THE SCOTS PEERAGE
FOUNDED ON WOOD'S EDITION
OF SIR ROBERT DOUGLAS'S
Peerage of Scotland
CONTAINING
AN HISTORICAL AND GENEALOGICAL ACCOUNT
OF THE NOBILITY OF THAT KINGDOM
EDITED BY
SIR JAMES BALFOUR PAUL, LL.D.
LORD LYON KING OF ARMS
WITH ARMORIAL ILLUSTRATIONS
VOLUME VII
EDINBURGH: DAVID DOUGLAS
1910

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

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

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

WALTER SCOTT of Synton,¹ who is the first member

¹ He is said by Satchels and by Sir Walter Scott (pedigree among Mertoun Writs) to be the son of George Scott of Synton, son of Walter
of the family of whom there is record evidence. He married, first, Marjorie, daughter of William Cockburn of Henderland,¹ and, secondly, Margaret, daughter of James Riddell of that Ilk.² He had issue by first marriage:—

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

Issue by second marriage:—
2. Robert, aftermentioned.
3. William of Huntly. 'Will Ill to Haud.'
4. James of Satchels, ancestor of Walter of Satchels, who wrote the history of the family of Scot.
5. Thomas of Whitehaughbrae, and eight daughters.

Robert Scott of Strickshaws (Stirches), second son of Walter Scott of Synton,⁴ acquired the six-merk land of Bundray in Roxburghshire, from James Newton of Dawcofe in 1481,⁵ which was confirmed by Patrick, Earl of Bothwell, by charter dated 21 November 1505.⁶ From Alexander, Lord Home, he had a charter of the lands of Harden on 3 January 1501.⁷ He was probably that Robert Scott for whose murder, in November 1509, Andrew Crossar was hanged.⁸ He was father of:—

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

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

said Robert from James, Earl of Bothwell, dated 13 June 1575.¹ He had issue:—

(1) William, eldest son, had a tack of the lands of Langhope from the Crown, 1550.²

(2) James, second son, had a tack of the lands of Dodbank from the Crown, 1550.³ He, with his brothers Walter, Robert, and William, was concerned in an attack on the Church of St. Mary of the Lowes in 1557.⁴

(3) Walter, called young Laird of Synton in 1557.

(4) Robert.⁵

(5) George of Synton, sold part of his lands to his cousin, Walter Scott of Harden; married Margaret, daughter of John Edmonston of Ednam, and had issue:—

i. Walter of Synton, died 11 July 1608,⁶ having married Isobel, daughter of William Douglas of Whittinghame, who survived him, and had issue:—

(i) George of Synton, served heir to his father in the lands of Outarsyderige 10 April 1610,⁷ sold his estate to Walter Scott of Harden in 1627. He married Mary, daughter of Gladstanes of Dod, and had issue:—

a. Walter, died unmarried.

b. George of Bunraw, registered his arms as representative of Synton, circa 1672; married a daughter of Douglas of Garvald, and had an only son, Archibald, who died unmarried 1720. He was rebuked by the kirk-session of Roberton in 1701 for the scandal of breaking the Lord’s Day by a mock marriage with Esther Turnbull.

(ii) Richard, minister of Kirkbean 1675, and of Ashkirk 1685; died 25 May 1722, aged eighty-two.

(iii) Elspeth, mentioned with her sisters in their father’s testament.

(iv) Christian.

(v) Ann, said to have married Captain Gladstanes of Whitelaw.

ii. John, called brother to Walter Scott of Synton in a charter in favour of Robert Scott of Satchells,⁸ 10 February 1607.

iii. David, charged with others with rescuing prisoners from the bailies of Selkirk 1st December 1608.⁹

iv. George, apprenticed to David Brown, saddler, Edinburgh, 10 January 1610.¹⁰

v. Agnes, mentioned with her brothers David and George in her brother Walter’s testament.¹¹

2. William of Harden.

3. David, brother to William Scott in Harden, had a pardon for the crimes of treason and lèse majesté on 9 May 1526.¹

William Scott of Harden, brother to Walter Scott of Stirkshaws, was a witness to an obligation by John Murray of Falahill to Robert Scott on 4 January 1507.² He had a charter of the forty-shilling lands of Hoscoote from George, Lord Home, on 27 May 1525,³ and a charter from his brother Walter of the lands and barony of Harden, which was confirmed by George, third Lord Home, 27 May 1535.⁴ He died in February 1561, having married, it is said, a daughter of Ker of Fernielee, and had issue.

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

1. Walter, his heir.

2. William, charged with his brother Walter and many others, servants of Walter Scott of Branxholm, with spulzieing the lands of Drummelzier and Dreva, belonging to James Tweedie of Drummelzier and Adam Tweedie of Dreva, on 6 January 1591-92.⁸

Walter Scott of Harden had a precept of clare constat from Alexander, Lord Home, as heir of the deceased Walter Scott of Harden, his father, on 13 April 1563, and was seised in the lands of Harden as such on 22 June 1566.⁹ He, presumably from the great age to which he lived, was commonly known as 'Auld Wat,' and was the hero of various marauding expeditions, which were the theme of many a border ballad and tradition. When the spoil had

been exhausted, his lady, it is said, was in the habit of serving up on a dish a pair of clean spurs, still preserved in the family, as a significant hint to mount and replenish the larder from over the Border. Cattle-lifting was not confined to his side only, for on 15 December 1580 he and others complained to the Privy Council against Martin Elliot of Braidley and his sons for taking away fourscore kye and oxen, etc., under cover of night, from the lands of Hoscote and Hoscoterig.¹ He took part in the reasonable attempt against His Majesty’s person at Falkland 13 July 1592, was summoned before the Privy Council to answer therefor, and, failing to appear, was denounced rebel,² and a warrant granted to Walter Scott of Goldielands, and Gideon Murray, instructing them to demolish the houses and fortalice of Harden and Dryhope.³ As an adherent of Francis, Earl of Bothwell, he had a letter of pardon 7 September 1591,⁴ but remaining in Edinburgh contrary to the order of the Privy Council, a warrant was issued for his arrest 8 December 1592.⁵ In April 1596 he formed one of the force who accompanied his chief Buccleuch in the expedition to Carlisle Castle which resulted in the release of Willie Armstrong, commonly called ‘Kinmont Willie.’⁶ He had a charter from Nicholas Cornwall of Bonhard of the lands of Printadociis (Pirnetados) in the county of Edinburgh, on 29 June 1603⁷; another from James Douglas, Commendator of Melrose, of the lands of Langhope, on 13 August 1606,⁸ and another from Sir John Cranston of Smailholm of the lands of East and West Kirkhopes, 21 May 1608.⁹ On 22 November 1610 caution to the extent of 3000 merks was given to the Privy Council by Gilbert Elliot of Horsliehill, that he (Harden) and Walter, Francis and Hew, his sons, should not harm Walter Scott of Todschawhill and others.¹⁰ He died at an advanced age in 1629. He married (contract dated at Selkirk 21 March 1567) Mary or Marion, called ‘The flower of Yarrow,’ daughter of John Scott of Dryhope,¹¹ and, secondly (contract dated 9 April 1598), Margaret, daughter of John Edgar of Wedderlie

¹ P. C. Reg., iii. 335. ² Ibid., iv. 773. ³ Ibid., 769; Pitcairn’s Criminal Trials, i. 206. ⁴ Scotts of Buccleuch, ii. 249. ⁵ P. C. Reg., v. 25. ⁶ Border Papers, ii. 251. ⁷ Confirmed 14 July 1603, Reg. Mag. Sig. ⁸ Ibid., 9 Jan. 1607. ⁹ Ibid., 8 July 1608. ¹⁰ P. C. Reg., ix. 694. ¹¹ Mertoun Writs.
and relict of William Spotswood of that Ilk.\(^1\) He had issue by first marriage:—

1. **William**, his heir.

2. **Hugh**, second son, in Greenhead, was cautioner for John Quhyte in Greenhead 12 February 1623.\(^2\) He married (contract dated at Selkirk 17 March 1621) Jean, daughter and heiress of Sir James Pringle of Galashiels,\(^3\) and was ancestor of the Scotts of Gala.

3. **Walter**, in Essinside, killed in a fray at a fishing by Symon Scott of Bonnytoun and others.\(^4\) He married (contract 22 April 1614) Elspeth, daughter of John Hay of Haystoun.\(^5\) She survived him and married, secondly, William Scott.\(^6\) His sisters Jean and Margaret were served heir to him 18 February 1641.\(^7\)

4. **Francis**, had a charter to his father in liferent and himself in fee, of the lands of Howfuird from Walter Scott of Howfuird 26 May 1624,\(^8\) and another charter in 1627 of the lands of Sinton from Walter, Earl of Buccleuch, with consent of George Scott of Synton, Isobel Douglas his mother, and Mary Gladstaines his wife.\(^9\) He married, in 1624, Isobel, sister of Sir Walter Scott of Whitslaid, and was the ancestor of the present family of Corse-Scott of Synton.

5. **Margaret**, called 'Maggie Fendy,' married to Sir Gilbert Elliot of Stobs.

6. **Esther**, married, first, to Elliot of Falnash, and secondly, to George Langlands of that Ilk.

7. **Janet**, married (contract dated at Selkirk 23 October 1613) to Thomas, son of Walter Scott of Whitslaid.\(^10\)

Issue by second marriage:—

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

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

---

1 Mertoun Writs. 2 P. C. Reg., xiv. 698. 3 Mertoun Writs. 4 P. C. Reg., x. 667. 5 Mertoun Writs. 6 P. C. Reg., xii. 123. 7 Retours, Gen., 2554. 8 Confirmed 22 May 1634, Reg. Mag. Sig. 9 Hist. of Selkirk, i. 441. 10 Mertoun Writs. 11 Ibid. 12 Ibid.
SIR WILLIAM Scott of Harden had grants of the following lands: of Tarras in the Debateable Land, from James, Lord Torphichen, on 29 May 1606; of the 18-merk land of Pou-budy, as son and heir of his father, from Sir James Johnston of Dunskeillie on 28 May 1607; of the lands of Deephope, in the county of Selkirk, 5 October 1608, as son and heir of his father, on his father’s resignation; of the lands of Over Cassok from Walter, Lord Scott of Buccleuch, to his father in liferent and to him in fee, dated 18 April 1614; of Quylt or Newhall and others from William Shaw of Lathangyie, sometime prebendary of Quylt and Fetham, dated 24 June 1614, to him and Agnes Murray his spouse; of Hundelis-hope from his father, dated 10 June 1618; of Hoscoe, Harden and others in Annandale, Selkirk, Roxburgh, and Peebles 18 January 1620, as son and heir of his father on his father’s resignation; of Gamelscleuch on 8 June 1624; of Erinscleuch on the resignation of Sir Robert Scott of Thirlestane, knight, on 9 March 1625; of Mertoun in Ber-wickshire, on the resignation of John Halyburton and others, on 22 September 1641; and of Whiterigs on 1 July 1646, on the resignation of John, Earl of Haddington. He was knighted, 26 February 1618, during the lifetime of his father, was appointed by the King to be lieutenant of the border garrison on 6 August 1617, was tutor to Francis, second Earl of Buccleuch, was appointed Sheriff of Selkirk-shire 30 August 1625, and again on 7 March 1645; represented that county in Parliament 1641, 1643-44, 1644-46. He was a commissioner for conserving the Treaty of Ripon, 16 November 1644, was one of the Committee of Estates 8 March 1645, and was fined £3000 under Cromwell’s Act of Pardon and Grace in 1654, but this was remitted 1655. He was served heir to his father in the lands of Pintadoes, in the county of Edinburgh, 30 August 1642, and to his great grandfather, William Scott of Harden, who died in February 1561, in the lands of Hoscoe 5 January 1643. He died in 1655. He married, first (contracts dated at Edinburgh 18 February and at the Provost’s place of Crichton 14 July

1 Confirmed 13 January 1630, Reg. Mag. Sig. 2 Ibid., 13 January 1620.
3 Ibid. 4 Ibid. 5 Ibid. 6 Ibid. 7 Ibid. 8 Ibid. 9 P. C. Reg., xi. 217.
10 Ibid., 2nd ser., i. 120. 11 Acta Parl. Scot., vi. 820. 12 Ibid., vi. 757, 845.
13 Retours, Edin., 889. 14 Retours, Selkirk, 63.
1611, Agnes, daughter of Sir Gideon Murray of Elibank, Treasurer Depute. She was the celebrated ‘muckle-mouthed Meg’ of Border minstrelsy and tradition, an account of whose romantic marriage with young Harden is given by Sir Walter Scott in his Border Antiquities. Briefly stated, it is said that young Harden, being engaged in a foray on the lands of his hereditary enemies the Murrays of Elibank, was captured, imprisoned, and only released on agreeing to marry Elibank’s ugly daughter Meg with the muckle mouth, with the alternative of being hanged. Having at first declined the marriage, he ultimately became enamoured with her on account of her solicititude for him during his imprisonment. Sir William Fraser discredits the whole story as a myth, on the ground that the two contracts show that the marriage was entered into with great deliberation, several months elapsing between the date of the first and that of the second, and therefore the deed was not executed, as picturesquely alleged by Lockhart, on the parchment of a drum. Yet it is hardly probable that a story which has obtained such credence in popular tradition can have been entirely without foundation, especially when it is remembered that the families were implacable foes, and that not many years before Sir Gideon Murray was the instrument employed by the Privy Council to demolish the Houses of Harden and Dryhope, and execute a commission of fire and sword against the Scotts. In these circumstances Elibank was scarcely a likely place for a Scott to have conducted his wooing in an ordinary manner. Sir William married, secondly (contract dated at Fernielee 15 April 1633), Margaret, daughter of William Ker of Linton, but had no issue by her. She had a charter in conjunct fee with him, on his resignation, of the lands of Halcroft and others on 10 March 1645. He had issue by his first marriage:

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

1 Mertoun Writs. 2 Scotts of Buccleuch, i. lxx. 3 Mertoun Writs. 4 Reg. Mag. Sig. 5 Ibid. 6 Ibid.
lands of Mackerstoun 6 July 1670. He was fined £18,0001 in 1662 for having supported the Commonwealth, registered his arms on 17 January 1673, petitioned Parliament on 20 May 1690 for repayment of the fine of £46,000 Scots, which had been imposed upon him for his wife's alleged guilt of church irregularities,2 which fine had been granted to Sir George Mackenzie, and restitution thereof to him was ordered on 27 May 1695.3 He died at Mertoun 2 February 1699.4 He married (contract dated 26 October 1641) Christian, third daughter of Robert, sixth Lord Boyd. They had a charter of the lands of Mertoun from his father, in terms of their marriage-contract, 28 October 1641,5 and had issue:—

(1) Sir William of Harden, engaged in Argyll's rebellion, was indicted for high treason 15 May 1683,6 but had a remission from King James VII. on 12 December 1685, and was representative in Parliament for the county of Selkirk from 1689 until 28 April 1693, when his seat was declared vacant because he had not signed the assurance. He had a conveyance and renunciation from Archibald Scott of Boonraw, representative of the old family of Scott of Synton, of the representation and arms of that family on 27 November 1700, on which he obtained a matriculation from the Lyon King of Arms on 29 November 1700.7 He died s.p. at Mertoun 12 August 1707.8 He married, 16 March 16739 (contract dated 21 March 167310), Jean, only daughter of Sir John Nisbet of Dirleton, Lord President of the Court of Session. She survived him, and married, secondly (contract dated 30 June 1710), Sir William Scott of Thirlestane, advocate.

(2) Robert of Iliston, served heir to his brother 30 October 1707, died s.p. in 1710.11 He married Jean, daughter of Sir Thomas Ker of Fernlelee. She died at Edinburgh in April 1718.12

(3) Christian, married (contract dated at Mertoun 24 July 167313) to William Ker of Chatto.

(4) Margaret, married (contract dated at Mertoun 24 November 168014) to Sir Patrick Scott of Ancrum, Bart., advocate, who died in 1734.

2. Sir Gideon of Highchester after mentioned.

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

---

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

4. James, married (contract dated 8 February 1659)\(^2\) Agnes, second daughter of Sir Walter Riddell of that Ilk.

5. John of Woll, chamberlain to the Duchess of Buccleuch in 1689, and representative in Parliament of the county of Roxburgh 1693-1702, registered arms \textit{circa} 1672. He married Agnes, only daughter of Robert Scot of Harwood, and was ancestor of the family of Woll.

6. Elizabeth, married (contract dated 18 April 1634\(^3\)) to Sir Andrew Ker of Greenhead, Bart., and was buried in the Greyfriars, Edinburgh, 24 June 1663.

7. Margaret, second daughter, married (contract dated 10 October 1638\(^4\)) to Thomas Ker of Mersington.

8. Janet, married (contract dated 22 January 1659\(^5\)) to John Murray, in Eschisteill, son of Sir John Murray of Philiphaugh. Walter Scott of Raeburn, her brother, was served heir-general to her 25 June 1661.\(^6\)

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

\(^1\) Reg. Mag. Sig. \(^2\) Mertoun Writs. \(^3\) Ibid. \(^4\) Ibid. \(^5\) Ibid. \(^6\) Retours, Gen., 4456. \(^7\) Reg. Mag. Sig. \(^8\) Mertoun Writs. \(^9\) Acta Parl. Scot., vii. 424. \(^10\) Ibid.
daughter of Sir Patrick Hamilton of Preston, knight, and had issue:—

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

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

1 Edin. Tests., 21 January 1695. 2 All except Agnes (No. 6) mentioned in the bond of provision by him dated 28 August 1645. 3 Mertoun Writs. 4 Edinburgh Register of Marriages. 5 Marriage-contract dated same day, Mertoun Writs. 6 Edin. Reg. 7 Ibid., contract dated same day, Mertoun Writs. 8 Mertoun Writs. 9 Wilton Reg. of Baptisms. 10 Marriage-contract same day, Mertoun Writs.
others as overseers appointed by her father, the grounds of reduction being the pupillarity of the parties. The Countess having been conveyed to Edinburgh and brought before the Court privately, declared her own free choice of a husband, avowed the consummation of the marriage, and declared her resolution to adhere to the same. The Court, however, sequestrated her person, and placed her in charge of the Countess of Mar and four other ladies, but on the representations of the Countess of Wemyss, her mother, and her friends, she was entrusted to the care of General Monck. On 20 April 1659 Sir John Nisbet of Dirleton, the Commissary, decided the Countess was a pupil, and set aside the marriage, but on 31 August 1659, she having attained minority, the parties ratified the same by declaration dated 2 September following. Walter Scott, in consequence of said marriage, was created by King Charles II. Earl of Tarras, Lord Alemoor and Campcastell for all the days of his natural life, by patent dated at Whitehall 4 September 1660. The Countess did not long survive her marriage, dying at Wester Wemyss 11 March 1661, and was interred in the family mausoleum at Dalkeith. The Earl went abroad in the year 1667 and visited France, Italy, and the Netherlands, and an account of his travels, written by himself, is preserved in the library at Mertoun. He joined the plot for the exclusion of James VII. from the throne, and on the discovery of the same, was apprehended and tried for treason in 1684. Having confessed his guilt and submitted to the King's mercy, he was brought to trial on 5 January 1685, found guilty, his dignities and estates forfeited, his armorial bearings ordered to be erased, and himself to be executed. The judgment was, however, only formal, owing to his confession, and he obtained a remission dated 29 January 1685, was liberated on a bond of caution for £3000, his estates restored in April 1686, and his honours and lands by a letter of rehabilitation under the Great Seal dated 28 June 1687. He engaged in the Revolution in 1688, and died 9 April 1693, aged forty-nine, when his life dignities became extinct, and his estates passed to his eldest son. The Earl married, secondly, at Edinburgh, 1

1 Edinburgh Marriage Register.
31 December 1677, Helen, daughter of Thomas Hepburn of Humbie, East Lothian, and had issue:—

1. **Gideon** of Highchester, born at Edinburgh 18 October 1678, was served heir to his father in the lands of Printadocs 7 September 1694, and died 1707. He married, first (contract dated 5 November 1697¹), Anna, daughter of Sir Francis Kinloch, Bart., of Gilmerton, without issue; and, secondly, 28 February 1700² (contract same day³), Mary Drummond, daughter of John, Earl of Melfort. She survived him and married, secondly, Sir James Sharp of Stonyhill, Bart., and died at St. Andrews 11 October 1754, leaving issue:—

(1) Walter of Harden, who succeeded his cousin Robert in these lands 2 March 1710, and died at Nancy in Lorraine 13 November 1719, s.p.

(2) John of Harden, served heir to his brother 5 March 1720, died June 1734.⁴ He married, 1719, Jean Erskine, daughter of Alexander, fourth Earl of Kellie. She died at her house at the south side of Hope Park, Edinburgh, 17 July 1735,⁵ leaving issue two daughters.

(3) Mary, died unmarried.

2. **William**, born at Harden 6 January 1682, died young.

3. Walter, of Whitefield, after mentioned (twin with William).

4. **Thomas**, born at Harden 8 March 1687, died in France unmarried.

5. **Francis**, born at Harden 9 October 1691.

6. Helen, born at Harden 16 February 1680.

7. **Elizabeth**, born at Harden 15 September 1683.


9. **Agnes**, born at Harden 4 February 1686. She was alive in 1738, when, being in straitened circumstances, she received two shillings Scots from the Kirk-session of Minto.⁶

10. Ann, born at Harden 7 December 1688.

11. Margaret, born at Harden 19 October 1690.

**Walter Scott**, of Whitefield, born at Harden 6 January

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

1. **Christian**, born at Harden 4 July 1721.  
   Issue by third marriage:—

2. **Walter**, his heir.

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

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

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


7. **Helen**, born at Bewlie 28 April 1727; married, 2 November 1756, to George Brown of Elliston\(^5\), and died at Edinburgh 10 October 1765.\(^6\)

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

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

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

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

1. Charles Walter, born at Harefield 1 August 1796, died at Mertoun September 1804.
2. Henry Francis, seventh Baron Polwarth.
5. Francis, born at Mertoun 31 January 1806, barrister-at-law, and M.P. for the county of Roxburgh 1841-47, and for the county of Berwick 1847-63, died 9 March 1884; married, 22 July 1835, Julia Frances Laura, last surviving child of the Rev. Charles Boultbee and his wife Laura, sister and sole heir of George, fourth and last Earl of Egremont. She died 7 February 1868, leaving issue.

1 These dates are vouchèd for by contemporary entries in the Family Bible by the children’s father.
6. Harriet Diana, born at London 4 June 1797, died at Brighton 1 June 1816 unmarried.


9. Anne, born at Mertoun 3 March 1808. Married there, 27 December 1831, to the Hon. Charles Baillie of Jerviswood, one of the Senators of the College of Justice, who died 23 July 1879. She died 16 August 1880, leaving issue.

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

1. Walter Hugh, eighth Lord.
4. Helen Georgina, born February 1840, died 21 March 1868.
5. Katherine, born 8 October 1842, died 30 January 1899, unmarried.
Walter Hugh Hepburne-Scott, eighth Lord Polwarth, born at Mertoun 30 November 1838, Lord-Lieutenant of Selkirkshire 1878, Representative Peer 1882-1900. Married, 30 January 1863, Mary, eldest daughter of George, fifth Earl of Aberdeen, and has issue:

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

   (1) Walter Thomas, born 22 April 1890.
   (2) Alexander Noel, born 14 October 1892.
   (3) Patrick John, born 25 April 1899.
   (4) Helen Victoria, born 7 May 1891.
   (5) Margaret Mary, born 1 June 1895.
   (6) Edith Christian, born 20 August 1901.
   (7) Grisel Frances Katherine, born 26 November 1903.

2. Henry James, born 9 April 1866. Married, 8 June 1893, Elizabeth, third daughter of T. C. Booth of Warlaby, Northallerton.


4. Robert, born 1 May 1873.


7. Lilias, born 23 December 1875.

8. Mary Harriet, born 21 May 1877.


10. Katherine Grace, born 19 October 1885.

Creation.—Baron Polwarth, 26 December 1690.

Arms (recorded in Lyon Register).—Quarterly: 1st grandquarter quartered, 1st, vert, a lion rampant argent; 2nd, argent, three papingos, two and one, vert; 3rd, gules, three piles engrailed argent; 4th, argent, a cross engrailed
azure; over all on an escutcheon azure, an orange with the stalk erect slipped proper, and over it an imperial crown, for *Baron Polwath*; 2nd grandquarter, or, two mullets in chief and a crescent in base azure, for *Scott of Harden*; 3rd grandquarter quartered, 1st, gules, on a chevron argent a rose betwixt two lioncels combatant of the first; 2nd, argent, three edock leaves vert, 3rd as the second, 4th as the 1st, for *Hepburn of Humbie*; 4th grandquarter as the 1st.

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

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

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

[F. J. G.]