



THE SCOTTISH GENEALOGIST

JUNE 2020

**The Otto Family
Greyfriars Kirkyard
Hepburn of Waughton
Atrocious Murder!**

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The Scottish Genealogy Society

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and of all our regular and occasional contributors.

Front Cover:

The Society's Coat of Arms

Back Cover:

Greyfriars Kirkyard, Edinburgh.

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CONTENTS

A History of the Otto Family in Scotland - <i>Keith J. Otto</i>	3
Dates for your Diary	13
Atrocious Murder and Robbery - <i>Rory Cunningham</i>	14
Greyfriars Kirkyard - <i>Dr Susan Buckham</i>	21
Wife Sale - <i>John Stevenson</i>	26
St Michael's Kirkyard, Dumfries (Publication) - <i>James Stevens Curl</i> ...	27
Hepburn of Waughton - <i>Gregory Lauder-Frost</i>	29



Ann Mitchell in 1970

Photograph kindly supplied by her son Andy Mitchell

Ann Mitchell 1922 – 2020

The Society regrets to announce the death on 11th May of Ann Mitchell,
a very long-standing member.

A full Appreciation will appear in the September 2020 edition.

GENERAL INFORMATION

The Society is an academic and consultative body whose constitutional objects are to promote research into Scottish family history and to undertake the collection, exchange and publication of information and material relating to Scottish genealogy. Copies of our Constitution are available to members upon request. We assist members with modest enquiries, but do not carry out professional research. Private researchers are available, and we can also provide an ASGRA list upon request.

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Monthly meetings of the Society are held September to April in the Augustine United Church, 41 George IV Bridge, Edinburgh, at 7.30pm around the 15th of the month, unless otherwise stated.

Membership

Single UK membership £20; Family, Overseas and Institutional membership £25.

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The Scottish Genealogist

Relevant articles are welcomed by the Hon. Editor preferably submitted in MSWord or rtf format via email or on a CD Rom. (Please, no formatting.) Illustrations are preferred in .jpeg format. Members' queries are also welcomed for inclusion in the magazine: a £2 per entry charge is made to non-members.

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Advertising

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A History of the Otto Family in Scotland

Keith J. Otto, M.A., A.C.M.A.

I must have been seven or eight when I realised that I had an unusual surname. While reading out a class roll, a teacher had asked where my surname had come from, and I relayed this back to my father. He sat me down and explained that our name was Dutch, that we had come over to Scotland to flee religious persecution in the Netherlands during the 17th century, and that our ancestors had finished cloth in Dean Village, by the banks of the Water of Leith and now part of Edinburgh. For the next 50 years I accepted this as the truth. There had been a few amusing incidents over time with KLM, the Dutch National airline, who were convinced that I should speak Dutch, but the odd person had suggested that the name was much more likely to be German in origin. My father passed away in February 2010, leaving me a dusty old deed box packed with family papers, and the family Bible. An enforced early retirement from university finance left plenty of time to look more closely at the story, and to try and unravel the truth. The 'Dutch' story as it transpired, was a piece of pure First World War fiction.

Leadhills, South Lanarkshire

Leadhills, high in the Southern Uplands of Scotland, is a small compact village which gives little indication today of its importance in the 18th century. It vies with its sister village of Wanlockhead, a mere mile across the county border in Dumfriesshire, as the highest village in Scotland, at just a shade under 1,500 feet above sea-level. The altitude, together with the distance from the sea, results in Leadhills being one of the coldest places in the United Kingdom. Known since earliest times, a series of unique geological conditions in the surrounding area led to a rich source of minerals, and lead in particular. The Museum of Lead Mining at Wanlockhead provides a fascinating insight into how lead was mined and smelted, and indeed offers the opportunity of going into a drift mine (The Lochnell mine) to appreciate fully the conditions miners had to work in.

In 1638, Sir James Hope of Hopetoun married Anne Foulis. Anne brought into the family the land and mining rights to Leadhills, and Sir James, realising the value of these rights, started to take a keen interest in metallurgy, minerals and the processes needed to purify them. He passed away in 1661 shortly after a visit to the Netherlands on account of his lead business. The family continued to develop the lead-mining business, but their monopoly was broken by the discovery of lead at Wanlockhead in 1675 on the lands of the Duke of Queensberry. However the two mines worked in tandem and their combined output throughout the 17th, 18th and 19th centuries never dropped below 80% of Scotland's mined lead. Much of this lead was carted the 50 miles to Leith through Biggar and then sold on the Rotterdam metal market. A significant amount of Scottish lead was used in the production of fine delftware.

In 1729 The Scotch Mines Company (SMC) received its Royal Charter with a view to working mines, metals and minerals in Scotland and was largely backed by English Investors, though some of the directors were London-based Scots. The SMC was the first company to be based in and directed from London, with a dedicated room in the Sun Fire insurance offices, but with all its operations in Scotland, and it remained unique in this regard until well into the 19th century. The driving force behind the formation of the SMC was Sir John Erskine of Alva who had found a rich seam of silver on his Stirlingshire lands in 1716, which in turn had led to a partnership with a few English and Scottish merchants to prospect for minerals in Scotland. Six of the seven leases that Sir John had negotiated on behalf of the company proved worthless, but the lease on Leadhills from the Earl of Hopetoun proved more promising, and the mines started to produce a considerable quantity of lead-ore. However one of the first problems that the SMC faced was poor and dishonest management, which resulted in little profit for the Shareholders, and Sir John, who had been retained as the company agent in Scotland, was forced to retire in 1734.



Leadhills Mines

Richard Stenlake Collection: reproduced by kind permission

The solution was the appointment of a new and trustworthy Director of Mines, James Stirling, in 1735. Stirling was a surprising, but inspired choice – a brilliant scholar and mathematician with a European reputation, but with no mining experience. He was looked on by society with considerable suspicion on account of his Jacobite views, and because of this he had been passed over for a Chair

in Mathematics at Edinburgh University. However he displayed throughout his life an enquiring mind and a fascination for problem solving. When an earlier Chair of Mathematics at Padua University in Northern Italy fell through in 1717, he continued on to Venice and discovered the secrets of the Venetian Glass Industry, passing them on to British Glass makers. He was known throughout the rest of his life as the 'Venetian'.

Stirling took up the post in May 1736 (some 14 months after the initial job offer), with an annual salary of £220. He lived on site at a purpose-built house designed by William Adam and completed around 1739, which also served as the local offices of the SMC. His notebooks and letters back to Head Office give an insight into the range of problems that he faced in mining lead and getting it to market. He introduced an early system of cost accounting, making sure that all mined lead was accounted for, and employed clerks to keep this up to date – theft of lead bars had been a problem. He reviewed input prices, being convinced that the Company was overpaying for certain items, and set up a procedures book for recording wages, prices, and the various stages of the production process. He developed improved methods of smelting the lead including new machines, and the use of mechanised pumps for dealing with drainage, trialling a number of new techniques. These were not always successful, with machines failing to work as promised: the new furnace bellows for example, had a tendency to catch fire. In 1744 a new smelting house was built, but there were serious concerns about both the siting of the mill and the quality of the ore. Stirling took a particular interest in the ventilation of the mines and wrote a paper on the subject, developing new methods for improving circulation underground.

The location was another difficulty – carts could not make the treacherous descent down the mountain in winter, so deliveries to the docks at Leith tended to concentrate in spring and summer. Ensuring adequate feed for horses at that altitude was another area of concern. Goods also had to be brought up to Leadhills, particularly wood (shoring the mine workings), coal (firing the furnaces, though local peat was frequently used) and candles (lighting), but a whole range of other items including paper (recording production) were required. Even getting the mail up from the Post Office at Sanquhar was problematic, and there were some strong letters to the Head Postmaster in Edinburgh in 1737 when the mail delivery appeared to have been cancelled. There were considerable discussions on lead quality and what unit might achieve the best price in the Rotterdam market. The mines operated a 'Bargaining' system, whereby groups of miners would contract to achieve a certain level of output and would buy day-to-day items at the Company shop on credit. The debt, often substantial, would only be settled once the output was sold, price being dependent on both the quantity and quality. This resulted in considerable tensions within mining groups, with Senior Foremen in particular being under considerable financial pressure.

Stirling showed concern for the miners' welfare, with a benevolent management style that attempted to get the best results from his team, and in tune with his

Jacobite sympathies. It was a style of management that was to be followed later by David Dale and Robert Owen down the Clyde valley at New Lanark. He was well aware of respiratory problems both in mining and smelting (known locally as 'Mill-Reek') and he limited the number of hours underground to six per day, yet by insuring a significant improvement in work discipline, both above and below ground, output was significantly improved. However a lot of free time in a remote location brings its own problems, with drunken brawls breaking out amongst miners. To this end Stirling decided to explore the possibility of opening a Subscription Library in the village to provide more enlightened entertainment for the mining community. He sought the help of an Edinburgh printer and bookseller, Allan Ramsay who had links with Leadhills. A number of book donations were received to get the library up and running, including from the Hopes. The Library was formed in 1741 and opened its doors in 1743 with 23 founder members, becoming the first Subscription Library in the United Kingdom. Stirling also looked into other aspects of the miners' welfare and he set up a fund to support old and sick miners. The mines stopped production for two weeks in the course of the year: for Leadhill Fayre in the first week in June, and for another week in the middle of October. Stirling appointed a schoolmaster to ensure that there was basic education, and a doctor was appointed to tend to injuries and advise on diet. The Earl of Hopetoun agreed to play his part by setting up a pension fund for retired miners, and a number of calls were made on his largesse.

Stirling kept the Directors in London fully abreast of all the developments at the mine with a weekly report, a requirement clearly stated in his very detailed 20-point job description. In some cases he was seeking advice and direction from the board, particularly in respect of land disputes, water rights and equipment leases. Besides his regular letters to the Board, he provided fortnightly statements on completed bars and shipments, and this was backed up by quarterly accounts showing expenditure in some detail. On occasion his frustration with the London-based Board would boil over – they simply could not appreciate some of the difficulties he was facing. In a letter to the SMC from early February 1738, Stirling writes,

...and now I submit to you, whether you think proper that you appoint some of your own number to come here this summer to give their assistance and advice as to what is to be done, there is now a house that they may disperse with for a summer lodging for 5 or 6 weeks, and in that time they might see into the nature of affairs, they might be sensible of the reasons – why things are done, and might be able to give satisfaction to the Court which I am afraid I never can do by letters, but to those that have been on the spot they indeed might understand us better and by explaining our letters to the Court, might make our correspondence more satisfactory than at Present.



Leadhills Houses

Richard Stenlake Collection: reproduced by kind permission

Yet despite all the problems and difficulties, there was a dramatic improvement in the mine's performance, in terms of quality but more particularly in terms of output. With the mines on an orderly and profitable footing, the SMC was able to start making dividend payments to its shareholders from the late 1740s, and these dividends were to rise significantly throughout the rest of the 18th Century and indeed till the end of the Napoleonic wars. At its peak in the 1790s Leadhills employed over 200 miners, providing employment for a considerable number of support staff. For the Hopes, who were receiving one lead bar for every six produced by way of a rent payment for the mines, Leadhills was becoming less lead and more gold-mine. Awash with money, a modest county seat, Hopetoun House, designed by Bruce on the south side of the River Forth, was soon transformed. First William Adam, and then his son Robert, began a series of major building works on the East Façade, with a pair of particularly impressive wings, one of which initially housed a library, then a riding school, and finally a ball room, particularly popular today for corporate events. It is considered to be the largest and most impressive Country House in Scotland, often nicknamed 'the Scottish Versailles'. By the 1750s the Hopes could even boast that they were lending money to the Crown – jealous neighbours humorously pointed to the three gold balls on the Hope Coat-of-Arms, marking them down as mere pawn-brokers!

The Ottos at Leadhills

Given the remote location of many lead-mines in these islands, and the skill needed to smelt ore into a useable product, there has been a long history of

employing miners from other parts. As far back as the reign of Elizabeth Tudor, German miners had been encouraged to cross the North Sea, and German surnames are still found in parts of Cumbria to this day. T.C. Smout in his paper on lead-mining in Scotland (1650-1850), notes that there was a shortage of skilled and disciplined labour, with no native tradition, and lead-mining perceived to be both strange and dangerous. The problem could not be solved by using prisoners or felons, nor indeed by instituting some form of serfdom. Skilled labour needed to be imported, and by 1750 at least half of the surnames on the wage-books of the SMC at Leadhills were English.

The first mention of the Ottos comes from the Hope Archives, in letters from the Leadhills Factor – Henry Otto is mentioned as part of a ‘Bargain’ group operating in ‘Brown’s Vein’ making up an account from 1734–1738. A second letter of November 1736 makes mention of mounting debts and that his spirits were very low. He is linked in a third letter of 1737 to whole lead smelted at Leadhills, and a memorandum of 1739 provides an account of the value of the lead mined prior to January of that year, less expenses. The nett still left him and his bargain group, with a clear profit of £2,835.16.11, a staggering sum for this era. He appears to have been joined at some point in the late 1730s by his son William. William appears to have met and married a local lass, Jean Reid (possibly the daughter of the then Factor), and by 1742 they had started a family with the birth of the first of nine children, Margaret.



The Leadhills Miners' Library

The Leadhills Miners' Subscription Library was formally constituted on the 15th April 1743, with 23 founder members. The last name on that initial list is William Otto.

A second child, Matthew, was born the following year, but sadly both Matthew and Margaret passed away within 4 months of each other in 1745 – a small grave and well-worn headstone in Leadhills Cemetery (X10) marks their place of burial. The 'Leadhills Diary' of the same year provides a fascinating insight into life in the mining village. Both Henry and William are mentioned. On the third of August 1745 the diarist, Matthew Wilson (a mine manager), was enjoying several bottles of wine with Henry, George Sherriff (Factor to the Earl of Hopetoun), David Williamson, and 'My Lord Hopetoun's Grieves'. Again, on the 3rd September, the diarist, James Stirling, Edward Whigham (an overseer), Jo Dobie, Jas. Reid (the former Factor), and Henry were all enjoying drinks until 11pm. William appears to have been involved in washing and dressing the ore. The Diarist was paying particular attention to how hard he was working his team, and what profit he was clearing for himself. The Diarist comments in passing on Bonnie Prince Charlie and the '45 in his September entries, with an attempted assassination of the Prince in Edinburgh.

Old Henry Otto passed away in 1750, but William continued working at Leadhills until around 1756, when he moved to the neighbouring Parish of Wandell and Lamington. His last four children were born there – the final, Mairy, in September 1766. However he appears to have been joined by a younger relative (cousin?), Henry at around the time of the Parish move – it is perfectly possible that there was a house switch. Henry Junior married Margaret Park, the daughter of a late wright and carpenter at Leadhills, and they had seven children in a period from 1759 to 1773. So between the two couples there were 16 children, not all surviving till adulthood, but sufficient males to create five different family strands. James Stirling had passed away in 1770, his gravestone, in Latin, remains on a wall of Greyfriars Kirkyard in Edinburgh.



Mrs Otto's House, Leadhills

In 1796 a legal dispute erupted between Margaret Park (now relict of Henry Otto) and John, 4th Earl of Hopetoun. Margaret Otto had decided to extend her house at Leadhills, providing accommodation and selling ale to miners. This would have been in direct competition with the Hope's own Inn in the village. Margaret should have sought permission from the Earl, though the property was her own, and the case finally wound up in the Court of Session in Edinburgh. She was given leave pending the final judgement to complete the extension. It is not clear what the final settlement of the case was, but Margaret was providing accommodation in 1803 when the romantic poets, William Wordsworth and Samuel Coleridge visited Leadhills. William's sister, Dorothy provided a detailed though none too flattering account of their stay at Margaret's Inn as part of a published work on the group's travels through Scotland. Dorothy's view was that the place was dirty and the Landlady none too welcoming.

The five family branches started to move away from Leadhills, though one branch remained fairly local, settling in nearby Sanquhar. The offspring are not particularly easy to track, given the duplication of Christian names (there were 3 Henrys, for example, at least one dying in childhood), but the Sanquhar branch was headed up by William, the third son of Henry and Margaret. There are three gravestones in Sanquhar Parish cemetery which are linked this branch of the Ottos and several of the daughters appear to have married well. A couple of branches headed down the Clyde valley, to the port of Greenock and to Paisley. The latter branch took advantage of the huge growth in the Paisley Cotton industry by becoming cloth finishers, and indeed in the 1851 census Elizabeth Otto is listed as a shawl finisher.

A fourth branch gravitated to Crichton in Midlothian where there is a large obelisk gravestone in the graveyard of Crichton Parish Church. Henry Otto, the son of William and Jean, married Sarah Gibson in Edinburgh in 1780. Sarah was the daughter of William Gibson, a farmer from Smithwood, just over the hill from Leadhills. Henry was listed on the marriage certificate as a farmer himself, but he developed a second career as a Soap Manufacturer in Dunbar, East Lothian. His 5 children seem to settle in the Crichton, Pathhead and Newbattle area. One of his sons and a grandson were to become prominent surgeons. The final branch (my branch of the family) also moved closer to Edinburgh with William (a son of William Snr and Jean) becoming a general merchant, before specialising as a wine merchant, both based in Dalkeith. The family then moved to working with horses, first as dealers, and then as coach men to the landed gentry, with a return in the 1870s to grocery in Edinburgh's Cumberland Street. The family grave is in Warriston Cemetery in North Edinburgh. (See *The Scottish Genealogist*, Vol. LXVI No.3, September 2019)

Goslar and the Rammelsberg mines, Lower Saxony, Germany

The significant question is where Henry and William came from, but the Hope's Leadhills archives were able to provide a considerable clue. In a paper from the mid 18th century is the comment,

...and considerable quantities of lead ore were raised from Brown's Vein upon Bargain by Henry Otto a German from the Hanoverian Mines.

Fifty miles south-east of Hanover, lies the small market town of Goslar, on the plain beside the Harz mountains. Rising from the North German plain, and just south of the town, is the massive Rammelsberg, mined for over a thousand years for its rich metal deposits, including lead, but also silver, copper and tin. Initially mined by Cistercian monks, by the 18th century the Rammelsberg mines were considered the largest and most advanced in Europe with a particularly sophisticated system of water management. However by the mid -18th century the mine was facing a number of problems in terms of both the quality of the seams and in obtaining sufficient wood. The authorities in Goslar had become particularly concerned about the deforestation of the Harz mountains – gathering wood had become a useful secondary source of income, often undertaken by miners' wives. Mining finally ceased in 1980 and the mines have now become a major tourist attraction and a UNESCO world heritage site. There is an extensive amount on the history of the mines and the opportunity to go deep underground in one of the mine railways. However there were a number of other lead mines in the area, so it is entirely possible that Henry was connected to another mine close by.



Markt-Platz and the Schiefer Hotel

The walled Imperial town of Goslar had grown rich on the output of the mines and provided a useful centre for administering the mines. Its 'Golden Age' was the 15th and 16th Centuries, when as an imperial town it boasted a number of grand buildings including an Imperial Palace, an impressive Rathaus (Town Hall) and a fine Guild House. By the 18th century the town was in decline, resulting in

a significant exodus to other nearby towns and cities. On the east side central square – the Markt-Platz – is the Schiefer Hotel and Restaurant. Before its conversion, this was the administrative headquarters of the Rammelsberg Mining Company, where every Friday the miners would receive their week's wages. There is a reference to a Peter Otto in 1692, as a 'Steiger', a kind of group leader, working at the Weisser Hirsch (White Stag) mine close to the Rammelsberg, so there were certainly Ottos in the area, but at this point there is little further hard information.



The Rammelsberg Mines, the majority of above-surface buildings date between the 1910s and the mid-1930s.

There is however an intriguing possibility – did James Stirling visit the Rammelsberg or surrounding mines? If so, was he directly responsible for recruiting Henry and William? Certainly there are some pointers in this direction. As we have noted, Stirling was not beyond a little 'Industrial Espionage' with his sharing of the secrets of the Venetian Glass Industry. We have an unaccounted-for gap of 14 months in Stirling's whereabouts, between the initial job offer in March 1735 and arriving to take up post at Leadhills in May 1736. Unfortunately no visitors book for the Rammelsberg exists for this period, so we cannot be sure, but it is highly probable that he was looking to get his knowledge of lead mining up to speed, and visiting one of the largest European lead mines might have been a good place to start. We know that Stirling had connections with Germany – in 1746 was made a Fellow of the Berlin Academy of Arts, though it is not clear as to whether this was for his mathematics or research into mine ventilation. There must have been a strong incentive for Henry and William to leave the relative comforts of the Harz mountains, friends, family and a familiar language, for bare windswept moors 1,500 feet up in the Southern uplands.

The search continues, but there is of course a strange relationship running throughout this whole account. The lead that Henry, his son and all their work colleagues, mined and purified, provided the money that allowed the Hopes to expand greatly what had been a fairly modest country house. Large houses can store large amounts of paper, and the Hopes collected every delivery note, shipping manifest and letter relating to the mines. We should be grateful that these paper records from 285 years ago still exist, and today are able to provide that vital trail leading back to my ancestors.

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The Stirling of Garden papers

A Leadhills Diary for 1745, Matthew Wilson

The Roeder-Gallery at the Rammelsberg, Hans-Georg Dettmer

Old Leadhills, John Fyfe Anderson

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Margaret Smith, The Museum of lead mining, Wanlockhead

Hans-Georg Dettmer, Rammelsberg lead-mines Historian

DATES FOR YOUR DIARY - 2020

All SGS ordinary meetings take place at 7.30pm in the
Augustine United Church, 41 George IV Bridge, Edinburgh EH1 1EL
(unless otherwise stated). Admission free to all.

- 21 September "The Edinburgh Men who founded the World's First Foot-Ball Club in 1824." by Andy Mitchell
- 19 October "The Show in the Meadows" – the Edinburgh International Exhibition of 1886 by Graeme Cruickshank, Historian
- 16 November "Crimes of an Heinous Nature" – looking at some High Court Trials. by Margaret Fox, Archivist

SGS meetings are open to all – bring your friends!
(Donations of £4 from non-members will be appreciated.)

DATES FOR YOUR DIARY

The Autumn programme will of course depend on prevailing public health conditions. Hopefully in 2021 we will be able to host some of the talks which were cancelled in Spring 2020.

Atrocious Murder and Robbery - the story of Maitland Smith

Rory Cunningham FSA Scot

In the parish of Kirkgunzeon in Kirkcudbrightshire lies a “small standing stone about 3 feet in height and about 14 inches in the square, situated in a field about 20 chains North of Drumjohn farm house”.¹ It is named ‘Williamson’s Stone’ and bears the stark inscription “A W shot here 1807” (Fig.1). Who was A W? Who shot him in such a bucolic setting, and why?

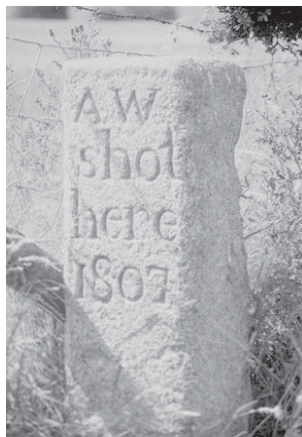


Figure 1: Williamson’s Stone (©Terry Gilroy 2006).

Fans of *Who Do You Think You Are?* are familiar with the frequent discovery of dark secrets lurking in someone’s family tree. In my own case I have been researching my ancestry for over 20 years and it is filled with a generally unexciting series of more-or-less worthy lairds and businessmen, and modest folk who have left little in the way of extant records. So

I was intrigued to find in the register of burials for Dumfries the entry, dated October 24 1807, for one of my 4xgreat-grandfathers, Maitland Smith, that he had been “executed for murder & robbery”.²

A little further research revealed that this murder was something of a sensation in its day. The story attracted widespread interest, the fullest account of the crime being reported in the *Belfast Commercial Chronicle* of April 29 1807.

Atrocious Murder and Robbery.—On Thursday last about o’clock in the afternoon, Alexander Williamson, topsman to John Corson of Dalwhat, on his way from Dumfries to Kirkcudbright, stopped at Drumjohn, in the parish of Kirkgunzion, to look upon some cattle, and having gone a quarter of a mile off the high road for that purpose, he was most barbarously murdered by a pistol-shot, and thereafter robbed of a letter, containing a bill upon London for 800/, his watch, a purse containing some silver, and several papers. The ball entered about an inch from the spine, fractured one of the ribs, passed directly through the heart and breast, and was only covered by the tegument of the breast, when found by Messrs. Laing and Shortridge, surgeons, Dumfries, who opened the body. Mr Ferguson of Drumjohn, who was going to join Williamson at the cattle, heard the shot, and saw the murderer run away ; and he immediately returned home, and dispatched his son and servant on horseback, in search of him ; at the same time they alarmed the whole neighbourhood, who all with the greatest alacrity joined in the pursuit ; and, in about an hour or little more

after the murder, a man was discovered concealing himself in a ditch, within a plantation in the lands of Lochend, who was apprehended, and the letter containing the bill, the watch, the purse and silver, and papers of which Williamson was robbed, found upon him, together with a pair of pistols, the one loaded and the other not. — The man calls himself Maitland Smith, stocking-maker in Dumfries ; and he travelled from near Cargen toll-bar to Kirkgunzion in company with Williamson. Smith has been committed to Kirkcudbright jail.

Slightly shorter versions had appeared in *The Leeds Intelligencer* of April 27 and *The Tyne Mercury; Or, Northumberland, Durham and Cumberland Gazette* of April 28. The same report, missing the final sentence, was printed in *Saunders's News-Letter, and Daily Advertiser* (Dublin) on April 29; a slightly briefer version (referring to Smith as a "villain" and a "wretch") was printed in *The Bath Chronicle* on April 30; and it was printed in *The Oxford University and City Herald* on May 2 and in *The Hampshire Chronicle and Weekly Advertiser for the Counties of Southampton, Sussex, Surrey, Berks and Dorset* on May 4; and Francis Jollie of Carlisle produced a broadsheet describing the murder.³

On August 31 the *Caledonian Mercury* reported that Smith had been indicted to stand trial for murder and robbery at the Autumn Circuits. On September 14 the *Mercury* reported from Dumfries:

Maitland Smith, stocking-maker in Dumfries, accused of murdering and robbing Alexander Williamson, drover at Dalwhat, in the month of April last,—the Jury unanimously found him guilty of the crimes of murder and robbery libelled, and he was sentenced to be executed here, on Wednesday the 21st day of October next."

On September 22 *The Tyne Mercury, Or Northumberland, Durham and Cumberland Gazette* gave a similarly brief report and *The Cumberland Pacquet and Ware's Whitehaven Advertiser* reported additionally that after his execution his body would "be given to Dr. John Gilchrist, and Dr. William Maxwell, physicians in Dumfries, to be by them publicly dissected."

On October 31 the *Belfast Chronicle* reported:

On Wednesday, the 21st inst was executed at Dumfries, Maitland Smith, for the murder and robbery of Alexander Williamson, drover at Dalquhat,⁴ in April last. On his appearing on the platform of the new jail, he was decently dressed in black, with half boots. His demeanour exhibited a Christian fortitude, much superior to what we have ever witnessed in any other in his awful situation. After the usual ceremonies, he requested liberty to address the people assembled on the occasion. He then read a long declaration, denying the commission, or even the idea of commission, of any other crime, publicly imputed to him, than that for which he was so deservedly about to suffer. After reading this paper, he addressed the spectators in an uncommonly firm tone of voice ; acknowledged the justice

of his sentence, and thanked the Almighty for his speediness in bringing him so speedily to Dumfries, where, from the unremitting attention of the several ministers and well-intentioned persons, he was enabled to flee to the Rock of his Salvation, on whose redeeming blood he faced his whole confidence ; and in full confidence of such cheering expectations, he had just ground of hope for pardon of his sins. He then expressed his obligations to the jailor, for his Christian conduct towards him. On sitting down on the chair, he expressed himself as cheerfully awaiting the awful finish of his transitory life; — “I sit down here,” said he, “with as much pleasure as ever I did in any convivial company.” After taking a farewell of the minister, &c. and when the rope was round his neck, he again acknowledged the justness of his sentence, and that he died in peace with all mankind; and recommended to the attention of a liberal and Christian public his wife and children, for whose benefit a short memoir of his life would soon be published, under the direction of the Rev. H. Duncan, of the parish of Ruthwall. After a few moments spent in fervent prayer, the drop fell, and he was launched into eternity.

A slightly briefer version of this report was printed in *Jackson's Oxford Journal* of the same date, the October issue of *The Scots Magazine and Edinburgh Literary Miscellany*, *The Gloucester Journal* of November 2, *The Tyne Mercury*; or, *Northumberland, Durham and Cumberland Gazette* of November 3; there is a brief note in *The Bath Chronicle* of November 5.

As it happens, we know a great deal more about Smith. This is because the Rev. Henry Duncan, Minister of Ruthwell in Dumfriesshire from 1799 to 1844, and noted as the founder of the world's first savings bank⁵ (Fig.2⁶), took an interest in his case, and visited him during his incarceration. Duncan wrote *Some Interesting Particulars of the Life and Character of Maitland Smith, who was executed in Dumfries for the Crimes of Robbery and Murder* (Edinburgh, 1807). Profits from its sale were to be used for the benefit of Smith's family, “a widow



and four infant children in a state of the most deplorable poverty”.⁷ The story was included, slightly amended, in *The Scotch Cheap Repository Tracts, containing Moral Tales for the Instruction of the Young* by ‘a society of clergymen in Dumfries-shire’, second edition (Edinburgh, 1815), and was included in two further works, *The Young South Country Weaver* (Edinburgh, 1821) and (written with others) *Tales of the Scottish Peasantry* (Edinburgh, 1847).

Figure 2: The Rev. Henry Duncan (1774-1846).

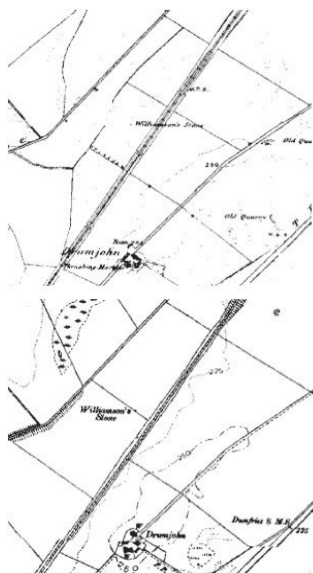
These accounts of his life tell of a boy “of a disposition too unsteady and rambling, to make

much progress in learning".⁸ He became a "cow-boy",⁹ but attacked his master with a pitchfork when found stealing gooseberries, tried to attack another boy with a rusty sword, and tried to drown himself after it was found that he had spent money intended as a gift for his mother. He was "strong and vigorous",¹⁰ on one occasion walking 75 miles in 16 hours. With two others, he set up an unlicensed distillery, supplying the local excise officers with two stills a week to leave them alone. When the excise supervisor went to seize the still and its operators, he fled to Paisley and in 1797 enlisted in the army, becoming a corporal. At Kelso he rescued an infant girl who was "on the point of being crushed to pieces"¹¹ by a runaway horse. He married Ann Hyslop in 1800, and used a large part of his wife's money to buy his way out of the army. He worked in a lime works, and then hired a shop and became a spirit dealer. However, he went bankrupt and was plunged into despair. Nevertheless with the help of one of his creditors he became a stocking-maker.

In April 1806 he became treasurer of the 'Useful Society', a charitable organisation. With the agreement of the Society's president, and on condition that it was repaid before the half-yearly meeting, he helped himself to £25 of the Society's funds to pay the most urgent of his creditors; but with some of it he "procured the madness of intoxication".¹² With no sign of being able to repay, in October he again tried to drown himself, but was saved by his wife. He then bought a pair of pistols. One night, on his own and "somewhat intoxicated",¹³ he was about to shoot himself when his wife and sister-in-law returned. His wife persuaded him to hand over the pistols. The Society met later in the month, but his borrowing was concealed. However he realised both that he was unlikely to be able to conceal it from the next meeting and that he was unlikely to be able to repay it by then. Once more he succumbed to depression and tried to hang himself from a tree—but the rope broke. He could not bring himself to tell his wife the truth. He found the pistols that he thought his wife had disposed of and hid them. Before the Society's April 1807 meeting he went out to collect some sums due to him, and as he left home "by some strange fatality, cast his eyes on the pistols which he had secreted, and, without allowing himself time to enquire into his own motives, thrust them into his pocket".¹⁴ While out, he twice saw a man – Williamson – on horseback and, noticing saddle-bags on the saddle, concluded that this traveller probably had money.

He loaded his pistols, one for his victim, and the other for himself if his plan failed. He followed Williamson on the road and they fell into conversation. Williamson, with Smith in train, called on a neighbour, and went to examine her father's cattle. Smith followed him, and shot him in the back, seizing what he could find, but missed bank-notes "to a considerable amount"¹⁵ in Williamson's great-coat. The story concludes with accounts of Smith's capture and trial, his penitence and Christian devotion.

—ooo000O000ooo—



Williamson's Stone is now on a field boundary, an unlikely location for a herd of cattle to have gathered. However, a comparison of the Ordnance Survey maps from the 1850s and the 1910s show that it is not the stone, but the field boundaries, that have changed position (Fig.3).

Figure 3: Situation of Williamson's Stone in the 1850s (top) and the 1910s (bottom).

Unfortunately I have been unable to find any further details of Alexander Williamson. Turning to the genealogical records of Smith, some more details of his life can be ascertained. He was born on August 5 1774, the lawful son of John Smith and Jean Douglas, living in Townhead of Penpont in Dumfries-shire, about 15 miles north of Dumfries, and baptised at Penpont on August 14.¹⁶ Unfortunately records of Penpont marriages only begin in 1845.

Maitland Smith's ancestors

John Smiths were baptised at Penpont in 1731¹⁷ and 1733;¹⁸ either of these could have been Maitland's father. There is only Jean Douglas shown in the register of Penpont births and baptisms, which date back to 1728. Under July 12 1747 is the entry: "Jean Douglas L. D. to Robert Douglas & Isobel Clerk in Kow of Tibbers".¹⁹ "Kow" is probably shorthand for "Knowhead", as the same parents had a son William in 1750 which states "Knowhead of Tibbers".²⁰

Maitland Smith's wife

On April 26 1800, Maitland Smith "soldier" married Ann Hyslop in Dumfries.²¹ Ecclefechan is in the parish of Hoddum. The Ann Hyslop baptised there on July 6 1770, daughter of Thomas,²² may well be her, although Duncan referred to her as a 'girl' at the time of her marriage. If this is the correct Ann Hyslop, either Duncan was simply being gallant, or Ann was unnaturally youthful. Duncan wrote that Ann was the sister-in-law of Thomas McLean, an innkeeper in Dumfries, and lived with her father at Ecclefechan.²³ However no records relating to Thomas have been found. It is possible that Ann remarried. An Ann Hyslop - it must be likely that she used her maiden name - married John Paterson at Rerrick, in Kirkcudbrightshire, on June 7 1816,²⁴ but there is no evidence that this is the same Ann.

Maitland Smith's children and the ancestry of his daughter-in-law

Maitland and Ann's daughter Jannet was baptised at Dumfries on December 5 1802, Maitland then being described as a "spirit dealer".²⁵ The only other child found in the parish records is James, baptised at Dumfries on October 27 1805,

at which time Maitland was a “merchant”,²⁶ although as noted above Duncan refers to him as having had four children.⁷

What became of Jannet, I don't know. James enlisted in the Royal Artillery at Dumfries on March 2 1824.²⁷ On June 6 that year the marriage banns of “James Smith 5 Bat. Royal Artillery and Mary Gass - Maxwelltown” were proclaimed in Troqueer²⁸ and those of “Gunner James Smith, royal artillery, & Mary Gass, Troqueer” were proclaimed in Dumfries.²⁹

Mary was baptised at Troqueer on November 25, 1805, the daughter of William Gass and Amelia Connell.³⁰ In the 1841 census William, aged 77, a, was living with Amelia Gass, aged 50, and another Amelia Gass, aged 12, at Barnhill, Troqueer. All were born in Kirkcudbrightshire.³¹ By the 1851 census he was still at Barnhill; his age had accelerated to 96; he was then a ‘retired farmer’, living with wife Amelia Gass, who, a bit slower, had reached the age of only 66 over the preceding ten years, and granddaughter Amelia Topham, a ‘Scholar’, aged 12. William's place of birth had shifted from Kirkcudbrightshire to Lochmaben in Dumfriesshire; his wife had been born in Lochrutton, and his granddaughter in England.³² William, whose brother was the Joseph Gass, provost of Dumfries, after whom Gasstown in Dumfries is named, died in 1854 “in the 100th year of his age”.³³

Amelia Connell was the daughter of William Connell and Elizabeth Crow, and died in 1859 at the age of 72.³⁴

James Smith's children

In about 1825 James and Mary were in Ireland, where their daughter Ann was born;³⁵ from at least to 1828 to 1834 they were in Malta where their children Thomas Suffield, Sarah Agnes, and James were born³⁶ (and where Thomas Suffield died);³⁷ from at least 1837 to 1841 at Woolwich where their daughters Janet³⁸ and Martha³⁹ were born; and from 1843 James was at Gibraltar. I have not found a record of his death, nor of that of his wife Mary.

James's Discharge Certificate, dated 1845, shows his trade as a shoemaker. The Surgeon's report in it reads:

Appears to have suffered from Rheumatism in the shoulders arms, legs and loins for some years; General health appears very delicate with loss of flesh and debility. On October 20th was admitted into the Ordnance Hospital at this Station in consequence of a blow received in the left side ten days previously, when at Gun-drill on the Alameda, and now suffers occasionally from pain in that side. His above delicate state of health appears to have been occasioned by Service, and not (to my knowledge) by intemperance.

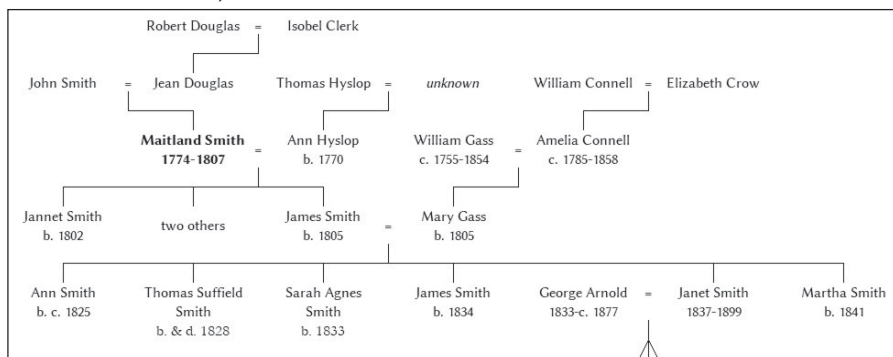
His conduct was described as “exemplary”. He was admitted an Out-Pensioner of the Royal Hospital Chelsea January 13 1846 with a pension of 1s 10d per day. His stated intention was, however, to reside at Gibraltar.



Figure 4: Janet Arnold (née Smith, 1837-99), one of Maitland's granddaughters.

His daughter Janet (Fig.4) was one of my great-great-grandmothers, and at the time of writing I am aware of 90 descendants of hers. She married George Arnold in Gibraltar in 1857,⁴⁰ and it seems likely that those of her siblings who survived remained there; I have not found any further records of them.

Figure 5: Maitland Smith and his relatives (N.B. not all individuals mentioned in the text are shown).



Endnotes

¹ Kirkcudbrightshire OS Name Books, 1848-1851, OS 1/20/92/17.

² OPR 821/70/151.

³ <https://www.bonhams.com/auctions/11945/lot/150/>.

⁴ Near Moniaive.

⁵ Scott, H. 1917, *Fasti Ecclesiae Scoticanæ*, vol. II, Edinburgh: Oliver and Boyd, pp. 255-6; [https://en.wikipedia.org/wiki/Henry_Duncan_\(minister\)](https://en.wikipedia.org/wiki/Henry_Duncan_(minister)).

⁶ Duncan, G.J.C. 1848, *Memoir of the Rev. Henry Duncan, D.D.*, New York: Robert Carter, frontispiece.

⁷ Duncan, H. 1807, *Some Interesting Particulars of the Life and Character of Maitland Smith, who was executed in Dumfries for the Crimes of Robbery and Murder.*, Edinburgh, Dumfries, Carlisle, Annan: Brown and Oliphant, Hill, Jolly, Norvel, p. ii.

⁸ *Ibid.*, p. 2.

⁹ *Ibid.*

¹⁰ *Ibid.*, p. 10.

¹¹ *Ibid.*, p. 13.

¹² *Ibid.*, p. 18.

¹³ *Ibid.*, p. 19.

¹⁴ *Ibid.*, p. 23.

¹⁵ *Ibid.*, p. 29.

¹⁶ OPR 845/10/57.

¹⁷ OPR 845/10/10.

¹⁸ OPR 845/10/12.

¹⁹ OPR 845/10/29.

²⁰ OPR 845/10/32.

²¹ OPR 821/50/157.

²² OPR 829/10/27.

²³ Duncan 1807, p. 13.

²⁴ OPR 879/10/177.

²⁵ OPR 821/30/218.

²⁶ OPR 821/30/228.

²⁷ This and other details of James's career are at WO 97/1262/155.

²⁸ OPR 882/30/256.

²⁹ OPR 821/90/19.

³⁰ OPR 882/20/147.

³¹ Census 882/4/7.

³² Census 882/4/12.

³³ *Dumfries and Galloway Standard and Advertiser*, August 2 1854, p. 4.

³⁴ Statutory registers Deaths 882/41.

³⁵ HO 107 481/1/11.

³⁶ Birth/baptism certificates in family hands.

³⁷ <https://web.archive.org/web/20160418123453/http://website.lineone.net/~aldosliema/britisharmy1.htm>.

³⁸ Charlton parish register of baptisms, October 15 1837.

³⁹ GRO Births, Lewisham Union, vol. V p. 274, April 24 1841.

⁴⁰ Register of the Cathedral of the Holy Trinity, Gibraltar.

Making Lasting Impressions: Greyfriars Kirkyard Community Learning and Interpretation Project

Dr Susan Buckham

What makes Greyfriars Kirkyard special and worth preserving? Edinburgh World Heritage (EWH), an independent charity with the mission of connecting people to their heritage, is exploring this question through a new two-year project. Funded by the National Lottery Heritage Fund, the *Making Lasting Impressions: Greyfriars Kirkyard Community Learning and Interpretation Project* seeks to engage a wider range of people with Greyfriars Kirkyard through educational activities and storytelling.

Using the graveyard, its history and the people buried there, our new project will deliver activities for schools and youth groups. Through surveys, young people will record their own and other visitors' perceptions, questions and feelings about Greyfriars. By means of storytelling and game-based techniques they will explore what makes Greyfriars interesting to them and create new interpretation to share their ideas with others.

Free training workshops and short projects on graveyard recording, research, visitor surveys and interpretation will follow the interests and needs of participating groups (including people affected by homelessness, Edinburgh's Polish community and existing heritage volunteers) and individual members of the public alike. Our project will help build lifelong learning and heritage skills. Participants can learn digital photography techniques to record gravestones where information is now weathered and is at risk of being lost forever from stone decay. Participants can gain skills and confidence to create records and interpretation in digital and analogue formats. Establishing a new 'Friends of' group for Greyfriars will provide an on-going community focus for local people to continue to come together.

By integrating different strands within the project, we aim to give intergenerational and cross-cultural perspectives on heritage and opportunities for participants to learn from one another. The new resources created by participants will inspire fresh ways to think about and experience Greyfriars. In tandem, new skills developed will increase inclusive participation at Greyfriars and at other local heritage sites.

Central to the project is creating storytelling that inspires new thinking about what heritage really is and whom it is for. This can be achieved by drawing out a more holistic understanding of Greyfriars value to people today. Surprisingly there has been virtually no new storytelling for Greyfriars since Victorian times. From the hundreds of gravestones visible only a handful are familiar to visitors; largely due to their links to Greyfriars Bobby or, more recently, Harry Potter. Yet this is only a fraction of the Kirkyard's rich biography, which started in 1562 when Mary Queen of Scots gave part of a former Franciscan friary to the City as



Etching by Thomas Dick from the Imperial gazetteer of Scotland, or, Dictionary of Scottish topography[...] Volume 1
(Edinburgh: Fullarton and MacNab, Printers, Leith Walk, 1868). Image © the author.

a burial ground. Although arguably Scotland's most iconic graveyard, and recognised as being internationally significant, currently Greyfriars is poorly understood and at risk from time, the elements and, more recently, from over-tourism. We believe new storytelling which recognises the tangible and *intangible* heritage of Greyfriars can help increase community wellbeing and enable more sustainable graveyard conservation. I want to explore what this type of focus would involve by looking at another literary connection of Greyfriars: and what I would argue is the finest ever description of a graveyard.

Storytelling captures a sense of place

In his 1879 description of Greyfriars Kirkyard, Robert Louis Stevenson captures sights, sounds and even the smells of this remarkable historic churchyard in Edinburgh's Old Town:

As you walk upon the graves, you see children scattering crumbs to feed the sparrows; you hear people singing or washing dishes, or the sound of tears and castigation; the linen on a clothes-pole flaps against funereal sculpture; or perhaps the cat slips over the lintel and descends on a memorial urn. And as there is nothing else astir, these incongruous sights and noises take hold on the attention and exaggerate the sadness of the place.

RL Stevenson, *Edinburgh: Picturesque Notes*¹

What makes Stevenson's account so compelling is the vivid way he encapsulates the graveyard's character. He does this not only by describing the burial landscape but also by detailing what people feel and do in the kirkyard and how these activities connect them with Scottish history, local folklore and personal memories. Stevenson explores Greyfriars' relationship to its setting to show how the juxtaposition of areas for the living and for the dead combine to form a particular atmosphere and experience for graveyard visitors. He describes the history of Greyfriars but importantly he also touches on the historic social and cultural circumstances that helped to shape graveyard designs, such as attitudes towards death and Scottish stone-carving traditions.

The picture Stevenson draws is a snapshot in



Detail from mural monument. Image © Robert Reinhardt

time – sensibilities towards death have changed and the landscape he describes has altered and evolved as things are added or destroyed. Nevertheless, Stevenson’s account of Greyfriars fits surprisingly well with modern approaches to understanding the value of historic graveyards. Today we seek to understand a graveyard’s physical remains and history while also appreciating the associations these evoke. A great strength of Stevenson’s description is that it seems so all encompassing. He looks beyond the gravestones to take in all of the churchyard’s fabric and features. Yet we need to remember that Stevenson looks at Greyfriars with a picturesque and partial eye. We don’t know what details he chose to omit as, in his view, irrelevant. If the new EWH project is to gain a fuller appreciation of the value of Greyfriars today then we need to fill the gaps in our collective knowledge through better documentation, by placing information in its wider context and by listening to a more diverse range of voices describe the varied associations that they place upon the Kirkyard.

Thinking about Greyfriars Kirkyard holistically

Although graveyards are a very common form of heritage asset, they are surprisingly under-researched. Graveyard information spans a number of different



Detail from mural monument.
Image © Robert Reinhardt

records; including above ground field evidence, the below-ground archaeological, documentary sources and the natural environment. By combining disparate sources of information we can help illuminate the site’s past appearance, how it was used or perceived and the relationships between its many features.

At present, Greyfriars’ rich history is not fully recorded, studied, synthesised or explained. Accordingly, Greyfriars Kirkyard isn’t as well understood as such an important heritage site should be. Previous studies have tended to focus on one or two features that possess the highest artistic or architectural merit. Elements such as kerb sets, grave-markers and other grave furniture, even humps and

bumps on the ground, are often overlooked yet these offer important evidential value and all contribute to the site's visual character.

Understanding the associations that link a graveyard to people, places or events enables us to reflect on value. Graveyard surveys are also vital part of our new project. Engaging with the people who visit (or don't visit) Greyfriars and asking them to describe how they perceive the Kirkyard's importance can help us identify values. Some will be 'evidential values' that illuminate significance across a whole spectrum of areas such as natural history, genealogy, local history, geology, art, architecture and other special interests. For some visitors, their connection with the graveyard might simply be as an attractive open space and local amenity. People may attach values to historic graveyards for different reasons. This ranges from personal connections (as in the case of family history) to meanings shared by different groups. Indeed, a single feature may hold multiple associations. Greyfriars, for example, is especially important in Covenanter history. In the late 17th century, 1,200 followers of this Presbyterian movement were imprisoned in an area of the churchyard and it is the site of the early 18th-century Martyrs' Monument, commemorating those who died for the Covenanter cause. Stevenson also describes how the tomb of Sir George 'Bloody' Mackenzie, a prosecutor who sentenced many Covenanters to death, entered into local folklore whereby schoolboys tested their mettle by daring each other to knock at its door and challenge his ghost to appear.

Looking forward

Although wonderfully evocative, Stevenson's account does not consider the future of Greyfriars. This is the most critical issue we contend with today for historic graveyards. Resources to maintain and preserve these sites are limited. Our efforts have to be targeted on the basis of understanding the diversity of values that can be placed on this historic graveyard and how these can be protected through balanced multifunctional use. Many local people aren't currently experiencing the benefits that Greyfriars offers: over-tourism impacts on graveyard condition and character, constraining its educational role and enjoyment as a relaxing green space. By celebrating the diverse values that Greyfriars Kirkyard holds for people today using new storytelling we will raise awareness and build support within the local community for the graveyard. This should increase access to the graveyard so it can be enjoyed more inclusively enabling Greyfriars to be a true community resource and ensure it is passed on to future generations to experience.

For more information and to become involved 'virtually' once the project launches in July 2020 visit <https://ewh.org.uk/project/graveyards/>

Please note on-site activities in the graveyard and face-to-face meetings will take place only once COVID 19 restrictions permit.

Footnotes

¹ For an electronic version of:

Edinburgh: Picturesque Notes see www.gutenberg.org/ebooks/382

SALE OF A WIFE.

A full and particular Account of the Sale of a Woman, named Mary Mackintosh, which took place on Wednesday Evening, the 16th of July, 1828, in the Grass Market of Edinburgh, accused by her Husband of being a notorious Drunkard : with the Particulars of the bloody Battle which took place afterwards.

ON Wednesday last, in the Grassmarket, Mary Mackintosh was brought down about six o'clock by her husband, for the purpose of being sold. Her crime was drunkenness and adultery. She was held by a straw rope tied around her middle, and the words, "To be sold by public auction" in front of her bosom. Several thousand spectators were assembled to witness this novel occurrence. John F ——n, pensioner and knight of the hammer, commenced business, but the acclamations of the people were so great, that no one could get a hearing for ten minutes, to bid for the unfortunate woman.

When the crowd got a little quiet the people began to examine the countenance of the woman: a Highland Drover stepped through the crowd, and pulled out his purse, and said, "She be a good like lassie, I will gi'e ten and twenty shillings for her." This roused great cheering among the crowd, then a stout Tinker made a bolt into the crowd, and said she should never go to the Highlands – he then bid sixpence more for her. At this time, one of the KILLARNEY PIG JOBBERS, with his mouth open as wide as a turnpike gate, and half drunk, cried loudly, FAUGHAHOLLICK, I will give two shillings more, for she is a pretty woman. A Brogue maker, from Newry, coming out of a public house, as drunk as 50 cats in a wallet, came up to the Killarney man and hits him in the bread bag, and he lay there for the space of ten minutes, which made the woman for sale, laugh heartily, and the cheers of the crowd at this time was long and incessant.- The Brogue-maker being a supposed friend to the woman, went up to the auctioneer, and told him there were three bidders: he was so enraged, he knocked the auctioneer down, and made his claret flow desperately. Great cheering among the people, at the expense of the knight of the hammer.- The women of the neighbourhood gathered to the number of 700, and armed themselves with stones, some threw them, and some put them in their stockings and handkerchiefs, and made a general charge though the mob, knocking every one down that came in their way, until they got up to the auctioneer, when they scratched and tore his face in a dreadful manner, in consequence of the insult the fair sex had received. One resolute woman came up with a stone and knocked down Thomas McGuigan, husband to the woman was exposed for sale. This woman, a true female hero, and a SWEEP'S WIFE, displayed great courage in favour of her sex, and said I will learn you to auction your wife again, you contaminated villain. Tom returned the blow, and hit her between the eyes, and made them like two October cabbages. The sweep seeing his wife struck, made a sally with his bag and scrapper; the women all took the sweep's part, and cried with a loud voice, mill him the old boar, a general battle ensued, and only for the interference of the police, there would have been lives lost. After the disturbance was quelled, the husband insisted she should be sold. She was brought up again, and the auctioneer declared that if he could not be protected, he would have no more call to her. Some young fellows shouted he should, and the sale began again. An old pensioner, a Jack tar, stepped forward, saying damn my tarry top-lights and chain plates she is a tight little frigate, and well rigged too, and I will give half a crown more than the last bidder. Well done, cried the mob to the sailor, you are a spirited fellow, and you must get her: when a farmer, who was a widower, bade two pounds five shillings for her, he being a friend to the sex, and the auctioneer knocked her down. The farmer took her up behind him on his horse, and away they went amidst the cheers of the populace.

W. BOAG, PRINTER, NEWCASTLE

Contributed by John Stevenson

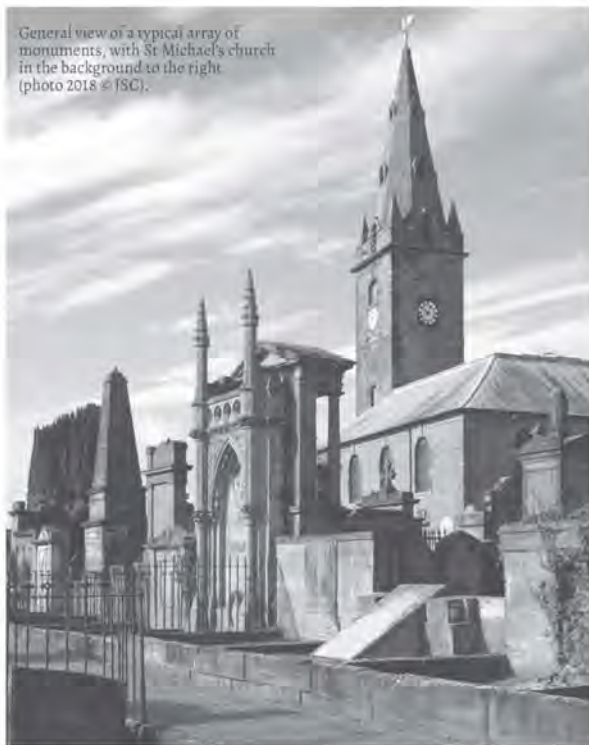
St Michael's Kirkyard, Dumfries

A Presbyterian Valhalla

by JAMES STEVENS CURL

The burial-ground attached to St Michael's and South parish church, Dumfries, in south-west Scotland, has existed as a place of interment for at least a millennium. Of extraordinarily high density—probably containing no fewer than eighty thousand burials—it is embellished with an amazing array of funerary monuments and tombstones, some of superb architectural quality, and many of astonishing size and grandeur considering the relatively small area it occupies. It also houses the handsome Classical mausoleum of Scotland's national poet, Robert Burns (1759-96), virtually a contemporary of his fellow-Freemason, Wolfgang Amadeus Mozart (1756-91). In terms of its scale and architectural character, St Michael's Kirkyard is unique among provincial churchyards within the United Kingdom: this book describes its historical importance and aesthetic qualities, illustrating some of its finest monuments, and drawing on a remarkable cache of original architectural drawings.

General view of a typical array of monuments, with St Michael's church in the background to the right (photo 2018 © FSC).



FOLLOWING THE SUCCESS of the Nerfl Press's handsome facsimile edition of J. C. Loudon's great book on *Cemeteries*, published in 2019, it is proposed to bring out another volume, also a **Limited, Numbered Edition**, casebound, with almost 60 illustrations, many in colour, all produced to a very high standard, designed, printed, and bound by the same team which produced the Loudon tome. It will be indexed by **Auriol Griffith-Jones**, have a **Foreword** by the expert on monuments and memorials, **Roger Bowdler**, and an Epilogue by the debunker of Rosslyn mythology, **Robert L. D. Cooper**.

Subscriptions are invited to raise sufficient funds so that this important project can be realised. **Names of Subscribers** will be printed within the book if desired.



The Burns mausoleum, from a postcard of 1905, showing the sculpture within by Peter Turnerelli (1774-1839) featuring Burns at his plough (image courtesy of © the Dumfries Museum, BUR/239).

James Stevens Curl has studied funerary architecture and landscapes for some 64 years: among his published works are *The Victorian Celebration of Death* (1972 and 2004), *A Celebration of Death* (1980), *Funerary Monuments & Memorials in St Patrick's Cathedral, Armagh* (2013), and studies of funerary monuments by Sir Francis Chantrey and others. He contributed to, and edited, the major study of the General Cemetery of All Souls, Kensal Green, London (2001).

Subscriptions must be received by me no later than **1 November 2020**. The cost per copy will be **£40.00** to include postage and packing within the United Kingdom only. For postage outside the UK please add £10.00, and for postage outside Europe please add £20.00. Copies will be sent out to subscribers as soon as the book is available, estimated as February 2021. After 1 November the price per copy will be £60.00, so subscribers will get a fine copy at less than cost.

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Hepburn of Waughton

Gregory Lauder-Frost, F.S.A.Scot.

The great family of Hepburn of Waughton is said by Sir George Mackenzie to have been the principal cadet house of Hailes. John Hepburn (fl.1365) of Over and Nether Merkill in East Lothian, is held by Chalmers and others to have been the ancestor of Waughton. Nisbet thought this John was brother of Sir Patrick Hepburn of Hailes who was born circa 1321, sons of Adam Hepburn of Hailes. Nisbet, however, points out that Mr.Thomas Craufurd believed that the family of Waughton was more ancient than that of Hailes. Whatever, both these probably related families appear in East Lothian around the same period, and like the Dunbars, Hamiltons and Grays, were of English origin.(1)

Waughton Castle was near Whitekirk in what was then Haddingtonshire, for centuries. There was at one time a chapel at Waughton, and the Pele Tower there was of Saxon (or Northumbrian) antiquity.(2) It would appear that in 1340 Waughton was still in the hands of the Erth or Airth family as there is mention of a charter from Thomas Erth of Waughton to Alexander Elphinstone dated circa 1341.(3)

Sir Patrick Hepburn of Waughton, Knt., (d. after 1464) had a charter of Hailes and Beanston in 1395 when his mother Christian was then still living and acting on his behalf, he being presumably under age.(4) Sir Patrick Hepburn, Lord of Waughton, with Adam Hepburn, Lord of Hailes, were among the witnesses to a charter by Mariota de Lawedre, wife of Sir Alexander Home of that Ilk, Knt., (later 1st Lord Home) dated at Dunglas, Haddingtonshire, 20th June 1443.(5) Sir Patrick Hepburn of Waughton appears in charters of *The Great Seal* in August 1439, January 1440, October 1450, and 31st March 1451 where he is confirmed in Luffness; and on 9th July 1452 in a Crown charter of the lands of Waughton and half a carucate of land in Cockburnspath held from the [Dunbar] Earl of March as superior. He was followed by

David Hepburn of Waughton who had a Retour of special service as heir of deceased Patrick Hepburne of Walchtoone in the barony of Waughton by a majority verdict of the Assise, held before James Cockburne of Newbigging, Sheriff of Edinburgh in the constabulary of Hadingtoun, Edinburgh, 23rd March, 1473/4, consisting of William [1st] Lord Borthwick, Alexander, Lord Glamis, Thomas Kirkpatrick of Closebarne, William Wallace of Craigie, Robert Dalziel of that Ilk, John Ross, John Carmichael of Balmade, Mr William Levinax [Lennox], William Ruthven of that Ilk, Richard Congiltoun of that Ilk, Thomas Wawane, William Levintone, Hugh Montgomery, Thomas Crag of Crag and Thomas Mudie.(6) He and Christian Sandilands are mentioned as husband and wife in a *Great Seal* charter confirmed at Edinburgh on 10th November 1493. In a further charter on 21st September 1498 the King confirmed a fee charter of David Hepburn of Waughton and his wife Christine [sic] Sandilands of the barony of Waughton etc.,to their son and heir-apparent Kentigern Hepburn. Witnesses included

William and Henry Hepburn, sons of David, and John Broun of Colstoun. Next was:

Kentigern Hepburn of Waughton (d. July 1519), aforementioned, married, as her first husband, Margaret, daughter of Sir Robert Lauder of The Bass, Knt., (d. before Feb 1508), by his spouse Isobella a daughter of John 1st Lord Hay of Yester and great-great granddaughter of King Robert III. Margaret is mentioned as his spouse in the charter of 1498. Margaret outlived Kentigern and remarried 23 Jan 1521 (7) (as his third wife), Alexander Home of Polwarth in Berwickshire. Kentigern and Margaret had:

- (1) **Sir Patrick Hepburn of Waughton** (next)
- (2) John Hepburn of Kirklandhill (died after March 1558)
- (3) Elizabeth, married before 1516 Patrick Hume of Polwarth & Kimmerghame.
- (4) Jean, married before 1520 Thomas Trotter of Catchelraw, Berwickshire. He is probably the same Tom Trotter who was Keeper of Thornton Castle, which belonged to Lord Home, when it was attacked by the English army in September 1547 following their reduction of Dunglass Castle.(7a)

Sir Patrick Hepburn of Waughton (c.1470-1547)

On the 3rd November 1510 a Notarial Instrument was written at Bolton, Haddingtonshire, setting forth that in the parish church of Bolton, Patrick Hepburn, knight, and Elena Hepburn, daughter of Adam Hepburn of Craggis, knight, appeared for marriage after banns, when John St.Clair of Herdmandston protested against the same, as the parties were related within the third and fourth, or fourth and fourth degrees of consanguinity; whereupon the parties produced a dispensation of Alexander Stewart, Archbishop of St.Andrews, in terms of which they were duly espoused. Witnesses: Kentigern Hepburn of Lufnes, George Hepburn of Rollanstoun, Patrick Hepburn of Beinstoun, Patrick, William and Henry Hepburn, and Sir Henry Keringtoun.(8). Elena's father Sir Adam Hepburn of Craggs in Forfarshire, was a brother of Patrick Hepburn, 1st Earl of Bothwell; their mother Ellen was a daughter of Alexander Home, 1st Lord Home, and Mariotta Lauder of the Bass family. Sir Patrick's wife, Elena (sometimes given as Helen) died before 20th April 1560 on which date her eldest son, Patrick Hepburn of Waughton, was served heir-general to her.

Sir Patrick, as son and heir-apparent of Mungo [sic] Hepburn of Waughton, was mentioned in a case affecting the lands of Aberlady heard on 17 January 1517. In 1523 he had a charter from the Earl Marischal of the lands of Brotherton (9) and in 1531 he had a charter of the third part of the lands and barony of Stevinstoun, outside Haddington.(10) On 18th June 1536 he granted a charter of the half-lands of Lufness with mansion and pertinents to Patrick Hepburn his son and heir-apparent, and Elizabeth Logan, daughter of Sir Robert Logan of Restalrig, his spouse, confirmed by the Crown, 2nd August 1538. (11) His Testament is dated 30th August, 1547. He had ten known children, of whom:

- (1) **Sir Patrick Hepburn of Waughton & Redbraes** (next).
- (2) Adam Hepburn of Smeaton, 2nd son mentioned in his father's Testament.

“He got from his father half the lands of Smeaton, and the whole lands of Smeaton-Crucks.”(12) He was present on the side of Queen Mary at the battle of Langside, and, with other of his relatives received a summons for treason, which was later pardoned. He died between July 1572 and April 1582. He married Elizabeth, daughter of Sir Simon Preston of Preston & Craigmillar, Knt., by his spouse Jonet Betoun. They had at least eight children.

- (3) John Hepburn of Athelstaneford. Mentioned in his father’s Testament.
- (4) Robert Hepburn, in the *Journal of Occurrents* dated 7th September 1570, mention is made of the escape of Robert Hepburn, younger, of Waughton, from the Earl of Morton’s adherents. It is added “he came to the Castell of Edinburgh, quhairin [wherein] he was ressauit [rescued?] with great difficultie; for when he was passand in at the said Castell zett his adversaries were at Patrik Edgar his house end.” This is the house in which the celebrated Sir David Baird was born.(13) Robert is mentioned as “a brother of Hepburn of Waughton” in a *Great Seal* charter dated 13th May 1580.
- (5) William Hepburn of Gilmerton & Cranshaws, mentioned in his father’s Testament, at which time William was a prisoner in England. He married by contract dated 24th January 1561, Margaret, daughter of George Home of Broxmouth, Haddingtonshire, and his spouse Jonet Gibson. Sir James Balfour Paul (1905) states that this William was the ancestor of the family of Hepburn of Newton of Whitsome. On 25th March 1558 James Hepburn, 4th Earl of Bothwell, executed a charter entailing the Earldom, his baronies, and his heritable offices to his “well-beloved cousin” William Hepburn, brother-german of Patrick Hepburn of Waughton and the heirs-male of his body. It appears that this charter was never submitted for Royal approval and so became of no effect. William was still alive in October 1584 when a charter of that date describes him as “brother-german to Patrick Hepburn of Waughton”. In a further charter, confirmed at Holyroodhouse on 22nd September 1599, a William Hepburn was then laird of Bairfoord near Haddington. As these lands were then part of the Gilmerton barony it is thought that this could be the above William or one of his children. In the *Registers of the Privy Council* under dates 30th April and 9th May 1603, in a hearing at Edinburgh, George and William Hepburn are recorded as the brothers of Patrick Hepburn of Gilmourton. It is assumed that Patrick is the heir of William senior who clearly must have died by 1603.
- (6) Elizabeth (d. Dec 1571), who married before the 8th May 1536 George Ramsay of Dalhousie & Foulden. Her Testament was proved on 25th May 1576. They had at least eight children.
- (7) Marion, married while under age before July 1528 Patrick Whitelaw of that ilk, with issue.
- (8) Margaret, received £100 (Scots) in her father’s Testament, married Thomas Cockburn of Clerkington. He died after January 1534.(14)
- (9) Mariote, married before October 1539 John Carkettle of Finglen & Over Liberton, with issue, at least three known sons. On 17th September 1567

John Carkettle of Finglen with John and George Carkettle, his sons, were among those ordered to be imprisoned in Edinburgh Castle for supporting the Hepburns of Waughton in withholding Dunbar Castle against the King.(15)

- (10) Helen, married after 12 Feb 1542 (contract date) Alexander, son of William Cockburn of that Ilk.(16)

Sir Patrick also had an illegitimate son,

- (11) George Hepburn, Rector of Hauch, Haddingtonshire.(17) He married Marion, daughter of Philip Gibson, Burgess of Haddington, probably a relation of George's half-brother William's wife. She is mentioned in the Testament of Sir Patrick Hepburn of Waughton, dated 1547. They had seven known children.

Sir Patrick Hepburn of Waughton & Redbraes (c.1511-1584) was retoured heir to his father, Sir Patrick Hepburn of Wauchtoun, on 10th April, 1549.(18) He was served heir-general to his mother, Elena or Helen, on 29th April 1560.(19) He married twice: firstly before 17th Feb 1532 to Elizabeth Logan. In *The Great Seal of Scotland* in a charter confirmed at Linlithgow on 18th June 1536, he and his wife had a confirmation of the mill, manor and barony of Lufness in Haddingtonshire. She is mentioned as Elizabeth, daughter of Robert Logan of Restalrig [by his spouse Elizabeth, daughter of Cuthbert Home of Fast Castle]. Sir Patrick married secondly, in early April 1565, Margaret daughter of Walter Lundy of that Ilk.(20) Witnesses to the marriage contract are: John Logane, son and heir of Mr. John Logan of Couston; John Carkettle, yr.; Robert Hepburne, brother of Patrick Hepburne of Kirklandhill [at Tynninghame]; Patrick Hepburne, son of deceased John Hepburne of West Fortune; John Sandilands and Mr. James Arnot, notary.

Sir Patrick was much engaged in the war against the English forces in the 1550s when Haddington was under occupation. On 15 June 1567 Hepburn of Waughton was one of the minor barons who was with and gave their support to Queen Mary at Carberry Hill. The Privy Council Registers for Scotland dated September 1567 lists Haddingtonshire lairds and their baronies etc., amongst whom are mentioned Patrick Hepburn of Waughton and Patrick his son and heir. He was absent from Scotland on 9th July 1575, but on 1st June 1581 he had returned and sat on an Assise of the Regent Morton. Sir Patrick died 22nd February 1584 and was buried in Preston Kirk, East Lothian.(21) His known children (presumably by his first wife) were:

- (1) **Sir Patrick Hepburn of Waughton & Redbraes** (see below)
- (2) Alexander Hepburn, of Banglaw. In a charter dated 9th April 1625 Alexander Hepburn of Banglaw is described as brother-german to Sir Patrick Hepburn of Waughton; and in another dated 24th June 1646. In a further *Great Seal* charter dated 6th July 1661, Alexander Hepburn of Banglaw is described as brother-german of the deceased Sir Patrick Hepburn of Waughton. When he came into possession of Banglaw is uncertain as in 1608 it appears to be held by Sir Robert Hepburn of Alderstoun.

- (3) John Hepburn of Gilmerton. Mentioned in his father's Testament. On 24th May 1585, at Lufness, Sir Patrick gave a charter to his "loved brother-german" John Hepburn of a third of the lands and barony of Polgony, being the third part of the lands of Sethin with the mill, a third part of Little Meldrum, a third part of the "davate" of Fingask, a third part of the fishes in the port of Pettindrum with the mill there, all in Aberdeenshire. Witnesses were George Halkett of Pitferrance, George Carkettle, Adam Hepburn and John Dickson.(22) He married Margaret Bannatyne and his Testament was proved on 21 Nov 1651. Gilmerton was taken from the Hepburns by what is called a "remarkable" legal judgement in favour of Sir Francis Kinloch. Lord Fountainhall says of the decision that it "for its strangeness surprised all that heard of it; for scarce ever any who once heard the case doubted but it would be found a clear wadset; and it opened the mouths of all to cry out upon it as a direct and downright inversion of all our rights and properties."(23)
- (4) Robert Hepburn of Over Hailes. In a *Great Seal* charter confirmed at Edinburgh on 13th May 1580, Robert Hepburn is recorded as brother of Hepburn of Waughton. In a further charter confirmed on 31st May 1591, one of the witnesses was Robert Hepburn, son of Lord Waughton. Given the earlier charter's date, the Lord Waughton mentioned here must be the one who died in 1585.
- (5) Margaret, mentioned in her father's Testament as his eldest daughter, to whom he left £100. She married Patrick Congalton of that Ilk with at least eight children.

Sir Patrick Hepburn of Waughton is sometimes referred to also as 'of Redbraes' (near Greenlaw in Berwickshire) and 'of Lufness' (in East Lothian). He is mentioned in his father's second marriage contract and in his father's Testament as "of Lufness". In 1580 he was one of the jurors on a Retour to Lord Home.(24) As Sir Patrick Hepburn of Waughton and Lufnes, Knt., he was served heir to his father on 20th April, 1585.(25) It is probable that Redbraes had passed to the Homes of Polwarth before this time. In a charter confirmed at Holyroodhouse on 13th May 1588 Sir Patrick is referred to as 'of Lufness and Waughton.' He died before 3rd April 1605 when his son, Patrick Hepburn of Waughton, was served his heir.(26) He married Isobel, daughter of John Haldane, of Gleneagles, Perthshire. Her testament was dated at Waughton on 15th June 1597. They had at least five children, of whom:

- (1) **Sir Patrick Hepburn of Waughton** (next)
- (2) Isobel Hepburn, who married 7th February 1589, Sir George Lauder of the Bass (d.1611) M.P., P.C., and Tutor to Prince Henry. They had one child, a son, George (1597-1656). She was still living in Jan 1639.
- (3) Elizabeth, mentioned in her mother's Testament, married before September 1601, Alexander Drummond of Carnock.

Sir Patrick Hepburn of Waughton was Retoured heir to his father on 3rd April 1605. A further confirmation of Lufness to him appears in a charter of November 1618. There are a great many records in the archives pertaining to this Sir

Patrick. On 10th January 1639, George Lauder of the Bass, and his mother Isobella Hepburn, Lady Bass, being renowned Royalists and supporters of King Charles, assigned the barony of Bass and a string of other properties to Sir Patrick Hepburn of Waughton for safekeeping.(27) A Presbyterian and Covenanter, he was the ruling elder of the delegation from the Presbytery of Dunbar to the famous Glasgow Assembly of 1639.(28)

In 1639-1641 Sir Patrick was a member of the Estates for Haddingtonshire, and a Colonel with a 400 strong infantry regiment raised in East Lothian, in General Leslie's army of the Covenant, entering England on the 20th August 1640. "Wauchtoun's regiment" with Sir Patrick Hepburn as commander is recorded as being quartered and then in skirmishes with the Royalists at Todcaster and York in April 1644.(29) The regiment served at the sieges of York and Newcastle and at the battle of Marston Moor. Sir Patrick was one of the commissioners to the negotiations at Ripon in Yorkshire. From late 1644 until January 1647 it remained in England doing garrison duty, its strength being between 631 and 651 infantrymen. In 1646 Sir Adam Hepburn of Humble, the army treasurer and commissary general, became the colonel, and the numbers increased to 893, and reached a maximum of 1030 foot soldiers in September. The regiment disbanded in February 1647.(30) About this time Waughton was in dispute with the Earl of Home over possession of the house of Fast Castle and the rents of AuldCambus.(31) He unexpectedly died before 9th November 1649 when his son John was served his heir.(32) He married after 16th February 1607 (date of contract) Jean, fifth daughter and youngest child of John Murray, 1st Earl of Tullibardine.(33) They had three known children:

- (1) **John Hepburn of Waughton** (next)
- (2) George Hepburn of Fast Castle &c. In a charter confirmed at Edinburgh on the 22nd August 1642 he, as his father's "second legitimate son" received the "lands and buildings of Fast Castle, Wester Lumsden, Dowhill, Duddoholm or Cauldsyde, Aultoun and Newtoun; and Kello (in the parish of Edrom), as well as Fogo, in Berwickshire.(34) He had five known children.
- (3) Anne, married 18th September 1623 (date of contract) Sir James Hamilton of Priestfield, Gentleman of The Bedchamber to King Charles the First in 1638. They had six children.

John Hepburn of Waughton was retoured heir to his father in the sheriffdoms of Edinburgh and Berwick on 9th November 1649. In 1640 he had commanded the East Lothian Regiment and John was its lieutenant-colonel. A Letter by the Earl of Loudon, Chancellor, for the Rt.Hon. the lairds of Wauchtoun and Ormistoun to be communicated by them to the committee and gentlemen of the sheriffdom of East Lothian, for raising four hundred horse and three hundred foot, for preventing the internal wars, and preserving the union of the kingdoms of Scotland and England, threatened from the remainder of the army, of the late unhappy engagement, now returned, is dated 15th September, 1648.(35) On 29th July 1650 John Hepburne of Wauchtoun nominated Sir Adam Hepburne of Humble and Robert Hepburne of Keith Marischal, his cousins, as tutors of his children in the

event of his death during their minority.(36) In the archives are Papers including bonds, discharges, letters and memoranda relating to transactions between John Clerk and Sir Robert Innes, elder and younger, and John Hepburn of Waughton from whom Clerk acquired the lands and barony of Penicuik in 1654.(37)

With the Civil War continuing Hepburn garrisoned the castle on The Bass with 112 men, harassing Cromwell's shipping. Following demands by the Commonwealth Army commanders that they surrender, Articles proposed by the Laird of The Bass [now John Hepburn], Patrick Hepburne, younger, of Craig, James Hamilton, younger of Priestfield, for themselves and others within The Bass, were sent to the English commissioners or Commander in Chief of English forces in Scotland, dated 25th February 1652. Further Articles were proposed by the Laird of Waughtoun and Robert Hepburne of Keith to General Major Deane, commander-in-chief of forces of parliament of the Commonwealth of England, in name and behalf of those now in The Bass. Generous terms and conditions were offered to Hepburn and his men on 3rd March 1652. John Hepburn, still on The Bass, wrote to Robert Hepburn of Keith, his cousin, regarding the terms of surrender, on 25th March 1652. Waughtoun subsequently wrote to Major-General Deane accepting the terms, which Dean announced to Parliament. (38)

Despite his esteemed status and huge landholdings, Waughton was by now in severe debt after years of warfare and famine, his fields fallow, a disaster for lairds whose sole income was their lands. John Hepburne of Waughtoun assigned to John Sempill, Writer in Edinburgh, his lands of Craig and Balgone in Haddingtonshire, on the 15th December 1654. In a legal action Alexander Cockburn in Lethame sued John Hepburn of Waughton and John Semple, W.S. relating to various lands in Haddingtonshire, include Pople, Old Haddington and The Bass, on 28th February 1662.(39) This action appears to have failed.

John Hepburn married, firstly, after 13th May 1646, Marie, daughter of James 6th Lord Ross of Halkhead & Melville, by his spouse Margaret Scott, later Countess of Eglintoun.(40) John and his first wife are mentioned in *Great Seal* charters dated 1646 and 14 July 1654. In the latter she was described as deceased. His second wife was Barbara, 3rd daughter of Alexander Leslie, 1st Earl of Leven (cr.1650). She had been previously married to Sir John Ruthven of Dunglass. Leslie had been fighting in the religious wars on the continent till 1638 and upon his return the Covenanters made him a General in their army.(41) John J. Reid (1885) mentions that John Hepburn of Waughton had also been an Episcopalian minister who had been deposed by the Presbyterians. John Hepburn's Testament was not proved in the Commissariat of Edinburgh until 27th Aug 1669.

By his first wife John Hepburn had a daughter and sole heiress,

Margaret, born on the 6th June 1650 at Edinburgh. In a charter dated 14th July 1654 Margaret was described as her father's "only bairn now in life."(42) She is also described as "his only daughter" in a charter of John Hepburn of Waughton to Margaret confirmed by The Protector [Cromwell] in 1655. "Margaret Hepburn, only daughter procreated between John Hepburn of Waughtoun and Mary Ros, his spouse", was later served heir-portioner of Margaret Scot, Countess of

Eglington, her grandmother.(43) Margaret, aged just 21, was buried in Greyfriars Churchyard, Edinburgh, on 22nd February 1672, having already married Andrew (d.v.p.), son of Sir Andrew Ramsay, 1st Bt., Lord Abbotshall.(44) By this marriage the great Waughton estates, with the exception of those properties already settled on younger sons, passed out of Hepburn hands.

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- (24) *The MSS of The Duke of Athole, K.T., and of The Earl of Home*, Historical Manuscripts Commission, 12th Report, Appendix, Part VIII, London, 1891, p.101.
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