THE SWINTONS
OF THAT ILK
AND
THEIR CADETS

EDINBURGH
MDCCCLXXXIII.
come to the relief of Branksome. The lines were introduced into the second edition of the poem.¹

"Vails not to tell what steeds did spurn,
Where the Seven Spears of Wedderburn
Their men in battle-order set;
And Swinton laid the lance in rest,
That tamed of yore the sparkling crest
Of Clarence's Plantagenet."

Miss Strickland² would have us believe that the veritable weapon which did the doughty deed is preserved in the Abbotsford armoury. On the other hand, it is fair to mention that the distinction of being the slayer of Clarence is claimed for a member of another Scottish house. We read in the Book of Plascadine³ that "the common report was that a Highland Scot named Alexander Macausland, a native of Lennox, of the household of the Lord of Buchan, killed the said Duke of Clarence; for, in token thereof, the aforesaid Macausland brought with him to camp a golden coronet of the finest gold, and adorned with precious stones, which was found on his helmet upon his head in the field, and he sold it for a thousand nobles to the Lord Darnley, who after-

¹ In a letter to George Home of Paxton and Wedderburn, Sir Walter says: "Will you pardon the vanity of an author in hoping a copy of a new edition of his work may not be unacceptable to you as a man of letters, and an ancient borderer. It contains some lines on p. 138 relative to the Homes of Wedderburn and the Swintons (my own maternal ancestors), which, with a few others, were added since the quarto edition."—Catalogue of the Scott Centenary Exhibition in 1871, p. 164.
³ Book x. c. 26.
Bertram, perpetual vicar of the church of Swinton, a grant of meadow-land adjacent to the kirkland of the vicarage, for "an orison daily to be made for all the days of his life for the said John Swinton of that Ilk, his wife, their bairns, their antecessors and successors."¹ Several years afterwards there is a submission between Swinton (now styled Sir John) and James Hering of Tullibole for a perambulation of the marches of Swinton and Upsetlington.² And at a still later date there is a precept of sasine by Sir John in favour of certain parties of a portion of Little Swinton.³

While the Swinton estate was thus peaceably possessed by its rightful owner, Cranshaws, on the other hand, became the subject of a long and anxious contention, strikingly illustrative of the insecure tenure by which lands were frequently held in those turbulent times. George Earl of March, from whom, as superior, Swinton’s infestment in 1428 had proceeded, was the son of George the tenth Earl. The latter, by transferring his allegiance to the English king, on whose side he fought against his countrymen at Homildon, incurred a forfeiture of his estates. Of these he obtained partial restitution by making his peace with the Regent Albany in 1409. His son, the eleventh Earl, had, within four years of his succession to the title in 1420, narrowly escaped the fate to which the vindictive jealousy of James I. devoted Duke Murdoch of Albany and his family. But it was not till

¹ Appendix xxxil ² Ib. xl. ³ Ib. xlix.
those acting on his behalf raised the question, whether these lands had been held by March in tenantry or in full property; in other words, whether the Earl’s right had not been one of superiority only. Of a petition by Swinton to the king for an inquest on the subject, the draft has been preserved. It is apparently holograph, and prepared without professional assistance. The aggrieved laird sets forth that the said lands of Carnshaws had, past the memory of man, been a tenantry of the earldom, and belonged in property and heritage to the Lady Moray, who gave them to Archibald Douglas, her son, from whom Sir John of Swinton, the petitioner’s grandfather, purchased them, for his service, and as many silver vessels as were worth five hundred merks Scots; so that he claimed no right but to be a tenant of the existing Earl, adding pathetically that his grandsire bought the lands dear enough, considering what he gave for them, and in contrast to the Earl of March, was slain at Homildon in defence of the realm. The favourable reception of this petition by the king seems to have failed to take effect previous to his death at the siege of Roxburgh. Consequently a similar petition “for justice and law” was presented by Swinton to the Queen-Mother. And this having been followed by a more formal application to the Lords of Council, resulted first in an ordinance of Parliament in October 1462, and afterwards in a precept by James III. in 1464, for

1 Appendix xxxiii. 2 Ib. xxxiv. 3 Ib. xxxv. 4 Ib. xxxvi.
summoning an inquest. The retour of this inquest, which was held at Berwick on the 4th May in the latter year, was to the effect that the lands of Cranshaws were tenandry, and not property, of the earldom of March at the time of the forfeiture of George, the late Earl, at Inverkeithing. Among the persons who served on the inquest were Thomas Lord Erskine, Sir Alexander Hume of that Ilk, Alexander Cockburn of Langton, Adam Nisbet of West Nisbet, Robert Blackadder of that Ilk, James Spottiswoode of that Ilk, William Hume of Rawburn, David Lumsden of Blanerne, John Whitelaw of that Ilk, Thomas Dickson of Mersington, and David Renton of Billie. Even this did not end the controversy. For, twenty years later, Sir John Oliphant having been succeeded by his son, Lord Oliphant, the service of the former in the lands of Cranshaws is made the subject of an inquiry, instituted under a mandate of James III., and prosecuted at the court of the king’s brother, Alexander, Duke of Albany and Earl of March, held at Dunbar by his justiciar or steward in the earldom. This is followed, a year afterwards, by an instrument narrating the breaking of Lord Oliphant’s sasine at Swinton’s instance. There is then a summons proceeding on a complaint by the tenants of the lands, that both parties to the suit were asserting against them the rights of ownership. And a subsequent indenture, between the Duke of Albany and Lord Oliphant, which

1 Appendix xxxvii.  2 Ib. xxxviii.  3 Ib. xli.  4 Ib. xliv.  5 Ib. xlv.
years there are two separate refusals by the prior and monks to accept these sums, on the ground that they were offered in Scots, and not in sterling money.\(^1\) And a tender of the same kind made personally by Swinton in 1510 to the archbishop of St. Andrews, as commendator of Coldingham, was similarly declined.\(^2\) No special notice is necessary of several acts of ownership exercised by John Swinton over the lands both of Swinton and Cranshaws, as, for example, an indenture between him and Lord Hume regarding the debatable lands of Ramryg and Swinton,\(^3\) and a summons against certain parties for taking several horses from the lands of Cranshaws.\(^4\) But the narrative of the redemption of the lands of Little Harcarse\(^5\) is sufficiently graphic to be worth quoting. We are told that a noble man, John Swinton of that Ilk, went personally to the parish church of St. Giles in Edinburgh, and to the high altar thereof, and there, at the second hour after noon, delivered to Henry Lawson, notary, to read, a letter of reversion granted by the late John Scougall of Bollishauoch to the late John Swinton of that Ilk, knight, his heirs and assignees, on the redemption and relaxation of the lands of Little Harcarse, lying in the lordship of Swinton and barony of Coldingham; after the public reading of which letter, the said John Swinton paid down upon the said altar of St. Giles 120

\(^1\) Appendix LIV. and LVI.  
\(^2\) Ib. LX.  
\(^3\) Ib. LVII.  
\(^4\) Ib. LVIII. It may be noticed that in this summons, dated in 1506, he is for the first, if not the only, time styled “knight.”  
\(^5\) Ib. LIX.
merks of Scots money in gold and silver, and with a loud voice declared, that he, the said John Swinton, as heir of the said late John Swinton his father, was ready to pay and deliver the said sum to the heirs and assignees of the said John Scougall, and specially to a noble man, Patrick Home of Fastcastle, as assignee of the said John Scougall, and possessor for the time of the said lands of Little Harcarse, for the redemption and relaxation of the same, according to the form and tenor of his before-made premonition, and of the said letter of reversion; and the said John Swinton remained at the altar with the said sum of money from the said second hour after noon till the fourth hour immediately following, but neither the said Patrick Home, nor any other person in name of the heirs and assignees of the said John Scougall, came to receive the money; wherefore the said John Swinton deposited the amount in the hands of William Hoppar, one of the bailies of the town of Edinburgh for the time, in safe keeping for the use of the heirs and assignees of the said late John Scougall.

John Swinton married, in 1475, Catherine Lauder, a daughter of the family of the Bass. As the parties were in the fourth degree of consanguinity, a dispensation was granted by the Bishop of Glasgow, in virtue of apostolic letters received from Pope Sixtus the Fourth, dated at St. Peter's on the 3d of June 1475. Of this marriage there appear to have been five sons and two daughters,

1 Appendix xlii.
ton, one of the reasons for the transference being that these lands had been entirely laid waste in time of the war "by our old enemies of England," so that "he and his predecessors could have no benefit thereof."¹ The warden-depute may be presumed to have faithfully earned his pay in that capacity. But it is worthy of notice that, not many years before, he was more than suspected of having himself taken part in those turbulent proceedings, which, more than the incursions of the English, destroyed the peace of the Borders. For on the occasion of a progress to that part of his dominions by the King in person, for the purpose of quelling disturbances, twelve Berwickshire Barons, of whom Swinton was one, were required to find surety to enter when required before the justice, to underlie the law for all crimes to be imputed to them, and for which they submitted themselves to the King's will; and also for not doing their utmost diligence to fulfil their bonds, that is, the engagements under which they had come "to keep rule within their respective bounds."²

John Swinton obtained in 1518 a dispensation from Pope Leo x. for his marriage to a relation within the third and fourth degrees of consanguinity.³ The lady was Marion, daughter of David Hune of Wedderburn, who, with his eldest son, one of the "seven spears," fell at Flodden. The dispensation was produced by the parties

¹ Appendix LXXXIV. ² Pitcairn's Criminal Trials, vol. i. p. 146. ³ Appendix LXXIII.
in the church of Polwarth, on the 26th of October 1520, with a view to the proclamation of the intended marriage. But the marriage was not celebrated till between two and three years afterwards. For, on the 21st October 1522, Swinton grants to "the prudent damsel whom under God's guidance he proposed to take to wife," a liferent charter of the lands of Elbauk and others; and it is not till the 17th October 1523, that we find the couple inseft in conjunct fee in the lands of Howbog. Of this marriage, contracted with so much deliberation, there were two sons—John the heir, and George, of whom nothing is known—and eight daughters. To these ladies, enumerated as Helen, Agnes, Janet, Margaret, Katherine, Elizabeth, Isabel, and Marion, a deed of gift was granted by King James v. of "all goods, moveables, debts, tacks, steadings, sums of money, obligations, and others whatsoever," which pertained to their father, and had been escheated to the Crown by reason of his having been convicted of wilful error committed by him in serving a brieve of inquest of Chancery, obtained by the late Philip Nisbet of that Ilk, as heir to Adam Nisbet of that Ilk, his father, on the lands of Nether Racleuch. The deed is dated at Stirling on the 9th September 1539. Of the ladies who thus obtained the, no doubt merely nominal, possession of their father's goods, Helen, the eldest, was twice married. By her first husband, Robert Heriot of Lymphoy, other-

---

1 Appendix LXXII.  2 Ib. LXXIV.  3 Ib. LXXV.  4 Ib. LXXXII.
wise designed of Trabroun, she had three daughters, who married respectively Sir James Foulis of Colinton, the celebrated lawyer Sir Thomas Craig of Riccarton, and John Laurie, Bailie of Edinburgh. Her second husband was Edward Henryson, an eminent jurist, for several years Professor of the Civil Law at Bruges, and afterwards one of the Judges of the Edinburgh Commissary Court. Of this marriage there appear to have been two sons, and a daughter married to Sir John Nicholson of Dryden. Of the other daughters of John Swinton and Marion Hume, Janet married another Nicholson, from whom descended the Nicholsons of Lasswade and Carnock; Margaret entered the monastery of Elcho; and Elizabeth became the wife of Mathew Sinclair of Longformacus. Their grandson, John Sinclair, was the first baronet of Stevenson, having obtained that dignity from Charles I. in 1636.

It is somewhat difficult to identify two more distant female relatives, to whom John Swinton conveyed, in

---

1 A remarkable monument, erected in 1636 by the eldest son, Sir Thomas Henryson of Chesters, in Greyfriars' Churchyard, commemorates the members of both families, as well as some of his own more distant connections:—

2 Appendix LXXVIII.
1530, the lands of Greenrig, which he had just obtained from Dame Isabel Hume, wife of William Cockburn of that Ilk. They were named Elizabeth and Katherine Swinton, and are designed by the granter of the deed, "daughters and heiresses of the late John Swinton, his brother." There is no trace of any such person in the family records, unless we accept as such the mention of one of the witnesses to a writ of 1529 already noticed. And it is not likely that Swinton's father had a second legitimate son named John. Whatever was their parentage, the ladies in question were more fortunate in winning husbands, than were, apparently, the majority of their fair cousins. Elizabeth married, in 1530, John Cranstoun, "layman," and Katherine, in 1532, John Sydserf, son and heir of Patrick Sydserf of that Ilk. In the case of both marriages the bar of consanguinity between the parties was removed by special dispensation. John Swinton died in 1549. His wife survived him, and, according to Hume of Godscroft, married as her second husband, William Cockburn, of whom nothing more is told.

XVI. John Swinton of Swinton was, on the 27th of May 1549, served heir to his father in the lands of Cran- shaws, Howbog, and Doghouse, then in the hands of the Queen, by reason of the death of his father about three months previously, and the renunciation by Marion

1 Appendix LXXVII.
2 Ib. LXXX. The dispensation for Elizabeth's marriage is not printed.
Hume, his relict, of the conjunct fee of the said lands of Howbog, reserving the frank-tenement thereof for her life. There are also of the same year a precept by Queen Mary to the Sheriff of Berwick, to charge the prior of Coldingham to infeft Swinton as his father's heir in the lands of Little and Meikle Swinton, and a sasine to him of Cranshaws in the same terms. Two years later his right to the lands and lordship of Swinton is confirmed by the commendator of Coldingham. He seems also to have possessed lands in the Mearns. For there is an angry correspondence between him and Sir John Maxwell of Pollok, occasioned by a number of the dependants of John Lord Maxwell, for whom Pollok had become cautioner, having made an attack on the men of John Swinton of that Ilk, at Kinokfoot in Douglas, and not only reft their goods, "bot laimet ane pert of them and muntil latit ane wther pairt of thame." For this Swinton calls Sir John to account, declaring that he would stand "aw of na man, fra the King's Majestie downe," and threatening that he would pursue the matter before the King and Council, or else be banished Scotland. Twenty years before, the same combative disposition, without the same provocation, seems to have involved the Border laird in those lawless aggressions against the persons and property of his neighbours, which make up the history of his

1 Appendix lxxxv.  2 Ib. lxxxvi.  3 Ib. lxxxvii.  4 Ib. lxxxviii.  5 Fraser's Memoirs of the Maxwells of Pollok, vol. i. p. 40, and vol. ii. p. 146.
native Merse. We find, for example, that in December 1561
"John Swyntoune of that Ilk, William Redpeth of that
Ilk, elder and younger, the Barronne of Dalzell, Thomas
Nisbit his brother, the Laird of Lochirnacrus, George and
Alexander, brothers of John Forrester of Gammelscheillis,
and sixty others, found surety to underly the law at the
next Aire of Berwick," for convocation of the lieges,
invansion, wounding, and other crimes.¹ At a later period
Swinton's energies were more worthily employed in sup-
pressing disturbances, and strengthening the hands of
that party among his countrymen, which gave the best
promise of a stable government. Thus he is found among
the barons who in 1567 signed the bond for the protec-
tion of the infant King James VI. against the Earl of
Bothwell, on the marriage of the latter to Queen Mary.
On the 23d of August of the same year, he is one of those
who are charged to comppear personally before the Regent
and the Lords of the Secret Council, to give their advice
anent the ordering of justice and establishing of quiet-
ness within the bounds of the East March.² The Merse
men included with him in this summons are John Hume
of Blackadder, David Hume of Wedderburn, John Lum-
den of Blanerne, George Hume of Ayton, Patrick Cock-
burn of Langton, Alexander Cockburn of that Ilk, John
Renton of Billie, Patrick Sleigh of Cumledge, William
Chirnside of East Nisbet, John Sinclair of Longformacrus,

¹ Pitcairn's Criminal Trials, vol. i.
² Register of the Privy Council, vol. i.
p. 414.

p. 551.
Thomas Redpath of that Ilk, John Haitlie of Mellerstains, John Hume of Coldenknows, and James Ker of Mersington. Many of the same Border lairds, including Swinton, were among the “three hundred spears” ¹ who are described as accompanying Morton, when he “came on foot from the sands of Leith” to take part, in the King’s name, in the skirmish with the forces of Lethington and Kirkcaldy of Grange, which inaugurated the civil war of 1571. Earlier in the same year John Swinton of that Ilk is found signing at Jedburgh a band, by which the subscribers bound themselves to rise against the King’s enemies, and especially against the Laird of Fairnyhurst and his accomplices, or the thieves within Liddisdale, Eskdale, Ewisdale, or Annandale, and to apprehend any of the thieves or rebels found within their bounds, presenting them before the justice or warden. ²

John Swinton obtained, in 1552, a dispensation for his marriage with Katherine Lauder, daughter of Robert Lauder of Bass, who was his cousin within the fourth degree. ³ In contemplation of the marriage he granted to the lady liferent charters of the lands both of Swinton and Cranshaws, which were confirmed respectively by the commendator of Coldingham and Queen Mary. ⁴ Of this marriage there were three sons, Robert, Alexander, and George. The two younger sons obtained from their

---

¹ Calderwood’s History (Wodrow Society), vol. iii. p. 101.
² Register of the Privy Council, vol. ii. p. 117.
³ Appendix lxxxix.
⁴ Ib. xc., xci.
father, with consent of his wife, in 1578, liferents of the lands of Greenrig and Bittrickside respectively.¹ John Swinton died in December 1579.

XVII. ROBERT SWINTON OF SWINTON, his eldest son, being at the time of his father's death under eighteen years of age, there arose a question regarding his wardship and custody between his mother and David Hume, apparently her second husband, on the one part, and the Lord Treasurer and King's advocates on the other. The case was decided by the Privy Council in the Treasurer's favour, to whom "the said Robert" was ordered to be delivered, "to be dealt with as His Majesty's ward," and was immediately thereafter redelivered by him to Elizabeth Hay, executrix of the late Robert Lauder of Bass.² Not long afterwards we find the youth provided with regular curators, in the persons of William Lord Hay of Yester, George Lauder of Bass, John Swinton in Inverkeithing, George Swinton of Clovay, and Thomas Craig, advocate, who was, as we have seen, his uncle by marriage. It is with their consent that his mother engages to infest him in the manor, mansion, and gardens of Elbalk and other subjects.³ In February 1585 he is served heir to his father in the whole lands, both of Swinton and Cranshaws, the former, held formerly of Coldingham, being now held of the King in chief, in virtue of the Act of Annexation of the church lands.⁴ Four years later he

¹ Appendix xcii., xciii.
² Register of the Privy Council, vol. iii. p. 318.
³ Appendix xcvii.
⁴ Ib. xcv.
Swinton in Steill, whose relationship is not stated. To Jean Hepburn, his wife, Swinton granted, in 1619, a charter of novodamus, which, on the narrative that deeds formerly executed in her favour had been lost or stolen, anew conveys to her in satisfaction of her terce, among other subjects, "the whole of his ten husband lands of Elbalk, with the manor-place, houses, buildings, and their pertinents, as then occupied by him," as also the lands of Howbog, in the parish and barony of Cranshaws. Robert Swinton died on the 15th of January 1628, and was succeeded by

XVIII. John Swinton of Swinton, his eldest son. Thirty years before he had been infest under a precept by James Sandilands of Calder, Lord Torphichen, superior thereof, in the lands commonly called Templehouse, as also the temple lands commonly called The Stridlings, in the parish of Whitsome. To his father he expede two special services, dated respectively 20th March 1628 and 16th February 1632. And he was also, with what object it is difficult to say, served heir in general to his great-grandfather's great-grandfather, who was the second Sir John Swinton. Among the names on these inquests are Sir Patrick Home of Polwarth, Baronet, Sir Patrick Home of Ayton, Sir John Home of Blackadder, Sir Alexander Nisbet of that Ilk, Robert Edgar of Wedderlee, George Auchinleck of Cumledge, Peter Home of Harcarse,

1 Appendix cviii.  
2 Ib. xcvi., cvi.  
3 Ib. cx., cxii.  
4 Ib. cxxl; see ante, p. 27.
George Trotter, senior, of Printonan, Thomas Ridpath of that Ilk, Patrick Cockburn of Caldra, George Swinton of Steill, David Lumsden of Blanerne, James Sinclair of Longformacus, John Renton of Billie, James Renton of Lamerton, George Home of Bassindean, James Home in Abbey St. Bathans, and John Ker of Mersington. Contemporary with John Swinton, and probably his near relative, was Walter Swinton, A.M., who was minister of Swinton from 1632 to 1646. If John had not been shown by the writs just mentioned to have been alive in 1632, he might not unreasonably have been supposed to be the subject of a copy of verses entitled, "Tears on the death of Evander, occasioned by the Lamentable Losse of the truelic Noble and Generous Sir John Svynton, knight, Colonell of an Regiment of 2000 Nederlanders, going to Venize, who was cast away by a storme on the coast of England, upon Goodwin Sands, the 13th Octob. 1630." This elegy, the author of which was George Lauder, son of Lauder of Hatton, and grandson of Sir Richard Maitland of Lethington, was reprinted in 1848\(^1\) from a copy believed to be unique. The hero was presumably one of the many Scottish colonels who, between 1600 and 1640, "faithfully served the Venetian State against both the Christian and Turkish Emperors."\(^2\) But his services seem to have been given to many of the armies of the Continent, as he is thus apostrophised—

\(^1\) The editor of this reprint was the late W. B. D. D. Turnbull, advocate, who presented it to his colleagues of the Bannatyne Club.

\(^2\) Works of Sir Thomas Urquhart of Cromarty (Maitland Club), p. 245.
had acquired the lands of Hilton, but disposed of them on his succession to the family estates, in which he was served heir to his brother on the 2d of May 1633. An Act of Parliament of the same year ratifies the charter of James VI, and all other titles in his favour or that of any of his predecessors. There has also been preserved a Royal signature, without date, for a charter conveying to him, George Swinton in Swintonhill, his uncle George's son, and Mark Swinton in Inverkeithing, and their respective heirs-male in succession, not only Swinton and Cranshaws, but the temple lands of Templehouse and Stridlings, which had belonged to his half-sister, Katharine Lady Nisbet, and erecting the whole into a barony, to be called in all time coming the Barony of Swinton. Sir Alexander was appointed Sheriff of Berwickshire in 1640. Four years later he represented the county in Parliament. He married Margaret, daughter of James Home of Framepath and St. Bothans, a cadet of the family of Home. On the east gable of Swinton church is a stone, bearing, along with the family arms, his initials and those of his wife. A mural tablet on the north wall, with a similar device, but more rudely carved, may be supposed to mark their graves. Of this marriage there were six sons and five daughters. The daughters

1 Appendix cxiii. 2 Ib. cxv. 3 Ib. cxvi.
SWINTONS OF THAT ILK.

Alexander in favour of his son and his intended spouse, by which various portions of the estates, both of Swinton and Cranshaws, are conveyed to them, under burden of the lifelong right of the grantor's wife, Lady Margaret Home, if she should survive her husband. Sir Alexander died in 1652. Before that date the son had been chosen one of the Committee of Estates, and appointed a Commissioner for the Plantation of Kirks. He was also named one of the colonels for Berwickshire, for putting the kingdom into a state of defence. Nevertheless, we find him in June 1650 voting against a levy, "when, as the Parliament was informed certainly, Cromwell and a strong body of sectaries were marching down to invade the kingdom." In December of the same year, he is said to have gone over to the English forces, then occupying Edinburgh. By some of his apologists it has been asserted that this was not a voluntary act on his part, but that he was taken prisoner by a party of Cromwell's soldiers. And such was his own statement, when ten years afterwards he was admitted to his defence. It seems certain that it was as a spectator only, and not as a combatant, that he was present with the Parliamentary army at the battle of Worcester, where, as has been already noticed, two, if not three, of his brothers fought on the side of the King. In Scotland, however, his offence was looked on as unpardonable. He was excommunicated by the Commission of the Kirk, held at Perth in May 1651.

1 Appendix cxvii, cxviii.  
though still kept out of the family estate, seems to have found his way back to his native county. For we are told that in 1678 Sir David Home (afterwards Lord Crossrig), desiring to take up his residence at Blackadder, to look after the affairs of his nephew, Sir John Home, a difficulty occurred "in respect the house and yard of Blackadder, and the meadow at the water-side betwixt the trees, were set to the Laird of Swinton, and he was unwilling to remove." "After some letters and an attempt at diligence," the matter seems to have been amicably arranged, and Swinton found a refuge at Borthwick, at that time in the possession of one of the Cockburns of Langton, whose wife was Crossrig's sister, and where Crossrig himself was married, two years later, to a daughter of Hepburn of Beanston, and, consequently, Swinton's grand-niece. At Borthwick Swinton died early in 1679. The editor of Jaffray's Diary, already alluded to, has preserved what he calls "two precious documents," one being Swinton's dying testimony "that the contemned people called Quakers are a blessed people," the other, a similar testimony by his widow, that "in this living faith and principle of life her beloved husband laid down his outward man in peace." In favour of the lady there exists\(^1\) a deed of gift by Charles II., dated 16th June 1680, granting a yearly pension of £104 sterling to her and Swinton's two children, Alexander and Isaac. Beyond the "verie poor and miserable conditione" of its recipients

\(^1\) Appendix cxxi.
tombstone in Swinton churchyard records her death on the 14th of September 1741, aged fifty-one. In 1690 John Swinton presented to the Scottish Parliament a petition praying that his father's forfeiture might be rescinded. The case was considered with much deliberation, the Earl of Lauderdale, who had succeeded his brother the Duke, being heard for his interest. An Act of Parliament was ultimately passed annulling the two decrees of forfeiture of 1651 and 1661;¹ and Swinton, now or shortly afterwards a widower, having expedite a special service to his father,² returned to Scotland, and resumed possession of the family estate, which he found denuded of its old timber, and otherwise greatly dilapidated. Of the society which he encountered in his native Merse, a curious record is contained in a manuscript diary, which has been preserved in the Marchmont repositories. The writer was George Home of Kimmerghame, the story of whose marriage, when a mere boy, to the heiress of Ayton, and the forcible abduction of the young lady for that purpose, is told in Chambers's Domestic Annals of Scotland.³ He was now a man of middle age, a widower for the second time, with an only son. In his picture of Border life the central figure is always his famous kinsman, Patrick Earl of Marchmont. Holding the high position of Chancellor of Scotland, he is described as a kind friend, a generous host, an active country gentle-

² Appendix cxxiii.  
man, deeply interested in everything that occurs in Ber-
wickshire, and consulted regarding the marriage, and revising the settlements, of his every female cousin in the third or fourth degree. Among Kinnerghame's other familiars, besides the restored Laird of Swinton, were Sir John Home of Blackadder, two successive Humes of Ninewells, the grandfather and father of the historian, Carre of Cavers, who was also proprietor of Nisbet, and a whole bevy of Lords of Session, including Sir Roger Hog of Bogend Lord Harcarse, Lord Mersington, and Sir David Home Lord Crossrig, who was the diarist's uncle. The social habits of these Merse Lairds seem to have been sufficiently primitive. Formal invitations and long engagements were unknown, but friends were constantly dropping in—sometimes at four o'clock in the morning—and forenoon calls were generally paid after dinner. The fare at these extempore banquets must often have been somewhat scanty, since we find recorded as important events, the sending a servant to Berwick for a leg of veal, or to Kelso for half a pound of tobacco, and some bread. Kinnerghame going to visit his cousin, Sir John Home, at Blackadder, takes his son Robie (then about two years old) before him on the black mare, and Robie's woman behind the serving man. They dine there, and return at night. On occasion of a larger gathering at the same hospitable mansion, "the gentlemen after dinner fell to tossing dogs in a blanket, which" (the journalist adds) "is a usual divertissement in other places, particularly
among the Swissers." "They got dogs," he continues, "at Greenloan. They are not as yet very dexterous." Again, Kimmerghame going to Edinburgh in January 1695, sends to Blackadder for the loan of his black sword, cloak-bag, saddle, and malle-pillion; and taking horse in the morning, dines at "Jinglekirk," and comes to town at night, where he lodges "in Mrs. Romes, up Blair's stair, the fourth story upon the street." Returning from Edinburgh in March 1698, he gets a place in Sir John Swinton's coach, and "came to Polwarth House" (the modern Marchmont) "about eight." Arrived there, the writer adds, "Commissary Home and I were bed-fellows." The matrimonial projects of the Laird of Swinton seem to have had a special interest for his Kimmerghame neighbour. "Sir John Swinton," writes the gossiping chronicler, on the 29th September 1697, "has gained his mistress the Advocate's daughter, and there is a minute of a contract signed by them." A fortnight later he records that the lady has told her lover, that "though she will obey her father in what he commands her, yet if the thing be left to her own choice, and death were laid in one balance, and he in the other, she would choose death." Though after this plain speaking Sir John is said to be "still courting her" on the 10th of November, we find him married on the 17th of February following to another lady, Anne Sinclair, daughter of Sir Robert

1 Alexander Home, Writer to the Signet, Commissary of Lauder from 1690 to 1702.
issue, Sir James McGarrell Hogg, Baronet, K.C.B., chairman of the Metropolitan Board of Works, and a
daughter, Isabella, married, in 1848, to Dudley Coutts
Marjoribanks of Guisachan, who was created a baronet in
1866, and in 1881 raised to the Peerage under the title
of Lord Tweedmouth. The other daughters of Samuel
Swinton are—(3.) Eliza, widow of John Melville, Esquire;
(4.) Isabella, and (5.) Jessie Bebb. After his death in
1839, the estate of Swinton was for twenty years pos-
sessed in liferent by his widow. She died in 1859, when
the succession opened to the eldest daughter,

III. ANNE ELIZABETH SWINTON, of Swinton. She
married, in 1820, her cousin, George Swinton, fifth son of
Lord Swinton, who held high political appointments in
India, and was for many years chief secretary to the
Governor-General. He died in 1854, leaving five sons
and two daughters. The eldest son is Archibald Adam,
who was a judge in Bengal, and retired from the service
in 1870. He has been twice married. By his first wife,
daughter of Captain Eastgate, he had a daughter, Anne
Lydia Keith, who married the Rev. Robert Home,
minister of Swinton, and died in 1875, her husband sur-
viving her only two years. Archibald Adam Swinton
married, secondly, Isabella Reid, daughter of Henry
Normand, Esq. By her he has a son, George Herbert
Taylor, lieutenant in the Bedfordshire regiment, and two
daughters, Christina Margaret, and Isabella Harriet,
made to Captain Grey of the Bengal Staff Corps. Mrs.
time, along with his military appointment, the post of Persian interpreter, for which he was recommended both by his knowledge of the language, and by his singular acquaintance with the manners of the Indian races, and the conduct to be pursued towards them. His portrait in this capacity occupies a place in a large historical picture by West, representing the delivery by the Emperor Shaw Alum (commonly called the Great Mogul) to Lord Clive, of the grant of the “Dewanee,” that is, the collection and administration of the revenues of Bengal, Bahar, and Orissa. The picture is now in the possession of the Earl of Windsor. The arrangement which it commemorates is described by Clive’s biographer\(^1\) as “having crowned his efforts as a hero and a statesman, in fixing firm the foundation of the British Empire in India.”

Captain Swinton returned home in 1766. In his native country he seems to have been welcomed as a person of some distinction, as he received the freedom of the city of Glasgow, and of the burgh of Fortrose, followed some years later by a similar compliment from the town of Inverness. In 1769 he purchased the estate of Manderston,\(^2\) in his native county, to which, two years afterwards,


\(^2\) Manderston belonged in early times to the old Border family of Papedy or Pepdie. It subsequently passed into the possession of the descendants of Patrick, sixth son of the Sir David Home of Wedderburn who fell at Flodden. It was from a House that Archibald Swinton bought the estate. When he sold it in 1783, the purchaser was Dalhousie Watherstone, who died in 1803, leaving the liferent of Manderston to his widow. She married the
he added Kimmerghame. The latter had the attraction of being immediately adjacent to the family estate of Swinton. In 1776 he married Henrietta, eldest daughter of James Campbell of Blythswood (before 1768, Douglas of Mains), by his wife, a daughter of James Dunlop of Garnkirk. Mrs. Swinton had two brothers and three sisters, none of whom ever married. The eldest brother, Colonel John Campbell of Blythswood, fell in action at the capture of Martinique, on the 23d of March 1794. The second, Archibald, well known both in England and Scotland as "Blythswood," was Lord Lieutenant and

Honourable General Maitland, third son of the seventh Earl of Lauderdale, whom she survived, as she did also her first husband's nephew, John Tait of Pirn, to whom the fee of the estate had been destined. On Mrs. Maitland's death in 1854, Manderston was sold by Tait's heirs to Richard Miller, from whose testamentary trustees it was acquired in 1864 by his elder brother, now Sir William Miller of Manderston, Baronet.

1 Kimmerghame, anciently written Kymbrightham, was an early possession of the Sinclairs of Hermandston. Their name survives in the hamlet of Sinclairs-hill. From them the lands passed, with the hand of an heiress, to a cadet of the Homes of Wedderburn. The owner, towards the close of the seventeenth century, was the George Home whose Diary is referred to in the text (ante, p. 78). On the death of his son, Kimmerghame was inherited by his kinsman, Patrick, Earl of Marchmont. By him it was dispossed, under burden of a heavy debt, to his fourth son, Sir Andrew Hume, who sat on the Bench as Lord Kimmerghame. In his favour the lands were erected into a barony by Royal Charter dated in 1718. But he was unable to preserve them for his descendants, and after his death they were, in 1738, the subject of a judicial sale. The purchaser was Captain George Johnston of Dublin, who again sold the property in 1755 to Alexander Telfer of Symington. Its subsequent owners, either by succession or purchase, have been Alexander Telfer, his son, 1760; Archibald Swinton of Manderston, 1771; Sir James Stirling, Baronet, 1803; Neil, third Earl of Rosebery, the same year; Archibald John, fourth Earl, 1814; Andrew Bonar of Warriston, 1818; John Bonar, banker, Edinburgh, 1826; James Bonar, merchant, London, 1835; Mary Campbell of Blythswood, 1847; John Campbell Swinton, 1850; Archibald Campbell Swinton, 1867.
faultur, and declares the saids two decreets and gift of forfautur to have been from the beginning, to be now, and in all tyme comeing, void, null, and of noe avail, force, strength, or effect; and restores John Swintoune now of Swintoune, against the saids forfautouris and gift, and all that hes follow or may follow theerepone, be way of justice; and declares that this Act is and shall be understood to be excepted out of the Act Salvo Jure, to be passed in this present Parliament. Extracted furth of the Records of Parliament by me,

(Signed) T. Burnett, Cts. Reg.

CXXXIII.

Retour of Special Service of John Swinton of that Ilk to his father, in the lordship of Swinton.

[DATED 5TH SEPTEMBER 1690.]

HAE inquisitio facta fuit in nova praetoria seu sessionis Domoburgi de Edinburgh, quinto die mensis Septembris, anno Domini millesimo sexcentesimo et nonagesimo virtute dispensationis dominorum concillii et sessionis, tam penes locum quam vacantium tempus concessse, coram discretis viris Alexandro Hamilton et Carolo Maitland duobus ex quatuor clavigeris coram dictis dominis concilii et sessionis, vicecomitibus vicecomitatus de Berwick in hac parte, per commissionem supremi domini nostri regis et reginae, sub testimonio magni sigilli, ad effectum subscriptum, directam, specialiter constitutis, per hos honorabiles et probos viros patræ subscriptos, videlicet, comitem de Sutherland, dominum Strathnaver, Robertum comitem de Lothian, dominum Newbottle, dominum Georgium Campbell de Cessnock, justiciaræ clericum magistrum Davidem Home de Crocerigge, unum senatorum
nimirum antiqua infeosamenta, temporibus dictorum retornatum et deseruitionum, abstrahebantur a suis progenitoribus, iniuria temporum, bellorumque ciuilium occasione, vel per incursiones, spolia, incendia et deprecationes frequenter olim commissas per antiquos Anglie inimicos, contra incolas et liegios nostros, preventim infra dictum vicecomitatum nostrum de Beruik inhabitantes: Non obstantibus premisis, nos volentes ipsorum jura in terris supradictis quesita nullo pacto diminui, mutari nec infirmari, quin potius amplificari et omnibus in articulis confirmari et augeri, ut eisdem sepefatus Robertus et heredes sui pacifice fruuntur et gaudeant, easdemque terras, cum aduocatione et jure patronatus rectorie et vicarie prefate ecclesie de Cranschawis, tarnquam suo jure antiquo et priuilegio consequent et possideant: Nos igitur, matura deliberatione prohabita, cum ausisamento et consensu dilectorum et fidelium nostrorum consiliarorum, Walteri domini Blantyre, nostri thesaurarii, domini Georgii Home de Woddirburne, militis, nostrorum computorum rotulatoris, collectorisque generalis, ac reliquorum nostri scaccarii dominorum, ratificalimus, approbamus, atque tenore presentis carte nostre ratificamus, approbamus et confirmamus, omnes et singulas cartas et infeosamenta, precepta et instrumenta sasinarum, et alias evidentias quas cunque factas quibuscunque predicessoribus dicti Roberti de antedictis terris de Cranschawis, et jure patronatus ecclesie eiusdem, atque de omnibus et singulis terris et dominio de Swyntounes magna et parua aliisque terris respectine suprarecitatis... atque per presentis carte nostre tenorem, decernimus et declaramus prelibatum Robertum heredesque suos prescriptos habuisse et habere bonum ac indubitatum jus in et ad aduocationem, donationem et jus patronatus dicte ecclesie de Cranschawis tam rectorie quam vicarie eiusdem, non obstante omissione suprascripta e suis suorumque predicessorum retornatis; atque non obstante non presen-
millesimo sexcentesimo vigesimo octano, coram provido et discreto
viro Roberto Cockburne de Blakismylne, vicecomite in hac parte
vicecomitatus de Beruik, pro deservitio brevis e cancellaria
S. D. N. regis, ad instantiam Joannis Swyntoun nunc de eodem
imPETrata, . . per hos honorabiles . . homines patrie subscriptos,
Viz., Dominum Patricium Home de Aytoun, militem, dominum
Joannem Home de Blacader militem, Robertum Edzer de Wed-
derlie, Davidem Lummisden de Blanerne, dominum Georgium
Ramsay de Wyliecleuch, militem, Jacobum Sinclair de Lochir-
cacus, Georgium Trotter seniorem de Pretonnane, Joannem
Rentoun de Billie, Jacobum Rentoun de Lamerton, Joannem
Cockburne juniorem de eodem, Jacobum Cockburne de Ryslay,
Rodolphum Ker de Reidpethe, Robertum Dicksoun de Hirdrig,
Alexandrum Boig de Burnhoussis, et Georgium Home de Bassin-
dene: Qui jurati dicunt, quod quondam Robertus Swyntoun de
eodem, pater Joannis Swyntoun nunc de eodem, latoris presentium,
obii ultimo vestitus et sasitus vt de feodo, ad pacem et fidem
S. D. N. regis Caroli . . . In toto et integro dominio et terris de
Swyntoun . . . in baronia de Coldinghame . . . neenon in totis
et integris terris ecclesiasticis ecclesie de Swyntoun, cum gleba,
mansione, domibus et edificiis earundem: (Exceptis et reseruat
vicario dicte ecclesie, et suis successoribus, duabus domibus pro-
xime et contingue jacentibus introitui cemiterii dicte ecclesie, Kirk-
style vulgo nuncupato, et quatuor particatis terrarum jacentibus
contigue a tergo dictarum duorum domorum, pro suo horto . .
cum pastura vnius equi . . . Atque etiam in totis et integris terris
de Cranschawis . . . Thorniburne, . . . Howboig . . . Doghous,
cum molendino etc. . . . vnitis . . . in vnam integram et liberam
baroniam, Baroniam de Cranschawis . . . nuncupandam . . . Et
quod dictus Joannes . . . est legitimus et propinquior heres
masculus ejusdem quondam Roberti Swyntoun sui patris . . . Et
militis, sui tritavi: Et quod est legitime etatis: In cuius rei testimonium sigilla quorumundam eorum qui dicte inquisitioni intererant faciende vna cum brevi regio intus clauso, necnon sub sigillo et subscriptione manuali Willielmi Strauchan notarii publici ac clericis dicti vicecomitatus pro tempore, presentibus sunt appensa, sub anno, die, mense, et loco prescriptis, etc.

CXII.

EXTRACT RETOUR of Special Service of John Swynton of that Ilk, to Robert, his father, in the lordship of Swynton. [Dated 16th February 1632.]

HEC inquisitio facta fuit in curia vicecomitatus de Berweik, tenta in pretorio burgi de Dunse, coram prouido et discreto viro Roberto Cokburne de Blakismylne, vicecomite deputato dicti vicecomitatus specialiter constituto, decimo sexto die mensis Februarii, anno Domini millesimo sexcentesimo trigesimo secundo, per hos probos et fideles patrie viros ... Jacobum Home in Abbacia de Sancto Bothanes, Dauidem Home de Ramrig, Jacobum Sinclair de Longformaghous, Georgium Trotter, juniorum de Prentonane, Joannem Ker de Mersingtoun, Alexandrum Boig de Burnehousses, Dauidem Eddingtoun de Clarievald, Jacobum Home de Quhitsumhill, Joannem Gradane de Erneslaw, Ninianum Edzear de Wolfstruther, Patricium Cokburne de Borthwik, Willielmum Cokburne de eodem, Patricium Cokburne de Caldraw, Joannem Dickson de Westraw, et Hectorem Furde in Ladeflatt; qui jurati dicunt quod quondam Robertus Swentoun de eodem, pater Joannis Swentoun nunc de eodem, latoris presentium, obiit ultimo vestitus et sasitus vt de feodo, ad pacem et fidem ... regis, in omnibus et singulis terris totius dominii de Swentoun magna ... necnon in ... terris de Swentoun parva ...
Et quod dictus Joannes est legitimus et propinquior heres eiusdem quondam Roberti ... Et quod est legitime etatis: Et quod dicte terre ... olim tenebantur in capite de abbate seu priore et conventu de Coldinghame ... et nunc ... de ... rege ... Et quod omnes et singule predicte terre ... nunc existunt, sicuti exstiterunt, in manibus dicti superioris earundem continuo a decessu dicti quondam Roberti, patris dicti Joannis, qui decessit mense anno Domini millesimo sexcentesimo vigesimo octavo, et sic per spatium quatuor annorum aut ea circa ... In cuius rei testimonium, etc.

CXIII.

EXTRACT RETOUR of Special Service of Mr. Alexander Swynton to his brother John, in the lordship of Swyntoun, etc. [Dated 2d May 1633.]

HEC inquisitio facta fuit in curia vicecomitatus de Berwick, tenta in pretorio de Dunse, secundo die mensis Maij, anno Domini millesimo sexcentesimo trigesimo tertio, coram honorabili viro domino Alexandro Nisbett de codem, milite, vicecomite principali dicti vicecomitatus, virtute dispensationis dominorum Consilii et Sessionis, pro deservitione brevis e cancellaria suprmi domini nostri regis, ad instantiam Magistri Alexandri Swyntoun nunc de codem impetrati, per hos honorabiles et probos homines patrie subscriptos videlicet, dominum Davidem Home de Wedderburne, militem, dominum Patricium Home de Aytoun, militem, dominum Willielnum Cockburne de Langtoun, et dominum Joannem Home de Blacader, milites, Magistrum Thomam Nicolsone, advocatum coram dominis Consilii et Sessionis, Magistrum Jacobum Baird, advocatum, Joannem Cockburne de codem, Magistrum Jacobum Nicolsone de Colbrandspeth, Patricium Lumisdeane de Blanerne,

CXIV.

Precept by King Charles the First, in favour of Mark Swynton, as attorney for Dame Catherine Swynton. [Dated 21st May 1633.]

CAROLUS Dei gratia Magne Britannie Francie et Hibernie rex, fideique defensor, omnibus probis hominibus suis ad quos presentes
APPENDIX OF CHARTERS. [1549.

LXXXV.
COPY RETOUR of the Special Service of John Swynton to Mr. John Swynton, his father, in the lands of Cranschaws, etc. [Dated 27th May 1549.]

HEC inquisitio facta fuit in pretorio burgi de Edinburgh coram honorabilibus viris, magistro Joanne Sinclare, vicecomite deputato de Edinburgh, et Willelmo Lawsoun burgensi burgi de Edinburgh, vicecomitibus de Berwik et Edinburgh infra constabulariam de Hadingtoun, in hac parte, per commissionem supreme domine nostre regine, coniunctim et diuisim specialiter constitutis, vicesimo septimo die mensis Maii, anno domini millesimo quingentesimo [quadragesimo] nono, per istos honorabiles viros scriptos, vide-licet, Joannem Home de Blakcader, Joannem Edmestoun de eodem, Georgium Towris de Innerleith, Gilbertum Wauchop de Nyddrie Merschell, Joannem Fawsyde de eodem, Willelmum Hay de Tullo, magistrum Georgium Hay de Myznene, Eduardum Sinclare de Drydane, Alexandrum Seytoun de Morhame, Alexandrum Cokburne de eodem, Adamum Wauchop de Caikmure, Joannem Lummisdene de Blanerne, Alexandrum Zule de Garmyltoun, Robertum Knowis de eodem, et Joannem Forrestar de Gammymlschellis, qui jurati dicunt, quod quondam magister Joannes Swyntoun de eodem, pater Joannis Swytoun latoris presencium, obiit ultimo vestitus et sasitus vt de feodo ad pacem et fidem supreme domine nostre regine, de totis et integris terris de Cranschawis, Thornyburne, Howbog et Doukhous, cum molendinis earundem et suis pertinenciis, jacentibus infra vicecomitatum de Berwik: Et quod dictus Joannes Swyntoun est legitimus et propinquior heres eiusdem quondam magistri Joannis Swyntoun sui patris, de totis et integris prenominatis terris ... Et quod est legitime etatis: Et quod
of iure predicto Johanni Swyntoune de eodem facere tenebatur pro terris suis de Mekil Swyntoune et Litil Swyntoune cum pertinenciis: Super quibus omnibus et singulis premisis, prefatus Georgius Spence, nomine dicti Johannis Swyntoune de eodem, a me notario publico subscripto, sibi fieri peciit publicum et publica instrumentum et instrumenta, vnum et plura: Acta fuerunt hec vt predictur in ecclesia monasteriali de Coldingahame, hora quasi vndecima ante meridiem, aut eocirca, sub anno, die, mense, indicione et pontificatu quibus supra: presentibus ibidem prouidis viris, videlicet, dompno Thoma Swyntoune, cum aliis monachis dicti loci, Johanne Forman, Thoma Myll et Willelmo Paxtoun, cum multis aliis testibus ad premissa vocatis pariterque rogatis. [Notary, Alexander Romannos.]

LVII.

INDENTURE between Lord Hume and John Swwinton of that Ilk, regarding the debatable lands of Ramryg and Swwinton. [Dated 20th September 1505.]

THIR endenturis, maid at our lady Kyrk of the Steil, the xxti day of September, the zer of God m^v^e and v zeris, it is apuntyt and concordyt betwex honorabyl men, that is to say, George Howme, son to the lord Howme, in name and behalff of the said lord, and Dauid Howme of Vedderburne, knycht, on the ta part, and Jhone of Suentone of that Ilk, on the tother part, in maner and forme as efter foloys, that is to say, as anentis the landis deatabyll of Ramryg and Suentone, and the cornes beand thar apone this instant zer, bath the said partyis ar aggreit and concordyt, that corne at the lard of Suentonis tenendis sow on the said grond, sal be led to ane zard in the est quarter of Suentone, and thar to stand in evyn handis
for bath the parteis; and the corne of Ramryg at the lard of Suenton clamys, to be led to ane zard in Ramryg; and bath thir cornes to ramayne in the said zardis quhyll the land be parammylyt betwex the said parteis; and bath the said parteis ar oblyssit and bund to kep al the puntis contenyt in this endentur; and the ta halff of this endentur to ramayne with the said lord Houme and Schir Daudi Howme, and the tother halff to ramayne with the said lard of Suentone: And for the mar securyte thai haff subscriuyt thaim with thar handis, befor thir vetnessis, Phylip of Nesbet of that Ilk, Thomas Redpbep of that Ilk, Wylzem Diksone, Master Thomas Fryff, vecar of Vpsydlyntone, Schir Andro Dawrympyl, Jhone Hendersone, vyth other dyuerse. (Signed) George Hom, D. Wederbwrn. [Signature of John Swinton torn off.]

LVIII.

SUMMONS against Patrick of Hamilton and Patrick of Smeton for taking several horses from the lands of Cranschaws. [Dated 22d November 1506.]

JAMES, be the grace of God, King of Scottis, til our loutitis Symnoun Spardur, currour, and Johne Crosse, shireflis in that parte, coniunctly and seueraly, specialy constitut, greting: Forsamekil as it is menit ande compleenzeit til ws be our lout Johnne of Swyn-toune of that Ilk, knicht, that quhare we direct ourle letres of befor, chargeing that none of our liegis sulde vex nor disturbe him nor his tennandis in the brouking ande joising of the landis of Cranschawis, vnto the viii day of Januar next to cum, but preiu-dice of party, that the mater ande debate tharof had bene decidit and endit be the law, now of late Patrik Hammiltone, son to the
XXVIII.

LETTERS OF TESTIMONY by William Drax, Prior of Coldyngham, of the uplifting of the mails of half of Meikle Swynton, by William of Wedderburne.
[Dated 20th December 1433.]

Til als and sindre qwas knawlage thir presentes letteris sally cum, Williame Drax, priour of Coldynghame, sendis greting in God: forqwy that it is medfull and meritable for to ber witnes till the suthfastnes, and speciali in it that thrwy the hyding of suthfastnes, schate or preiidice may be engenerit till ony innocent; tharfor we ber witnes, and suthfastly makis kend, that Williame of Wethirburne, lauchfull tutour till the son and har of qwilum Schir Johne of Swynton that last decesit in Fraunce, be vetru of his office of tutouri, resait and tuk vp the malys of the twa parte of Mykill Swynton of the terme of Martymes next folowand efter decese of the forsaid Schir Johne, the qhilk malis he deliuerit till our balze, Dauid Home, in our name, forqwy thai pertenyt till vs of lawe, because that the said landis war in our handis at the said terme, vnrecuerit till the forsaid hair, and war lyand still vnraisit, qhyle the forsaid Williame, as tutour forsaid, had ressauit sesing of the forsaid landis till the forsaid hair; and than in all gudly hast therefter he ressauit and raisit thaim be vertu of his office of tutouri, and paid till our balze in our name, as is befor said: And this till all thaim to qwam it pertenis, or may pertene, suthfastly we mak kend be thir present letteris, writtin at Coldynghame, vnder our sele, the xx day of Decembyr, in the yher of our Lord m.cccc.xxx and iiij.
Hay, William, Lord, of Yester, 50, 52, cxxxix.
   — Mr. William, of Baro, cxli.
   — William of, xvi.
   — William, of Lymmulum, cxli.
   — William, of Tullo, cxx.
Henderson, John, lxxviii.
   — Robert, xci, xcv.
   — v., King of England, 22.
   — Prince, son of David, of Scotland, 3.
Henryson, Edward, commissary of Edinburgh, 45.
   — Sir Thomas, of Chesters, 45.
   — Mr. Thomas, advocate, cxlix, clclxiv, clxix, clxxx, clxxxiii.
   — Walter, W.S., clxviii.
Hepburn of Beauston, 58, 74.
   — Archibald of, burgess of Haddington, xl.
   — Dr. George, of Monkri, 58.
   — Mr. John, minister of Cranshaw, 51.
   — John, of Smeaton, husband of Helen Swinton, 53.
   — John, lxiii.
   — John, burgess of Haddington, lxvi, lxviii.
   — John, sergeant of the constabulary of Haddington, lxxv.
   — Sir John Buchan, of Smeaton, 100.
   — John, son of, 100.
   — Mr. John, parson of Cranshaw, clxix, clxxx.
   — Mary Anne, wife of John Swinton (xxv.), 96.
   — Patrick, of Whetcastle, 53, clxxiii.
   — Patrick, of Walchtoun, xxx.
   — Mr. Patrick, of Newtown, clxxx.
Hepburn, Sir Patrick of, xvii.
   — Robert, of Bauds, 93.
   — Robert, of Clerkington, 96.
Hepburnes of Clerkington, 93.
Herbert, the chamberlain, 3.
Hering, David, of Glaschune, 1.
   — James, of Tullibole, 29, 1, li.
   — James, lxii.
   — John, of Vormont, lii.
   — Patrick, xxxix.
Heriot, Archibald, cxxi, cxxiii.
   — Henry, clxxii.
   — Robert, of Lymphoy, husband of Helen Swinton, 44.
   — Mr. Robert, cxxvii.
   — William, lxxvi, lxvii.
Heswelle, Symon, iii.
Hilton, lands of, 57.
Hinlawhill, lands of, cxcv-cxcviii.
Hirdnestown, James, in Langtown, clviii.
Hirscl, lands of, 4.
Hog, Alexander, xviii.
   — Andrew, W.S., cxxxii.
   — James, of Newliston, 100.
   — Mr. Patrick, xxxi.
   — Sir Roger, of Bogend, 79.
   — Thomas, 100.
Hogg, Sir James Weir, 102.
   — Sir James M'Carrell, 103.
   — Isabella, 103.
Holland, 56, 76, 77, 110.
Holyrood, palace of, 58, 59, lxxviii.
   — George, abbot of, xciv.
Home, Alexander, W.S., 80.
   — Sir Andrew (Lord Kimerghame), 108.
   — Sir David, Lord Crossrig, 74, 79, cccvii.
   — David, of Ramrig, clxxx.
   — David, bailie of Coldingham, xxxvi.
INDEX.

Hone, Sir David, of Wedderburn, 107, lxxvii, lxxviii, clxxxi.
— George, of Bassindean, 53, clxxviii.
— George, of Broxmouth, cxli.
— George, of Kimerghame, 78, 79, 108.
— George, brother-german to the Laird of Polwarth, clxxxii.
— George, of Paxton and Wedderburn, 23.
— Sir George, of Wedderburn, clxv.
— James, in Abbey St. Bathans, 55, clxxx.
— James, of Whitsomehill, clxxx.
— John, of Blackadder, 48, cxx.
— Sir John, of Blackadder, 54, 79, clxxviii, clxxix, clxxi.
— John, of Renton, clxxxii.
— John, of Framepath and St. Bathans, 57.
— Margaret, wife of Sir Alexander Swinton (xix.), 57, 65, clxxxix, exxi.
— Sir Patrick, of Ayton, 54, clxxviii, clxxix, clxxxii.
— Sir Patrick, of Polworth, Bart., 54, clxxix.
— Patrick, son of Sir David of Wedderburn, 107.
— Patrick, of West Reston, clxxxii.
— Peter, of Harcarse, 54, clxxix.
— Rev. Robert, minister of Swinton, 103.
Homes of Wedderburn, the, 108.
Houildon, battle of, 5, 12-14, 29, 32, xliii.
Hommyle Knows, lands of, lxvii.
Hood (Hud), James, cxlvi, clxxi, clxxxvi.
— (Hwd), William, cxix.
— William, sub-prior of Coldingham, clxxii.

Hoppar, William, bailic of Edinburgh, 37, lxxxi.
Hoppinigil, Alexander, cii.
Houndsditch, 73.
Houston, Sir George, 102.
— Robert, 24.
Howbog, lands of, 39, 44, 46, 47, 51, 54, lxxxiii, xciii, ev, etc.
Howburn, John of, lxxx.
Hume, Sir Alexander, of that Ilk, 33, xlix.
— Alexander of, xl, lxiii.
— Alexander, of Thuristoun, lviii.
— David, of Spot, lxiii.
— David, 50.
— David, of Wedderburn, 43, 48, ci.
— Gavan, lxxiv.
— George, of Ayton, 48.
— George, son of Lord Hume, lxxvii, lxxviii.
— Dame Isabel, 46, cix.
— James, of Crosbie, cxli.
— James of, xlix.
— James, chaplain, lxxiv.
— John of, lxiii.
— John, of Coldenknows, 49.
— Lord, 36, lxxxvii, lxxxviii.
— Marion, wife of John Swinton (xv.), 43-45; marries, secondly, William Cockburn, 46; ci-cvii, cxxi, cxxiv, cxxv.
— Patrick, of Fastcastle, 37, lxx, lxxi, lxxxi.
— William, of Rawburn, 33, xlix.
— of Godscroft, cited, 46.
Humes of Ninewells, the, 79.
Humphreys, Alexander, 81.
Hunbdy, Alexander of, xxxv.
Hunter, Eliza, wife of Captain Robert H. Swinton, 97.
Huntly, Alexander, Earl of, xciv.