting at dinner when a loud knock was heard, and he was informed that some one wanted to see him. "Were it

*Tales of the
History of
Scotland, First
Series, vol.
iii., p. 51.*

the King himself who wanted me," said the hungry chieftain, "he must wait till I have had my dinner." Then to his astonishment he was told it was the King who was approaching, and despite his anxious haste to make preparations to receive him gallantly with utmost hospitality, James rode up with his followers, and without parley caused him to be hanged over his own door.

Sir James
Balfour's
*Historical
Works*, vol. i.,
p. 260.

We know, however, that he was "by the King's favour beheaded." Relentless as he showed himself on this occasion, as on many others, James would not have treated with such ignominy, we may believe, a man of his birth and condition. Sir James Balfour says—"The King, 27 Maii this zeir, cause behead Cockburn of Henderland and Scote, the chieff leaders of limers and broken men of the Borders." It is set down in the records of the time they had both been ordered to be arrested, and that the warrant to apprehend "ane misgydit man, William Cockburn of Hindirland," had been sent to Buccleuch, who naturally was in no hurry to execute it, and was himself warded, no doubt in consequence of his dilatoriness in the matter, and that then Murray arrested them both, and brought them to Edinburgh, where they were tried, condemned, and executed, Henderland on the 16th and Tushielaw on the 18th May. It is not very likely, had this been the case, that Armstrong of Gilnockie would have been ignorant of their fate, and come out weeks afterwards to meet his sovereign in all the splendour of Border chivalry. Even had it been true, which we will not credit, that James was guilty of writing "a luvng letter

With his ain hand sae tenderley,

To cum and speak with him speidily,"

he would have been upon his guard, and, instead of ordering his servants to hasten from Carlinrigg to Gilnockie, telling them—

“To make kinnen and capon ready then,
And venison in great plentie,
We'll wellcum here our royal King,
I hope he'll dine at Gilnockie.”

He would have kept the Border side, and not had to ask grace at a graceless face.

How even the most accurate of contemporary historians, who had to depend chiefly upon verbal reports of the scenes they described, were led into mistakes which have been copied and related as facts in succeeding works, is shown, Mr. Pitcairn says, by Bishop Lesley, the most reliable of them all, stating in his account of the execution of the unfortunate Lady Glamis, “the said ladye was brint, and her husband hangit thairfor;” whereas it is certain that her second husband, Archibald Campbell, the day after the horrible tragedy, endeavouring to escape from Edinburgh Castle, “fell down, the rope being too short, and was dashed to pieces on the rocks.” Although Bishop Lesley says “Cockburn and Scot were heidit, and their heids fixed upon the Tolbuith,” we see that he makes mistakes sometimes. Nevertheless this statement may be perfectly correct. Even if executed before their own doors, there is no reason why their heads might not have been sent to be exposed on the prison gate at Edinburgh. So we may believe in its main features the story handed down in the vicinity, and so pathetically told in the “Border Widow’s Lament” as recited to Sir Walter Scott, who, thoroughly acquainted with the various published and MS. versions of it, saw no reason to

Pitcairn’s
*Criminal
Trials*, vol. i.,
p. 196.

disbelieve that the Lord of Henderland was beheaded at his own door, or to consider it necessary to accept the statement as correct which is given in the MS: Books of Adjournal—these notes, written down by different clerks, being well known to be often most unreliable.

Those who visit the place in the wild glen called the "Ladye's Seat" may still picture to their imagination the scene when the despairing wife sat there, "and strove to drown amid the roar of a foaming cataract the tumultuous noise that announced the close of her husband's existence," and for all she knew that of her son William, who, however, was spared, and committed to the charge of his neighbour and relation John, Lord Hay of Yester, where he appears to have been well taken care of, although brought up in an atmosphere not very likely to make him a man of different tastes and habits from his father. We find that his guardian was not unfrequently in trouble, and engaged in feuds along with his friends the Tuedys of Drummelzier. The Hay's lands marched with Henderland on St. Mary's Loch, and the families were connected by marriages.

Chambers'
Peeblesshire,
p. 413.

*Reg. Great
Seal*, vol. iii.,
No. 1155.

Mr. Chambers, in his *History of Peeblesshire*, observes that "the execution of 'Piers Cockburn' did not lead to forfeiture apparently," but this is a mistake. On 4th April 1532 the King's charter was dated bestowing upon James Fleming, one of his pages, and his heirs, "the lands of Henderland and Sundirlandhall, with their towers, fortalices, patronage of churches and chapels in the counties of Peebles and Selkirk, in his hands in consequence of the forfeiture of William Cockburn of Henderland, convicted of crimes against His Majesty, and con-

demned to death. And again, on 18th June 1541, he gave half the lands of Sundirlandhall; with tower, fortalice, and mill thereof, to Malcolm, Lord Fleming; which had been given to his brother James in his minority, but revoked by the King when he came of age. On 21st October in the same year, Skifftholme, in Annandale, was given on payment of a composition to John Ewart, whose predecessors had held it from William Cockburn and his.

Reg. Great Seal, vol. iii., No. 2379.

Ibid., No. 2487.

As noticed, Sir Walter Scott, Sir T. Dick Lauder, Mr. Riddell - Carre, the editor of the Statistical Account of the Parishes of Lyne and Megget, &c., all concurred in calling the ill-starred Baron of Henderland by the family name of Piers, and accepted the popular idea that he and his wife Marjorie lay under the stone in the old chapel of Henderland; but the records had not then been carefully examined, and the charters referred to above had been overlooked. The writer, following these great authorities, repeated the mistake in "The Ruthirfurds of that Ilk"—corrected, however, in the appendix to that memoir—as well as that of stating that Margaret Cockburn, wife of Sir Walter Scott of Buccleuch, was daughter of William of Henderland and his wife Katherine Ruthirfurd. The dates prove that she was daughter of the second Piers de Cokburn of Henderland; most assuredly she was not the child of "the daring freebooter who was beheaded by James V.," as supposed by the editor of Mr. Riddell-Carre's work. Her son, Sir David Scott, dominus de Buccleuch, died in 1492; William Cockburn of Henderland was executed in 1529. The romance of the scene, which may be conjured up when standing by the remains of the ruined

Ruthirfurds of that Ilk, p. xxxvi.

Border Memories, p. 51, Note.

stronghold by St. Mary's Loch, will be lessened to many by the thought that the unhappy chieftain was not a young knight of gallant presence, over whose yellow locks a fair bride "made her mane," but a tough old grizzled warrior, who had seen more than half a hundred Michaelmas moons, and that many years of wild life had been experienced by the lady, whose name we know not, since she had entered the "bonnie bower" he had beautified for her as his bride, and all gone now was the youthful beauty that might have made an impression upon that cold heart. James V. certainly showed, by his treatment of these Border chieftains, that his disposition was unrelenting and merciless, as he did on other occasions, such as when with stern-set face he trotted his horse hard against the hill, whilst poor old "Graysteil," weighted with heavy armour, pressed up, keeping pace with him in the hope of getting one kind word from his old and intimate boy-friend. His feelings might have softened had he thought that he was inflicting a death-wound upon the brave warm-hearted Douglas of Kilspindie. One cannot, however, but read with feelings of commiseration the account of the last days of this really wise and patriotic sovereign, who possessed many attractive qualities, and with all the instincts of a keen sportsman, had a love of romantic adventure and enterprise which makes his character an interesting one.

It is melancholy to read of his miserable death, how he turned his face to the wall and died 14th December 1542, racked, it is related, with remorse, and "pinchid in hys trubled mind be visiounes." He saw perhaps in his dreams the fierce flames curling around the fair form of the good and

beautiful Lady Glamis, and remembered when he awoke how he had turned a deaf ear to the urgent recommendation of the judges themselves to delay her execution, "as time only could show whether her accusers were honest men or had been bribed, and had come to know too well by what infamous falsehoods she had been betrayed to her dreadful death." The last words of Johnie Armstrong, and the despairing entreaties of the Lady of Henderland, might have seemed to sound in his ears. James, who had, as Lord Somerville says, "been from his minoritie tossed like a tinnes ball, sometymes under this factione and then under that," had been under baneful influences great part of his life. The magnanimous and moderation-loving Marie of Lorraine could do little when she had to contend against the Cardinal, Arran, or Thomas Scot.

*Memorie of
the Somer-
villes, vol. i.,
p. 362.*

There is every reason to think that it is very doubtful whether the petition of young William Cockburn ever came before him, and it must not be laid to his charge that the cruel reply thereto was sent with his approval in February of the year in which he died. It came ostensibly from "the cold and fickle" Earl of Arran, the Governor, afterwards Regent. His direction was to Thomas Scot the Justice-Clerk, who died in this same year, 1542, and perhaps hastened that of the unhappy monarch. Archbishop Spottiswoode tells a curious incident regarding this man's end, which has the air of authenticity:—"On a night at Linlithgow, as the King slept, it seemed to him that the Justice-Clerk came to him with a number of devils, crying—'Woe worth the day that I ever knew thee or thy service; serving thee against God and his servants, I am

Archbishop
Spottiswoode's
History, p. 71.

adjudged to hell's torments.' Thereupon awakening, he called for lights, and told his servants what he had heard and seen. The next morning, by light of day, advertizement was brought him of the Justice-Clerk his death, which fell out just at the time the King found himself so troubled, and in the same manner about, for he died in great unquietness, iterating often the words, *Justo Dei judicio condemnatus sum*. The form of his death answering his dream so justly, made it more terrible." The direction to him in the matter of William Cockburn, the younger of Henderland, ran thus :—

" GUBERNATOR—Justice-Clerk—We grete you weill. Forasmikill as Williame Cokburn, son and heir of umquhile Williame Cokburne of Hinderland hes merit him to ws, that he is heavilie hurt throu ye haisty justyfeeing [execution] of his said fadir, and fforfaulting him thairthrow ; and thairfor desyres to have autentik copy of ye dome and sentence gevin aganis his said fader, and of all acts and protestatiounis taken be him at ye tyme : sa that he may provide sum remeid thairin. Quarfore ye sall geif to him, vpon his expensis, ye autentik copy of ye dome and sentence and process led and gevin aganis his said fader in maner foirsaid to ye effect abone written. As ye will ansuer to ws thairupoune, keband this precept for your warrant. Subscriuit with oure hand at Edinburgh, ye xxij day of Januar, the zeire of God I^mv^cxlj.—JAMES, G."

The authentic copy of the doom and sentence thus obtained by the unfortunate son [who was required to pay for the same], was as follows :—

" May 16, 1529.—William Cockburn of Henderland convicted (in presence of the King) of high treason, committed by him in bringing Alexander Forestare and his son, Englishmen, to the plundering of Archibald Sumeruile, and for treasonably bringing certain Englishmen to the lands of Glenquhome, and for common thift and resett of thift, outputting and inputting thereof. Sentence.—For which cause and crimes he has fforfeited his life, lands, goods, moveable and immoveable, which shall be escheated to the King.—BEHEADED."

In William Cockburn's father's case the accusation was made, the sentence passed and executed, but as to his trial, we may safely conclude that is a fable.

There must have been some motive for James' unforgiving feeling towards Henderland's son; possibly his morbid hatred to the Douglasses made him unwilling to show clemency to the descendant of one who had assisted them to trouble his ancestors. Looking over the records of these years, the perpetrators of far more flagrant crimes than those laid to the charge of the Baron of Henderland received remission. There are many persons of consequence mentioned in Pitcairn's "Criminal Trials" as having been charged with bringing Englishmen into the country at this time. Malcolm, Lord Fleming, with Hunter of Polmood, had remission in 1526 "for bringing Inglismen into the realme in tyme of weir in tresonable wyse," and with other offences similar to those of which the Baron of Henderland was found guilty. The Somervilles and Cockburns were much intermarried, so if he did trouble any member of that family, it was merely in the mode practised every day in Peebleshire by the neighbours who had feuds with each other.

As to the accusation of his having been "guilty of thift and resett of thift," it was well known that there was not a border laird who, if the stacks of hay had been on four legs, would not have brought them home with the kye seized in some not far distant glen. His own relative, William Cockburn of Skirling, was granted remission shortly after for "treasonably assisting David Home of Wedderburn." In many cases about that time the most cruel murders and other crimes brought no punishment upon the

guilty, if they could make sufficient "assythment" to the relatives of those who had suffered at their hands, unless that of the vendetta, which often followed fast and fierce. James Tuedy of Drummelzier, Adam Tuedy of Drava, William Tuedy of the Wrae, John Creychton of Quarter, Andrew Crychton of Cardoune, and Thomas Porteous of Glenkirk, slew Patrick, son of William Veitch of Dawick. They made their peace, but within a month John Tuedy, tutor of Drummelziare, fell by the hand of James Veitch, apparent of North Syntoun.

Ladies' names in the sixteenth century appear actually engaged as principals in such doings. Margaret Home, Prioress of North Berwick, was called upon to answer to the charge of umbesetting the highway, and invading to his slaughter Oliphant of Kellie, who had doubtless much troubled this unflinching churchwoman.

VI. William Cockburn of Henderland

got back part of the estates that belonged to his ill-fated father in the reign of Queen Mary, through some arrangement made by the Scotts of Buccleuch. In 1547 Sir Walter Scott had charter of Henderland from the Queen Regent after the battle of Pinkie, as a reward for his brave though fruitless efforts to retrieve the fortune of the day. Buccleuch, the open-handed Warden of the March [which office Marie of Lorraine had also bestowed upon him], appears to have generously restored to his kinsman his ancestral home, to which he returned with his wife, Christian Murray. This lady seems to have been the daughter of that William Murray of the

Douglas'
Peerage, vol.
i., p. 102.

Deuchar's
MS. Notes.

good old family of Blackbarony, who married Janet Romanno, heiress of the estate so called. The Romannos of that Ilk were an ancient race, and have been deemed of Italian origin, and to have given their name to their territory. There is much doubt as to the correctness of this idea. The name is variously written: Rothmaneic, Rowmannok, Romannos, are some of the forms under which it is found. Between the years 1165 and 1171 Philip de Euermes or Vermels gave to the Canons of the Holy-Rood of Edinburgh a carrucate of land in the fief of Rothmaneic. with pasture for 1000 sheep. Roger le Mareschall had in 1300 the lands of Halle-del-mire in Rowmannok. Jannet Romannos granted to her son William Murray the lands of Romannos and the fourth part of Culross vic. Peblis. Some two centuries afterwards the estate went again by an heiress to her husband, Alexander Penicuik, whose ancestors took name from the lands of Penicuke [Pen-y-côg, *i.e.* Hill of the Cuckoo]. His son was the author of the description of Tweeddale and other works. He does not say much about his family connections, but by other marriages besides that of Janet Romannos' daughter he was allied to the "old and honourable Cockburns of Henderland," for whose name he evidently had a partiality.

William Cockburn had by his wife Christian two sons—George, who succeeded him in his estate, and William, eventual proprietor. Their mother had a life interest in some lands in Fruid, which must have come through the Frasers of that place. The heiress Catherine Fraser married, as already mentioned, James Tuedy of Drummelzier. Upon the Fruid [or Frood] burn are to be seen the vestiges of

Pennicuik's
Tweeddale,
p. 180.

Origines Paro-
chiales, vol. i.,
p. 193.

Ibid., p. 518.

Reg. Great
Seal, vol. iii.,
No. 1242.

an ancient fortalice, supposed to have been the abode of this branch of the family, whose ancestor the war-like Sir Simon Fraser, Lord of Tweeddale, was so celebrated in the time of William Wallace and shared the same fate as he did.

VII. George Cockburn of Grenderland

married Janet, daughter of James Geddes of Rachan, whose eldest son William was slain by the Tuedys, for which of course it was not long before one of that sept died, although they got a respite "for this cruel slaughter in 1559. Baillie of Lamington was suretie in 1574 for Charles Geddes, the grandson of James, that he would not pursue the Tuedys except in due course of law."

*Origines
Parochiales,*
vol. i., p. 118.

*Inquisit.
Retorn.
Abbrev.,
County
Feibles, ix.,
40.*

*Reg. Great
Seal, vol. iii.,
No. 1706.*

This Charles Geddes had a son, also called Charles, served heir to his father in Rachan in 1625, and also in half of the village lands of Glenquholm, the fifteen shilling lands of Quhittislaid [Whitslaid], the five shilling lands of Glenkirk, and the five shilling lands of Glenquholme-hope, of which Charles Geddes of Rachan had new charter to himself and his son Patrick in 1537. The other part of these lands belonged to the old family of Porteous [or Portwyse] of Glenkirk, as very commonly styled, this being their seat latterly; but Hawkshaw was the place from which they long took designation, and adopted as their motto, "Let the Hauk shaw." Although very nearly related to the Geddes', they were generally found with the Creichtons allied to their most vindictive enemies, the Tuedys or Tweedies, as the name came to be written, like that of the river upon whose banks they had been settled

from time immemorial. In 1489 Matthew Glendonwyn of Glenrath had grant of the lands of Quhittislaid and Glenkirk in the barony of Glenquholm vic. Peblis.

Reg. Great Seal, vol. ii., No. 1939.

In 1482 confirmation was given under the Great Seal of James III. of the charter "Georgii Portuus Dominii portionarii terrarum de Balcasky [Balcaskie] et Ewinstoun vic. Fife," of which he had made an excambion with John Strang for his lands in Quhittislade and Glenkirk. Sir Walter Scott "of Bukluch" and Kirkurd, who married Margaret Cockburn, resigned, with consent of their eldest son David, to Sir John Balcasky, chaplain in the Collegiate Church of St. Nicholas of Dalkeith, all claim to the superiority of "Louchwrd," together with the lands of Kirkurd. In 1513 John Portewis de Glenkirk had charter from James IV. of Glenkirk and Quhittislaid, with le outsettis, &c., County Peebles, which were in the King's hands, in consequence of the alienation of the greater portion of them without the King's consent, and which "pro speciale favore incorporavit in unam liberam tenandriam de Quhittislaid." In 1527 confirmation was given under the Great Seal of James V. of the charter of William Porteous of Glenkirk, by which he conveyed the superiority of the lands of Logan "le Quarter, &c., infra tenandriam suam de Quhittislaid," to Malcolm, Lord Fleming, to whom he sold these portions.

Ibid., vol. ii., No. 1518.

Origines Parochiales, vol. i. p. 515.

Reg. Great Seal, vol. ii., No. 3822.

Very great antiquity is claimed for the family of Geddes of Rachan, whose seat in later times was at Kirkurd. Dr. Pennicuik says, when describing the country on the Water of Urde, "the laird here is chief of the name of Geddes, and keeps their old

Pennicuik's *Tweeddale*, pp. 201, 202, note.

style of Rachan." Mr. Brown of Newhall, who edited his predecessor's works, observes, "Until 1752 the large estate of Kirkurd was the resident property of Geddes of Rachan for 1100 years, while Rachan, from whence the title is taken, is reported to have been in the possession of the Geddes' for 1300 years."

It may be true—for it would not be easy to produce proof to the contrary—that these undoubtedly old Peeblesshire lairds descended from aboriginal dwellers in Rachan in the fifth century. If they were able to trace their descent to that distant age, we can only conclude that they kept their chronological tables well in the region of the Upper Tweed. Their priests, like those of the Polynesians or the Tohungas of the Maoris [whose feuds about lands were as bitter as those of the Tweedys and Veitches, &c.], perhaps preserved the *heraldic sticks* of their great chiefs' families, and handed down by religiously guarded oral traditions from generation to generation the stories of their deeds. However this may be, there seems no question as to the Geddes family having held lands in the district from very remote times.

R. R. Stodart's
Scottish Arms,
vol. ii., p. 269.

Origines Paro-
chiales, vol. i.,
p. 228.

Mr. Stodart says that Rachan and Kirk-Urd were acquired by them after 1406. Ladye-Urde then belonged to John Geddes, descended of the family of Geddes of that Ilk. This John "gert be biggit and endowed the Chapel of St. Mary del Geddes, in the Church of St. Andrew, Peebles. In 1434 John of Geddes resigned, with staff and baton, in presence of Walter Tuedy of Drummelzier, half of Ladye-Urd, in Kirkurd, to Walter Scott of Morthyngton [Murdieston], who gave new charter of it

"to ane honest man William of Geddes." Matthew of Geddes had, with Sir Thomas Murray, a safe conduct for six months in 1405 from Henry IV. If they were settled on the Urde Water in earlier times, the lands must have been held by them as vassals of Edward Cockburn and his successors, and afterwards of the Scotts of Kirkurd. James Geddes de Kirkhrde was served heir in 1632 to his father "in dicta baronia de Kirkhurde."

*Inquisit.
Retorn.
Abbrev.,
County
Peebles, xii.,
48.*

Hugh Cockburn, son of the Knight of Skirling, and his son, held part of Kirkurd in 1602. There were many quarrels regarding their lands of Quhittislaid, in Glenquholm, and North Synton, which latterly belonged to the Veitches, and fierce were the feuds to which they gave rise. Janet Geddes, wife of George Cockburn of Henderland, had the liferent of Quhittislaid. This was a different place from Quhittislaid in Selkirkshire, which, with Dalgles, once belonged to the Cockburns, but afterwards to the Scotts. Thomas Scott of Quhittislaid, Porteous of Halkshaw, and Geddes of Kirkurd, married daughters of Walter Scott of Harden by his wife Mary, "the Flower of Yarrow," daughter of Scott of Dryhope, thus adding additional links to the relationship of the families. Margaret Scott, heir of Robert Scott of Quhittislaid, son of Sir Walter Scott of Quhittislaid, was served heir 26th August 1647 to Ettrickhous, in the regality of Melrose. George Cockburn of Henderland died in 1571, and the inventory of his estate was given up with his will by his son Archibald when he became of age in 1575.

*Ibid., xix.,
126.*

*Commiss. of
Edin. Test.,
vol. iii.*

VIII. Archibald Cockburn of Henderland did not long enjoy the possession of his ancient

heritage, dying unmarried or without issue. His uncle William came into his place.

IX. William Cockburn of Henderland,

*Reg. of the
Privy Council,*
vol. vi., p. 58.

Ibid., vol. iv.,
No. 708.

second son of William by his wife Christian Murray, was informed against on 2d June 1597, "for not finding caution to join the general band." As this was but a few years before his death, he may have laboured under similar disabilities as Porteous of Hawkshaw, and been "troubled with a hevvy seiknes of the poplicie." His son and successor seems to have been a most unbusiness-like man, to say the least, and had probably neglected the matter. His wife's name was Katherine Veitch or Vache, whether of Dawick or North Synton is not certain, but most probably she was his kinswoman, the daughter of "William Veche of Daick," for whom William Cockburn was security in the sum of one thousand pounds that he would appear when called upon, and meantime keep the King's peace.

Nisbet's
Heraldry,
Edit. 1722,
p. 341.

This family of French, or perhaps, like their neighbours the Romannos, of Italian origin, was early settled in the county of Peebles. Amongst those reported as coming from there whose names are inscribed on the Ragman Roll was William le Vache. Barnabe le Vache de Daiky had charter of the lands of North Syntoun from Archibald, Earl of Douglas, in 1407. The family carried anciently, "*argent a cow's head erased, sable*," by modern custom multiplied to the number three, two, and one. A family, the traditional origin of which is given by Mr. Nisbet, long existed in Spain, and bore for their coat "*six testes de Vaches*," as speaking to their name Cabeze de

Vacca. One may hear to-day in the Channel Islands an auctioneer extolling the merits of "una magnifica vacca." By Katherine Vache the laird of Henderland had, with a son William, two daughters, Katherine and Elizabeth, who were co-heirs of the lands that came through their grandmother, and of those that William Geddes was served heir-portioner to in 1606, which belonged to Thomas Porteous of Glenkirk, his grandfather on his mother's side. Katherine Cockburn, the eldest daughter, married James Scott of the family above mentioned of Quhitslaid, in Selkirkshire, and as she inherited as heir-portioner part of the other Quhitslaid in Glenholm, and of Glenkirk in same barony, some misapprehension has arisen. Elizabeth, the second daughter, had a similar retour. She married William Murray, of the family of Stanhope. In 1654 "William Murray of Stenhop" was served heir to his brother John, eldest son of Sir David Murray of Stanhope, in part of Quhittislaid or Whitslaid, which now belongs to a scion of the once potent race of Tweedie, as the name has been written for two centuries, and who also, by one of the strange turns of the wheel of fortune, possesses Rachan, sold by James Geddes in 1752 to John Carmichael of Skirling, fourth Earl of Hyndford. The existing family's ancestors long possessed the barony of Oliver, holding it from the preceptors of Torphichen.

*Inquisit.
Retorn.
Abbrev.,
County
Peebles, xviii.,
96.*

*Inquisit.
Generales, iii.,
28.*

Ibid., D. 139.

*Inquisit.
Retorn.
Abbrev.,
County
Peebles, xxiii.,
11.*

*R. R. Stodart's
Scottish Arms,
vol. ii., p. 166.*

X. William Cockburn of Henderland

was not a man of energy or prudence, nor in any way fitted to improve the position of this family, now sinking in importance as times became changed, and

they could not gather their retainers together, and satisfy them with a share in the results of a successful raid. His name is frequently mentioned in the chronicles of the time; most commonly it is for neglect of some public duty, and not appearing where he should have been. On 7th June 1599 he was summoned, with his father and his sister's husband, James Scott, for not finding law-burrows for James Tuedy of Drummelzier. This representative of "the domineering race" was in the end the ruin of his family. He regarded no law, human or divine, and was guilty of the most atrocious crimes. Mary Veitch, widow of James Geddes of Glenhegdon, mercilessly murdered by this desperado and his friends in the most cowardly manner in the Cowgate of Edinburgh, stated that "it is not unknowne how many slaughters have been committed upon them by James Tuedy of Drummelzier." He married the widow of Sir William Cockburn of Skirling, and his treatment of Sir William's mother, "Dame Jean Herries, Ladye Skirling," related in the notice of that family, must have rendered him especially obnoxious to the Cockburns. He surpassed perhaps the wildest and most savage of his redoubted ancestors, the formidable Lords of Thane's Castle, who had for generations acted like the old robber-barons of the Rhine, whose strongholds, perched on inaccessible rocky pinnacles above that river, their castle of Tinnies, as it came to be called, built upon the summit of the lofty knoll towering over the plain of Drummelzier, resembled more than any other in Scotland.

Chambers'
Peeblesshire,
p. 119.

Ibid., p. 124.

Ibid., p. 118.

Pennicuik's
Tweeddale,
p. 253.

Here they were accustomed to exercise their feudal rights to the extremest excesses. "Travellers

passing by Thane's or Tennis Castle were compelled to strike sail, salute, and pay homage to these haughty barons."

It is related of this James of Drummelzier's grandfather that, having been told that some audacious stranger with a small retinue had contemptuously passed along in sight of his castle, "fuming with rage, he put himself at the head of sixteen lances, all mounted on white horses like himself, and pursued them hot-foot, and overtaking them, imperiously demanded that the man he sought should be instantly given up to that corporal punishment he was in the habit of inflicting in such cases. But what was the proud Tweedie's discomfiture when the stranger came forward and announced himself as James the Fifth, King of Scotland!

"Throwing himself on his knees, he received the gracious pardon of his sovereign, coupled with a few befitting admonitions, and then he slunk back to his barbarous hold with humbled and mortified pride."

Sir T. Dick
Lauder's
Scottish
Rivers, p. 43.

Over the gate of their castle was carved the fierce bull's head, which many a time had been looked on with fear by prisoners of the persecuted race who carried the milder *vaches* on their shield. Over the grim emblem of their power was the motto, *Thol and Think*. Not a few unfortunates had reason, doubtless, to think much of what they had been compelled to thol at their hands. The chiefs of this family, who succeeded the Frasers as the ruling one in Upper Tweeddale, had a strong following of their own name. Oliver Castle, Drava, Wrae, Fruid, &c., were seats of powerful cadets. It was in consequence of a quarrel about Catherine Frisell, heiress of Fruid, who was his ward, and whom he wanted

*Reg. Great
Seal, vol. iii.,
No. 1079.*

to marry to his son Malcolm, that John Lord Fleming was slain. She married James Tuedy, nephew of John of Drummelzeare. The Tuedys had to "satisfy" Malcolm Fleming for the loss of his bride-elect and murder of his father with a solatium of the lands of Urrisland in Glenquholm.

The end of James, last Lord of Drummelzier, was miserable, but whatever may have been the injustice he was subjected to, it was a merited retribution. He had by his conduct estranged not only the Cockburns, his relatives, and other neighbours, but those of his own race.

*Chambers'
Peeblesshire,
p. 154.*

In 1585 William Foullarton of Airds was suretie that James Tweedie of Fruid and his tennants "sall be skaythless in their bodies, gudis, geir, &c., from said James Tweedie of Drummelzier." In the end he is found a broken-down man in the Tolbooth prison of Edinburgh, supplicating compassion from the Lords of the Privy Council, to whom he stated that "he has been deteaned in ward within the Tolbuith of Edinburgh five years and four months bye-gane, at the instance of John, Lord Hay of Yester, his cousin-german, both in his own name and under color and pretext of other men's names. Lykeas he has not onlie unnaturallie deteaned the said compleanar in wofull captivitie, but apprysed his lands and heritage with the legal reversion of the same, and intromettit with the whole rents thair of, whilk will far surmount onie burthen or debt he can lay to the compleanar's charge, &c., mynding thairby to appropriate to himselffe be forged pleyes his haill estates and rents, but also to deteane the compleanar's person in ward till his dying day; whereas he having all that belongs to

the compleanar, he has nothing to susteane himselffe, but is like to starve unlesse the goodman of the Tolbuith supplied his necesair wants." It was decreed by the Lords that Lord Yester should either release Drummelziare or allow him a weekly maintenance, to be fixed by the Lords of the Council. He consented to his release 7th August 1628, no doubt feeling himself strong enough to defy him henceforth; and thus disappeared from the scene this turbulent and once potent chief. He died soon after, for on 3d February 1631 there is recorded the service of "Jacobus Tueydie hæres Jacobi Tueydie de Drumailzear patris in terris de Fruid in baronia de Oliver Castle." Notwithstanding all the excesses committed by him, James Tuedy was summoned, with Veitch of Dawick and others who had suffered much at his hands, to give advice to the Lords of the Privy Council as to the best means of keeping peace on the Borders. He sat also in Parliament for the county of Peebles in 1608. It is not a matter for surprise, considering the impotence of the Government in these districts, that the Hays kept Drummelzier and most of the other lands belonging to him, notwithstanding that, as Mr. Chambers says in his interesting work, "the feuds in Peebles-shire had been aggravated by the outrageous conduct of William, Master of Yester, whose father held the offices of Sheriff-Principal of the county and Provost of Peebles." The star of the Hays was now in the ascendant, for John Hay, who thus crushed his kinsman, was created Earl of Tweeddale in 1646. Amongst the other possessions of the Tuedys were the Horne-Huntaris lands in the barony of Innerleithen, which at one time belonged

*Inquisit.
Return.
Abbrev.,
County
Peebles, vol.
xii., p. 69.*

*Reg. Great
Seal, vol. ii.,
No. 3568.*

*Inquisit.
Generales,
7621.*

*Douglas'
Peerage,
vol. ii., pp.
276, 378, 441,
446, 508, 600,
605.*

*Reg. Great
Seal, vol. ii.,
No. 3673.*

*R. R. Stodart's
Scottish Arms,
vol. ii., p. 223.*

to William de Mantelant, who had the valley of the Leithen water, as well as that of the Quhair on the opposite side of the Tweed. This territory was granted by James IV. to John Tuedy, Lord of Thane's Castle in Drummelziare, the reddendo being "two flatus (viz. blastis) unius cornu ad excitandum Regis et ejus venatores cum contingerent eos esse in Venatione in le Kingis-hall-wallis.¹ Thomas Scott of Whitslaid held the Horne-Huntaris lands in 1620, and his son Thomas was served heir thereto in 1677. The connections of the Tuedys, whose ancestor Johannes de Tueda was owner of lands on the river from which they took name in the reign of Alexander II., were widespread and powerful. Besides their neighbours, the Hays of Yester, who were allied by more than one marriage, the Lords Somerville, the Kers of Cessford, the Douglasses of Drumlanrig, and other eminent families, were nearly related to the house of Drummelzier.

Mr. Chambers passes lightly over the transgressions of the Cockburns, and does not record many of them, whilst he is inclined to be as severe as other

¹ It has been imagined from their motto, "Free for a blast," that this grant had been made to an ancestor of the Clerks, Baronets of Penicuik; but this is a mistake. Their progenitor, John Clerk, merchant in Paris, having made money, bought the estates which had belonged from distant times to the Pennicuiks of that ilk. In 1507, James IV., a keen sportsman, granted anew to John, son and heir-apparent of Sir John Pennecuke and his heirs whomsoever the lands and barony of Pennecuke, with its pendicles, Newbigging and Lufnois, with the tower of Pennecuke called Rikillis, and the church of Pennecuke and advowson thereof in the King's hands, in consequence of the alienation of the greater part thereof without consent, the reddendo being three blasts of a horn blown according to the usual custom of Edinburgh, &c.

Sir George Clerk was allowed to use the second motto above referred to in 1807, no doubt in reference to this charter of the lands he owned. The original one of his family was "Amat victoria curam," adopted in 1672-4, when Pennicuik was bought by John Clerk, his ancestor.

writers regarding the doings of the no doubt impetuous and domineering Barons of Drummelzier, of which place "Roger, son of Finlay del Twydyn [whose name is found in the Ragman Roll] had charter from Robert Bruce in 1326 on the resignation of Sir William Fraser, by staff and baton before the great men of the realm." This Roger had charter from the monarch on 12th June in the previous year of all the land in Clifton, which belonged to Eva of Rothirforde and Marjorie of Rothirforde, the granddaughters of "Monsire Nichol de Rothirforde, Chevalier d'Escoce."

*Origines
Parochiales,*
vol. i., p. 204.

*Ruthirfurds
of that Ilk,*
Appendix.

We may take for granted that there were many brave, generous spirits amongst the long list of the Lords of Drummelzier, men who would have been ashamed of the deeds committed by the last chieftain of Thane's Castle. The story of their race is perhaps no darker than that of many of their contemporaries in Upper Tweeddale, some of whom have descendants remaining at this day holding high estate amongst the magnates of the kingdom. So far as their early neighbours in Lanarkshire and near relatives the Cockburns are concerned, it cannot be denied that some of them were equally addicted to giving "deidly straikis with their whingeares," as the Tuedys, with whom they intermarried, fought, and left stark sometimes upon the heather, and in whose company at others committed "cruel slauchteris." We find, as has been related, Sir William Cockburn of Henderland and his brother Edward producing remission for the killing of Roger Tuedy; and upon the same day in 1458 Sir William Cockburn of Skirling and his brother James for the killing of Walter Tuedy." All that

can be hoped for is that these "inconvenientis" took places in fair fight, or at least on "suddane chaud-mellee."

William Cockburn of Henderland was a burghess of Edinburgh city. Although his father and he did not find law-burrows for James Tuedy of Drummelzier in 1596, he had been security in 1584, along with William Sinclair of Rosslyn, for him and Adam Tuedy of Drava, then both in prison at Linlithgow, that forthwith, on their release therefrom, they should remove to the Tolbuith of Edinburgh to await their trial. Whether they did so, or left their sureties to settle as best they might, is not mentioned. William Cockburn was "the laird of Henderland," reported as amongst those absent from the Wappen-Shawing on the burrow-moor of Peebles on 15th June 1627.

There were many influential men on the list of absentees on this occasion, amongst them Stuart of Traquair, the Laird of Glen, the Laird of Covinton, Murray of Philiphaugh, who, living nearer, had not as good reasons to show as the Lord Borthwick, Lord St. John of Torphichen, the Lord Morton, or the Lord Garlies, reported also absent. Such meetings tended to promote order and the recognition of the Government, not an accustomed thing in Upper Tweeddale. That the attendance at assemblies of the kind should be as numerous as possible was a natural desire on the part of the authorities, and the liability to be called upon to obey summons upon public business was extended as far as practicable. The Lords of the Council had in 1533 enacted "that ane man havand in possessioun ane hundreth pundis worth of gudis is halden ane substancius

man, and is halden to underlie ye actes and proclamaciounes." There is one notice of William Cockburn in 1605 which points to his being in difficulties soon after his succession to the estate, brought about perhaps by the disarranged condition of his father's affairs. He was denounced for not paying "the hundreth pundis stipend furth of the parsonage and vicarage lands of Henderland during the years specified in the complaint."

Reg. of Privy Council, vol. vii., p. 66.

In 1623 he was served heir to his father William in portion of the lands of Brymmelaw and Brigend that belonged to his forefathers, and had been pledged by William, the decapitated Baron Henderland, in 1522 to Lauder of Haltoun. He had no family, and was succeeded in Henderland, &c. by his kinsman—

Inquisit. Retorn. Abbrev., County Peebles, viii., 219.

Samuel Cockburn of Henderland, who was retoured "hæres Willelmi Cockburn de Henderland abavi" [his great-grandfather's father], 22d June 1630. He was the son of the younger John Cockburn of the Glen, who appears, from his bestowing this name upon his son, to have become a reformed character, perhaps an elder of the Kirk. Andro Murray of Romanno, his relative, however, was an elder, but nevertheless was not the most saintly person in his parish, being adjudged "to stand on the stool of repentance for calling his fellow-elder James Douglas *a liar* in the time of the sitting within the house of the Lord."

Inquisit. Generales, No. 1718.

Chambers' History of Peeblesshire, p. 148.

We do not know much about the latest Cockburn of Henderland. He appears to have been very unfortunate, being oppressed by debts. In 1638 he is found "in carcerat in the Tolboith of Edinburgh

by horning at the instance of James Dischington, in consequence of his being surety to a bond granted by his natural son, Arthur Cockburn. But at the earnest request of the said Samuel Cockburn of Henderland, and for the love and favour which the granter bore him, the said James Dischington engaged on 18th December of that year to suspend the letters, and to allow the said Samuel to go at liberty without any security for the money." It would have been well had James Dischington evinced his affection a little sooner, and saved the Laird of Henderland from being subjected to the indignity. Looking back upon the story of "the Old and Honorable Cockburns of Henderland," it reads like the irony of fate that they should have disappeared from the land with a *Samuel*. The estates passed in the first instance to the Carnegies, and subsequently to various families. On 11th May 1658 the retour was dated of "James Erle of Southesk, Lord Carnegy of Kynnaird and Leuchars, as heir-maill of his father, David Erle of Southesk, to his extensive estates in the counties of Forfar, Fife, Dumfries, &c., and to "the lands of Henderland, within the parochin of St. Bryd, County Peebles," also those of Greves-toune, Orchard, Newhall, and Fetham, in the same parish. In the retour, dated 5th May 1569, of "Robertus Comes de Sowthesk" to his father James, the old Cockburn properties of Broomielaw and Brigend are also mentioned, as well as Henderland, &c.

Reg. of Deeds,
vol. 512.

Inquisit.
Retorn.
Abbrev.,
County
Peebles,
xxv., 43.

Ibid., County
Selkirk, xxix.,
182.

Samuel had a son William, who married the daughter of John Govane of Cardrona, County Peebles. He was still, *more Scotice*, called "of Henderland," when in 1653 he bound his son John

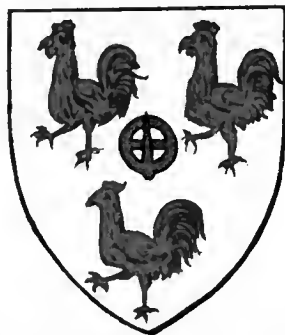
"prentice to George Robertson, Goldsmyth, Burgess of Edinburgh," who "for the fee of 300 merks engaged to teach the said prentice his craft, and to furnish him with bed and buird honestlie as becomes."

Such was the fate of the lineal male heir of the powerful Baron Perys de Cockburn of Henderland and Sundirlandhall, and his "wyffe Mariory," whose descendants in the female line enjoy the Dukedom of Buccleuch.

The story would make a fitting page in Sir Bernard Burke's interesting "Vicissitudes of Families."

The Cockburns of Henderland bore anciently, as has been seen, *ermine three cocks gules, two and one*. Sir David Lindsay of the Mount blazoned their arms, *argent a mollet azure between three cocks gules*. Nisbet assigns to them the same coat. The mullet was no doubt upon the seal which William, the unfortunate Laird of Henderland, used in executing a deed in 1499, but it is not visible upon the imperfect impression thereof, of which a copy is given above. Margaret Cockburn, wife of John Lindsay of Wau-chopedale, and afterwards of William Hay of Tallo, possessed, as has been noticed, a family seal upon which these arms were engraved.

COCKBURN OF SKIRLING, PEEBLESSHIRE.



As blazoned by Sir David Lindsay of the Mount,
Lyon King of Arms, 1542.

*Reg. Great
Seal, vol. i.,
p. 144,
No. 88.*

*Nisbet's
Heraldry,
vol. ii.
Critical
Remarks on
Ragman
Roll, p. 39.*

I. THIS family descended from William, fourth son of Sir Alexander Cockburn of that Ilk and Langton. He was the eldest son of his second marriage with Margaret, daughter of Sir John de Monfode. On 8th December 1380 he had confirmation from the Crown of the charter to himself and his children, whom failing, to his brother Edward, whom failing, to his sister-german Agnes, of the barony of Scraling or Skirling, in the county of Peebles, with patronage of the church of Scraling, resigned in his favour by his half-sister, Margaret Domina de Cragi, and her husband, Sir John Stewart, called "consanguineus" by Robert III., being the son of Sir Robert Stewart of Durrisdier. Margaret was his mother's daughter by her first husband, John de Cragi, "Dominus ejusdem." He also got from them at the same time the lands of Heudis or Hebbeddis [*i.e.*, the Heads], in the barony

of Bradwod, County Lanark, which had been united into the one barony of Scraling, held blench for three broad-headed arrows, and had also gift of Robertstown, an adjoining estate in Lanarkshire.

All these lands were the heritage of his mother, Margaret de Monfode, who had settled them upon her daughter, Margaret de Cragi. The original grant of them from King David I. to her ancestor, John de Monfode, Knight, comprised the "haill baronie of Scrauelyne, with the advocation of the of the church thereof, and the lands of Robertistoun, County Lanark." Robert Bruce confirmed the charter also of Braidwod, Zulischelis, and Heudis or Hebeddis. These last-mentioned lands were divided from Scraling by the Water of Biggar. Robert de Robertistoun was witness to the charter of Hugh Fitz-Robert, Fitz-Waldeve of Biggar.

Robertson's
Index, p. 24,
Nos. 10, 11.

*Liber de
Calchou*,
p. 153.

The disagreements between the proprietors of Skirling and those very ancient riparian landowners on the "Tueda flumen" from which they took name—the Tuedys of Drummelzier—began early. They were nearly related to each other, most probably through the Frisels or Frasers. Margaret de Monfode "had an annual furth of the lands of Hoch Kello or Hop Kelloch, which belonged to James of Tuedi, and formerly to the Frasers. This tribute she bestowed upon the religious of Dunmanayne [Dalmeny] in Lothian. In 1331 the attention of the Lords of the Council was directed to the "Querela Domini de Skralyne super Willelmum de Tuedy quod non fecerit ei sectas et servitias." This William was the son of Roger, son of Fynlay del Twydyn, to whom Robert Bruce granted a few years previously charter of Drummelzier, on the resignation of Sir William Fraser. The disputes about the

*Origines
Parochiales*,
vol. i., p. 225.

Robertson's
Index, p. 43,
No. 28.

Ibid., p. 29.

heritage of Margaret de Monfode went on for many years, and it was not until 1379 that it was definitely ordered that "William Cockburn de Scralyne should hold the lands and baronie of Scralyne and advowson of its church and chapel, with the whole lands of Heudis, as freely as Sir John de Monfode, his grandfather, held them in the time of King Robert of illustrious memory." This Sir John had also grant from his patron, the great monarch, of the lands of Trauirnent [Tranent], which had belonged to Sir William de Ferrariis, who was forfeited along with the distinguished warrior Alan la Suche [le Zouche], whose lands of Fawside were likewise bestowed upon Sir John de Monfode. "In 1335 Edward III., in right of the Lordship of the southern counties of Scotland, conceded to him by King Edward Baliol, confirmed the charter of Sir William de Coucy to his son William of the manor of Scravelyn, with all its tenements, and the lands in Romanoch [Romanno], shire of Peebles, with many other domains which William de Concy inherited from his mother, Christian of Lyndesay, wife of Ingleram de Gynes." Mary, daughter of Ingleram de Coucy, was the mother of King Alexander III., the possession of Scraling by the de Monfodes, was not interfered with by the de Coucys, notwithstanding King Edward's gift thereof.

*Reg. Great
Seal*, vol. i.,
p. 140, No.
88.

Ibid., p. 12,
No. 58.

*Origines
Parochiales*,
vol. i., p. 194.

*Exchequer
Rolls*, vol. iii.,
pp. 405, 406.

Sir William Cockburn, son and heir of Margaret de Monfode, had also Lethame and Barrowfield, County Haddington, his paternal inheritance. He is mentioned as having received remission of "xxx. libras," which he had been fined for contumaciously absenting himself from the audit, 22d May 1397. In 1407, "quhen the Erle of Mare of Scotland past on condyt in England there went with him—

"Schir Waltere of Bekyrtoune, that wes than
 Off Lufnok, Lord in Louthyane,
 Schir Wylliam off Cokburn and Schir William
 Off Cranstone, tha twa wyth a name.
 And in that Court thair alsua wes
 Off Mare Schir Alexander off Forbes ;
 Thir foure knychtis off Scotland."

Wyntoun's
Cronykil.
 Edited by D.
 Laing, vol.
 iii., p. 103.

"Schir Wylliam off Cokburn, who was off Scrawlyne," married Christian, daughter and heiress of Walter de Sancto Claro, with whose hand he got the Barony of Cessford, County Roxburgh. In 1415 he is found appealing against the claim made by Sir William Douglas, who had acquired the dominium of Auld Roxburgh, formerly held by the de Soulis family, and alleged that the superiority of Cessford vested in him, instead of its being held by the St. Clairs or Sinclairs from the Crown. The matter was decided by the Governor and Council in William Cockburn's favour, which was to be expected, as Cessworth or Cessford had been granted by Robert II. to Walter de Sancto Claro 8th March 1376, having been resigned for the purpose of having new investitures on the occasion of his granddaughter Christian's marriage by John de Sancto Claro, who held the barony from the Crown under the grant from Robert Bruce to William de Sancto Claro.

*Reg. Great
 Seal*, vol. i.,
 p. 133.

Robertson's
Index, p. 21,
 No. 40.

By the Lady Christian St. Clair, William, first Baron of Skirling, had with other issue a son—

**II. Alexander Cockburn of Skirling
 and Cessford**, who had, 10th November 1451,
 sasine on behalf of his mother Christian Sinclere,

spous to the deceased William Cockburn" of the lands of Cessford. He had four sons, Adam and William, successive proprietors of Skirling, James and Robert ; and three daughters, Christian, Mariota, and Margaret.

MARIOTA or MARION, married to Patrick, son of Walter Tuedy of Drummelzier, whose elder brother James married Margaret Giffert, connecting the family again with the Cockburns of Clerkington. Patrick had part of the lands of Hop Kelloch, or Hop Cailzo, which property—one of the earliest possessions of the Tuedys—was alienated with other lands for 8000 merks.

Reg. Great Seal, vol. ii., Nos. 1273, 1762.
Origines Parochiales, vol. i., pp. 222, 275.

MARGARET married Thomas Myddlemast of that Ilk, who purchased the lands of Grevistoun or Griestoun, with "the auld mansion," from Robert Scott of Hanyng in 1476.

In 1491 William Cockburn, son and heir of Langton, brought an action against this Robert Scott of the Hanyng "ffor the wrangeis occupation and manuring of the forest stede of the Hayning within the forest of Ettrick, be the space of 3 years bygane." So it would seem that the superiority of some of the lands in Selkirkshire belonging to his ancestors Sir Robert and Nigel Cockburn had been inherited by him.

Reg. Great Seal, vol. ii., No. 1762.

Thomas Myddlemast had charter of the third part of the lands and barony of Glen, which Margaret Ogilvy, wife of Silvester Rattray de eodem, and daughter and one of the co-heiresses of Christian Glen, resigned in 1488.

Thomas Myddlemast was a character quite in consonance with the spirit of the times in Peeblesshire. In 1491 Richard Lawson, Justice-Clerk, gave judgment against him "for spulzie of James Lowis, seeing that he had been oft-tymes callit and not operit." His son appears to have disposed of his part of the lands of Glen to John Cockburn, nephew of Gilbert, called of Glen.

Acta Dominorum, vol. i., p. 161.

He had troubles with his brother-in-law the Laird of Skirling, which will be referred to presently. By Margaret Cockburn he had a son George, who succeeded in 1499 to his estates, amongst them these lands in Glen. George, son

and heir of Thomas Middlemast of Middlemast, was slain by William Deckesoune, John his father, and John his brother, who for a wonder were hanged therefor in 1513. They had not been able, it is to be supposed, to offer proper assythemment. The Middlemasts were a family of some importance: "Our lovit chapellan Sir Wilzeam Myddlemast was Vicar of Selkirk in 1425."

Pitcairn's
Crim. Trials,
vol. i., p. 81.

*Origines
Parochiales*,
vol. i., p. 253.

CHRISTIAN, the eldest daughter of Alexander Cockburn of Skirling, married James Quhytelaw of that Ilk, who had in 1449 remission with his brother-in-law Robert Cockburn for various offences charged against them. The family of Quhytelaw (Whitelaw), with whom the different branches of that of Cockburn were connected by intermarriages, was one of considerable consequence in early times, as is evident from there being several of them of sufficient standing to be called upon to swear fealty to Edward I. Magister Archibald de Quhytelaw was an eminent person in the reign of James III. He was his Secretary and Archdeacon Loudonie. In 1484 he was one of the Commissioners sent to negotiate a marriage "between James Duke of Rothesay, eldest son of the King of Scots, and the Lady Anne, niece of King Richard of England," and went also as ambassador to Spain. In Glasgow church, of which he was Sub-Dean, there was a chaplaincy at the altar of St. John the Baptist founded by him. The Quhytelaw's estates were extensive in different counties. In 1492 James de Quhytelaw de Melloustonis (Mellerstain), County Berwick, had confirmation under the Great Seal of the Charter of "quondam Johannis de Halyburton Domini de Dirletoun," dated at Dirletoun, 31st October 1452, of the lands of Balmablare, Rogopono, and Monyvvy, in the barony of Strathurde, County Perth. This James had in the following year charter of the lands of Blasonbrade on the Blackadder, County Berwick, from John Heryng, dominus de Edmeresdene, in same county.

Nisbet's
Heraldry,
edit. 1722,
p. 326.
*Reg. Great
Seal*, vol. ii.,
No. 2173.

*Origines
Parochiales*,
vol. i., p. 3.

*Reg. Great
Seal*, vol. ii.,
No. 962.

Ibid., No. 497.

Not much is known about the Heryngs in after times, but they were once large landed proprietors. The later Cockburns of Skirling and Newholme, as well as the house of Langton, could trace descent from them through the Somervilles of Carnwath, who had also the barony of Lintoune, County Roxburgh. In 1372 a contract of marriage was

*Origines
Parochiales*,
vol. i., p. 127.

made at Cowthally Castle between Sir Walter Somerville and Giles, the daughter of Sir John Heryng of Edmestoun, County Lanark, who is also styled of Dysert, County Fife. By this heiress of the Heryngs the Somervilles got Gilmerton, Gutters or Goodtrees, and Drum.

*Reg. Great
Seal, vol. ii.,
Nos. 187,
1995, 1996.*

*Swintons of
that Ilk, Ap-
pendix, p. xl.*

James Heryng of Cluny had from his father in 1490, besides Upsettlington, County Berwick, with advowson of the Church of that parish, Tullibole, Cardney, Glasclune, and Lethindy, in the counties of Perth and Fife. Sir John Swinton and James Heryng of Tullibole made an agreement in 1473 about the perambulation of Upsettlington.

Patrick Heryng was forfeited in 1335 by Edward III., and no dues could be got from Edmeresdene, "quia vasta." The Ladye Marie Heryng had a safe conduct, 12th July 1389, from Richard II. for 600 sheep and two Scotch shepherds to pasture at Cockburnspath, or within five leagues, at her pleasure, for three years.

*Origines
Parochiales,
vol. i., p. 326.*

It may be that the charitable Petronilla, daughter of Adam Heryng, who gave lands in her town of Borthwic, in her territory of Borthwic in Teviotdale, before 1249 to St. Mary, St. Benedict, and "the Gate" of Melrose, for support of the poor arriving at the gate, which she in her widowhood had given to Robert Poydras, remitting to the said Robert the payment of a pair of white gloves which she had used to receive yearly from him, may have been the mother of Petronilla de Veteri-Ponte, who had her husband's lands restored to her in 1296.

*Reg. Great
Seal, vol. ii.,
No. 3565.*

The Quhytelaws had the estate of Dene-Estir, County Peebles, of which David, son and heir of James Quhytelaw, and his wife, Christian Cockburn, had new charter 14th April 1511, it being in the King's hands in consequence of the alienation of the greater part thereof without consent. Patrick, son of Patrick Quhytelaw de eodem, was retoured in Dene-Estir, prope Blackbaronie, 14th July 1551. His father married Mariota Hepburne. They had joint charter from James V. of the lands of Quhytelaw, County Edinburgh, in the constabulary of Haddington, 7th July 1528, which Sir Patrick Hepburne of Waughton, Mariota's father, resigned in their favour as superior. Their son Patrick, above referred to, had the honour of knighthood when quite a young man. He and Sir James Cockburn of Langton, with thirteen other

*Inquisit.
Speciales,
i., 127.*

*Hailes'
Annals, vol.
iii., p. 84.*

lairds, witnessed the special service of James Hepburne, Earl of Bothwell, in 1556, to his father Patrick. With consent of his wife, "Domina Margarete Hamilton," he sold to William Arnote, "terras ecclesiasticas de Auldhamstokes jacentes in *lie* manis de Cokbrand's-peth vocat *lie* Hospital," &c. The name in this charter appears written both as Cokburnespeth and twice as above, Cokbrand's-peth.

Reg. Great Seal, vol. iv., No. 1823.

This William Arnote was postmaster at Cockburn's-path. He was bound "to keip continuallie in his stabill or haive in reddines thrie habill and sufficient poist horssis, with furnitur convenient for the service of His Majestie's pacquetis onlie, als weill by nycht as by day, and twa hornes to sound als oft as thay meett the cumpany, or at leist thrie tymes in everie myle."

Reg. of the Privy Council, vol. vi., pp. 570, 782.

Sir Patrick Quhytelaw was a gallant and staunch adherent of Mary Stuart. "On the tent day of Sept. 1567, Patrick Quhytelaw of that Ilk, Knycht, Capitane of the Castell of Dunbar, wes denunciit rebell, and put to the horn at the Mercat Croce of Edinburgh, having been chargit be ane herauld callit Adam M'Culloch to delyuer to the said Regent the said castell within xxiiij houris, quha refuissit the samyn." After the battle of Langside, where he fought for his Queen, he was forfeited.

Diurnal of Occurrents, pp. 121-2.

His three daughters were co-heirs of their great-great-grandfather, "John Fenton of that Ilk, representative of that mighty Lord William Fenton of Fenton who married Cecilia, one of the co-heiresses of the powerful chief Bizzet of Lovat."

Nisbet's *Heraldry*, p. 93.

The story of these ladies Mr. R. R. Stodart gives in his notable work, and, as he observes, it is a remarkable one. "Margaret, the eldest, married Sir Alexander Hamilton of Innerwick, who divorced her in 1589, and she married three months afterwards Sir John Ker of Jedburgh, Hirsell, and Liteldene, who had just divorced his former wife Julian Home, of the Wedderburn family. Isobel, the second, married Andrew Ker, brother of the Earl of Lothian, who possessed Fenton *jure uxoris*, and was divorced in 1596. She then married William, son of James Ker of Corbethouse. In 1603 she granted to her son George charter of her third share of the Whytelaw lands. Mary, the youngest daughter, married Hercules Stewart, a natural brother of Francis, Earl of Bothwell, from whom she was divorced, and married immediately afterwards William Home, the King's stabler, on account of whose

R. R. Stodart's *Scottish Arms*, vol. ii., p. 160.

alleged intimacy her husband divorced her. Hercules was forfeited, but his daughter and heir Margaret was retoured in 1633, and had a ratification in 1641, when Patrick Whitelaw of that Ilk protested that this should not prejudice the right he had purchased and acquired to part of the Whitelaw estates.

III. Adam Cockburn of Skirling and Cessford succeeded his father Alexander. He was a man of letters, Master in Arts of the University.

*Exchequer
Rolls, Scot-
land, vol. x.,
pp. 667-678.*

*Reg. Great
Seal, vol. ii.,
No. 926.*

*Appendix to
Historical
Commis-
sioners'
Report, vol.
for 1885, p.
234.*

*Acts of the
Parliament
of Scotland,
vol. iii., p. 102.*

In 1461 Magister Adam de Cockburn had sasine of Scraling and Heudis, County Lanark, and in the following year of Wittoun, Langrain, Cousland, and Lethame, County Edinburgh. In 1467 he witnessed the charter of Sir Robert de Creichton, Dominus de Sanquhare, to his son Laurence of extensive estates in the county of Elgin, with fishings in the Spey.

On the 21st October 1478 Magister Adam de Cockburn de Scraling was one of the arbiters regarding the mill of Abercorn between Henry Livingston of Manerstoune, George Hamilton of the Tays, and John Martin of the Meidhope. The two first-named individuals being charged by Martin "with brekin of the said mylne, and the wasting of the proffit of the samyn heddertillis sen the tyme of the brekin of her, and the awaye takin of thre pottis, &c." He was present at the Council held 20th February 1471, when King James the Third's proposal was agreed to by which "the Erledom of Orkney was united with the Lordship of Scheteland to the Crowne, nocht to be gevin away in tyme to cum to na personne nor personnis except anely ane of the Kingis sonis gott," &c.

The name of Magister Adam de Cokburn de

Scraling appears very frequently in the lists of those present at the meetings of the Lords of the Council during this reign. He was succeeded by his brother William.

IV. **Sir William Cockburn of Skirling and Cessford** had in 1470 letters of Justice-

Ayre within the bounds of Roxburghshire. He alienated his important estate of Cessford in that county to Walter Ker, who got confirmation of his charter thereof from James IV. 13th March 1494. In his youth he came under the King's will, 18th November 1458, "for act and part of the stowthrief of a lance from a certane man of the Erle of Angus," which, however, was his own lance by right, having been stolen from one of his followers that same day.

Reg. Great Seal, vol. ii., No. 2199.

Pitcairn's Crim. Trials, vol. i., p. 25.

There was no great harm in taking possession of his own lance when he saw it, but no doubt it had been accompanied by strong measures very hurtful to "the certane man." The Knight of Scraling was given to such proceedings. On the same day he and his brother James, and John Pattinson in Kinkildurris, produced to the Court remission for being art and part in "the slaughter of Walter, son of John Tuedy of Drava, in Peblis, and for art and part in the stowthrief of a sword and shield from the said Walter at the same time." It was of little consequence their taking his arms when they had slain the owner.

Ibid., p. 26.

But the said William and James were guilty of a still more heinous crime in the eyes of the law at that era, having with forethought committed an assault upon Andrew Tuedy, grievously wounding

the said Andrew in the street of Edinburgh *during the sitting of the Parliament*. Violent and audacious as their method of settling a family quarrel was, it was comfortably arranged by Sir William agreeing to give security to satisfy the Tuedys, with whom they as well as the Veitches of Dawick had at this time a bitter "deidly feid;" that between the Tuedys and Veitches being carried on with an amount of violence and ferocity not exceeded in the tribal quarrels between the Maxwells and Johnstons, or the Scots and the Kers, or the latter with the Ruthirfurds. On the same day in 1458, Edward, younger brother of William Cockburn of Henderland, produced remission for the killing of Roger Tuedy in company with his brother the laird, who also arranged the affair by giving his security to satisfy the Tuedys. Most likely, as notwithstanding all their sanguinary feuds there were constant inter-marriages between the families of these old Peeblesshire lairds, the *inconvenientis* were settled on this occasion as the Ruthirfurds and Kers did theirs in 1560, by marrying the son of the slayer to the daughter of the slain, and *vice versa*. There is no doubt that the Tuedys had given the laird of Skirling cause of complaint; for in 1478 "the Lords, with avyse of Parliament, ordained that Walter Tuedy of Drummelzier [who was his near relative] should restore a cup of silver, double gilt, having a foot or pedestal and solid lid or cover, which Magister Adam of Skirling had laid in pledge with him for twenty marks. It is to be presumed that the Knight of Skirling had paid his debt, and that the Baron of Drummelzier continued to grace his board with the cup, so prized a possession that its

Pitcairn's
Crim. Trials,
vol. i., p. 26.

*Ruthirfurds
of that Ilk*,
Appendix,
p. lxxix.

*Origines
Parechiales*,
vol. i., p. 184.

recovery was a matter of such consequence as to be brought under the notice of the Parliament. The Twedys were apt to be high-handed in their proceedings. Dr. Pennecuik calls the old "Lords of Neidpath and Thane's Castle of Drummelzier," the "powerful and domineering Tuedys or Tweedies," when he wrote in 1700. The family, he stated, "are now quite extinct." A descendant of William or Laurence Tweedy, who were both in Oliver Castle in 1450, restored however the family name to position in Peeblesshire, and his successors, as mentioned in the memoir of the House of Henderland, still hold Oliver, Rachan, and other properties in the county.

Pennecuik's
Tweeddale,
p. 253.

In 1493 Sir William Cockburn had to proceed against Thomas Middlemast of Grevistoun, "upon whom he had bestowed his sister's hand," for restitution of twenty-three score of sheep. It was evidently the rule in Upper Tweeddale that those should take who have the power, and those should keep who can; but perhaps Thomas was only taking this method of obtaining for himself value for the "four skore marks" which he complained to the Lords in Council was due to him under his marriage contract with Margaret Cockburn, which his application had failed to secure payment of. It must be confessed that the Lord of Skirling, so far as there are only the complaints made against him to judge by, was very peculiar in his business transactions, and was guilty of an appropriation of goods and chattels apparently very unbecoming in a belted knight. The Lords of the Council are found ordering him to restore the following peculiar effects, which, escheated to the King, had been bestowed

*Acta Domi-
norum*, A.D.
1492, pp.
285-303.

Origines Parochiales, vol. i., p. 184.

by His Majesty upon Matthew Campbell, but had been taken from him by Sir William, "to wit, three verdour beds and an arras bed, three pairs of sheets, a board [table] cloth of dornwick [diaper], six smocks of the same, a board cloth of linen, a feather bed with a bolster, four cods [pillows], two verdour beds, a pair of fustian blankets, a ruff and curtain, two pairs of sheets, a pair of blankets, *smal quhyte*, a feather bed and two saddles with their repalingás, estimated to be worth thirty-five pounds."

Rymer's *Fædora*, vol. xiv., p. 27.

De Rebus Gestis Scottorum Joh. Leslæo Episcopo Rossensi, Edit. imprim. Rome, MLXXXVIII.

By his wife Marion or Mariota, one of the numerous daughters of "Sir Robert Lord Creichtoun of ye Sanchquare," he had three sons and several daughters. William, the eldest, succeeded; of James, the second, little mention is found, excepting that unfavourable one above noticed. Robert, his third son, was a very different character, and did great credit to his name and family. He was in the Church, and being a man of great ability rose to eminence. He was Bishop of Dunkeld, and for some time also of Ross. In consequence of his gift of eloquence, his prudence, and wisdom, he was frequently entrusted with the conduct of State affairs. In 1524 he was one of the three ambassadors sent to the Court of Henry VIII. "to treat of a marriage between their King James, and Mary, King Henry's daughter, and also of a peace between the two kingdoms, and made a very great impression by his eloquence." John Lesley, who was also Bishop of Ross, says, in his history of the times, "*dictus Episcopus Dunkeldensis latinam orationem exquisitissimo eloquentiæ instructu ornatam*," &c., and in consequence of the estimation in which he was held at the English Court, his society was much sought by the most

prominent men there. He attested the declaration of the truce agreed to by the Duke of Norfolk, affixing thereto his seal of arms bearing three cocks.

Laing's
Scottish Seals,
vol. ii., pp. 37,
183.



Seal of Robert Cockburn, "dei gratia Episcopus Rossen.," appended 10th August 1515 to his charter of the lands of Kirkton, in Kilmorock, to Thomas Fraser, Lord Lovat.

Robert Cockburn was the eighteenth Bishop of Ross. Henry de Cokburn was the thirteenth Bishop of that Diocese. He was probably one of the family of Dalginche or Torry.

Christian, one of Sir William's daughters, married Alexander Creichton of Newhall, of whom further mention will presently be made, in consequence of the disagreeable experiences resulting from his match with the sister of the Laird of Skirling.

Marion, another daughter, married Hew Douglas of Borg, in Galloway. They had sasine in conjunct fee of the lands of Littill Fawside, County Edinburgh, purchased "pro magnis summis" from Robert, Abbot of the Monastery of the Holy Cross, of which

Reg. Great Seal, vol. iii.,
No. 1846.

they had confirmation charter from James V. 22d October 1538.

Sir William was still living in 1511, when James IV. gave charter of the lands of Baldene, which "familiaris suus Willelmus Cokburn filius et heres Willelmi Cokburn de Scraling militis" had made arrangements regarding to accommodate his impecunious relative, Robert Creichton, Dominus de Sanquhare.

V. Sir William Cockburn of Skirling

married Margaret Cokburn, his kinswoman, daughter of Sir William, ninth Baron of Langton. She was one of the ladies of the Court of Queen Margaret, eldest daughter of Henry VII., wife of James IV. On the 9th August 1511 that monarch gave a charter "Willelmo filio heredi Willelmi Cokburn de Scraling militis et ejus heredibus pro bono servitio, necnon in contentionem pro certa summa per regem eidem Willelmo juniore nomine dotis promissa causa matrimonii inter ipsum et Margaretam Cokburn regine servitricem completi." It was much easier for His Majesty to give the lady's dot in lands than in coin of the realm, so scarce in those days. The bridegroom would no doubt have preferred Margaret's marriage gift being in cash, as he had evidently quite as great difficulty in paying his debts as his royal master.

*Reg. Great
Seal, vol. ii.,
No. 3611.*

Catherine Lauder, wife of John Swinton of Swinton, died in 1515, and left in her will "the sum of £25 to her daughter Margaret, with that she should get from William Cockburn of Scraling for a horse and ring he had from her." It may be this ring was

*Swintons of
that Ilk, p. 40.*

got by him four years before to place on the finger of his betrothed, and he had been unable to pay the Lady of Swinton for it, having exhausted his cash at the time perhaps by paying 250 merks to the King, due by his kinsman, Robert Lord Crichton of Sanquhare, for which he received the lands of Baldene from His Majesty 4th March 1511, which the Lord Crichton might redeem in seven years.

Reg. Great Seal, vol. ii., No. 3708.

By Margaret Cockburn, who died soon after her child's birth, he had a daughter Margaret, married as second wife to her cousin-german, Sir James Cockburn of Langton.

In 1536 he came under the King's will for various acts of oppression done to his brother-in-law, Alexander Crichton of Newhall, such as taking by force at night a box of deeds out of the said Alexander's agent's hands in Edinburgh in 1528, violent occupation of his lands of Kirkrighill in 1533, overthrowing a faill-dyke on the said lands, keeping seven score of cattle and sixty horses and mares in the meadow of said lands in 1535, and breaking three letters of protection granted by the King to the said Alexander. His mode of proceeding was a rough one doubtless, but in accordance with the usages of the time, when, as Mr. Pitcairn says, "the fact of Patrick Agnew of Lochnaw, hereditary sheriff, and the highest legal functionary in his part of the country, being charged with being art and part in the stowthrief of four cows from Thomas Cunningham of Carrik, presents a melancholy picture of the state of society." William Cockburn received, 25th day of April 1536, "gift of his own escheat upon payment of 1000 merks, having been convicted at the Sheriff Court of Edin-

Pitcairn's *Crim. Trials*, vol. i., p. 174.

Reg. of the Privy Seal, vol. x., fol. 3.

burgh of the above-mentioned 'oppressioun' done by him and his servants to William Creichton of Newhall;" and on the same day he received remission "for the crimes imputed to him, amongst others for meinteyning and assisting umquhile David Hume of Wedderburn, his brothers and complices being convict of treason and ye Kingis rebell." There are several things in the life of Sir William that are unexplained. We do not know the circumstance which led to the King's giving the following permission to absent himself from inconvenient public duties:—"We, understanding that our lovit William Cockburn of Scraling is under deidlie feid with our bordouris sua that he may nocht gudlie come and remayne from our bordouris without danger of his life thairfor, . . . grantis and gevis license to him to remayne and byde at hame from all oistis, vadys, gaderyngis, assemblies, wapenschawings, weris, &c., provyding that he find and furnis his bruther and household sufficiently to do ws and oure lieutenant service at all our said oistis, &c. Subscrivit with our hand and under our priuie sele at Edinburg 11 February 1532." Nor is the cause apparent of his having fallen under his sovereign's displeasure to such an extent as to cause him to write a letter with his own hand in the following year to this effect:—"Rex.—Traist counsallouris we grete you weill, and has resaut zour writingis anent ye laird of Scraling, and thinkis your avise and counsel best, anent publishing of dome gevin againis him. Quhair ze mentione of ane minut send. We have sene nane. Therfor we pray zou that ze tak that travel to pass to him, and declair quhow it standis, sua that his lyf and guddis are in oure

*Reg. of the
Privy Seal,
vol. ix., fol.
168.*

*Pitcairn's
Crim. Trials,
vol. i., p. 175.*

handis. Gif he cummis in will we will be gracious to him, ffailzeand thairof we sall caus justice to be keptit : and thairafter that ze write to vs his anseir as ze will do vs singular plesour. Gevin at Crawfordjone ye xxix. day of Marche and of our reigne xxi. zeir. To our traist Consalaris, ower Controllar, and Thome Scot, Justice-Clerk."

Whatever the cause was, whether he had offended the implacable Justice-Clerk, who made the worst of the case against him, we do not know, but he managed to appease the King's anger, and was restored to the favour he had enjoyed in the days when the young monarch made merry at Cowthally. "James the Fyfh," says Lord Somerville, "from the eighteen year of his age to the thretty-two, frequented noe nobleman's house soe much as Cowthally. It is true there was a *because*. The castle of Crawfuird was not far off," &c. . . . "Amongst all the ladyes that was there, he fancied none soe much as Katherine Carmichaell, the Captane of Crawfuird's daughter, a young ladie much about sixteinth years of age, admired for her beautie, handsomeness of persone, and vivacity of spirit." Of the fair Katherine more presently. As Sir William Cockburn married secondly Marion, the Lord Somerville's daughter, he must have been well known to, if not on intimate terms with the King, meeting him at those portentous suppers, when "the fare was beyond all that the young lady of the mansion had seen, wholl sheep and legges of cowes being served up in platers, or rather in troches of ane awell [oval] forme made out of the trunks of . . . black and firme in the timber, as if they had been ibony or brizell."

Marion Somerville, whose sister Marjorie married

*Memorie of
the Somervills,*
vol. i., pp.
11, 373.

Ibid., p. 339.

Twedy of Drummelzier, would be told by her mother stories of her adventures on the Loch of Cowthally when she came home as a bride, for "the Lady Somervill was timorous as never being upon the watter before to goe enter the boat, but the confidence of the Laydes Carmichaell and Westerhall made her venture with the rest; the Ladyes Cambusnethan and Carmichaell sometymes applying the oares to make known their skill and give confidence to the Ladye Somervill."

Sir Walter
Scott's *Tales
of a Grand-
father*, vol. ii.,
p. 153.

*Acta Domi-
norum Concilii
et Sessionis*,
xiv., fols. 103,
123.

The profuse but primitive hospitality of Cowthally would indeed have been familiar to Marion herself and her sisters, for it was long proverbial. James VI. found the speates and raxes going there as merrily as they were wont to do in his great great-grandfather James the Third's time, and named his hospitable entertainer's castle Cow-Daily. "In those days it was still in the abundance of game and wylde foull that they gloried most; the fashione of kickshawes and deserts was not much knowne nor served upon great men's tables before Queen Marie's time." The Baron of Skirling no doubt was gallantly attired when he was a guest at Cowthally, as apparently he was not neglectful of appearances. In 1540 he presented a supplication to the Lords of the Council regarding a violent raid that had been made upon his wardrobe by one Andrew Blackstok, who, alleging that he had obtained twenty merks upon the said William Cockburn by a sentence of the official at St. Andrews, "hes gert tak fra the said William ane gown of Paris blak, bigareit with welvoit, and lynit with fanzeis." Probably Andrew had made the gown of Paris blak, and had not been able to get payment of his bill. Sir William had evidently

threatened him with strong measures for his attempt to secure himself in this manner; for in the beginning of the following year Laurence Crawford of Kilbirnie became security "for William Cockburn of Skirling that Mr Andro Blakstok shall be harmless and skaithless of him and all that he may latt." By Marion Somerville Sir William had William, James (eventual heir), Hew, John, Marion, Barbara, and Isobel.

II. **HEW COCKBURN**, Sir William and Marion's third son, had the church lands of Kirkurd and others on the Water of Urde, which he held first from "Mr David, vicar of Kirkurd," who made an agreement with him for "the tak and assedation thereof, with the fruitis and incrementis of his said glebe and kirklands of Kirkurd in August 1561." On 17th February 1576 was dated the confirmation under the Great Seal of James VI. of the charter "Ricardi Weir vicarii ecclesie parochialis de Kirkurde qua pro pecuniarum summis persolutis ad feudifirmam demisit Jacobo Douglas filio naturali Jacobi comitis de Mortoun Dom. de Dalkeith regentis Scotiæ, terras suas ecclesiasticas de Kirkurde com domibus, edificiis, pomeriis, pratis, &c. per se et Hugonem Cockburne fratrem Jacobi Cockburne de Scraling militis, et ejus sub subtenentes occupatas." In 1575 Sir James had a disposition in his favour from his brother-german Hew of a rent-charge out of the lands of Scraling, and gave Hew discharge of a similar burden upon his lands of Lethame, County Haddington. On 6th February 1588 there was a deed executed by which James Douglas of Spot, above named, as over-lord, disposed to Hew Cockburn the church lands of Kirkurde. Hew is therein styled of Slipperfield. "There is a burn called in old charters Polintarff [the West Water], which riseth from the Black Mountain Craigingar. Upon this burn stand the three Slipperfields, namely, Ewe Third, Middle Third, and Loch Third. These belonged of old to Pennecuik of Pennicuik." Confirmation was given 16th March 1574 under the Great Seal of James VI. of the charter of Robert, Commendator of the Monastery of the Holy Cross, to John Pennycuk de eodem in libero tenemento necnon Joanni Pennycuk ejus

Reg. Great Seal, vol. iv., No. 2662.

Reg. of Deeds, Scott. Office, vol. 15, fols. 84, 85.

Ibid., vol. 32, fol. 263.

Pennecuik's *Tweeddale*, p. 165.

Reg. Great Seal, vol. iii., No. 2380.

filio et heredi apparenti et Euphamie Bruce ejus sponse, &c. terras nuncupatas Yowthride [per Margaretam Wauchop relictam Joannis Pennycuk de eodem occupat.] in regalitate et baronia de Brochton vic Peblis.

The Cockburns were fortunate in getting lands with their brides on very many occasions, and very probably Slipperfield was acquired by Hew in marriage with a daughter of this old family of Pennecuik. Hugo de Penicok made his submission to King Edward in 1306 along with William de Ramesye and Piers de Pontkyn. In 1800 Sir Thomas Gibson Carmichael, Baronet, possessed it with the other estates of the House of Skirling.

Rymer's
Fædora,
tom. ii., 1015.

Reg. of Deeds,
Scott. Office,
vol. xliv.,
fol. 119.

*Reg. of the
Privy Council*,
vol. i., p. 665.

*Acta Domi-
norum Concilii
et Sessionis*,
vol. xxv., fol.
127.

*Acts of Scot.
Parl.*, vol. iii.,
p. 6.

Reg. of Deeds,
Scott. Office,
vol. ii., fol.
463.

Ibid., vol. vi.,
fol. 467.

III. JOHN COCKBURN, fourth son of Sir William and Marion Somerville, is called "personne of Scraling," when he made an agreement with Adam, Bishop of Orkney, Comendator of Holyroodhous, for a lease of Castlehill for five years. In 1567 he is styled Rector of Dolphinstoune. He was bound to pay certain duties out of the latter lands, which Michael Naesmyth of Posso gave security "for being forthcoming when called upon, to the Regent's grace."

On 10th May 1558, as "assigney of his mother Marioune Sommervill, he discharged with his brothers, Sir James of Scraling and Hew of Kirkurde, an action raised in 1548 before the Lords against John Lord Borthwick for spoliation of his said mother, in violently taking sheep and oxen from her lands of Lethame, in the county of Haddington."

He was afterwards designated of Newholme in the barony of Skirling. He married his kinswoman Katherine, daughter of Sir John Somerville of Cambusnethan.

Their marriage-contract was signed 24th October 1563. It was agreed thereby "between James Cockburn of Scraling and John Cockburn, his brother-german, on the one part, and John Sommerweill of Cambusnethan for himself, and taking burden upon himself for Katherine, his daughter, on the other part, that the said John Cockburn binds himself to marry the said Katherine Sommerweill, and the foresaid James Cockburn obliges himself to infest them both in conjunct fee in the ten pound land of old extent of Newholme, in the barony of Scraling and shire of Peebles." George Cockburn of Henderland witnessed the deed.

Katherine Somerville's mother [whose sister Margaret was wife of John Lindsay of Cockburn] was "the fair Katherine Carmichael" regarding whose relations with James V., when she was only sixteen years or very little more, "the malicious tongues" of the gossips of the time made, as Lord Somerville says, the very worst they could. "She married young Cambusnethan, an eminent Barrone, honorably descended, being a grandson of the House of Montrose, and the second great branch of the House of Cowthally. She and young Cambusnethan were most happy in their marriage. Never two lived more contentedly than they did, and there was all the reason in the world for it. Laying away her beauty, she in her prime, in the twentyeth and second year of her age, her virtue and her modesty were so conspicuous, she became a patterne to all her neighbour ladyes for thrift and good housewife."

*Memorie of
the Somer-
vills, vol. i.,
p. 386.*

John Cockburn had by his wife, Katherine Somerville, several children. The eldest son James succeeded to Newholme. On 5th February 1592 a deed was executed whereby "he, the said James, son and heir to the deceased John Cockburn of Newholme, who was brother-german to the deceased James Cockburn of Skirling, resigned in favour of William Cockburn of Skirling the ten pound land of old extent of Newholme, in the barony of Skirling, sold by the deceased James to the deceased John, his brother, and Katherine Somervell, his spous."

*Reg. of Deeds,
Scott. Office,
vol. 44, fol.
119.*

So the disputes between their respective fathers regarding this property, which had been referred in 1574 to John Hamilton of Stanehous as arbiter, had been settled by John becoming the proprietor by purchase. By an arrangement with his cousin, Sir William of Skirling, who had been knighted before 1590, he occupied Lethame after his mother's death. In 1592 he had lodged 1700 merks in the hands of William Scott, "director of the Chancellarie," for the redemption of the lands of Denholme [? Newholme]; but on the same day that he conveyed Newholme to Sir William, he gave discharge for this sum, and, consequent upon his renouncing this right, the agreement regarding Lethame was probably made. He had a son John who was *in* Lethame. His daughter Isobell was the wife of James Cockburn of Selburnrigg. According to family tradition she inherited the beauty and attractions of

*Ibid., vol. 14,
fol. 402.*

her ancestress, the fair Katherine Carmichael. Alexander Cockburn in Lethame had in 1659 sasine of the lands and maynes of Whytelaw from Richard Whytelaw of that Ilk, with consent of his wife, Margaret Purves. He also had a charter under the Great Seal in 1666 to himself and his son Patrick of Stonypeth, Harkumwood, and Whittinghame. Letham had passed in fee to the Cockburns of Clerkington in consequence of the marriage probably of Patrick of Clerkington with Marion, John of Newholme's sister. In 1670 it was settled upon Jeane, daughter of Cockburn of Ormiston, who married Richard Cockburn of Clerkington.

IV. MARION, eldest daughter of Sir William by his wife, Marion Somerville, married Patrick Cockburn of Clerkington.

V. BARBARA married John, son of George Hay of Mynzeane, County Peebles. Their names appear in an action before the Court of Session in 1539, along with that of her brother Sir James.

VI. ISOBEL married David Kincaid of the Coittis, who was Governor of Edinburgh Castle in 1542. The chief seat of this family was Kincaid, Stirlingshire. A descendant, Alexander Kincaid, was Provost of Edinburgh in 1776. He was printer and stationer to the King for Scotland. His wife, Willelmina Carolina, was the daughter of Lord Charles Ker, son of the first Marquis of Lothian. Their son, Alexander Kincaid, succeeded his father as printer and stationer to His Majesty.

Sir William had Letters of Justiciary on 21st January 1515 for Peeblesshire, as his father, proprietor of Cessford Baroný, had in 1470 for Roxburghshire. He was succeeded by his eldest son, William.

VI. Sir William Cockburn of Skirling did not come immediately into possession of the estates upon his father's death. "The gift of the

*Partic. Reg.
of Sasines,
County Edin-
burgh*, vol. 7,
fol. 430.

Ibid., vol. 9,
fol. 421.

*Acts and
Decrets*, vol.
20.

R.R.Stodart's
Scottish Arms,
vol. ii., pp. 18,
79.

*Reg. Privy
Seal*, vol. v.,
fol. 35.

*Reg. Privy
Seal*, lib. xx.,
fol. 7.

ward of the estates of the late William Cockburn until the entry of the heir, with the marriage of the latter, was given to Jane Hamilton, sister of the Lord Governor." After he did enter upon possession thereof, he was soon disturbed. On 17th November 1547 "the Bishop of Dunkeld had gift of the escheat of William Cockburn of Scraling, denounced a rebel, and put to the horn for not presenting William Lauder of Haltoun before the Lords of the Council on 10th November instant."

Reg. Privy Seal, lib. xxi. fol. 54.

George Crichton was Bishop of Dunkeld about this time—"a man nobly disposed and a great house-keeper, but in matters of his calling not very skilled; he thanked God that he knew neither the Old or New Testaments, and yet had prospered all his days." The escheat of William Cockburn for apparently small cause was perhaps easily got over, and if George Crichton or his nephew who succeeded him was the Bishop then, being his kinsman, it may be concluded that he did not suffer materially from this forfeiture. In 1550 he had been knighted, and was in possession of the estates when he attested at Edinburgh, on 11th August of that year, the confirmation under the Great Seal of Queen Mary of a charter from Symon Preston de eodem. He died in the end of the following year. The will of William Cockburn, Knight and Lord of Scraling, was made at Edinburgh 17th December 1551. It was registered in the Commissariat of Glasgow, probably in consequence of a large portion of the estates being in Lanarkshire.

Archbishop Spottiswoode's *History of the Church of Scotland*, vol. i., p. 199.

Reg. Great Seal, vol. iv., No. 498.

Glasgow Testaments, vol. i., fol. 68.

He left "his soul to God, the Blessed Virgin, and all the Saints; his body to be buried in the aisle of St. Gabriel in the Collegiate Church of St. Giles of

Edinburgh." His brothers James, Hugh, and John are mentioned as having to receive i^c merks each for their "bairns' part of his father's gudis," and his mother Marion Somerville had to be paid "iii^c merks for hir pairt of my faderis gudis."

To his sister Barbara he bequeathed 800 merks, to be received from the marriage of James Cockburn, his heir, which he, being present, personally acknowledged. To Agnes Somerville he left 200 merks; to William Cockburn, his son, 400 merks, and thir xiiij^c merkis foirsaid to be uptane of the marriage of the [heir?] of Scraling. His brother John was to have all his raiment and household utensils of silver, earthenware, &c. His tenants in Scraling were remitted their teinds of the year then running, and the tenants in Heudis and Robertown one term's rent. His brother-german James, and Alexander Somervell of Torbroks, were named his executors, and his mother Marioun Somervill as superior; and she was to be sole executrix if the said James and Alexander could not agree; and he added in conclusion, "Gif ther be ony personis that I haf wrangit be takin of geir and unjustly haldin fra thaim, I will that my moder mak to them restorance." These things were done at five o'clock in the morning in the dwelling-house [hospitium] of the testator, before David Somerville, William Cockburn, Edward Forrest, Gilbert Gilpatrick, and James Somervell of Humby.

*Reg. Great
Seal, vol. iv.,
No. 450.*

The William his son, mentioned above, had letters of legitimation under the Great Seal of Queen Mary in 1550. Perhaps the Agnes Somervill mentioned in same clause of this will was his mother. He married Christian, daughter of Pennicuik of that ilk. She remarried John Spens. William

was styled of Claverhill, in the barony of Maner, and his son William Cockburn is called "pupil son and heir of Claverhill," in a contract betwixt James Cockburn of Scraling, Alexander Crychton of Newhall, and Issobel Cockburn, spouse to David Kincaid of the Coittis, his trustees, and Christian Pennecuik, his mother, and her second husband, John Spens, regarding certain money due to William and his sisters Katherine and Elizabeth. John Pennicuik of Pennecuik was witness to this deed executed at Edinburgh 12th November 1555.

Reg. of Deeds,
Scott. Office,
vol. i., fol.
238.

In 1636 James Cockburn, "sometime in Claverhill, now baillie of Skirling, and Marion Hamilton, his spouse," gave an obligation for 300 merks to Alison Cockburn, relict of Alexander Row, minister of Stobo.

Reg. of Deeds,
vol. 449.

In 1627 he appeared at the Wappenschawing on the Borow-Muir of Peebles, called King's-Muir, as representative of his father-in-law, Sir John Hamilton of Skirling, "accompanied with horsemen, all with lances and swords, and four jacks, in the parishes of Skirling and Robertson in Lanarkshire."

Pennecuik's
Tweeddale,
p. 304.

VII. Sir James Cockburn of Skirling

succeeded his brother. He was a staunch adherent of Queen Mary, and his name is mentioned conspicuously on many occasions, when he displayed ability and judgment not less worthy of admiration than his courageous loyalty. The note of his retour is dated 26th February 1551. "Jacobus Cokburn hæres Willelmi Cokburn de Skirling militis fratris in terris et baronia de Skirling cum advocacione ecclesiæ de Skirling et Capellaniæ ejusdem." On 3d May in the following year he had granted to himself and his heirs, "20 libratas terrarum de Dawick, 10 libratas terrarum de Syntoun antiqui extentus cum turris &c. vic Peblis et Selkirk," which had fallen to the Queen by reason of the forfeiture for

Inquisit.
Speciales, i.,
125.

Reg. Great
Seal, vol. iv.,
No. 691.

*Reg. Privy
Seal, lib. xxiv.,
fol. 139.*

treason of James Wache [Veitch] of Dawick. The record in the Privy Seal Register is merely of "the gift of the ward and non-entry of Dawick."

*Pitcairn's
Crim. Trials,
vol. i., p. 479.*

James Baron of Skirling held a prominent position at the time of the birth of James VI., as appears from the quaint description of the events of 1566-7 in Mr. Pitcairn's Collection :—"The Nativitie and birth of our Noble Prince was in the Castel of Edinburgh ye 17 Junii, at 17 hours, in ye year of our Lord 1566. His baptiseing was in Stirling be the Bischope of St. Andrews. The King of France and ye Queen of England be the ambaxattis being witnesses . . . The Quene sent ane funt of gold [twa stane wecht, says Johnston] to his baptiseing. . . . The said Monseor de Breane namit him be command of ye King of France CHARLES. The said Erle of Bedford namit him be command of ye Queen of England JAMES, quilk we retien. . . . The King remayned and lay in ye Kirk of Field, and many and divers tymes ye Queen cam to sie how he did, he being very seik. He being in his bed ye 9th February 1566 at twa in ye bell after midnycht, was blawene in ye air, and ye haill lodging. . . . The Erle of Murray departit to France within ane moneth after ye said slaughter. . . . The Prince wes sent to ye Lord Erskine at Stirling ye 8 of March in ye year of God 1567, and he delyverit ye Castell of Edinburgh to her grace ye same day, quhilk shee gave in keeping to Schir William Cockburne of Scirling, Kny^t, who keipit ye samyn till ye 22 of Appryll, and than Schir James Balfour of Pittendreich, Knicht, Laird of Burghley, was made Captane thereof." The name of William is evidently a mistake, as shown by the retour quoted.

"A mighty marvell was shown on the day the castell was randered to Cokburn of Skirling at ye Queene's command. Ther rais ye same day ane vehement tempest of vund, which blew a very grate ship out of ye rode at Lieth, and sicklyk blew the taile from ye cocke wich standes on ye tope of ye steiple away frome it, so the old prophesy cam trew—

*Diary of
Robert Birrell,
Burgess of
Edinburgh,
p. 7.*

"Quhen Skirling sall be capitane
Ye cocke sall vante his taile."

There must have been some peculiar circumstances which gave rise to such an odd saying, referring to the armorial bearings of the Cockburns.

When Mary Stuart had fallen into the hands of her greatest enemy, the jealous Elizabeth, Sir James Cockburn loyally watched her interests.

"About the end of September 1568 the Regent, and those joyned with him in commission, took their journey into England, and came to York the 5th October. The same day, and almost the same hour, came Thomas Howard, Duke of Norfolk, Thomas, Earl of Sussex, and Sir Ralph Sadler, Chancellor of the Dutchy of Lancaster, having commission from the Queen of England to hear and determine all questions, controversies, debates, and contentions betwixt her sister, the Queen of Scots, and the subjects adhering to her on the one part, and the Earl of Murray and others refusing to acknowledge her authority, and adhering to the Prince, her son, on the other. . . . Some two days after, John Lesley, Bishop of Ross, William, Lord Levingston, Robert, Lord Boyd, Gawan, Commendator of Kilwinning, and James Cockburn of Skirling, Commissioners for the

*Archbishop
Spottis-
woode's
History, p.
119.*

Scottish Queen, entered the city. . . . An oath was presented to both parties by the Commissioners of England. . . . Before they took the oath, the Commissioners for the Queen of Scotland protested 'that although the Queen their Mistresse was pleased to have the differences betwixt her and her disobedient subjects considered and dressed by her dearest sister and cousen, the Queen of England, or by the Commissioners authorised by her, yet she did not acknowledge herself subject to any Judge on Earth, she being a free Princesse, and holding her imperial crown of God alone.'" It was a manly, patriotic protest made by brave Bishop Lesley, James Cockburn, and their brother Commissioners, and had weight with those representing Elizabeth, whom Mary's unnatural brother would, it was made very evident, have desired then and there "to have gevin sentence of guilty against the King's mother," and delivered her into his hands.

*Reg. of the
Privy Council,
vol. ii., p. 134.*

Sir James Cockburn of course fell under his bitter animosity. He charged him with complicity in the murder of Darnley, and, though failing to establish the accusation by any evidence, got the Lords of the Secret Council, Morton, Athol, Mar, Glencairn, and Home, to issue an order, 7th July 1567, "to all and sindry legis and subjectis of the realme, that nane of thaim tak upon hand to answer, obey, and mak payment to James Cokburn of Scraling, or ony chamberlains or collectouris to be made and constitute be him, of ony rentis, fruitis, or duties quhatsumever;" and on 8th May 1572 he, with Hew, Lord Somerville, having failed "to appear and answer the Lord Regent's Grace and the Lords of the Secret Council, it was ordained that these two

be put to the horn," and "ye place of Skirling, by the Regent's order, was blawin up with gunpowder and destroyit, at the quhilk time the laird thereof was in England."

Birrell's
Diary, p. 16.

It was a strong and important castle, admirably situated for defence, and from the vestiges of the walls must have been large. "It was surrounded by a morass or bog [the old moat], except a small space on the south-west side, and that was defended by turrets; the entry to the house was by a bridge of stone over this bog."

Pennecuik's
Tweeddale,
p. 262, Note.

Sir James Cockburn married Joneta or Janet Herries, one of the three daughters and co-heiresses of William, third Lord Herries of Terregles. She resigned [with consent of her grandfather, James Kennedy of Blairquhan, then no doubt an infirm old man, easily influenced] her third share of the estates to Lord John Hamilton, second son of James, Earl of Arran and Duke of Chatelherault. Her sister Katherine, afterwards married to Alexander Stuart of Garlies, and so ancestress of the Earls of Galloway, did the same. Their elder sister Agnes was more fortunate, and being protected by being married, had her third settled upon herself and her husband, John, Magister de Maxwell, in 1550, who became *jure uxoris* fourth Lord Herries of Terregles. He was, like James Cockburn, a bold and uncompromising friend of Mary Stuart. On the 14th day of April 1569 he was put in ward in the Castell of Edinburgh, at aucht houris in the evin, becaus he wald nocht acknowledge the Kingis auctoritie nor my Lord Regent's.

*Reg. Great
Seal*, vol. iv.,
Nos. 562, 581,
695.

Ibid., No. 405.

*Diurnal of
Occurrents*,
p. 144.

By the Lady Janet Herries Sir James had a son William, his successor, and a daughter Jean. On

Reg. of Deeds,
Scott. Office,
vol. xxvi.,
fol. 109.

the 24th December 1586, a "contract was made between Sir James Cockburn of Scraling, Knight, Dame Jeane Herreis, his spouse, and Jeane Cockburn, their daughter, on the one part, and James Hamilton of Libberton, with consent of Christian Boyd, his spouse, and also of Robert Lord Boyd, Sir James Hamilton of Crawfordjohn, Knight, William Cunninghame of Caprington, and Alexander Hamilton of Netherfield, whereby, for the sum of 1000 merks paid to the said James Hamilton of Libberton, he, with the consent of the foresaid, infefts the foresaid Sir James Cockburn, his spouse and daughter, in the Mains of Libberton, parish of Carnewath and shire of Lanark. Hew Cockburn, brother to the said Sir James, and James Cockburn, burgess of Haddington, were witnesses.

Sir James, who died two years afterwards, desired possibly to leave this property as a residence for his wife and daughter, foreseeing that things would not go on pleasantly with their son and his wife.

Ibid., vol.
xxxvii., fol.
177.

Disputes arose very soon, for on 16th December 1590 "Dame Jean Herries, Ladye Skirling, agreed to a decreet-arbitral and submission, by which she resigned to her son her liferent and interest in the New Maynes of Skirling, as arranged by the arbiters between them, who were Edward Maxwell, younger of Lamington, John Keyth of Ravenscraig, and John Cockburn of Newholme. Jeane Lady Skirling seems always to have been resigning her rights, and to have been troubled in her possessions. On this occasion her son was perhaps urged on by his wife, Helen Carmichael, who remarried James Tuedy of Drummelzier, and with him persecuted the poor old lady to such an extent that she had

to seek redress and protection from the Lords of the Council.

On the 25th January 1602 she appeared personally before them and preferred her complaint, stating that "although she is servit and kennit to the sonny terce and thrid parte of the lands of Lethame, Wittoun, Brumisfield *alias* Cowslandis and Newark, and to the 9 acres of land lying on the south of Haddington, shire of Edinburgh, and has ever since the decease of her husband been in possession of the same by uplifting the maills and profits from the tenants, yet Helene Carmichael, relict of William Cockburn of Skirling, and James Tuedy of Drummelzier, now her spouse, have masterfully uplifted from the said tenants the maills and fermes for the crops 1601 and 1602, and threatened to bereave them of their lives if they did not comply." The more to "utter his bangstrie and oppressioun," the said James compelled the said tenants to oblige themselves, in the Sheriff books of Haddington, to pay him the profit of the said lands, so that, being subject to double payment, they are constrained to leave the said lands waste; further, about Martinmas last the said Tuedy and his servants "reft from the complainer's tenants of her conjunct-fee lands of Nether Mains of Skirling two oxen belonging to her. She is ane ageit gentilwoman, destitute of her husband and freindis, quha ar dwelling far frome hir." As both parties appeared, the Lords remitted the matter to the Judge Ordinary, but ordain Tuedy to find caution for the indemnity of the pursuer in £1000 in forty-eight hours hereof, under pain of rebellion. This order was but of little use to "the poor ageit gentilwoman." Her son's widow and her

Reg. of Privy Council, vol. vi., p. 527.

*Reg. of Privy
Council*, p.
867.

husband did not leave her in peace; for on 3d March in the following year, "James Tuedy of Drummelziare, as principal, and Syme Scott of Bonnyngtoun as suretie, are again bound over under penalties not to harm Dame Jeane Herreis, Lady Skirling, relict of Sir James Cockburn of Skirling, conform to the charge given 25th January 1603."

VIII. Sir William Cockburn of Skirling

succeeded his father in the estates in the counties of Peebles and Haddington. On 16th July 1590 Sir William Cockburn of Skirling, Knight, Patrick Cockburn, tutor of Langton, and John Cockburn of Newholme were present at the assize, and gave security for their friends and relatives, James Tuedy of Drummelzier, Adam Tuedy of Drava, William Tuedy of the Wrae, John Crychton of Quarter, Andro Crychton in Cardowne, and Thomas Porteous of Glenkirk, all accused of being art and part in the slaughter of Patrick Veitch, son to Willam Veitch of Daick or Dawick.

Ibid., vol. v.,
p. 165.

On the 6th September 1591 the complaint of Margaret Hay was laid before the Lords of Council by Alexander Horsburgh of Harcaris, setting forth that "in August last His Majesty being occupiit at the honourable actioun of the baptism of the Prince, His Hienes' darrest son, quhen his Majesty's puir subjectis luikit leist for ony wrang or violence, Thomas Hay, brother of John Hay of Smeithfield, John Govane, Thomas Govane, and others, came to compleaner's mother in Sheiplaw, shire of Peeblis, and carried hir away with thame to the place of Haltrie, thinkand to have misusit her at their plesur,

sho being a puir young damesell of xiiii. yeris of age, and sua had done indeid were nocht sho reskewit furth of thair handis by William Cockburn of Scraling, who still detanis hir in his house of Scraling. The Lords ordain that William Cockburn should release hir sua that sho may remane with hir said moder and vthir friendis at her pleseir, within six hours, under pain of rebellion. The puir young damesell would have perhaps been safer to remain under the protection of Sir William Cockburn, his mother, and wife. The story is altogether suspicious. On the 30th September 1594 Sir William Cockburn of Skirling and Patrick Cockburn, tutor of Langton, were again sureties for James Tuedy and John Tuedy, tutor of Drummelzier, accused of having given countenance to "the unnatural and odious rebellious of Francis, sumtyme Erle of Bothuill, manifested to the haill world, and his manifest contempt of ouer Soueraine Lordis autorite." All so charged were at this time pursued and punished with great rigour; men of unimportant position had short trial, and were hanged without mercy "for enter-teyning of the said Francis;" others, like "my Lord Home, who made repentance unto the New Kirk befor the Assemblie on hys knees," had to find good security for their future conduct.

On the 22d December 1595 Sir William Cockburn of Skirling is found as suretie in the sum of £2000 that James Lord Hay of Yestir should not harm John Hay of Smithfield, or his son John. No doubt there was no great regard felt by the Laird of Skirling for the latter, or by them towards him, after what had taken place.

*Reg. of Privy
Council, vol.
v., p. 668.*

In 1592 King James VI., "with avyse of the

*Acts of Scots
Parliament,
vol. iii., p. 583.*

present Parliament, having consederacioun of ye gude and thankful services done to His Majesty, and umquhile our darrest mother, by umquhile Sir James Cockburn, father to William Cockburn, now of Skirling, ordanis ane new infestment to be granted to him vpoun his own resignacioun off all and hail the landis and baronie of Skirling, with tower, fortalice, and toune of ye samyn, with erection of the said toune of Skirling to be erected into a free burgh of baronie, &c. This was a very easy and inexpensive way of recognising the services of Sir James. It does not appear that filial gratitude induced King James to assist his son with means to rebuild his ancestral castle, destroyed as the reward of his fidelity to "our darrest mother."

*Memorie of the
Somervills.*

*Reg. of Deeds,
vol. 512.*

Sir William Cockburn married Helen Carmichael, who, unhappily for the welfare of his family, remarried, as has been related, his kinsman, James Tuedy of Drummelzier. James V. invited himself to the marriage in 1536 of Marjorie, the Lord Somerville's daughter, "to the Laird of Drummelzier, chief of the Tweedies, as eminent a barone and of as great command as any in Tweeddale." When Sir William stood as sponsor so often to their descendant in his troubles as a young man, little did he think that he would marry his widow, and so grievously harass his mother. He had by Helen a son William, his heir, and a daughter Isobel, married to Sir David Crichton of Lugton, who had as her dower the lands of Hollinglee in Selkirkshire. In 1638 "Sir David Crichton of Lugton, Knight, and Isabell Cockburn, Lady Lugton, gave discharge to William Graham of 550 merks maills of the lands of Hollinglee, which belonged to the said Lady."

IX. William Cockburn of Skirling

was retoured heir to his father Sir William 10th December 1603, in the barony of Skirling, and in the lands of Robertistoun and Newholme, County Peebles, and Heudis, County Lanark, annexed to the barony of Skirling; also on 19th March 1607 in those of Lethame, which lay near Barrowfield, County Haddington, both of which were granted to his ancestor Sir Alexander Cockburn of Langton in 1361-1367. It appears, therefore, that all the principal possessions of his house had come down to him. In 1621 he sold the ancient heritage of Skirling to Alexander Peebles, whose daughter and heiress married Sir John Hamilton, who thus became proprietor of the estate. On 19th May 1630 William Cockburn, "sometime of Skirling," was retoured heir to Walter Sinclair, father of his grandmother's grand uncle, to Christian Sinclair, mother of the late Adam Cockburn of Skirling, his great-great-grandfather, and to William Cockburn, brother of his great-great-grandfather, and to Adam Cockburn, his great-great-grandfather. The names should have been transposed. By the charter under the Great Seal of James IV. in 1511, referred to in its place, Sir William, fifth Baron of Skirling, is distinctly stated to have been the son of Sir William, Adam's younger brother and his successor in the estates. These services were obtained probably to establish his right to scattered remnants of his heritage, although what object was to be gained by having himself served heir to Christian Sinclair and her father is not evident, as the barony of Cessford and its appanages had so long passed to the Kerrs. He had a son

*Inquisit.
Retorn.
Abbrev.,
County
Peebles, iii.,
60; ibid.,
County
Lanark.*

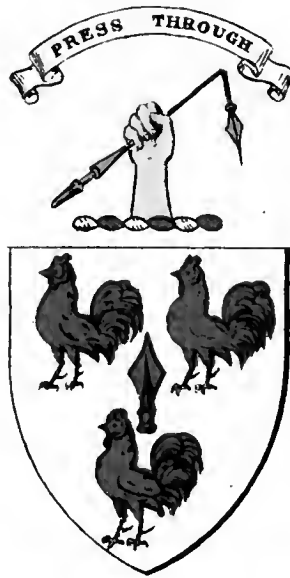
*Ibid., County
Haddington,
iv., 141.*

*General
Services.*

*Partic. Reg.
of Sasines,
County Edin-
burgh*, vol. 11,
fol. 234; vol.
13, fol. 290.

William, who in 1656 had sasine of the lands of Standanflat and Peilflat, in the regality of Dalkeith, and this William, then a Major in the Army, had an additional sasine in 1668 of some portions of the lands of Peilflat, in the parish of Newbottle and regality of Dalkeith, on charter from William, Earl of Lothian. He married Mary Melrose, and had a son, also in the Army, and several daughters. The eldest, Janet, married Archibald Hislop, portioner of Monckton, and had by her marriage-contract, dated 19th May 1686, sasine of an annual rent out of Monckton Hall, County Haddington. Her brother

Ibid., vol. 37,
fol. 362.



Cockburn of Stonyflatt, 1700.

*Inquisit.
Retorn.
Abbrev.,
County
Edinburgh*,
No. 1334.

William was retoured 7th January 1692 "hæres vice collonelli Gulielmi Cockburne de Standanflatt et Peilflatt infra parochiam de Newbottle et regalitatem

de Dalkeith." He was also on the same day served heir to his said father, "vice-collonelli Gulielmi Cockburne," in some small portions of the most ancient possessions of his forefathers, *i.e.*, "4 bovatis terrarum de Milncraig de Dolphingstoune, aliter 4 bovatis terrarum de Robertoune vulgo nuncupatis 'the Milnerig' infra parochiam de Dolphingstoune et vicecomitatem de Lanerk, et per annexationem infra baroniam de Skirling et vicecomitatem de Peebles pro principali: 4 bovatis terrarum baroniæ de Skirling vulgo nuncupatis 'Littlemains' de Skirling in warrantizationem," &c.

*Inquisit.
Retorn.
Abbrev.,
County
Lanark,
No. 397.*

He had a son William, also a soldier. Mr. Nisbet calls Lieutenant William Cockburn of Stonyflat representer of Skirling, and gives his arms as depicted above, *argent, a spear's head between three cocks gules; crest, a dexter arm holding a broken launce proper; motto, Press through.* In accordance with their martial instincts, and perhaps in the laudable but forlorn hope of restoring by their swords the position of their knightly race, this military family adopted their crest and motto, and placed between the three cocks a spear's head instead of a buckle, formerly borne on the fesse point of the shield. Mr. Nisbet, quoting Balfour and Pont's MS., gives the same bearing, [registered in the Lyon Office as that of the Cockburns of Stonyflat], to their ancestors of Skirling. If this change was made, it certainly was some two or three generations after Sir David Lindsay's time, although those figures had been assumed by some of the name before the date of his armorial, 1542. A spear and a broken spear both appear in the singular coat of arms, of which an imagined representation is here produced,

*Nisbet's
Heraldry,
edit. 1722,
p. 355.*

which belonged to an unfortunate gentleman of the name of Cockburn, a scion possibly of the House of Skirling, who was slain apparently and stripped of



his armour by a certain doughty George Bullock, master gunner of Berwick-upon-Tweed in the year 1541, who, having slain, took possession. In the most formal and matter of fact way he adopted the coat of armour he had "wonne," as set forth in the underneath very curious document. George Morton, the worthy Mayor of Berwick, knew nothing we may suppose, and cared less, about the laws of heraldry, or the powers of Garter or Lyon Kings-of-Arms.

"To all trewe Christian people to whom this presente writinge shall come, Knowe ye That I George Morton of the Quenes Ma^{ties} towne of Barwick vpon Tweede Gentilman Mayour of the same towne with the Aldermen there Sende gretinge in ower Lorde God everlasting for as moche as yt Behoveth Everie Christian to wites and recorde in all matters of truthe Being therevnto requyred for the Better avoydinge of all sequele dowbtes, And thadvancemente of the veritie Know ye that we the Sayde Mayour and Aldermen the day of Makinge hereof have perfytyllye sene and perused the Laste will and testamente of George Bullock late Master Gonner over the Companye of the Ordynarye gonners

of Barwick aforesayde which beryth dayte the xiiij^{te} daye of June/ 1568 in the Tenth yere of our Sovereigne Ladie Elizabeth the quenes Ma^{ties} reigne that now ys In which Will and testamente the sayde George Bullock doth graunte and frelye gyve vnto his sonne in Lawe this Berer Rowland Johnson of the same towne gentilman The Master Mayson and Surveyor of the quenes Ma^{ties} workes there / An armes whiche ys two speres The one Broken and the other hole with certayne Moorcockes standinge in a shielde Whiche sheilde ys thone halfe blacke And the other half blewe The helmeth Blewe Mantyled white and Black with two yellowe tassells Lyke golde at the endes. Which armes was wonne by the Sayde George Bullocke vxviijth yeres sence of a Scottishe gentilman one of the house of Cockburne And nowe the sayde George Bullocke By that his sayde Laste will and testamente dothe frelye gyve and Surrender over the same Armes vnto his sayde Sonne in Lawe Rowlands Johnson as Beporesayde for to gyve or vse yt in euerye condicion as Lardgelye and as Amplye as he the sayde George Bullock mighte or owghte to have gyven yt in His Lyfe tyme. In witnes whereof we have herevnto affyxed the Seale of the Mayoraltye of the sayde towne of Barwyck the xixth day of July In the xjth yere of the Reigne of owre Sovereigne Ladye Elyzabeth By the grace of God Quene of Englonde ffrawnnce And yrelonde defender of the ffayth et cetera. 1569.”

*British
Museum, Ad-
ditional
Charter,
19,882.*

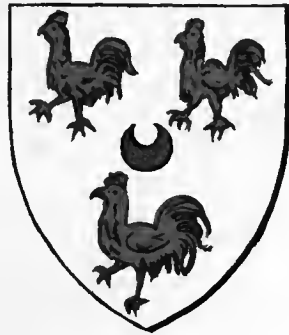
With regard to the “buckle” in the coat of Skirling, it differs from that on the seal of Sir Alexander Cockburn, first of Langton, A.D. 1340, in having the tongue erect instead of fesse-ways, and also from the buckles on the mantling of the curious and well-cut seal of Sir William Cockburn of Langton, A.D. 1440, and those figured by Sir David Lindsay in the coat of “Stewart called of Bonkylle,” and others tracing descent from the ancient house of Bonkylle in the Merse.

It is possible that the first Sir William Cockburn of Skirling adopted this “buckle” to record his descent from the de Monfodes, who may have carried this figure on their shields.

Robertson's
Ayrshire
Families,
vol. iii.

Who they were, when or whence they came, we know not. All that can be said with certainty is that they "were auld with us." A Laird of the family, styled "of that Ilk," remained in possession of their pleasantly situated lands upon the Monfode Burn, near Ardrossan, in Ayrshire, until the latter part of the seventeenth century.

COCKBURN OF CLERKINGTON, HADDINGTONSHIRE.



I. **Patrick Cockburn**, second son of Sir Alexander of Langton, the Keeper of the Great Seal, was the author of this influential family. He inherited the Templelands and Myrside of Whitsun in the Merse, which were his mother Marjorie Hepburn's patrimony. His usual designation was "of Newbiging," one of the many places so called in the Lothians and other counties. He had also possession of Clarkintoun or Clerkingtoun, held from the Abbey of Cambuskenneth. The name was old. In 1337 "the Marchers of England, hering* of the sege of Edinburgh, cam to rescue it, so that the [Scots] cam thens to Clerkingtoun, and the Englischemenne cam to Krechton, when betwixt them and the Scottes there was a great fight, and many slayne on both parties."

Hailes' Annals, vol. ii., p. 237.

In the charter from Archibald, Earl of Douglas, in 1423 of lands in Lanarkshire to his brother, Sir William Cockburn of Langton, he was named heir thereto, failing William's legitimate descendants. His wife appears to have been either the sister or

Reg. Great Seal, vol. ii., No. 256.

*Reg. Great
Seal, vol. ii.,
No. 29.*

daughter of "Sir Robert de Lawedre de Edrington," County Berwick, Justiciar of Scotland, who had new investitures on his own resignation for that purpose of the lands "de le Crag et de Ballingowne [Balgone] ac dimidiam partem de le Basse in baronia de North Berwik et constabularia de Haddingtoun, et terras de Edrintoune et de Simprim vic de Bernico; terras de Estir Pencatland et de Newhall in constabularia de Hadyntoun." This Newhall [a name nearly as common in Scotland then as Newbigging] belonged to Patrick Cockburn's descendants.

*Exchequer
Rolls, Scot.,
vol. v., p.
305.*

He was for many years "Præpositus de ville de Edinburgh," and Governor of the Castle thereof. In 1446 he received payment from Walter Cockburn, Custumar of Haddington, of the pension of "quadraginta librarum," granted to him for three years. In the same Walter's accounts for 1448 xl. lb. was paid to him as salary for the term between the Feast of St. Martin's and Pentecost. He had also xl. lib. additional "pro suis laboribus et expensis factis circa obsidionem castri de Dunbar de mandato Regis."

He appears to have been succeeded for a year or two by his kinsman Patrick, son of John Cockburn of Ormiston, as Constable of Edinburgh Castle. This Patrick was Sheriff of Haddington. There being three Patrick Cockburns living at this time, all rather prominent men, mistakes have been made regarding them. This Patrick of Ormiston has been given, by more than one writer, the credit of the defence of Dalkeith in 1452, which beyond doubt belongs to the second Patrick of Clerkington. He has also been stated to have been one of the embassy sent to treat with the English after the battle of Sark; but although in the foregoing memoir of the

Cockburns of Ormiston this statement has been repeated, there seems very great reason to doubt its correctness. It is much more likely to have been the Laird of Newbigging, who certainly was one of the four ambassadors to the Court of Henry VI. in 1449. Their commission was dated 10th May, by James II., who satisfied "de fide, legalitate, et circumspectione venerabilium et spectabilium virorum Alexandri domini Montgomerie consanguinei nostri sincere dilecti, Domini Johannis Methven Decretorum Doctoris, Patricii de Cockburn Præpositi Burgi nostri de Edynburg et custodis castri ejusdem, magistri Patricii Yhong Decani ecclesiæ Cathedralis Dunkeldensis," constituted these four, or three, or two of them to act as his special commissioners and ambassadors. John Methven, the Doctor of Decrees, was apparently the chief speaker of the three who appeared in London; Montgomery was not present at the agreement made for a truce until the 20th September of same year. King Henry made them a present of £40 amongst them. When this truce had nearly expired, Patrick Cockburn was one of another embassy who arranged at Durham for an extension until the 19th November following. The others, to whom the safe-conduct was granted, were the Bishops of Dunkeld, Moray, and Brechin, Andrew Hunter Abbot of Melrose, Alexander de Lyvyngston de Calentare, Justiciary of the Kingdom, Alexander Dominus de Montgomery, James Dominus de Hamilton, Andrew Dominus de Gray, Thomas de Cranstoun, and the able John Methven.

Patrick Cockburn must have been about seventy years old when he went in 1449 as ambassador to London, so well deserved the epithet of venerable.

Rymer's
Fœdera, tom.
xi., pp. 229,
231, 235, 236,
239, 240.

He died shortly after his return, being succeeded by his son Patrick. The Walter Cockburn, Custumar of Haddington, mentioned above, was the proprietor of Harperdean, and was a scion of the Skirling family. Patrick Hepburn, Dominus de Halis, witnessed the sasine "from William Cokburn off Schralling to Walter Cokburn off Harperdean."

II. Patrick Cockburn of Clerkington

Rotuli Scotiae,
vol. ii., p. 375.

*Swintons of
that Ilk*, Ap-
pendix, p. 48.

was also an able and trusted diplomatist as well as a most gallant soldier. Sometimes he is found called of Newbigging, at others of Clerkington. When in 1459 he had a safe-conduct from the English monarch, he is designated of the former place, as also when in 1464 he was named amongst the "nobilibus viris" who sat upon the inquest held with reference to the lands of Cranschaws, County Berwick, in dispute between the Swintons and the Oliphants.

Hume of
Godscroft's
*History of the
House of
Douglas and
Angus*, p. 197.

His fame rests most upon his brave defence of Dalkeith Castle in 1452. "John, or rather James Douglas, Lord Dalkeith, who married the King's sister, and so fracke on that side. The Erle of Douglas was sa much the more incensed against him that he should have, without regard to the tie, joyned with the enemies, and therefore besieged the Castle of Dalkeith, binding himself by an oath not to depart from there untill he had gotten it taken. But it was valliantly defended by Patrick Cockburn of Clerkington, in such sort that after he was constrained by great travell and trouble of his men, by watching and many wounds, he left the siege and depart." He had been in charge of the castle for many years, and had greatly strengthened it. In

1444, James Giffard and his brother being keepers of the middle ward of it, there was paid to them x. lb., and to Patrick Cockburn xxvi. lb. xiii. s. iiij. d. ad reparacionem domus castri de Dalkeith de mandato regis, testante Jacobo de Levingstoun capitaneo castri de Strivelyne. In 1445 he received pro custodia dicti castri de anno computo xiii. lb. vi. s. viij. d., et pro laboribus et expensis suis factis in servicio regis x. lb., and lx. lb. afterwards.

*Exchequer
Rolls, Scot.,
vol. v., p. 104.*

We do not find that any very especial reward, such as knighthood, was bestowed upon him for his brave defence of Dalkeith, although it was an achievement noted in history, and one that materially assisted in bringing about the final result of the Earl's rebellion, which ended in his having to take refuge at the Court of King Henry, who in 1455 granted to him a pension of £500 a year, to be paid to him until such time as he should recover the whole or greater part of his possessions which had been taken from him "by the person calling himself King of Scotland." He imitated the facetiousness of his father, the hero of Agincourt, who in an angry mood styled James I. "hym that calleth himself Kyng of Scotland." When the treaty was made by Patrick Cockburn, Provost of Edinburgh, and his colleagues, on behalf of "the High and Mighty Prince the King of Scots," with King Henry's commissioners, it was certainly stipulated by them "that nothing to be seid or to be do by my Lords and Maisters or Me, or any of us, fro the begynnyng unto the ending of the said Tretie, sall in any wise hurte or Prejudice the right or title which he oweth, or pretendeth to have, to the superiority and Pre-eminence of the Londe of Scotland."

*Rymer's
Fœdera, tom.
xi., p. 367.*

Rymer's
Fœdera,
p. 365.

Patrick Cockburn had, as well as his father, various payments made to him for his services in "negociis regis," having more than once gone as ambassador to England. In 1458 a safe-conduct was granted "venerabilis patris, Jacobus Kennedy episcopus Sancti Andrea, Georgium Shoreswode Episcopus de Brechyng, Magistrum Nicolaum Oterburn, Jacobum de Leyffyingston, Magnum Camerarium Scotiæ, Andream Dominum de Mungumery, Dominum Hamylton, Willelmus de Cranyston, Patricium de Cokburn, with a hundred attendants.

*Acts of Parl.
of Scotland,
James III.,*
p. 92.

In 1468 Patrick Cockburn, who in 1456 had another safe-conduct for three months, dated 12th May, was still in the public service. In that year it was ordained that "thir personis be sessione of Edinburgh, for the barons, the Lord Borthwic, the Lord Lindsay, Patrick Cokburn."

He had the fermes of the Forest of Dyy, County Berwick; but this was "in modo excambii de Domina Regina," for the lands of Halthornsyke, after the King's death at Roxburgh Castle in 1460.

*Reg. Great
Seal*, vol. ii.,
No. 547.

He married Helen de Dunbar, a lady of the family of Beill, County Haddington, daughter perhaps of the Patric de Dunbar de Bele who had Mersington and other lands in the Merse. She had a life-interest in some portion of the barony of Petcokkis or Petcox. "Elizabethe, relictæ Patricii de Dunbar," had charter of the third part of this estate, which her husband got in 1452 from his father, Sir Patrick de Bele. Helen was one of the industrious ladies of her day, and had, by the King's command to Thomas de Cranstoun and William Bully, "custumarios burgi de Edinburgh," dated 15th July 1449, remission of the duty of "liij. s. iiij. d. allocati eisdem duo-

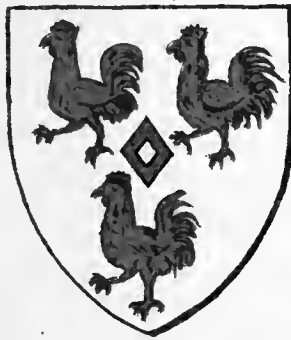
*Exchequer
Rolls*, vol. 5,
p. 347.

rum saccorum lane Domine Helene de Dunbar, sponse Patricii Cokburn de Newbegyn." The peculiar name of Bully was old in Scotland. When Edward III. was in the north Rafe de Bully was "his belovit clerk."

The family in all likelihood were of the race of de Builly, Lords of the honor of Tickhill, and of vast territories between the Trent and the Tees. There were not many of the noble Normans who came with the Conqueror who were of higher rank than Roger de Builli, or whose descendants became more powerful for a time.

By his wife, Helen Dunbar, Patrick Cockburn had several sons—James, his heir, William, Patrick, and John, whose names appear in connection with appointments held by them in the constabulary of Haddington.

WILLIAM, the second son, is styled in 1464 "of Newhaull." His wife was Beatrix, daughter of James Giffert of Scheriffhal, County Edinburgh, constabulary of Haddington.



Cockburn of Newhall,
Sir D. Lindsay's Armorial,
1542.

a different aspect in those days, with the many armed

Rev. John
Raine's
*History and
Antiquities of
the Parish of
Blyth.*

*Swintons of
that Ilk, Ap-
pendix, pp.
xlvi., lxxii.
Registrum S.
Marie de
Newbottle,
pp. 268, 270.*

In 1467 he witnessed, with his brother "James, son and heir of Patrick Cokburn de Newbigging," a charter to the Cistercians of Newbottle. His son, Alexander Dominus de Newhall, had succeeded to the property in 1504, in which year his uncle, Alexander Giffert, rector of Newlandis and Mailvin, gave to him a tenement "in villa Edinburgi ex parte boreali magni vici quod prius fuit Will. Dowglas de Quittinghame." The High Street of Edinburgh must have presented

*Reg. Great
Seal, vol. ii.,
Nos. 1455,
2789.*

retainers waiting before the entrances to the abodes of the magnates of Scotland.

*Reg. Great
Seal, vol. ii.,
No. 3185*

Alexander Cockburn of Newhall married his kinswoman, Agnes, daughter of Sir Robert Lauder of Bass, from whom his predecessors held Newhall as the superior. It appears that for some reason the Crown had recalled the feudal rights, for on 1st February 1507 "Rex pro bono servitio relaxavit et confirmavit Roberto Lawder de Basse militi et ejus heredibus talliæ, secundum tenorem antiquarum evidentiæ terrarum dimedie partis de Basse in baronia de North Berwik constabularia de Hadingtoun vic Edinburgh, et terras de Newhall in dictis constab. et vic—que terre de Newhall in regis manibus recognite fuerunt &c. cum licentia ad infeodandum Alex. Cockburn in terris de Newhall."

*Acta Domi-
norum Concilii
et Sessionis,
vol. xiii., fol.
27.*

This Alexander's son of same name who succeeded him was a dreadful character. His unfortunate wife was Elizabeth Creichton. On 22d June 1540 an action was brought by "William, George, and Elizabeth Cockburn, sons and daughter of the deceased Elizabeth Creichton, and sister's bairns of the deceased Mr. Peter Creichton; Katrine Creichton, sister of the said Elizabeth and Mr. Peter; James Creichton of Coitts, their cousin-german; and John Cockburn, son of the late Patrick Cockburn, nevy to the said Elizabeth Creichton, against Gilbert Wauchope of Nudry-merschal, as pleige and souertie for Alexander Cockburn of Newhall [father of the said William, George, and Elizabeth Cockburn, and husband of the said late Elizabeth Creichton], for payment of 2000 merks to the pursuers as next of kin to the said Elizabeth Creichton and Mr. Peter, her brother, in assythment and amendis for their slaughteris committit and done by the said Alexander Cockburn and his complices in the moneth of November 1519." Gilbert Wauchope tried to evade the claim, alleging that the libel was general, and did not say what each of the pursuers should have. The Lords decided that it was "*speciale aneuch.*"

Ibid., fol. 46.

Gilbert Wauchope tried them another way of escape, alleging that "the sons of the said Alexander of Newhall had already transacted with their father as principal comittar of the cryme," and that the surety should not now be sued. The Lords repel the allegiance, and Mr. Hew Rig for the pursuers protested that the said Gilbert "be not hard to

propone ony may peremptouris." He, however, made another attempt on the 1st July following, protesting that he may have Alexander Cockburn of Newhall cited for his warrant and relief at the hands of the pursuers for the slaughter of the said Creichtons. So the action was again called upon the 10th of the same month, and it was narrated that the said Alexander was indicted before the Justice at Edinburgh in May 1527 for art and part of the cruel slaughter of the said Elizabeth Creichton his wife, and Mr. Peter her brother, and that "he tuk him to the King's grace respect therfor, and found the said Gilbert Wauchope with himself pleges and souerties conjointly and severally for satisfaction of party." So the Lords found Gilbert Wauchope liable in 1200 merks. On the 18th of the same month the money had been paid, and discharge is recorded by William Cockburn of Newhall and George Cockburn in Leith, his brother-german, to Gilbert Wauchope of Nudry-Marschall for 1200 merks of assythment for the murder of their mother and uncle. Letters of dstraint against their father Alexander had been granted on the previous day for relief of his surety; but as no more is heard of him, and William had then possession of Newhall, it is very likely the miserable man was dead. William married his relative Christian, daughter of Robert Lauder of Poppill, son and heir of Sir Robert of Bass. They had a son, Thomas, married to Marion, daughter of Hew Douglas of Borg, by his wife Marion, daughter of Sir William Cockburn of Skirling. By their marriage-contract William Cockburn of Newhall and Thomas, his son, bound themselves to infest Marion Douglas, future spouse to the said Thomas, in the lands of Affleck-hill and Currie, in the Barony of Locherwart or Lochwood, in the Sheriffdom of Edinburgh. Poppill came to the family soon after: Patrick Cockburn was served heir to his father Alexander in Poppill, on precept from Chancery, 9th May 1670.

There were many arrangements about lands between the Cockburns of Newhall and their relatives the Lauders. On 16th April 1543 confirmation was given under the Great Seal of the infant Queen, of the charter of William Cockburn of Newhall, by which, for a sum of money paid to him by Robert Lauder of Bas, he made over to him and his heirs annuum redditum 42 librarum de terris suis de Newhall, Ballingreg,

*Acta Domi-
norum,*
vol. xiii.,
fol. 49.

Ibid., fol. 68.

Ibid., fol. 100.

Reg. of Deeds,
Scott. Office,
vol. i., fol. 236.

*Inquisit.
Retorn.
Abbrev.,
County
Haddington,*
xxx., 50.

*Reg. Great
Seal,* vol. iii.,
No. 2895.

Hiemuir-Croce, &c. in the constabulary of Haddington, County of Edinburgh. Scions of the Newhall branch occupied also the lands of Lethame and Carlops, the superiority of which belonged to the Cockburns of Skirling. The latter was a place well known under its old name of Karlinlippis. It was at

Wyntoun's
Cronykyl
Buke viii.,
chap. xi.,
line 6300.
Reg. Great
Seal, vol. iii.,
No. 568.

Karlynlippis and Crosscryne,
Thare thai made the marches lyne.

James Cockburn of Karlinlippis was witness to the charter of Ewirland to Walter Chepman, Agnes Cockburn's husband. He and his son and heir-apparent, William, attested also the charter from Andree Elphinstoun de Selmys of his lands of le Hill to John Wardlaw of Ricarton and Isobelle Cockburn his wife, 24th March 1527.

Reg. of Deeds,
Scott. Office,
vol. iii., fol.
185.

After the death of William Cockburn of Newhall in October 1558, John Knox, who seems to have interested himself much in the affairs of the Lothian Cockburns, the Sandilands, Creichtons, Douglasses of Longniddry, &c., witnessed the contract between Thomas Cockburn of Newhall and his brothers, and cousins in Leith, regarding the payment of certain legacies to them and their sister Beatrix, and the renunciation by them to the Laird of Newhall of the office of executors under their father's will.

The Creichtons had not all embraced the doctrines of the Reformers. In 1572 Alexander Creichton of Newhall was "dilaitit for hering of the Sacramentis to be ministrat in Papisticall manner within his awin place of Newhall." The Lugton branch was, however, strongly attached to John Knox and his teaching, and he would take all the more interest in Beatrix Cockburn in consequence of her marriage to her kinsman, one of that family. Her cousin, Beatrix Patrick of Lugton's daughter, was "the greave matron" who became the wife of that distinguished and judicious man, John Spottiswoode, parson of Calder, a charge he had been induced to accept by Sir James Sandilands of Calder. Being an earnest promoter of the Reformed religion, he was chosen superintendant of the churches of Lothian, the Merse, and Teviotdale, the duties of which office he performed for twenty years with universal approbation, Father Hay says.

It would have been well had there been more men like him at that time, and fewer like Crichton of Brunston, who is said

to have signified his readiness to gratify Henry VIII., and compass the death of Cardinal Beaton, "for the glory of God, and a certain sum of money down."

The strange hardness of character, and also utter absence of appreciation of the beautiful, which seems to have come over the nation very generally at this era, is evinced in many ways. The religious services were performed in the coldest and least attractive manner in the barn-like buildings they ingeniously devised, in place of the splendid edifices erected in the happier times of King David I. and his grandsons, so ruthlessly destroyed. The chroniclers of the day also recorded the most dreadful tragedies in the most matter of fact manner. One of them sets down that "Upoune the xxviiij day of March the zeir of God i^mv^cxlvi. zeris thair was ane general counsalle halden in Sanctandrois be the spiritual estate, and than George Vischart was brunt, and na uthir thing done." It was enough for one day's work one would have thought.

*Diurnal of
Occurrents,*
p. 42.

Thomas Cockburn of Newhall was surety for his father-in-law, Hew Douglas of Borg, in a matter between him and James Ramsay of Cockpen, in 1560, in consequence of which Ramsay brought an action against him. He was succeeded by his son William. In 1567 William, Lord Hay of Yester, was committed in ward within the Castle of Edinburgh for convocatione of ouer Soverain Ladyes legis, and taking certane comes pertening to William Cockburn furth of his lands of Newhall.

*Acts and
Decrees,* vol.
20, fol. 253.

*Reg. of the
Privy Council,*
vol. i., p. 584.

The Cockburns of Newhall placed a mascle on the fesse point between the three cocks in their arms, as in the above copy of Sir David Lindsay's blazon.

III. James Cockburn of Clerkington

was the third representative of this family successively entrusted with the conduct of foreign affairs. James III. sent him as his special ambassador to Edward IV., "on matters touching the King's wele and suretie." His safe-conduct from the English monarch to proceed to the English Court and back

with twelve horsemen was dated 18th May 1470, and was to remain in force for twelve months.

*Exchequer
Rolls*, vol. iv.,
p. 106.

*Reg. Great
Seal*, vol. ii.,
No. 1053.

Like his father and grandfather, he is found styled both of Clerkingtoun and Newbigging. He was Sheriff in that part of the constabulary of Haddington when sasine was given, 22d September 1475, to Archibald, Earl of Angus, of the lands of Tempallon, Castletoun, &c. On 27th June 1471 he attested the charter of John Brown of Cummercolstoun to his son Rolland, of the lands of Litol-Ketelstone, County Linlithgow, and is in that document called of Newbigging. Sir John Swinton of Swinton also witnessed this charter from the ancestor of the Brouns, Baronets of Colston, whose progenitors, the le Bruns, had Prestun in the Merse, with other estates.

Ibid., No.
1333.

*Acta Domi-
norum Con-
cilii*, pp. 170,
208, 315, A.D.
1490.

*Acta Parl.
Scot.*, vol. ii.,
pp. 155, 158.

When he witnessed the deed of gift from Alexander Barcar, Vicar of Petynane, of some property in the burgh of Haddington, "qua in honori Dei, et Sancti Blasii Episcopi et Martyris, ac pro salutem animarum Jac. II. et Jac. III., &c., concessit ad sustentationem unius capellani secularis imperpetuam celebraturi ad Altare in ecclesia Parochiali B.V.M. de Haddingtoun," he is designated of Clerkintoun. In the proceedings of the Council and of the Parliament he is mentioned sometimes of the one place and sometimes of the other.

He was called of Clerkington when in 1483 decree of forfeiture was pronounced against him, and he was proclaimed a rebel, with his second son James, for not appearing to answer a summons from the Lords of the Council.

For many years he also was Provost of Edinburgh. In 1490 his nephew, Alexander of Newhall,

appeared before the Lords of the Council, and protested, as procurator for James Cockburn of Newbigging, that because "Margrete Lindsay gert sumond him at her instance for certane acciounis, as is contenit in the sumonds, and would not oppere to folow him," &c., and in the following year James himself came before the Council, and "protested that whatever they did in the accioun movit aganis him by Margrete Lindsay, spous of patrik Aldincrawe, anent xx. ky and oxin, and certane uthir gudis claimit on him be the said Margrete, suld turn him to na prejudice." This dispute was respecting property held by him in the Merse.

Acta Dominorum, pp. 179, 258, 316.

His name is found again in proceedings before the Council. He had been called upon by William, Lord of St. John, Preceptor of Torphichen, as overlord, for some moneys claimed by the Kirk of Haddington from lands and tenements alleged to have been given for the sustentation of a certain altar therein, which he declared were "not mortifyit to ye said Altare." The Lords decreed that "James Cockburn of Newbigging had done na wrang in the matter."

He married Margaret Giffert, probably the sister of his brother's wife, another daughter of James Giffert or Giffard of Schereffhal, who was appointed Governor of Dalkeith Castle and administrator of the estates of James Douglas, Lord Dalkeith, "quia fuit incompos mentis," or it may be of his brother-german William Giffert, called "avunculus" [mother's brother] of James Douglas, Earl of Morton. James Giffert, son of the above James, appointed William Cockburn, son and heir of Alexander Cockburn of Langton, with John de Abernethy, James Huntare,

Reg. Great Seal, vol. ii., No. 562.

Ibid., No. 1455.

*Munimenta
de Melros,*
vol. ii., p. 520.

and Adam Edgar, his procuratores actores et factores in 1496. He was one of the Commissioners also to whom the precept was addressed by James III., requiring them to summon persons of inquest on the service of Lord Oliphant to the lands of Cranschaws. These lands were claimed by "Johnne Swyntoun of that Ilk, Knycht." The dispute was not settled until 1477, when the jury summoned upon a precept again addressed "dilectis nostris Jacobo Cockburn de Newbigging Johanni Hepburn, &c.," gave award in favour of Swinton.

*Swintons of
that Ilk, Ap-
pendix, pp.
lxiii.-lxv.*

Two of his sons are mentioned, Patrick and James. The eldest predeceased him, leaving a son—

IV. Thomas Cockburn of Clerkington,

who was served heir to his father and grandfather. He had a charter 23d May 1498 to Thomas, son of the deceased Patrick Cockburn, and heir of the deceased James Cockburn of Newbigging, of the Templelands and the Crawmill lying in the Barony of Langton, and the Templeland of Duncanland lying in the constabulary of Haddington. He was also called of Newbiggyn, when on the 20th May 1505 he witnessed a charter [confirmation of which was given under the Great Seal of James IV.] granted by Adam Hepburn of Craggis. Sir John Sinclair de Hirdmanstoun, Patrick Hepburn de Beynstoun, and Andrew Macdowell de Makarstoun also witnessed the deed. He is designated of Clarkingtoun when on 15th January 1534 he was fined for not appearing on an assize when his father-in-law, Sir Patrick Hepburne of Waughton, and a number of other Hepburns, and Patrick Quhytelaw

*Langton
Charters.*

*Reg. Great
Seal, vol. ii.,
No. 2870.*

*Pitcairn's
Crim. Trials,
vol. i., p. 169.*

of that ilk [whose wife was another daughter of Sir Patrick Hepburn] were ordered to find sureties to underlie the law for umbesetting the highway to Gilbert Wauchope of Nuddrie - Mareschall for his slaughter.

Thomas Cockburn had by his wife Margaret Hepburne a son Patrick, his heir. He had the east gable of the ruined Franciscan monastery of St. Catherine at Haddington given to him, and no doubt found the stones thereof convenient for adding to his mansion of Clerkington.

V. Patrick Cockburn of Clerkington,

before he succeeded to his father's estate, sold in 1528 a property called Goslington, in the Barony of Stanehouse, County Lanark, to Andrew, son and heir-apparent of John Hamilton of Newton.

Reg. Great Seal, vol. iii.
No. 687.

On 6th March 1541 King James V. confirmed the charter from James, Commendator of St. Andrews, and Alexander Mylne, Abbot of Cambuskenneth, to Patrick Cokburn de Newbiggin, and to his son and apparent heir, Patrick Cokburn, and his legitimate heirs-male; whom failing, to his heirs-male whomsoever bearing the name and arms of Cokburn, of the lands of Clerkingtoun, in the parish of Haddingtoun, with its mansion, houses, gardens, &c. &c. Patrick Cokburn, Rector of Petcokkis, was a witness to the charter. After this time the designation of Newbigging was no longer used. Perhaps the last occasion when he was so styled in any deed, except the charter referred to above, was on 20th June 1539, when he made over to William

Ibid., vol. iii.,
No. 2611.

Laing's *Catalogue of Ancient Seals*, vol. ii., p. 37.

Reg. of the Privy Seal, vol. viii., fol. 48.

Pitcairn's *Crim. Trials*, vol. i., 143.

Cockburn of Choicelee and Margaret Galbraith, his wife, the Temple lands in the barony of Langton, and mill thereof. To this charter he appended his seal of arms, bearing "*three cocks passant, a crescent in fesse point.*" In 1528 he had placed himself in such a position that to have intercourse with him was to incur the risk of the penalties for treason. His kinsman, William Cockburn of Ormiston, obtained remission for intercommuning with him in that year. In the following year he was again in trouble, having been concerned in the raid by Gilbert Wauchope of Nuddry-Marischal, accompanied by Sir James Cockburn of Langton, and others of his name, against the Edmonstones and their allies. He was succeeded by his son.

VI. Patrick Cockburn of Clerkington

married, it seems, thrice. By his first wife, Marion, daughter of Sir William Cockburn of Skirling [by whom came Lethame and some other lands in Haddington to his descendants], he had John, his heir, and James. His second wife is said to have been a daughter of Houston of that Ilk, but this seems doubtful. His last wife was Elizabeth, daughter of William Danzielstoun, who was for some time keeper of the Palace of Linlithgow. He was superseded in 1543, and the appointment was given to Hamilton of Briggs. In 1567 it was made a heritable office, and bestowed by Queen Mary upon Sir Andrew Melville of Murdocairney, afterwards Lord Melville.

The Danzielstounes [or Dennistouns] were a very ancient knightly family in Renfrewshire, descended

from Danziel in the time of Malcolm IV., whose lands of Danziel marched with the barony of Houston.

By Elizabeth Danzielstoune Patrick Cockburn had a son Thomas, and a daughter—

AGNES, married to James Hamilton of Livingstone, son and heir of James Hamilton of Kincavil, between whom and her father and mother, the said Patrick Cockburn and Elizabeth Danzielstoune, his spouse, a contract of marriage was agreed to upon 12th October 1563, in which the said James Hamilton promised to take the said Agnes to his spouse, and to complete the bond of matrimony betwixt that date and Martinmas next to come, and bound himself to infest her for her life in the Mains of Levingstone, in the sheriffdom of Linlithgow. John Cockburn, fiar of Clerkington, and Thomas, her brother-german, witnessed Agnes' marriage-contract.

Reg. of Deeds,
Scott. Office,
vol. 6, fol. 429.

The will of "Elizabeth Danielstoune, Lady Clerkington, elder," who survived her husband several years, was rather peculiar. She appointed her own son Thomas her executor, and to his natural son, Thomas, she bequeathed thirteen hogs. She owed £10 to Robert, son to John, Laird of Clerkington, and to Isabell, his daughter, she left six ewes; and to Marion, his second daughter, four wedders, two pairs of sheets, and two pairs of blankets [probably both were the productions of her own spinning wheel]. To the poor she left £20.

Edin. Reg. of
Testaments,
vol. 21.

Things had not gone on quite smoothly always between the Hamiltons of Kincavil and the Cockburns before they became allied by marriage. In 1555 a decret-arbitral was registered betwixt James Hamilton of Kincavil and James, his son and heir-apparent, on the one part, and Patrick Cockburn of Clerkington and Elizabeth Danzielstoun, his spouse, on the other part, anent the lands and barony of Ballormy, &c., in the sheriffdom of Linlithgow. Sir

Reg. of Deeds,
Scott. Office,
vol. i., fol. 239.

Richard Maitland of Lethington was arbiter with William Forest for the Cockburns, and Robert Carmichael and James Balfour, official of Lothian, for the Hamiltons.

Patrick Cockburn of Clerkington died 6th January 1575, and was succeeded by his eldest son, John.

VII. John Cockburn of Clerkington

married Helen, daughter of the celebrated Sir Richard Maitland of Lethington, who died in 1585 at the age of ninety, having discharged, as "an unspotted and blameless judge," his duties on the bench for many years after he became totally blind. He was in the public service before the battle of Flodden, and in 1584 "demitted his room in the King's hands in favour of Sir Lewes Bellenden, being grown greatly debilitated by age, though nothing in spirit and judgement."

Notes on the Catalogue of the Lords of Session, Dalrymple Tracts, pp. 4-5.

Of this "worthy knight, baith valiant, grave, and wise," who had served with unswerving fidelity, James VI. said, "our grandsire, gudsire, grandame, mother, and ourself," and of his ancestors, amongst them that Sir Richard with "his auld beard grey," who "set up his head and crackit richt crouselly" in answer to King Edward's summons to surrender his castle, and held it triumphantly against him and his host, being left after a siege of a fortnight "haill and feir within his strength of stane," a most interesting account is given in his "Maitland of Lethington," by John Skelton, C.B., whose picturesque description of "his gude auld hoose" and its environs surrounds with poetical associations Lennoxlove, under its old name of Lethington, the

Maitland of Lethington, and the Scotland of Mary Stuart, ch. 1.

home of Helen, who grew up there in wild and stormy times.

She had seen as a child the enemy do their best to destroy it in September 1549, when "upon the 15th day thereof the Englishmen past out of Haddington and brunt it and Leidington, and past away without any battell, for the pest and hungar were richt ewil amangis thame quha mycht remayne na langer thairin."

*Diurnal of
Occurrents,*
p. 48.

How she and her sister Mary, the blind old statesman and poet's amanuensis, would thank Providence and feel pride in the strength of their old grey tower, as they watched from behind the stone balustrade of its roof the troops disappearing from their sight!

They were justified in their belief in "strengths of stane," these old Maitlands, by the results of the attempts to capture them referred to. Lethington was as strong a fortress as Thirlestane on Leader, which, built probably by the de Morevilles, Lords of Lauderdale, and strengthened by the de Maute-lants, held out against King Edward.

The marriage-contract of John Cockburn and Helen Maitland was dated 30th September 1560. It was therein agreed "betwixt Sir Richert Maitland of Lettington, Knight, and Helen Maitland, his lawful daughter, on the one part, and Patrick Cockburn of Clerkington, and John, his son and apparent heir, on the other part, that the said John promises to marry and take to wife the said Helen Maitland, and the foresaid Patrick Cockburn binds himself to infest the said Helen in the lands of Hawthornsyke, in security of an annuity of 100 merks and 2 chalders of victual out of the lands of

Reg. of Deeds,
Scott. Office,
vol. 3, fol.
411.

Reg. of Deeds,
Scott. Office,
vol. 4, fol.
89.

Ibid., vol. 21,
fol. 193.

Ibid., vol. 37,
fol. 273.

Clerkington." On 8th November 1560 Patrick Cockburn gave "discharge to Richert Maitland of Lettinton, Knight, for the sum of four hundred pounds for the first part of the 'tocher gude' promised by him for the marriage of his daughter Helen Maitland with John Cockburn, son and apparent heir of said Patrick." Sir Alexander Henderson, chaplane-notary, witnessed this document with James Cockburn, Patrick's second son. On the 9th July 1583 an agreement was made between Thomas Fawsyde of that Ilk, and Sarah, his daughter, on the one part, and John Cockburn of Clerkington, Helen Maitland, his spouse, and Mr. Richard, their son, on the other part, whereby, for the sum of 1000 merks, paid by the said Thomas for himself and in name of his said daughter Sarah, they had infeftment of an annual rent of 100 merks out of the lands and mains of Clerkington. This representative of the old family of Fawside appears to have got good interest for his money, as the number of years for which he was to have the 10 per cent. is not stated. The Laird of Clerkington appears to have often been in want of money. On the 22d February 1590 he made a contract with William, Lord Livingstone, and his son George Livingstone, whereby he and his son and apparent heir, Richard, agreed "for the sum of 2000 merks to infeft the said noble Lord and his said son in the superiority of the lands of Ogilface, viz., Woodquarter, Gartmoir, &c., in the Regality of Holyrood-house and Sherifffdom of Linlithgow." This was a very ancient possession of the ancestors of the family of Clerkington, having come to Sir Alexander Cockburn of Langton amongst the estates he acquired by his marriage

with the heiress of the de Veteri-Pontes. William de Veteri-Ponte gave the rents of Okelffas in 1170 to the monastery of Holyrood, or as then designated, "Ecclesia de Sancti Crucis de Castell Puellarum." Payment of the 2000 marks was received on the same day from William, Lord Livingstone. He had also, with consent of Helen Maitland, his wife, and Richard, his eldest son, granted an annual rent of £100 furth of Clerkington to John Hucheson, merchant burgess of Edinburgh, which was discharged, however, in 1588. John Cockburn of Clerkington's name was appended to the bond, along with those of the Earls of Mar, Gowrie, Glencairn, March, Bothwell, the Lords Home, Lindsay, and Boyd, the Bishop of Orkney, the Abbots of Cambuskenneth and of Dumbarton, and Ker of Fawdonside [whose son married John Knox's widow], in which the Raid of Ruthven originated. By his wife Helen Maitland, "Sir John," as he is styled by Sir Robert Douglas, had, besides Richard his heir, Robert and John, and two daughters, Helen and Jean.

ROBERT COCKBURN, the second son, was an advocate in Edinburgh, and was not an unimportant person in his time. He seems to have been behind the scenes, and acquainted with the policy of the principal actors of the day, several of whom were his near relatives. He was evidently, from the subjoined letter, a trusted friend of Thomas Hudson, which is a strong point in his favour, and an evidence that he inherited the amiable characteristics of his grandfather, Sir Richard Maitland.

"GOOD MR. HUDSON—Altho' the intermitted intelligence betwixt the two princes gives occasion to inferiors of little correspondence, yet could I not omit hereby to let you under-

From the
*Additional
MSS., British
Museum.*

stand something concerning yourself that His Majesty, upon some true advertisement made by you to one of your friends here, thinks so well of you, as yourself or best affected friends can wish, wherein you have done wisely and honestly, and will receive the fruit [which] can be expected to arise thereof. For your advertisement to my Lord Chancellor, my uncle, you are to receive thanks by his own letter ; who, continuing of that disposition always he is described to be of by you, will be found toward yourself without change or alteration in any sort ; which good opinion of you both in his Majesty and kin shall be nourished and increased by me at all occasions.

“ The particular state of this our Court and ever-troubled State is so frequently advertised to you there by our intelligencers, as it will be superfluous to write the same. You know, according to your custom, that parties of greatest credit amongst us are . . . and entertained by you so long as the King’s favour continues, which, diminishing or declining, the sequel is known. But by the spirit of prophecy I must be excused to say thus far, which will be found true, that whensoever the party contradictor to my uncle prevails, whereof there is no likelihood, neither their virtues nor honesty will be answerable to their present profession, and in the change you shall have the worst, and no such offices done gratis as has been performed heretofore, and peradventure not escape colbenizing and crosnoye, as well-known and detected here as, if you please, may be decyphered there.

“ Whenever any comes here for the receipt of the annuity, your assignation shall be remembered with the first. In the meantime, as you can try how that suit will be heard, and what sum, in your opinion, will be received. Upon the advertisement, the Messenger, I think, no Ambassador shall be hasted.

“ Being desired to recommend this Bearer in that long process there, wherein his cousin Archibald spendeth much time, I hope he shall find your good furtherance, the rather for this my interponed request. And so till new occasion, after my very hearty commendations recommended, I leave you to God’s protection. From Edinburgh, 22d of May 1595.—Yours always assured,

R. COCKBURN.

“ If Mr. Montgomery insist, as I am advertised he doth

insist, I will request you very earnestly that he may find favour in procuring of the same, especially that Sir Robert Cecil, now, as I hear, Secretary, to whom I congratulate for that office, may be remembered of my interponed request for him."

Robert Cockburn is generally styled of Buttirdene, the old possession of the Ellem family, in the parish of Oldhamstocks, County Berwick. He was co-executor of the will of "Barbara Cockburn, Lady Preston," widow of George Hamilton of Preston, whose sister, Marie Hamilton, was his own wife. He died in July 1614, appointing her "tutrix to their children, Barbara, Jeane, Heleine, Marie, Elizabeth, and Rachel Cockburnes, his lawful bairns, and Robert Cockburn, their only son." His brother John and brother-in-law Robert Hamilton were named tutors, "to use that office by the advice of the Lord Privy Seal, Sir Richard Cockburn of Clerkington. His son Robert was served heir in the lands of Buttirdene, commonly called Townrig, 3d May 1627. He is designated indweller in Preston in various deeds. On 21st February 1655 his sister Helen had sasine on charter by John Hamilton of Easter Fawsyde, her husband, of an annual rent out of the said lands. Alexander Cockburn, also designated indweller in Prestounne, witnessed this deed.

*Commiss. of
Edinburgh
Testaments,
vol. 48.*

*Inquisit.
Retorn.
Abbrev.,
County
Berwick,
x., 4.*

*Part. Reg.
of Sasines,
County Edin-
burgh, vol. 2,
fol. 329.*

HELEN, eldest daughter of John Cockburn and Helen Maitland, married Patrick Hepburne of Beanstoun. She died in 1603.

JEANE married Sir John Hamilton of Preston, in the parish of Prestonpans. She died 20th September 1619. David Lindsay, brother of the terrible Alexander of Dunrod, was cautioner named in her will. Her husband, Sir John Hamilton, as principal, and Sir Johnne Wallace of Carnell, as suretie in £2000, were bound that the said John should not harm Barbara, relict of George Hamilton of Preston, above noticed.

*Commiss. of
Edinburgh
Testaments,
vol. 51.*

*Reg. of the
Privy Council,
vol. iii., p. 712.*

John Cockburn of Clerkington was succeeded by his eldest son, Richard.



Funeral Escutcheon of Sir Richard Cockburn of Clarkintoun,
Lyon Office.

VIII. **Sir Richard Cockburn of Clerkington** was a very prominent personage in his day. He was an able lawyer, and was advanced to the Bench in 1591. On the resignation in that year of his uncle, Sir John Maitland, he was appointed his successor as Secretary of State for Scotland, but after a time was compelled to exchange this high office for that of Privy Seal with Lindsay of Balcarres, one of the "aught Lordis appointed 12th January 1596 for heiring of the checker comptis, and taking order with the enormities and disorders in yis countrie. These Lordis, all callet Octavians, were Alexander Seytoun of Pluscartie, Walter Stewart of Blantyre, Mr. Johne Lindsay, Mr. Thomas Hamilton, Mr. James Elphinstone, Mr. John Skeine, Mr. James Craigie of Killatie, and Mr. Peter Zoung of

*Diary of
Robert Birrel,
p. 37.*

Seytoun." These Commissioners were no doubt well chosen, being all men of known ability and prominent as lawyers. They were invested with most ample—indeed with almost unlimited—powers, and had the right to fill up vacancies in the public departments. As might be expected, many of the most important and lucrative ones were ere long appropriated by them.

Sir Richard Cockburn married his kinswoman, Margaret, daughter of William Cockburn of Langton, and was named as heir to the estates, failing his brother-in-law's descendants, together with the office of Hereditary Usher attached to Langton barony, also in the charter of Symprim from Sir George Home of Manderston. He died in 1627. Perhaps his death was hastened by disappointments. In the beginning of that year he was forced to resign his seat on the bench of Judges, Charles I. having ordered that no peer of the realm or high officer of State should sit as a Lord of Session. His will was proved 7th May 1628 by his widow, "Dame Margaret Cockburn, in the name of their son Patrick, a minor, executor-dative to his deceased father." Robert Cockburn of Blackismylne was cautioner. This Robert was his wife's uncle, being Sir James of Langton's ninth son.

Reg. Great Seal, lib. 5.

Edin. Reg. of Testaments, vol. 58.

Sir Richard, Lord Privy Seal, was constantly, as might be supposed from his position and legal knowledge, employed to settle any troublesome family affairs, and the trustees of many minors of the different branches, who were nearly related, had to act under his advice—Hamiltons and Maitlands, as well as Cockburns. On 1st June 1588 he had rather a disagreeable matter to settle for his cousin

Reg. of Deeds,
Scott. Office,
vol. 28, fol.
 335.

James, as appears by a deed executed at Holyrood on the 28th October 1587, in which it was set forth that "a contract had been made between James Maitland, son and heir to the deceased William Maitland, secretary to our sovereign Lord, with consent of his curators, on the one part, and Mr. Richard Cockburn, son and apparent heir to John Cockburn of Clerkington, on the other part, anent the gift of the marriage of the said James with Annabell Bellenden, sister lawful to Sir Lewes Bellenden of Auchinoule Knight, Justice-Clerk :"—he married Margaret, the brave sister of Mary Fleming, one of Mary Stuart's four Maries, who was the wife of the Secretary Maitland. They were granddaughters of James IV. No doubt the affection subsisting between the Queen and her friend from childhood had much influence upon the actions of the astute Maitland of Lethington.—"His marriage with the aforesaid Annabell, the said James being unwilling to complete, the said Mr. Richard Cockburn for the sum of £8000 dispones the said letter of gift in favour of the said James Maitland, and is infest in security thereof in the lands and town of Darnwick and others, in the regality of Melrose."

Sir Richard and Margaret Cockburn had a daughter Margaret, who married Sir Alexander Murray, second Baronet of Blackbarony, Sheriff of Peeblesshire. Their daughter Margaret married Sir John Gilmour of Craigmillar, Lord President of the Court of Session, who was made a Baronet.

The Right Honourable Sir Richard Cockburn of Clerkington, Lord Privy Seal, was buried at Had-dington, 23d October 1627.

IX. Patrick Cockburn of Clerkington

was retoured heir to his father Sir Richard 11th December 1628, and had the lands of Clerkington, with those of Wittoun or Winton, Milnehill, Brownfield, and Lethame, erected into the Barony of Clerkington.

*Inquisit.
Retorn.
Abbrev.,
County
Haddington,
x., 132.*

He married Margaret, daughter of James, Master of Cranstoun [eldest son of the first Lord Cranstoun] by his wife Elizabeth Stewart, daughter of Francis, created 1587 Earl of Bothwell, who proved subsequently such a thorn in the side of James VI.

By her he had two sons, Richard and James. To his eldest son he gave sasine, 13th October 1656, of the estate of Clerkington, "possessed formerly by William Cockburn of Skirling and Dame Margaret Cockburn, his mother [his trustees], reserving to himself, his said mother Margaret, and to Margaret Cranstoun, his spouse, their several liferents and interests in the said lands."

*Part. Reg.
of Sasines,
County Edin-
burgh, vol.
4, fol. 367.*

Patrick Cockburn had sasine 11th August 1655, "on precept of *clare constat* from Mary, Countess of Buccleuch, of the lands of Hawthornside, in the regality of Dalkeith, in which his father Sir Richard died vest and seased, in conjunct-fee with Dame Margaret, Lady Clerkington, his spouse." This was the estate excambed in 1460 for the forest of Dyy by his ancestor Patrick of Newbiging and Clerkington.

Ibid., vol. 3.

JAMES, his second son, was a goldsmith and banker in Edinburgh. He is mentioned as resident at Clerkington in 1666, and was for some time Provost of Haddington. He married first Margaret, eldest daughter of George Cockburn of Piltoun [son of Sir George of Ormiston], and had charter of Little Monckton from the Earl of Lauderdale in 1696.

*Part. Reg. of
Sasines,
County Edin-
burgh, vol.
48, fol. 83.*

He appears to have acquired considerable property. From James, Marquis of Douglas, he had an annual rent-charge of 3000 merks out of the Tantallon lands. In 1697 he had for himself infeftment for life in the lands of Burnhouses, in the parish of Spot, purchased by him for £10,000, and to go to his eldest son in fee. He married, secondly, Magdalen Scot, and had a large family.

Patrick Cockburn of Clerkington was succeeded by his eldest son—

X. Richard Cockburn of Clerkington,

who married Jean, second daughter of John Cockburn of Ormiston. By their marriage-contract, dated 11th November 1670, "made with the consent of his curators on the one part, and advice of her friends on the other part, Jeane was infefted in the estate of Lethame, County Haddington, securing to his mother Margaret Cranstoun, Lady Clerkington, her liferent of the lands and Maynes of Lethame, which property was originally granted to Alexander Cockburn of Langton in 1367. He had also sasine, 27th December 1671, "on precept from James Douglas, chaplain of St. Anne's chappell in Haddington, of the lands called St. Ann's Chappell;" and on 28th April 1674 new infeftment in Hawthornsyde from James and Anne, Duke and Duchess of Buccleuch, and renewed charter of Clerkington under the Great Seal 26th July 1680.

*Edin. Part.
Reg. of
Sasines, vol.
18, fol. 72.*

*County Edin-
burgh Sasines,
vol. xix., fol.
72.*

*Ibid., vol. 23,
fol. 172.*

*Ibid., vol.
32, fol. 216.*

*Ibid., vol. 45,
fol. 416.*

By his wife Jeane Cockburn he had six sons, as appears by his disposition of Clerkington Barony, dated 14th February 1689, upon which his eldest son, Patrick, had sasine 29th July following. Failing him and his heirs, it was to go to John, his second,

Richard third, William fourth, Charles fifth, and Archibald his sixth lawful son, and their heirs in succession.

John and Richard died young ; William, the fourth son, was father of Richard, who succeeded his uncle Patrick in the estates. Besides these six sons, they had also a daughter Margaret, who married 25th February 1698 Gideon Murray, of the family of Elibank, a merchant of Edinburgh. Her will was registered 27th January 1714.

*City of Edin.
Reg. of
Marriages.*

XI. Patrick Cockburn of Clerkington

had sasine on the disposition from his father above noticed of the lands and barony of Clerkington, 29th July 1689 ; also of an annuity out of the lands of Kirkton, resigned in his favour by William Gourlay of Kincaig. Dying unmarried, he was succeeded by his nephew—

XII. Richard Cockburn of Clerkington,

who obtained a novodamus of that barony under the Great Seal dated 9th January 1717. He got from Sir George Seton renunciation of an annual rent-charge, payable to him out of that estate and Hookstone, 15th July 1692 ; also a similar relief from Sir Robert Hay of Linplum, which had been assigned to him by his sister Mary, wife of Sir James Kinloch, Baronet of Gilmerton, and other heirs of Sir James Rothead, Baronet of Inverleith, to whom he had become largely indebted, as well as to Francis Charteris of Amisfield. The latter

*Part. Reg.
of Sasines,
vol. 50, fol.
129.*

*Ibid., vol.
138, fol. 335.*

*Part. Reg.
of Sasines,
vol. 144,
fol. 423.*

charge was redeemed with consent of his wife, Henrietta Alves, who may have had money of her own, which enabled him to do this. Possibly James Cockburn, his wealthy kinsman, the goldsmith of Edinburgh who witnessed the deed of relief from Sir George Seton, may have assisted him in these matters. He was succeeded by his son—

Ibid., vol.
138, fol. 335.

XIII. **Patrick Cockburn of Clerkington**, who married Jean, daughter of Joseph Williamson of Foxhall, advocate, upon whom he settled an annuity out of Clerkington. The relief his father had obtained from the burdens upon the estate did not enable him to keep it. On 24th April 1766 Clerkington was lost to the Cockburns, as Langton and Ormiston were about the same time. Patrick disposed to his father-in-law, "Joseph Williamson, and Agnes Luke, his wife, in liferent, and to their eldest son, John Williamson, in fee, heritably and irredeemably, All and Whole the lands and barony of Clerkington, with the mansion-house, seat in parish church of Haddington, burial-place there," &c.

Thus ended the House of Clerkington. The very bones of its ancestors became the property of the owner of Foxhall.

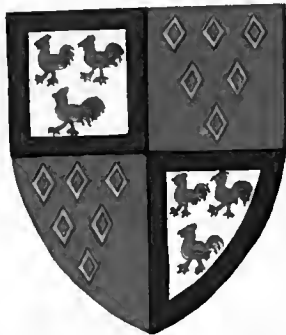
Sir David
Lindsay's
Armorial,
p. 101.

The Cockburns of Clerkington bore—*argent, a crescent azure between three cocks gules*. Although the crescent does not appear on the blazon in Sir David Lindsay's *Armorial*, it does upon the seal of Patrick of Clarkintoun and Newbigging in 1539. The coat of Clerkington is one of the smaller shields interpolated between the four large ones of Cock-

burns, so may have been added subsequently. Their crest was a *lion's head erased, crowned with an antique crown*, and their motto the old Langton one, *Peradventur*. Sir Richard Cockburn, Secretary of State, changed it, and adopted for his motto *Vigili aucta*, with an *otter's head coupé* for crest. In the Illuminated Heraldic MS. called Workman's, Sir Richard is given supporters—*a swan and a lion gardant, gules, collared*. These must have been added after the date of the original work, A.D. 1565, as his father and mother Helen Maitland were only married in 1560. Upon his funeral escutcheon were depicted different supporters—the dexter “a foule lyke unto a cran;” and sinister, an otter. These ornaments, although allowed to him as holder of a high office, are not recorded as granted to the family in the books of the Lyon Office any more than to the descendants of his contemporary Sir John Cockburn of Ormiston, the Justice-Clerk, who assumed the lions of Langton. His great-great-grandson, Adam, Lord Ormiston, who held the same high appointment, registered his arms in the Lyon Office without supporters.

Stodart's
Scottish Arms,
vol. ii., p. 252.

COCKBURN OF CHOICELEE,
BERWICKSHIRE.



I. **Christopher Cockburn**, youngest son of Alexander, Baron of Langton, by his first wife, Elizabeth Crichton, was the first of this branch, which maintained a considerable position in the Merse from the middle of the fifteenth to the latter part of the seventeenth century, making good matrimonial alliances, so far as family connection was concerned, but not with heiresses. It was not therefore in the catalogue of Cockburns whose estates came by fortunate matches, and went by debt, or too generous subdivision amongst their numerous offspring.

Christopher got the lands of Chausly or Choicelee, which lay close to Langton, and he and his descendants took designation therefrom, holding this estate, however, as well as others, which they acquired from Patrick Cockburn of Newbigging, not as lairds, but vassals, or rather "kyndlie native tennantis;" so the appellation of "Gudeman" of Chouslee is

usually found applied to the representative in deeds. The family possessed other lands in the county in fee.

Christopher married Elizabeth, a lady of the old family of Ellem. She was probably daughter of John and Elizabeth Ellem. John had charter on his father Richard's resignation in his favour of the lands of Chirnside, Duns, and Buttirdene in 1489. *Reg. Great Seal, vol. ii., No. 1831.* In this same year George Ellem had new charter of Buttirdene, forfeited by his father John, for treasonably holding the Castle of Dunbar against James III. *Ibid., No. 1827.*

Buttirdene afterwards passed to Cockburns; Basindene, another of their properties, to the Homes by an heiress of the family.

Christopher had by his wife Elizabeth five sons—William, Adam, Christopher, Ninian, and George. Adam had the gift of the non-entry of Upsettlington in 1541, which place in the Merse had been given to his nephew, William de Awdincraw, by Alexander Benyston of that ilk. *Reg. Privy Seal, xv., fol. 30.*

II. **William Cockburn of Choicelce** witnessed, 17th July 1535, along with Ninian his brother, and Ninian Ellem, the charter of Alexander Ellem of Buttirdene, of half his lands "infra villam et territoriam de Hirsell vic Berwick," which he had sold to "Isobelle Hume, Prioress of Cauldstreme." On 31st December 1551 he attested the letter of Janet Hoppringle, who had succeeded as Prioress of that nunnery, "to her traist and well-belovit friend Alexander, Lord Hume," in which she set forth "that understanding that it is verray *Reg. Great Seal, vol. iii., No. 1492.*

*Reg. Great
Seal, vol. iv.,
No. 1709.*

necessar for the common weill and proffeit of the said abbay and convent, and of thair tennentis, inhabitants of all and sindrie the landis annexit to the said abbay, liand within quhatsumevir sherefdom, to have ane baillie that will accept the cuir and gyding of the said inhabitantis, and ministratioun of justice upon thame, baith in tymes of pece and weir, and becaus the said priores, &c. eftir the ripe advisement, lang deliberatioun, fyndis na man mair abill ganand nor convenient to exerce the office of bailliarie of the samyn, she makes the said Lord and his airis heretable baillis of all and sindrie landis pertenening to the said abbay, together with the maurent, service, and homage of the tennentis, inhabitantis, &c." Confirmation under the Great Seal of Henry and Mary was given 15th February 1566. Amongst other charges was "all and hail the ane half of the fischeing of Litill-Haugh, in the Lordship of Cauldstreme."

*Pitcairn's
Crim. Trials,
vol. i., p. 273.*

*Reg. of Deeds,
Scott. Office,
vol. i., fol.
115.*

William Cockburn of Chausley was reported 29th January 1539 as having "come under the Kingis will," for allowing William Pott, an Englishman, to escape. He and his kinsman, the Baron of Langton, got on somewhat uncomfortably for such near neighbours. On the 7th March 1554 James Cockburn of Langton granted discharge to William Cockburn of Schouslie of an action against the said William "for spoliation of 16 oxin, 18 ky, and 30 yowis," and William in like manner withdrew his action against James "for spulzie of 16 oxin and 80 sheep on the 7th February preceding. He married Margaret, daughter of Robert Galbraith, who possessed Easter Winschelis, County Berwick, in 1528. They had joint sasine, 20th June 1539, of the Templelands and Myrside in

Whitsun from Patrick Cockburn of Newbigging and Clerkington. These lands, once belonging to the Knights Templars, came by the marriage of Sir Alexander Cockburn of Langton to Marjorie Hepburne, the heiress thereof, about 1420. William of Chicelee had by his wife Margaret, James, his heir, Alexander, and Patrick. He died on 31st March 1571, and his will was recorded 1st May 1574, and was witnessed by his second son, Alexander, then styled of Caldra. The youngest son, Patrick, was rector of Petcokkis. He gave some lands near Dūnbar and Chirneside to his brother-german, Alexander, and Alison Vaus, his wife, in 1568. Caldra or Cadra was a small estate in the parish of Fogo, which belonged to the Sinclairs of Longformacus. It was settled in 1558 by Matthew Sinclair upon his wife Elizabeth, daughter of John Swinton of Swinton. Alexander, the second son, called of Caldra, had by his wife Alison Vaus, Patrick, James, John, and Mark, also one daughter, Catherine. The eldest was retoured heir to his father 9th July 1601. Amongst those present at the inquest held before Robert Cockburn of Blackismylne, Sheriff-depute of Berwickshire, 22d July 1630, when John Swyntoun of that Ilk was served heir to his great-grandfather's great-grandfather, Sir John Swyntoun of Swyntoun, was Patricius Cockburne de Cadra. He died in 1642, and his son William was retoured his heir 6th July 1643. Dying soon after unmarried, the property was inherited by his kinsman, John, son of William Cockburn of Chicelee, to be referred to presently.

Edin. Reg. of Testaments,
vol. 3.

Reg. Great Seal, vol. iv.,
No. 2979.

Ibid., No.
1301.

Edin. Reg. of Testaments,
vol. 33.

Inquisit. Retorn., Abbrev., County Berwick, ii. 152.

Swintons of that Ilk, Appendix,
pp. clxxix.-clxxx.

Inquisit. Retorn. Abbrev., County Berwick, xvii., 36

III. **James Cockburn of Choicelce** was served heir to his father William in "Schouslie" 23d November 1574. He died at Dalkeith 22d July 1586. The inventory of his effects was given in 28th October in the following year by his wife, "Marioun, guidwyffe of Schouslie," who was the daughter of John Douglas, baillie of Langton, who appears to have been placed in that position during Morton's regency. He was brother of that Hew Douglas of Longniddry who married Marion, daughter of William Cockburn of Ormiston. His own wife, Katherine, was the daughter of John Cockburn in Chapelcleuche. These constantly recurring connections betwixt the Cockburns themselves, as well as the frequent alliances between them and the Sinclairs, Homes, and Hepburnes, kept the various branches pretty closely related. The Houses of Ormiston and Skirling, as well as the cadets established at Tempillhall, &c., in the county of Haddington, were also allied by marriage to the Douglasses of Borg and Longniddry.

*Edin. Reg. of
Testaments,
vol. viii.*

The will of "ane honorabill man, James Cokburn of Schouslie," was dated at Langton 20th May 1586. He appointed his wife "Marioun," whom he well knew was able to protect their rights, "sole tutrix to their children, William, Alexander, James, Cristell [Christopher], John, Janet, and Margaret Cockburnes, and also executrix and intromissatrix." The eldest son, William, succeeded him in his lands. Margaret, the second daughter, married in 1616 Alexander Home of Renton, whose mother Janet was daughter and heiress of David Ellem of Renton, and so a kinswoman of the Cockburns of Choicelce.

Ibid., vol.
xviii.

Drummond's
*Noble British
Families*, part
6, p. 28.

IV. **William Cockburn of Choicelee** was retoured heir to his father James, and also to his grandfather William, 23d November 1598, in terris de Goit-rig *lie* nuncupatis vicarii crofti, Hauden, Langlands et common flat vicarii Sanct Cudbert in Langtounne spectantibus in baronia de Langtounne.

*Inquisit.
Retorn.
Abbrev.,
County
Berwick,
xi., 64.*

He married Sybilla, daughter of Matthew Sinclair of Longformacus, his near neighbour. The Sinclairs of Longformacus were an ancient family in the Merse, and, Mr. Nisbet says, the oldest branch of the House of Roslin. "On 22d June 1384 a deed was signed at Roslin by which Henry, first Earl of Orkney, obliges himself to infest his beloved cousin, Sir James Sinclair, Baron of Longformacus, in a twenty merk land. The words of the obligation are — 'Universis patent, &c., nos Henricum de Sancto Claro, Comitem Orcadiæ et Dominum de Roslyn teneri firmiter et fideliter obligari carissimo consanguineo nostro Jacobo de Sancto Claro Domino de Longfurdmakhuse,' " &c. This was the same Sir James referred to by Father Augustin Hay: "Jacobus de St. Cler de Lawgarmachus cum filio suo Johanne in bello de Homolydun in mccccii. capitur. Walterus de Sancto Claro occiditur in eodem." Sir James and Walter, however, by the document quoted by Nisbet, were not the sons of Henry de St. Clair, Earl of Orkney and Lord of Roslyn, as Father Hay thought, but his cousins.

*Nisbet's
Heraldry,
Edit. 1722,
p. 123.*

By his wife Sybil, William Cockburn had four sons—Christopher, who succeeded him in Choicelee, &c., James, called of Newbigging, afterwards of Ryslaw, John of Caldra, and David; and three daughters—Elizabeth, Mary, and Agnes. Elizabeth

*Father Hay's
Genealogie of
the Saintclaires
of Roslyn,
p. 59.*

married Stephen Brounfield of Greenlawdene and Hardaikeris. He was the son, no doubt, of Stephen Brounfield of Greenlawdene, who, with Adam Brounfield of Hardaikeris, was killed by Haitlie of Lambden in 1564.

"The unhappy slaughter that fell out upon suddane chaud-mellee" of Matthew Sinclair, Sybil's brother, by John Spottiswoode of Spottiswoode, and which threatened to renew sanguinary feuds on the eastern marches, has been referred to in the introductory pages. In 1592 Edmonstone of Wowmat, Ridpeth of Greenlaw, &c., were bound under heavy penalties not to harm William Cockburn of Chouslie, Marion Douglas, his mother, and James, brother of William, tenants of Rawburne. This place of strife still belonged to the Spottiswoodes, but was acquired not long after by the Cockburns of Choicelee, with Scarlaw in Rawburne. Some thirty years previously there was trouble in Rawburne. "John Edzeare of Wedderlie, Richard, Oliver, James, and John Edzeare, with Robert Hude [who was married to an Edgar], were dilaitit of convocatione of ouer Soueraine Ladie's legis to ye nomer of three score personis bodin in feir of wer, with jakkis, swordis, steel bonnettis, daggis, culveryngis, and vther wap-pings invasive cumand to ye landis of Rawburne lyand within ye Sherifffdom of Berwick pertening to David Spottiswoode of that Ilk vpoun ye xxiiij. day of Sept. 1561. The said laird and his collegis were acquit by declaration of ye haill assize."

Pitcairn's
Crim. Trials,
vol. i.

The Edgars were an ancient family in the Merse, being mentioned in the time of William the Lion, and held Wedderlie for more than five centuries. In 1272 Sir Patrick Edgar married Mariota de

Home. The Spottiswoodes were allied to them. Margaret Edgar, afterwards wife of Walter Scott of Harden, "Auld Wat," was married first to this David Spottiswoode's grandson, William Spottiswood of Spottiswood. The Lairds of Wedderlie carried *sable a lion rampant argent*, and for crest *a dexter hand holding a dagger point downwards*. Their motto was—*Man, do it*. They were wont to act up to it, and no doubt on the occasion referred to were ready to "strike hard" the occupants of Rawburne, who, it is to be presumed, had set this well-armed convocation at defiance.

Riddell-Carre's
Border Memories,
p. 78.
R.R. Stodart's
Scottish Arms,
vol. ii., p. 220.

Nisbet's
Heraldry,
Edit. 1722,
p. 286.

William Cockburn and his mother Marion appear to have been quite able to do more than hold their own with their neighbours.

At Holyrood, on 14th February 1588, "William, Guidman of Chouslie, and Marioun, his mother, were accused of having conceivit ane deidlie hatrent against William Methven, minister of Langton Kirk, minassing sindrie tymes to have his lyffe; to this effect Markie Ker, brother to Lantie Ker of Gateshaw and William Ker of Hartrop, moved by the Laird Cockburn and his mother, had waylaid the complenar on 1st December last, between the Kirk of Langton and Fogo, and thair maist cruellie and unmercefullie persuit him for his bodily harm and slauchter, and woundit him in divers parts of his body, to the effusioun of his blude in grite quantitie, and dismemberit him of ane fingair of his left hand." Mark Ker and Lancelot Ker not appearing, were denounced rebels. Archibald Auchinleck of Cumledge was security in £500 for each of them. William Cockburn of Chouslie and his brother James got "from Johnne Trotter, merchant burgess of Edin-

Reg. of Privy Council, vol. iv., p. 352.

Ibid., p. 355.

*Reg. of Privy
Council*, vol.
vi., p. 792,
and Introduc-
tion, p. xix.

burgh, £100 each, to buy each of them from Sir Michael Balfour of Burley such arms as they are subject to buy according to the Act of the Convention of Estates." Sir Michael had the monopoly of selling armour for three years from 14th December 1599, and had undertaken to import arms for 2000 horsemen and 8000 footmen.

Such a good supply of "wappens invasive" would be welcome in the house of Chouslie.

Ibid., vol. iv.,
p. 697.

On 8th December 1591 Archibald Douglas of Stanypath became security for William Cockburn of Chousley that he would not harm David Dundas of Priestinche. David seems to have been a persecuted person, as on the day previous "Andrew Sandilands was bound as principal in £1000, and his brother Thomas as suretie, that the said David should not be harmed by Andrew." William of

Ibid., p. 723.

Chouslie had made many enemies. "James Hume of Slegden was surety for Thomas and Rauf Cathie in Diurington, that William and his mother Marion, relict of James of Chousley, and James brother of William, and other tenants in Rawburne, should be

Ibid., p. 701.

harmless of them." Old Patrick Cockburn of East Borthwick, tutor of Langton, even, the universal peacemaker, had to get George Home of Wedderburn to answer for his not injuring William of Chouslie. This speaks but badly for the said William. Patrick's good nature had evidently been presumed upon too far. Sybilla Sinclair, his wife, died in 1606, and her will was proved 20th June of that year by himself. William Ker of Mersington was cautioner. Her sister Elizabeth's testament [she was wife of Alexander Cockburn of Stobbiswood] was recorded 3d January of the same year.

*Commiss. of
Edin. Test.*,
vols. 41, 42.

William Cockburn of Choicelee died 1611, and his will was registered in 1618 by his son and heir Christopher, of whom presently.

*Commiss. of
Lauder Test.,
vol. i.*

JAMES, the second son of William Cockburn and Sybil Sinclair, is a Berwickshire laird, regarding whom the greatest misapprehension has been entertained, and absurd misstatements published. He appears to have been a Doctor of Medicine, and by his profession and marriages acquired some property. He was knighted after the year 1635, as, in an obligation to James, Lord Doun, dated in that year, he is styled simply "James Cockburn of Ryslay." The honour may have been conferred upon him in consequence of his having built a bridge over the Blackadder at Fogo at his own expense, and presented it to the county. The inscription thereon is quite legible—"Cockburnus fecit et nomen ipse dedit Ryslaw;" and on another tablet are the letters I.C.M.D. 1641.

His first residence appears to have been the place called Newbigging, which his own uncle James Cockburn was also designated of. It was probably as tutor for his nephew that he occupied this pendicle of the Choicelee property upon the Leet.

On 17th August 1617 there was a deed signed at "the house of Chouslie, with advice and consent of John Sinclair of Herdmanstoun, and of Mr. Christopher Cockburn, his uncle and administrator, on the one part, and James Cockburn of Newbigging, father's brother and tutor to the said Christopher, on the other part, whereby the said James, understanding his said brother's son Christopher to have knowledge and discretion to rewl and govern his own living affaires and business," therefore becomes obliged to deliver to him the cornes, cattell, and plenishing following, to be disposed of by him as he thinks best, viz., the increase of 95 bolls oats, sown in the lands of Wodend and Chouslie, and of 15 bolls 1 firloft bere and 4 bolls peas, also sown; 22 drawing oxen, 15 ky, with their followers, and 5 ky without followers, 94 yowes, tua hors, fyve meres, twa staigs, 18 yeld nolt in Skarlaw, 196 auld sheip, 120 lambs, and the haill inside plenishing within the house of Chouslie, as the

Deeds, vol.
521.

same was left by umquhile William Cockburn of Chouslie, father to the said Christopher, four furnished wanes and twa plewes, with necessaries thereto belonging; also assigning to him the fermes due by the tenants in Symprene, Goitrig, Langton Mill, Newbigging, Rawburne, &c. This document shows James to have been an exact man of business, and gives an idea of the moveable property on a Berwickshire farm 260 years ago. It was witnessed by Patrick Cockburn of Caldra, Patrick Cockburn in Chapelcleuche, Francis Cockburn in Mungoswells, &c. Ratification of the deed was added by the said Christopher, "30th March 1620, after his lawfull and perfyt age of twentie-ane yeirs."

On the same day "Mr. Christopher assigned in favour of his uncle, Mr. James Cockburn of Newbigging, all the lands, securities, obligations, &c. made to the late William Cockburn of Chouslie, his father, by William Cockburn of that Ilk, and his spouse, Elizabeth Kinked, for the sum of 3600 merks advanced by the said James."

Ibid., vol. 598.

On 26th May 1649 there was executed at Edinburgh a deed of assignation by the above-named James' nephew, "Sir James Cockburn of Ryslaw, Knight, to Christopher Cockburn, eldest son of Christopher Cockburn of Chouslie, of a bond by the latter, *brother to the said Sir James*, and Lieutenant-Colonel Cockburn, *also his brother*, for 3000 merks, which bond is of date 20th Nov. 1638, and registered in the books of Council 21st Nov. 1647," &c. &c. The relationship of Sir James of Ryslaw is so distinctly stated, there would be no question as to Christopher of Chouslie being his elder, and Colonel John of Caldra his younger brother, upon the evidence of this deed alone; but it also appears set forth in many other documents. On 25th July 1625 charter was given under the Great Seal of Charles I. to James Cockburn of Newbigging, and the heirs-male of his body, whom failing, to Mr. Christopher Cockburn, his brother-german, whom failing, to Mr. John Cockburn, also his brother-german, and servant to the King, and the heirs-male of their bodies, whom failing, to the nearest heirs whatsoever of the said James, of the lands of Ryslaw, Harcars, Prentonan, Calfward, Ryslaw-rig in the Barony of Nudrie Edmonston, on resignation by Sir John Edmonston of that Ilk, heritable proprietor of said lands." On 7th December 1558 John Edmonston

*Reg. Great
Seal*, lib. 51,
No. 36.

of that Ilk had settled upon Agnes, daughter of Sir Walter Ker of Cessford, these lands of Ryslaw, &c., for her life, on her marriage to his son John Edmonston. So the idea that it was an old possession of the Cockburns is perfectly erroneous.

Reg. Great Seal, vol. iv., No. 1331.

On 3d December 1633 a deposition was made by Sir Robert Hepburn, advocate, with consent of Libra Spence, his spouse, and of Mr. John Bowmaker, in favour of James Cockburn of Ryslaw, County Berwick [he had not been knighted then], of some lands in Prentonan for certain sums of money, reserving to Magdalen Craw, relict of John Bowmaker, her liferent of said lands, which were known as Bowmaker's Hill, and were of very limited extent.

Sir James Cockburn of Ryslaw, who was for a time Sheriff-Depute of the county, married first Jean, daughter of Sir Alexander Swinton of Swinton, Sheriff of Berwickshire, by his wife Margaret, daughter of James Home of Frameth and St. Bathans, by whom he had two sons, James and Alexander. He married secondly Jean, daughter of Andrew Ker of Lintoun, by whom he had three sons, Andrew, Henry, and John, and a daughter Jean, who had in 1661 new deed of settlement made in her favour out of the lands of West Mersington, parish of Eccles, from "Harie" Ker of Lintoun, and Margaret, daughter of David Home of Harcars, his wife. She had also from Margaret Home, with her said husband Henry's consent, an annual rent out of the lands and barony of Greenlaw. Sir James Cockburn of Ryslaw died in November 1659, and his will, dated 18th August of that year, was given in by his eldest son, James, 26th November 1667. He therein estimated his liabilities at £16,184:6:8 Scots. He "owed" £3333:6:8 to his second son, Alexander, £4000 to his third son, Andrew [the eldest by Jean Ker], £2000 to Henry, the fourth, and £2000 to John, the fifth son. Jeane, their sister-german, was to have £2666. His lands he left to his eldest son, James, whom failing, they were to go to his brothers and their heirs consecutively. The Right Honourable John Swintoun of that Ilk, his brethren Alexander and George Swintounes, John Cockburn of Caldra, his brother-german, and Alexander Home of Abbey St. Bathans, were appointed tutors to his sons James and Alexander. His well-beloved wife Jean Ker, and Andrew Ker of

Swintons of that Ilk, p. 58.

General Reg. of Sasines, vol. 14, fol. 168.

Ibid., vol. i., fol. 371.

Edinburgh Reg. of Testaments, vol. 3.

Lintoun, her father, Henry and William Ker, her brothers, were named as guardians of his sons Andrew, Henry, and John. Mrs. Jean Ker, his wife's father's sister, was also named as a guardian to the three youngest children. He "ordained that his body should be buried beside his first wife, Jean Swintoun, in the aisle at Fogo Kirk."

*Inquisit.
Generales,
County
Berwick, No.
4986.*

*Commiss. of
Lauder Test.,
vol. iv., pp.
23 and 190.
Decrets,
Durie Office,
vol. 281, fol.
582.*

*Part. Reg. of
Sasines,
County Ber-
wick, vol. 2,
fol. 330.*

JAMES COCKBURN, his eldest son, was retoured heir to his father in his lands. The words of the retour are—"Jacobus Cockburn de Ryslaw hæres domini Jacobi Cockburn de Ryslaw militis." They were so heavily burdened that in 1710, the year before he died, he executed a provisional deed of sale to Thomas Calderwood of Dalkeith, as shown in his will given in by his cousin William Cockburn of Caldra, who was himself a creditor to a considerable amount. Calderwood's claim amounted to £21,763 more than the value of the lands. So the Lords of the Council and Session found "that Thomas Calderwood had right to the amount mentioned in the decret of sale, and ordered the lands to be sold by public roup, and his offer of £50,000 Scots [£4167], being the highest made, the lands were adjudged to the said Thomas Calderwood, who was awarded judgment for the said sum of £21,063 above all the lands possessed by the said James Cockburn, namely, Prentonan, Ryslaw, and Bowmaker's Hill."

These details serve to prove how utterly absurd the notion is that there existed an important family, Baronets of Ryslaw, and to whom, moreover, are given the lands of Cockburn. The two gentlemen above named were the only Cockburns who ever possessed the small estate of Ryslaw. James, the younger, is styled simply "James Cockburn of Ryslaw," when in 1671 he witnessed Sir Archibald, second Baronet of Langton's charter of Blackismyln, to Alexander Cockburn, Christopher of Chouslie's second son. The small importance of these lands is shown by the deed infesting Adam de Maxton, Abbot of Melrose, in "Campu de Ryslau et Campu de Harcarris infra terram de Foghou."

ALEXANDER COCKBURN, second son of James Cockburn, Knight of Ryslaw, was styled of Ladiekirk, County Berwick, for which county he held the office of Clerk

of Supply. He married Margaret, daughter of David Swinton of Laughton [who was his cousin-german]. They had three children, Alexander, Margaret, and Elizabeth. The youngest appears to have been born in Edinburgh. The baptism of "Elizabeth, daughter of Alexander Cockburn of Ladielkirk, and Margaret Swinton, was registered there 22d August 1695." On 1st June 1714 sasine was given upon heritable bond from Sir John Swinton of Swinton to Margaret, spouse of the deceased Alexander Cockburn of Ladielkirk, of the lands of Swinton-Mill. Alexander, son of the deceased Alexander Cockburn of Ladielkirk—who was a more fortunate man than his elder brother James—was served heir to his uncle George Swinton of Laughton. Had there been a hereditary title in the family, this Alexander would have succeeded to it, his eldest brother having left no son.

*City of Edin.
Reg. of Bap-
tisms.*

*Part. Reg. of
Sasines,
County Ber-
wick, vol. 8,
part 2, fol. 516.*

JOHN COCKBURN, third son of William Cockburn of Choicelce and his wife Sybil Sinclair, succeeded to his cousin Patrick Cockburn's property of Caldra, which appears to have been held by him and his father from the Sinclairs of Longformacus, as Rawburne and Scarlaw were from the Spottiswoodes by the family of Choicelce before they acquired them in fee.

Caldra probably came to John Cockburn from his mother.

In the charter to his brother James of Ryslaw of that property under the Seal of Charles I. he was styled servant to the King, being in the Army. He was Colonel of his regiment. By his wife Katherine Cockburn, a kinswoman, he had a son William and a daughter Katherine, who married James Faw, gentleman of Dunbar, and had a daughter Katherine married to Robert Seton of Meany [Mounie], County Aberdeen, heir-male and representative of the Setons of Meldrum. On 1st May 1663 he had charter from James Macgill of Cranstoun-Riddell, Lord Oxfurd, of Rawburne, that troublesome place to the Choicelce Cockburns, adjudged to him from Christopher Cockburn of Choicelce. He married, secondly, Marie Monylaws, and made a settlement upon her of 3000 merks out of the lands of Caldra, in the parish of Fogo, and of Rawburne, in the parish of Crawschaws. He had a daughter Elizabeth, married to Edward Devis, called "one of the gentlemen of His Majesty's Horse

*Nisbet's
Heraldry,
Edit. 1722,
p. 242.*

*General Reg.
of Sasines,
vol. vi., fol. 29.*

*Part. Reg. of
Sasines,
County Ber-
wick, vol. 3,
fol. 82.*

*Commiss. of
Lauder Test.,*
vol. 5, p. 236.

Ibid., p. 190.

*Part. Reg. of
Sasines,
County Ber-
wick*, vol. 9,
part i., fol. 85.

Ibid., vol. 11,
fols. 77-79.

*General Reg.
of Sasines,*
vol. 165, fol.
101.

Ibid., vol. 869,
fol. 228.

*Ruthirfurds
of that Ilk,*
p. xxvi.

Guards," and a son William, who was also in the Army, who was executor of his cousin James younger of Ryslaw's will, which he gave up with the inventory of his estate in 1720. He died himself in the following year, his own will being proved by his brother Colonel Charles, 12th June 1722. He got the parsonage lands of Grueldykes, in the parish of Dunse, 13th April 1716, under charter from Charles, Earl of Lauderdale.

Charles Cockburn was a distinguished member of this military family of Caldra. He was a Brigadier-General in the Army when he was served heir to his brother Captain William in the lands of Caldra, 10th August 1733, and in the lands of Grueldykes. He married Lucretia Pyper, and settled upon her the liferent of Caldra. William, the next proprietor, was also a Captain in the Army. He had sasine on precept from Chancery, 7th June 1739, of Caldra, in the parish of Fogo, and Grueldykes, in the parish of Duns, as nearest and lawful heir of Brigadier-General Charles Cockburn, his father, and Lieutenant Charles had sasine thereof in like manner, as heir to his brother Captain William Cockburn, who died in May 1742 unmarried. He sold the property to the Homes of Wedderburn.

On 28th April 1762 Patrick Home of Wedderburn gave sasine of Caldra to Patrick Home of Billie, advocate, thereafter of Wedderburn.

From the Homes it passed, with all the Wedderburn estates, to Jean Foreman, daughter of William Foreman by his wife Jean, daughter of the Rev. George Home of Gungahlin, eventual heiress of John Foreman and his wife, Margaret Tod [the grand-daughter of George Home of Wedderburn], who succeeded to Wedderburn, Paxton, &c. Jean Foreman married David Milne of Milne-Graden, County Berwick. Their son, Colonel Milne-Home, is now proprietor of the estates of the Homes of Wedderburn, so famous in border story. The Formans of Hutton in the Merse, from whom the above-named gentlemen probably descended, were influential in the fifteenth and sixteenth centuries. Sir John Forman of Dalvene, who married Helen Ruthirfurd, "Ladye of that Ilk, whose brother Andrew, Archbishop of Glasgow, was one of the Regents of Scotland, and Sir Robert Forman, Lyon King-of-Arms, were of the same race."

V. Christopher Cockburn of Choicelce,

eldest son of William and his wife Sybil Sinclair, succeeded his father. The retour of "Christopherus Cockburn de Chousley, hæres Willelmi de Chousley patris," was dated 2 May 1611. He died in December 1631, and his will was registered at Lauder. By his wife Jean or Janet [daughter of his neighbour Sir Patrick Hume of Polwarth, by his wife Janet, daughter of Sir Thomas Ker of Fernie-hirst] he had three sons—William, who was appointed by his uncle James Cockburn, Knight of Ryslaw, cautioner to his will, Alexander, and Christopher.

*Commiss. of
Lauder Test.,
vol. i.*

Douglas'
Peerage,
vol. ii., p. 178.

*Edin. Reg. of
Testaments*,
vol. 3.

The above-named Sir Patrick Hume of Polwarth's mother, Jeane Hepburn, was the sister of Helen, wife of Alexander Cockburn of that Ilk, who died in 1587.

ALEXANDER, second son of Christopher and Jean Hume, his wife, married in 1654 Elizabeth, only child of Robert Cockburn of Blackismylne, son of Sir James of Langton, and by her got that property, of which he had charter from the superior thereof, Sir Archibald, second Baronet of Langton, dated at Langton Castle 8th September 1671. His descendant, Robert of Blackismiln, had on his own resignation new infeftment of Newbigging, in the parish of Innerwick and lordship of Bothwell. This place was situated on the Bothwell Water, a tributary of the Whitadder, Blackismiln, above Stobbiswood, upon the head of another stream, falling into the same river.

*Part. Reg.
of Sasines,
County Ber-
wick*, vol. 2,
fol. 330.

*Reg. of Sasines,
County Edin-
burgh*, vol.
144, No. 256.

This last Robert Cockburn descended from a younger son of the above Alexander, is styled in the deed above referred to "Robert Cockburn, joiner in Chatham, England," and also in the same document is called "Sir Robert"—an example of the manner in which distinctions are assigned to persons by clerical errors. The family of Blackismiln has been mistaken for that of Langton-Mill, who, with their relatives [described as of Broughton Place, Edinburgh], their

representative, Mr. Patrick Cockburn of Dunse [son of John, Clerk of the Peace and Procurator-Fiscal for the county of Berwick], writing in 1830, says, "could claim no more distinguished ancestor than 'the Gudeman of Langton-Miln.'" Of course, as this worthy gentleman [who was much respected in the county] goes on to observe, "The gudeman must have had ancestors no doubt, and they, for anything we know to the contrary, may have been descended from some branch of the honourable family of Langton."

VI. William Cockburn of Choicelee,

eldest son of Christopher and his wife Jean Hume, married Jeane, daughter of Sir William Moray of Dreghorn, Master of the Works to Charles II., by his wife Elizabeth, daughter of Sir James Foulis, Baronet of Colinton. Sir Alexander, first Baronet of Colinton, had charter of Dreghorn in 1642. Sir William's elder brother, Sir Robert, was Lord Justice-Clerk. They were the sons of Sir Mungo Moray of Craigie, third son of Robert Moray of Abercairney, who married in 1560 Catherine, daughter of William Murray of Tullibardine, ancestor of the Dukes of Athole. William Cockburn, who was a Commissioner of Supply for County Berwick in 1685, had by his wife Jeane Moray a son Francis. Dame Christian Hamilton, second wife of Sir Mungo Murray of Blebo, fifth son of John Murray of Touchadam by his wife Anne, daughter of Sir Alexander Gibson of Durie [Lord Durie], died in Edinburgh in 1710. In her will she mentions that her husband's daughter by his first wife, Henrietta Murray, married Francis Cockburn.

The name of Francis is not found amongst the Cockburns until after the connection by marriage of

Douglas'
Baronage,
p. 102.

Burke's
*Landed
Gentry*, vol. ii.

*Acts of Parl.
of Scotland*,
vol. x., 140a.

the families of Choicelee and Tempillhall, &c. with the Douglasses of Longniddry. Francis Cockburn has been mentioned as being in Mungoswells in 1617. In the following year there is a record of the renunciation by Francis Cockburn of Temple, *Deeds*, vol. 480. son and heir of the late Mr. Samuel Cockburn of Temple [Tempillhall], in favour of Sir John Cockburn of Ormiston, Knight, Justice-Clerk, the granter's uncle, in liferent, and to Mr. John Cockburn, Sir John's eldest son, in heritage of the lands of Huntlaw and Dryburgh, held of John Sinclair of Herdmanston, and Easter Templehall, held of Sir John Cockburn. This deed was registered 23d December 1634 at the instance of Sir George Cockburn of Ormiston, Knight, "oy and air" of unquhile Sir John Cockburn, against Mr. William Cockburn of Vogrie, brother and heir of Francis, now deceased, but who refused to enter heir to his said brother. It may be that this Francis of Tempillhall, as the name was formerly written, was the same person who was in Mungoswells in 1617, and witnessed the transfer of his inheritance to Christopher Cockburn of Choicelee. It is pretty evident that the endeavours made by old John Cockburn of Ormiston to restore good feelings between his sons, the Justice-Clerk and Samuel of Temple, had not availed to make things go on quietly, and Francis having made over his lands in the county of Haddington to his uncle the Justice-Clerk [excepting the Mill of Temple, settled upon his wife Marion Boyd, of which they conjointly gave a lease in 1622], having no son, his brother William being his heir, very possibly had come to live in peace at Mungo's Wells, near his cousins on his mother's side, the Cockburns of Choicelee. In 1551 Sir Richard Maitland of *Ibid.*, p. 137. *Ibid.*, vol. 359.

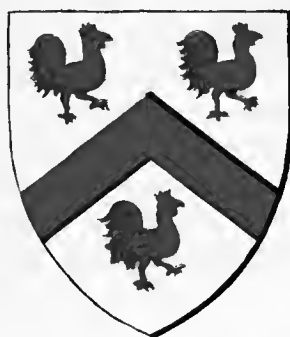
*Reg. Great
Seal, vol. iv.,
No. 608.*

Lethington witnessed the charter from George Nesbit of that Ilk, whereby, in fulfilment of their marriage-contract, he gave "terras de Mungois-wallis cum fortalicio et manerie, &c., de vic Berwik," to his betrothed, Elizabeth, daughter of Cuthbert Cranstoun of Mavis. It may be conveniently stated here that it seems doubtful whether Sir George of Ormiston's father's name was Patrick, as mentioned in the preceding memoir of the House of Ormiston. The documents referred to in which Patrick is mentioned along with his father are exceedingly dilapidated, and portions altogether wanting. Sir George himself has been totally overlooked in the family genealogies. As the deed quoted above is clear and distinct, and Mr. John is mentioned as eldest son living in 1617, he may have been Sir George's father. He never succeeded to Ormiston, Sir George being served heir to his grandfather, Sir John, the Justice-Clerk.

Vogrie, mentioned in this document as being then the property of Samuel Cockburn of Temple's younger son William, was acquired in the beginning of the following century by the family of Dewar. John Cockburn, son of Baron Cockburn of Cockpen, married, as noticed, Eliza, daughter of James Dewar of Vogrie.

The Cockburns of Choicelee carried the quartered coat of Langton; for difference, *the paternal coat within a border azure*. Sir James of Ryslaw, Knight, placed *a man's heart gules* on the fesse point between the three cocks, as difference from the arms borne by his elder brother, Christopher Cockburn of Choicelee, and also probably [as did some of the Haddington Cockburns for the same reason] to mark his descent from the family of Douglas of Longniddry.

COCKBURN OF COCKBURN, BERWICKSHIRE.



I. **William Cockburn**, the second son of Sir William, Baron of Langton, killed at Flodden, was the founder of this later branch of the Cockburns, styled "de eodem." He became possessed of the ancient home of his ancestors in 1527. There had been no continuing family of the name, in Cockburn, since the time of Piers de Cockburn, though it appears to have been in the occupation of scions of the family of Langton, now and again resident there, as vassals of the Dunbars and Lindsays.

There was a Johannes de Cokburne who witnessed a deed 2d September 1408 respecting the rights of the Lady Margaret, daughter or grand-daughter of King Robert II., widow of Sir John Swinton of Swinton, to her terce of the lands of Swinton. He was probably the son of John of Ormiston, and his wife Janet Lindsay, who was much in the border country at that time on important Government affairs.

Also, a "thom off Cokburn," who witnessed a

A. Campbell
Swinton's
*Swintons of
that ilk,*
p. xviii.,
Appendix.

*Swintons of
that Ilk*, pp.
26, and Ap-
pendix, xxxiv.

deed relating that at a Court held at Langton 22d April 1433, "Adam of Cokburn, the Sheriff," awarded to Marjorie, daughter of George Dunbar, Earl of March, widow of Sir John Swinton of Swinton, son of the above referred to Sir John, her terce of her first husband's lands. She had remarried Lucas de Stryvelin, ancestor of the Stirlings of Keir, who appeared at the Court before Adam of Cokburn *as her lauchful attorney be oure lege kyngis letres til Mariory of Swyntoun.*

Marjorie's brother was the David de Dunbar de Cokburn, of whom mention has been already made, whose daughter and heiress, Mariota, married Sir Alexander Lindsay, Earl of Crawford.

*Reg. Great
Seal*, vol. ii.,
No. 447.

On the 15th April 1527, William Cockburn had confirmation of the charter—"Davidi comitis Crawfordie, Domini Lindesay, qua concessit Willelmo Cokburn de eodem et Isobelle Hume ejus sponse, et ipsorum alteri diutius viventi in vitali redditu, et Alexandro filio et heredi apparenti dicti Wil. inter ipsum et dict. Isobelle genito, heredibus ejus et assignatis hereditarie terras et baroniam de Inverarite (excepta villa de Haltoun infra dictam baroniam vic Forfar) in speciale warrantum terrarum de Cokburn, cum molendinis granorum et fullonum, tenentibus, et *le outsettis*, silvis et nemoribus vic Berwyk, eisdem Wil. Isob. et Alex. per dictum Davidem venditarium, de rege tenend. regis confirmatione desuper obtenta."

Ibid., vol. iii.,
No. 1204.

In 1532 he also acquired by purchase from Alexander Kirkpatrick of Kirkmichael the lands of Loch-toun, *alias* Loch Birgheame, with its appanages, mill, &c., which had been granted to the Kirkpatricks by James III. on the forfeiture "Alexandri olim Ducis Albanie," with other great estates which had

belonged to James Earl of Douglas, and William Lord Crichton, and had fallen into the King's hands by their rebellion.

Reg. Great Seal, vol. ii., No. 1603.

Isobel Home was the daughter of Sir David Home, killed at Flodden, so was sister of the famous brothers, "The seven spears of Wedderburn." She possessed in her own right the lands of Greenrigg, which, with consent of her husband, who probably desired the proceeds thereof, she parted with to "a noble man, John Swyntoun of Swyntoun," who was married to her sister Marion, and within the bounds of whose ancient barony the lands lay.

On the cold grey morning of 30th December 1530 she ascended the winding stair in the old tower, and "apud fortalitium de Cokburn in camera superiori eiusdem, horam circiter decimam ante meridiem," signed away her inheritance.* Perhaps in that uppermost chamber of the fortalice of Cokburn she shed some tears as she did so, her feelings being akin to those of the old Maori chieftain, who, unable to contend against the pressure put upon him by a ruthless grasping Government, said, as he affixed his signature to the deed alienating the loved lands of his ancestors, "Under the bright sun of heaven on this day of sale I have wept over and bidden farewell to the territory I hereby cede to the Queen." Poor old fellow, he had at least the bright sun to cheer him! The Lady Isobel, in the dark grey peel-tower, had no such sustaining brightness around her on that winter morning.

Swinlons of that Ilk, Appendix, p. cviii.

William Cockburn of that Ilk, uncle of the young Baron of Langton, Sir James, has already been alluded to as being very prominently concerned in the murder of Sir Anthony Darcy de la Bastie

* The sentence after "inheritance," line 17, should be as follows:—"Notwithstanding her having sworn, tactis sacro sanctis Dei Evangeleis, that she did not do this under compulsion or constraint, perhaps in, &c."

*De rebus gestis
Scotorum,
Joanne Leslie
Scoto. Epis-
copo Rossensi,
Edit. Romæ,
MDLXXVIII.*

*Redpath's
Border
History, p.
512.*

*Diurnal of
Occurrents in
Scotland, p. 7*

[Dominus Bautæus Gallus, as John Lesley, Bishop of Ross, calls him], for which, as he puts it, in the Parliament held soon after, "Wodderburnenseis et socii damnati sunt . . . in Davidem Humæum Wodderburnensum, ejusque tres fratres, in Guiliel-mum Cokburnum. Johannem Humæum aliosque, qui eadem scæleris societate tenebantur. Id est quod Langtoniam arcem obsiderint, Bautæum intere-merint caput palo præfixerint, Anglosque de re regni comminuenda convenerent aliasque plurimas labe susceperint, iusta proscriptionis, capitisque sententia discebatur." Whether, as has been stated, there were several Cockburns declared rebels with the Homes, and took refuge in England, or not, William de eodem is the only one of the name who is found obtaining remission for the crime. On the 21st July 1522 this was granted to him "for art and part of the treasonable slaughter of Sir Anthony d'Arcis de le Bussy, Knight, guardian and lieutenant within the bounds of Lothian and the Merse, and for assist-ing the committers of the said slaughter, after com-mitting thereof, and of absconding *redhand*, and for art and part of assisting umquhile Alexander, Lord Home." His brother-in-law Sir David Home of Wedderburn had powerful interest. His wife Alison, who had been married first to Robert Black-adder of that Ilk, killed at Flodden, was sister of Archibald, sixth Earl of Angus, whose second wife was Margaret of England, widow of James IV. He had supreme authority in Scotland, more especially after his divorce from Queen Margaret, and had set Albany at defiance after the judicial murder by him of Lord Home and his brother. "Upoune the tuantie day of Julii the zeir of God i^m. v^c xxi zeris

Archibald, Erle of Angus, come to Edinburgh, and thair causit tak af the tolbuith thairof my Lord Home's heid and his broderis, and deliuerit thame to George Home and Daid Homes of Wedderburne than at the horne, and within twa days thereafter he brocht in the said George and Daid Homes in Edinbrugh quhair thay remanit thre dayis."

In 1539 a decreet was given by James Foulis of Colinton, Lord Clerk Registrar, as oversman chosen to decide betwixt William Cockburn of that Ilk and George Home of Spot in the complaint of the latter against the said William, "for the maisterful and violent spoliatioun and away-taking and withholding of certane gudis, nolt, horse, and meris out of the landis of Crunklaw alias callit Duns-Mainis, and anent the decreet-arbitral given in behalf of said William Cockburn by James Cockburn of Langton, Patrick Cockburn of Newbigging, and Mr. John Lethame, parson of Kirkcroft, assoilzing the said William on the ground that he had paid the compleinar 355 merks; also anent the decreet-arbitral given on behalf of said George Home by William Home of Lochtullo, and James Preston, burgess of Edinburgh, finding the said William guilty of said spulzie." The oversman affirmed the latter decreet, and found William Cockburn liable to said George Home in 220 merks.

Acta Dominorum Concilii et Sessionis, vol. xii., fol. 184.

By his wife, Isobel Home, William of that Ilk had two sons, Alexander, his successor, and George, and several daughters. Katherine, Agnes, and Isobel are mentioned.

I. KATHERINE married John, son "Georgii de Sancto-Claro de Blainis," who settled 10th February 1547 [his mother's interest therein being reserved], half of the lands

of Blanss, with the manor-house thereof, upon their eldest son, William Sinclair, and, ten years afterwards, sold the other half to their second son, David, Vicarius de Innerlathen, who married Mariota Lauder. Confirmation of the charter was given under the Great Seal of "Franciscus et Maria Rex et Regina," 30th September 1559.

The Sinclairs of Blans, who were much intermarried with the Cockburns, were cadets of the House of Herdmanston.

Reg. Great Seal, vol. iv., Nos. 182, 1375, 1408.

Nisbet's *Heraldry*, p. 1211.

Acta Domini-norum Concilii, xxi., 70.

AGNES, another daughter, married Walter Chepman of Ewirland, burgess of Edinburgh, the introducer of the art of printing into Scotland in the reign of James IV., who took keen interest in his undertaking. He had a partner, "Andro Myllar," a practical printer. They had protection by charter under the Privy Seal in 1509 from the King because "they, at our instance and request, for our pleasour, the honour and proffitt of our realme and legis, tak on thame to furnis and bring hame ane prent, with all the stuff belangand tharto, and expert men to use the samyn;" and to prevent their losing by the introduction of Breviaries, printed at Sarum, hence known as "Salisbury's," and other books published there, at York, and other places, King James guarded them, as the document goes on to set forth, thus—"We have grantit and promittit to thame that thai sall nocht be hurt nor pre-venit tharon be ony utheris to tak copyis of ony bukis furtht ofoure realme to ger imprint the samyne in utheris cuntreis to be brocht and sauld agane within our realme, . . . and that na maner of sic bukis of Salusbery use be brocht to be sauld withinoure Realme in tyme cuming."

Chepman had been an intimate and useful familiar of the King for many years, and was entrusted with the custody of his Privy Seal. On 21st February 1495 there was charged in the Lord Treasurer's accounts "12d. giffen to ane boy to rynne from Edinburg to Linlithg. to Walter Chepman to signet twa letteris."

Agnes Cockburn, his wife, got the lands of Loch-Birgham, above mentioned, and after her husband's death, whom she survived about twenty years [she was his second wife], she resigned them to her brother Alexander of that Ilk in 1563. Her husband and she gave conjointly in 1513 to the Church of St. Egidia (St. Giles), for the good of the souls of King

James and Margaret, his wife, his predecessors, and successors, and for his own soul and that of "Agnes Cokburne sponse mee moderne," and the soul of "Mariote Kerkettel olim sponse mee," and the souls of his father and mother, and of all his ancestors and successors, the donation of a property in the Cowgate of Edinbrugh. The ecclesiastics afterwards claimed some portion of this as a gift in perpetuity for a certain altar, but he repudiated their demand, declaring that he had not so granted the property in question, "ad altare Sancti Johannis Evangeliste in capella ipsius per me fundata in Australe parte ecclesiæ Beati Egidii."

John Chepman granted an annuity for the support of a chaplain at this altar of St. John the Evangelist, in the aisle built and endowed by his uncle, Walter Chepman, in the Church of St. Giles, in which aisle he was buried and his wife Agnes Cockburn also.

William Cockburn died in 1564, and was succeeded by his eldest son—

II. Alexander Cockburn of Cockburn,

who was retoured heir to his father in Cockburn and other lands in 1565. One of the first things the Regent Murray did after taking into his hands the government of the country [brought into such a deplorable state of anarchy and confusion by his own traitorous proceedings against the Queen, that, as Sir Walter Scott says, the very children in the towns and villages formed themselves into bands for King James or Queen Mary, and fought inveterately with stones, sticks, and knives], was, on 22d August 1567, with avyse of the Lordis of the Counsall, to direct charge "to summon John Home of Blacatre, Dawid Hume of Wedderburne, John Lumisden of Blanerne, George Hume of Ayton, John Sincler of Longformacus, Alexander Cokburn of that Ilk, and others, to give their avyse anent the ordering of Justice and

*Reg. of the
Privy Council,
vol. i., p. 551.*

establishment of quietness within the boundis of the Eist Marche, as thai will answeir on thair uttermost charge and perell."

*Diurnal of
Occurrents,*
p. 145.

Murray set himself to work, amongst other enterprises, to clear the land of witches. He journeyed to the North, and on his way "causit burne certane witches at Sanct Androis, and in his returning he causit burne ane vther cumpany of witches at Dundie;" but we do not find Alexander Cockburn and his neighbours following his example, and burning any unfortunates to advance "the ordering of justice" in the Merse.

On the 15th June 1581, Alexander was one of the assize, along with "John Cockburn of Ormiston, Ninian Spottiswoode of that Ilk, Dammahoy [Dalmahoy] of that Ilk, Congilton of that Ilk, &c., assembled to try George Hwm of Spot for the murthour of ouer Soueraine Lordis darest fader Henry, King of Scots," whom they acquitted.

*Reg. Great
Seal, vol. iv.,
Nos. 1825,
1834, 2023.*

The Laird of Cockburn married Helen, daughter of Sir Alexander Hepburne of Quhitsun [Whitsome] in the Merse, by whom he got the lands of Quhitsun-Lawis, of which he had charter 27th February 1573. Mariota Hepburne, wife of Alexander Cockburn, apparent of Langton, killed at Flodden, had a settlement out of lands in Quhitsun.

They had five sons—William, John, Alexander, Adam, and Patrick; and two daughters—Margaret and Marion.

His father-in-law held Quhitsun, alias Hepburne-Quarter, from "James Hepburn, Dominus de Hallis, sumtyne Erle of Bothuil," and was subjected to forfeiture along with that notorious Earl. The greater part of Sir Alexander's property in Whitsome was

granted to Alexander Home of Manderston, and came to Alexander Cockburn's son, who married Margaret Home.



Seal of Patrick, Dominus
de Hales, A.D. 1450.

The first Alexander Hepburne of Quhitsun was the brother of Patrick, first Lord Hales, whose progenitor Patrick, Dominus de Hallis et Aldhamstokkis, has been mentioned as father of Marjorie, the second wife of Sir Alexander Cockburn of Langton, Custos Magni Sigilli in 1390. Agnes Hepburn,

daughter of Adam, younger of Hales, married William, fourth Lord Livingston, and was ancestress of Sir William Cockburn, the first Baronet of Langton's wife, Helen Elphinstone.

Alexander Cockburn died 10th March 1583, and was succeeded by his eldest son William, whom, by his will, he appointed executor along with his mother Helen, naming as oversmen William Cockburn of Langton, George Cockburn, his own brother-german, and David Sinclair of Blanss. He had a son

Sir Bernard
Burke's
*Extinct
Peerage*, p.
327.

*Edin. Reg. of
Testaments*,
vol. 12.



Seal of Alexander Cockburn
of that Ilk, A.D. 1570.

three cocks contourne

James, who got letters of legitimation from the King, 1574. In consequence of his match with this heiress of the House of Hepburne, he placed a *chevron between* on his coat, as shown upon

*Reg. Great
Seal*, vol. iv.,
No. 2363.

this copy of his somewhat rude seal, which presents a great contrast to the well-cut one of Sir Patrick Hepburn. It may have been of lead, and manufactured at Duns. These arms continued to be borne by his descendants.

*Commiss. of
Edin. Testa-
ments, vol. 20.*

Helen Hepburne, his widow, died at Cockburn Castle 12th August 1587. Her will was dated four days previously. She bequeathed to her daughters Margaret and Marion certain sums of money due to her by Jane Hepburne, Lady Polwarth, her sister, and named George, her husband's brother [and executor], her own, along with Patrick, her younger son. After the Reformation her brother Thomas Hepburne was the first minister of Oldhamstocks, of which parish the greater portion had belonged to his father. He was appointed by the General Assembly, 4th July 1562, with Mr. Patrick Cockburn, a son of William of Choicelee, and Mr. David Lindsay "to preache in the implanted kirks of the Merse their moneth by the course." Thomas Hepburne took the historical silver casket, as a trusted messenger, containing Queen Mary's songs and letters, but was waylaid, and it thus fell into the hands of the Confederate Lords. In 1576 he incurred the severe reprimand of the Kirk Assembly, and was suspended, on account of his opinions and the boldness of his utterance of them. He came of a loyal race, whose name was tarnished only by the Earl of Bothwell, and resented the teaching and proceedings of the adversaries of Mary Stuart.

Helen's sons were wild young men, and her youngest and evidently most trusted son Patrick, although he seems to have been at one time, as well as his brother John, successful in life, came to an ignominious end, as will be shown presently.

In 1588 Patrick Cockburn, tutor of Langton, became surety, as he appears constantly to have been called upon to be, for all the delinquents of his name, in the sum of £2000 sterling for William, John, Alexander, and Adam.

Again, on the 16th June 1601, the three next eldest brothers of William Cockburn of that Ilk were "dilaitit for that playing at the fute-ball at Lochtoun [*alias* Birgheame] in the Merse with John Davidson, called of Burnrigg, and James Davidson in Nodday. They fell into contention ilk ane with another, and schott and dilaschit pistolettis and harquebuttis. The Cockburns were assoilzied because the Davidsons did not appear, and David Cockburn confessed to shooting of the said pistolett, and had schott the same in pursuit of James Davidson of Burnrigg, a common thief and fugitive." It does not appear to have influenced the gentlemen on the assize that they should have been playing at the fute-ball with such disreputable associates. On the 8th April 1588 old Patrick of East Borthwick had, along with Sir John Ker of Hirsell, son and heir of Walter Ker of Litildene, given bonds again "for £4000 that Hercules Stewart of Quhitlaw and his tenants in Hepburne-Quarter should not suffer at the hands of Adam and John, brothers to William Cockburn of that Ilk." This John was "the faderbroder to William Cockburn's son," to whom in his will, dated 1601, Patrick of East Borthwick carefully mentioned that he owed xx. lb. for ane ox. He was afterwards in an official position, and a man of standing. The fate of his brother Patrick, who was a Colonel in the Army and had been knighted, is recorded by the following document.

"Ouer souveraine Lord ordines ane lettre to be

*Reg. of the
Privy Council,*
vol. iv., p. 27.

Ibid., vol. vi.,
p. 262.

Ibid., vol. iv.,
p. 272.

*Register of
Signatouris,
vol. li.*

maid under His Hienes Privie Seal in dew forme to His Majestie's lovitt John Cokburne, brother to umquhile Sir Patrick Cokburne, Lieutennand-Colonell, Knight, and servitor to His Majestie's trustie counsellor Sir Thomas Hope of Craighall, Knight Baronet, His Hienes' advocate, his heirs, &c., of the gift of the escheat of all goods, movable and unmovable, dettis, takkis, stedings, &c. [in so far as the same may be comprehended within the conviction after mentioned], actions, dewettis, reversiones, sentences, soumes of money, jewallis, gold and silver, &c., which pertained of before to the said deceased Sir Patrick Cokburne, and now pertaining to oure soverane Lord, fallen into His Hienes hands throw being of the said umquhile Sir Patrick Cokburne, convict at Colpholme, within the kingdom of Denmark, and there execute to the death for certane crymes mentioned in the said conviction, &c., dated at Halyrudhous, 20th Nov. 1628." We cannot tell what may have been the circumstances which led to the tragic fate of Sir Patrick at the hands of the Danes; possibly he may have been amusing himself after the fashion of the old Vikings.

III. William Cockburn of Cockburn

married Margaret, daughter of Alexander Home of Manderston, by his wife Janet, daughter of George Home of Spot [upon whose trial it has been mentioned his father was one of the jurors], and sister of George, created Earl of Dunbar, and of Janet, wife of Sir John Cockburn, the Justice-Clerk, whose interest had doubtless assisted his brothers John and the unhappy Sir Patrick to push their way.

On 30th October 1574 he had confirmation charter under the Great Seal of James VI. of the lands of Loch Birgheame, alias Lochtoun, Willelmo filio et heredi apparenti Alexandri Cokburn, filii et heredis quondam Willelmi Cokburn de eodem.

By marrying the daughter of Home of Manderston, to whom great portion of his grandfather's lands in Whitsun had been granted, he got possession of his mother's inheritance and other portions of that parish. As has been seen, his brothers had troubled the tenants there; but there appears to have been reason for their taking the law into their own hands in 1588, for on 18th February in the following year there was issued deed of gift dated at Holyrood-house, "to William Cokburne, son to William Cokburne of that Ilk, of the escheat of the effects which pertained to Thomas Johnstoune in Quhitsun, alias Hepburne-Quarter, William Polwart there, David Polwart and others there, which had fallen into the King's hands by reason of their resisting the law, in not removing from the fourteen-hundred lands in Quhitsun pertaining to William Cokburne of that Ilk.

*Registrum
Secreti Sigilli,
vol. lix., fol.
29.*

They had got holdings there, it is to be supposed, from Hercules Stewart, the natural brother of Francis, created Earl of Bothwell, and refused to move when William Cockburn came into possession of his wife's inheritance. This Laird died at "Cockburn Castle," it is recorded, in 1600, and was succeeded by his son—

IV. **William Cockburn of Cockburn,**
who remained in quiet, undisturbed possession of

the greater part of the parish of Whitsome, as, besides the lands which came from his mother's family, he appears to have acquired the Templelands, &c. there, which Sir Alexander, Keeper of the Great Seal, got with his wife, Mariota Hepburne, and had been conveyed to the Cockburns of Choicelee by Patrick Cockburn of Clerkington, to whom they had descended. On 3d November 1608 he was retoured heir to his father in the lands of May-schiel, County Berwick, having been served heir to Cockburn soon after his death in 1600.

*Inquisit.
Retorn.
Abbrev.,
County
Berwick, iv.,
200.*

*Deeds, vol.
xiv., fol. 165.*

By his wife Elizabeth Kinked [Kincaid] he had a son, John, and two daughters, Jean and Elizabeth, who married in 1620 Alexander Home, son of Adam, first Protestant Rector of Polwarth, who was the son of Sir Patrick Home of Polwarth and Kimmerghame, by his wife Elizabeth, daughter of Sir Patrick Hepburne of Waughton, and so related to the Cockburns of Ormiston.

V. John Cockburn of Cockburn succeeded

his father. On 20th March 1628 Robert Cockburn of Blackismylne [son of Sir James of Langton], sheriff in that part of the county, held a court at Dunse, when John Swynton of Swynton was specially served heir to his father Robert in the Lordship of Swintoun. The service was made before "Dominum Patricium Home de Ayton militem, Johannem Home de Blacader militem, Dominum Georgium Ramsay de Wylicleuch militem, Robertum Edzeare de Wedderlie, Davidem Lummisden de Blanerne Georgium Trotter seniore de Prentonnane, Johannem Renton de Billie, Jacobum Renton de Lamer-

*Swintons of
that Ilk, Ap-
pendix, p.
clxxviii.*

toune, *Johannem Cockburn juniorem de eodem, Jacobum Cockburn de Ryslay, &c.*

Again on 2d May 1630, at another court held at Dunse by the same Robert Cockburn, deputy-sheriff, John Swynton was retoured heir to his grandfather, Sir John Swynton, when Patrick Cockburn of Caldra or Cadra was present ; he was cousin-german of James of Ryslaw. On 16th February 1632 the same John Swynton had another retour to his father before William Cockburn de eodem, Patrick of Caldra, and Patrick Cockburn of East Borthwick, &c. He died soon after, and his brother Alexander Swynton was served heir before a special jury at Dunse, 2d May 1633.

*Swyntons of
that Ilk,
Appendix, p.
clxxix.*

Those present were Domini David Home of Wedderburn, Patrick Home of Ayton, John Home of Blackadder, William Cockburn of Langton, Knights, Master Thomas Nicolsone, advocate before the Lords of the Council and Session, Master James Baird, advocate, John Cockburn of Cockburn, James Nicolsone of Colbrandspeth, Patrick Lumisdeane of Blanerne, James Renton of Billie, John Edzeare of Wedderlie, and several others.

Since the assize two years before, besides John Swinton himself, a number of those then present had died, and their sons appear in their place. Robert Edzeare, David Lumsden, John Renton, were amongst the deceased, and John Cockburn had come into his father's possessions. He married Margaret, daughter of the Rev. John Spottiswoode, minister of Longformacus, and had four sons, William, James, Thomas, and Alexander—and three daughters, Margaret, Catherine, and Anna. By his will, dated 1st June 1655, at "his place of Cockburn,"

*Commiss. of
Lauder Testa-
ments, vol. i.*

he ordained that "his eldest son and executor, William, should give entertainment to Patrick and Jean, his brother and sister, sua lang as they live."

Drummond's
*Noble British
Families*,
part vi., p. 29.

He died in the following year. Anna, his youngest daughter, married Patrick Home of Huttonhall. He was the son of Sir John Home of North Berwick, who bought Tullycastle, in Ireland, having sold his estate of North Berwick. This Anna has been mistaken for another young lady of the same name, the daughter and heiress of Patrick Cockburn of East Borthwick, and niece of Sir David Home of Crossrig, "ex-merchant and brewer," who, to his own surprise, seeing that, as he said, he knew but little of law, was made a judge. His idea apparently was, that might makes right, so he got letters of tutory for Anna, which he naively said "cost him a considerable sum before he fingered any of her money," removed her from Langton to his own house, and educated her at small expense. In 1690 Alexander Cockburn paid 9000 merks, secured to her by a bond from her father. When accounts were called for, Sir David "could not condescend upon any quota, but was inclined to think, so far as his memory could serve him, that he had expended for her considerably less than he had received." It so happened that Sir David's "lodging" had been burned and her deeds lost, and her claims were the subject of inquiry before the Court of Session. Notwithstanding "the loss of her writs, decree was given in her favour in 1703."

*Com. of Edin.
Testaments*,
vol. 7.

Catherine, second daughter of John Cockburn, died unmarried. Her will was proved 28th October 1653 by "William Cockburn, now of that Ilk," her brother and only executor.

VII. William Cockburn of Cockburn

was retoured heir to his father in the lands and barony of Cockburn 13th November 1656. On 20th March of the following year, sasine was given "to his brother-german, James Cockburn, of the said lands and barony by William Cockburn of that Ilk." Why he made this disposition does not appear. He was unmarried, and possibly in bad health, as he died in 1659.

*Inquisit.
Retorn.
Abbrev.,
County
Berwick,
xxiv., 74.*

*Parti. Reg.
of Sasines,
vol. 4, fol. 367.*

VIII. James Cockburn of Cockburn

married Grissell Hay. They had a large family. Being a goldsmith in that city, the baptisms of his children were registered in the Edinburgh books. It may be well to give these records, which appear to settle certain disputed points :—

- 27th Dec. 1660. James Cockburn, merchant, and Grissell Hay ;
a son, Alexander, died young.
- 11th Sept. 1662. James Cockburn of that Ilk and Grissell
Hay ; a son, William Walter, Earl of Glen-
cairn, &c. witnesses.
- 11th June 1664. James Cockburn of that Ilk and Grissell Hay ;
a daughter, Agnes. She married Alex-
ander Brown of Thornydykes, County
Berwick, which place was once the pos-
session of the ancient family of French.
- 11th May 1665. James Cockburn of that Ilk and Grissell
Hay ; a daughter, Christine.
- 3d April 1666. James Cockburn of that Ilk and Grissell
Hay ; a daughter, Grissell.
- 21st June 1667. James Cockburn of that Ilk and Grissell
Hay ; a daughter, Isabel.
- 2d Sept. 1668. James Cockburn of that Ilk and Grissell
Hay ; a son, James.

- 24th Sept. 1669. James Cockburn of that Ilk and Grissell Hay; a daughter, Bethia.
 25th Feb. 1672. James Cockburn of that Ilk and Grissell Hay; a daughter, Elizabeth.
 29th Jan. 1674. Sir James Cockburn of that Ilk and Grissell Hay; a daughter, Grissell.
 22d April 1675. Sir James Cockburn of that Ilk, Knight and Baronet, and Dame Grissell Hay, his spouse; a son, John, who was afterwards Chamberlain to Lord Oxford. He married Marion, daughter of James Cunningham of Cunninghame-head, and had several children.

It thus appears that it was between the years 1672 and 1674 that James Cockburn of Cockburn, goldsmith and burgess of Edinburgh, is first given a titular distinction in these registers. He had large claims upon the Langton estates, and it is very probable that Sir Archibald, Baronet of Langton, and his son Archibald, thinking they had the power of doing so, made a disposition of the Baronetcy, as well as the hereditary office of "Ostiarius Parliamenti," along with the barony of Langton and other estates, in warrandice of the bonds they granted, and James Cockburn of that Ilk assumed the title accordingly. Sir John Campbell of Glenorchy, father-in-law of Archibald Cockburn, heir-apparent of Langton, three or four years after James Cockburn appears styled Knight and Baronet, seems to have thought that he could acquire in the same manner the honours of the Sinclairs, Earls of Caithness. George, the sixth Earl, was largely indebted to him, and assigned to him his titles along with his estates. For a time after his death he was styled Earl of Caithness, but this being disallowed, was created

Earl of Breadalbane. He married the widow of the Lord Caithness who died in 1676, so stood altogether in that unlucky Earl's place.

As mentioned in the account of the Cockburns of Ormiston, it is stated in Douglas' and Burke's Peerages that Henry, eighth Lord Sinclair, married Grizel, daughter of Sir James Cockburn of Cockburn in 1680. According to the above record of their baptisms, the elder child, who bore this name, would then have been fourteen years of age, but she had probably died, as there was a second daughter called Grissell, who would be but six years old at the time of the said marriage. In the Edinburgh registers of births and marriages, Lord Sinclair's wife is called Barbara Cockburn, a daughter of the Laird of Ormiston. Although James Cockburn of Cockburn styled himself Knight and Baronet in these two baptismal registers, and in deeds issuing at his own instance, he does not appear to have been recognised as the possessor of any such dignities when he died; nor was any title given to him in documents in the public records executed after 1672, in which year he seems to have assumed the distinction, except in one list of Commissioners for the county of Berwick in 1678, in which, by a clerical error probably, he is called Sir James.

He had sasine on precept from Chancery, dated at Whitehall, 11th July 1670, of the lands and barony of Dunse, purchased from Home of Ayton. Several charters of small properties in that town were signed by him at the Castle of Dunse. There was one in 1672 to Bethia Cockburn, another in 1677 to James Cockburn, settlements seemingly upon his children so named. Another in 1681 was

*Acts of the
Parliament of
Scotland,*
vol. ii., p. 155.

*Part. Reg. of
Sasines,
County
Berwick,*
vol. 2, p. 241.

Ibid., vol. 3,
fol. 13; vol.
4, fols. 34 and
276; vol. 8,
part 2, fol.
510.

*Edinburgh
Register of
Marriages.*

to "his brother - german, Alexander Cockburn, apothecary in Dunse, and Jean Whyt, his spouse." The marriage of Katherine, eldest daughter of the deceased James Cockburn of that Ilk, to David Wilson, son to the deceased George Wilson of Finzeoch, was registered 11th October 1702. His father is neither styled Knight or Baronet in this register, nor in the record of the marriage of "Elizabeth, daughter to the deceased James Cockburn, goldsmith, of Edinburgh, on 28th January 1700, to John Hepburn, younger of Humbie, merchant of Edinburgh."

*Inquisitiones
Generales,
No. 8264.*

IX. William Cockburn of Cockburn

was retoured 21st December 1700 "hæres Jacobi Cockburne de eodem nuper thesaurii tabernæ argentariæ regni Scotiæ."

*Part. Reg.
of Sasines,
vol. 6, fol. 371.*

On 21st August 1702 sasine was given on precept from Chancery in favour of William Cockburn, now of that Ilk, of the just and equal half of an annual rent of 1800 merks out of the lands and barony of Langton, in which James Cockburn, father to the said William, died vest and seized.

*Ibid., vol. 7.
fol. 3.*

He married, 19th April 1701, Elizabeth, daughter of David Hepburn of Humbie. Her brother John, as seen above, was married to his own sister Elizabeth.

*Ibid., vol. 7,
fol. 3.*

On the 27th December 1704 sasine was given on disposition by William Cockburn, eldest lawful son of the deceased James Cockburn, goldsmith, of Edinburgh, with consent of Elizabeth Hepburne, his wife, of an annual rent of 1200 merks, effeiring out of the principal sum of £20,000 out of the lands and

barony of Langton, granted by heritable bond by the deceased Mr. Archibald Cockburn, younger of Langton, 5th March 1689, and of another bond granted in corroboration by Sir Archibald Cockburn of Langton, miles et Baronettus, 10th March 1690; and mention is made of a decreet of adjudication from "the Lords of Council and Session" obtained by the said James Cockburn, goldsmith, of Edinburgh, against Sir Archibald, upon these bonds, 24th February 1694. There is no prefix given to the names of James Cockburn of that Ilk, or William his son, in any of those deeds, nor in one dated 7th May 1706, when William Cockburn of that Ilk witnessed a deed of sasine to his brother-in-law, John Hepburn, younger of Humbie, of "the town and lands of Johnston" and others, in the constabulary of Haddington. This John Hepburn and his wife Elizabeth Cockburn had a daughter Magdalen, baptised in 1703. John Cockburn of Ormiston, and William, son to the deceased "James Cockburn, goldsmith, of Edinburgh," were the witnesses. This designation is always given in deeds executed in the city of Edinburgh.

*Part. Reg.
of Sasines,
Edinburgh,
vol. 71, fol.
124.
Edin. Reg. of
Baptisms.*

The operations of Sir Archibald of Langton brought down not only his own but all the other families of his race in the Merse. On 25th April 1706 "Guillelmus Cockburn, filius Jacobi Cockburn de eodem, fabri. aurati," executed at Edinburgh, under a decreet of the Court of Session, deed of sale of the barony of Cockburn and Wester Winschelis to Sir James Stewart, Baronet of Goodtrees, who disposed of the same in 1710 to Sir Robert Sinclair, Baronet of Stevenson, in liferent, and to his eldest son, Robert, in fee. Sasine was given 13th Sep-

*Charter of
Cockburn to
Sir James
Stuart.*

tember 1715. The charter was confirmed by the Earl of Lauderdale [now over-lord]. Both Sir James Stewart and Sir Robert Sinclair were nearly related to the Cockburns of Langton. Thus passed away the old estate, and the name of Cockburn of Cockburn "ceased from the land." William Cockburn had by his wife Elizabeth Hepburne an only son, James, and four daughters, Jean, Helen, Elizabeth, and Isobel. He married, secondly, Helen Learmonth.

Reg. of Deeds,
Mackenzie
Office, vol.
177.

He made a disposition, dated at Dalkeith 12th March 1748, of his whole heritable and moveable estate in favour of Ensign James Cockburn, his only son; whom failing, to Jean, Helen, Elizabeth, and Isobel, his daughters; he excepted his household furniture, plate, &c., disposed to Helen Learmonth, his spouse. James, his son, got a precept from Chancery, dated 5th March 1756, giving directions for sasine "in favour of Sir James Cockburn, now of Cockburn, Baronet, as heir to his deceased father, Sir William Cockburn of Cockburn, Baronet, and of Sir James Cockburn of Cockburn, Baronet, his grandfather, of the lands and barony of Langton, and also in the lands of Borthwick, Easter and Wester Wolfeland, Grueldykes, Cumledge, Burnhouses, Oxidin, Easter Wenschelis, &c., the lands of Simprim and others, in warrandice and security of sums of money to the said Sir James and William contained in a bond of date 11th January 1690, registered in books of Council and Session 22d October 1741, granted by Sir Archibald and Archibald Cockburns of Langton, senior and junior, &c." Sasine was taken 26th, 27th, and 28th February 1756, and then followed the sale of all the estates.

It is noticeable that in this deed, obtained by his own lawyers from the Court, whilst the title of Baronet is so conspicuously given to himself and his two predecessors, it is not bestowed upon the head of the house of Langton, whose heir young Sir James' right to the destination was probably now disputed by James, who still was called of Cockburn, which was sold in 1706. The simple *Dominus* given in the deed to Sir Archibald, Baronet of Langton, and the *Miles Baronettus* to himself, and also to his father and grandfather, are suggestive, and strengthen the supposition that the Cockburns of Cockburn imagined they had acquired the title by right of conquest. No such distinctions are, however, given to any one of them in the deed of sasine from William Cockburn of that Ilk in December 1704, nor in the sasine upon precept from Chancery of the lands and barony of Dunse to James Cockburn 15th September 1670.

*Part. Reg.
of Sasines,
County Ber-
wick, vol. 13,
fol. 494.*

*Ibid., vol. 7,
fol. 3.*

*Ibid., vol. 2,
fol. 241.*

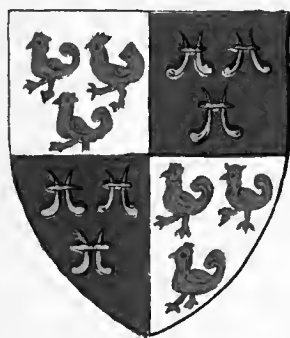
This estate of Dunse, with its castle, &c., purchased as mentioned from the Homes of Ayton by James Cockburn, who married Grissell Hay, was bought at the judicial sale of his son's estates by Alexander Hay of Drummelzier, grandson of the first Earl of Tweeddale.

James Cockburn the younger, above mentioned, left one son, William, who died in 1810. He was much esteemed for his amiable qualities, and was on friendly relations with his distant kinsman and chief, Sir James, Baronet of Langton. He was unmarried, and did not assume any title. One thing is certain, namely, that if a hereditary title was conferred upon this branch—of which, however, there is no record—it could not possibly have

descended to the son of Sir James Cockburn of Ryslaw, Knight, who, as proved by his own will and the records under the Great Seal referred to in the memoir of the family of Choicelee, was a younger son of William Cockburn of that place, in no way related to the Cockburns of Cockburn, except by common descent from the patriarch of the race, and by marrying into the same Border families.

The Cockburns of Cockburn bore *argent, between three cocks conturnee gules, a chevron of the same.*

COCKBURN OF TORRY, DALGINCHE, AND TRETTOUN, FIFESHIRE.



Coat of Cockburn of Trattoun,
as blazoned by Sir David Lindsay of the Mount,
A.D. 1542.

THIS is the earliest cadet of the House of Cockburn of that Ilk, in Berwickshire, and perhaps should have been placed first; but as all the other families noticed were offshoots from the main stem of Langton after that place became the seat, it seemed more convenient to mention them consecutively in the order in which they took beginning.

To matches with heiresses of great Norman Houses the fortunes of the two oldest families of the name were mainly due.

The Cockburns in the south quartered with their paternal coat that of de Veteri-Ponte, from which historical family came Langton, Carriden, and Bolton Baronies; whilst those established in the county of Fife getting Torry, Dalginche, &c., with the hand of an heiress of the distinguished House of

de Valoniis or Valoynes quartered with the *three cocks gules upon an argent field*; its armorial bearings *azure, three water-bougets or*.

The Wardlaws of Lochor, acquiring that estate by marriage with another heiress of the same family, likewise quartered this coat with their own, but differenced the tinctures, placing *sable* water-bougets upon a field *argent*, sometimes *or*. This was the well-known coat of de Ros or Roos. Why or when the Fifeshire families of Valoniis adopted the arms of this House instead of those borne by their ancestors in England, as well as by that potential Scottish branch whose heiress, Cristiana, will be mentioned presently, *i.e.*, *argent three pallets wavy gules*, is not recorded. Representatives of both the races of de Ros and de Valoynes are found in the north about the same time. An inquest was held at Lanark before William the Lion to determine as to the advowson of the Church of Kilbryde, in dispute between Joceline, Bishop of Glasgow, and Roger de Valoins. The bond of the same monarch "to pay to his lord, John, King of England, 15,000 marks for having the goodwill of his said Lord the King of England, and fulfilling the conventions between them," was witnessed by William and Robert de Veteri-Ponte, Philip de Valoynes, and Robert de Ros. This Philip de Valoniis, or Valoynes, was Great Chamberlain of Scotland, in which office he was succeeded by his son William de Valoniis, who died at "Kelchou" in 1218, and "contra bene placitum monachorum ejusdem domus," his body was brought to Melrose, and honourably interred hard by the tomb of his father in 1219.

*Origines
Parochiales,*
vol. i., p. 121.

*Chronica de
Mailros,* p.
135.

This Sir William's daughter and sole heiress, Cristiana, carried his estates, Mr. Nisbet says, to her husband Sir Peter de Maule in the beginning of the reign of Alexander II. One of these estates was Panmure. This does not agree with another account of the Maules, which gives them Panmure at a considerably earlier date. Sir James Balfour says—"Philippe de Maulea, Knight Chamberer to King Duncan II., by quhom, in ye beginning of the

Nisbet's
Heraldry,
edit. 1722,
p. 267.



Seal of Philip de Valoniis,
Great Constable, 1170.

second zeire of his rainge, he was made Grate Constable of Scotland. This same Philippe de Maulea had by ye donatione of this King, A° 2 regni, ye landes of Panmure in Angus shyre. Gilchrist, Earle of Angus, Alexander ye Kingis brother, Gille-

*Catalogue of
the Grate
Constables of
Scotland since
ye zeire of
King Malcolm
ye 3d.*

riche, and divers vthers were witnesses to this charter of donatione." We must suppose Sir James had seen this old charter, as he was Lyon King-of-Arms, and had no doubt access to the muniment rooms of the principal families, and had inspected deeds which have never been brought to light since. Looking at the beautiful manner in which the most ancient ones are written, every reliance is to be placed upon their correctness.

Bain's
Calendar,
vol. ii., No.
170.

Ibid.,
Nos. 45, 511.

Ibid., vol. i.,
No. 1416.

Ibid., vol. i.,
No. 1505.

Cristiana de Valoyns was an influential personage. Besides possessing the territories of her own family, she was coheir with Alexander de Balliol of Robert de Valoynes, and her name, as widow of Sir Piers [or Petrus] de Maulea, frequently appears in the records of the time. If she married him in the beginning of the reign of Alexander II., she must have been well advanced in years when, before going beyond seas in May 1275, she empowered Peter, son of John, and Robert of Feltham, to appoint attorneys in her name for a year; but as she was alive twenty years after this, it seems more probable that her marriage took place towards the end of Alexander's reign.

In 1238 Henry III. granted to David Comyn and Isabella his wife that they might pay one-half at the feast of St. John Baptist next, and the other half at Michaelmas, of certain sums of money for which Henry de Balliol and Lora his wife, and Peter de Maune and Cristiana his wife, made a fine with the King for their relief of certain manors, which were Gunnora de Valoynes'.

The English monarch encouraged agriculture, and gave a bonus to those who were enterprising in that pursuit. Two years after this it is recorded that "the King pardoned to Henry de Balliol and Lora his wife £31:11:9 demanded from them in Exchequer for 180 acres sown with wheat, and fourteen acres sown with wheat and rye, in the Manor of Beniton, with the labour of ploughing, and for 35 acres and one rood sown with wheat, &c., in the third part of the Manor of Hecham, which manors they hold of the Honour of Valoines."

In 1280 Edward I. signified to the Barons that as

some of the heirs of Valoines are in England and some in Scotland, whereby they cannot easily arrange how to pay their debts to the Exchequer, the King, at the request of Cristiana de Valoynes, one of them, gives respite till the Octaves of Trinity next, that meantime they may deliberate.

Bain's
Calendar, vol.
ii., No. 186.

Although one influential branch ended with this Cristiana, the two Fifeshire ones continued in possession of Torry and Lochor, &c. for some time. The names of Adam de Valoniis and of William de Valoniis [or Valoynes] were added to the deed of homage 28th August 1296, along with those of Hewe de Loghore, and other men belonging to that county. Sir Constantine de Loghor or Lochor, Sheriff of Fife, had sworn fealty 17th July 1291. His brother's name was Philip. We do not know of what race these barons of Lochor-shire, Torry, &c. were, from whom the lands came to the Valoniis by marriage it is stated. They may have been of that of de Ros, taking name from their principal territory, and still carrying the ancestral water-bougets as their coat of arms.

There was a Philip de Valoniis who, some years after his namesake Philip the Great Chamberlain, was buried at Melrose, "per concessum Domini Regis accepit in uxorem," Ada de Baliol, the widow of Walter de Lindsei, "contra ipsius voluntatem," because they were within the third or fourth degree of consanguinity, "vel affinitatis propinqui;" wherefore the said Philip went to Rome and got "a domino papa dispensacionem in contracto conjugio permanendi prout ipse retulit impetravit." This Philip was probably ancestor of the de Valoniis in Fife. John de Valoniis was sheriff of the county in John

Sir R. Sib-
bald's *History*
of *Fife*, pp.
238, 374.

Baliol's reign, according to Sir Robert Sibbald, who says that Sir Andrew Wardlaw of Torrie got Wester Lochorshire by marrying the eldest of the three daughters, coheiresses of Dominus Jacobus de Valoniis. Sir Robert was under a misapprehension as regards Torry, for that estate was not then in the possession of the Wardlaws, as will be seen presently. The second daughter, he says, was married to Roger Boisvill, predecessor to Balmuto, and her portion was the half of the parish of Auchtirdiran, with Glasmont and Muircambus. The third daughter was the wife of Livingston of East-Weems, who got with her the other half of Auchtirdiran parish.

Nisbet's
Heraldry,
p. 417.

There seems to be a difference of opinion as to which of the knightly Norman names became changed into Vallange, the appellation given by some writers to the Barons of Lochor and Torry. Sir R. Sibbald speaks of "de Valoniis or Vallange," and Mr. Nisbet gives the arms of "de Valentia or Valange in old evidents designed de Vallibus." There were three families called indiscriminately de Vallibus by the writers of old deeds. It was the usual and proper rendering of Vaux, which also got corrupted into Waus or Wass. Their arms were totally different, and there seems to be no evidence that Aymar de Valence or Valentia, nor any of his name, ever received that of de Vallibus.

The families of de Valoniis and de Vallibus were powerful ones at the same period, and the representatives of both are found in prominent positions. Contemporary with some of the distinguished personages of the former, who have been mentioned, were equally well-known ones of the latter.

Piers de Vallibus gave the King in the year 1208

"five palfreys to have to wife Emma de Umfraville, who was the wife of Walter Fitz-Gilbert, if she shall wish." In 1210 Robert de Vallibus "owed the King five best palfreys that the King may be silent regarding Henry Pinel's wife." Sir John de Vallibus, brother and heir of William, had to pay in 1253 the fine of 80 marks which William made by marrying Alianora, daughter of William Ferrers, Earl of Derby, without the King's consent. Roger de Quinci, Earl of Winchester, was her next husband, and he made his appearance at Windsor on Friday next after the Feast of St. Hilary in the same year, and placed himself in the King's hands for 300 marks for marrying Alianora, widow of William de Vallibus, who was in the King's gift, without license. The King pardoned his transgression for a fine of five marks of gold. She married thirdly Roger de Leyburne. Alianora, widow of Sir William de Ferreres [Ferrariis], "the father," was living in 1287 at Elena de Zusche's manor of Tranent [given, as mentioned, to Sir John de Monfode of Scraling], *Ante*, p. 218. when she was violently carried off and married by William de Douglas, who was seized and imprisoned in irons in the Tower of London, where he remained for some time, until, by paying a fine of £100, the King granted him the marriage of Alyanor, widow of William de Ferrars.

In 1298, she, representing to Edward I. that her husband William de Douglas "was with God," had the Manor of Wodeham-Ferrars and her other dower lands restored to her. In 1303 the King granted to his vallet, John de Wysham [not yet knighted, so it is to be supposed quite a young man], the marriage of Alyanor de Ferreres, widow of Sir Wil-

liam de Ferreres, "the father," a tenant in chief, and William de Douglas, if she wished to marry. This elderly lady appears to have made up her mind to accept the young esquire's proposal, as she had herself obtained license from His Majesty to marry John de Wysham.

Many other notices of the potential families of de Valoynes and de Vallibus are to be found in the valuable calendar of State documents relating to Scotland so ably edited by Mr. Bain. One other may be mentioned of the last-named house. In October 1300 an order was directed by Edward I. to "Sir John Waux, requiring him to have Dirleton Castle supplied with men and provisions, and to see that the Castellan thereof attack the enemy with all force, and make no truce." This knight is called in 1305 "Sir John de Vallibus, Justiciar beyond the mountains" for the English monarch, who ordered him in the following year "to assist in putting down Robert de Bruce, late Earl of Carrik, and his rebel accomplices."

In this same year, 1306, "the six brothers de Halyburton of Scotland show the King that whereas John Baliol gave each of them £20 in land, by reason of the war in Scotland they have been put out of their lands, and pray the King to have pity upon their condition, who were always ready to do his pleasure as their Liege-Lord." Edward commanded Aymar de Valence to thank them for their good service, and to assure them of reward in good time. The grandson of one of these brothers was the Sir John de Halyburton who fell fighting gallantly against the English at the battle of Nisbet-Moor in the Merse in 1355. He married the daughter of

William de Vallibus, Lord of Dirleton. From this marriage descended the Halyburtons, Lords Dirleton, who quartered the coat of Vaux or de Vallibus, —*argent a bend gules*—with their own; sometimes the tincture of the field was ermine.

These notices are sufficient to show that there is no lack of evidence to prove that the families of de Valoniis and de Vallibus were distinct, and that the last was not the correct designation of the Fifeshire barons from whom the Wardlaws got Lochor-shire, and the Cockburns Torry.

There is no evidence found as to the date when the marriage took place between the ancestor of the Fifeshire Cockburns and the heiress of Torry. In an old MS. account of the family, mention is made of an Adamus de Cokburn de Torry as contemporary of Piers de Cokburn, whose name appears on the Ragman Roll. There was an Adam Cockburn, Sir Piers' second son, who in all probability was the progenitor of this family, but he did not possess Torry. He was the person, we may conclude, spoken of as being a prisoner with other Berwickshire men in Bamborough Castle, and the Adam whose wife was Alina or Elyne de Prendergest. The Prendergests were neighbours of the Cockburns in the Merse from remote times. Besides possessing the "vill de Prendergest" and other lands near Berwick, on the north side of the Tweed, they held considerable estates in Northumberland, amongst them those of Akille and Yeure.

In 1317 Sir Henry de Prendergest [styled Monsire in a document of 1300] was proclaimed a rebel, and his lands were declared forfeited; but they were restored to him by Edward III. in 1330.

The above-named properties in Northumberland are especially mentioned. In 1338, "when the toun of Edinburgh was stuffit with many sodgers baith of Inglis and Scottes, amang quhom was ane Scot of gret spirit, Robert Prendergest, and because he favorit Scotland the Mareschal called Thomas Kniton strake him sa violentlie with ane club, quhill the blud sprang out of his heid. Robert, movit with the injurie, lay ilk day in wait, quhill at last he slewe the Marischall, and cam to William Douglas the nerest way, and persuadit hym to pass with diligence to Edinburgh. William cam incontinent to the said toun, and slew iv.C. Inglisemen in thair beds bund in wine and sleep." The family continued to be of consequence for at least a century after this. In December 1383 Richard II. ordered Michael de la Pole, the Chancellor, to issue letters in favour of Thomas Prendergest for life of the forfeited lands of Sir Robert Colvyle, Knight, worth £40 sterling per annum, as the said Thomas had lost his own heritage in the sherifffdom of Berwick during the war. In 1389 he is called Esquire to the Earl of Northumberland, and had lease of the manor of Frisby in Lincolnshire, and an allowance of ten marks for his great outlay there in repairs.

The origin of the family is unknown, but it is at least suggestive that their armorial bearings were the same as those carried by some of the chiefs of the de Soulis, *ermine three bars*, as on the seal of Sir Henry de Prendergest. It is also specially observable that Sir Thomas de Soulis' seal bore a *bend* with other charges, obliterated in the impression of it that was appended to the deed of homage, and that Henry, Lord of Prendergest, also adopted

a *bend cottised* as his device of arms. We grope in the dark in endeavouring to trace family relationships at this era. It is



Seal of Henry de Prendergest, Miles, appended to his charter, dated at Ayton, A.D. 1275.



Seal of Henry, Lord of Prendergest, A.D. 1325.—(Durham Charters.)

generally conceded that similarity of armorial bearings is the safest evidence; but that of peculiar baptismal names being found amongst near neighbours is not altogether to be disregarded. Peronel, or, as latinised, Petronilla, wife of Sir William de Veteri-Ponte, may have been related to the bountiful Peronel de Heryng, the Lady of Borthwic: and Alina, the grandmother of Mariota de Veteri - Ponte, heiress of Langton, may have been a Prendergest. Sir Henry and Sir Piers de Prendergest both signed the deed of homage, as well as

the then chiefs of the houses of de Veteri-Ponte and Cockburn.

The pedigree of the Fifeshire branch of the family who from time immemorial bore "a cock" upon their shield, may be deduced with apparent certainty from—

I. Adam de Cokburn de Corry, the grandson perhaps of the above-mentioned Adam, His name appears as witness to a deed in 1385. and there is no reason for doubting that he was the

ancestor who got Torry by his match with the daughter of the then owner, a de Valoniis, whose predecessor in like manner is stated to have gained it with the hand of the daughter and heiress of one of the family called "de Lochor," or Lochquhoir, as sometimes written.

He was not the Adam de Cokburn who, with Bertram de Cokburn, is mentioned as having been liberated from the Tower of London 12th April 1413; for he was, we may take for granted, the son and successor of John of Ormiston, who went with Sir William of Langton, and was detained along with him, Sir William Douglas of Dalkeith, Lindsay, and the rest, until Henry V. on his accession, having "seen his father's letters," ordered them all to be free to depart, and gave them safe-conducts to return to Scotland, which they did, leaving their young King James still behind them, who did not return until he went north with his fair bride, Joanna Beaufort, and soon took strong measures, with Murdach, second Duke of Albany, and his family. Of course there may have been two Adam Cockburns amongst the many Scottish persons of rank then in England. However this may be, we may take this Adam, called of Torry, to have been the father of—

Nisbet's
Heraldry,
edit. 1722,
pp. 204-355.

*Registrum
Cartarum de
Dunfermeline*,
p. 348.

II. **Sir John de Cokburn de Torry**,
judge in the matter of the disputed boundaries
between the lands belonging to the Abbot and
Monks of Dunfermline and those of the Halkets of
Pitferrane. The date of this settlement is printed
1237 by mistake at page 355 of Nisbet.

Sir Robert Sibbald does not allude to the Cockburns of Torry in his description of the burgh of Torrie-burn:—"Near to Torrie-burn," he says, "stands the manour of Torrie. 'Twas formerly in the possession of the ancient family of the Wardlaws. . . . Near to this is Pitferran, well adorned with curious gardens, large parks and meadows, the manour of the ancient family of the Halkets. There is in the Register of Dunfermline a contract betwixt the Abbot of Dunfermline and David Halket, designed in some charters de Luffennen, *de perambulatione terrarum de Pitfaran, anno 1437.*"

Sir R. Sibbald's *History of Fife*, pp. 291-292.

It is strange that Sir Robert, having evidently seen the document, does not mention the predecessors of the Wardlaws of Torry, seeing that Sir John de Cockburn de Torry is named in it as judge between the parties, and appended his seal with the family "three cocks, two and one," to the decret of judgment. Sir John Cockburn of Torry, who in 1413 was designated of Newhall, possessed also the dominium of Dalginche held by him from the Duke of Albany.

"Here antiently Malcolm, Earl of Fife, had a castle, and appointed Dalginche as the capital place of Fife, at which these accused of theft were to find surety for sisting themselves in judgement." The tenth Earl of Fife, according to this historian, was Duncan, "who was killed," he says, "by the Abernethie, anno 1286." He gives the names of the wives of many of these old Earls, but apparently had not met with this Duncan's. She was a lady of the noble family of de Clare, possessors of great estates in England. On 6th June 1293 Johanna de Clare,

Ibid., pp. 230, 364.

Bain's *Calendar*, vol. ii., No. 602.

Bain's
Calendar,
No. 1066.

Countess of Fife, gave bond to King Edward in 1000 marks of silver for his leave to marry. In 1299 Patrick, Earl of Dunbar, was commanded to inquire by a jury of Berwick, Roxburgh, and Edinburgh into the charges brought by her against Herbert de Morham of Scotland, who had waylaid her, carried her off, and imprisoned her because she would not marry him, and seized her jewels, horses, &c., to the value of £2000, to her grave loss and scandall." He took her to his brother Thomas de Morham's house of Gertranky, in Fife. Thomas was accustomed to meddle in such proceedings; he was the companion of William Douglas when he carried off Alianora, widow of Sir William de Vallibus.

The ward of young Duncan, the Countess Johanna's son's estates until his majority, the King gave to his dear friend, the Bishop of Glasgow.

Gilbert de Clare was vallet [not yet knighted] to Edward, Prince of Wales, in 1303.

The Dominium of Dalginche included the estates of Brunetoun and Trettoun. The principal mansion was at Bruneton. Sir John Cockburn, his son and grandson, are found styled in deeds sometimes of this place, at others of Dalginche, as well as Torry. In later times Trettoun was the residence and designation of the family. Besides John, his son and successor, Sir John had a daughter married to Sir Henry Wardlaw. The liferent of Torry, from what can be gathered from the meagre notices, was settled upon her, and her son was to succeed to Torry, which explains the statement that the Wardlaws got that estate by a match with the daughter of the owner, erroneously supposed to have been still a Valoniis.

III. Sir John Cockburn of Torry and

Dalginche succeeded his father about the year 1440. He is found very frequently named under the latter designation as witness to charters under the Great Seal, but is also styled of Torry. Amongst the "potentibus Dominis" who settled the disputed boundaries of the lands pertaining to the Abbot and Convent of Dunfermline, and those belonging to the burgesses of Kinghorn, was Sir John de Cokburne de Torry. The document relating their decision was dated penultimo Decembris 1457.

*Registrum
Cartarum de
Dumferme-
lyne, p. 348.*

So the lands of Torry had not then passed absolutely into the possession of Sir Henry Wardlaw, although he is called of Torry two years previously. The charter from Alexander Cokburn, apparent of Langton, of the lands of Balnehard, in the barony of Carriden, was attested in 1449 by Johannes de Cokburne miles Dominus de Brunetoun, as appears by the deed of confirmation under the Great Seal dated at Linlithgow 30th March 1549. The Lordship of Torry, Lochor-shire, and Dalginche, &c., had been bestowed upon Murdach, Duke of Albany; on his forfeiture the Cockburns and Wardlaws held their respective lands from the Crown.

*Reg. Great
Seal, vol. iv.
No. 313.*

Sir John, who sat with William Cockburn of Ormiston in the General Council in 1441, had two sons whose names are recorded—John, his heir, and—

*Acts of Parl.
of Scotland,
vol. ii., pp.
56-57.*

PATRICK COCKBURN, who appears to have been in favour at the Courts of James II. and James III. From the first he had a grant of some lands in the town of Dysert,

*Reg. Great
Seal, vol. ii.,
Nos. 748, 904.*

County Fife. The charter was dated 25th March 1459. On the 8th February 1467 James III. granted "familiaro suo Patricio de Cokburne filio Johannis de Cokburne de Dalginche militi et heredibus suis terras de Dalqueich vic Kinross."

*Exchequer
Rolls*, vol. ix.,
Appendix,
p. 682.

*Reg. Great
Seal*, vol. iv.,
No. 2260.

He had a son, Florentius [or Florimund, as his name sometimes appears], who alienated half the lands of Dalqueich to Sir Robert Douglas of Lochleven, who had charter accordingly thereof under the Great Seal 2d July 1495. The descendants of Florentius seem to have continued for some generations as small landed proprietors.

*Exchequer
Rolls, Scot.*,
vol. vi., p.
109.

In 1450 he was Sheriff of Kinross, as in 1455 James Schaw, Sheriff of Kynross, is found debiting himself "with the balance of account rendered by Sir John de Cokburne, Sheriff of Kynros, in 1450." This James Schaw was probably nearly related to, if not father of, the "Schaw de Blare et Crambeth," who married Margaret Cockburne, Sir John's great-grand-daughter.

IV. **Sir John Cockburn of Dalginche**, styled also of Trettoun, had come into possession of the estates in 1468. In 1471 Henry Wardlaw of Torry, Knight, appeared before the Lords of the Council, and "protestit that Sir John de Cokburne de Trettoun gert sumand him, ye said Henry, to his instance, and comperit noucht to persew and folow him." Their disputes about lands and other matters were no doubt settled amicably when Sir Henry's son John married his cousin Margaret, Sir John Cockburn's daughter. He was the last of his family styled of Dalginche, which, with Brunetoun, came to be known by the name of Barnsley, not an improvement upon the old historical one.

*Acta Domi-
norum Con-
cilio et Audi-
torum ad
Causas et
Querelas pro
anno*, p. 13.

Sibbald's *Fife*,
p. 364, note.

V. **John Cockburn of Trettoun** is also mentioned on various occasions in the proceedings of the Council. In 1480 he came himself before the Lords with a complaint about "a silver pece for dett aucht to him be umquhile Patrick Buchanane of that Ilk."

In the same year decret was given "that he should pay Archibald Todrick the sum of vii. lb. for his part of xiii. lb. that John and John of Wemys were bund by an obligacione for." *Acta Dom.* p. 73.

He had three sons—John, David, and William. John was called "son and apperand are to John Cokburne de Trettoun" when he came with John Somerville before the Council about a dispute respecting the teinds of the Kirk of Sawline. He predeceased his father, and the second son succeeded. One of the Laird of Trettoun's daughters, named Margaret, married Schaw de Blare at Crambeth, as noticed above. She had the liferent of the third part of Crambeth Barony, of which she was in possession in 1506, when her daughter Elizabeth, as her father's heir, is called "Domina terrarum de Blare et Crambeth." *Ibid.*, p. 150. *Reg. Great Seal*, vol. ii., No. 2996.

She married Robert Colville of Haltoun, who is mentioned as owning eight mercatas terrarum de Blare de Crambeth. In 1482 Marjorie, spous to umquhile Henry Steuart, had a complaint lodged before the Lords of the Council against "John Cockburn of Trettoun and Sir David Stewart, sone and ayr to umquhile David Stewart of Rosyth," for interfering with her third of the lands of Corb."

*Reg. Great
Seal*, vol. iii.,
No. 56.

Ibid., vol. ii.,
No. 3942.

VI. **David Cockburn of Trettoun** had succeeded to the lands before 1515, when his name appears as witnessing a charter by John Setoun and Janet Turnbull, his wife, portioners of Gargunnock and Fordall, of some lands in the barony of Fordall, County Fife. In 1511 James IV. granted to Sir Henry Wardlaw and his heirs "in proprietate" the lands of Burntoun, Dalginche, with the Loch of Balquharg, the patronage of the chapel of Inchgall, and in tenandria the lands of Trettoun "cum Mar-rasia," Estir Markinch, Over Markinch, &c., in the dominium of Dalginche, County Fife, the fourth part of the lands of Blare-Crambeth and of Kynnard, the half of Drumlochirnocht, and of Byn in the barony of Crambeth, County Fife, which were in the King's hands in consequence of the alienation of the greater part thereof without consent, "et quas Rex concessit eidem una cum suo juris titulo ad easdem rationi forisfacture quondam Murdaci Duci Albanie."

He had at the same time new investitures of the barony of Wester Lochor-shyre, and as Torry was his also, he had now the lordship of all the lands that had belonged to the House of de Valoniis in these districts.

David Cockburn married Katherine Smyth. Her father had Gask, and was probably of the family that got Braco, in Perthshire.

Pitcairn's
Crim. Trials,
vol. i., p. 136.

At one time the laird of Trettoun was not the quietest of His Majesty's subjects. On 8th October 1527 he was "ammerciated for not appearing to answer the charge of having, in company of a number of his neighbours, invaded in a warlike

manner John Lord Lindsay, Sheriff of Fife, in a fenced court within the tolboth of Cowper, County Fife, the doors being shut and the assize enclosed, and for breaking open the doors of the same." Notwithstanding his warlike propensities displayed upon this and other occasions, he lived to a good old age. His sons were John, his heir, Walter, and Andrew; he had also two daughters, Jonet and Isabelle. The latter married John Wardlaw of Hill. They had infestment in conjunct fee of Richardtoun [Riccarton], County Edinburgh, 16th February 1533. Hill belonged afterwards to Hamiltons. James Hamilton of Hill married in 1605 Margaret Cockburn.

David Cockburn died in 1570.

VII. John Cockburn of Trettoun

did not survive his father many years. In 1576 David Balfour of Bal-Or, and Walter Lumisden of Pitiloch, were securities for him in a contract he had made with his mother Katherine, who had "sett him in tack" her third of the lands of Trettoun, with consent of her second husband, John Arnot of Pitmedden.

Reg. of Deeds,
Scott. Office,
vol. 14, fol.
291.

He married Elizabeth Fairney. In his will, recorded in the year he died, 1579, it was mentioned that there was "due to him by the Laird of Fairney, his gude-father, of tocher-good, conforme to a contract of marriage, 100 merks." He appointed Mr Thomas Lumisden, parson of Kinkell, and Barbara Fairney, his spouse, executors, and Andro Wardlaw of Torrie oversman, and ordained his wife Eliza-

Commiss. of
Edin. Testa-
ments, vol. 7.

beth to be tutrix to his son Andro during her widowhood.

The family of Fairney or Ferney of that ilk ended soon after this time in an heiress married to Arnot of Chapell-Kettle, alias King's-Kettle, County Fife. Sir David Lindsay blazoned their arms *or a fesse azure between three lions' heads erased gules langued azure*, which bearing seems to indicate a connection with their neighbours, the old Scots of Balwearie.

VIII. **Andrew Cockburn of Trettoun** succeeded his father, and died about 1615, leaving two sons—John and Walter.

IX. **John Cockburn of Trettoun** was the last of these Fifeshire lairds. He appears by the following document to have disposed of his estate, and to have died young, perhaps unmarried.

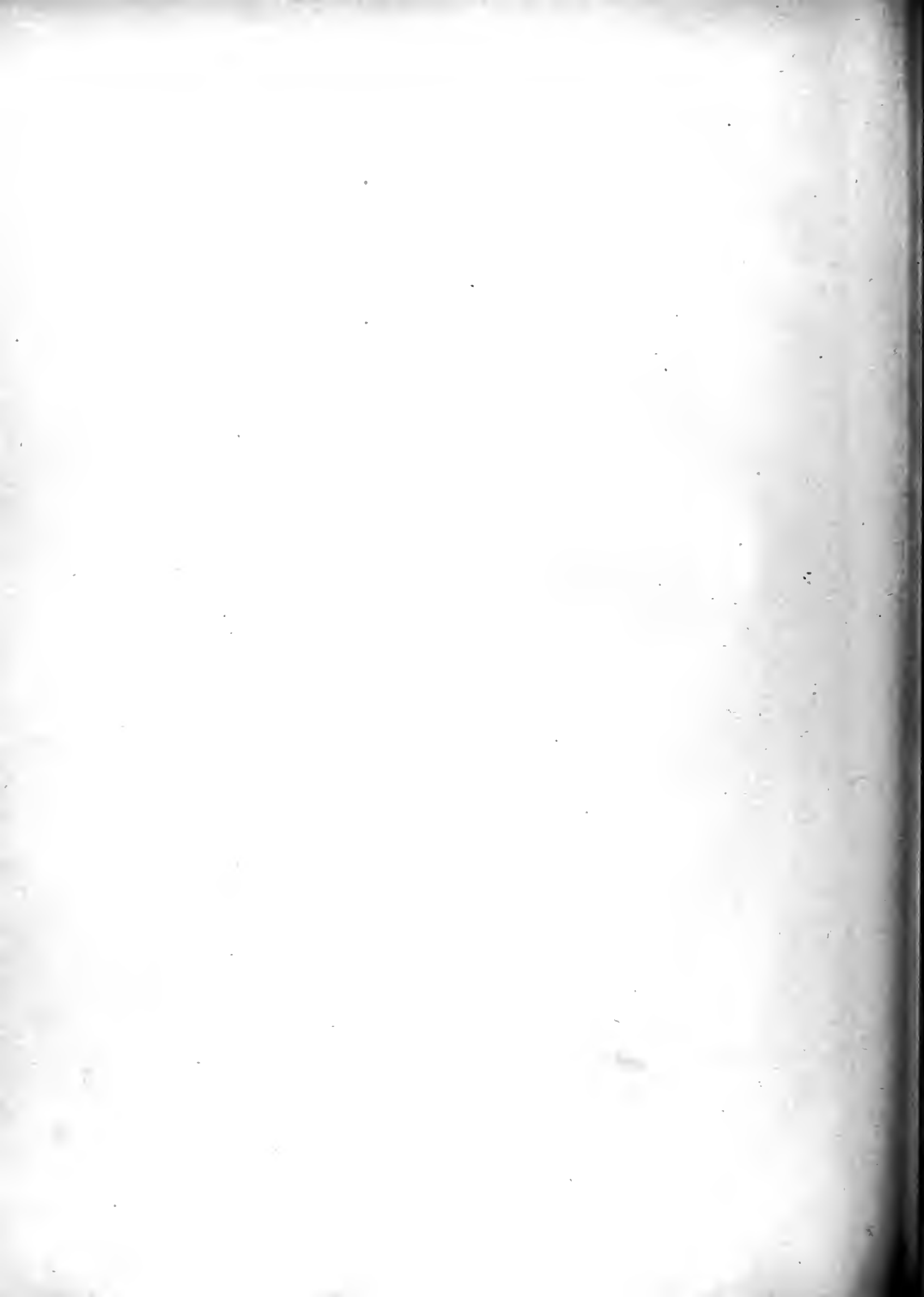
The deed referred to was dated at Halyrudhous, 3d July 1628, and sets forth that "Oure soverane Lord ordines ane lettre to be maid under His Hienes Privie Seale in dew forme to His Majestie's lovite, Captain Walter Cokburne, his heirs, &c., of the escheat of the goods movable and unmovable, debts, takis, stedings, &c., which pertained of before to the deceased Issobell Lawder, dochter naturall to umquhile John Lawder of Edrintoun, and spous to to Captain Walter Cokburn, brother-german to umquhile John Cokburne, sumtyme of Trettoun, now pertaining to our soverane Lord, throw being of the said umquhile Issobell born, &c."

*Reg. of Signa-
touris, vol. li.*

Robert Laudare, son and heir of Sir Robert Laudare of Edrintoun vic Berwick, had new charter of this old possession of the family of the Bass from James III., on his father's resignation in his favour, to be held from the Crown, by him and his heirs male bearing the name and arms of Lauder.

*Reg. Great
Seal, vol. ii.,
No. 1045.*

Copy of the coat of his neighbour and contemporary, David Cockburn of Trettoun, as blazoned by "*Sir David Lindesay of the Mont, Knycht, alias Lion Kyng of Armes, autor, Anno Domini 1542,*" is given at the head of this memoir.





CHARTER by THOMAS DE MELSONBY, PRIOR of COLDINGHAM,
Renington, witnessed by HENRY DE PRENDERGAST, ADAM

Thomas Prior Convent de Coldingham. Omnis haec littera
Carta nostra confirmat. Johanni de hunsinghore heredi sui
landem suam laticatam ex qua Linat de Pattrico dreg. tenenda
libere. Quicquid ab omni seruitio. Conluctudine. Exactione. Sed
lati Triginta denarii ad festum Johis baptiste. Triginta de
ad pascha. Et faciendo totum seruitium quicquid ponet ad
Johes heredi sui prioratum Terram habeant. Teneant. Jure
patris. Omnis libertas. Alimenta ad predam illi
Sui test. Waltero de Lond. Willelmo filio suo. Henrico de Prender
Lundona. Waltero de Edenharn. Andree de Laxton



to JOHN DE HUNTINGHORE, of a Carucate of Land in
s Son, and HELYA DE PRENDERGAST, &c.—A.D. 1216-18.

hunc uel ducentum latum. Data nos Concalite. Prelema
to homagio hereditio luo unam Carucatam terre in Remigton
habendam tibi hereditio luo de nob interodum hereditatem
do inde nob annuatim Quing solio adduol terminol
do tibi la Hartam do Comedum dmi Bogu viginti den
nam Carucat terre in eadem villa. Quare uolum qd pcedes
edatario possideant. libere. quiete. honore. cum pced.
pcedatib. pcedatib. qd pcedatib. lalua nob gultu rui.
da hunc luo. Gregorio tenefall. Helya de Prendergast. tunc de
Da pcedatib. tunc de

CHARTER by THOMAS, PRIOR of COLDINGHAM, to JOHN of
Hunsinghoure, of a Carucate of Land in Renington.

TRANSLATION.

Thomas, Prior, and convent of Coldingham, to all who shall see or hear these letters, greeting : Wit ye us to have granted, and by our present charter to have confirmed, to John of Hunsinghoure, and his heirs, for his homage and service, one carucate of land in Renington, the same carucate, that is to say, which he had of Patrick Dreng ; to be held and to be had to him and his heirs of us, in fee and heritage, freely and quietly from all service, custom, and exaction : Rendering therefor to us yearly five shillings, at two terms, that is to say, thirty pennies at the Feast of St. John the Baptist, and thirty pennies at the feast of St. Mark, and to the King's corrody twenty pennies at Easter ; and doing so much for-insec service as pertains to one carucate of land in the same town : Wherefor we will that the aforesaid John and his heirs shall have, hold, and by heritable right possess the aforementioned land freely, quietly, and honourably, with meadows and grazings, and all freedoms and easements pertaining to the aforesaid town, by the service which is beforenamed ; saving to us our multure : These being witnesses, Walter de Londoniis, William his son, Henry of Prendergast, Adam his son, Gregory the steward, Helya of Prendergast, William of Lumesden, Walter of Edenham. Andrew of Paxton, Ralf the Provost, and many others.



NOTES.

NOTE I., PAGE 2.

In Mr. Hunter's description of the tomb of a Cockburn, discovered among the ruins of Coldingham Priory, he says that the "stone coffin was covered by a dressed slab, which has carved upon it a sword in form of a crucifix, on one side of which there is the figure of a domestic cock, and on the other a bugle-horn," and refers to a drawing of it as given in his history of the ancient monastery. It does not appear there, however; nor is any stone answering the description to be seen built into the wall to the south of the archway or elsewhere. Between the representation of the tombstones [now unfortunately both exposed to the weather] of Prior Ærnald, who died A.D. 1202, and his successor, Prior Radulph, is placed in the engraving in his book, that of one of the stones he refers to as built into the wall. This is evidently the same as that which the writer took a rubbing from in 1866, from which the drawing, page 2, was made. There are three monumental slabs built in side by side; this one figured, and another of same dimensions which has carved upon it an exactly similar Calvary cross and sword on the one side of it, and on the other, instead of the shield with a cock, a bugle-horn. These two large stones were doubtless built into the sides of the tomb erected over the stone coffin, which had been prepared for a man of large proportions, being seven feet clear inside. The writer was informed that a workman present at the time they were discovered states that the stones referred to were found in close proximity to the coffin, as was also the third one which may have formed the apex of the erection, and which has a sword upon it which may be described as being in the form of a crucifix. It is bevelled sharply off close to the sword on either side, leaving no space for other figures, and being only five feet long, could not have covered the large coffin, but may have been, as suggested, the top of the built-up cist.

It is not a little striking how rude in those days were the tombs of distinguished men buried within the precincts of the grand buildings which many of them helped to raise, and of the high ecclesiastical dignitaries who officiated in these abbeys. They present assuredly a marvellous contrast to the splendid ones of the Egyptians, the Hindus, or Etruscans from 1000 to 3000 years before. It is the more remarkable when the elaborate ornamentation of the beautiful buildings in which the tombs were placed is considered, and the high advancement in many arts at the time, evinced even by the earliest charters, such as those of which facsimiles are given at pages 23 and 26 of this volume, and the beautiful one opposite this page, of Thomas de Melsonby, Prior of Coldingham in the year 1215, when Piers de Cockburn was a young man. These very

nobles consigned to grim unpolished cists of rough stone, with slight adornment of any description, it must be remembered, were not barbarous and untutored, as so many writers seem to delight in representing the ancient Scottish magnates to have been, but shone amidst the most enlightened and highly civilised knights of foreign courts. In the brilliant assemblage in that of France few could compare with Robert THE BRUCE, the good Sir James of Douglas, or Sir Alexander de Lyndessay in culture and manners, as well as magnificent appearance.

NOTE II.—PAGE 14.

Agnes de Vesci had interfered with Edward the First's escheator within her Manor of Sprouston, County Roxburgh. It is recorded that the King granted remission "of the forfeiture of her tennantes within the manors of Sprouston and Crail,"—the latter was part of Queen Johanna's dower.

She was eventual heiress of Eustace de Vescy, who, with his wife, had leave from the Abbot and Monks of Kelso to have a chapel in their Court of Sprouston. Eustace Fitzjohn, marrying Beatrice, daughter of Ivo de Vassy, in the arrondissement de Vere, assumed her name, and was progenitor of the influential family of de Vesci in Britain. Their possessions lay far and wide. In 1253 Peter de Sabandia [of Savoy] had the custody of all William de Vescy's lands till the majority of the heir, except those assigned to his widow Agnes. He was to pay to the King yearly for the said ward £625 : 8 : 10, an immense sum then. His descendant, William de Vescy, had territories in Ireland as well as in England and Scotland, as shown by an interesting document, dated A.D. 1297, which sets forth :—"The King to his Leigis.—As William de Vesci has granted to him the Castle, Manor, and County of Kyldare, in Ireland, and also the Manor of Sprouston in Scotland, with pertinents both in England and Scotland, whereof Clemencia, widow of John de Vescy, the son, has two-thirds, and Isabella, widow of John de Vescy, William's brother, one-third as dower; the King grants Kyldare to William for his life, and also Sprouston, after the death of Clemencia and Isabella." These ladies, as well as William, Agnes' father, were all dead seemingly before 1311, when her lands were restored to her. Robert and Ivo de Vassy were both with the Conqueror. The Viscounts de Vesci and the Lords Fitzgerald and Vescy are said to be descended from the Scottish branch.—[Bain's *Calendar of State Documents relating to Scotland*, and Planché's *Companions of the Conqueror*.]

NOTE III.—PAGE 24.

Bishop Ærnald of St. Andrews, formerly Abbot of Kelso, and a power in the Border districts, has been credited with the paternity of Matillidis de Sancto Andrea, heiress of Horndean, in the Merse, &c., which she carried to her husband, William de Veteri-Ponte of Langton. This, however, as indicated in the text, seems to be a mistaken idea. In the "Calendar of State Documents" appear the names of various members of the family of St. Andrew, or as written, de Sancto Andrea, which was one of consideration, possessing lands in several parts of both kingdoms. In December 1256 Matillidis de Sancto Andrea gave Henry III. a mark to have a "pone," and again in February following twenty shillings to have a writ "de gracia." In 1268 the Sheriff of Cambridge and Huntingdon was commanded to present John Lovel, in the

quinzeane of Trinity, to answer to Matillidis de Sancto Andrea for thirty shillings he received from her for the debts of Salomon Bishop the Jew, while he was sheriff, whereof he should have discharged her; and of 36s. 8d. which she paid to the King at Exchequer of same debts.

Sir Roger de Sancto Andrea was a witness with "Sir Seer de Quincy, Earle of Winestre," and others, to the grant by Hawise de Qynci in her widowhood to the brethren of the Holy House of the Hospital of Jerusalem in England of five merks of silver yearly during her life for the soul of Robert de Qynci, her late husband. The mass "for the faithful defunct" was to be celebrated in their church at Clerkenwell [Fonte Clericorum], London. The lands of Saher de St. Andrew [Sancto Andrea], were taken into the King's hands, A.D. 1219, because he "made no fine for the £40 he owes of the debts of Hugh de Dive [or Dive] on account of the latter's third daughter, whom he has to wife;" but in 1227 "Saher of St. Andrew [Sancto Andrea], Richard de Mucegros, and Simon de Mucegros made their fealty to the King for the lands of Matilda de Dive, grandmother of Matilda, Alicia, and Ascelina, their wives," &c.

NOTE IV.—PAGE 36.

As pointed out, there is no evidence as to the exact time when, or the reason why, the Scottish house of de Veteri-Ponte adopted as their armorial bearing *mascles three, two, and one*, in place of the *three lions rampant* carried upon his shield by Sir William de Veteri-Ponte of Langton in the reign of William the Lion. The de Quincis bore *mascles*. Saher de Quinci, Earl of Winchester, in England, was Great Constable of Scotland in the reign of Alexander III., as his father Roger de Quinci, who married Helena [some say Anicia, which appears correct], daughter of Alan, Lord of Galloway, had been in that of Alexander II. These nobles carried *seven mascles, three, three, and one*. Roger being charged, together with William, King of Scots, with setting up Louis as King of France, fled to Scotland, and settling there for a time, gained great influence in consequence of his match with Anicia. This was the name also of the daughter and heiress of John de Veteri-Ponte of Aberdour, as also of the daughter and heiress of William de Moreville, Lord of Lauderdale, Great Constable of Scotland, and mother of this Alan, Lord of Galloway. Robert de Veteri-Ponte married Maude, William's sister. Their father, Hugh de Moreville, was likewise Great Constable of Scotland. The relationship between the de Quincis, de Morevilles, and de Veteri-Pontes seems to have been close, and it is quite possible that the mother of William de Veteri-Ponte was a de Quinci, and that through her came the lands in Galloway held by their descendants, who therefore took the *mascles* as their device of arms.

NOTE V.—PAGE 43.

Sir Alexander Cockburn, Keeper of the Great Seal, married twice. His first wife was a Summervill or Somerville. She was in all likelihood the daughter of Sir Walter de Summyrvill of Lintoun, County Roxburgh, and Carnwath, County Lanark, who married, as stated, page 222, Gelis, daughter of Sir John Heryng of Edmeston, in Lanarkshire, and with her got the barony of Gilmerton, including Gutheris [Goodtrees] and the lands of Drum, in Midlothian. It is questionable whether Giles was the mother of any of his children, as she was, there seems reason to believe, well advanced in years when she

married him in 1372, although one writer says she married secondly Sir William Fairlie of Brade, and had a son by him. Sir Alexander Cockburn's wife was probably Sir Walter Somerville's daughter by a previous marriage. Sir William Cockburn, their son, in order to record his descent, and because some of his many possessions in the Lothians may have come through his mother's family, placed the *cross-crosslet fitchee* of the Somervilles on the fesse point of his shield, instead of the *buckle* of the Bonkylls, which is, however, seen well displayed upon the mantling of his handsome and somewhat uncommon seal.

Sir William's brother Patrick is not called *frater-germanus* in the "Registrum Magni Sigilli" or elsewhere. He held lands which belonged to the Hepburnes, so it may be believed that he was the son of Sir Alexander by his second wife, Mariota Hepburne, whose father Sir Patrick was a member of the Parliament assembled in 1372, and whose seal bore the same arms as that of Sir Patrick Hepburn, Lord of Hales, in 1450, of which a representation is given at page 315.

In 1511 Sir John Somerville of Cambusnethan sold Guttaris and Gilmertoun [terris et loco de Drum exceptis] to Adam Hepburne of Craggis.

NOTE VI.—PAGE 68.

Janet or Janeta Ottirburn, mentioned in the text as the first wife of Sir James Cockburn of Langton, was the daughter of Sir John Ottirburn of Reidhall, by his wife Janet Stewart, daughter of John, third Earl of Athole.



Seal of Magister Adam Ottirburn.
A.D. 1480-1500.

This Adam Ottirburn was afterwards Provost of Edinburgh, and was knighted. Sir John de Ottirburn, Arch-Presbyter, witnessed the charter from Patrick Hepburn, first Earl of Bothwell, to which the seal of which copy is given at page 315 is appended; William and George Hepburnes, the Earl's brothers-german, James Cockburn, were also with others witnesses. It is dated at Dunbar, 25th May 1450.

Their son, Sir Thomas Ottirburn, married his consin Mariota Cockburn, and, with other children, had a daughter Anne, married in 1616 to James Hamilton of Hoprig, representative of the family of Innerwick.—[*Privy Seal Register*, lxxxvi.]

The family of Ottirburn or Otterburn carried otters' heads relative to the name. Nisbet gives the coat of Redhall *argent guttee de sable; a chevron between three otters' heads coupée of the last, and on a chief azure a crescent or.*

NOTE VII.—PAGE 76.

The crest of the Hepburnes, as figured on the seal of Patrick, first Earl of Bothwell, has been called a camelopard's head. Mr. Laing, in his "Ancient Scottish Seals," terms it a camel's head bridled. This seems a mistake. At

page 315 is given the representation of his seal carefully made from the original seal appended to the charter.

There can be little doubt that the artist intended to present thereon the historical horse's head bridled, figured according to the fanciful and somewhat grotesque fashion in favour with the old heralds.

NOTE VIII.—PAGE 91.

Alexander Acheson, called of Gosford, was dilaitit 10th April 1569 for the murder of John Sinclair in Aberlady. He was the son of Alexander Sinclair of Gosford and Marion Cockburn his wife. This lady, in her widowhood, had made over part of Gosford to this Alexander Acheson and Helen Ryd [Reid] his wife, ten years previously. There was probably a quarrel between the unfortunate John Sinclair and Acheson about these lands, which Thomas Sinclair and Mirabelle Dalrymple his wife had charter of in 1458 from James II., in favorem mercatoris sui Johannis Dalrimple burgess de Edinburgh, pro ejus gratuitis servitiis. Mirabelle was the merchant's daughter. Sir Archibald Acheson of Gosford married first Agnes Vernor of Leith, and secondly Margaret, only daughter of Sir George Hamilton, third son of Claud Hamilton, Lord Paisley. The "Vernoures" were people of consideration in Edinburgh in 1450—burgesses of that city. Their names appear frequently in the "Registrum Magni Sigilli." Sir William Cockburn, first Baronet of Langton's wife is stated to have been Sir Archibald Acheson's daughter by his first wife."

NOTE IX.—PAGE 95.

The second Baronet of Langton had, besides Helen, wife of Sir Robert Stewart, Baronet of Allanbank, another daughter, Elizabeth. In the "Edinburgh Register" is recorded the marriage on 1st December 1688 of "Alexander Fraser of Strichen and Elizabeth, eldest lawful daughter of Sir Archibald Cockburn of Langton, by warrant of my Lord Bishop of Edinburgh."

NOTE X.—PAGE 99.

In confirmation of the correctness of the statement by Sir Robert Douglas in his "Peerage," that Lady Mary Campbell was the daughter of Lord Breadalbane by his third wife, Mrs. Littler, reference may be made to a deed dated in 1708, whereby "John, Earl of Breadalbane, infested Mrs. Mildred Littler and Mary Campbell, their daughter, in the lands of Dowans and Stronondoran." In 1710 "Mrs. Mildred Littler renounced her right to the said lands in favour of her said daughter, Mary Campbell."

NOTE XI.—PAGE 236.

The Pennecuiks of that Ilk, far as their estates lay from the Border, held lands also in England, as so many of the chief Scottish families did of old. "Huwe," or Hugo de Penycok, signed the deed of homage in 1296, and appended thereto his seal, bearing "a griffin passing to dexter." He was one of those designated "tenantes de Roi del Counte de Ednebruk." Being subsequently proclaimed a rebel, his lands in England were forfeited, but coming "to Edward's peace" in 1306, on the 24th March of that year William de Greinfield, the Chancellor, was ordered to restore to Hugo de Penycok his

heritage in Northumberland. In the year 1461 John Penycok was "Esquire of the body" of Henry VI., but was, like his ancestor, proclaimed a rebel. Letters patent were granted "to Thomas Loughton and William Sygar, citizens of London, for forty years' custody of a tenement or messuage in Watlyng Strete, parish of All Saints', London, which John Penycok, late vallet of the Crown, forfeited by his rebellion." This John's son and grandson, both named John, had the manors of Over Burnham and Nether Burnham, which "belonged to the deceased John, late Esquire of the body of the late King Henry VI."—[Bain's *Calendar*.]

NOTE XII.—PAGE 250.

Sir David Crichton of Lugton married an Isobelle Cockburn, as stated, but she was not the daughter of Sir William Cockburn of Skirling, but of his cousin, John Cockburn of Clerkington, and Helen Maitland, his wife. They had joint infestment on their marriage of Holinglee and Thornylee, in the Forest of Selkirk, with fishings in Tweed.

NOTE XIII.—PAGE 265.

Just before commission of the murder, there is recorded an "action by an honourable man, Alexander Cockburn of Newhall, against Elizabeth Crechton, his spouse, for divorce" [reasons not stated]. It was decided against him, and "the pair are ordained to cohabit together *in mensa et thoro* as becomes."—[*Liber Officiales St. Andree infra Laudoniam*, fol. 85.]

NOTE XIV.—PAGE 291.

In the year 1583 Elizabeth Hoppringle, Prioress of Coldstream [Cauldstreme], in gratitude for aid given in her great peril, and for money given to restore the convent "solo plane equati per Anglos," gave to John, son of the late William Cockburne of Chowslee, "unus custodum corpore regis Galliaë," ten husbandlands in Symprine, County Berwick.

NOTE XV.—PAGE 303.

✓ Jean, wife of Christopher Cockburn of Choicelee, was, as mentioned in the text, daughter of Sir Patrick Hume of Polwarth, by his wife, daughter of Sir Thomas Ker of Ferniehirst, the brave and loyal friend of Queen Mary. Sir Thomas married twice. By his first wife, Janet, daughter of the gallant Sir William Kirkaldy of Grange [also Mary Stuart's most devoted friend, who never deserted her in her direst distress], he had Andrew, first Lord Jedburgh, Jean, and Sophia, wife of Joseph Johnston of Hilton in the Merse. By his second wife, also named Janet, the sister of Sir Walter Scott of Buccleuch, he had three sons—James, who succeeded his half brother as second Lord Jedburgh, Thomas of Oxnam, and Robert, the favourite of James VI., who made him Viscount Rochester and then Earl of Somerset. This rather notorious uncle of Jean Cockburn adopted the name of Carre. His wife was the divorced Countess of Essex. They had one daughter, Lady Anne Carre, who married the fifth Earl of Bedford, raised to the Dukedom. She was equally distinguished for her admirable qualities and character, as her mother was for the reverse.



Edward

Edward Ego sicke by the grace of god King of England France
 of England and also of Ireland the supreme head To all and singular
 Deputies / Lords warden / Deputy wardens / Constables and Captains
 of Railways / Constables / Customers Comptrollers / Sheriffs and all other
 greeting / **Knowe** ye that for certain causes and considerations
 Duke of Somerset Governor of our person and protector of our Realm
 and by this writte doe Licence the Lord of Ormiston of Scotland to
 out of Scotland towards France and likewise to returne for
 apseynd wth on barke or shippe to vendment furniture of Merch
 will commaunde you and every of you to permit and suffer the said
 to passe and be received by our order and commaundment / And order
 no copy or writing to be made of the same / Not failing hereof as you
 and thus our lres shalbe unto you and every of you as sufficient
 passed under our gracie seal of England / Any acte statute order
 notwithstanding / **Given** under our Signet at our Maner of Westminster
 the 1st of May /

J: Somerset



and Ireland Depend^{ts} of the faith and in charge of the Church of
our admiralte Viceadmiraltes Capytaynes on the seas with the lord
of my own fortresses Castles and bulwarke Mayors / Sheriffe
our officers ministres and subiecte to us in care it shall appertain
us by advise and consent of our dearest counsell and Consaillors Edward
Dominions and subiecte and the rest of our privie counsaill lycensed
pouthe his frende or friend bearer herof to traasigne at Lyberty
our sayde affaires of the sayd land of Ormeston into Scotland
same Marrymunde / and waies as at former / Wherfore we
have asseynted vnto us let vnto full power or intromission vnto
at this our sayde towne be only allowed for that purpose and
tendre our pleasure and will in respect for the contrary at yo^r will
warrant and discharge in that behalf as if the same had been
the provision or other thing to the contrary herof in any wise
and the xxixth daye of November, the first yere of our

PAGE 127—NOTE XVI.

Besides the grant of the great estates which belonged to the dissolved Hospital of St. Giles, Durham, John Cockburn of Ormiston received other favours from the English Court, notably two. Since the preceding pages were in print, the documents relating to these have been kindly brought to the author's notice by Dr. Dickson, Curator of the Historical Department of H. M. Register House, amongst the records in which repository they have been preserved.

The one is a Letter of Marque in the vernacular, under the signet and sign-mannual of Edward VI., countersigned by the Protector Somerset, to the Laird of Ormiston to trade between Scotland and France, bearing date 29th November 1547. The accompanying is an excellent facsimile thereof, and has been, as well as the others, produced by Messrs. SCOTT & FERGUSON, to whose careful exertions the author is so much indebted for the attractive appearance given to this volume.

The other is Letter Patent of Naturalisation by the same monarch in favour of this laird, his wife, and their children. It is written in Latin, and is dated 12th May 1552. The following is an abstract of its contents:—

Letters of Naturalisation by Edward the Sixth, King of England, in favour of John Cockebourne of Ormestoun, Alisen, his wife, and Alexander, John, Barbara, and Sibilla, their children, born subjects of the Queen of Scotland, granting to them all the liberties and privileges belonging to the liege subjects of the kingdom as fully in all respects as if they had been born therein.

Given at Westminster under the Great Seal of England, the twelfth day of May and sixth year of the King's reign.



APPENDIX.



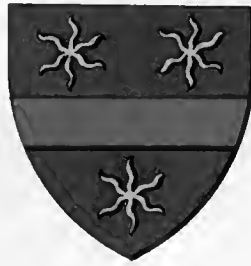
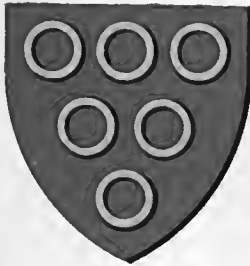
Seal and Secretum of Sir WILLIAM DE VETERI-PONTE, fourth Baron of Langtoun, County Berwick, Caradyn, County Linlithgow, and Roalton, County Haddington. *Temp.* Alexander II.

APPENDIX.

TABLE showing the Descent of the CLIFFORDS OF APPLEBY, from
ROBERT DE VETERI-PONTE, LORD OF WESTMORLAND.

(BRITISH MUSEUM, HARLEY MS. 154, f. 29.)

E W Y A S.



ROBERT DE VETERI-PONTE, 1 lo. or Baron of Westmerl., tempore Johannis Regis. To him King John gave the baroni of Westmerland to holde at the King's pleasure, superstes fuit, 4 & 6 dicti regis Johannis. He married Idonea de Veteri-Ponte, graund-mother of hir husband.

HERALDUS Rex Anglie filius Godwini.

HERALDUS dominus de Ewyas a quo Dominium nominatur Ewyas Harolde in Comitatu Hertff.

JOHN DE VETERI-PONTE de Westmerland, 1 son, obiit 25 Hen. 3, fynes 25 Henry 3, m. 3.

ROBERT DE EWYAS, Lord of Ewyas Harolde, ob. circa annum 1195.

WALTER DE CLIFFORD.

ROBERT DE VETERI-PONTE dominus de Westmerl., 40 Henry 3, m. 2, Claus 1; Hen. 3, vic Cumbr. pire; 2 Henry 3, m. 3, Claus 45; Hen. 3, m. 26, 49; Hen. 3, m. 10, he gave him the ward of his wife.

SIBILLA, daughter of Robert de Ewyas, and heire relict of the Lord Robert de Tregoze.

ROGER DE CLIFFORD, 2 son.

WALTER CLIFFORD the 3 was a Baron, &c.

ISABELLA, daughter and coheire of Robert de Veteri-Ponte, Lord of Westmerland.

ROGER DE CLIFFORDE of Appleby, Lord of Westmerland jure uxoris.

ROBERT CLIFFORDE of Appleby, and Lord of Westmerland, 1 son, obiit 8 Edw. 2.

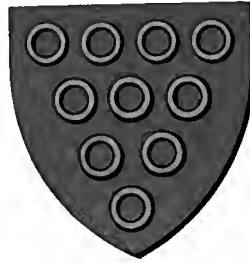
MAUDE DE CLARE, cozin and coheir of Thomas de Clare, a nobleman and seneschall of the fforest of Essex, ob. 1 Edw. 3.

ROGER DE CLIFFORD of Appleby, Lord of Westmerland, ob. s.p. 1 Edw. 3, vel 20 Edw. 2.

ROBERT DE CLIFFORD, 2 son, died before Roger, his elder brother.

PEDIGREE OF DE VETERI-PONTE AND CLIFFORD OF WESTMORELAND.

(BRITISH MUSEUM, HARLEY MS. 1160, f. 75.)



RICHARDUS PONTIUS NORMANNUS in clipeo rubro 10 aureos anellos gestabat.

ROBERTUS DE VETERI-PONTE sive VIPONTE or BIPONTE, primus dominus de Westmorlande.

JOHANNES VIPONTE or BYPONTE, 2 Dominus Westmorland.

ROBERTUS DE VIPONTE, 3 dominus Westmorlandie, 1216.

ROGERUS dominus Clyffordie,	=	SIBELLA,		IDONEA, 2 coheres,
		1 coheres.		Rogero de Leybourne.
A quorum posteris.				

HENRY BROMFLETT,
L. Vesscye.

JOHN L. CLIFFORDE, or as some say Thomas, slayne at the batell of St Albones, 33 H. 6, 1455.

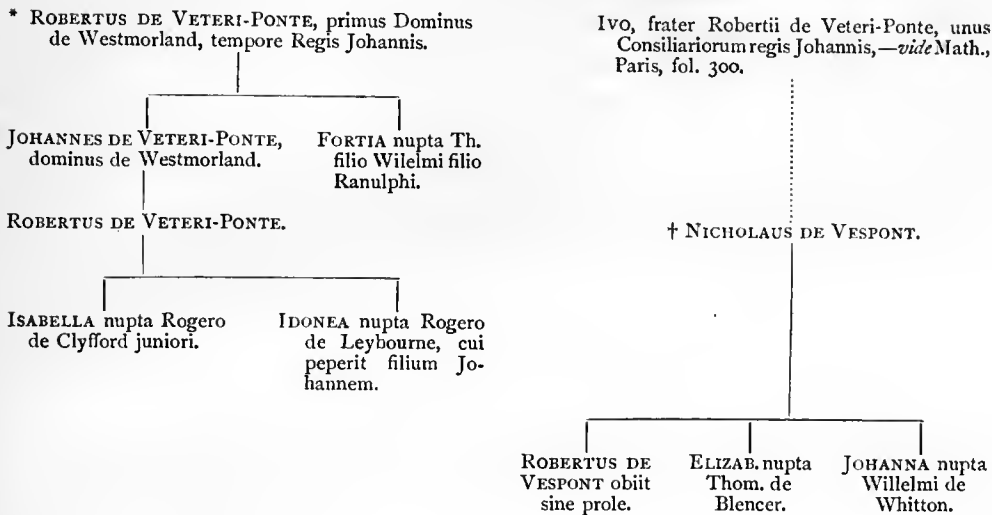
MARGARET, ye sole heire.

JOHN CLIFFORD, slaine at the battell of palme Sunday, Ed. 4, 1461, whoe slewe ye E. of Rutland kneeling on his knees, for which his yonge sonne Thomas Clyfford was brought up with a sheep herd in poore habett ever in feare to be known till H. 7 restored him to his name and possessions.

MARY, mar. to Sr William Wentworth of Nettelsted, in Suffolk.

PEDIGREE OF DE VETERI-PONTE.

(BRITISH MUSEUM, COTTON MS. JULIUS F. XI., f. 47, temp. ELIZABETH.)



* Robert de Veteri-Ponte, first Lord of Westmoreland, married Idonea, daughter of John de Builly, Lord of Tickhill, &c., in Yorkshire. He died in 1228. During her widowhood "Ydonea de Veteri-Ponte" gave to the Monks of Rupe or Roche Abbey in that county, where she desired to be buried, the manor of Sandbec, and other lands, "in dotem ad dedicationem ecclesie sue de Rupe."—*Journal of the Archaeological Institute*, vol. xxx., page 424. It is recorded also that according to her wish she was interred there in the year 1241 with great honour and ceremony. No explanation is found of the incomprehensible statement in the foregoing pedigree, page 361, that she was "graundmother of her husband." Possibly some light might be thrown upon it, were it known who was the wife of the first Lord's grandson, Robert, third and last Lord of Westmoreland, who was killed at the battle of Evesham, and to whom it is further stated Henry III. "gave the ward of his wife." It has generally been supposed that he married Isabella, daughter of John Fitz-Piers, Lord of Berkhamstead, son of Geoffrey Fitz-Piers [Mandeville], chief of the Barons of England, who was created Earl of Essex. Idonea may have been his second wife. John de Veteri-Ponte, his father, married Sibel, daughter of William de Ferrars, seventh Earl of Derby; her sister Alyanora [Eleanor] has been mentioned as wife, first, of William de Vallibus; secondly, of Roger de Quinci, Earl of Winchester; and thirdly, of Roger de Leyburne.

† It thus appears that the branch of the family commonly designated of Tynedale ended in heiresses, as did the principal Houses of de Veteri-Ponte of Westmoreland, and of Langton, &c.

Nicholas de Vespont or Veteri-Ponte, mentioned above, was alive in 1311, when he, with ten other knights of Sir Robert de Clyfford of Appleby (grandson of Sybella de Veteri-Ponte, heiress thereof), had eighty to twenty marks each for their horses lost in a foray towards Faringley, under Sir Robert in November of that year.

COCKBURN, CALLED OF COCKBURN AND RYSLAW, BARONET.

Playfair's
*British
Antiquities*,
vol. viii., p.
103.
Sir Bernard
Burke's
*Peerage and
Baronetage*,
Editions from
1829 to 1888.
Anderson's
*Scottish
Nation*, vol. i.

A circumstantial account of the family thus designated appears in Playfair's "Baronetage of Scotland," and the same, with some slight variations, is also found in later publications, such as Burke's "Peerage and Baronetage," and Anderson's "Scottish Nation." The information furnished to the first-named industrious author, and so published by him, had been relied upon as correct, and came to be adopted in most of its details. It would be utterly impossible for the compilers of genealogical works of such magnitude to test by reference to charters, and other authentic sources of information, the truth of family histories supplied to them, on account of the great labour and expense attending such researches, and so from year to year many very erroneous pedigrees continue to be published.

Foster's
Baronetage,
pp. 117, 642.

There is not one, perhaps, in the category so wildly imaginary, or so utterly inconsistent with facts, as this. It is rather surprising that Mr. Playfair's attention had not been drawn to its fictitious nature, when he was confronted with the names of such incorporeal shadows as the Baron Kilkeith and Mary Dalbuth,—the more especially as a hereditary title was claimed for their proposed descendants, of which there is no record of its having ever been conferred.

Playfair,
Appendix,
p. clvii.

It is all the more singular that Mr. Playfair, who evidently did his best in his endeavour to make his "British Antiquities" a reliable book of reference, should have accepted this pedigree, regarding the correctness of which he seems to have had misgivings. In a note to his "Memoir of the House of Langton," in a later part of vol. viii. [which is also very erroneous], he says—"When documents have been destroyed by time, it may naturally be expected that some differences will be found in the pedigree of the two branches. This, however, we have endeavoured to guard against, by the most elaborate research; but when there are variations which cannot be corrected, we shall do our duty in recording them, fully convinced that no further elucidation can reasonably be hoped for." Those who made searches for him must have been astonishingly careless, as a reference to the will of Sir James Cockburn of Ryslaw, Knight, recorded 16th November 1667, would have at once brought down this superstructure, based

upon the assumption that he was the son of a baronet, who was possessed likewise of the important estate of Cockburn.

An inspection of the charters noted in the "*Registrum Magni Sigilli*" would likewise have prevented Sir James Cockburn, the Baron of Langton in Queen Mary's time, and his immediate successor, from being overlooked in his account of the House of Langton. Mr. Playfair did his best, there is evidence to show, to obtain correct information regarding its later chiefs. The then representative, however, did not afford him any. He was a soldier, occupied with the business of the important appointments he held, and no genealogist. So this author appears to have remained in doubt even as to which was the principal one of the "two branches," as he styles the families of Langton and of Ryslaw.

Those who have read the story of the miserable war waged against the brave natives of New Zealand cannot but be struck with the many points of similarity between the old Scottish and Maori chieftains. Their intense attachment to their ancestral lands, belief in the importance of their position, and the nobility of their ancestors, were alike.

That most unjust, wicked war, as is well known, originated in the attempt to wrest from the natives certain fertile lands upon which the settlers had cast covetous eyes. A number of them had purchased, by way of, his right thereto, from a man called Tiera, who asserted he was the chief. The Government backed them, and the minister for native affairs informed the Maories that they found Tiera to be a man of equal rank with Wi-Kingi, a noble of ancient descent. The statement was received with shouts of derision. "You say," replied Renata, a well-known chieftain of high standing, "because his genealogy is published by you pak-ehas [strangers], therefore he is a chief. What about his genealogy? Would Wi-Kingi publish his genealogy? Is it not known throughout the land amongst all the tribes? I know this man, Tiera,—a fellow of little note. His name is Manuka [*i.e.*, Té-tree], Scrub, and nothing more." In like manner General Sir James Cockburn, Baronet of Langton, very probably considered that, as his name and family were so well known in Scotland, it was unnecessary for him to trouble himself about a published pedigree.

Not a few baronetcies have been assumed in Scotland upon very doubtful right thereto; but the descent of persons claiming such dignities has in most instances been made out with an approach to accuracy, and the fact of the honours claimed having been conferred is undoubted.

In the case, however, under consideration, a title has been assumed of which there is no evidence that it was ever created; and further, it is alleged to have been bestowed upon a Berwickshire landed proprietor who never existed.

It is an invidious and distasteful task to interfere with such pretensions; but, however unpleasant it may be, and however gladly he would avoid noticing the pedigree altogether, it is compulsory upon the compiler of this history of the Cockburns to do so, otherwise it would stand as a challenge to the correctness of the preceding memoirs.

The assertion in the initial paragraph of the genealogy that the House of Cockburn was noble in its very commencement is to a certain degree correct; but since the first-proved ancestor placed "the cock" upon his shield, thousands of Cockburns have been born, legitimate and illegitimate, and the progenitors of the worthy and industrious market gardener at Plymouth had doubtless, with many of the name, passed "*per tot casus per tot discrimina rerum.*"

For him to have traced his descent or claimed nobility would have been a difficult undertaking, and he would himself doubtless have shrunk from such an enterprise.

The descent of the so-called *Baronets of Cockburn and Ryslaw* is traced in the printed accounts of the family from—

Sir Bernard
Burke's
*Peerage and
Baronetage*,
Editions 1829
to 1878.
Playfair's
Baronetage,
p. 306.
Anderson's
*Scottish
Nation*,
vol. i., p. 659.

1. JOHN, stated to have been the eldest surviving son of Sir William Cockburn of Langton, killed at Flodden, *who succeeded*. It is not said to what he succeeded. It certainly was not to the estates of the chief of the House of Langton, for it is proved by the Crown charters, which have been recited in their place, that Sir James, eldest son of Alexander, then heir-apparent, who fell beside his father on that battlefield, was his grandfather's successor. Neither was it to the lands of Cockburn, for William, the next brother of the above-named Alexander, reacquired that estate, of which he had charter under the Great Seal, dated 15th April 1527. This William, being a personage prominent in history, is familiar to most persons versed in that of Scotland in those days, and his wife, Isobel Home, is also well known.

The aforesaid John, the claimed ancestor of this alleged knightly family of Ryslaw and Cockburn, is given for wife Mary Dalbnceth, daughter of the Baron Kilkeith, Seneschal of Lennox. Who this person was it is not possible to discover; his name is sought for in vain in the Register of the Great Seal or other

public records. One thing is very certain, namely, that he had nothing to do with the Lords of Lennox.

So far as history is consulted, Mary and her husband John appear utterly mythical.

II. ALEXANDER is named as John's successor, and is stated to have married Anne Hepburne. Alexander Cockburn, the proved son of William, above referred to, and of Isobel Home his wife, married Helen Hepburne, whose will has been quoted. He cannot, of course, be identified with the son of John Cockburn and Mary Dalbuth.

III. WILLIAM COCKBURN, of Cockburn and Ryslaw, stands next in this pedigree, and is authoritatively stated to have been thus designated as proprietor of these estates.

Burke's
*Peerage and
Baronetage*,
Edit. 1882,
p. 289.

Unfortunately for the correctness of the assertion, it will be seen by referring to the account of James, younger brother of Christopher Cockburn of Choicelee, subsequently known as Sir James Cockburn, Knight of Ryslaw, that this gentleman did not acquire that small property until 1625, and that previously it had not belonged to any Cockburn, but to his second wife's family, the Kerrs.

William, the imaginary laird of Cockburn and Ryslaw, is said to have married Margaret, daughter of John Spottiswoode of Spottiswoode, County Berwick.

There appears to be as much difficulty about this lady as about her supposed husband.

The records of the family of Spottiswoode as printed are, no doubt, as the late Mr. Stodart observes, incorrect; but the time at which this Margaret is supposed to have lived is not so remote as to account for her being overlooked, especially by Father Augustin Hay, from whose interesting notes about his mother Jean Spottiswoode's family it may not be out of place to give here some extracts. Jean Spottiswoode married first his father, George Hay, son of Sir George Hay of Barra, and secondly James Sinclair of Roslin, and had families by both husbands. She was the grand-daughter of James Spottiswoode, Bishop of Clogher, brother of John Spottiswoode, Archbishop of St. Andrews, who has been erroneously supposed to have sold the paternal estate. The Archbishop never possessed Spottiswoode, which was repurchased in 1700 by John Spottiswoode, his great-grandson.

R. R. Stodart's
Scottish Arms,
vol. ii., p. 220.

Burke's
*Landed
Gentry*, vol. ii.,
p. 1502,
Edit. 1879.
R. R. Stodart's
Scottish Arms,
vol. ii., p. 220.

Spottiswoode,
Miscellany,
vol. i., pp.
6-16, and 97.

Father Hay, who was Canon Registrar of Saint Genevieve of Paris, &c., says—"The most remarkable of the surname was Mr. John Spotswood, a sone of the house of Spotswood in the Merss, within the Barony of Gordon, Superintendent of Lothian, the Merss, and Teviotdale, which by the space of twenty years he governed most wisely. He espoused Beatrix Creichton, a greave matron, and a daughter of the house of Lugton, near Dalkeith. He died 5th December 1585, being about 77 years of adge. . . . His father was killed at Flowdown, in the unfortunate battle wherein King James the Fourth died, and he left an orpheline of fower years of adge.

"His childring were John and James. John, who was born in 1565, succeeded his adged father in the personage of Calder att eighteen years of adge—anno 1610. He was consecrated Archbischope of Glasgow, and removed from thence to St. Andrews. He crowned Charles Ist in 1633 at Holy-rood House, was made Chancellor after the Erle of Kinnoul's death, anno 1635, which honour he enjoyed to his death with the approbation of all honest men. As for the issue of his body, it was numerous; but of all his childring three only came to perfect adge, whom he had by Rachel Lindesay, daughter to David Lindsay, Bishop of Ross, of the House of Edzell, ane honorable family in Scotland.

"His eldest son was Sir John Spotswood of Darsy, a sufferer with Montrosse on the King's account. His second son was Sir Robert Spotswood of New Abbey and Pentland. I have heard one John Doby, a tenant of Roselyne, who knew Sir Robert particularly, tell that he was a proper man, and rode exceedingly well the horse, and was a great hunter. . . . Sir Robert Spotswood, a man worthy of everlasting memory, was found guilty of high treason, which is the more to be lamented, because he never bore arms against them, not knowing what belonged to the drawing of a sword. The only charge against him was that, by the King's command, he brought his letters patent to Montrosse. . . . When he was about to die, one Blair, fearing the eloquence of so gallant a man, procured the Provost of St. Andrews, who had been one of his father's servants, to stop his mouth. . . . Sir Robert, after some discourse, laid down his neck to the fatal stroake. . . . The third child of Archbischope Spottiswood was Anna, married to Sir William Sinclair of Rosline, one of the antient barons of that antient kingdom of Scotland. She bore him John, surnamed 'the Prince,' and James, who redeemed the lands of Rosline, and married my mother, Jean Spottiswood."

Margaret, the mother of the so-called first Baronet of *Cockburn and Ryslaw*, was not therefore, so far as Father Hay knew, the daughter of any of the John Spottiswoodes above mentioned, nor could she have been the daughter of the Archbishop's cousin, John Spottiswoode of that Ilk, about whose killing Matthew Sinclair extracts have been quoted at page xvii. of the introduction to these memoirs, for he died without issue. She may have been the daughter of some scion of the family not mentioned in any record, and certainly never Laird of Spottiswoode.

The idea of giving the first baronet of Cockburn and Ryslaw Margaret Spottiswoode as his mother arose no doubt from the circumstance of John Cockburn of Cockburn marrying Margaret, daughter of the Rev. John Spottiswoode, minister of Longformacus.

To proceed, as alluded to above, the only son of William Cockburn of Cockburn and Ryslaw and the said Margaret Spottiswoode is placed as next ancestor, namely—

IV. JOHN COCKBURN of Ryslaw, who is asserted to have been created a baronet of Nova Scotia in 1628. He is not given Cockburn in Sir Bernard Burke's work, but is endowed with that estate in other accounts. He is called James by Playfair.

It was not a happy imagination of the inventor of this pedigree to put John in possession of these lands in this particular year; for on the 20th March 1628 John Cockburn of Cockburn and James Cockburn of Ryslaw, with the latter's cousin, Patrick Cockburn of Caldra, are found witnessing the execution of a deed together.

Sir John Cockburn, Baronet, is further stated to have married Mary, daughter of William Scott of Harden. There is as much or more difficulty about Mary Scott as Margaret Spottiswoode.

Sir William Scott of Harden [son of Auld Wat] died in 1655, having married Sir Gideon Murray of Elibank's daughter. Their story is very familiar. They had three daughters, married respectively to Ker of Greenhead, Ker of Mersington, and Murray of Philiphaugh. No marriage of a Cockburn, Baronet of Ryslaw, nor indeed of any one of the name of Cockburn, to a daughter of the House of Harden, maiden or widow, or of any connection between the families since the time Walter Scott of Synton married Marjorie, daughter of William Cockburn of Henderland, is mentioned by any historian of the House of Scott,—not by Sir Walter Scott of Abbotsford himself in his MS. account of the Scotts of Harden, his own immediate ancestors. So notable an alliance as that between Mary, daughter of Sir William Scott of

Anderson's
*Scottish
Nation*, C.,
p. 659, &c.

Burke's
*Peerage and
Baronetage*,

*Swintons of
that Ilk*, pp.
clxxviii.,
clxxx.,
Appendix.

Harden, and the first Baronet of Cockburn and Ryslaw, would have, one would have thought, been sure to have been recorded.

V. Sir JAMES COCKBURN, eldest son of the above-named Sir John and Mary his wife, stands as *second Baronet*.

He is given for wife "Jean, daughter of Alexander Swinton of that Ilk, shire of Berwick." This is the boldest and at the same time the most unlucky guess hazarded in this pedigree, which seems only matched by the famous one of Coulthart of Coulthart.

Ante, p. 298.

We know from the authentic records of this ancient house that Jean, daughter of Sir Alexander Swinton of Swinton, did marry [as his first wife] James Cockburn, Knight of Ryslaw, and from his own will, that this gentleman [who, instead of being eldest son and heir of a baronet of Cockburn and Ryslaw, was the younger brother of Christopher Cockburn of Choicelee] directed that he should be buried beside her in the aisle at Fogo Kirk, and appointed his next brother, John of Caldra, tutor to his *five sons* and his daughter. The eldest son by Jean Swinton was James, who succeeded to Ryslaw, which place, after having been in his own and his father's possession about seventy years, was sold under decret of the Court of Session.

Notwithstanding the statement by Sir James Cockburn himself, in his registered will, that he had five sons—James, Alexander, Andrew, Henry, and John—to each of whom he left legacies, and despite the retour in the public archives of "Jacobus Cockburn de Ryslaw hæres domini Jacobi Cockburn de Ryslaw militis," the singularly rash genealogist of this new family, says that—

VI. Sir WILLIAM, only son of Sir James, succeeded as third Baronet, and was himself succeeded by his eldest son—

VII. Sir JAMES, as fourth Baronet, who was succeeded by his great-grandnephew William, as fifth Baronet. This great-grandnephew may have had a hereditary title conferred upon him. As he lived in the early part of this century, the record of it should be found.

It is quite impossible, seeing that for the six generations now followed not one claimed ancestor can be identified as belonging to any known family of the Cockburns, to say from whom those so-called baronets sprang, or who was the distinguished ancestor upon whom the title was conferred. It is absolutely certain that

there was no such person as William Cockburn of Cockburn and Ryslaw, whose son is stated to have been created a baronet. It is also absolutely certain that James Cockburn, Knight of Ryslaw, who married Jean Swinton, was not the recipient of the honour. We do not know where all the succeeding baronets mentioned lived, nor where their estates lay. It was not in the county of Berwick; there is no trace of them in the records of that shire. There was no hereditary title, so far as known, in the family of Cockburn of Cockburn; most assuredly no Nova Scotia Baronetcy. It is scarcely necessary, however, to allude to this, as the descent is not attempted to be traced from that branch, although possession of their estates is claimed for the said William Cockburn of Ryslaw and his descendants. The history of that family is clear. None of its representatives married daughters of the Houses of Swinton or Scott of Harden; nor did any Cockburn of Cockburn ever possess Ryslaw. It is rather surprising that the mistake should now be repeated. In an article lately published regarding Colonel James Cockburn, mentioning his fate after the surrender of St. Eustatia to the French, it is stated that his son, who assumed the baronetcy, succeeded to the estates of Cockburn and Ryslaw, both of which properties had passed from the Cockburns altogether before he was born.

Article by H. Manners Chichester in *Dictionary of National Biography* (1887), vol. ix. p. 188.

The present representative of the family under notice has doubtless taken for granted that the pedigree which has appeared in Sir Bernard Burke's "Peerage and Baronetage" yearly since 1829 is founded upon facts, or he would have taken steps to have it eliminated or corrected. Notes respecting the principal families already alluded to—the Spottiswoodes, Scotts, and Swintons—are appended to the original memoir in "Playfair's Baronetage," and one also regarding the House of Devereux in Ireland, the representation of which is claimed through Lætitia, daughter of Luke Little.

It may be noticed that the great Norman House of Devereux is at present represented by Lord Hereford, Premier Viscount of England, and that the family became directly allied to that of Cockburn by the marriage of General Sir James Cockburn, Baronet of Langton, with the Honourable Mariana Devereux, eldest daughter of George Devereux, thirteenth Viscount Hereford. To their daughter Mariana Augusta, Lady Hamilton of Woodbrooke, County Tyrone, now the representative of the Baronial House of Langton, this account of her ancestors, and of the families established as cadets thereof, is dedicated.

The arms claimed by the above family are those of Langton, with a man's heart gules on the fesse point of their shield, as carried by Sir James Cockburn, Knight of Ryslaw. They also assume the supporters of Langton.

INDEX.



INDEX.

- ABERCORN, Mill of, 224.
 Abernethy, Sir Hugh, 6.
 " Sir William.
 " The, 343.
 Agnew, Patrick, of Lochnew, 231.
 Acheson, Alexander, of Gosford, 91.
 " John, his Son, 357, Note VII.
 " Sir Archibald, of Gosford, 91.
 " Margaret, Wife of Sir William Cockburn, first Baronet
 of Langton, 91.
 Affleck Hill, Lands of, 265.
 Albalanda, Abbot of, 121.
 Albany, Alexander, Duke of, xxii., 308.
 " John, Duke of, 58.
 " Murdach, Duke of, 342, 345, 348.
 " Robert, Duke of, 45, 115.
 Aldincraw, Adam de Aldingrawe, 49.
 " Agnes, 53, 79.
 " Magdalen, 299.
 " William de Awdencraw, 289.
 " William de, of East Reston, 50.
 Aldiriston, Lands of, 120.
 Alexander, Sir William, 88, 89.
 Alston, Lands of, 27.
 Alves, Henrietta, 286.
 Ancrum, William, of Duns, 99.
 " Mary, Wife of Sir Alexander Cockburn of Langton,
 99, 100.
 Anketin, Prior of Coldingham, 51.
 Appleby, Lords of, 16, 20.
 Armstrong, Christopher, 122.
 " Archibald, 122.
 " John, of Gilnockie, 122, 184, 186, 188, 189, 190, 195.
 Arnold, Bishop of St. Andrews, 23.
 Arnot, John, of Pitmedden, 349.
 " of Chapel-Kettle, 350.
 " William, Postmaster of Cockburn's-path, 293.
 Arran, The Regent, 195.
 Arthur, Prince, 20.
 Athelstane, K., Charter from, 29.
 Ascough, Dean of Bristol, 104.
 " Augusta-Anne, Wife of Sir William Cockburn, Bart.
 of Langton, 104.
 Astley, Sir John, Bart., 108.
 " Hugh Francis, his Son, 108.
 Athole, Sir Adomar de Athol, 173.
 " Dukes of, 304.
 Avenel, Gervase, 18a.
 Auchtidiran, Parish of, 336.
 Auchenleck, Archibald, of Cumledge, 295.
 Aylmor, Roger de, 14.
 BAILLIE, Alexander, of Ashestiel, 73.
 " Marion, 73.
 " Hon. and Rev. John, 105.
 " Thomas, of Polkemmet, 72.
 " of Lamington, 200.
 Bain, Mr. Joseph, ix., 338.
 Bainbridge, Mr., 41.
 Baird, Sir John, of Newbyth, 93.
 Balcaskie, Sir John, Chaplain of Dalkeith, 201.
 " William of, 173.
 " Lands of, 201.
 Baldene, Lands of, 230, 231.
 Baliol, Ada de, 335.
 " Sir Alexander de, 13, 334.
 " Henry de Ballyol, 13, 29, 334.
 " Monsire Thomas de, of Cavers, 13.
 Balfour, David, of Bal-Or, 349.
 " Sir James, Lyon King of Arms, 333.
 " Sir James, of Burley, 242.
 " Sir Michael, of Burley, 296.
 Balnehard, Lands of, 55, 345.
 Bamborough, Castle of, 10, 339.
 Bannockburn, Battle of, 11.
 Bankes, W., of Wolverton, 108.
 Barcar, Alexander, Vicar of Pettynane, 268.
 Barsley [or Brunstoun], 347.
 Barrowfield, Estate of, 40, 218.
 Bastie, Sir Anthony Darcy de la, xiv., xv., 64, 309, 310.
 Becket, Thomas, Archbishop, 17a.
 Beaton or Bethune, Cardinal, 128-131, 187, 267.
 " Lady Janet, 135.
 Bedgeberry Park, 158.
 Belford, House of, 73.
 Bell, Andro, 187.
 Bellenden, Lands of, 173.
 " Annabell, 282.
 " Sir Hugh, 4.
 " Sir John, of Auchinoule, 142.
 " Elizabeth, his Daughter, 142.
 " Sir Louis, Justice-Clerk, 274, 282.
 " Mr. Walter, 142.
 Beniton, Manor of, 335.
 Bennet, Lady Frances, 105.
 Benystoune, Alexander of, 289.
 Bigod, Roger le, 19.
 Birgham, Lands of, xxvi., xxvii., 105, 308, 312, 319.
 Bizzet, Cecilia, of Lovat, 223.
 Blackadder River, 73, 221.
 " Bridge over, 297.
 " Laird of, 56.
 " Sir Robert of, 65, 310.

- Blackadder, Beatrice, his Daughter, 65, 80.
 " Margaret, his Daughter, 65, 80.
 Blairquhan, Kennedy of, 245.
 Blakstok, Andrew, 234, 235.
 Blare de Crambeth, Lands of, 346, 347.
 Blasonbrade, Lands of, 73, 221.
 Blaye, Castle of, 32.
 Boithill [Bold], Lands of, 172, 176, 184.
 Boltoun, Barony of, 37, 38, 120, 331.
 " Church of, 23, 120.
 " Kirklands of, 120.
 Bonekylshire, iii., xi.
 Bonkyl, Castle of, xi., xxx.
 " Family of, iii., v., x., xi., xxv.
 " Sir Alexander de, vi., ix., x.
 " Alesandre de, v.
 " Anneys de, x.
 " Chrestiene de, x.
 " Johan de, x., xi.
 " Margaret de, vi., ix., x., 8.
 " Mariota de, xi.
 " Michael de, xi.
 " Ranulf de, v.
 " Thomas de, xi.
 " Arms of, iii., 40.
 Bordeaux, Traders to, 32.
 Borg, Douglas of, 126, 229, 265, 267, 292.
 Borthwick, John Lord, 236.
 " Thomas, 121.
 " Heryng, Adam, of, 222.
 " Heryng, Peronel de, of, 222, 341.
 Boswall, Sir Alexander, of Balmuto, 61.
 " David, 179.
 " John, of Bowhill, 61.
 " Roger Boisvill, 336.
 Bowmaker, John, 299.
 Boyd, Marion, Wife of Francis Cockburn of Temple.
 " Robert, Lord, 94.
 " Robert, Lord, Commissioner for Queen Mary, 243.
 " Robert, Lord Justice-Clerk, 142, 143.
 Brandisson, Mary de, 86.
 Branhholm, Margaret Cockburn, Domina de, 174.
 " Lands of, 11, 173, 174.
 " Hall, 184.
 " Knight of, 185.
 Brechin, Sir David de, vi., vii., viii., ix., 9, 33.
 Brimelaw, Lands of, 185, 213.
 Broughton Place, Edinburgh, 304.
 Broun, John, of Cumber-Colston, 268.
 " Rolland, his Son, 268.
 " Brun Godfrey, of Cumber-Colstone, A.D. 1306, 15.
 Brounfields, Three Brethren of the, 57.
 " Stephen, of Greenlawdene, 294.
 Brougham Castle and Lordship of, 174, 187, 20.
 Brown, Alexander, of Thorniedykes, 323.
 Bruce, David, of Clackmannan, 42.
 " Robert, Earl of Carrik, THE BRUCE, vii., 338.
 " Edward, 16, 168.
 " Eleanor, her five Husbands, 43.
 " Eupham, 236.
 Bruce, Geoffrey de, 20.
 " Nigel de, 16.
 " Piers de, 182.
 Brunston, Creichton of, 266.
 Brunetoun, Estate of, 344, 345, 347, 348.
 Buchan, Earl of, 179, 180.
 " of Lethame, 156.
 Buchanan, Patrick, of that Ilk, 347.
 Buccleuch, The Bold, 173, 183.
 Bullock, John [Master Gonner], 64, 254.
 Builly, John de, Lord of Tickhill, 21.
 " Idonea, his Daughter, 21, 363, Note.
 " Roger de, 263.
 " Rafe de Bully, 262.
 " William, Custumar, 262.
 Buncle, Parish of, v.
 Burgo, Hubert de, 20, 21.
 " Magota, his Daughter, 20.
 Burke, Sir Bernard, Vicissitudes of Families, 215.
 Burnett, Mr., Lyon King of Arms, xxvi.
 " Robert, of Barns, 181.
 " Thomas, of Inverleith, 149.
 " William, younger of Barns, 181.
 Butterdene, Lands of, 289.
 Butler, John, of Harperdean, 150.
 " Isobel, 150.
 " Peter, of Harperdean, 150.
 CAERLAVEROCK, Siege of, 9.
 Caithness, Earl of, 99.
 Calderwood, Thomas, 300.
 Caldra, Lands of, 291, 301.
 Caldwell, Sir Benjamin, 151.
 Cambuskenneth, Abbot of, 257, 291.
 Campbell, Archibald, Lady Glamis' Husband, 191.
 " John, of Glenorchy, first Earl of Breadalbane, 94, 99,
 100, 101, 324.
 " Mary, his Daughter, 99, 100, 357 [Note X.].
 " John, fourth Marquess, 109.
 " Matthew, 228.
 Canonbie, 56, 58.
 Carberry Hill, Battle of, xxx., 66.
 Cardrona, Govane of, 214.
 Carmichael, John, Earl of Hyndford, 158, 205.
 " Lady Beatrix, his Daughter, 158.
 " Helen, Wife of Sir William Cockburn of Skirling,
 246, 247, 250.
 " Katharine, 233, 237, 238.
 " Robert, 274.
 " Sir Thomas Gibson, Bart., 236.
 Carlinlippis [Carlops], 266.
 Carnegie, David, Erle of Sowthesk, 214.
 " James, Erle of Sowthesk, 214.
 " Robert, Erle of Sowthesk, 214.
 " Robert, of Kinnaird, 69, 70.
 Carriden, Barony of, 18, 22, 37, 59, 60, 68, 81, 331.
 " Coal Seams of, 25, 26.
 " Godwin de, 23.
 Carron, Earl Douglas discomfited at, 175.
 Carss, Mark, of Cockpen, 151.

- Cathie, Thomas, 296.
 Cavers Barony, 13.
 Charteris of Amisfield, 285.
 Cauldstreme—*See* Coldstream.
 Cessford, Cockburn of, 219, 220, 224, 225, 251.
 ,, Ker of, 225-251.
 ,, St. Clair of, 219, 251.
 Chamerlane-Newtoun, Barony of, 122.
 Chepman, Walter, of Ewerland, 266, 312, 313.
 Chirnside of that Ilk, 65.
 ,, of East Nisbet, 75.
 ,, Lands of, 289.
 Clackmannan, Mill of, 42.
 Clare, Johanne de, Countess of Fife, 344.
 ,, Gilbert de, 344.
 ,, Matillidis, Countess de Clare, 24.
 ,, Mande de, 24, 361 [Pedigree].
 ,, Thomas de, her Father, 24.
 Clerk of Pennicnik, 210.
 Clerkenwell, Church of, 355, Note III.
 Clifford, Roger, 21, 361 [Pedigree].
 ,, Thomas de, 23, 361 [Pedigree].
 Cockburn, Name of, xi., xii., xx.
 ,, Dominium of, xi., xx., xxii., xxv., xxvii., 308.
 ,, Castle of, xi., xxviii., 309.
 Cockburn's Barns, Simprim, 94.
 Cockburnlaw, Hill of, xi., 20, 59.
 Cockburnhaugh, Lands of, 52.
 Cockburn's-Path, Castle of, xx.
 ,, Territory, 223, 308.
 ,, Mains of, 223.
 COCKBURN Family, their Feuds, xvii.
 ,, of LANGTON, 1-109.
 ,, of ORMISTON, 110-160.
 ,, of HENDERLAND, 161-215.
 ,, of SKIRLING and CESSFORD, 216-256.
 ,, of CLERKINGTON, 257-287.
 ,, of CHOICELEE, 288-306.
 ,, of COCKBURN, 307-330.
 ,, of TORRY, &c., 331-351.
 ,, of Blackismiln, 78, 303.
 ,, of Caldra, 291-301.
 ,, of Caverhill, 241.
 ,, of Cockpen, 150.
 ,, of Dalqueich, 346.
 ,, of East Borthwick, 54, 70, 71, 72.
 ,, of East Reston, 79.
 ,, of Glen, 180.
 ,, of Gleneagles, 156.
 ,, of Herperden, 150.
 ,, of Kirkurd, 235.
 ,, of Kirklands of Bolton, 120.
 ,, of Ladiekirk, 300.
 ,, of Lethame, 237.
 ,, of Leyiswood, 72, 78.
 ,, of Meredene, 124.
 ,, of Newholme, 73, 236.
 ,, of Piltounne, 143, 149, 150, 283.
 ,, of Rowchester, 73, 74.
 ,, of Ryslaw, 297, 356.
 COCKBURN of Sandybed, 156.
 ,, of Selburnrigg, 72, 74, 237.
 ,, of Stobhiswood, 296.
 ,, of Stonyflat, 252.
 ,, of Tempillhall, 137, 138.
 ,, of Vogrie, 305.
 ,, of Woodhead, 124.
 I. PIERS OF COCKBURN, 1.
 II. SIR ROBERT, 4.
 III. NIGEL, 6, 14.
 IV. SIR THOMAS, 11, 17.
 V. SIR ALEXANDER, Usher of Parliament, 18.
 VI. SIR ALEXANDER, Keeper of Great Seal, 42.
 VII. SIR WILLIAM, 47.
 VIII. WILLIAM, 49.
 IX. ALEXANDER, 53.
 X. SIR WILLIAM, 54.
 XI. SIR JAMES, 64.
 XII. WILLIAM, 80.
 XIII. SIR WILLIAM, 83.
 XIV. SIR WILLIAM, first Baronet, 87.
 XV. SIR ARCHIBALD, second Baronet, 92.
 XVI. SIR ARCHIBALD, third Baronet, 98.
 XVII. SIR ALEXANDER, fourth Baronet, 98.
 XVIII. SIR ALEXANDER, fifth Baronet, 100.
 XIX. SIR ALEXANDER, sixth Baronet, 102.
 XX. SIR JAMES, M.P., seventh Baronet, 102.
 XXI. General SIR JAMES, G.C.H., eighth Baronet, 106.
 XXII. Admiral SIR GEORGE, G.C.B., ninth Baronet, 107.
 XXIII. Very Rev. SIR WILLIAM, tenth Baronet, 108.
 XXIV. SIR ALEXANDER, Lord Chief-Justice of England, eleventh Baronet, 109.
 Sir Piers de Cockburn, 7.
 ,, Sir James, of Skirling, 77, 241.
 ,, Sir James, of Ryslaw, 297, 356, 359.
 ,, Sir George, of Ormiston, 147.
 ,, General Sir George, K.C.B., of Shanganak, 151.
 ,, Sir John, of Ormiston, 116.
 ,, Sir John, of Ormiston, Lord Justice-Clerk, 141.
 ,, Adam, Lord Ormiston, Lord Justice-Clerk, 154.
 ,, Baron Archibald, of Cockpen, 152.
 ,, Henry, Lord Cockburn, xiv., 152.
 ,, Sir John, of Torry, 342.
 ,, Sir John, of Dalginche, 345.
 ,, Sir John, of Trettonn, 346.
 ,, Sir Patrick, 318.
 ,, Sir Richard, of Clerkington, Lord Privy Seal, 280.
 ,, Sir William, of Skirling and Cessford, 218, 219.
 ,, Sir William, fourth of Skirling and Cessford, 225.
 ,, Sir William, fifth of Skirling, 234.
 ,, Sir William, sixth of Skirling, 238.
 ,, Sir William, of Skirling, 248.
 ,, Sir William, of Henderland, 184.
 ,, Henry, thirteenth Bishop of Ross, 229.
 ,, Robert, eighteenth Bishop of Ross, 228, 229.
 ,, Baron, of Villeneuve-au-Chemin, 62.
 ,, Seigneur and Baron de Fussy, 63.

- COCKBURN, Agnes, Wife of William Murray of Touchadam, 121.
 „ Agnes, Wife of Walter Chepman of Ewinland, 266,
 312, 313.
 „ Agnes, „ H. Stafford Northcote of Pynes, 74.
 „ Agnes, „ James Hamilton of Kincavil, 273.
 „ Anna, „ Thomas Baillie of Polkemmet, 72.
 „ Anna-Maria, Baroness Forrester, 158.
 „ Anne, Wife of Sir John Inglis, Bart. of Cramond, 157.
 „ Barbara, „ John Hay of Minzeane, 238.
 „ Barbara, „ Sir George Hamilton of Preston,
 139, 279.
 „ Barbara, „ Henry, Lord Sinclair, 153.
 „ Beatrix, „ Creichton of Lugton, 266.
 „ Catherine, „ Lord Oxford, 147.
 „ Catherine, „ Gawen Hamilton, 151.
 „ Christian, „ Sir John Preston of Craigmillar, 45.
 „ Christian, „ Sir Robert Sinclair of Longfor-
 macus, Baronet, 157.
 „ Christian, „ James Quhytelaw of Quhytelaw, 221.
 „ Christian, „ Alex. Creichton of Newhall, 229.
 „ Christian, „ Robert Scott of Qhitchester, 184.
 „ Christian, „
 „ Elizabeth, „ W. Chirnside of East Nisbet, 75.
 „ Elizabeth, „ John Hepburne of Humber, 326.
 „ Elizabeth, „ Wm. Murray of Stanhope, 205.
 „ Elizabeth, „ John Boswall of Bowhill, 61.
 „ Egidia [Giles] „ Alexander Murray of Traquair, 177.
 „ Harriot, „ Sir D. Kinloch, Bart. of Gilmerton,
 100.
 „ Helen, „ John de Mandiriston, 38.
 „ Helen, „ Sir R. Stewart, Bart. of Allan-
 bank, 95.
 „ Helen, „ Patrick Hepburne of Beanston, 279.
 „ Helen, „ John Hamilton of Easter Fawside,
 279.
 „ Helen, „ Alexander Gourlay of Kincraig, 120.
 „ Helen, „ Wm. Hay of Linplum, 147.
 „ Helena, „ James Heriot of Alderston, 126.
 „ Isobel, „ Sir D. Crichton of Lugton, 250.
 „ Isobelle, „ John Wardlaw of Riccarton, 266, 349.
 „ Isobel, „ James Cockburn of Selburnrigg, 237.
 „ Issobel, „ David Kincaid of Coittis, 238.
 „ Jean, „ Richard Cockburn of Clerkington,
 153.
 „ Jean, „ Sir John Murray of Touchadam, 147.
 „ Jean, „ J. Congleton of Skedsburgh, 149.
 „ Jeane, „ Sir John Hamilton of Preston, 279.
 „ Jeane, „ Robert Hepburne of Keith-Mari-
 schall, 148.
 „ Jeane, „ Alex. Dunbar of West Grange, 78.
 „ Jeane, „ John Renton of Billie, 61.
 „ Katherine, „ James Scott of Whitslaid, 205.
 „ Katherine, „ John Sinclair of Blass, 311.
 „ Margaret, „ Sir Walter Scott of Kirkurd, 173.
 „ Margaret, „ Sir Alexander Murray of Black-
 barony, 92, 282.
 „ Margaret, „ Sir Alexander Gilmour, Bart. of
 Craigmillar, 92.
 „ Margaret, „ John Lindsay of Wauchopedale,
 176, 215.
 COCKBURN, Margaret, Wife of James Vache of Dawick, 182.
 „ Margaret, „ Gawin de Crichton, 53.
 „ Margaret, „ Thomas Middlemast of Grierstoun,
 220.
 „ Margaret, „ Gideon Murray, 285.
 „ Margaret, „ Patrick, Lord Sinclair, 147.
 „ Margaret, „ Alex. Home of Renton, 71.
 „ Margaret, „ Patrick Hepburne of White-Castle,
 68.
 „ Margaret, „ Sir Richard Cockburn of Clerk-
 ington, 83, 281.
 „ Margaret, „ John Wardlaw of Torry, 346.
 „ Margaret, „ Schaw de Blare, 347.
 „ Margaret, „ James Hamilton of Hill, 349.
 „ Marion, „ Alexander Sinclair of Gosford, 91.
 „ Marion, „ Patrick Tuedy, 220.
 „ Marion, „ Hugh Douglas of Borg, 126, 227.
 „ Marion, „ Hugh Douglas of Longniddry,
 125.
 „ Marion, „ P. Cockburn of Clerkington, 238.
 „ Mariota, „ Thomas Otterburn of Reidhall, 68,
 356 [Note VI.].
 „ Mariota, „ Prioress, North Berwick, 60.
 „ Mariana- } { Sir James John Hamilton, Bart.,
 „ Augusta, } { 107.
 „ Marjorie, „ Walter Scott of Synton, 176.
 „ Mary, the Hon. „ Rev. C. Shuttleworth, 159.
 „ Sybil, „ James Innes of Sandyside, 138.
 „ Sybil, „ Sir William St. Clair of Herd-
 manston, 139.
 Cockburn-Campbell, Sir Alexander, Baronet, 74.
 „ Sir Thomas, Baronet, 74.
 Cockburn-Hood, John, of Stoneridge, 1, 74.
 Cockburn-Ross, of Shandwick, 63, 74.
 Cockpen, Lands of, 151.
 „ Ramsay of, 151.
 „ Carss of, 151.
 „ Cockburn of, 151.
 Colbrand the Dane, xiii., xx.
 Colbrand's-Peth, xii., xx., xxii.
 Colebrooke, Henrietta, Wife of Thomas Cockburn, 74.
 Coldingham Priory, 1, 23, 29, 50, 51.
 Coldynhenschyre, iii.
 Coldstream, Nunnery of, 4.
 „ Prioress of, 289.
 „ Little-haugh of, Fishings in Lordship of, 290.
 Colston, Broun, Baronets of, 268.
 Colville, Alexander, Justice-Depute, Letter from, 144.
 „ Sir Robert Colville, 339.
 „ Robert of Haltoun, 347.
 „ of Oxnam, 37.
 Comyn, David, 334.
 „ Devorgilla, Wife of Sir James Sandilands, 137.
 Congleton of that Ilk, 314.
 „ of Skedsburgh, 149, 150.
 Copholme in Denmark, 318.
 Cornewall, Patrick, of Balnehard, 55.
 Corwen of Galloway, v.
 Coucy, Ingleram de, 218.
 „ Sir William de, 218.

- Coulson of Houndwood, 96.
 Couper, Tolbooth of, 349.
 Coutts of London, 97, 195.
 Cowthally, Castle of, 233, 234.
 Cragi, John de, 39.
 " Margaret de, 39, 216.
 " Walter de, 39.
 Craig, James, 77.
 Craigmillar, Castle of, 46, 92.
 Craik, Lands of, 7, 121, 122, 135.
 Crake, John de, 10.
 Crambeth, Barony of, 347, 348.
 Cranschaws, Lands of, 260, 270.
 Cranstoun, Lands of, 179.
 " James, Master of, 283.
 " Margaret, Wife of Patrick Cockburn of Clerkington, 283, 284.
 " Cuthbert, of Mavis, 306.
 " of Glen, 182.
 Crow—See Aldincraw.
 Crawford, Castle of, 233.
 " Countess of, xxvi.
 " Lawrence of Kilbirnie, 235.
 Crawfordjohn, Dominium of, 116.
 Crichton, Alexander, of Newhall, 229, 231, 264, 266.
 " Elizabeth, his Daughter, murdered, 264.
 " Andrew of Cardowne, 198, 248.
 " David de Cranstoun-Redale, 119.
 " Margaret, his Daughter, Wife of J. Cockburn of Ormiston, 119, 121.
 " Sir David, of Lugton, 250, 358, Note XII.
 " Elizabeth de, 53, 54, 288.
 " Gawen de, 53, 54.
 " Lawrence, 224.
 " George, Bishop of Dunkeld, 239.
 " John, of Quarter, 198.
 " James, of Coitts, 264.
 " Katrine, 264.
 " Patrick, of Lugton, 266.
 " Beatrix, his Daughter, Wife of Rev. John Spottiswoode, 266, 360.
 " Mr. Peter, 264.
 " Sir Robert de Sanquhar, 224, 228, 251.
 " Marion, his Daughter, Wife of Sir William Cockburn, 228.
 " of Brunston, 129, 266.
 Crinan, The Thane, iv.
 Cromartie, Earl of, 95.
 Cromwell, John de, 21.
 Cunningham, Colonel Hon. Robert, 90, 91.
 " of Polmaise-Cunningham, 180.
 " James, of Cunningham-head, 324.
 " Thomas, of Carrik, 221.
 Curmannos, Barony of, 18.
 Currie, Lands of, 265.
 DACRE, Thomas, Lord, 56, 57.
 " Sir James, 49.
 " Philip, 57.
 Dalbuth, Mary, 356, 358, 359.
 Dalglese [Dalgleish], Lands of, 122, 162.
 " Tribute from, 163.
 " Family of Dalgleish, 162.
 " Rosamond, of Birgham, 106.
 Dalginche, Dominium of, 331, 343, 348.
 Dalkeith Castle, Siege of, 258, 260.
 Dalrymple, Sir David [Lord Hailes], 15, 155.
 " John, Burgess of Edinburgh, 357, Note VIII.
 " Mirabelle, his Daughter, 357, Note VIII.
 Dalqueich, Lands of, 346.
 Dalmahoy of that Ilk, 314.
 Danzielstown, William, 70.
 " Elizabeth, Wife of Patrick Cockburn of Clerkington, 272, 273.
 " Family of, 272.
 " Mr. Peter [Dennelstoun], 83.
 Davidson, John, of Burnrigg, 317.
 " James, in Nodday, 317.
 " T. Randall, of Muirhouse, 152.
 Dawick, Lands of, 241.
 Deadrigg, Obelisk at, 167, 168.
 Deckesoun [Dickson], William, 180, 221.
 " John, his Father, 180, 221.
 Denbigh, Basil, Earl of, 86.
 Dene-Estir, Lands of, 222.
 Devereux, George, thirteenth Lord Hereford, 107, 363.
 " Hon. Mariana, 107, 363.
 Devis, Edward, 301.
 Devorgilla of Galloway, 126.
 " Comyn, 137.
 Dewar, James, of Vogrie, 153, 306.
 Dieuring Downs [Dirrington], Quarries of, 22.
 " Dirrington Law, 72, 296.
 Dickson, Thomas, LL.D., xxiv.
 Dischington, James, 214.
 Dolphinston, Rector of, 236.
 " Lands in, 253.
 Don, Alexander, of Newtown, 86.
 Douglas, Alison, Sister of Earl of Angus, 310.
 " Archibald, fourth Earl of Douglas, 48, 116, 257.
 " Archibald, Earl [Bell-the-Cat], 179.
 " Archibald, of Cavers, 13.
 " Archibald, of Stanypath, 296.
 " Archibald, sixth Earl of Angus, 310, 311.
 " Elizabeth, Wife of Samuel Cockburn of Temple, 138.
 " Francis, of Longniddry, 125.
 " Sir George, of Pittendreich and Cockburnspath, xxvi.
 " Henry, of Friarshaw, 104, 106.
 " Mary, his Daughter, Wife of Sir James Cockburn, Baronet of Langton, 104.
 " Hew, of Borg, 126, 229, 265, 267.
 " Marion, his Daughter, Wife of Thomas Cockburn of Newhall, 265.
 " Hew, of Longniddry, 125, 292.
 " Hugh, Earl of Ormond, 115.
 " Hugh, Dean of Brechin, xxvi.
 " James, Earl of Morton, 269.
 " James, Lord Dalkeith, 260.
 " James, ninth Earl of, 175, 261.
 " James, Earl of Avondale, 177.

- Douglas, Sir James, "The Good," has Charter of Cockburn, xxv.
- „ James, of Cavers, 13.
 - „ James, of Spot, 235.
 - „ Sir James, Baronet of Springwood, 104.
 - „ James, Elder "of the Kirk," 213.
 - „ John, Baillie of Langton, 292.
 - „ Marion, his Daughter, 292, 294.
 - „ Sir John, Captain of Lochleven, 39.
 - „ Margaret, "The Gentle," Duchess of Touraine, 116.
 - „ Sir Robert, of Lochleven, 346.
 - „ William, takes Edinburgh, 39.
 - „ William, of Cluny, 175.
 - „ William, Earl of Angus, xxvi.
 - „ George, his Son, xxvi.
 - „ of Lintonrothbrekis, 13.
 - „ Sir William, Knight of Liddesdale, 171.
 - „ Sir William, 47, 342.
 - „ William, of Whittinghame, 263.
 - „ William de, carries off Alionora de Ferrers, 344.
- Drax, Prior of Coldingham, 38.
- Dreux, Count of, 166.
- Drum, Lands of, 355, Note IV.
- Dryburgh, Monastery of, 17a.
- Drumkaraught, Lands of, 4.
- Drumlochirnocht, Lands of, 348.
- Drummelzier, Tuedys of, 206, 207, 227.
- „ Thane's Castle of, 206, 207.
- Duff, Mary, 152.
- Dufferin, Earl of, 152.
- Dunbar, Siege of, 289.
- „ House of, v.
 - „ Arms of, 37.
 - „ Earls of March, xxv.
 - „ Alexander, of West Grange, 78.
 - „ Sir David, of Cockburn, xxvi., 47, 308.
 - „ Mariota, his Daughter, 47, 308.
 - „ Doctor, 96.
 - „ George, Earl of March, 43.
 - „ George, his Son, 43.
 - „ Marjorie, Wife of Sir John Swinton, 308.
 - „ Master of, 45.
 - „ Patrick, Earl of, 3, 29.
 - „ Patrick, first Earl of March, 9.
 - „ Patrick, second Earl of March, 9.
 - „ Patrycke, got Cochurnes-peth, xxi.
 - „ Patrick, of Biel, 262.
 - „ Elizabeth, his Widow, 262.
 - „ Helen, his Daughter, Wife of Patrick Cockburn of Clerkington, 115, 262.
 - „ Burning of Town of, 125.
- Duncan, King of Cumbria, iv.
- Duncane Geillis plays the Jew's Trump, 145.
- Dundas, House of, v., xii.
- „ David, of Priestinche, 296.
 - „ Henry, Lord Melville, 152.
 - „ Sir Robert [Lord Arniston], 103, 151.
 - „ Martha, his Daughter, Wife of Archibald Cockburn of Cockpen, 103, 151.
 - „ Sir Robert, of Dunira, 152.
- Dundas, Margaret de, Wife of Alexander Cockburn of Langton, 54, 55.
- Dundalk, Battle of, 168.
- Dunfermline, Abbot of, 343, 345.
- Dunmanayne, 39, 217.
- Duns of Duns, 55.
- „ Patrick, 55.
 - „ Castle and Estate of, 324.
 - „ Mains of, 311.
- Dunsyar, Sir Patrick Hepburne de, 60.
- Duntze, Sir John, Baronet, 104.
- „ James, his Son, 104.
- Durward, Alan, the Justiciary, viii., 165.
- Dysert, Town of, 346.
- Dyy, Forest of, 262, 283.
- ECCLES, Parish of, 10, 167.
- „ Hugh, of Kildonan, 72.
- Edgar, John [Edzeare], of Wedderlie, 294.
- „ John of, 321.
 - „ Marie, 149.
 - „ Robert, his Father, 321.
 - „ Sir Patrick, 294.
 - „ Family of, 294.
 - „ Arms of, 295.
- Edington, David, of Clarybarde, 136.
- „ of that ilk, 136.
- Edinburgh, Town, Siege of, 257.
- „ Castle, Siege of, xxiii.
- Edmonstone, Feuds of the Family with Wauchopes, 66, 272.
- „ John of, 66, 298.
 - „ Sir John of, 298.
 - „ of Wowmat, 294.
- Edward, Prince of Wales, 9.
- Eleanor, Princess of Brittany, 19.
- Ellem, Family of, 289.
- „ Barony of, 147.
 - „ Elizabeth, 289.
 - „ David, of Renton, 292.
 - „ Janet, his Daughter, 292.
 - „ George, of Buttirdene, 76.
 - „ John of, 289.
 - „ Ninian, 289.
 - „ Richard, 289.
- Elibank, Lord, 97.
- Elliott, Gilbert, of Stobbs, 97.
- „ John, his Son, 97.
 - „ Margaret, his Daughter, 97.
 - „ Lawis-John, 122.
 - „ John, of ye Park, xxix.
- Elphinstone, Andree, de Selmys, 265.
- „ — Fourth Lord Elphinstone, 85.
 - „ Helen, his Daughter, Wife of Sir W. Cockburne, Baronet of Langton, 85, 315.
 - „ James, one of the Octavians, 280.
- Engagers, The, 85.
- Erskine, Alexander, Lord, 163.
- „ Robert, his Son, 163.
 - „ Harry, 154.
 - „ Thomas "Areskyn de Dwn," 122, 163.

- Erskine, Thomas, Lord, 163.
 Ettrick Forest, 14, 163, 182, 184, 187.
 Evesham, Battle of, 21.
 Euermes, Philip de, of Romanno, 199.
 Ewart, John, of Skiffonholme, 193.
 Ewyas, Pedigree of, 361.
- FAIRHOLM**, John, of Craigiehall, 150.
 „ Sophia, his Daughter, Marchioness of Annandale, 150.
 „ Robina, Wife of Archibald Cockburn, 150.
- Falkirk, Battle of, vi.
 Fallethaugh of Drumkaraught, 4.
 Fane, The Rev. Frederick, of Moyles Court, 108.
 Faw, James, Gentleman, of Dunbar, 301.
 Fawside, Sir Roger of, 40.
 „ Thomas of, 276.
 „ Lands of Littil Fawside, 229.
 „ Easter Hamilton of, 279.
- Fenton, William, Lord of, 223.
 Ferlington, Walter de, 8.
 Fernie of that Ilk, 350.
 „ Elizabeth, his Daughter, Wife of John Cockburn of Trettoun, 349.
 „ Barbara, Wife of Thomas Lumisden, Parson of Kinkell, 350.
- Ferrers, Sir William de, 337 (the Father); Alynora, his Wife, 337, 338.
 „ William, Earl of Derby, 337.
 „ Alianora, his Daughter, 337.
 „ Wodeham Ferrers, Manor of, 338.
- Fielding, Lady Mary, 86.
- Fife, Duncan, Earl of, 343, 344.
 „ Johanna, Countess of, 344.
 „ Malcolm, Earl of, 343.
 „ Earl of, at Coldingham, 38.
- Finemund, William, of Cambusnethan, 7.
 „ Thomas de, 5.
 „ Warin de, 7.
- Fishwick, Swayne, Priest of, 52.
- Fitz-Piers, Geoffrey, Earl of Essex, 18, 363, Note.
- Fitz-Robert Fitz-Waldev, Hugh, of Biggar, 217.
- Fleming of Biggar and Cumberland, 7.
 „ James, 192.
 „ John, Lord, 208.
 „ Malcolm, Lord, 193, 197, 208.
 „ Mary, 282.
 „ Margaret, 282.
- Fleuria, Widow of Sir Adam of Quinton, 1.
- Flodden, Battle of, 56, 61.
- Fogo, Kirk of, 295, 300, 362.
 „ Bridge at, 297.
 „ Lands in [Foghou], 300.
- Fontainè, called Cockburn, 63, 64.
 „ Gabrielle de, Baronne de Villeneuve, 62, 64.
- Fontenoy, Battle of, 101.
- Fordall, Barony of, 348.
- Foreman, John, 302.
 „ William, of Wedderburn, 302.
 „ Jeane, Wife of D. Milne, 302.
 „ Formans of Hutton, 302.
- Forgandenny, Lands of, 71.
- Forrester, Caroline, Baroness, Wife of George Cockburn of Ormiston, 158.
- Fortescue, Honourable Arthur, 108.
- Foulden, 67.
- Foulis, Sir James, of Colinton, 304, 311.
- Foxhall, Williamson of, 286.
- French of Thorniedykes, 323.
- Fraser of Neidpath and Oliver, 161.
 „ Alexander, of Strichen, 357, Note IX.
 „ Egidia [Gelis], Wife of Cockburn of Henderland, 176.
 „ Katherine, of Fruid, 177, 199, 207.
 „ Richard, 176.
 „ Sir Simon, Lord of Tweeddale, 8, 198, 200.
 „ Sir William, of Overtoun, 176.
- Fruid Burn, 199.
 „ Tweedy of, 208.
- Fundy, Bay of, 87.
- GALA**, Water of, 178.
- Galbraith, Robert, of Easter Winschelis, 290.
 „ Margaret, his Daughter, 262, 290.
- Galloway, Alan, Lord of, 357, Note IV.
 „ Fosse of, 7.
- Gavin, Mr., of Langton, 97, 109.
 „ Mary Turner, his Daughter, Wife of first Marquess of Breadalhane, 109.
- Geddes of Rachan, Family of, 201, 202.
 „ Charles of, 200.
 „ Janet, his Daughter, Wife of G. Cockburn of Henderland, 200.
 „ James, of Rachan, 200.
 „ James, of Kirkurd, 203.
 „ James, of Glenhegdon slain, 206.
 „ John, of Geddes, 202.
 „ Matthew, of Geddes, 203.
 „ St. Mary del Geddes, Chapel of, 202.
- Gelre, Armorial de, 41.
- Gertranky, House of, 344.
- Gibson, Sir Alexander, of Durie, 304.
- Gifford, Alexander [Giffert], Rector of Mailvin, 263.
 „ James, of Scheriffhal, 261, 263, 269.
 „ Beatrix, his Daughter, Wife of William Cockburn of Newhall, 263.
 „ Margaret, his Daughter, Wife of James Cockburn of Clerkington, 269.
 „ Margaret, Wife of James Tuedy, 220.
 „ William, Uncle of Lord Morton, 269.
- Giles, St., Church of, 312, 313.
 „ Hospital of, Durham, 127.
- Gilmour, Sir Alexander, of Craigmillar, Baronet, 92.
 „ Sir Charles, of Craigmillar, 92, 157.
 „ Sir John, of Craigmillar, Baronet, 92, 282.
 „ Walter Little, of Craigmillar, 92.
- Glamis, Lady, 191, 195.
- Glen, Lands of, 117, 180, 220.
 „ Christian of, 180, 220.
 „ Richard de, 177.
 „ Sarra of, 181.
- Glencoe, Massacre of, 101.

- Glennysland, Estate of, 180.
 Glenagis, The Lady, xiv.
 Glendonwyn, John, 122.
 " Matthew, of Glenrath, 201.
 Glenkerry, Lands of, 173.
 Glenkirk, Lands of, 201.
 " Porteous of, 201.
 Glenquholm, Barony of, 177.
 " Englishmen brought to, 196.
 Gloves, Tribute of White, 222.
 Goodtrees, Lands of, 98.
 Gordon, Adam de, 11, 15.
 Gosford, Lands of, 91.
 Gospatric, The Earl, iv., 28.
 Gourlay, Alexander, of Kincaig, 121.
 " Alanus de, 121.
 " John of, 121.
 " Simon of, 121.
 " William of, 121, 285.
 Govane, John, of Cardrona, 214.
 " John, 248.
 " Thomas, 248.
 Graham, Sir William, of Braco, 71.
 " Sir John de, 33.
 Grant, James, of Moyness, 149.
 " Margaret, his Daughter, 149.
 Granville, Mary, Mrs. Delaney, 86.
 Greenlaw, Barony of, 73, 299.
 " Dene Brounfield of, 294.
 " Redpath of, 294.
 " Parish of, 73.
 Greenrigg, Lands of, 309.
 Grey, Sir Thomas, 48.
 " Lord, 124.
 Grimston, James Luckyn, Viscount, 159.
 Gynes, Ingleram de, 218.

 HADDINGTON, Town of, burnt, 125.
 " Constable, Hereditary, of, 114.
 " Fourth Earl of, 155.
 Haitlie, George, of Hadland, 71.
 " of Mellerstain, 71.
 " of Lambden, 294.
 Haldane, Gleneagles, Family of, 156.
 " George Cockburn of [called Haldane], 156.
 Haknakel-Teldum, Lands of, 36.
 Halket, David, of Pitferrane, 343.
 Halyburton, Henry de, 7.
 " Sir John [Dominus de Dirleton], 49, 221, 339.
 " Sir John, 48.
 " Patrick, 56.
 " Philip de, 4.
 " Thomas, 48.
 " Margaret, Wife of Sir William Cockburn of Lang-
 ton, 48.
 " Six brothers Halyburton of Scotland, 338.
 Halsyngton, Barony of, 10, 178.
 Halthornsyke, Lands of, 262, 275, 283, 284.
 Hambye, Fortress of, 171.
 Hamilton, Sir Alexander, of Innerwick, 223.

 Hamilton, Anna, Duchess of, 70.
 " Archibald Rowan, of Killeleagh Castle, 152.
 " Archbishop of St. Andrews, 132.
 " Christian, Wife of Sir Mungo Murray of Blebo, 304.
 " Sir David, of Fingalton, 139.
 " George, of Preston, his Son, 139.
 " George of, Preston, 279.
 " James, Earl of Arran, 132.
 " David, his Son, 132.
 " James, of Fynnart, 139.
 " Sir James John, of Woodbrooke, County Tyrone,
 Baronet, 106.
 " James, of Libberton, 246.
 " James of Kincaivil, 273.
 " James, of Hill, 266, 349.
 " Marie, Wife of Robert Cockburn of Buttirdene, 279.
 " Lady Susannah, Wife of Adam Cockburn, Lord
 Ormiston, 155.
 " Jane, Sister of Arran, 239.
 " Sir John, of Skirling, 241.
 " Marion, his Daughter, Wife of James Cockburn in
 Claverhill, 241.
 " Sir John, of Preston, 279.
 " John, of Newton, 271.
 " John, of Samuelston, 68.
 " John, of Easter Fawside, 279.
 " Joan, Wife of Alexander Lindsay of Dunrod, 139.
 " of Briggs, 272.
 " Patrick, of Preston, 147.
 " Sir William, of Whitelaw, Justice-Clerk, 157.
 Hardaikeris [Hardacres], Brownfield of, 260.
 Harperdean, Lands of, 150, 260.
 Hardwick, Earl of, 105.
 Hardy, Mr., 164.
 Hastang, Robert, 14.
 Hastings, Thomas de, 21.
 " Battle of, 18.
 Haulert, Sir Nicolas, 114.
 Hawick, Barony of, 11, 183.
 Hawkins, Rev. Charles, 105.
 Hawden-Stank, Commissioners at, 118.
 Hawthornsyke—See Halthornsyke.
 Hay, Alexander, of Drummelzier and Duns, 328.
 " Father Augustin, 266, 359, 360.
 " Sir David de Haya, of Yesthir, 178.
 " Edmund de Haia, 178.
 " George, of Minzeane, 238.
 " Sir George, of Barra, 359.
 " Grizell, 153, 323, 329.
 " James, Lord of Yestir, 249.
 " John, Lord of Yestir, 178.
 " John, Lord of, Earl of Tweeddale, 192, 208.
 " John, of Smithfield, 244, 249.
 " John, his Son, 249.
 " John ye Hay of Yestir, 180.
 " Philip de la Haye, 171.
 " Sir Robert, of Linplum, 285.
 " Mary, his Sister, Wife of Sir James Kinloch, Baronet of
 Gilmerton, 285.
 " William, of Linplum, 147.

- Hay, William, of Tallo, 178, 215.
 „ William, Master of Yester, 209.
 „ William, Lord Hay, of Yester, 269.
- Heath, John, of Keppyer, 127.
 „ John, his Son, 127.
 „ Elizabeth, Wife of John Tempest, 128.
- Henderland, in Rodonna, 5, 14, 162.
 „ Charter of, 171.
 „ Castle of, 189.
 „ Chapel of, 164.
 „ Lady's Seat at, 192.
- Hepburne, Family of, 44, 45.
 „ Crest of, 356, Note VII.
 „ Adam, of Craggis, 270, 355, Note V.
 „ Adam, younger of Hales, 44, 315.
 „ Agnes, his Daughter, 315.
 „ Adam, of Humble, 148.
 „ Sir Adam, of Humble, 153.
 „ Janet, his Daughter, Wife of John Cockburn of Ormiston, 153.
 „ Adam, Earl of Bothwell, 122.
 „ Sir Alexander, of Whitsome, 314, 315.
 „ Helen, his Daughter, Wife of Alexander Cockburn of Cockburn, 315, 359.
 „ Jeane, his Daughter, Wife of Sir Patrick Hume of Polwarth, 303, 316.
 „ Archibald, and Mariota Normanville of Gargunnoch, his Wife, 60.
 „ Alexander, their Son, 60.
 „ Mariota, their Daughter, Wife of Alexander Cockburn, younger of Langton, 60.
 „ David, of Humble, 326.
 „ Jeane, his Daughter, Wife of William Cockburn of Cockburn, 326.
 „ Elizabeth, Prioress of Haddington, 68.
 „ James, Earl of Bothwell, Duke of Orkney, xxx., 67, 135, 314.
 „ John, younger of Humble, and Elizabeth Cockburn, his Wife, 326.
 „ Margaret, Wife of John Cockburn of Ormiston, 121.
 „ Patrick, Lord of Halis and Auldhamstokkis, 43, 315.
 „ Marjorie, his Daughter, Wife of Sir Alexander Cockburn of Langton, 43.
 „ Sir Patrick, Dominus de Dunsy, Sheriff of Berwickshire, 60.
 „ Patrick, Earl of Bothwell, 76, 122, 125.
 „ Sir Patrick, of Waughton, 222, 270, 271, 320.
 „ Margaret, his Daughter, Wife of Thomas Cockburn of Clerkington, 271.
 „ Mariota, his Daughter, Wife of Patrick Quhytelaw of Quhytelaw, 222.
 „ Patrick, of Whitecastle, and Margaret Cockburn, his Wife, 68.
 „ Patrick, of Beanston, and Helen Cockburn, his Wife, 279.
 „ Robert, of Keith-Marischall, and Jean Cockburn, his Wife, 148.
 „ Robert, Advocate, 299.
 „ Thomas, Minister of Oldhamstocks, 316.
 „ Quarter, *alias* Whitsun, 314, 315, 317.
- Herdmanston, Barony of, 139.
- Heriot, James, 126.
 Hermitage, Castle of, 162, 170.
- Herries, William, Lord Herries, of Terreglis, 245.
 „ Agnes, his Daughter, Wife of the Master of Maxwell, 245.
 „ Katherine, his Daughter, Wife of Stuart of Garlies, 245.
 „ Janet, his Daughter, Wife of Sir James Cockburn of Skirling, 206, 245, 246, 247.
- Heryng, Family of, 221.
 „ Adam [Harrang], of Borthwic, &c., 222.
 „ Petronilla, his Daughter, 222, 341.
 „ Sir James, of Cluny, 222.
 „ James, of Tulliebole and Upsettlington, 222.
 „ Sir John, of Edmeresdene, County Berwick, 73, 221.
 „ Sir John, of Edmeston, County Lanark, 222, 355, Note V.
 „ The Lady Marie, 222.
 „ Patrick, forfeited, 222.
- Heton, Adam de, 5.
 „ Richard de, 5.
- Hertford, His Raid, xxviii., 124, 125, 154.
 „ Treasonable intercommuning with, 124, 126.
- Hendis, Lands of, 39, 216, 217.
- Hill, Lands of (le), 266.
 „ Wardlaw of, Isabelle Cockburn, his Wife, 266, 349.
 „ Hamilton of, Margaret Cockburn, his Wife, 349.
- Hillary, Emma de Sancto Hillario, 23, 24.
 „ James de, 24.
 „ Matillidis de, Countess of Clare, his Daughter, 24.
- Hirsell, Estate of, xxviii., 289.
- Hislop, Archibald, of Monckton, 252.
- Hogg, Robert, 116.
- Holyrood Abbey, 22, 26, 124.
- Home or Hume, Family of, v.
 „ Adam, Rector of Polwarth, 320.
 „ Alexander, second Lord Home, 55.
 „ Anna, his Daughter, Wife of Sir William Cockburn of Langton, 55, 61.
 „ Alexander, third Lord, 58, 65, 310, 311.
 „ Alexander, fifth Lord, 151, 245, 289.
 „ Alexander, sixth Lord, 120.
 „ Alexander, of Renton, and Margaret Cockburn, his Wife, 71, 292.
 „ Sir Alexander, of Reston, 50.
 „ Alexander, of Abbey St. Bathans, 299.
 „ Alexander, of Manderston, 141, 318.
 „ Janet, his Daughter, Wife of Sir John Cockburn of Ormiston, 141, 318.
 „ Margaret, his Daughter, Wife of William Cockburn of Cockburn, 318.
 „ George, his Son, Earl of Dunbar, 318.
 „ Anna, Wife of Patrick Cockburn of East Borthwick, 76.
 „ Anna, their Daughter, Wife of Thomas Baillie of Polkemmet, 72, 322.
 „ Cuthbert, of Fast Castle, 57.
 „ Sir David, of Wedderburn, killed at Flodden, 54, 56, 309.
 „ His Sons, the seven Spears of Wedderburn, viz.—
 1. George, younger of Wedderburn, killed at Flodden, 56.

Home or Hume—The seven Spears of Wedderburn—*continued.*

2. Sir David, of Wedderburn, xiv., 54, 197, 232, 310, 311.
 3. Alexander, of Manderston, 318.
 4. John, of Blackadder, 65, 80, 313, 320, 321.
 5. Robert, 65, 80.
 6. Andrew.
 7. Patrick [George], of Broomhouse, 311.
 8. Bartholomew, of Simprin and Borg, 84.
 9. Isobel, his Daughter, Wife of William Cockburn of Cockburn, 84, 308, 309, 358.
 10. Marion, his Daughter, Wife of John Swinton of Swinton, 82.
- „ Sir David, of Wedderburn, 321.
- „ Sir David [Lord Crossrigg], 72, 322.
- „ David Hume, of Godscroft, 82, 84.
- „ David, of Harcars, 299.
- „ Margaret, his Daughter, 299.
- „ George, of Wedderburn [A.D. 1480], 54.
- „ Isobel, his Daughter, Wife of Patrick Cockburn of East Borthwick, 54, 55.
- „ George, of Wedderburn [A.D. 1590], 296.
- „ George, of Wedderburn [A.D. 1715], 302.
- „ Margaret, his Daughter.
- „ George, Earl of Dunbar.
- „ Sir George, Sheriff, 72.
- „ George, of Gunsgreen, 302.
- „ Jean, his Daughter, 302.
- „ George, of Spot, 311, 314, 318.
- „ Janet, his Daughter, Wife of Alexander of Manderston, 318.
- „ Sir George, of Manderston, 84, 281.
- „ George, of Ayton, 313, 324.
- „ Isobelle Hume, Prioress of Coldstream, 289.
- „ James, of Framenpath, 299.
- „ James, of Slegden, 296.
- „ John, of Blackadder, 80.
- „ Janet, his Daughter, Wife of William Cockburn of Langton, 80.
- „ Sir John, of North Berwick, 322.
- „ Julian, divorced Wife of Sir John Ker of Hirsell and Liteldene, 223.
- „ Margaret, Prioress of North Berwick, 60, 198.
- „ Mariota de Home, Wife of Sir Patrick Edgar, 294.
- „ Ninian, of Billie, 95, 104.
- „ Patrick, of Renton, 71.
- „ Elizabeth, his Daughter, Wife of Patrick Cockburn of East Borthwick, 71.
- „ Patrick, of Wedderburn, 302.
- „ Sir Patrick, of Ayton, 320, 321.
- „ Patrick, of Billie, 104, 302.
- „ Sir Patrick, of Polwarth, 303.
- „ Jeane, his Daughter, Wife of Christopher Cockburn of Choicelee, 303, 320.
- „ Sophia, his Daughter, Wife of Joseph Johnston of Hilton in the Merse, 358, Note XV.
- Home or Hume, Patrick, of Huttonhall, 322.
- „ Patrick, of Fast Castle, 76.
- „ Thomas, of Langshaw, 76.
- „ William, executed with his Brother, Lord Home, by Albany, 58, 65, 310.
- „ William, Earl of, 99.
- „ William, King's Stabler, 223.
- „ William, of Lochtullo, 311.
- Milne-Hume, David, of Milne-Graden, 2.
- „ David, of Wedderburn, 302.
- Hope, Sir Thomas, Bart., of Craigiehall, 318.
- Hop-Kelloch, Lands of, 39, 217.
- Hop-Pringle, Janet, Prioress of Coldstream, 289.
- „ Elizabeth, Prioress of Coldstream, 358, Note XIV.
- „ Thomas de, 112.
- Horndean, Lands of, 23, 36.
- „ Theines and Drengs of, 52.
- Horne-Huntaris Lands, 209, 210.
- Horde, Adam de, 10.
- Horsburgh of that Ilk, 72, 180.
- „ Alexander, of Harcaris, 248.
- „ Janet, 182.
- Hoseason, Captain, R.N., 108.
- Houndwood, Estate of, 96, 99.
- Houston, Anne, her three Husbands, 157.
- „ of that Ilk, 272.
- Hude, Robert, 294.
- Hudson, Thomas, Letter to, 277.
- Humbie, Lady Glenagis, Daughter of Laird of, xiv.
- „ Lawson of, 142.
- „ Hepburne of, 148, 153.
- Hunter, W. K., his account of Coldingham Priory, 1.
- „ Robert, of Polmood, 181, 197.
- Huntly, Hamlet of, 11.
- „ Earl of, 57.
- IDDESLEIGH, Earl of, 74.
- Ilay, Earl of, 155.
- Inchgall, Chapel of, 348.
- Inglis, John, of Manir and Branhholm, 172, 173.
- „ Sir James, Bart., of Cramond, 157.
- „ Sir John, sixth Baronet of Cramond, 157.
- „ Sir Robert, of Branhholm, afterwards of Murdieston, 173, 174.
- Inchgarvie [Ynchgarne], Island, 125.
- Innerskip, Auld Kirk of, 140.
- Innes, Cosmo, xii., 117.
- „ William, of Sandyside, 138.
- JARDANE, Alexander, of Applegirth, 181.
- K. James the Fifth, 185, 186, 187, 188, 189, 193, 194.
- K. James the Sixth, Birth and Baptism of, 242.
- Jedburgh, Hoist at, 180.
- Joceline, Bishop of Glasgow, 332.
- Johnston, Joseph, of Hilton, 150, 358, Note XV.
- Johnstone, William, third Marquess of Annandale, 150.
- Johnson, Rowland [Master Mayson, Berwick], 255.
- KALCHOU, Abbey of, iv.
- Kambusnaythan, Church of, 7.
- Kari, Castle, 12.
- Keir, The Laird of, xiv.

- Kennedy, James, of Blanquhan, 245.
 Kepyer, Manor of, 127.
 Kerkettill, Mariote, 313.
 Kerr, Thomas [Kauer], 6.
 „ Sir Andrew, of Littledene, xxviii.
 „ Andrew, of Lintoun, 299.
 „ Jean, his Daughter, Wife of Sir James Cockburn of Ryslaw, 299.
 „ Andrew, of Fenton, 223.
 „ Andrew, First Lord Jedburgh, 358, Note XV.
 „ Anne [Carre], Duchess of Bedford, 358, Note XV.
 „ George, of Lintoun, 123.
 „ Harie, of Lintoun, 299.
 „ Henry, 300.
 „ James, of Corbet House, 223.
 „ James, of Fernielee, 123.
 „ Sir John, of Hirsell and Littledene, 223, 317.
 „ Lencie, of Gateshaw, 295.
 „ Markie, his Brother, 295.
 „ Robert, Earl of Somerset, 358, Note XV.
 „ Sir Robert, of Cessford, 142.
 „ Thomas, of Fawdonside.
 „ Thomas, of Kersheugh, 115.
 „ Helen, his Daughter, Wife of Patrick Cockburn, 115.
 „ Thomas, of Sundirland-hall, 123.
 „ Thomas, of Yair, 141.
 „ of Yair, 123.
 „ Sir Thomas, of Ferniehirst, 303.
 „ Janet, his Daughter, 303.
 „ Sir Walter, of Cessford, 299.
 „ Agnes, his Daughter, 299.
 „ Walter, of Litildene, 317.
 „ Walter Buys Cessford, 225.
 „ Wilhelmina Carolina, Daughter of Charles, Brother of Earl of Lothian, 238.
 „ of Greenhead, 361.
 „ William, of Mersington, 296, 361.
 „ William, of Hartop, 295.
 Keith, John Keyth, of Ravenscraig, 246.
 „ Robert de Kethe, of Lothian, 15.
 „ William de Kethe, 166.
 Kilkeith, The Baron, 356, 358.
 Kimmerghame, Campbell-Swinton of, 3.
 „ Sir Patrick Home of, 320.
 Kincaid, Alexander, 238.
 „ David, of Coittis, 238, 241.
 „ Elizabeth [Kinked], 298, 320.
 Kinloch, Sir David, of Gilmerton, Bart, 100.
 „ Sir James of, 285.
 Kinghorn, Burgesses of, 345.
 Kinross, Sheriffs of, 346.
 Kercaldy of Grange, 67.
 Kirkmichael, Crichton of.
 Kirkoswald, 57.
 Kirkpatrick of Closeburn, 54.
 „ Alexander, of Kirkmichael, 308.
 Kirkurd, Church Lands of, 162, 171, 235, 236.
 „ Territory of, 202, 203.
 „ Lands of Ladye-Urde in.
 Kyldare, County of, de Vesci of, 354, Note II.
- LADIEKIRK, Lands of, 301.
 Lammermoor Hills, 11.
 Lanark, Earl of, 90.
 Langton, Barony of, 37, 331.
 „ Castle of, xxviii., xxix., 5.
 „ Mill, Gudeman of, 303.
 „ Church of, 6, 22, 35.
 „ Queen Mary at, 66.
 „ King James VI. at, 68.
 Langside, Battle of, 67, 135.
 Lauder, John, of Edringtonne, 350.
 „ Isobel, his Daughter, 350.
 „ Sir Robert de Lawedir, 116, 351.
 „ Robert, of Bass, 44.
 „ Catherine, his Daughter, Wife of John Swinton of Swinton, 230.
 „ Sir Robert, of Bass, 263.
 „ Agnes, his Daughter, 263.
 „ Sir Robert, of Edringtonne, 258.
 „ Robert, of Poppill, 264.
 „ Mariota.
 „ Sir William, of Haltoun, 125, 185, 147, 259.
 „ Bridge of, "Bell-the-Cat" at, 179.
 Lauderdale de Morevilles, Lords of, 17, 275, 355, Note IV.
 „ Maitlands, Lords of, 178, 275.
 Lawson, James, of Hierigs, 126.
 „ Margaret Cockburn, his Wife, 124.
 „ James, of Humble, 142.
 „ of Humble, 124.
 „ Christian, his Daughter, 124.
 Laundes, Walter de, 32.
 Learmonth, Helen, 328.
 „ Thomas, of Erceldoun, 170.
 Lennox, Duncan, Earl of, 156.
 „ Margaret, his Daughter, Wife of Menteith of Burley, 156.
 Lennoxlove, Place of, 274.
 Leslie, Bishop of Ross, 191, 243.
 Letham, John of, vii.
 „ Ketyl de, vii.
 Lethame, Lands of, 40, 218, 236, 237, 238, 266, 272, 284.
 Lethington, Siege of, 274, 275.
 Les Macutes [Lesmahago], Sanctuary of, 116.
 Leyburn, Roger de, 21, 363, Note.
 Liddisdale, Lords of, 162.
 Libberton, Maynes of, 246.
 Linlithgow, Loch Mill of, 69.
 Lindsay, Sir Alexander, of Ormiston, iii., 38, 114.
 „ Janet, his Daughter, Wife of John Cockburn, 38, 114.
 „ Christian of, 218.
 „ Sir Alesandre de Lyndeseye, 16.
 „ Alexander de, of Byres, 14.
 „ Alexander, Earl of Crawford, xxvi., 47, 116.
 „ Alexander, of Dunrod, 139, 140.
 „ David de, 18a.
 „ Sir David, of Cockburn, xxvii.
 „ David, Bishop of Ross, 360.
 „ Rachel, his Daughter, Wife of Archbishop Spottiswoode, 360.
 „ Sir David, Earl of Crawford, 114.

- Lindsay, Beatrix, his Sister, Wife of Archibald, Earl of
Douglas, 114.
" Sir David, Lyon King-of-Arms, 351.
" David, Earl of Crawford, 307.
" Mr. David, Minister, 316.
" James, Lord of Crawford, 113.
" James de, of Dunrod, 140.
" John, of Wauchopedale, 176, 177, 178, 215.
" John, of Cockburn, xxvii., 237.
" John, of Covinton, xi.
" John [Lord], Sheriff of Fife, 348.
" [John], Lord of the Byres, 67.
" Margaret, claims Ky, &c., 269.
" Walter de Lindsey and Ada de Baliol, his Wife, 335.
" William, Lord of the Byres, 111.
- Little, Lætitia, 363.
" Luke, her Father, 363.
- Littler, Mrs. Mildred, 99, 100, 357, Note X.
- Little-haugh of Coldstream, Fishing of, 290.
- Livingstone, Alexander de Lyvyngstone de Calintare, Justiciary, 259.
" Henry, of Manerstown, 224.
" James de Leyffingston, Great Chamberlain, 262.
" John, of Belstane, 181.
" of East Weems, 336.
" William, Lord Livingstone, 276, 315.
" Helen, Daughter of sixth Lord, 85.
- Lochtown *alias* Birgham, Lands of, 308, 312, 319.
" Fute-ball playing at, 317.
- Loch-Or, Sir Constantine de, 335.
" Hewe de, 335.
" Barony of, 335.
" Wester Lochorshire, 336, 339, 348.
- Loch Leven Castle, Defence of, by Alan de Veteri-Ponte, 34, 35.
- Loncastre, Isobel de, 26.
- Londoniis, Robert de, 10.
- Londonderry, Marquis of, 128.
- Lorraine, Queen Marie of, 195, 198.
- Louis IX., his Crusade, 3.
- Level, Lords, of Hawick, 11, 162.
" Henry of Ballumie, 12.
" Henry, 11.
" Sir Richard, 11, 12, 13, 162, 165.
" Muriel, his Daughter, 12, 162.
" William, Lord, 13.
- Longniddry, Douglas of, 125, 292, 306.
- Luband, Piers de, of Cockburn, xxii., xxv., 7, 113.
" Sybilla, xxiv.
" Thomas, xxiv.
" Nicola (the Lady), 113.
- Lugton, Crichton of, 250.
- Luke, Agnes, 286.
- Lumisden Family, in the Merse, 111.
" David de, 50.
" David, of Blanerne, 320.
" Gilbert de, 50.
" John, of Blanerne, 313.
" Patrick, of Blanerne, 321.
" Mr. Thomas, Parson of Kinkell.
" William, Administrator of Kelso Abbey, 81.
" Walter, of Pitiloch, 349.
- Lydd, Water of, 7.
- Lyne, Parish of, 193.
- Lyle, Robert, Lord, 58.
- Lyttleton, George, first Lord, 104.
" Anne, his Sister, Wife of Dean of Bristol, 104.
- Lyon, Sir John, of Glamis, 113.
- MACALANII, Michael, 4.
- Macleod, The Rev. Walter, 80.
- MacCulloch, David, of Goodtrees, 97, 98.
" Marion, his Daughter, 97, 98.
- MacDowall, Alexander, of Stodrig, 142.
" Elizabeth, of Garthland Family, 152.
" Thomas, of Makerston, 124.
- MacGill, Sir James, of Cranstoun-Riddell, created Lord Oxford, 147, 301.
- Maitland, Family of Lauderdale, 178, 274.
" Lady Elizabeth, 179.
" Sir John, Secretary of State, 280.
" Sir Richard of Lethington, 139, 274-5-6, 306.
" Helen, his Daughter, Wife of John Cockburn of Clerkington, 274, 275, 358, Note XII.
" Mary, his Daughter, 275.
" Sir Thomas, de Manteland de Traquair, 178.
" Thomas, of Dundrennan, 52.
" William de, his Son, 178.
" Sir William, of Lethington, 120, 282.
" James, his Son, 282.
- Malcolm Canmore, ii., iv., xii.
- Mackenzie, Sir George, of Rosehaugh, 95, 103, 146.
" Elizabeth, his Daughter, Wife of Archibald Cockburn, younger of Langton, 95.
" Sir James [Lord Royston], 95.
- Mallet, William, 17.
- Malvestong, Castle of, 20.
- Manderston, John de Mandiriston, 38.
- Mar, Lands of, 104.
" [Erle of Mare], 218.
- March, Earls of, xxii.
- Marie of Lorraine, Queen, 194.
- Mareschall, John le, of Toestrother, 14, 15.
" Maydouce, his Widow, 15.
" Roger le, of Rowmanok, 14, 15, 199.
- Margaret, Queen, Widow of James IV., 310.
" King William the Lion's Daughter, 19.
" [The Lady] Daughter of Robert II., 307.
- Marjorie, Princess, 165.
- Mary, Queen of Scots, xxix., 131, 132.
- Maxwell, Herbert de, 14.
" James, of Innerwick, 90.
" John, Master of, 245.
" Robert, Lord Warden, 185.
" William, of Kirkhouse, 90.
- Maxton, Adam de, Abbot of Melrose, 300.
- Megget, Ranulf de, 5.
" Parish of, 193.
" Water of, 14, 161.
- Meggetland, The Hunting in, 188.
" Territory of, 5.
- Meldrum, William, of Binns, xiv.

- Melville of Mardocairney, Lord Melville, 272.
 „ Dundas, Lord Melville, 152.
 „ Sir James, 133.
 „ Sir John, of Raith, 32.
 Melrose, The Gate of, 222.
 Mersington, County Haddington, 149.
 „ County Berwick, 296.
 Methven, John, Doctor of Decrees, 259.
 „ William, Minister, 295.
 Middlemast, Thomas of, 220.
 „ Thomas, of Grevistounne, 188, 227.
 „ George, his Son, slain, 180.
 Milne, David, of Milne-Graden, 302.
 Mirabeau, Siege of, 20.
 Molle, Lady Eschina de, 5.
 Monfode, de, Family of, 255, 256.
 „ Sir John de, of Braidwud, 39, 216, 217, 337.
 „ Margaret, his Daughter, Wife of Sir Alexander Cockburn, 17, 39, 40, 216, 217.
 Monmouth, Duke of, 177.
 Monterief, Margaret, 12.
 Montfort, Sir Simon de, 21.
 Monkton, Little, Lands of, 283.
 Monylaws, Marie, 301.
 Moray, Sir Mungo, of Craigie, 304.
 „ Robert, of Abercairney, 304.
 „ Sir Robert, Justice-Clerk, 304.
 „ William de Moravia, 175.
 „ Sir William, of Dreghorn, 304.
 „ Jeane, his Daughter, Wife of William Cockburn of Choicelce, 304.
 Moreville, Hugh de, 17a.
 „ Maude, his Daughter, 17a.
 „ William de, 17a, 355, Note IV.
 „ Lords of Lauderdale, 275.
 Morham, Herbert de, 344.
 „ Thomas de, of Gertranky, 344.
 Mortimer of Aberdour, 22.
 Morton, The Regent, 67, 68, 77.
 „ George, Mayor of Berwick, 254.
 Moubray, Alexander de, 18.
 „ Geoffry de, of Ecford, 14.
 „ Sir John, 33.
 Muirhouse, Lands of, 111, 141.
 „ Davidson of, 152.
 Mungo's-Wells, Lands and Fortalice of, 305, 306.
 Murray, Alexander, of Schelinglaw, 177, 179, 180.
 „ Sir Alexander, of Blackbarony, 92, 282.
 „ Andrew, of Romanno, 213.
 „ Sir David, of Stanhope, 205.
 „ Gideon, 285.
 „ Sir Gideon, of Elibank, 361.
 „ Sir James, younger of Philiphaugh, 182.
 „ Elizabeth, his Daughter, 182.
 „ Sir John, of Philiphaugh, 212.
 „ John, of Blackbarony, 179.
 „ Sir John, of Touchadam, 147.
 „ Jean Cockburn, his Wife, 147.
 „ John, of Touchadam, 304.
 „ Sir John [Earl of Annandale], 143.
 Murray, Isobel, Wife of J. Cockburn of Glen, 180, 181.
 „ Bessie, her Granddaughter, 181, 182.
 „ Sir Mungo, of Blebo, 304.
 „ Henrietta, his Daughter, Wife of Francis Cockburn, 304.
 „ The Regent, 77, 313, 314.
 „ Patrick, of Falahill, 179.
 „ William, of Touchadam, 121.
 „ Agnes Cockburn, his Wife, 121.
 „ William, of Traquair, 177.
 „ William, of Tullibardine, 67, 304.
 „ William, of Stanhope, 205.
 „ Elizabeth Cockburn, his Wife, 205.
 „ William, of Romanno, 198, 199.
 „ Christian, his Daughter, Wife of William Cockburn of Henderland, 198, 199.
 Murthockstone [Murdieston], Lands of, 173, 174.
 Myllar, Andro, Printer, 312.
 Mylne, Alexander, Abbot of Cambuskenneth, 271.
 NAESMYTH, Sir Archibald, of Merchiston, 143.
 „ Michael, of Posso, 236.
 Nairn, Dowager, Lady, 99.
 Napier, Sir Archibald, of Merchiston, 143.
 Napoleon, The Emperor, taken to St. Helena, 107.
 Nau, Claud, 66.
 Newbottle, Cistercians of, 263.
 Newcastle-on-Tyne, Prisoners sent to, 10.
 Newhall, County Haddington, 263, 265.
 „ County Fife, 343.
 Newholme, Estate of, 73, 236, 237, 251.
 Nicolson, James, of Colbrand's-path, 321.
 Nisbet-West, Battle of, 43, 44, 48.
 Nisbet-Moor, Battle of, 49, 339.
 „ Adam of, 65.
 „ George of, 306.
 Norham, Castle of, xxvii, 30.
 Normanville of Gargunnoch, 44.
 „ Mariota de, 60.
 Northcote of Pynes, Sir Stafford, Baronet, 74.
 North Berwick, Prioress of, Mariota Cockburn, 60.
 „ Prioress of, Margaret Home, 60, 198.
 „ Witches' Dance at Kirk of, 146.
 Northumberland, Princes of, 161.
 „ Earl of, 43.
 Nova Scotia Baronets, Grants of Land to, 88, 89.
 OCTAVIANS, The, 280.
 Ogilvie, John, of Fingask, xxvi.
 „ Margaret, 220.
 Okellfas [Ogleface], 23, 276, 277.
 Oldhamstocks, Parish of, 43.
 Oliphant, Sir James, 71.
 „ Laurence, Lord Oliphant, 35, 58.
 „ of Kelly, 198.
 „ Sir William, 35.
 Orde or Urde, Manor of, 9, 10.
 „ Adam de, 10.
 „ Geoffrey de, 7.
 „ Thomas de, of Ladye-Ord, 10.

- Orde or Urde, William de, 7.
 Orkney, James Hepburn, Duke of, xxx.
 „ Earldom of, 224.
 Ormiston of Ormiston, County Roxburgh 66.
 „ Lands of, County Haddington, 111, 158.
 „ Family Vault at Ormiston Hall, 136.
 Osulfus, Rufus, Sale of himself and family, 51.
 Otterburn, Battle of, 13, 44, 148.
 „ Adam [Magister], 356, Note VI.
 „ Sir John, of Reidhall, 68, 356, Note VI.
 „ Joneta, his Daughter, Wife of Sir James Cockburn
 of Langton, 68, 356.
 „ Thomas, younger of Reidhall, 68.
 „ Mariota Cockburn, his Wife, 68.
 Overtoun, Fraser of, 176.
 Ow, Roger de, 6, 22.
 Oxindin, Place of, 59, 328.
- PANMURE, Barony of, 333.
 Papedy [Pepdie], Helena de, 8, 38.
 „ Henry [Pappede], 8.
 „ Wimarca, his Daughter, 8.
 „ Papedei, Sheriff of Norhamschyre, 8.
 „ John, of Manderiston, 38.
 „ Helena Cockburn, his Wife, 38.
 „ Thomas de, of, 4, 38.
 „ Stephen de, 8, 10.
 Peaston, Lands of, 111, 119.
 Pearse, Colonel, 108.
 Peddercraig, Lands of, 120, 150.
 Peebles, Alexander, buys Skirling, 251.
 „ Bridge over Tweed at, 174.
 „ Burrough-Moor of, 212, 241.
 Peel, Sir Robert [the Statesman], 108.
 „ Elizabeth, his Sister, Wife of Sir William Cockburn,
 Baronet, the Dean of York, 108.
 „ Robert, of Wallingtonhall, 108.
 „ Ellen, his Daughter, Wife of James Peel Cockburn, 108.
 Pencaitland, Mains of, 139.
 Pennecuk, Alexander, of Romanno, 199.
 „ Alexander, Dr., of Newhall, 5, 67, 199.
 „ Hugo, de Penicok, 236, 357, Note XI.
 „ Sir John of, 210, Note.
 „ John of, 66, 240, 241.
 „ Christian, his Daughter, Wife of William Cock-
 burn of Claverhill, 240, 241.
 „ Charter of Lands to John Pennycuk de eodem, 235.
 „ John, Esquire of the body of Henry VI., 357,
 Note XI.
 Petcox, Patrick Cockburn, Rector of Petcokkis, 271.
 „ Barony, Ville, and Lands of, 262.
 Peverel-thorpe, Castle of, 20.
 Philips, W. R., of Montacute, 108.
 Piltoune, Lands of, 148.
 Pinel, Henry's Wife, 337.
 Pinkie, Battle of, 198.
 Pitferran, Perambulation of Lands of, 343.
 „ Halkets of, 343.
 Playfair, Mr., his "British Antiquities," 356.
 Pole, Michael de la, 339.
- Polintarff, Water of, 235.
 Polwart, David, 319.
 „ William, 319.
 Polwarth, Sir Patrick Hume of, 303.
 „ Sir John Sinclair of, 54.
 Pontekyn, Peter de Pontekyn, 15, 236.
 Porchester, Castle of, 32.
 Porteous of Hawkshaw, 203, 204.
 „ George, Portioner of Balcaskie, 201.
 „ John, of Glenkirk, 201.
 „ Thomas, of Glenkirk, 198, 205, 248.
 „ William [Portwyse], of Hawkshaw, 181.
 „ William, of Glenkirk, 201.
 Pott, William, an Englishman, 290.
 Poydras, Robert, remitted tribute of Lady's White Gloves, 222.
 Poyntz, the Norman, 18, 36.
 Prendergest, Adam de, 51.
 „ Alina, Wife of Adam de Cokburn, 339.
 „ Elyas [Helias] de, 50, 51.
 „ Sir Henry de, 52, 339, 340.
 „ Henry de, 341.
 „ Piers, Son of Helias, xxiv., 341.
 „ Robert de, 51, 339.
 „ Thomas, 339.
 „ Waldeve de, 51.
 „ William de, 52.
 „ Armorial Bearings of the Family of, xxiv. and *Errata*.
 Preston, Bartholomew, de Prestun, 11.
 „ Sir John, of Craigmillar, 45.
 „ Christian Cockburn, his Wife, 45.
 „ William, their Son, 45.
 „ Sir Richard, Lord Dingwall, 47.
 „ Sir Simon, of Craigmillar, 46.
 Purves, Margaret, 238.
 Putfurroch, John de, 32.
 Pyper, Lucretia, 302.
- QUHAIR, Water of, 178.
 Quincy, Sir Robert de Qynci, 355, Note III.
 „ Hawise, his Widow, 355, Note III.
 „ Roger de Qenci, 355, Note IV.
 „ Anicia, his Wife, 355, Note IV.
 „ Saher de, Earl of Winchester, 18a, 355, Note IV.
 Quinton, Sir Adam de, 1, 3.
 „ Fleuria, his Widow, 1.
 Quhippo, Thomas, of Ley-houssis, xx.
 Quhytelaw, Archibald de, 221.
 „ James of, 73, 221.
 „ James, de Melloustanis [Mellerstain], 221.
 „ Marion, Wife of James Cockburn of Selburnrigg, 72.
 „ Mary, Mother of Thomas Cockburn of Rowchester,
 73.
 „ Patrick, of Dene-Estir, 222.
 „ Sir Patrick of, Captain of Dunbar Castle, 223, 270.
 „ Margaret, his Daughter, divorced, and second
 marriage, 223.
 „ Isobel, his second Daughter, divorced, and second
 marriage, 223.
 „ Mary, his third Daughter, divorced, and second
 marriage, 223.

- Quhytelaw, Patrick, 224.
 „ Richert of, 177.
 Quhittiter [Whitadder], River, xxviii.
 Qubitsun [Whitsome] *alias* Hepburne, Quarter Lands and Parish of, 60, 290, 314, 315, 319.
 Quhittislaid [Whitslaid], Lands of, 122, 201.
- RACHAN, Geddes of, 202.
 Ramsay, Elias de Ramesye, 34.
 „ Edmunde de, of Cokpen, 15.
 Ramsay, Sir Alexander, 171.
 „ James, of Cokpen, 267.
 „ George, of Dalhousie, 181.
 „ Sir George, of Wyliecleuch, 321.
 „ William de, 236.
- Randolph, Thomas, Earl of Moray, vi., viii., xx., xxiii., 14.
 Rannie, David, of Melville Castle, 152.
 „ Elizabeth, his Daughter and Heiress, Wife of Henry Dundas, created Lord Melville, 152.
 „ Janet, his Daughter, Wife of Baron Cockburn, 152.
- Rankylburn, Robert Scott of, 172, 173.
 Rattray, Sylvester, of Rattray, 180, 220.
 Rawburne, Lands of, 294, 301.
 „ Raid upon, 294.
- Red-Swyre, Raid of the, 63.
 Renton, James, of Billie, 321.
 „ James, of Lammerton, 320.
 „ John, of Billie, and Jean Cockburn, his Wife, 61, 320.
 „ Ellem of, 292.
 „ Home of, 292.
- Reston, Lands of, 50.
 „ Adam de Ristona, 51.
 „ Bertram de, 51.
 „ Cospatric de, 51.
 „ Roger de, 51.
 „ Reginald, of East Reston, 49, 50.
 „ Helen, his Daughter, Wife of William Cockburn of Langton, 50.
- Riccarton, Wardlaw of, 266.
 Riddell, Galfridus de Rydale, 51.
 „ of Riddell, 177.
 „ Margaret, his Daughter, Wife of Walter Scott of Sinton, 177.
 „ her Sister, Wife of Walter, younger of Sinton, 177.
- Ridpeth of Greenlaw, 294.
 Robessart, Johan de Chivaler, 171.
 Robertistoun, Robert de, 217.
 Rothead, Sir James, of Inverleith, 285.
 Roddam, Charter of, 29.
 Rodonna, Barony of, 5, 14, 162.
 Rogers, Doctor, has Traquair, 179.
 Rollok or Rollo, The Rev. Henry, 85, 103.
 „ Dame Helen, Widow of Sir William Cockburn of Langton, 85.
- Romanno of that Ilk, 199, 204.
 „ Fief, of Rothmanic, 199.
 „ Janet, Heiress of, 199.
 „ Halle-del-Mire, of Rowmannok, Roger le Mareschall of, 14, 15, 199.
 „ Uermel of Romanno, 199.
- Ross, Sir Walter, 34.
 „ Robert de Ros, 332.
 „ Earls of, 74.
 „ Admiral Charles, R.N., 96.
 „ General, 107.
 „ Henry Cockburn, Bishop of, 229.
 „ Robert Cockburn, Bishop of, 229.
 „ John Lesley, Bishop of, 243, 244.
 „ De Ros or Roos, Family of, 332.
- Rosslyn, Battle of, 9.
 Rothesay, James, Duke of, 221.
 Roxburgh, Auld, The Manor of, 162, 165.
 „ Castle, iii., 6.
- Rupe or Roche, Abbey of, 363, Note.
 Ruthirfurd, Alexander, Lord, 74.
 „ Alison Ruthirfurd, Wife of Patrick Cockburn, 156.
 „ Helen, Lady of that Ilk and Edgerston, 119, 302.
 „ George, of Chatto, 183.
 „ George, of Dunbar, 100.
 „ Jean, his Daughter, 100.
 „ John, Lord, 73.
 „ Margaret, his Sister, 73.
 „ of Hunthill, 183.
 „ Katrine, Wife of William Cockburn of Henderland, 180, 193.
 „ Katherine, Heiress of Ruthirfurd, 180.
 „ Sir Nichol de, 14; Monsire Nichol de Rotherford, 211.
 „ Eva, of Rothirforde, his Granddaughter, 211.
 „ Marjorie, of Rothirforde, his Granddaughter, 211.
 „ Robert, fourth Lord Ruthirfurd, 100.
 „ Robert, of Chatto, 180.
- Ruthven, Raid of, 277.
 Rutland, Earl of, slain, "Pedigree," 362.
 Ryd [Reid], Helen, 91, 357, Note VIII.
 Ryslaw, Lands of, 298, 299, 300.
- SADLER, Sir Ralph, 135, 243.
 Sandbec, Manor of, 363, Note.
 St. Clair.—*See* Sinclair.
 St. Anne's "Chappell," of Haddington, 284.
 St. Andrews, Cathedral of, 23.
 St. Andrea, Matillidis de, of Horndean, 23.
 „ Sir Roger de Sancto Andrea, 355, Note III.
 „ Saher de Sancto Andrea, „ „
- St. Eustatia, Surrender of, 363.
 St. Egidia [St. Giles], Edinburgh, 312, 313.
 St. Fillans, in Sourby, Church of, 24.
 St. Giles, Hospital of, Durham, 127.
 St. Helena, Admiral Cockburn conveyed Napoleon to, 107.
 St. Gabriel, Aisle of, in St. Giles', 239.
 St. Hillary, Emma de Sancto Hillario, 23.
 „ of Bolton, 23.
 „ James de, Father of Countess de Clare, 24.
- St. Macutus [Lesmahago], Sanctuary of, 116, 117.
 St. Mary's Loch, 14, 161, 162, 191, 194.
 St. Mary de Geddes, Chapel of, 202.
 St. Mary of Rodonna, Chapel of, 164.
 St. Mary de Pratis, Abbess of, 27, 28.
 St. Mary, Parish of, Jamaica, 96.

- St. Maur, Sir Nicolas, Lord St. Maur, 12.
 St. Michael, Family of, 36.
 " Elizabeth de, 36.
 " John de, of Heveside, 14.
 St. Nicolas of Dalkeith, Church of, 201.
 St. Vincent, Battle of, 107.
 Sandilands, Sir James, the Sandilands, 137.
 " Devorgilla Comyn, his Wife, 137.
 " Sir James, Princess Johanna, his Wife, 137
 " Sir James, of Calder, 61.
 " Alison, his Sister, 61.
 " James, one of the many Husbands of the Countess of
 " Carrik, 43.
 " Sir James, of Calder, 128, 266.
 " John, his eldest Son, 128.
 " Alison, his Daughter, Wife of John Cockburn of
 " Ormiston, 128, 131, 141.
 Sandys, The Rev. Richard, 105.
 " Alicia, his Daughter, Wife of General Sir Francis
 " Cockburn, 105.
 Sark, Battle of, 115.
 Sawline, Kirk of, 347.
 Scheteland [Shetland], Lordship of, 224.
 Scone, The Black Parliament of, viii.
 Scott, Adam, of Tushielaw, 185, 186, 189.
 " Anne, Countess of Buccleuch, 177.
 " Sir David, of Buccleuch, 174, 175, 193.
 " James, of Quhittislaid, 205, 206.
 " Sir John, of Ancrum, Baronet, 73.
 " Charles, his second Son, 73.
 " John, of Belford, 73.
 " Agnes, his Daughter, 73.
 " Gualtier de, 62.
 " Magdalen, 284.
 " Michael, 170.
 " Sir Michael, 177.
 " Mary, 369.
 " Robert, of Rankylburn, 171, 172, 173.
 " Robert, in France [A.D. 1423], 172.
 " Robert, of Strickshaws, 176.
 " Robert, of Hayning, 220.
 " Robert, of Whitchester, 119, 184.
 " Robert, of Whitslaid, 203.
 " Margaret, his Daughter, 203.
 " Robert, of Scotstarvit, 91.
 " Margaret, his Daughter, 91.
 " Thomas, of Abbotshall, Justice-Clerk, 144, 195, 233.
 " Thomas, of Whitslaid, 203.
 " Sir Walter, of Kirkurd, 173, 174, 176, 193.
 " Margaret Cockburn, his Wife, 174, 176.
 " Sir Walter, of Branhholm, 120.
 " Sir Walter, of Buccleuch, 134, 135.
 " Janet Bethune [Beton], his Wife, 135.
 " Sir Walter, of Buccleuch, Warden of the Marches, 198.
 " Sir Walter, of Howpasley, 135, 136.
 " Sir Walter, of Abbotsford, xvii., 176, 369.
 " Sir Walter, of Synton, 177, 369.
 " Marjorie Cockburn, his Wife, 177, 369.
 " Walter, of Murdieston, 202.
 " Walter, of Harden, 203.
 Scott, Mary, the Flower of Yarrow, his Wife, 203.
 " Their Daughters, 203.
 " Sir William, of Harden, 369.
 " Margaret Murray, of Elibank, his Wife, 369.
 " Their Daughters, 369.
 " Family of, Harden, 176, 369.
 " Sir Walter, of Quhittislaid, 203.
 Selburnrigg, Lands of, 73, 76, 82.
 Seton, Castle of, destroyed, 125.
 " The Lord Seton [A.D. 1545], 66, 125.
 " Janet, Wife of Sir John Bellenden, 142.
 " John, Portioner of Gargunnoch, 348.
 " of Barnes, 149.
 " Sir George, 285.
 " Margaret de Cetone, Wife of Sir John Cockburn of
 " Ormiston, 119.
 " Robert, of Mounie, 301.
 " William de Seytone, 113.
 Schaw de Blare de Crambeth, 346, 347.
 " Elizabeth, Domina de, 347.
 Shaftesbury, Abbess of, xxiv.
 Scheringlaw [Sheilinglaw] upon Quhair, 177, 178, 179.
 Seymour, Charles, 96.
 Sibbald, Sir Robert, 55, 336.
 Sienes, Convent of, 134.
 Simprim, Lands and Parish of, 81, 84, 94, 258, 358, Note XIV.
 " Barony of [Symprine], 97.
 Sinclair { Alexander, of Gosford, 91, 357, Note VIII.
 or { John, his Son, slain, 357, Note VIII.
 St. Clair, { of Blanss, Family, 312.
 " George, de Sancto Claro de Blainis, 311.
 " John, of Blanss, his Son, 311.
 " Katherine Cockburn, his Wife, 311.
 " William and David, their Sons, 312.
 " George, sixth Earl of Caithness, 324.
 " Herdmanston, Family of, 139, 312.
 " Henry, eighth Lord Sinclair, 153, 324.
 " Barbara Cockburn, his Wife, 153.
 " Henricus de Sancto Claro, of Herdmanston, 139.
 " Henricus de Sancto Claro, Earl of Orkney, 293.
 " James, of Roslin, 359.
 " Sir James, of Longformacus, 293.
 " John Sinclere, Armiger, 47.
 " Sir John, of Herdmanston and Polwarth, 54.
 " Matthew, of Longformacus, xvii.
 " Elizabeth Swinton, his Wife, xvii., 291.
 " Robert, their Son, xviii.
 " Matthew, their Son, slain by Spottiswood, xvii.,
 " xviii., xix., 360.
 " John, their Son, xviii., 313.
 " Elizabeth, their Daughter, Wife of Alexander
 " Cockburn of Stobbiswood, xix., 78.
 " Sybil, their Daughter, Wife of Christopher Cockburn
 " of Choicelee, xx., 293, 296.
 " Patrick, sixth Lord Sinclair, 147.
 " Margaret Cockburn, his Wife, 147.
 " Sir William Synclar, of Herdmanston, 139.
 " Sybilla Cockburn, his Wife, 139.
 " Sir Robert, Baronet of Longformacus, 157.
 " Christian Cockburn, his Wife, 157.

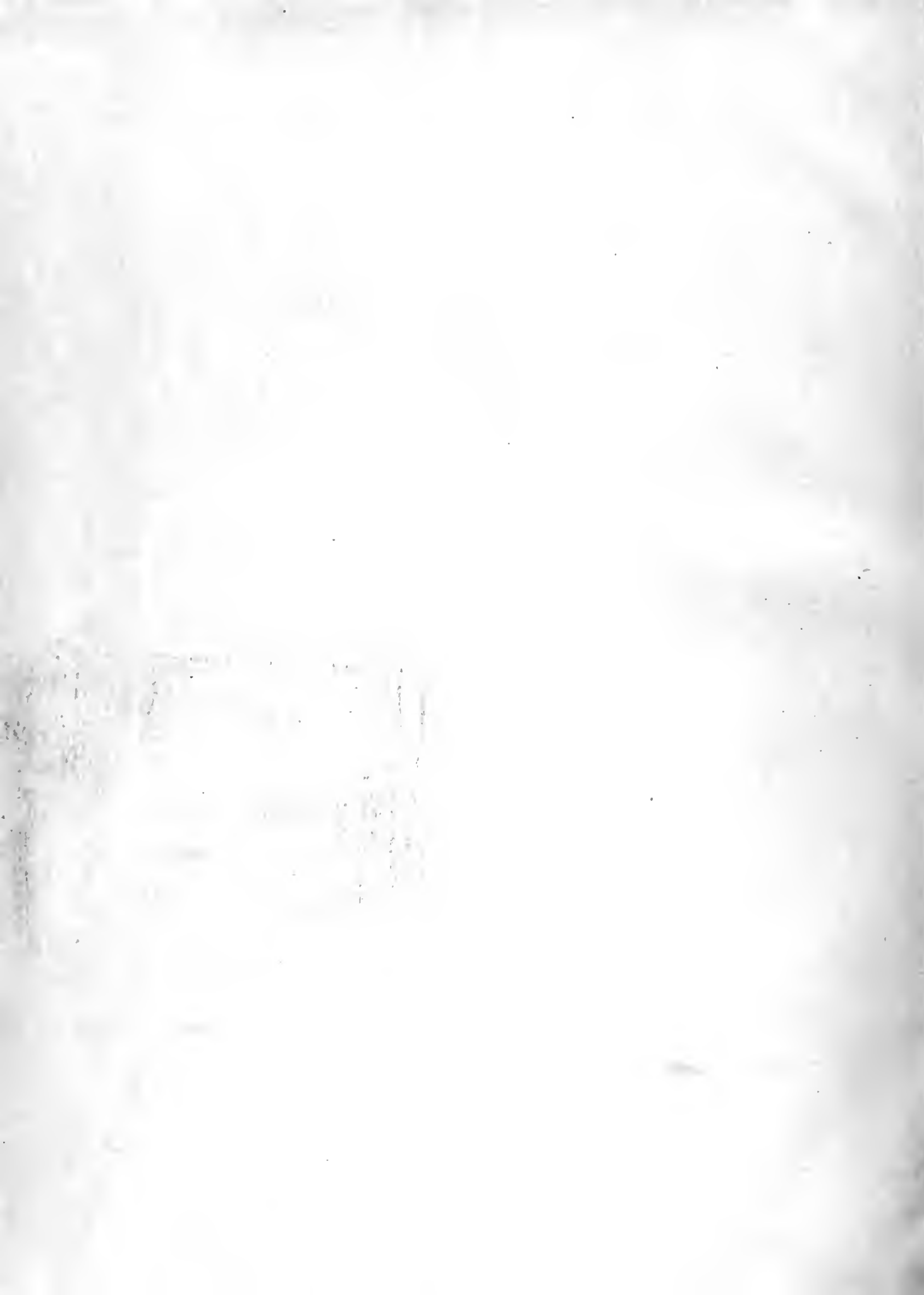
- Sinclair, Jean, their Daughter, Wife of Sir Charles Gilmour, 157.
 „ Sir Robert, Baronet of Stevenson, 86, 94, 327.
 „ Marion, his Daughter, Wife of Sir Archibald Cockburn, Baronet of Langton, 94.
 „ Sir William de Sancto Claro of Cessford, 219.
 „ Sir Walter de Sancto Claro of Cessford, 219, 251.
 „ Christian, his Daughter, Wife of Sir William Cockburn of Skirling, 251.
 „ Sir William, of Rosline, Roisling, xix.
 „ Sir William, of Rosslyn, 212, 360.
 Skedsburgh, Congleton of, 149.
 Skelton, John, C.B., 274.
 Skiftonholme, Lands of, 176, 193.
 Skirling, Barony of, 39.
 „ de Monfodes of, 218.
 „ de Concy of, 218.
 „ Castle of, blown up by Murray, 245.
 „ James VI. gives new Charter of, to Sir William Cockburn, 250.
 Sleich, Robert, of Oxindin, 59.
 Slipperfields, The three Properties of, 235.
 Smyth, Catherine, 348.
 Somerville, Alexander, of Torbraks, 240.
 „ Agnes, 240.
 „ David, 240.
 „ Hew Sommeruile, 181.
 „ The Lord Somerville [1530], 233, 250.
 „ Marion, his Daughter, Wife of Sir William Cockburn of Skirling, 233, 240.
 „ Marjorie, his Daughter, Wife of Tuedy of Drummelzier, 233, 250.
 „ Hew, Lord Somerville [1572], 244.
 „ The Lord Somerville [Historian of Family], 233, 237.
 „ James Somervell of Humbie, 240.
 „ Janet, Wife of William Cockburn of Ormiston, 123.
 „ Sir John, of Cambusnethan, and Katherine Carmichael, his Wife, 236.
 „ Katherine, their Daughter, Wife of John Cockburn of Newholme, 236.
 „ Isobel, their grand-daughter, Wife of James Cockburn of Selburnrigg, 73, 237.
 „ John, 347.
 „ Margaret, Wife of John Lindsay of Cockburn, xxvii.
 „ Thomas de Summyrvill of Carnwythe, 116.
 „ Sir Walter de, of Lintoun and Carnwath, 222, 355, Note V.
 Soulis, Ermygarda de, Sister of Sir William, Knight of Liddesdale, 166, 167.
 „ Florimund de Soule, 172.
 „ Sir John de, of Auld Roxburgh, 162, 165, 167.
 „ Muriella, his Daughter, 162, 165, 166.
 „ John de, of Kirkanders, 166.
 „ Sir John de, of Soulistoun, 169.
 „ Marjorie de, Wife of Piers de Cockburn of Henderland, 165, 167, 168.
 „ John de Soulle, Escuier, 171.
 „ Sir Nicholas de, "the Competitor," Lord of Liddesdale, 165.
 „ Nichol de, of Tulk, 14.
 „ Sir Thomas de, 165, 169, 339.
 Soulis, Alicia, his Wife, 166.
 „ Sir William, of Liddesdale, "the Traitor," viii., 165, 166, 169.
 „ The Wizzard de Soulis, of the Nine-Stane Rig, 170.
 „ Armorial Bearings of the Family, 168, 169.
 Soulistoun [Saltoun], 165.
 Southesk, Earl of, 215.
 Sowerby, Major, Church of St. Fillan's, at, 24.
 „ Minor, Church of St. Michael at, 24.
 „ Parish [Sorbie], 25.
 Spence, Libra, 299.
 Spens, John, 240, 241.
 Spittle, in Tweedmouth, 127.
 Spot, Parish of, 284.
 „ George Hume, of, 311, 314, 318.
 Spottiswoode, David of, 294.
 „ James, Bishop of Clogher, 359.
 „ Joan, Mother of Father Angustin Hay, 359.
 „ John of, xvii., xix.
 „ John of [A.D. 1370], 112.
 „ John, called of Spottiswoode, 359.
 „ Margaret, his supposed Daughter, 359.
 „ John, Minister of Longformacus, 321.
 „ Margaret, his Daughter, Wife of John Cockburn of Cockburn, 321.
 „ John, Parson of Calder, the Superintendent, 266, 360.
 „ John, Archbishop of Glasgow, his Son, 54, 359, 360.
 „ Sir John of Darsy, son of Archbishop, 360.
 „ Sir Robert of New Abbey, his second Son, 360.
 „ Anna, his Daughter, Wife of Sir William Sinclair of Roslyn, 360.
 „ Ninian of that ilk,
 Sprouston, Manor and Court of, 354, Note II.
 Stephen, King of England, 111.
 Stonyflatt, Lands of, 76, 252, 253.
 Stewart, Alexander, of Bonkyll, viii., ix.
 „ Alexander, of Garlies, 245.
 „ Alexander, Duke of Albany, xxii.
 „ Sir Archibald Stewart Denham, of Coltness, Bart., 97, 103.
 „ David, Husband of Cristiana de Glen, 179.
 „ David of Rosyth, 348.
 „ Sir David of Rosyth, 348.
 „ Elizabeth, Princess, Wife of David Lindsay, Earl of Crawford, 114.
 „ Francis, Earl of Bothwell, 283, 319.
 „ Hercules, his natural brother, 223, 317, 319.
 „ James, Lord High Steward, vi.
 „ James, Earl of Buchan, 179.
 „ James, Earl of Moray, 54.
 „ Sir James, of Goodtrees, Bart., 327.
 „ Sir James, of Traquair, 180.
 „ Sir John, Husband of Margaret de Cragi, 39, 216.
 „ John, Duke of Albany, 58.
 „ Sir John, called of Bonkyll, vi., ix.
 „ Johanna, Princess, Wife of Sir James Sandilands, 137.
 „ Margaret, Princess, Wife of Sir John Swinton of Swinton, 308.

- Stewart, Sir Robert, of Durrisddeer, 216.
 „ Sir Robert, of Allanbank, Bart., 95, 357, Note VIII.
 „ Helen Cockburn, his Wife, 87, 95.
 „ Sir Thomas, of Coltness, Bart., 97, 98.
 „ Anna, his Daughter, second Wife of Sir Archibald Cockburn of Langton, Baronet, 97, 98.
 „ of Ballechin, 103.
 „ of Grandtully, 103.
 Stirling Castle, Siege of, 35.
 „ Mary, 149.
 Stodart, Robert Riddle, 41.
 Stobbiswood, Lands of, 60, 76, 77, 303.
 Stratherne, Countess of, viii.
 Strang of Qubittislaid and Glenkirk, 201.
 Striveling [Stirling], Lucas, of Keir, xiv., 307.
 „ Sir John de, 35.
 Strode, Adam of, 113.
 Strother, Henry del, 173.
 „ Sir Thomas del, 173.
 „ Sir Thomas, 173.
 Suche [Zouche], Alan le, 218.
 Sunderland, Estate of, 11, 13, 162, 183.
 Sunderlandhall, Barony of, 11, 13, 161, 162, 175, 176, 183.
 Swaine, Priest of Fishwick, 53.
 Swinton, Family Feuds, xvii.
 „ Armorial Bearings of, 11.
 „ Sir Alan de, 5, 51, 52.
 „ Sir Alexander, 299, 362.
 „ Jean, his Daughter, Wife of Sir Jamas Cockburn of Ryslaw, 299, 262.
 „ Archibald Campbell, of Kimmerghame, 3.
 „ David, of Laughton, 301.
 „ Margaret, his Daughter, Wife of Alexander Cockburn of Ladiekirk, 301.
 „ George, of Laughton, 301.
 „ Sir John [Assueton], 49.
 „ John Swynton of Swynton, 320.
 „ John, of Swinton, and Marion Home, his Wife, 72, 82.
 „ Elizabeth, his Daughter, Wife of Matthew Sinclair of Longformacus, xvii.
 „ Mark, of Luskar, 76.
 „ Robert, of Swinton, 320.
 „ Robert, Surgeon, of Edinburgh, 150.
 „ Isobel, his Sister, Wife of Peter Butler of Harperdean, 150.
 „ Robert Suynton of Musclebruch, 150.
 Sydserf, Patrick, of that Ilk, 66.
 Synton, Lands of North, 182, 241.
 TALLO, Hay of, 178, 215.
 Tankerville, Earl of, 105.
 Tarh, Water of,
 Tempest, Lady Vane, 128.
 Templelands, County Berwick, 47, 270, 290.
 „ of Duncanlaw, County Haddington, 270.
 Tempillhall, County Haddington, 111, 137, 366.
 Templars, Knights, 291.
 Thane's Castle of Drummelzier, 206, 207.
 Thirlestane Castle, 275.
 Thomson, Sir W., Town-Clerk of Edinburgh, 148.
 Tickhill, The Honour of, 21, 263.
 Tima, Water of, 172.
 Tod, Margaret, 302.
 Todrick, Archibald, 347.
 Torphichen, Lord St. John of, 128.
 „ Lord of St. John, Preceptor of, 269.
 Touraine, Douglas Archibald, Duke of, 48.
 „ Duchess [the Gentle] of, his Widow, 118.
 Torry, Barony of, 331, 339.
 Touris (Towers) of Innerleith, 82, 147.
 „ Sir George, of Inverleith, 147.
 „ Margaret, his Daughter, Wife of Sir George Cockburn of Ormiston, 147, 153.
 „ Sir George Touris, slain at Oltirburn, 148.
 „ William, 148.
 Tournament at London Bridge, 114.
 Townshend, Lord, 155.
 Tranent, Barony or Manor of, 218, 337.
 Traquair, Barony of, 175, 176.
 „ included in Sunderlandhall, 13, 175, 176.
 „ Lord Buchan gets, from Dr. Rogers, 178.
 „ Sheriff of Trevequhair, 178.
 „ Watson of, 179.
 „ Boswell of, 179.
 „ Earls of, 178.
 Trettoun, Estate of, 344.
 Trotter, George, of Prentonan, 320.
 „ John, 295.
 Tuedy of Drummelzier, Family of, 206, 207, 227.
 „ Feud with the Veitches, 202, 226.
 „ Adam, of Drava, 198, 248.
 „ Andrew, 225.
 „ Catherine, Wife of Sir David Hamilton of Fingalton, 137.
 „ Fynlay, del Twydy, 211, 217.
 „ Roger, his Son, of Drummelzier, gets the Lands of the Ladies de Rothirforde, 211.
 „ James, of Hochkello, 39, 210.
 „ James, Baron of Drummelzier, stops King James, 207.
 „ James, and others slay John, Lord Fleming, 208.
 „ James, his Nephew, marries his ward, Catherine Frisell or Fraser, heiress of Fruid, 207, 208.
 „ James, last Baron of Thane's Castle of Drummelzier, marries Widow of Sir William Cockburn of Skirling, 250.
 „ Troubles his Mother, Janet Herries, Lady Skirling, 246, 247; his end, 208, 209.
 „ Johannes de Tueda, *temp.* Alexander II., 210.
 „ John, Grant to, of Horne-Huntaris-Lands, 210.
 „ John, slain, 195.
 „ Roger, slain, 176, 210, 226.
 „ John, of Drava, Father of, 225.
 „ Walter, slain, 176, 210, 225.
 „ Walter, of Drummelzier, 226.
 „ William de, quarrels, A.D. 1331, with the Lord of Skirling, 217.
 „ William, in Oliver Castle, 227.
 „ His Successors now of Oliver and Rachan, 227.
 „ William, of the Wrae, 298, 248.
 „ Armorial Bearings, 207.

- Tucker, General, Auchmuty, 153.
 „ Lucy Margaret, his Daughter, 153.
 Tullycastle, Home of, 322.
 Tufton, Earls of Thanet, 21.
 Turkill Hog, Sale of himself and Family, 51.
 Turnbull, George, of Houndwood, 96.
 „ Janet, 348.
- UGHTRED, Thomas de, xxv.
 Ulvedale, Lands of, ix.
 „ Church of, x.
 Umfraville, Emma de, 337.
 „ Sir Ingram de, ix., 34.
 Upsettlington, Land of, 289.
 „ Edward, acknowledged Lord Paramount at, 169.
 Urde—*See* Orde.
- VALENCE, Aymer de, xxiv., 336, 338.
 „ de Valentia, Valence, or Vallange, Arms of, 336.
 Valentia, Viscount, 96.
 Valoniis or Valoynes, de, Family of, 331.
 „ The Honour of Valoines, 335.
 „ Adam de Valoniis, 335.
 „ Gunnora de Waloynes, 334.
 „ James de Valoniis of Wester Lochor-shire, 336.
 „ His three Daughters, 336.
 „ Sir John, Sheriff of Fife, 336.
 „ Sir Philip, Great Chamberlain, 332.
 „ Philip de, 336.
 „ Roger de, 332.
 „ Sir William, Great Chamberlain, 332, 333, 335.
 „ Christiana, his Daughter, Wife of Sir Piers de Maule, 333, 334, 335.
- Vallibus or Vaux, de, Family of, 336.
 „ Alyanora de, 344.
 „ Alison [Vaus], 291.
 „ Sir John de Vallibus, 337.
 „ William, his Brother, marries Alienora de Ferrers without license, 337.
 „ Sir John de, of Dirlerton, 338.
 „ Piers de, fined for marrying Emma de Umfraville, 337.
 „ Robert de, 337.
 „ William de Vaux, Scottish hostage, 18a.
 „ Sir William de Vallibus, Lord of Dirlerton, 49, 339.
 „ His Daughter and Heiress, Wife of Sir John Halyburton, 49, 339.
- Veitch or Vache, Family of, 204, 207.
 „ Armorial Bearings, 204.
 „ Feuds with the Tuedys, 184.
 „ Alexander Vaiche of Hampton, 181.
 „ Barnabe le Vache of Dauyk and North Synton, 204.
 „ James Vache of Dawick forfeited, 183, 242.
 „ James Vache of Dawick had Lands restored, 183.
 „ Margaret Cockburn, his Wife, 183.
 „ James, of North Synton, 198.
- Veitch or Vache, John, M.D., 96.
 „ Mary, Widow of murdered Geddes of Glenbegdon, 206.
 „ Patrick, slain, 198, 248.
 „ William, of Dawick, his Father, 198, 248.
 „ William Veche of Daick, 204.
 „ Katherine, Wife of W. Cockburn of Henderland, 204.
 „ William le Vache [A.D. 1296], 204.
- Vere, Arrondissement de, 354, Note II.
 Vermel or Uermel of Romanno, 199.
 Verner, Agnes, 357, Note VIII.
 Vernueil, Battle of, 48.
 Vesci, Agnes de, of Sprouston, 14, 354, Note II.
 „ Eustace de, and Wife, Chapel in Court of Sprouston, 354, Note II.
 „ Ivo de Vassy, 354, Note II.
 „ Beatrice, his Daughter, 354, Note II.
 „ John de Vesci, 354, Note II.
 „ Clemencia, his Widow, 354, Note II.
 „ Robert de Vassy, 354, Note II.
 „ Viscount de Vesci, 354, Note II.
- Vignier, Vicomte de, 105.
 „ Yolande, his Daughter, Wife of Alexander Cockburn, and Mother of Chief-Justice Sir Alexander, 105.
- Veteri-Ponte, Family of, 18.
 „ Armorial Bearings, 31, 36, 37.
 „ Alina de, 30, 31.
 „ Alan de, of Galloway, 24.
 „ Alan de, of Carridin, 32, 34, 35, 36.
 „ Amicia de, Heiress of Aberdour, Wife of Mortuo Mari [Mortimer], 22.
 „ Fulcon de Vyerpunt, 22, 24.
 „ Fulcon de, 26.
 „ Sir Henry, of Dumbartonshire, 31, 32.
 „ Ivo, of Galloway, 24.
 „ Ivo, Husband of Isobel Loncastre, 26.
 „ John de, of Aberdour, Father of Amicia, 22.
 „ Sir John, of Appleby and Brugham, 21.
 „ Peronel or Petronilla de, 30, 31.
 „ Nichol de Vieuxpont, of Tynedale, 7, 363, Note.
 „ Sir Robert, Lord of Westmoreland, 18a, 20, 21, 331.
 „ Robert, third Lord of Westmoreland, 21.
 „ Idonea, his Wife, 363, Note.
 „ Sybella, his Daughter, Wife of Roger de Clifford, 21, 363.
 „ Idonea, his Daughter, Wife of Roger de Leyburn, 21, 363; secondly, of John de Cromwell, 21, 363.
 „ Sir Robert, of Edinburghshire, 36.
 „ Matillidis de, 27.
 „ Sir William de, first of Langton, Carridin, and Bolton Baronies, 22, 23, 24.
 „ Sir William, second Baron of same, 24, 25, 27.
 „ Sir William, third Baron of same, 27.
 „ Sir William, fourth Baron of same, 28.
 „ Sir William, fifth Baron of same, 30, 31.
 „ Sir William, sixth Baron, killed at Bannockburn, 32, 34, 37.
 „ Mariota, his Daughter and Heiress, Wife of Sir Alexander Cockburn, 17, 18, 34, 161, &c.

- Veteri-Ponte, William de, and Mahald, his Wife, 27.
 Vogrie, Cockburn of, 306.
 „ Dewar of, 153, 306.
- WALLACE, Sir William, 35, 169.
 Walpole, Sir Robert, Wig-pulling encounter, 155.
 Watson, William, of Traquair and Cranston, 179.
 „ Marion, his Heiress, 179.
 „ Roger, 179.
 „ Robert, 179.
- Wappenshawing at Peebles, 212, 241.
 Wardlaw, Sir Andrew, of Torry, 336.
 „ Andrew, of Torrie, 350.
 „ Sir Henry, of Torry, 344, 345, 346.
 „ Sir Henry, of Lochor-shire, &c., 348.
 „ John, Margaret Cockburn, his Wife, Widow of
 Gawen de Creichton, 53.
 „ John, of Torry, Margaret Cockburn, his Wife, 349.
 „ John, of Hill, Margaret Cockburn, his Wife, 266, 349.
- Washington, English Forces entered, 107.
 Wauchope, Family feud with the Edmonstones, 66, 272.
 „ Gilbert, of Nuddry-Marischall, 15, 29.
 „ Gilbert, of Nuddrie-Mareschall, highway umbesett
 to, 271.
 „ Gilbert, of Nudry-Marschall, suretie for Cockburn of
 Newhall, 264, 265.
 „ Margaret, Wife of Pennicuik of that Ilk, 236.
- Wauchopedale, Lindsay of, 177-178.
 Webb, General, 103.
 Welles, The Lord, unhorsed, 114.
 Wedale, in Stow, Sanctuary of, 118.
 Wemyss, David de Wemis, vii., and Marjorie, his Wife, vii.
 „ John of, 347.
 Wemyss, Michael de Wymes, 7, 8.
- Wedderlie, Edgars of, 294.
 Wedderburn, Estates of, 302.
 Were, Vere Radulfus de, 116.
 „ of Blackwood, 117.
 Wester-Ker, Barony of, 12, 167.
 Whitadder River, xi., xx., xxviii., xxx., 83.
 White, Jean, 326.
 Whitelaw—*See* Quhytelaw.
 Whitsome, Quhitsu, Temple Lands of, 257.
 „ Parish of, 320.
 Wilson, George, of Finzeoch, 326.
 Winscheils, Lands of Easter, 290, 328.
 „ Lands of Wester, 147.
 Wischart, George, 130, 267.
 Witches, King James attends Trials of, 146.
 „ Murray burns Companies of, 314.
 „ of Innerkip, 140.
 Wolsey, Cardinal, 186.
 Wood, Bishop of Edinburgh, 73.
 Woolstruther [Wolfstrother] or Wolfland, 153, 154, 328.
 Wowmat, Edmonston of, 294.
 Wysham, John de, 338.
- Yester, The Lord of, Sheriff excused, 72.
 Yolande de Dreux, 166.
 York stormed by the Danes, iv.
 „ Meeting of Commissioners at, 243.
 Yorke, James Charles, 105.
 Ysabel, “Daughter of King of Scots,” 19.
- Zouche, Sir Alan le Suche, 218.
 „ William la, of Lauderdale, 38.
 „ Elena de, of Tranent, 337.





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