

**The Middle March of the Scottish Borders  
1573 to 1625**

**Volume Two**

**Bibliography  
and  
Appendices**



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## Appendix A: Lairds of the Middle March

Due to the huge number of bonds of assurance subscribed in this period, this appendix does not claim to be a comprehensive listing of alliances. It is necessarily a work in progress. Also, alliances were not static and some changed through the period. This appendix is intended only to give some idea of the alliances that existed in the period 1573 to 1625 and the lairds that subscribed bonds to each other. The examples of alliances were dominated by the large numbers of acts of caution subscribed in 1604 to 1610.

Baty of Blaikesk [?] - allied to Scott of Branxholme<sup>1</sup>

Bennet of Chesters

Cairncross of Colmeslie - allied to Pringle of Buckholm<sup>2</sup>

Chisholme of that ilk

Cranstoun of that ilk - allied to the earl of Angus, Douglas of Cavers, Ker of Jedburgh<sup>3</sup>

Cranstoun of Thirlestane Mains

Douglas of Bonjedburgh - allied with the earl of Angus, Douglas of Cavers, Kirkton of Stewartfield, Turnbull of Bedrule<sup>4</sup>

Douglas of Cavers - allied with the earl of Angus, Cranstoun, Douglas parson of Peebles, Douglasses of Bonjedburgh, Todhills, Kers of Caverton, Faldonside, Scott of Goldielands, Tweedies of Dreva, Drumelzier and Howgate, Turnbull of Bedrule<sup>5</sup>

Douglas of Drumlanrig

Douglas of South Preston

Douglas of Todhills - allied with Douglas of Cavers, Douglas parson of Peebles, Tweedies of Dreva, Drumelzier, Howgate<sup>6</sup>

Edmestone of that ilk - allied to Rutherford of Hunthill, Scotts of Allanhaugh, Branxholme, Goldielands<sup>7</sup>

Elliot of the Stobs - allied to earl of Angus, Ker of Greenhead (Heiton), Scott of Haining<sup>8</sup>

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<sup>1</sup> Baty signed a bond of manrent to Branxholme in 1595. Fraser *Buccleuch* ii no.213

<sup>2</sup> *RPC* vii 618

<sup>3</sup> *RPC* viii 326-27, 551; xi 372-74

<sup>4</sup> *RPC* ii 179-80; iii 368; iv 381; xi 14

<sup>5</sup> *RPC* ii 179-80; iii 368; iv 381, 691; vii 551, 601, 670; xi 14

<sup>6</sup> *RPC* vii 670

<sup>7</sup> *RPC* iv 807

<sup>8</sup> *RPC* iv 793; vii 600

Geddes of Rachan - allied to Scott of Branxholme<sup>9</sup>  
 Gledstanes of that ilk  
 Gledstanes of Ormiston - Elliot of Lauriston<sup>10</sup>  
 Haig of Bemersyde - allied to Ker of Faldonside<sup>11</sup>  
 Halden of that ilk - allied to Ingles of Langlandhill<sup>12</sup>  
 Haliburton of Merton - allied with Haliburton of Merton<sup>13</sup>  
 Haliburton of Muirhouselaw - allied with Haliburton of Muirhouselaw<sup>14</sup>  
 Home of Cowdenknowes - allied to Ker of Jedburgh<sup>15</sup>  
 Horsburgh of that ilk - allied to Hays of Yester, Pringle of Galashiels,  
 Spottiswoode of Whitlee, Tait of Pirne, Turnbull of Minto<sup>16</sup>  
 Ingles of Langlandhill - allied to Halden of that ilk<sup>17</sup>  
 Ker of Ancrum - allied to Kers of Bloodylaws, Ferniehurst, Gilliestongues,  
 Murray of Blackbarony<sup>18</sup>  
 Ker of Barnhills  
 Ker of Bloodylaws - allied to Kers of Ancrum and Ferniehurst<sup>19</sup>  
 Ker of Cavers - allied to Ker of Linton<sup>20</sup>  
 Ker of Caverton - heirs to Ker of Cessford, allied with Douglas of Cavers,  
 Kers of Dolphinston, Faldonside, Turnbull of Wauchope<sup>21</sup>  
 Ker of Cessford - allied with Home of Cowdenknowes, Kers of Faldonside,  
 Linton, Littledean, Newhall<sup>22</sup>  
 Ker of Chatto - Ker of Jedburgh<sup>23</sup>  
 Ker of Crailing - Thomas brother to Andrew Ker of Ferniehurst<sup>24</sup>  
 Ker of Dalcove  
 Ker of Dolphinston - allied to Ker of Caverton<sup>25</sup>

<sup>9</sup> Branxholme took responsibility for the Geddes surname in a letter of slains to the Jardines of Applegarth. GD224/906/3

<sup>10</sup> *RPC* vii 623

<sup>11</sup> *RPC* v 715

<sup>12</sup> *RPC* vii 652

<sup>13</sup> *RPC* viii 713

<sup>14</sup> *RPC* viii 713

<sup>15</sup> *RPC* viii 326-27

<sup>16</sup> *RPC* iv 355; v 713; vii 612, 666; *Yester Writs* 248, 327

<sup>17</sup> *RPC* vii 652

<sup>18</sup> *RPC* viii 656; GD40/2/13

<sup>19</sup> *RPC* viii 656

<sup>20</sup> *RPC* iv 527

<sup>21</sup> *RPC* ii 179-80

<sup>22</sup> *RPC* iv 566, 727

<sup>23</sup> *RPC* viii 326-27

<sup>24</sup> Crailing was killed in a feud with the Turnbulls of Minto in 1601. *Pitcairn Trials* vol. 2 pt. ii 370-77

<sup>25</sup> *RPC* ii 179-80

Ker of Faldonside - allied to Douglas of Cavers, Haig of Bemerside, Kers of Caverton, Cessford, Gateshaw, Graden, Langlands of that ilk<sup>26</sup>

Ker of Fenton

Ker of Ferniehurst - allied to Kers of Ancrum, Bloodylaws, Crailing, Gilliestongues, Murray of Elibank, Scott of Branxholme, Stewart of Traquair<sup>27</sup>

Ker of Gateshaw - allied to Ker of Faldonside<sup>28</sup>

Ker of Gilliestongues - allied to Kers of Ancrum and Ferniehurst<sup>29</sup>

Ker of Graden - allied to Ker of Faldonside<sup>30</sup>

Ker of Greenhead (Heiton) - allied to Elliot of the Stobs<sup>31</sup>

Ker of Kipplielaw - allied to Ker of Linton, Scott of Gamescleuch<sup>32</sup>

Ker of Lintalee - allied to Ker of Ferniehurst<sup>33</sup>

Ker of Linton - allied to Kers of Cavers, Cessford, Kipplielaw<sup>34</sup>

Ker of Littledean (also Jedburgh) - allied to Home of Cowdenknowes, Cranstoun, Ker of Chatto<sup>35</sup>

Ker of Netherhowden

Ker of Newhall - allied to Ker of Cessford<sup>36</sup>

Ker of Oxnam - heir to Ker of Ferniehurst - allied to Ker of Ancrum, Scott of Branxholme

Ker of Primsideloch - allied to the earl of Douglas<sup>37</sup>

Ker of Shaw

Ker of Third - allied to Ker of Yair<sup>38</sup>

Ker of Thirlestane

Ker of Yair - allied to Ker of Third<sup>39</sup>

Kirkton of Stewartfield - allied with Douglas of Bonjedburgh<sup>40</sup>

Langlands of that ilk - allied with Scott of Headshaw<sup>41</sup>

<sup>26</sup> *RPC* ii 179-80; iv 566; v 650,715

<sup>27</sup> *RPC* viii 656; xi 372-74; *Pitcairn Trials* vol. 2 pt ii 370-77, 378-71

<sup>28</sup> *RPC* v 650

<sup>29</sup> *RPC* viii 656

<sup>30</sup> *RPC* ii 179-80

<sup>31</sup> *RPC* vii 600

<sup>32</sup> *RPC* v 626; vii 658

<sup>33</sup> *Pitcairn Trials* vol. 2 pt. ii 378-81

<sup>34</sup> *RPC* iv 527, 566; vii 658

<sup>35</sup> *RPC* viii 326-7

<sup>36</sup> *RPC* iv 727

<sup>37</sup> Primsideloch signed a bond of manrent to Angus in 1574. *Fraser Douglas* iii 274

<sup>38</sup> *RPC* vii 651

<sup>39</sup> *RPC* vii 651

<sup>40</sup> *RPC* ii 179-80

<sup>41</sup> *RPC* ii 179-80

McDowell of Makerstoun

Middlemass of Lilliesleaf Chapel - allied with Turnbull of Minto<sup>42</sup>

Murray of Blackbarony, sometimes Eddleston - John of Blackbarony was brother of Murray of Elibank, also allied to Murrays of Falahill. Also allied to Scott of Branxholme, Tweedie of Drumelzier<sup>43</sup>

Murray of Darnhall - allied to Tweedie of Drumelzier<sup>44</sup>

Murray of Glenpoint, subsequently Elibank - Gideon of Elibank was brother of Murrays of Blackbarony (Eddleston) and Darnhall, half brother of Scott of Branxholme and uncle of Branxholme, Lord Buccleuch - also allied to Ker of Ferniehirst, Murray of Falahill, Scotts of Harden, Newark<sup>45</sup>

Murray of Falahill, subsequently Philiphaugh - allied with Murrays of Blackbarony, Elibank, Pringles of Buckholm, Woodhouse, Scotts of Aikwood, Branxholme, Thirlestane, Stewarts of Traquair<sup>46</sup>

Murray of Langshaw - son of Murray of Elibank

Pringle of that ilk - allied to Scott of Haining<sup>47</sup>

Pringle of Blindlee

Pringle of Buckholm - allied with Cairncross of Colmeslie, Murrays of Falahill, Pringles of Cockleferrie, Tinnis, Torwoodlee, Whitbank<sup>48</sup>

Pringle of Cockleferrie - allied with Pringles of Buckholm, Heriotmylne<sup>49</sup>

Pringle of Galashiels - allied to Horsburgh of that ilk, Pringle of Newhall<sup>50</sup>

Pringle of Heriotmylne - allied to Pringles of Cockleferrie, Hoppringle, Milkieston, Newhall, Torwoodlee<sup>51</sup>

Pringle of Hoppringle (Hoppringle of that ilk) - allied to Pringle of Heriotmylne<sup>52</sup>

Pringle of Milkieston

Pringle of Newhall - allied to Pringles of Galashiels, Heriotmylne, Tringlieknowes<sup>53</sup>

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<sup>42</sup> Pitcairn *Trials* vol. 2 pt. ii 445

<sup>43</sup> *RPC* iv 493; vii 556, 601

<sup>44</sup> *RPC* vii 601

<sup>45</sup> *RPC* iv 538; vii 551, 556; xi 372-74. GD157/1419. Elibank was a witness to bonds to Branxholme in 1599. Fraser *Buccleuch* ii nos. 216, 217

<sup>46</sup> In 1601, Patrick Murray of Falahill recommended Branxholme as protector to his children in his will. NLS Acc.11403/1. *RPC* iv 482; vii 556; viii 659

<sup>47</sup> *RPC* iv 480

<sup>48</sup> *RPC* iv 482; vii 618, 632, 655; viii 649

<sup>49</sup> *RPC* vii 655; viii 649

<sup>50</sup> *RPC* v 713; vii 632

<sup>51</sup> *RPC* vii 655

<sup>52</sup> *RPC* vii 655

<sup>53</sup> *RPC* v 629; vii 632, 655

Pringle of Smailholmcrags

Pringle of Torwoodlee - allied with Pringles of Buckholm, Heriotmylne,  
Whitbank<sup>54</sup>

Pringle of Tinnis - allied with Pringle of Buckholm<sup>55</sup>

Pringle of Tringlieknowes - allied with Pringle of Newhall<sup>56</sup>

Pringle of Whitbank - allied to Pringles of Buckholm, Torwoodlee<sup>57</sup>

Pringle of Woodhouse - allied to Murray of Falahill<sup>58</sup>

Riddell of that ilk

Rutherford of Edgerston - allied to earl of Angus, Rutherfords of Hundalee,  
Hunthill<sup>59</sup>

Rutherford of the Grange - allied to Rutherford of Hundalee<sup>60</sup>

Rutherford of Hundalee - allied to the earl of Angus, Rutherfords of  
Edgerston, the Grange<sup>61</sup>

Rutherford of Hunthill - allied to the earl of Angus, Edmestone of that ilk,  
Rutherford of Edgerston, Kers of Ferniehirst<sup>62</sup>

Scott of Abbotshall

Scott of Aikwood - allied to Murray of Falahill<sup>63</sup>

Scott of Allanhaugh - allied to Edmestone of that ilk, Scott of Branxholme<sup>64</sup>

Scott of Bowden - allied to Scott of Harden<sup>65</sup>

Scott of Bowhill - allied with Scott in Glak and Scott of Goldielands<sup>66</sup>

Scott of Branxholme - allied with Armstrongs of Kinmont, Mangerton,  
Whithaugh, Baty of Blaikesk, earl of Bothwell, Elliots of Braidley, Copshaw,  
Falnash, Gorrumberrie, Redheugh, Geddes of Rachan, Murrays of  
Blackbarony (Eddleston), Elibank and Falahill, Scotts of Allanhaugh,  
Burnfoot, Dryhope, Haining, Harden, Thirlestane, Whitslaid, Veitch of

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<sup>54</sup> *RPC* vii 655

<sup>55</sup> *RPC* vii 632

<sup>56</sup> *RPC* v 629

<sup>57</sup> *RPC* vii 655

<sup>58</sup> *RPC* iv 482

<sup>59</sup> *RPC* ii 179-80; iv 793

<sup>60</sup> *RPC* ii 179-80

<sup>61</sup> The Rutherfords of Hunthill and Hundalee signed a bond of manrent to Angus in 1574.  
*Fraser Douglas* iii 266-67; *RPC* ii 179-80;

<sup>62</sup> *Fraser Douglas* iii 266-67; *RPC* ii 179-80; GD40/2/9/78;

<sup>63</sup> *RPC* iv 538

<sup>64</sup> *Fraser Buccleuch* no. 202; *RPC* iv 809

<sup>65</sup> *RPC* vii 623

<sup>66</sup> *RPC* vi 613; viii 255-56



Dawick<sup>67</sup>  
 Scott of Burnfoot - allied to Scotts of Goldielands, Harden, Whitslaid<sup>68</sup>  
 Scott of Deephope  
 Scott of Dryhope - allied to Murray of Elibank, Scotts of Branxholme,  
 Harden, Tushielaw<sup>69</sup>  
 Scott of Gamescleuch - allied to Armstrong of Mangerton, Ker of Kippielaw,  
 Scotts of Hundleshope, Thirlestane<sup>70</sup>  
 Scott of Gilmanscleuch  
 Scott of Goldielands - allied to the earl of Angus, Douglas of Cavers,  
 Edmestone of that ilk, Elliots of Hartsgarth, Redheugh, Scotts of  
 Branxholme, Burnfoot, Harden, Howpasley, Whitslaid<sup>71</sup>  
 Scott of Haining - allied to Elliot of the Stobs, Pringle of that ilk, Scott of  
 Branxholme<sup>72</sup>  
 Scott of Harden - allied to Scotts of Bowden, Burnfoot, Branxholme,  
 Goldielands, Whitslaid, Elliot of Horsleyhill, Murray of Elibank<sup>73</sup>  
 Scott of Headshaw - allied with Langlands of that ilk, Scott of Thirlestane<sup>74</sup>  
 Scott of Howpasley - allied to Armstrong of Kinmoint, Scotts of Branxholme,  
 Goldielands, Tushielaw<sup>75</sup>  
 Scott of Hundleshope - allied to Scott of Gamescleuch<sup>76</sup>  
 Scott of Newark - allied to Murray of Elibank<sup>77</sup>  
 Scott of Newburgh - allied to Scott of Goldielands<sup>78</sup>  
 Scott of Sinton

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<sup>67</sup> Baty of Blaikesk and Veitch of Dawick signed bonds of manrent to Branxholme in 1595. Fraser *Buccleuch* ii nos. 213,214. The Elliots of Braidley, Copshaw, Falnash, Gorrumberrie and Redheugh and the Armstrongs of Mangerton and Whithaugh signed bonds to Branxholme in 1599. Fraser *Buccleuch* ii nos. 216, 217; GD224/906/5. Murray of Elibank was a half-brother of Branxholme (d. 1574) and uncle to Branxholme, later Lord Buccleuch (d.1611). Buccleuch took responsibility for the Geddes surname in a letter of slains to the Jardines of Applegarth. GD224/906/3. For other refs. see footnote applying to those allied to Branxholme.

<sup>68</sup> *RPC* iv 709

<sup>69</sup> GD224/906/5; *RPC* iv 812

<sup>70</sup> *RPC* iv 812; v 626; vii 601, 602; viii 654

<sup>71</sup> *RPC* iii 368; iv 709, 807, 809, 812; vii 601. Walter Scott of Goldielands acted on behalf of Branxholme during his minority in the 1570s.

<sup>72</sup> *RPC* iv 480; vii 600. Haining acted on behalf of Branxholme during his absences in the late C16 and early C17. GD224/906/5

<sup>73</sup> *RPC* iv 709; vii 623; GD157/1419

<sup>74</sup> *RPC* ii 179-80; viii 695

<sup>75</sup> *RPC* iv 809; vii 669

<sup>76</sup> *RPC* vii 601

<sup>77</sup> *RPC* iv 538

<sup>78</sup> *RPC* viii 255-56

Scott of Thirlestane - allied to Murray of Philiphaugh, Scotts of Branxholme, Gamescleuch, Headshaw, Whitslaid, Stewart of Tinnis<sup>79</sup>

Scott of Tushielaw - allied to Armstrong of Kinmont, Scotts of Dryhope, Howpasley, Stewart of Traquair<sup>80</sup>

Scott of Whitslaid - allied to Scotts of Branxholme, Burnfoot, Goldielands, Harden, Thirlestane<sup>81</sup>

Spottiswoode of Whitlee - allied to Horsburgh of that ilk<sup>82</sup>

Stewart of Caverstoun - allied to Stewart of Shillinglaw<sup>83</sup>

Stewart of Foulshiel - allied with Stewart of Kirkland<sup>84</sup>

Stewart of Kirkland - allied to Stewart of Foulshiel, Tinnis<sup>85</sup>

Stewart of Shillinglaw - allied to Stewarts of Caverstoun, Traquair<sup>86</sup>

Stewart of Tinnis - allied to Scott of Thirlestane, Stewart of Kirkland<sup>87</sup>

Stewart of Traquair - allied to Horsburgh of that ilk, Ker of Ferniehirst, Murrays of Philiphaugh, Scott of Tushielaw<sup>88</sup>

Tait of Cherrytrees

Tait of Dowknow

Tait of Pirne - allied to Horsburgh of that ilk<sup>89</sup>

Turnbull of Barnhills - allied with Turnbells of Belses, Stanyledge<sup>90</sup>

Turnbull of Bedrule - allied with Douglasses of Bondjedburgh of Cavers<sup>91</sup>

Turnbull of Belses - allied with Turnbells of Barnhills, Lilliesleaf, Stanyledge<sup>92</sup>

Turnbull of Bewlie - allied with Turnbull of Minto<sup>93</sup>

Turnbull of Butterwell - allied with the earl of Angus<sup>94</sup>

Turnbull of Hallrule

Turnbull of Lilliesleaf - allied with Turnbull of Belses<sup>95</sup>

<sup>79</sup> Thirlestane was a witness to a number of bonds to Branxholme in 1599. Fraser *Buccleuch* ii nos. 216, 217; *RPC* vii 602; viii 47, 653, 654, 659, 695

<sup>80</sup> *RPC* iv 811, 813; vii 669

<sup>81</sup> *RPC* iv 709; viii 653

<sup>82</sup> *RPC* vii 666

<sup>83</sup> *RPC* iv 476

<sup>84</sup> *RPC* vii 647

<sup>85</sup> *RPC* vii 647, 669

<sup>86</sup> *RPC* iv 476

<sup>87</sup> *RPC* vii 647, 669; viii 47

<sup>88</sup> *RPC* iv 811; *Pitcairn Trials* vol. 2 pt. ii 378-71

<sup>89</sup> *RPC* vii 612

<sup>90</sup> *Pitcairn Trials* vol. 2 pt. ii 442

<sup>91</sup> *RPC* iv 381, 691

<sup>92</sup> *Pitcairn Trials* vol. 2 pt. ii 442, 445

<sup>93</sup> *RPC* iv 341

<sup>94</sup> Butterwell signed a bond of manrent to the earl of Angus and Regent Morton in 1575. GD150/456

<sup>95</sup> *Pitcairn Trials* vol. 2 pt. ii 445

Turnbull of Minto - allied with earl of Angus, Elliot of Braidley, Horsburgh of that ilk, Middlemest of Lilliesleaf Chapel, Turnbull of Bewlie<sup>96</sup>  
 Turnbull of Stanyledge - allied with Turnbolls of Barnhills, Belses,<sup>97</sup>  
 Turnbull of Wauchope - allied with earl of Angus, Ker of Caverton<sup>98</sup>  
 Tweedie of Dreva - allied to Douglases of Cavers, Todhills, Douglas parson of Peebles, Tweedies of Drumelzier, Howgate<sup>99</sup>  
 Tweedie of Drumelzier - allied to Douglas parson of Peebles, Douglas of Cavers, Todhills, Hays of Yester, Murrays of Darnhall, Eddleston, Tweedies of Dreva, Howgate<sup>100</sup>  
 Tweedie of Howgate  
 Tweedie of Oliphir Castle  
 Tweedie of the Wrae  
 Veitch of Dawick - allied to Scott of Branxholme<sup>101</sup>  
 Veitch of Kingside

### **Lairds of Liddesdale**

Armstrong of Kinmont - to Scotts of Branxholme, Howpasley, Tushielaw<sup>102</sup>  
 Armstrong of Mangerton - allied to Scotts of Branxholme, Gamescleuch<sup>103</sup>  
 Armstrong of Whithaugh - allied to Elliot of Copshaw, Scott of Branxholme<sup>104</sup>  
 Elliot of Copshaw - allied to Armstrong of Whithaugh, Scott of Branxholme<sup>105</sup>  
 Elliot of Braidley - allied to earl of Bothwell, Scott of Branxholme, Turnbull of Minto<sup>106</sup>  
 Elliot of Dunliebyre [?]  
 Elliot of Falnash - allied to Scott of Branxholme<sup>107</sup>  
 Elliot of Gorrumberrie - allied to Scott of Branxholme<sup>108</sup>  
 Elliot of Hartgarth - allied to Elliot of Redheugh, Scott of Goldielands<sup>109</sup>

<sup>96</sup> *RPC* iv 277, 341, 355, 793, 813; *Pitcairn Trials* vol. 2 pt. 445

<sup>97</sup> *Pitcairn Trials* vol. 2 pt. ii 442

<sup>98</sup> *RPC* ii 179-80; iv 793

<sup>99</sup> *RPC* vii 670

<sup>100</sup> *RPC* vii 601, 611, 670; *Yester Writs* 327

<sup>101</sup> *Fraser Buccleuch* ii no. 214

<sup>102</sup> *RPC* vii 669

<sup>103</sup> *RPC* iv 812; *Fraser Buccleuch* ii no. 216

<sup>104</sup> *RPC* v 547;

vii 623; *Fraser Buccleuch* ii no. 216

<sup>105</sup> *Fraser Buccleuch* ii no. 217; *RPC* vii 623

<sup>106</sup> *RPC* iv 807,813; *Fraser Buccleuch* ii no. 217

<sup>107</sup> GD224/906/5

<sup>108</sup> *Fraser Buccleuch* ii no. 217

<sup>109</sup> *RPC* iv 812

Elliot of Horsleyhill - allied to Scott of Harden<sup>110</sup>

Elliot of Lauriston - allied to Gledstanes of Ormiston<sup>111</sup>

Elliot of Redheugh - allied to earl of Bothwell, Elliots of Braidley, Hartsgarth,  
Scotts of Branxholme, Goldielands<sup>112</sup>

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<sup>110</sup> *RPC* vii 623

<sup>111</sup> *RPC* vii 623

<sup>112</sup> *RPC* iv 807, 812; Fraser *Buccleuch* ii no. 217

## Appendix B: Burghs, regalities, burghs of barony and baronies in the Middle March

This appendix was compiled with the help of GS Pryde's *The Burghs of Scotland* and TI Rae's Appendix 2 in his thesis 'The Administration of the Scottish Borders in the Sixteenth Century' which lists the baronies of Roxburghshire.<sup>113</sup>

Royal burghs:

Jedburgh<sup>114</sup>

Selkirk<sup>115</sup>

Peebles<sup>116</sup>

Burghs of Barony:<sup>117</sup>

Eddleston: Murray of Darnhall (Blackbarony branch) 1607<sup>118</sup>

Galashiels, Selkirkshire: Pringle of Galashiels erected 1599, confirmation 1617<sup>119</sup>

Hawick, Roxburghshire: Douglas of Drumlanrig erected 1511<sup>120</sup>

Kelso, Roxburghshire: already an old burgh, granted to Lord Roxburgh in 1614<sup>121</sup>

Linton, Roxburghshire: Lord Stewart of Traquair erected 1631<sup>122</sup>

Longnewton, Roxburghshire: earl of Lothian erected 1634<sup>123</sup>

Maxton, Roxburghshire: Ker of Littledean erected 1588<sup>124</sup>

Melrose, Roxburghshire: Visc. Haddington mentioned in 1605, becoming

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<sup>113</sup> TI Rae 'The Administration of the Scottish Borders in the Sixteenth Century' PhD thesis (St Andrews 1961). He listed only the baronies of Roxburghshire and Berwickshire. This appendix is as comprehensive as possible but cannot claim to list all the baronies.

<sup>114</sup> Royal burgh alienated to the Douglases in the fourteenth century but regained by Crown by 1424. Pryde *The Burghs of Scotland* 9

<sup>115</sup> 1536 charter confirming Selkirk's burghal privileges, ratified by parliament in 1633. *RMS* iii 1555; *APS* v 95-97

<sup>116</sup> 1452 charter of confirmation of burghal status by James II. *Peebles* 16-18

<sup>117</sup> These were identified by Pryde. Pryde *The Burghs of Scotland*

<sup>118</sup> *RMS* vi 1961. In 1586, the lands of Eddleston were recorded as in the White Barony of Eddleston, part of the Blackbarony, held by the Murrays of Blackbarony. GD32/10/9; *RMS* v 2256

<sup>119</sup> The lands of Galashiels had been part of the lordship of Ettrick Forest. *RMS* vi 988; vii 1692

<sup>120</sup> *RMS* ii 3576

<sup>121</sup> *RMS* vii 1055

<sup>122</sup> *RMS* viii 1814

<sup>123</sup> Pryde *The Burghs of Scotland* 69

<sup>124</sup> *RMS* v 1456



burgh of regality in 1621 held by the earl of Melrose<sup>125</sup>  
Selkirk, Selkirkshire: earl of Angus erected 1602<sup>126</sup>

Baronies:

Abbotsrule, Roxburghshire: Ker of Littledean<sup>127</sup>

Ancrum( and Ashkirk and Lilliesleaf), Roxburghshire: archbishopric of  
Glasgow<sup>128</sup>

Auld Roxburgh, Roxburghshire: part of the Cessford barony held by Kers of  
Cessford<sup>129</sup>

Bedrule, Roxburghshire: Turnbull of Bedrule subsequently Home of  
Cowdenknowes<sup>130</sup>

Belses, Roxburghshire: Lord Home<sup>131</sup>

Blackbarony, Peeblesshire: Murray of Blackbarony<sup>132</sup>

Bonjedburgh, Roxburghshire: earl of Angus<sup>133</sup>

Bowden, Roxburghshire: Kelso Abbey<sup>134</sup>

Branxholme, Roxburghshire: Scott of Branxholme subsequently Buccleuch<sup>135</sup>

Broxfield, Roxburghshire: Lord Home<sup>136</sup>

Cavers, Roxburghshire: Douglas of Cavers<sup>137</sup>

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<sup>125</sup> Pryde *The Burghs of Scotland* 64

<sup>126</sup> *RMS* vi 1283. There seems some confusion over this since Selkirk received a charter in 1536 confirming its burghal rights in 1536 which were ratified by parliament in 1633. *RMS* iii 1555; *APS* v 95-97

<sup>127</sup> *RMS* vii 932 (in 1613) In charter of Sir John Ker of Jedburgh in 1618. *RMS* vii 1855

<sup>128</sup> *RMS* vi 406 (in 1596). In 1603, the regality of Glasgow which included these baronies was granted to Ludovic duke of Lennox. *RMS* vi 1457. Called a regality and a barony in 1618. *RMS* vii 932, 1835. Bailiary sometimes held by the Kers of Cessford.

<sup>129</sup> *RMS* iii 2785

<sup>130</sup> *RMS* iv 1957 (in 1571). In 1589, Margaret Turnbull the heir to Bedrule resigned the barony in favour of James Home of Cowdenknowes on her marriage to him. *RMS* v 1669. In 1605, Turnbull of Bedrule resigned the barony in favour of Henry son of James Home of Coldenknowes. *RMS* vi 1649

<sup>131</sup> *RMS* vii 1855

<sup>132</sup> *RMS* v 2256; GD32/11/15 (in 1593, 1607) Blackbarony was previously known as the barony of Halton.

<sup>133</sup> In 1540 after Angus's forfeiture, barony was granted to Douglas of Bonjedburgh. It is probable that it was regained by Angus on his restoration. *RMS* iii 2189

<sup>134</sup> Part of the regality of Kelso. Kers of Cessford were hereditary bailies of Bowden. *RMS* iv 1988; *RPC* v 71

<sup>135</sup> GD224/479/1; 224/918/12; 224/890/14; *RMS* vi 956 (in 1577, 1599)

<sup>136</sup> Lord Home alienated the barony before 1590 to William McDowell who gave it to his brother Thomas McDowell of Makerstoun. *RMS* v 1995. Barony restored to the Homes in 1606. *RMS* vi 1842

<sup>137</sup> *RMS* iv 2651 (1577). Sir William Douglas of Cavers resigned barony in his son's favour in 1610. NLS Acc.6803, Box 9, fo.2; *RMS* vii 288

Cessford, Roxburghshire: Ker of Cessford<sup>138</sup>  
 Chalmerlane-Newton, Roxburghshire: earl of Bothwell subsequently duke of  
 Lennox, then Scott of Branxholme, then Lindsay<sup>139</sup>  
 Clifton, Roxburghshire: Tweedie of Drumelzier<sup>140</sup>  
 Drumelzier, Peebleshire: Hay of Yester<sup>141</sup>  
 Eckford and Lempitlaw, Roxburghshire: ?<sup>142</sup>  
 Ednam, Roxburghshire: Edmonston of that ilk<sup>143</sup>  
 Edgerston, Roxburghshire: Rutherford of Edgerston and Stewart of  
 Traquair<sup>144</sup>  
 Erneheugh, Roxburghshire: Ker of Cessford<sup>145</sup>  
 Ferniehirst, Roxburghshire: Ker of Ferniehirst<sup>146</sup>  
 Fewrule, Roxburghshire: Lord Herries<sup>147</sup>  
 Grubbit: Rutherford of Hundalee<sup>148</sup>  
 Haldane, Roxburghshire: Haldane of that ilk<sup>149</sup>  
 Halydean, Roxburghshire: William Ker heir to Lord Roxburgh<sup>150</sup>  
 Hassendean: earl of Glencairn and Lord Home subsequently Scott of  
 Dryhope<sup>151</sup>  
 Hawick, Roxburghshire: Douglas of Drumlanrig<sup>152</sup>

<sup>138</sup> Confirmation charter to Ker of Cessford in 1588. *RMS* v 1518

<sup>139</sup> Owned by the earl of Bothwell until his forfeiture in 1591 when it was granted to Ludovic duke of Lennox. *RMS* v 218,1888. Lennox resigned it in favour of Scott of Branxholme. *RMS* vi 166. In 1606 it was held by Patrick Lindsay, a burges of Cupar, descended from Lindsay of the Byres. *RMS* vi 1782

<sup>140</sup> In 1590 James son of William Tweedie of Drumelzier received the sasine of half the lands and barony. *ER* xxii 438

<sup>141</sup> GD28/132A (in 1627)

<sup>142</sup> GD224/930/39/2/10 (in 1554) No *RMS* listing

<sup>143</sup> *RMS* vii 1608 (in 1614)

<sup>144</sup> The superiority of Edgerston was claimed by the Stewarts of Traquair in the mid-sixteenth century who finally resigned it in Rutherford's favour in 1634. Cockburn-Hood *The Rutherfords of that ilk* xi-xii,xxvii; Rutherford of Edgarston Papers at NLS Acc 7676A, Bundles iv, v

<sup>145</sup> *RMS* vi 318 (in 1595)

<sup>146</sup> Ferniehirst was restored to his lands in 1581, regaining Ferniehirst and Oxnam from the earl of Angus who had held them since Ferniehirst's forfeiture in the early 1570s. *RSS* viii 360

<sup>147</sup> GD40/2/12/2 (in 1603)

<sup>148</sup> *RMS* vii 317, 374 (in 1601, *de novo* erection in 1610)

<sup>149</sup> *ER* xxii 496 (1594)

<sup>150</sup> *RMS* vii 1055 (in 1614) *de novo* to Lord Roxburgh's heir in 1614

<sup>151</sup> Divided between Lord Home and the earl of Glencairn. *ER* xxi 443 (in 1581); GD39/1/146 (in 1603). Scott of Dryhope held the barony in 1617. *RMS* vii 1626

<sup>152</sup> Douglas of Drumlanrig resigned the barony in 1592 and received it back as part of the regality of Drumlanrig. *RMS* v 2034

Hopprew, Peeblesshire: Hay of Yester<sup>153</sup>  
 Horsburgh, Peeblesshire: Horsburgh of that ilk then Stewart of Shillinglaw<sup>154</sup>  
 Hownam, Roxburghshire: half by Lord Home subsequently earl of Angus  
 and half by Rutherfords<sup>155</sup>  
 Kingsburgh, Peeblesshire: Stewart of Shillinglaw  
 Lilliesleaf, Roxburghshire: see Ancrum  
 Linton, Roxburghshire: Lord Somerville of Carnwath subsequently Ker of  
 Littledean<sup>156</sup>  
 Longnewton, Roxburghshire: earl of Morton, then Ker of Jedburgh, then  
 earl of Home<sup>157</sup>  
 Lyne, Peeblesshire: Hay of Yester<sup>158</sup>  
 Makerstoun: MacDougall of Makerstoun<sup>159</sup>  
 Maxton, Roxburghshire: Ker of Littledean<sup>160</sup>  
 Maxwell, Roxburghshire: Lord Maxwell then earl of Somerset<sup>161</sup>  
 Minto, Roxburghshire: Turnbull of Minto<sup>162</sup>  
 Olivercastle, Peeblesshire: Hay of Yester<sup>163</sup>  
 Ormiston, Roxburghshire: Ormiston of that ilk then Ker of Cessford<sup>164</sup>  
 Oxnam, Roxburghshire: Ker of Ferniehirst<sup>165</sup>  
 Prenderleith, Roxburghshire: Lord Saltoun of Abernethy<sup>166</sup>

<sup>153</sup> *Yester Writs* 218; GD86/389 (in 1575, 1611)

<sup>154</sup> *RMS* vii 1109, 1664 (in 1614, 1617) Horsburgh of that ilk sold it to Shillinglaw in 1617

<sup>155</sup> Hownam was originally part of Edgerston and held by the Rutherfords. *RMS* ii 2121, 3014. Lands within the barony granted to earl of Angus in 1574, previously held by Ker of Ferniehirst from Lord Home. *RMS* iv 2347

<sup>156</sup> Somerville sold the barony to Ker of Littledean in 1592. *RMS* vi 139

<sup>157</sup> Sold by William, earl of Morton to Sir John Ker of Jedburgh for 70,000 merks in 1613. Appears in charter in favour of his wife in 1619. *RMS* vii 1971. This was then appraised by James earl of Home in 1630 and confirmed in a charter by the earl of Morton. GD259/4/12

<sup>158</sup> *RMS* v 1830 (in 1591); *Yester Writs* 248 (in 1593)

<sup>159</sup> *RMS* vii 237 (in 1610)

<sup>160</sup> *RMS* v 39, 1136, 1456 (in 1580, 1586, 1588)

<sup>161</sup> Lands of barony to Robert Ker future earl of Somerset in 1610 from Lord Maxwell's forfeiture. *RMS* vii 217; dimidietatem of lands and barony to Andrew Ker of Ferniehirst and son in 1612. *RMS* vii 786

<sup>162</sup> *RMS* iv 2559 (in 1576). No mention of barony in 1612 confirmation of lands of Minto to Turnbull of Minto. *RMS* vii 772

<sup>163</sup> *RMS* vii 1604 (in 1618) included lands of Easter and Wester Hopprew and Neidpath castle

<sup>164</sup> Ormiston was forfeited but regained barony from Cessford in 1584. *RSS* viii 2623. Cessford subsequently was granted Ormiston in 1587 on forfeiture of Ormiston of that ilk. NRAS482/Box 31/1; *RMS* v 1364, 2029 (in 1587, 1592)

<sup>165</sup> *RSS* viii 360; GD40/2/10/57 (in 1581, 1585) Included in barony of Ferniehirst in 1540. *RMS* iii 249, 2142. See Ferniehirst, above.

<sup>166</sup> Barony incorporated within barony of Abernethy in 1483. *RMS* ii 1534. Sasine given to seventh and eighth earls in 1587 and 1598 respectively. *ER* xxi 539-40; xxiii 407-8

Primside, Roxburghshire, Roxburghshire: Ker of Cessford<sup>167</sup>  
 Riddell, Roxburghshire: Riddell of that ilk<sup>168</sup>  
 Roxburgh, Roxburghshire: Ker of Cessford<sup>169</sup>  
 Rutherford, Roxburghshire: Rutherford subsequently Stewarts of Traquair<sup>170</sup>  
 Scraesburgh (*alias* Hunthill): Rutherford of Hunthill<sup>171</sup>  
 Skirling, Peeblesshire: Cockburn of Skirling<sup>172</sup>  
 Smailholm, Roxburghshire: Cranstoun of that ilk<sup>173</sup>  
 Sprouston, Roxburghshire: Lord Roxburgh<sup>174</sup>  
 Stitchill, Roxburghshire: Gordon of Lochinver<sup>175</sup>  
 Traquair: Stewart of Traquair<sup>176</sup>  
 Wilton, Roxburghshire: partly by Langlands of that ilk and partly by earl of  
 Bothwell then duke of Lennox, then Scott of Branxholme<sup>177</sup>  
 Yetholm: earl of Bothwell subsequently duke of Lennox then Scott of  
 Branxholme<sup>178</sup>

#### Lordships and Regalities:

Ettrick Forest: the crown<sup>179</sup>

Jedforest, Roxburghshire: earl of Angus<sup>180</sup>

<sup>167</sup> Primside was part of barony of Cessford by 1564. *ER* xix 524

<sup>168</sup> *De novo* erection in 1602 by John son of Andrew Riddell of that ilk and his wife Agnes daughter of Sir John Murray of Eddleston. *RMS* vi 1361

<sup>169</sup> Erected in 1588 for William Ker of Cessford for his services as Middle March warden. *RMS* v 1521 (in 1588)

<sup>170</sup> Originally barony held by Rutherfords of that ilk but descended through marriage to Stewarts of Traquair like Edgerston. Stewart of Traquair had sasine to Rutherford in 1596. *ER* xxiii 373

<sup>171</sup> John Rutherford of Hunthill had sasine in 1578 of the barony. *ER* xx 529. *De novo* erection in 1615 in favour of John Rutherford apparent of Hunthill. *RMS* vii 1295

<sup>172</sup> *RMS* vii 1579 (in 1617)

<sup>173</sup> Included in the barony of Sprouston. Smailholm held by Cranstouns in 1583. GD135/1028

<sup>174</sup> Lands from abbacy of Kelso forfeited by Francis earl of Bothwell in 1591 were granted to Ker of Cessford. *RMS* v 2018. Incorporated into a new barony of Sprouston in 1602 in favour of Cessford, now Lord Roxburgh. *RMS* vi 1342

<sup>175</sup> Confirmation charter to Lochinver in 1616. *RMS* vii 1387

<sup>176</sup> NRAS3666/121/239 (in 1606)

<sup>177</sup> Charter to earl of Bothwell in 1581. *RMS* 218; charter of ratification to Bothwell in 1587. *RMS* v 1316. Granted to duke of Lennox in 1591 on Bothwell's forfeiture. *RMS* v 1888. Then resigned by Lennox in Scott of Branxholme's favour in 1594. *RMS* vi 166, 175. Part of barony granted to George Langlands of that ilk in 1614. *RMS* vii 1090. GD224/890/15 (in C17 - in Scott of Buccleuch papers - latest date 1615)

<sup>178</sup> Lands from Bothwell's forfeiture to duke of Lennox in 1591 and subsequently to Scott of Branxholme in 1594. *RMS* vi 166

<sup>179</sup> See Craig Madden 'The Feuing of Ettrick Forest' *Innes Review* xxvii (1976)

<sup>180</sup> Regality temporarily held by Ludovic duke of Lennox following Angus's forfeiture in 1594 but restored to Angus in 1602. *RMS* vi 192, 1282



Jedburgh, Roxburghshire: Lord Home<sup>181</sup>

Kelso, Roxburghshire: earl of Bothwell subsequently Kers of Cessford<sup>182</sup>

Liddesdale, Roxburghshire: earl of Bothwell subsequently duke of Lennox  
then Scott of Branxholme<sup>183</sup>

Melrose, Roxburghshire: the abbey of Melrose, subsequently earl of  
Melrose<sup>184</sup>

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<sup>181</sup> *in liberum dominium et baroniam de Jedburgh* to Lord Home in 1606. *RMS* vi 1721

<sup>182</sup> Originally belonged to the Tironesian Abbey of Kelso. Kers of Cessford were hereditary bailies. The earl of Bothwell was commendator from 1566 until his forfeiture in 1591. Lands passed to Kers of Cessford. *RMS* v 15,2001

<sup>183</sup> Held by the earls of Bothwell until Bothwell's forfeiture in 1591, when it was granted to Ludovic duke of Lennox, who granted it to Scott of Branxholme in 1594. *RMS* v 1316,1888;vi 166; Fraser *Buccleuch* ii no. 211

<sup>184</sup> Originally belonged to the Cistercian Abbey of Melrose. From 1524 the Scotts of Branxholme were hereditary bailies. Fraser *Buccleuch* ii no. 131. James Douglas was commendator of the abbey from 1584 until beginning of sixteenth century. *RMS* v 1157; vi 2120. Granted to Thomas Binning subsequently earl of Melrose. *RMS* vii 1915



## Appendix C: Examples of bonds of obligation

Various forms of obligation, assurance or alliance were made by surname leaders on their own behalf and for others and by individuals or groups of men to their surname leader or that of another surname. These agreements included acts of caution, bonds of manrent and resolutions of feud. The list below is not intended to enumerate all such agreements made concerning the Middle March, but to provide some examples to substantiate much of the subject matter covered in Chapter One.

### Acts of caution and assurances

Acts of caution were subscribed whereby individuals (the principals) found caution with another (the cautioner) who was prepared to stand surety for the principal's good behaviour or fulfilling of a specific obligation. They were made predominantly to prevent further violence in a feud. The cautioner was liable to a financial penalty if the principal did not fulfil his obligations or broke his assurance. These were too numerous to list. Original acts of caution are at the NAS in PC10-12. There is a register of these bonds in PC6 which is calendared from 1591 in the *RPC* series: at the peak of their frequency, they were published in separate sections of the *RPC*.<sup>185</sup> Some examples are included here.

Sureties found by Teviotdale men for their compliance with a privy council ordinance to assist the crown and not to reset Sir Thomas Ker of Ferniehirst or any other rebels. At Edinburgh, 28 January 1573.<sup>186</sup>

Financial penalties for non-compliance varied between 500 and 2,000 merks. Those finding surety included:

Principal:

William Douglas of Cavers

James Gledstones of Cocklaw

Walter Ker of Dolphinston

William Kirkton of Stewartfield

James Langlands of that ilk

George Ker tutor of Graden

Cautioner:

William Ker of Caverton and Andrew Ker of Faldonside

William Ker of Caverton

William Ker of Caverton

George Douglas of Bonjedburgh

Andrew Ker of Faldonside

Andrew Ker of Faldonside

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<sup>185</sup> *RPC* v-vii

<sup>186</sup> *RPC* ii 179-80

Richard Rutherford of Edgerston	Andrew Rutherford younger of Hundalee
George Rutherford of the Grange	Andrew Rutherford younger of Hundalee
John Rutherford of Hunthill	Richard Rutherford of Edgerston
Andrew Rutherford younger of Hundalee	Richard Rutherford of Edgerston
William Scott, son of Scott of Headshaw	James Langlands of that ilk
Hector Turnbull son of David of Wauchope	William Ker of Caverton

Acts of caution were used to ensure that specific individuals complied with privy council orders. For instance, individuals promised not to reset others of their surname or alliance.

10 Feb 1586: Ending of a caution by the Edmestones not to reset rebels.

It is our will and we command yow To deleit furth of ye buikis of oure counsall the act quhairby Robert Grahame of Knoknawe become actit as cautionar for Archibald Edmenestoun of Ballantoun and James Edmennestoun of Newtown That thay sould nocht ressett supplie nor do favouris unto our rebellis for the tymes and that the said Archibald and James sould compeir befor us and lordis of our secreitt counsall as thai or ye said robert thair cautionar sould be chirgit thairunto upoun tyve dayis warnyng under ye panes contenit in ye said act of ye dait....1584 Sua that the said act be sumplicite discharged And ye samen to have na strenth for the effect nor executioun aganis ye saidis personnis nor thair cautionar foirsaid in ony thyme cumming as ye will answer to us heirupoun quhairnent...James R<sup>187</sup>

8 March 1587: Caution found by Gavin Elliot of the Stobs that he would produce Robert Elliot of Redheugh before the privy council to underly the law.

William Hume of Lasudden, Nicoll Cairncorce of Colmeslie and Walter Cairncorce of Lingill become actit and oblist conjunctlie and severalie as cautionaris and sourtie for Gawine Elliott of ye Stobbis That ye said Gawine suld entir and present Robert Elliott of Reidheuch personalie befor us and lordis of oure secrete counsall quhat tyme he suld be requirit to that effect upoun ten dayis warnyng under the pane of Tua thousand pundis as are and maid thereupoun ... to the effect he mon be subject and underly sic ordour as salbe inpuitt to him for ye weill and quietnes of oure bordouris ... [If] they failye in the presenting and entering of the said Robert the dayis foirsaid the cautionaris foirsaidis salbe decretit to have manrit [and] ... the said some of twa thousand poundis and uthers our letteris of horning and

<sup>187</sup> PC10/3/iv/3

punding sallit indict for uplifting quhilk and inbringing of the same to our use ...<sup>188</sup>

Acts of caution were often subscribed by both parties in a dispute finding assurance not to harm the other. For example:

5 May 1604: Sir William Stewart of Traquair found caution of 5,000 merks not to harm Sir John Murray of Eddleston, Sir John Murray of Falahill and Gideon Murray of Elibank.<sup>189</sup>

21 June 1604: Falahill and Eddelston found caution (Elibank acted as cautioner) of 5,000 merks not to harm Traquair.<sup>190</sup>

The principal named in one act of caution occasionally stood surety for his cautioner when that cautioner himself had to find surety in his own act of caution. For instance, in a number of acts of caution subscribed by men of the Middle March promising not to hunt in the Cheviots, under pain of 1,000 merks each, on 16 January 1606:<sup>191</sup>

Walter Scott of Harden stood surety for Robert Scott of Thirlestane and *vice versa*.

James Gledstanes younger of Ormiston stood surety for Robert Elliot of Lauriston and *vice versa*.

John Elliot of Copshaw stood surety for Sym Armstrong of Whithaugh and *vice versa*.

Walter Scott of Harden stood surety for Gilbert Elliot of Horsliehill and *vice versa*.

### **Bonds of manrent**

Jenny Wormald lists bonds of manrent in *Lords and Men in Scotland: Bonds of Manrent 1442-1603* including the following ones made by men from the Middle March from 1573. Most of them have been published except for one by the Rutherfords of Hunthill to the Kers of Ferniehurst.<sup>192</sup>

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<sup>188</sup> PC10/3/iv/16

<sup>189</sup> *RPC* vii 551

<sup>190</sup> *RPC* vii 556

<sup>191</sup> *RPC* vii 623

<sup>192</sup> Wormald *Lords and Men in Scotland: Bonds of Manrent 1442-1603* App. A

To Andrew Ker of Ferniehirst and his son Andrew by

John Rutherford of Hunthill and Thomas his son. 9 August 1586<sup>193</sup>

Be the kend to all men Be this present letters that we John Rutherford of Hunthill and Thomas Rutherford my sonne and apparand air ... In manrent and suritie to Andro Ker off Fferneherst and Andro Ker his sone and apparand air ... bonds and oblisses us be this present writing and be the faith and trewth in our bodeis ffor all the dayis and termes of our Lyftymes That we salbe leill and trew ... To the saidis Andro Ker offFferneherst and his sone and sall never heir sie nor rest of this schame dishonor skaith nor harme nor nane that pertenet thaim, But we sall warne thame thairof and let it and defend it at our powar And sall gif thame our best counsall quhen we ar requirit thairto And sall ... keip thair counsall schawing to us And salbe reddy at all tymes ... And to ryde and gang with thame and tak thaire parit in all actionis aganis all leving and die may to go ... kin frendes servandis my partakeris and all that will do for us In all materis quhat somever thay be at all tymes. Oure soverance lordis autoritie allandly exceptit. In witnes heirof we have subscrivit this present writing and band of manrent and shuritie to thames and set to our seillis. At Ffairnehirst ... befor the witnesses William Ker of Ancrum[?] Richard Rutherford of Edgerstoun and Hew Bowstoun notar...

The bond was signed by both John Rutherford of Hunthill and Thomas Rutherford of Hunthill younger.

This bond was made less than a year after Andrew Ker of Ferniehirst's father, Sir Thomas, had died. At the time of his death, in the autumn of 1585, Sir Thomas had recently been relieved of his wardenship of the Middle March and was accused of involvement in the killing of Lord Francis Russell at a day of truce meeting with the English Middle March warden.<sup>194</sup>

To Archibald eighth earl of Angus by

'Clanis of east Teviotail', Pringles, Hoppringles, Youngs, Taitis, Davidsons, Burns, their heirs. 20, 21 November 1576<sup>195</sup>

John Cranstoun of that ilk, William Douglas of Cavers, George Douglas of Bonjedburgh younger, Walter Scott of Goldielands.

Made before 1581 since discharged by order of the privy council in 1581.<sup>196</sup>

Gilbert Ker of Primsideloch, son and heir Andrew, heirs, friends and servants.

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<sup>193</sup> GD40/2/9/78

<sup>194</sup> *RPC* iv 4,33-34

<sup>195</sup> *Fraser Douglas* iii 272-73

<sup>196</sup> *RPC* iii 368



23 November 1576<sup>197</sup>

Andrew Rutherford of Hundalee, John Rutherford of Hunthill, his son and heir John, four other Rutherfords, their kin and friends of their surnames. 25 December 1574<sup>198</sup>

Thomas Turnbull of Bedrule, son Walter, three other Turnbolls, their kin and friends of their surname. 25 December 1574<sup>199</sup>

To Mark Ker, Lord Newbattle by  
John Hamilton of Condcott. 1 March 1599<sup>200</sup>

To James 4th earl of Morton and Archibald 8th earl of Angus and their heirs Adam Turnbull of Butterwell, his son and heir Adam, their heirs. 19 April 1575<sup>201</sup>

To John 5th earl of Morton, 8th Lord Maxwell by  
Sym Armstrong younger of Whithaugh. 28 January 1590<sup>202</sup>

To Walter Scott of Branxholme by  
Alie Baty of Blaikesk, four other Batys, their heirs, the surname of Baty of house of Cowchquhairglen, except John Baty of Ranelburn and his brother. 24 April 1595<sup>203</sup>  
John Veitch, fiar of Dawick. 1595<sup>204</sup>

Bond of maintenance by Walter Ker of Cessford to Patrick Murray of Falahill<sup>205</sup>

Be it kend til men be these present letters Me Walter Ker of Cesfurd to be bunding and oblist And be these present letters faithfully bundis and obliess me to ane honorable man Patrik of Murray of Fawlahill to mentein supple and defend with my kyne frendis and servandis at ony power ye said Patrik

<sup>197</sup> Fraser *Douglas* iii 274

<sup>198</sup> Fraser *Douglas* iii 266-67

<sup>199</sup> Fraser *Douglas* iii 268

<sup>200</sup> GD40/5/5/1

<sup>201</sup> GD150/456. This included a remission in perpetuity for the Turnbolls' crimes against the king in the late wars and the burning of Morton's lands.

<sup>202</sup> Fraser *Carlaverock* ii 494-95

<sup>203</sup> Fraser *Buccleuch* ii no. 213

<sup>204</sup> Fraser *Buccleuch* ii no. 214

<sup>205</sup> NLS Murray of Falahill Papers Acc. 11403/1. Wormald lists this bond in her bonds of manrent noting the scarcity of the reciprocal bonds of maintenance by the superior. This bond was probably in return for one of manrent by Falahill to Cessford: no mention in was made of service by Falahill in this bond by Cessford.



in al his rycht honest and just actionis causes plelyis and querellis in contrair al otheris ye kingis grac exceptit or allegeancis to ye crown And forthir never to hear nor went scaithe in durand my lyfftyme to ye said Patrikis bodey sayme or his gudis bot to resist reveill and gaynstand at my power ffor the observing keping and foulfillingis of the presentis I ye said Walter bundis and obliess me be ye faith and trouthe in my bodey In ye mast sekerass form and strates sort of obligatioun In witness of quhilkis for ye mair securite of the said Walter to ye presentis hes affixit to my seil at Haliedene and with my subscriptioun. 2 September 1531

Witnesses: George Ker of Faldonside, Mark Ker of Huppillaw

### **Bonds of obligation: various**

A number of bonds were given for a particular purpose to surname leaders by allied surnames or by surname leaders taking responsibility for his surname or an allied surname.

Bond of assurance made between Walter Scott of Branxholme and the Batesons and Thomsons of Eskdale. At Branxholme undated.<sup>206</sup>

the said Walter Scott and his frendis holdis ... assurit all the batesounis and thomsounis within esdail to cum and gange within all partis of tevedail In thair guid and lefull viandis ... and further the saiddis batesounis and thomsounis hais faithfullie bound and promest be this here writting that all that ... Scott thair frendis and servandis sall be sur of batesons and thomsounis and all that thai may lett under thair hurst or harm in thair personis or guddis And gyf the said Walt Scot of Branxholme knyct with his frendis or servandis happenis to follo or haif ony busynes ado within esdail or ony within the said sernamis of batesonis and thomsounis sall tak thair leill truth ... In contrar all materis thairin kyngis grace and thair lord exceptit .... gyf ony of esdail ... stelin or reiffis that thai sall haif na caus to repairis the said sournaris and this to underlie on the half of baith the saiddis presentis on four dayis warning to be warant lawfully be this our writting

Bonds made to Walter Scott of Buccleuch in 1599 by various surnames living in Liddesdale promising to relieve Buccleuch of any pains incurred as a result of his taking responsibility for the inhabitants of Liddesdale under the terms of the general band.<sup>207</sup>

For example: one by John and brother Gib Forrester

as the richt honorable the laird of Balcluegh be vertew of the generale band hes found cautioun and bund and oblist him that the hail inhabitants of the boundis of liddisdail and sic as are resident thairin sall be anserable to the kingis maiestie and his lawis under the painis contened in the actis maid

<sup>206</sup> GD224/930/38/5

<sup>207</sup> Bundle of several bonds made to Buccleuch. GD224/906/5

thairanent And we being willing that he sall incur na hurt or damage thairby we the saidis [Forresters] for oure selffis and takand ye burding for oure haill men tennentis servantis and ... sall be recept on our lands steadings ... bundis and oblissis us as followis to wit we the saidis[Forresters] that we .... sall be anserableto the said laird of Balcleugh ... as quhen we or our any of oure forsaidis ... sall be called for be him his deputtis or officiares quatever of thame selffis for any charge... sall releive the said Laird of Balcleugh anentis all contined in the said generale band and make releiffe thairof as we sall charged be him his deputtis...

Witessed by Robert Scott of Haining

Similar bands in 1599 to Buccleuch by:

William Elliot of Falnash and son Robert

The Elliots above the Hermitage

Will Elliot of the Steill, Will Elliot called Ninians Will, Hob Elliot of the Shaws and Hobbie Elliot of Chorlishope 'principallis oure brenche'

Elliots of the Park

Elliot in the burgh and other Elliot of [?]

Arthur Elliot of the Hill

Witnesses included Robert Scott of Haining, Walter brother of Philip Scott of Dryhope, Roger Scott captain at the Hermitage. At Hermitage Castle in December 1599

Similar bonds were given to Buccleuch by:

Robert Elliot of Redheugh, William Elliot of Braidley, Jock Elliot of Copshaw and William Elliot of Gorrumberrie Lancie Armstrong elder of Whithaugh, Sym Armstrong of Mangerton and others, all from Liddesdale<sup>208</sup>

since Buccleuch be vertew of the generale band, hes fund caution and bund and oblist him that the haill inhabitantis of the boundis of Liddisdaill ... sall be ansuerable to the Kingis Majestie and his lawis ... takand the burding on us for oure haill brenche, men, tennentis, servandis, and sic as sall be recept on oure lands' for 'any thing, or to ansuer any plaint from England, or upon the Kingis majestie his hienes counsale, or his justices preissing or chalenge upoun any complaint from the subjectis of Scotland.

Witnesses included Robert Scott of Thirlestane, Mr. Gideon Murray and other Scotts and Elliots. At Branxholme on 30 September 1599

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<sup>208</sup> Fraser *Buccleuch* ii nos. 216, 217

## Bonds made on the resolution of a feud

Bond of maintenance and service subscribed by Walter Scott of Branxholme and Robert Scott of Allanhaugh on the resolution of their feud over the slaughter of David, son of Adam Scott of Allanhaugh.<sup>209</sup>

Allanhaugh promised on behalf of his kin and friends 'never to fynd falt' with Branxholme over the slaughter of David Scott,

bot sall serve, manteine, and defend my said cheif according to the band subscrivit be me ... as ane gentilman aucht to do to thair cheif

whilst Branxholme on behalf of his kin and friends promised to fortifie, manteine, and defend' Allanhaugh and his dependants. At Selkirk and Hawick on 19 and 22 May 1585

Bond by Walter Lord Buccleuch, Charles Geddes of Rachan and Sir Alexander Jardine of Applegarth taking the burden for their whole surnames in the resolution of the slaughter of Robert Jardine of Brierhill and his son William and Robert Jardine of Goldcoats. 21 June 1607.<sup>210</sup>

Buccleuch took the burden for

all his kin freindis assistaris pairtie and pairtakeris And in special for Charles Geddes of Rauchane and haill surname of Geddes thair kin freindis assistaris partie and pairtakeris wherein Jardine of Applegarth remittit dischargit rendeit and frielie fra oure hairtis forgevin ... All rancour and malice of our hairtis feid envy querrell and grudge with all actioun of displeasour and uthir actioun quhatsumevir Agane the said nobill and potent lord Walter lord of Bukcleughe his surname kin frreindis assistaris pairtie or partakeris Or agane the siad Charles Geddes his surname kin freindis ... ffor the slauchteris of the saidis ... May peceable hairt frequent and repair in all pairtis at thair pleasure unhurt unharmit trublit molestit callit accusit or persewit directlie or indirectlie ... for the foirsaidis slauchteris ... To haif ressavit and admittit [Buccleuch and Geddes and their surnames] in siclyk amitie luif and freindschip ffaithfullie promitting and obliassing we To observe and keip the samen in all tyme cuming but ony brek sicklyk as gif the saidis slauchteris haid never bene comittit Under the pane of loss of honor and credit perjurie and defamatioun for ever ... And for the mair securetie we ar content and consentis that the presentis be actit and registrat in the buikis of counsall.

Bond by Sir Walter Scott of Branxholme, Robert Elliot of Redheugh for his kin, friends and dependants and Martin Elliot son of the late Sym Elliot for himself, his uncles and the rest of his surname and servants, whereby the

<sup>209</sup> Fraser *Buccleuch* ii no. 202

<sup>210</sup> GD224/906/3

Elliots agreed to submit to his decision on their dispute. At Branxholme in 1599.<sup>211</sup>

Fforsamekle as we the saidis robert and martene haveing submittit all actionis and debaitis betuixt us In the hands of the right honorable the said Sir Walter ... efter gude avyse and deliberatioun hes finalie agreit us thairanent and ordanit that the memorie thairof be bureit in tym cuming And for the better avoyding of cumer [troubles], and Intertenement of concord amonst us heirefter Incais any causes of grudge or debait sall out beuixt us we bund and obleiss us never to move querrell ... but the said Sir Walter and sic as sall occupy his place to tak over thairintill and to persue the offender as his honors plesur salbe ... And oblissis us to satisfett and obey the promissis under the panis of perjurie defamatioun and tinsell [loss] of credite In tym cuming And the said Sir Walter Scot of Branxholme knyght doth protest that quhasoevir sall violat this decreit and ordinance that I sall declair him to be perjured and becum his perpetuall enemie and sall debait the present keipar [of Liddesdale] be for presentis subscrivye be me and the saidis ...

### **Bonds for political reasons**

Jenny Wormald lists a number of bonds made promising support to others for political or religious reasons.<sup>212</sup>

1582: Ker of Cessford was included in a contract promising mutual support in maintaining the true religion which also included the earl of Bothwell and Lord Home.<sup>213</sup>

### **General bands**

General bands were subscribed by the surname leaders taking responsibility for themselves and those of their surname or resident on their lands. A number of acts and ordinances reiterated the promises made by the surname leaders under the terms of the general band. Balfour reproduced a typical form of general band in his *Practicks*.<sup>214</sup> Band made at Kelso. April 3 1569<sup>215</sup> Promises to be 'inymeis to all thevis' from Liddesdale, Eskdale, Ewesdale and Annandale, especially of the surnames of Armstrong, Elliot, Nickson, Crosier, Littill, Bateson, Thomson, Bell, Irving, Glendinning, Routledge,

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<sup>211</sup> GD224/906/68/4

<sup>212</sup> Wormald *Lords and Men in Scotland* App. C

<sup>213</sup> Calderwood *History* iii 644-66

<sup>214</sup> Balfour *Practicks* ii 574-76

<sup>215</sup> *RPC* i 651-53



Henderson, Scotts of Ewesdale.

To assist Scott of Buccleuch and others lairds in the west against the thieves.  
Subscribers: Cranstoun of that ilk, Cuthbert Cranstoun of Thirlestane Mains, William Douglas of Cavers, John Edmonstone of that ilk, Walter Ker of Cessford, Walter Ker of Dolphinston, Andrew Ker of Faldonside, Thomas Ker of Ferniehirst, Andrew Ker of Littledean, Thomas Ker of Netherhowden, Gilbert Ker of Primsideloch, Robert Ker of Thirlestane, William Ker, Thomas McDowell of Makerstoun, John Mow of that ilk, Patrick Murray of Falahill, Richard Rutherford of Edgerston, Nicholas Rutherford of Hundalee knight, John Rutherford of Hunthill, Richard Rutherford provost of Jedburgh, Watt Scott in Borthaugh, Walter Scott of Buccleuch, Watt Scott of Tushielaw, Robert Scott bailie of Hawick, James Scott bailie of Selkirk, Thomas Turnbull of Bedrule, Hector Turnbull tutor of Minto

Band made at Jedburgh. 12 February 1572<sup>216</sup>

Band for the pursuit of the King's enemies, especially Thomas Ker of Ferniehirst and his accomplices and the thieves of Liddesdale, Eskdale, Ewesdale, Annandale.

Subscribers: William Aleson bailie of Jedburgh, Walter Chisholme of that ilk, Alexander Cockburn of that ilk, John Cockburn of Langtoun, William Douglas of Bonjedburgh, William Douglas of Cavers, John Edmonstone of that ilk, Henry Haliburton of Merton, Andrew Haliburton of Muirhouselaw, Walter Ker of Cessford, William Ker younger of Cessford, Thomas Ker of Dalcove, Andrew Ker of Faldonside, Andrew Ker of Linton, Andrew Ker of Littledean knight, Gilbert Ker of Primsideloch, William Ker of Yair, James McDowell of Makerstoun, John Mow of that ilk, George Pringle in Blindlee, Andrew Pringle of Galashiels, William Pringle of Torwoodlee, James Pringle of Whitbank, Richard Rutherford of Edgerston, Nicholas Rutherford of Hundalee, Andrew Rutherford younger of Hundalee, John Rutherford of Hunthill elder, John Rutherford younger of Hunthill, Mr. John Rutherford, Richard Rutherford provost of Jedburgh, William Scott of Headshaw, Walter Scott of Howpasley knight, William Turnbull of Barnhills, Thomas Turnbull of Bedrule knight, John Turnbull of Minto, Hector Turnbull of Wauchope

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<sup>216</sup> *RPC* ii 117



Band of Roxburgh made at Jedburgh. 28 August 1573<sup>217</sup>

Subscribed 'conforme to the Generall Band and panis contenit thairin' to resist and not to reset rebels. This was inserted in the register of the privy council in August 1576 in the middle of numerous new assurances by men from elsewhere in Scotland, including the 'Northland Men'. The band repeated an 'Auld Band of Roxburgh' made in 1552 to Queen Marie of Guise and the regent James, earl of Arran.<sup>218</sup>

Subscribers: William Borthwick, Walter Chisholme of that ilk, Cranstoun of that ilk, William Douglas of Bonjedburgh, William Douglas of Cavers, Douglas of Drumlanrig, John Edmonstone knight, Robert Elliot of Redheugh, William Lord Hay of Yester, Jardine of Applegarth, Walter Ker of Cessford, William Ker, Andrew Ker of Faldonside, George Ker tutor of Graden, Walter Ker of Littledean, James Langlands of that ilk, James McDowell of Makerston, John Mow of that ilk, Murray of Philiphaugh, Richard Rutherford of Edgerston, Andrew Rutherford of Hundalee, John Rutherford of Hunthill, James Sandelands, Scott of Buccleuch knight, Thomas Turnbull of Bedrule, John Turnbull of Minto, David Turnbull of Wauchope, Hector Turnbull

Bands made at Roxburgh in 1552 and 1573 registered by privy council. 1 August 1576<sup>219</sup>

Subscribers of 1552 band:

David Ainslie of Fala, John and William Cairncross of Colmeslie, John Cranstoun of that ilk, William Douglas of Bonjedburgh, James Douglas of Cavers, Andrew Douglas of Timpindean, Gavin Elliot of Horsliehill, Robert Fraser of Overtoun, John Halden of that ilk, Walter Ker of Cessford and his brother Andrew, John Ker of Ferniehirst, George Ker of Gateshaw, Gilbert Ker of Greenhead, George Ker of Linton, Adam Kirkton of Stewartoun, Thomas McDowell of Makerstoun, James Ormiston of that ilk, Patrick Home of Broomhouse for Lady Rutherford, Nicol Rutherford of Hundalee, Walter Scott of Buccleuch, Adam Scott of Burnfoot, William Scott of Harden, Hector Turnbull of Barnhills, Thomas Turnbull of Bedrule, William Rutherford of Langnewton, Hector Turnbull tutor of Minto, George Turnbull of the Tower, David Turnbull of Wauchope,

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<sup>217</sup> *RPC* ii 370-73, 548-49

<sup>218</sup> *RPC* ii 549-52

<sup>219</sup> *RPC* ii 548-52

Act 'for the quieting and keping in obedience of the disorderit subjectis inhabitantis of the bordouris hielandis and Ilis'. July 1587<sup>220</sup>

Though this act did not refer specifically to the general band, its terms were similar requiring 'all landislourdis and baillies of the landis on the bordouris' to find caution that they will undertake responsibility for 'ony of thair men tennentis servandis and induellaris'.

Those surname leaders listed for the Middle March: the earls of Bothwell and Angus, the laird of Chisholme, Douglas of Cavers, Douglas of Drumlanrig, Ker of Ferniehirst, Ker of Littledean, Scott of Buccleuch, Scott of Howpasley, Turnbull of Bedrule, Turnbull of Hallrule, Turnbull of Wauchope

Ordinance for enforcing responsibility of landlords and chieftains for their men under the general band. 19 November 1599<sup>221</sup>

Ordinance requiring leaders of surnames and chieftains of clans to find caution for keeping the general band. 28 July 1602<sup>222</sup>

### **Pledges**

Human pledges were surrendered by surname leaders or individuals as a surety for the good behaviour of a surname leader and/or his surname or of an individual. They were kept in custody by other lairds often outside the Borders or warded by the crown at, for instance, Edinburgh or Blackness Castles.

For example:

17 June 1574: Four Armstrongs, two Batys, and one Bell, entered 'for the answering of pledges for their principals' crimes' [for the good behaviour of their kin].

Pledges placed with the Maxwells - with an obligation for the warders to 'become actit and oblist cautioneris for the personis plegeis'.<sup>223</sup>

14 June 1574: Seven Elliots as pledges for the 'pledge of Liddesdale' for the

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<sup>220</sup> *APS* iii 461-67

<sup>221</sup> *RPC* vi 45-46

<sup>222</sup> *RPC* vi 435-36

<sup>223</sup> *RPC* ii 367-70

good behaviour of its inhabitants.<sup>224</sup>

Letter from the privy council to the laird of Wester Wemyss ordering him to keep in safe custody a pledge for Armstrong of Whithaugh. 1 June 1592<sup>225</sup>

Efter our hertlie commendationes we charg yow in our soverane Lordes name To ressave the berair heirop Johne Armestrang sone to the Lard of Quhythauch as pleig for his fader and remanent that he is bound to answer for And keip the said Johne surlie within the strenth unsusteining him to depart upoun ony maner of band or obligatione without expres warrand of his hienes with avyse of his counsell According to the act of parliament maid thairanent and under the painis contenit in the same. And that ye certifie us of the said Johnes entrie and of your ressait Of this our letter Subscrivit with our handes

Copies, in 1577, of forms of missives to those keeping custody of a pledge, concerning his responsibilities and the penalties they could incur for letting a pledge escape.<sup>226</sup>

The trouble and wicketnes of theives and brokin men Inhabiting the bordouris constrainis us still to retine certane pleiges and utheris maist disorderit in the Incuntrie/ Amongis the nobilmen, barrones and utheris of best habilitie/ Seing the kingis awin housses ar not able to keipe sic a multitude as necessarlie for this guid occasione mon be detenit Quhairfor we requyre yow and in our Soverane Lordes name commandes yow that ye reassave In your custodie and keiping ... Quhen presentlie we direct unto yow and reteine him in your custodie and company unletting him pas hame Upon band obligatione or anie maner of band conditione qlk be lauchfullie fred and releivit alwayes ye neid not to keip him strait becaus sourtie is found that he sall not eschaip Sa we commend yow to god keip him suirle unletting him pas hame upon bond obligatione or ony other maner of conditione without speciall directione and warrand frome us As ye luif the quietnes and common weill of the countrie and under the pane and danger of twa thowsand poundes According to the act and ordour appoyntit for sure keiping of the pleiges ...

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<sup>224</sup> *RPC* ii 370-73

<sup>225</sup> GD149/265

<sup>226</sup> Cunningham of Caprington Papers GD149/265

## Appendix D: Marriages in the Middle March demonstrating alliances

See also Appendix E: Scott/Murray/Ker marriages

Sir Walter Scott of Buccleuch m. (d. 1552)

1. Elizabeth Carmichael (d. 1530)
2. Janet Ker daughter of Andrew Ker of Ferniehirst - divorced without issue
3. Janet Beaton, daughter of Sir John Beaton of Creich, sister of Grisel Beaton, subsequently married to her stepson

Children included: Sir William Scott of Kirkurd

Sir William Scott of Kirkurd m. in 1548<sup>227</sup> to Grisel Beaton, daughter of Sir John Beaton of Creich (d. before 1552)

Children included: Sir Walter Scott of Branxholme, Janet and Margaret Scott

Sir Walter Scott of Branxholme m. c.1568<sup>228</sup> to Margaret Douglas, daughter of (d. 1574)

Children included:

David seventh earl of Angus, niece of James Douglas, fourth earl of Morton, Regent.

Sir Walter Scott of Buccleuch m. c. 1586<sup>229</sup> to Margaret Ker, daughter of Sir later Lord Buccleuch

Children included:

Walter Ker of Cessford and sister of Robert, first earl of Roxburgh<sup>230</sup>

Walter, first earl of Buccleuch m. c.1616<sup>231</sup> to Mary Hay, daughter of Francis, ninth earl of Erroll

Sir John Johnstone of that ilk m. c.1586<sup>232</sup> to Margaret Scott, daughter of (d. 1587)

Kirkurd

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<sup>227</sup> *Scots Peerage* ii 231

<sup>228</sup> *Scots Peerage* ii 231

<sup>229</sup> *Scots Peerage* ii 233

<sup>230</sup> This marriage was intended to end the long-running Scott-Ker feud. However, Buccleuch and Robert Ker of Cessford were still at feud in 1596/7.

<sup>231</sup> *Scots Peerage* ii 234

<sup>232</sup> *CBP* i no. 103

Sir Thomas Ker of Ferniehurst m. c. 1569<sup>233</sup> to Janet Scott, daughter of Kirkurd (d. 1586) Children included:

Robert Ker, future earl of Somerset.

Ferniehurst's first marriage had produced Sir Andrew Ker of Oxnam, subsequently of Ferniehurst and first Lord Jedburgh.

Sir Andrew Ker of Ferniehurst m. c.1584<sup>234</sup> Anna Stewart, daughter of first Lord Jedburgh

Andrew Stewart, master of Ochiltree

Children included:

Sir Andrew Ker of Oxnam, m. c. 1614<sup>235</sup> Margaret Ker, daughter of Mark, master of Jedburgh first earl of Lothian

Sir Andrew Murray of Blackbarony m. c.1552<sup>236</sup> to Grisel Beaton, widow of (d. 1572)

Sir William Scott of Kirkurd

Children included:

Sir John Murray of Blackbarony (Eddleston), Sir Gideon Murray of Elibank, Agnes Murray

Sir John Murray of Blackbarony m. c.1573<sup>237</sup> to Margaret Hamilton, daughter (a.1607)

of Sir Alexander Hamilton of

Children included:

Innerwick

Sir Archibald Murray of Blackbarony, Elizabeth Murray

Sir Gideon Murray of Elibank m. 1600<sup>238</sup> to Margaret Pentland (d. 1621) Children included:

Sir Patrick Murray of Langshaw,

Agnes Murray m. c.1611<sup>239</sup>

to William Scott of Harden, son of Walter Scott of Harden

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<sup>233</sup> *Scots Peerage* v 69

<sup>234</sup> *Scots Peerage* v 75

<sup>235</sup> *Scots Peerage* v 76. He had no issue.

<sup>236</sup> GD32/2/2

<sup>237</sup> GD32/2/3

<sup>238</sup> GD32/1/5

<sup>239</sup> GD157/1544



Sir Patrick Murray of Falahill m. c.1580 to Agnes Murray, daughter of  
(d. 1601) Andrew Murray of Blackbarony,  
Children included: sister of Elibank  
Sir John Murray of Philiphaugh to Janet Scott, daughter of Sir  
(d. 1640) William Scott of Ardross

Sir Robert Ker of Ancrum, m. before 1607<sup>240</sup> to Elizabeth Murray, daughter of  
first earl of Ancram John Murray of Blackbarony, niece  
Children included: of Elibank  
William Ker, m. c.1631 to Anne Ker, countess of Lothian,  
subsequently third earl of daughter of Robert, second earl of  
Lothian Lothian

James Douglas of Cavers m. c. 1580 to Margaret Cranstoun, sister-in-law  
(d. 1612) of William, Lord Cranstoun  
Children included:  
William Douglas of Cavers  
Cranstoun wrote to Murray of Lochmaben in 1615 on behalf of his nephew  
Cavers<sup>241</sup>

Lairds in the Middle March created their own network of alliances by marrying their children to members of a different branch of their own surname or of other surnames in the locality. Before the seventeenth century it was unusual to marry much outside the locality. Examples follow of the marriages made by the children of Sir Walter Scott of Harden.

Sir Walter Scott of Harden m. c.1577<sup>242</sup> to Mary Scott, daughter of John  
Children included: Scott of Dryhope (Selkirkshire)  
William Scott younger of Harden m. c.1611<sup>243</sup> Agnes Murray, daughter of  
Elibank  
Hew Scott m. c.1621<sup>244</sup> to Jean Pringle, daughter of Sir  
James Pringle of Galashiels

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<sup>240</sup> GD40/2/13/1

<sup>241</sup> Adv. MS 33.1.1 vol. 6 no.47

<sup>242</sup> GD157/1540. This was the reknowned 'Auld Watt' Scott of Harden

<sup>243</sup> GD157/1544

<sup>244</sup> GD157/1548

Walter Scott in Essinsyde m. c.1614 <sup>245</sup>	(Selkirkshire) to Elspeth Hay, daughter of John Hay of Smithfield (Peeblesshire)
Margaret Scott m. c. 1621 <sup>246</sup>	to David Pringle, eldest son of Galashiels, and brother of her sister-in-law (Selk.)
Francis Scott m. c.1624	Isobel Scott sister of Walter Scott of Whitslaid (Selkirkshire)
Margaret Scott m.	Sir Gilbert Elliot of Stobs (Roxburghshire)
Janet Scott m. c.1613	Thomas Scott ? son of Walter Scott of Whitslaid (Selkirkshire)

In the later sixteenth century members of more prominent families sometimes married someone from outside the immediate locality, perhaps securing alliances within the neighbouring march, but it was still unusual to marry outside the Borders region. By the beginning of the seventeenth century, however, members of the more prominent families were marrying further afield (though rarely in England). In addition, where the leaders of the prominent families had been elevated to the nobility, their children were marrying at a higher social level than the previous generation. A good example of the marriages of a family over three generations at the end of the sixteenth and beginning of the seventeenth can be found in the marriages of the Kers of Cessford:

Sir Walter Ker of Cessford m. c. 1543 (d. before 1583) Children included:	to Isabel Ker, daughter of Sir Andrew Ker of Ferniehirst <sup>247</sup>
William Ker of Cessford m. c.1564	to Janet Douglas, daughter of Sir James Douglas of Drumlanrig <sup>248</sup>
Thomas Ker	contracted in marriage to Elizabeth Scott, sister of Branxholme (d.1574),

<sup>245</sup> GD157/1546. Walter of Essinsyde was killed by a Scott of Bonnington before 1617 in a feud between the two families. GD157/1246

<sup>246</sup> GD157/1549

<sup>247</sup> *Scots Peerage* vii 337

<sup>248</sup> *Scots Peerage* vii 341

Agnes Ker m. c.1558	as part of an attempt to settle the Ker-Scott feud. The marriage never took place.
Isobel Ker m.	to John Edmonstone younger of that ilk
Margaret Ker m. before 1558	to John Rutherford of Hunthill to Alexander, fifth Lord Home <sup>249</sup>
William Ker of Cessford	to Janet Douglas
Children included:	
Sir Robert Ker of Cessford, m. 1.1587 subsequently earl of Roxburgh	to Margaret Maitland, daughter of Sir John Maitland of Thirlestane
m. 2. c.1614	Jean Drummond daughter of Patrick, Lord Drummond and sister of Roxburgh's son-in-law, the earl of Perth
Margaret Ker m. c.1586	to Walter Scott of Branxholme, subsequently Lord Buccleuch
Elizabeth Ker m. 1601	to Sir James Bellenden of Broughton <sup>250</sup>
Robert, earl of Roxburgh	and Margaret Maitland
Children included:	
Jean Ker m. c.1613	to John, second earl of Perth <sup>251</sup>
Isabel Ker m. c.1618	to James Scrymgeour, second viscount of Dudhope
Mary Ker m. 1.	to James Haliburton of Pitcur
2. c.1629	to James, second earl of Southesk
Robert, earl of Roxburgh	and Jean Drummond
Harry, Lord Ker m. c.1638	Margaret Hay, daughter of William, ninth earl of Erroll <sup>252</sup>

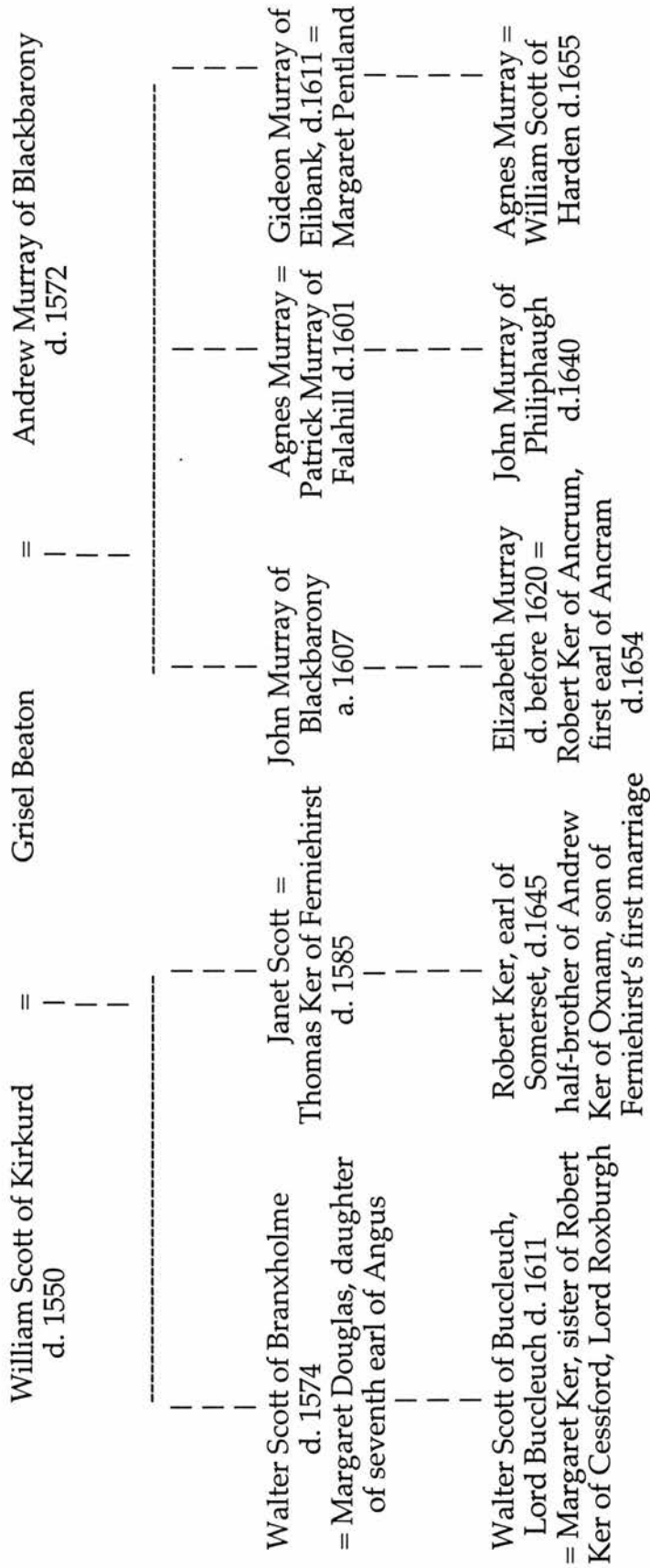
<sup>249</sup> *Scots Peerage* vii 339

<sup>250</sup> *Scots Peerage* vii 341

<sup>251</sup> *Scots Peerage* vii 345

<sup>252</sup> *Scots Peerage* vii 347

**Appendix E: Marriage links between the Scotts of Branxholme and Harden, the Murrays of Blackbarony and Philiphaugh and the Kers of Cessford, Ferniehirst and Ancrum**



## Appendix F: Feuds in the Middle March 1573 to 1625

Alphabetically cross referenced to previous mention.

All cases where there was a mention of either violence or feud or assurances found between indicating feud. Violent crime not included where action appears to have been taken in official capacity such as a warden acting on filed bill.

Ainslies v. Walter Ker of Littledean v. William Rutherford bailie of Jedburgh  
1576: Ainslies oppressed in their escheated lands at Fala, mails claimed by Ker and Rutherford. Council found in favour of Ker.<sup>253</sup>

John Ainslie chirurgion of Jedburgh v. John Mader burgess of Jedburgh  
1619: Ainslie and sons accused of persecution of Mader and sons.<sup>254</sup>

Ainslie v. Rutherford

James Anderson in Haltree v. William Lord Borthwick and Grisel Scott  
1574: assurance found<sup>255</sup>

Earls of Angus v. Kers of Ferniehirst  
1585: Ferniehirst ordered to remove himself from Jedforest lands and to allow Angus to intromit the mails. Ferniehirst's cautioners, Ker of Ancrum and Haliburton of Merton.

1612: argument over the right to the bailiary. Armed convocation and council resolution.

1613: James intervenes. Council orders resolution.<sup>256</sup>

Tenants and servants of earl of Angus v. James Scott of Newark, Robert Scott of Aikwood, George Scott of Sinton, David son of Walter Scott of Goldielands

1590, 1591: Scotts found caution not to harm Angus's men<sup>257</sup>

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<sup>253</sup> *RPC* ii 570-71

<sup>254</sup> *RPC* xii 29-30

<sup>255</sup> *RPC* ii 376

<sup>256</sup> *RPC* iv 40; ix 372-74, 394, 398, 400, 403; x 152

<sup>257</sup> *RPC* iv 538, 540, 606



Archibald Armstrong of Mangerton v. Lord Home

1610: for Armstrong with 24 armed men attacking Home's lands.<sup>258</sup>

Armstrongs and Elliots v. Walter Scott of Goldielands, James Gledstanes of Cocklaw and Robert Elliot of Redheugh

1580: Scott etc against Armstrongs and Elliots for raids on Scott of Buccleuch's lands. Goldielands acting as tutor to Buccleuch. Cautions ordered by council.

1581: violations of assurances given, ordered again before council.<sup>259</sup>

Armstrongs v. Elliots v. Scotts

1582: council orders resolution and assurance between these names in Teviotdale and Liddesdale.<sup>260</sup>

Armstrongs v. Scott of Tushielaw

Fergus and Archibald Armstrong, brothers to William of Kinmont v. Thomas Johnstone

1574: Armstrongs accused of raiding Johnstone's lands. Ordered to redress goods or be escheated.<sup>261</sup>

Francis Armstrong of Kinmont v. James Maxwell, Robert Douglas King's servitors

1607: Walter Scott of Tushielaw cautioner for Armstrongs including John of Lyn.<sup>262</sup>

Francis Armstrong of Kinmont v. Sir Robert Scott of Thirlestane

1609: Thirlestane appealed to the council to make Armstrong and others find caution not to molest him, they 'having consavit ane deadlie malice and haitrent' against him.<sup>263</sup>

Beatison v. Turnbull of Bedrule

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<sup>258</sup> *RPC* viii 431

<sup>259</sup> *RPC* iii 309-10, 380-82

<sup>260</sup> *RPC* iii 448-49

<sup>261</sup> *RPC* ii 359

<sup>262</sup> *RPC* vii 669

<sup>263</sup> PC10/8A/74

Ragwell Bennett of Chesters v. Robert Turnbull in Langtoun  
1605: assurance between Bennett and his brother William and Turnbull and son Thomas for oppression.<sup>264</sup>

1608: Turnbull confirmed the payment to him by Bennett of 300 merks for the 'hurting and wounding' him and his wife.<sup>265</sup>

Lord Borthwick v. Anderson in Haltree

James Broun in Hopprew v. Tweedies by Peebles

1604: caution by Tweedies.<sup>266</sup>

Bell of Crookstoun v. Scott of Thirlestane

1584: assurance between Thirlestane and Crookstoun.<sup>267</sup>

Lord Borthwick v. Anderson in Haltree

Burnfields v. Haitlies

1576: Sir James Home of Cowdenknowes stands surety for Burnfields.

John Hoppringle of Smailholmraig, Andrew Haig of Bemersyde

1577: further cautions for Burnfields. Alexander Burnfield fined 500 merks for leaving ward in Edinburgh.<sup>268</sup>

William Cairncorse of Colmeslie v. Thomas Ker of Cavers

1620: long standing feud between them and their sons. Resolution ordered.<sup>269</sup>

Francis brother of Cockburn of Henderland v. Andrew brother of Horsburgh of that ilk

1624: for attack by Horsburgh.<sup>270</sup>

James son of Lord Cranstoun v. Patrick son of Sir Gideon Murray of Elibank

1610: sons warded, resolution at council, James banished.<sup>271</sup>

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<sup>264</sup> *RPC* vii 583, 584, 585

<sup>265</sup> PC10/8A/15

<sup>266</sup> *RPC* vii 563

<sup>267</sup> *RPC* iii 630

<sup>268</sup> *RPC* ii 610-11, 625, 630-31

<sup>269</sup> *RPC* xii 309-10

<sup>270</sup> *RPC* xiii 463-4

<sup>271</sup> *RPC* ix 1-2, 16, 33, 41-42

William Cranstoun fiar of that ilk v. Scotts of Gamescleuch and Gilmansleuch  
1593: Scotts violently occupied his lands at Falwoodshiel in Selkirkshire.  
Scotts denounced rebels.<sup>272</sup>

William Cranstoun apparent of that ilk v. Andrew Lauder in Wyndpark  
1596: Cranstoun having admitted his part in the slaughter of Lauder's son,  
failed to enter ward as ordered at Tantallon and denounced rebel.<sup>273</sup>

Adam Dalgliesh of Deuchar v. Scotts of Newark

James Dickson in Headrig v. William Ker of Mersingtoun  
1623: resolution and cautions ordered.<sup>274</sup>

Dame Margaret Douglas Countess Bothwell, Buccleuch's mother v.  
Armstrongs and Elliots  
1582: for armed theft in Liddesdale. Armstrong of Whithaugh and Elliot of  
Braidley denounced rebel.<sup>275</sup>

James Douglas of Cavers v. Elliot of the Burgh  
1612: against Douglas's servants attacking the Elliot at Cavers.<sup>276</sup>

William Douglas of Cavers v. Robert Elliot of Redheugh and Gavin brother  
of William Elliot of Horsleyhill  
1573: Cavers against the Elliots for violent occupation of his lands. Elliots  
ordered to flit.<sup>277</sup>

William Douglas younger of Cavers v. William Horsburgh in Scroggs  
1607: William and brother Thomas with numerous Tweedies of Dreva and  
Drumelzier not to harm Horsburgh. Archiband Douglas, parson of Peebles  
as cautioner.<sup>278</sup>

George Douglas of Friarshaw v. John Rutherford 'Provest's Jock'

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<sup>272</sup> *RPC* v 82-83

<sup>273</sup> *RPC* v 261-62

<sup>274</sup> *RPC* xiii 272

<sup>275</sup> *RPC* iii 441-43

<sup>276</sup> *RPC* ix 341

<sup>277</sup> *RPC* ii 249-50

<sup>278</sup> *RPC* vii 670

1617: with Douglas in Lillisleaf against Rutherford's attacks.<sup>279</sup>

George Douglas of South Preston v. John Hogg in Lilliesleaf  
1605: for oppression by Hogg.<sup>280</sup>

Archibald Douglas, parson of Peebles v. Alexander Horsburgh of that ilk  
1605: James Tweedie of Drumelzier cautioner for Douglas and Tait of Pirne  
cautioner for Horsburgh.

1608: assurances renewed. Then Andrew, James Tweedie's son failed to  
swear to assurance for him by his father not to harm Douglas. Denounced  
rebel.

Andrew Horsburgh to subscribe bond re Douglas. Further assurance by  
Andrew son of Alexander Horsburgh not to harm minister. Complaint by  
parson over murder of his son James by William Horsburgh brother of  
Alexander of that ilk.

1609: assurances renewed, feud continuing.<sup>281</sup>

Archibald Douglas parson of Peebles v. Peebles

1608: James Gledstanes cautioner for Douglas not to harm provest and  
council of Peebles. Douglas complains over excessive number of cautions to  
find.<sup>282</sup>

Elliot of the Burgh v. Douglas of Cavers

Will Elliot of Hartisgarth and others v. John Scott in Newark

1618: Scott against Elliots with Will of Prikenhaugh, Will of the Park, Robert  
of Redhaugh, Archibald of Langhaugh with 100 disordered men.<sup>283</sup>

Elliots v. Pringles

1575: attendance ordered before privy council to resolve dispute.

For the Pringles - Ker of Faldonside, Riddell of that ilk, Stewart of Caverston,  
Heriot of Trabroun.

For the Elliots - Douglas of Cavers, Douglas of Bonjedburgh, Douglas of the

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<sup>279</sup> *RPC* xi 180

<sup>280</sup> *RPC* vii 606-7

<sup>281</sup> *RPC* vii 612; viii 33, 38, 46, 124, 292, 650, 658

<sup>282</sup> *RPC* viii 188, 670-71

<sup>283</sup> *RPC* xi 327-28

Cruke, Turnbull of Minto, Rutherford of Edgerston, Rutherford of the Grange.<sup>284</sup>

Elliot v. Scotts

1581: violation of assurance between Elliots and Armstrong of Mangerton. Walter Scott of Goldielands to appear before council. Scotts of Goldielands, Syntoun and Haining found caution. Scott of Headshaw not appearing, Goldielands ordered to enter him. Goldielands ordered to ward.<sup>285</sup>

Elliots v. Countess of Bothwell, see above.

1582: Scotts, Armstrongs, Elliots. see above

Gavin Elliot and Jean Scott v. Walter and John Scott, sons of Sir Walter Scott of Buccleuch and Margaret Turnbull

1573: violent action taken by Scotts against Elliot servant over possession of George Turnbull's lands. Margaret Turnbull and Walter and John escheated.<sup>286</sup>

Elliot of Redheugh and Horsleyhill v. Douglas of Cavers

Robert Elliot of Redheugh v. Walter earl of Buccleuch

1624: Elliot accused of conspiracy to murder Buccleuch, following dispute over his lands in Liddesdale.<sup>287</sup>

William Elliot v. Hector Turnbull of Stanyledge

1605: for theft from Turnbull in 1597 and 1601.<sup>288</sup>

Various Elliot wives v. William Scott of Northhouse

1608: for invading their lands including those of Jean Scott widow of Gavin Elliot of the Stobs.<sup>289</sup>

George Elphinstone brother v. Scotts of Newburgh, Gilmanscleuch,

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<sup>284</sup> *RPC* ii 453-54

<sup>285</sup> *RPC* iii 380-82, 388, 395, 404

<sup>286</sup> *RPC* ii 280, 290, 314

<sup>287</sup> *RPC* xiii 475-76, 486-87, 572-3, 614, 651-52; *Fraser Buccleuch* ii nos 222, 223

<sup>288</sup> *RPC* vi 148

<sup>289</sup> *RPC* viii 99



Thirlestane

1621: Scotts find caution not to harm Elphinstone.<sup>290</sup>

Gavin Ford of Stanierig v. John Middlemest of Shairprig in Teviotdale

1601: for Middlemest shooting him in at the codpiece which came out of his back.<sup>291</sup>

Charles Geddes of Rauchane v. James Tweedie of Drumelzier

1593: slaughter of James Geddes brother of Charles of Rauchan in Edinburgh by Drumelzier and others. James Geddes had been married to Margaret Veitch with whom the Tweedies were also at feud. Tweedies failed to appear before council and denounced rebel. Geddes found caution not to harm the Tweedies. Another Geddes servant to Scott of Buccleuch also found caution. Drumelzier found caution of 10,000 merks not to harm Geddes surname or Lord Fleming.

1594: Geddes found caution again.

1595: in council list of feuds to be resolved.<sup>292</sup>

Charles Geddes of Rachan v. Sir Alexander Jardine of Applegarth

1607: letter of slains by Jardine for slaughter of 2 kinsmen by Geddes with assurance by Buccleuch on behalf of Geddes surname<sup>293</sup>

Beatrix Ker Lady Gledstanes v. Peebles

1620: against Gledstanes for her violent invasion of commonland.<sup>294</sup>

David Gray in Catpair v Pringle in Mitchelsoun

1605: assurance found.<sup>295</sup>

Haig of Bemersyde v. Ker of Shaws

1599: Ker accused of destroying Haig's pew in church at Merton.<sup>296</sup>

James Haig of Bemersyde v. John Haliburton of Merton

<sup>290</sup> *RPC* xii 610

<sup>291</sup> *RPC* vi 317

<sup>292</sup> *RPC* v 36-37, 248-49, 582, 593, 609, 611

<sup>293</sup> GD224/906/60/3

<sup>294</sup> *RPC* xii 242

<sup>295</sup> *RPC* vii 611

<sup>296</sup> *RPC* v 534, 715

1610: dispute over their marches to appear before privy council.<sup>297</sup>

Haitlies v. Burnfields

Haitlies of Mellerstain v. Walter Ker of Littledean

1580: council found in favour of Littledean re. lands at Mellerstain

1582: council ordered Mellerstain to be given to Littledean<sup>298</sup>

Marie Hall v. Will Robson in Rochthewmylne

1576 for the killing of his father. His cautioner James Langlands of that ilk ordered to pay her 20 merks.<sup>299</sup>

George Halden of that ilk v. Alexander Horsburgh of that ilk

1608: assurances to stand.<sup>300</sup>

George Halden of that ilk and Pringle of Muirhouse v. George Pringle of Torwoodlie

1591: case appeared before council three times. Torwoodlee complaint against Muirhouse and Halden attacking him at Stow Kirk. All find caution.<sup>301</sup>

George Halden of that ilk v. James Stewart in Over Hillhouse, John Veitch in Know

1606: subscribed in front of Archibald Douglas parson of Peebles.<sup>302</sup>

Haliburton v. Haig

John Haliburton of Muirhouseslaw v. John Ker of Langnewton, son of Jedburgh

1620: lengthy dispute between them for violence against Haliburton.<sup>303</sup>

William Haliburton of Whiterig v. Sir Robert Stewart tutor of Traquair

<sup>297</sup> *RPC* vii 26, 451, 455, 713; ix 12-13

<sup>298</sup> *RPC* iii 299-300, 547-48, 552

<sup>299</sup> *RPC* ii 571

<sup>300</sup> *RPC* viii 88

<sup>301</sup> *RPC* 574-75, 678, 692

<sup>302</sup> *RPC* vii 652

<sup>303</sup> *RPC* xii 417, 444, 457-58, 485

1613: for Haliburton's threatening to shoot Stewart.<sup>304</sup>

Mr Thomas Abirnethie minister of Hawick v. Scotts in Hawick

Hamilton of Cotcut v. John Murray of Halmyre

1623: Murray found caution not to harm Hamilton. Haining cautioner.<sup>305</sup>

John Hamilton of Cotcut v. William Murray of Rommano

1592: Rommano slaughter of Cotcut's father. Council ordered lands of Rommano to be surrendered to the crown.<sup>306</sup>

John Hamilton of Cotcut v. Adam Tweedie of Dreva and James Tweedie of Drumelzier

1592: caution found by Tweedies not to harm Hamilton<sup>307</sup>

Alexander Hay of Smithfield v. Alexander Horsburgh of that ilk

1611: Hay against Horsburghs for armed pursuit. Horsburgh counter-complaint.<sup>308</sup>

Hays of Yester v. Stewarts of Traquair

1585: complaint by Traquair against rebel Master of Yester and his father's reset of him to the hindrance of Traquair.<sup>309</sup>

1586: Master of Yester denounced rebel for not subscribing to band of assurance with Traquair. Lord Yester ordered to ward for refusal to resolve dispute.<sup>310</sup>

1587: both ordered to find new assurances.<sup>311</sup>

1590: Yester complained over Traquair unlawfully getting the grant of the benefice of the Cross Kirk in Peebles, which was held by Yester. Council found in Yester's favour.<sup>312</sup>

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<sup>304</sup> *RPC* x 107

<sup>305</sup> *RPC* xiii 311

<sup>306</sup> *RPC* iv 737; v 31-32

<sup>307</sup> *RPC* iv 742

<sup>308</sup> *RPC* ix 204, 208, 214

<sup>309</sup> *RPC* iv 25

<sup>310</sup> *RPC* iv 68, 70, 186

<sup>311</sup> *RPC* iv 211

<sup>312</sup> *RPC* iv 556-57

Hays of Yester v. Scotts of Branxholme

1574: case brought by Hay cannot be heard in Jedburgh due to Yester/Branx feud

1586: all to find caution of £10,000 each following 'oppin weir' between them.<sup>313</sup>

Hogg v. Douglas of South Preston

John Hogg portioner of Old Roxburgh v. Taits of Yetholm, Youngs and Burnes.<sup>314</sup>

John Home of Cowdenknowes v. James Pringle of Whitbank

1595: letters by Pringle alleging his innocence of oppression against Cowdenknowes and complaint against Cowdenknowes for putting him to the horn.<sup>315</sup>

Home of Haliburton v. Lauders of that ilk and Wilkiesons of Lauder

Horsburgh v. Douglas parson of Peebles

Alexander Horsburgh of that ilk v. Mr James Logan minister of Eddleston  
1607: Alexander and son Andrew not to harm the minister. Andrew Riddell cautioner. Also for James Sandielands younger of Bold.<sup>316</sup>

Horsburgh v. Halden of that ilk

Horsburgh v. Hay of Smithfield

Alexander Horsburgh of that ilk v. Sir Robert Stewart of Shillinglaw  
1622: mutual assurance found. Riddell of that ilk cautioner for Horsburgh.<sup>317</sup>

Horsburgh of that ilk's son v. Cockburn of Henderland

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<sup>313</sup> *Yester Writs* 215; *RPC* iv 98

<sup>314</sup> *RPC* viii 269

<sup>315</sup> PC10/3/v/15

<sup>316</sup> *RPC* vii 665, 666

<sup>317</sup> *RPC* xiii 8



William Horsburgh in Eddleston and John brother of Murray of Rommano v. Peebles

1599: Horsburgh, a burgess of Peebles, and Murray found caution not to harm provost bailies etc of Peebles. Long list of Peebles burgesses found caution not to harm Horsburgh.<sup>318</sup>

William Horsburgh in Scroggs v. Mr John and William Tweedie, brothers of James of Dreva and Douglasses of Cavers

1607: for Tweedies not to harm Horsburgh. Also James Tweedie of Drumelzier and William Douglas of Cavers, James and son James of Dreva, James Gledstanes apparent of Cocklaw, Mr John Douglas and James, son of the parson of Peebles, and a number of other Douglasses and Tweedies. Archibald Douglas parson of Peebles cautioner.<sup>319</sup>

Jardine of Applegarth v. Geddes of Rachan

Jardine of Applegarth v. John Tweedie tutor of Drumelzier

1579: Drumelzier against Applegarth for violent intromission of Drumelzier lands.<sup>320</sup>

Jedburgh v. Cessford

1578: assurance between Cessford and Jedburgh including Richard Rutherford provest, bailies William Rutherford and William Aylie<sup>321</sup>

Jedburgh v. Ker of Woodhead

1586: for Ker's murder of John Rutherford.<sup>322</sup>

Jedburgh v. Turnbull of Bewlie

1601: for attacking one of the Jedburgh bailies and then invading Jedburgh. Turnbulls were reset by William Rutherford despite his promises as member of Jedburgh. Turnbulls admit wearing hagbuts and warded in Edinburgh. Further Turnbulls to be arrested. Ker of Ferniehirst charged with their non-

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<sup>318</sup> *RPC* vi 611, 617, 620

<sup>319</sup> *RPC* vii 669, 670

<sup>320</sup> *RPC* iii 240-41

<sup>321</sup> *RPC* ii 685

<sup>322</sup> *RPC* iv 57-58



delivery.<sup>323</sup>

Kers v. Herons of Tynedale

1579: English report that 'private quarrels between Herons and Carres involving other houses, who would rather overthrow each other than face the enemy'.<sup>324</sup>

Kers and Homes v. earl of Morton

1579: Kers and Homes allied to Argyll, Montrose, Lennox.<sup>325</sup>

Sir Robert Ker of Ancrum v. John Rutherford of Hunthill

1571: Hunthill attack on Ancrum. 1573 council finds in favour of Hunthill acting in King's service.<sup>326</sup>

Kers of Ancrum (and Ferniehurst) v. Robert Ker of Cessford

1590: Ferniehurst and Cessford at feud over William Ker of Ancrum's murder by Robert Ker of Cessford. Walter Ker of Cessford ordered not to allow the reset of Cessford younger in Cessford castle and to find assurance.<sup>327</sup>

1591: remission to Robert Ker of Cessford with others for murder of Ancrum in 1590<sup>328</sup>

1596: James forced public reconciliation between Ferniehurst with Ker of Cavers and Ker of Cessford over Ancrum's slaughter.

1600: English reported that the feud was likely to break out again<sup>329</sup>

Sir Robert Ker of Ancrum v. minister of Langnewton

1624: his brothers William and Thomas found caution not to harm minister.<sup>330</sup>

James Ker of Bewlie v. George Ker of Newhall

1622: Newhall against Bewlie for assault.<sup>331</sup>

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<sup>323</sup> *RPC* vi 261-2, 266, 310

<sup>324</sup> *CBP* i no. 41

<sup>325</sup> *CSP Scot* v nos. 432, 446, 584

<sup>326</sup> *RPC* ii 266

<sup>327</sup> *RPC* iv 566, 585, 592

<sup>328</sup> GD40/2/11/56; NRAS 1100/637

<sup>329</sup> *RPC* v 273; *CSP Scot* xiii pt ii no. 526

<sup>330</sup> *RPC* xiii 489

<sup>331</sup> *RPC* xii 628

Ker of Cavers v. Cairncorse of Colmeslie

Thomas Ker of Cavers v. Lyell Struthers, servitor to earl of Perth  
1608: against Thomas, George his son and brother William. Ongoing dispute since 1603.<sup>332</sup>

Robert son of Ker of Cavers v. John Ker of Longnewton son of Ker of Jedburgh  
1618: for attack by Longnewton on Cavers. Cautions found by all.<sup>333</sup>

William Ker of Cavers v. Archibald Ker of Bowden and son George of Newhall

1623: mutual assurance found.<sup>334</sup>

Ker of Cessford v. Ker of Ancrum

Ker of Cessford v. Ker of Ferniehirst

1581: Ferniehirst made provost of Jedburgh, whilst Cessford was warden. English report the two were 'at point of falling furth, and great enmytie is like to growe betwixt them'<sup>335</sup>

1584: exemption to Ferniehirst from Cessford's jurisdiction as warden

1590: over the slaughter by Cessford of William Ker of Ancrum

1602: letter from James VI to Ferniehirst ordering him to sign an assurance in connection with his feud with Roxburgh.

1619: letter from Roxburgh to Ferniehirst to prevent re-opening of feud following fight between their men.<sup>336</sup>

Sir Walter Ker of Cessford v. Sir John Ker of Jedburgh

1601: action by Cessford's widow for Ker's for 'wrangeous violent and in full spoliatioun' in lands of Nenthorne.<sup>337</sup>

Sir Walter Ker of Cessford v. Jedburgh

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<sup>332</sup> *RPC* viii 199-200

<sup>333</sup> *RPC* xi 341-42, 344

<sup>334</sup> *RPC* xiii 377, 378

<sup>335</sup> *CBP* i no. 111

<sup>336</sup> GD40/2/10/51; 40/2/11/56; 40/9/3; 40/2/12/50

<sup>337</sup> NRAS 1100/1227

Sir Walter Ker of Cessford v. Rutherfords

1578: assurance between Cessford and son William, and Andrew Rutherford of Hundalee, Richard of Edgerston, John of the Know, Turnbull of Bedrule, Douglas younger of Bonjedburgh, Turnbull of Minto<sup>338</sup>

Sir Robert Ker of Cessford v. Rutherfords of Hundalee

1597,1607,1610: late Andrew and his heir Nicol Rutherford of Hundalee ordered to quit Cessford's lands of Raschaw and Evingschaw. Rutherford in 'violent occupation' of the lands. Agrees to quit in 1607 but ordered again to do so in 1610.<sup>339</sup>

Lord Roxburgh v. John Rutherford of Hunthill

1609,1610: assurance by Rutherford not to harm Roxburgh and kin and to remove himself from Roxburgh's lands.<sup>340</sup>

Sir Walter Ker of Cessford v. Sir Walter Scott of Branxholme

1577: old feud resumed. Walter Scott of Goldielands, acting for Branxholme, and Cessford summoned before council with 20 men each.

1578: council orders Cessford payment of £1,000 to Janet Scott, aunt, for non-fulfillment of marriage contract.<sup>341</sup>

1596: English report 'his quarrel with Buccleuch is a means of peace with us'.<sup>342</sup>

1590s: bond by Sir Walter Scott of Branxholme not to seek any dishonest advantage in coming to the field of combat with Cessford. To bring only a short sword.<sup>343</sup>

William Ker younger of Cessford v. Sir Thomas Turnbull of Bedrule

1576: over land at Nether Ancrum. Both to find caution until council resolution.

1579: continuation of the mutual assurances with Turnbull and also with Rutherfords of Hunthill and Hundalee.<sup>344</sup>

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<sup>338</sup> *RPC* ii 685

<sup>339</sup> *NRAS* 1100/636

<sup>340</sup> *NRAS* 1100/1227

<sup>341</sup> *RPC* ii 643-45, 665

<sup>342</sup> *CBP* ii no 265

<sup>343</sup> *GD224/1059/17*

<sup>344</sup> *RPC* ii 523, 526-27; iii 100-1

Earl of Roxburgh v. Francis Stewart son of earl of Bothwell  
1619: James ordered amicable resolution to prevent escalation of dispute.<sup>345</sup>

George Ker of Faldonside v. Ralph Ker of Shaw  
1598: dispute over their seats in the kirk of Maxton. Both found surety.<sup>346</sup>

Sir Walter Ker of Faldonside v. Selkirk  
1622: counter-complaints over commonland. Caution found for both.<sup>347</sup>

Ker of Ferniehursts v. earls of Angus

Ker of Ferniehurst v. Ker of Cessford

Sir Thomas Ker of Ferniehurst v. Andrew Rutherford of Hundalee and other Rutherfords

1582: assurance by Hundalee not to molest Ferniehurst - possibly over Ferniehurst's election as provost of Jedburgh on the King's order in 1581.<sup>348</sup>

Andrew Ker of Ferniehurst v. Sir Walter Scott of Branxholme

1590,1591: bonds by Branxholme not to harm Ferniehurst following the killing of two of Ferniehurst's servants in a fight with Scotts in Edinburgh. These were measures for the prompt containment of the dispute to stop a feud escalating.

1596: contract between Branxholme and Ferniehurst whereby Ferniehurst confirms his full satisfaction on settlement of dispute, Branxholme assigning teinds of Innerleithen to Ferniehurst's heir Andrew.<sup>349</sup>

Sir Andrew Ker of Ferniehurst v. Thomas Turnbull of Minto, Bewlie and Stanyledge

1581: Ker of Ferniehurst stands surety for those accused of the slaughter of Walter son of Walter Turnbull of Bewlie

1595: Minto and Turnbull of Wauchope find assurance not to harm Ferniehurst, Ker of Cavers and Ker of Newton

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<sup>345</sup> *RPC* xi 637-38

<sup>346</sup> *RPC* v 715

<sup>347</sup> *RPC* xiii 32-33, 35

<sup>348</sup> GD40/2/9/63

<sup>349</sup> GD40/2/9/80, 83, 84, 86

1601: fight between Ferniehirsts and Turnbolls at Jedburgh during which Thomas Ker of Crailing, Ferniehirst's brother, and Robert Turnbull of Bewlie were killed.

1603: commission to Ferniehirst to apprehend Bewlie for the slaughter of Crailing

1605: Thomas Turnbull against Ferniehirst and son Andrew with Robert Ker of Littledean for invasion of lands at Barnhills and Halrule.

1608: Ferniehirst and sons Andrew and Thomas renewal of mutual assurance with Turnbull.<sup>350</sup>

1610: Ferniehirst against Hector Turnbull of Stanyledge for the murder of Thomas Ker of Crailinghall against several Turnbolls.

1615: Ferniehirst gets remission with George Moscrope, provost of Jedburgh for the slaughter of Robert Turnbull of Bewlie. Also remission to Anrew Ker of Oxnam for slaughter of Hector Turnbull son of Walter of Bewlie in 1604 and Hector Turnbull of Stanyledge in 1611.<sup>351</sup>

Dame Katherine Ker, Lady Ferniehirst v. Janet Scott wife of Sir Thomas Ker of Ferniehirst

1574: Katherine Ker against Janet Scott for violent occupation of her lands at Oxnam<sup>352</sup>

William Ker of Grange v. Rutherford of Hunthill

1615: complaint by Grange lieutenant of the border guard and letters of horning against Hunthill for non-appearance before the council.<sup>353</sup>

Sir Andrew Ker of Greenhead v. Robert Scott younger of Haining

1608: over Ker ownership of mill of Selkirk.<sup>354</sup>

Kers v. John Moscrope burgess of Jedburgh

1608: mutual assurance between Sir Andrew Ker of Oxnam, Ferniehirst, Thomas brother of Sir Robert Ker of Ancrum and others in Jedburgh and

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<sup>350</sup> GD40/2/9/60; GD86/314; 40/13/35; *Scots Peerage* 73 *RPC* vii 44, 162, 185, 191

<sup>351</sup> *RPC* ix 55; GD40/7/31

<sup>352</sup> *RPC* ii 320-21

<sup>353</sup> *RPC* x 395; GD40/13/43

<sup>354</sup> *RPC* viii 134



Moscrope. Nicol Rutherford surety.<sup>355</sup>

John Lord Ker of Jedburgh (Littledean) v. Andrew Turnbull of Bonchester  
1612: Turnbull's complaint over wrongful imprisonment upheld.  
1613: adjudication of Turnbull's complaints over eviction turned down, but  
Ker warded for extremity of actions.<sup>356</sup>

Andrew son of Sir John of Jedburgh v. minister of Morebattle  
1616: violent dispute over Tofts.<sup>357</sup>

Ker of Jedburgh/son Longnewton v. Ker of Cavers

Ker of Jedburgh v. Ker of Cessford

Andrew Ker of Linton v. Thomas Ker of Mersington  
1590: both found assurance not to harm each other.<sup>358</sup>  
Ker of Longnewton v. Haliburton of Murehouselaw

John Ker of Langnewton v. Robert Hall in Haughhead  
1622: Ker accused of violence against Hall.<sup>359</sup>

John Ker of Longnewton v. minister of Longnewton  
1622: minister accusation against Ker for violent theft of teinds.<sup>360</sup>

Ker of Littledean v. Ainslies v. William Rutherford

Ker of Littledean v. Haitlies of Mellerstain

Gilbert Ker of Lochtour v. Robert Scott of Hartwoodmyres  
1612: against Gilbert, and brothers and Gilbert younger of Greenhead and  
others for invading lands.<sup>361</sup>

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<sup>355</sup> *RPC* viii 653, 656

<sup>356</sup> *RPC* ix 468-69

<sup>357</sup> *RPC* x 636, 644

<sup>358</sup> *RPC* iv 527

<sup>359</sup> *RPC* xiii 8

<sup>360</sup> *RPC* xii 708, 738

<sup>361</sup> *RPC* ix 348-49; x 127-29, 135, 220

Mark Ker earl of Lothian v Sir John Murray of Philiphaugh  
1608: Thirlestane caution for Philiphaugh not to harm Lothian and his men.<sup>362</sup>

Robert Ker apparent of Kippielaw v. Andrew Pringle son of Thomas of  
Milkanestoun  
1606: Ker not harm Pringle. Andrew Ker of Linton cautioner.<sup>363</sup>

Mark Ker of Maudsley v. John and David Pringle in Heriotmilne  
1624: assault and theft by Pringles.<sup>364</sup>

Ker of Mersington v. Dickson in Headrig

Ker of Mersington v. Ker of Linton

Ker of Newhall v. Ker of Bewlie

Kers of Newhall and Bowden v. Ker of Cavers

Ker of Shaw v. Haig of Bemersyde

Ker of Shaw v. Ker of Faldonside

Sir John Ker v Sir Robert Stewart (of Shillinglaw?)  
1609: submission of dispute.<sup>365</sup>

William Ker of Woodhead v. Turnbolls of Bedrule, Chesters and Halden  
1586: over escheated Turnbull lands. Council finds against Ker.<sup>366</sup>

Ker of Woodhead v. Jedburgh

Andrew Ker of the Yair v. Selkirk  
1606: Selkirk in 2000 merks not to harm Yair. Yair and sons not harm

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<sup>362</sup> *RPC* viii 659

<sup>363</sup> *RPC* vii 658

<sup>364</sup> *RPC* xiii 455

<sup>365</sup> *RPC* viii 326-67

<sup>366</sup> *RPC* iv 57-58

provest and burgesses.

1612: dispute over their marches.

1613: summoned to appear before council and find caution.

1615: three actions before council.<sup>367</sup>

William Ker of Yair v. James Lorraine in Abbotsyde

1619: Lorraine accused of assault.<sup>368</sup>

Jackie Laidley of Antrop v. Rutherford of the Tofts

1602: for Rutherford and sons burning his house, stealing goods in 1601.

Rutherfords denounced rebel.<sup>369</sup>

Robert Lauder of that ilk and Wilkiesons of Lauder v. Lawrence Home of Haliburton

1625: cautions found.<sup>370</sup>

James Lethan messenger in Hawick v. Margaret wife of Walter Scott of Burnfoot

1620: attacks by Margaret in 1616 and 1620.<sup>371</sup>

Logan parson of Eddleston v. Horsburgh and Sandielands

Gilbert and Hector Lorraine v. Hector Turnbull of Wauchope

1599: Turnbull against Douglas of Cavers, sheriff, for the rescue of Lorraines from him, when he had wanted them to underly justice for the murder of his son David.<sup>372</sup>

Lorraine of Abbotsyde v. Ker of Yair

Madder v. Ainslie

Middlemest of Sharprig v. Ford of Stanierig

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<sup>367</sup> *RPC* vii 647, 651; ix 453, 457-58; x 127, 134-35, 332, 341, 421

<sup>368</sup> *RPC* xii 69

<sup>369</sup> *RPC* vi 331-32

<sup>370</sup> *RPC* xiii 697-98

<sup>371</sup> *RPC* xii 300, 332

<sup>372</sup> *RPC* vi 4

James Mitchelhill of Gledswood v. Selkirk  
1621: for burgesses destruction of his crops.<sup>373</sup>

Earl of Morton v. Kers and Homes

John Moscrope v. Kers

Moscropes v. Thomas Turnbull of Bedrule  
1586: for his murder of two Moscrope nephews.<sup>374</sup>

Murrays v. Sir William Stewart of Traquair  
1601: bond by Falahill not to take any action against Stewarts of Traquair, Shillinglaw and Tinnis for harm done to any Murrays as a result of a Pringle of Tinnis with a Murray present killing of David Stewart bro of Tinnis 'a cadet branch of Traquair'  
1604: caution found by Traquair, James Stewart of Shillinglaw and sons Robert and Walter, James of Tinnis and brothers John and Robert, and sons John and Alexander, and Sir Gideon Murray of Elibank and son Patrick, Sir John of Ettilstoun, Sir John of Philliphaugh, Sir Archibald of Dernehill.<sup>375</sup>  
1618: complaint by Shillinglaw that David's son John was obstructing him getting a letter of slains to the Pringles/Murrays in order to stem further feud between old friends Murrays of Falahill and Traquair.<sup>376</sup>

Patrick Murray, Elibank's son v. Cranstoun

Sir John Murray of Eddleston v. Andrew Veitch portioner of Stewartoun  
1605: not to harm Veitch. Tweedie of Drumelzier cautioner for Murrays of Eddleston and Darnhall.<sup>377</sup>

Patrick Murray of Falahill (Philliphaugh) and John Murray of Blackbarony v. Robert Scott of Haining

1590: bonds by the Murrays on behalf of themselves and their brothers,

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<sup>373</sup> *RPC* xii 609, 610

<sup>374</sup> *RPC* iv 57-58

<sup>375</sup> GD40/5/6; *RPC* vii 551, 556

<sup>376</sup> *RPC* xi 337

<sup>377</sup> *RPC* vii 601

including Gideon Murray (later of Elibank) not to harm Scott of Haining and two bailies of Selkirk and vice versa.<sup>378</sup>

Patrick Murray of Falahill v. Walter Scott of Tushielaw  
1579: over lands of Skaidibus. Tushielaw ordered to flit by council.<sup>379</sup>

Murray of Halmyre v. Hamilton of Cotcut

Murray of Rommano v. Hamilton of Cotcut

Murray of Rommano and Horsburgh in Eddleston v. Peebles

John Murray of Halymre v. sons of James Tweedie of Dreva  
1620: against Tweedies for attacking Murray. Tweedies find caution eventually.<sup>380</sup>

Murray of Philiphaugh v. earl of Lothian  
Mr Thomas Nasymth, portioner of Posso v. James Tweedie of Drumelzier  
1591: Tweedie denounced rebel<sup>381</sup>

James Paterson in Dreva v. Mr John Tweedie of Winkiestoun  
1622: Paterson accused of invasion of his lands.<sup>382</sup>

William Paterson, portioner of Windielaws v. Andrew Pringle, portioner there  
1601: for Pringle invading him there 'left him naked', hatred and malice.<sup>383</sup>

Peebles v. Douglas parson of Peebles

Peebles v. Lady Gledstanes

Peebles v. Horsburgh in Eddleston and Murray of Rommano

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<sup>378</sup> *RPC* iv 480, 482

<sup>379</sup> *RPC* iii 87

<sup>380</sup> *RPC* xii 536-37, 537-38, 543, 556-57

<sup>381</sup> *RPC* iv 638

<sup>382</sup> *RPC* xiii 46

<sup>383</sup> *RPC* vi 224



Peebles v. Robert Scott of Haining  
1597: burgh against Scotts including Bonnington, Hundleshope for open oppression at lands of Cademuir.<sup>384</sup>

Peebles v. James Scott of Hundleshope  
1599: Hundleshope found caution not to harm provost and bailies of Peebles.<sup>385</sup>

Peebles v. Sir Robert Scott of Thirlestane  
1610: for attack in 1597 on Peebles land.<sup>386</sup>

Penman v. Rutherfords in Jedburgh

Pringles v. Elliots

Pringle v. Home of Cowdenknowes

Pringle v. Ker of Kippielaw

Pringle v Moffett

Pringle v. Paterson

Charles Pringle burgess of Peebles v. Gavin Thomson burgess  
1608: for Pringles violent pursuit of him.<sup>387</sup>

George Pringle of Blindlee v. James Pringle of Galashiels  
1598: appeared before council on charge of shooting at each other with pistols and hagbutts. Both claimed they were carrying arms for the suppression of thieves but both warded.  
1598: both ordered to appear before council and submit feud for 'ane freindly arbitrimet of freindis' to be nominated by them.<sup>388</sup>

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<sup>384</sup> *RPC* v 373-74

<sup>385</sup> *RPC* vi 613

<sup>386</sup> *RPC* viii 424

<sup>387</sup> *RPC* viii 208

<sup>388</sup> *RPC* v 497; vi 49

1615: submission of their dispute.<sup>389</sup>

James Pringle younger of Buckholm v. John Pringle in Murehouse

1605: assurance between them.<sup>390</sup>

James Pringle of Buckholm v. Sir Robert Stewart tutor of Traquair

1606: assurance by Sir Robert, brother Walter, John of Foulshel, James of Tinnis (Andrew Ker of Yair standing surety) not to harm Pringle of Buckholm, John of Tinnis and brothers James and Thomas.

1606: James Pringle younger of Buckholm, William younger of Cockleferry, George of Newhall, George of Hoppringle and James of Heriotmylne, William and James brothers of George of Torwoodlie, George of Smailholmcrags. John elder of Buckholm and George of Tordwoodlie standing surety. Several similar cautions by Pringles not to harm Shillinglaw.<sup>391</sup>

George Pringle son of Buckholm v. Alexander Stewart of Fallishope

1615: for armed invasion by Stewart. Stewart warded and fined.

1616: submission between them to council.

1617: submission ordered.<sup>392</sup>

James Pringle apparent of Buckholm v. Alexander Stewart younger of Tinnis

1607: Stewart to pay £10 for escheated goods and not to harm Pringle.

1608: Pringle sues Sir Robert Scott of Thirlestane for £100 surety unpaid for James Stewart of Tinnis.<sup>393</sup>

Pringle of Galashiels v. Pringle of Blindlee

Sir James Pringle of Galashiels v. Andrew Riddell of that ilk

1620: both find caution not to harm.<sup>394</sup>

James Pringle of Galashiels v. Robert Tait in Nether Stichill

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<sup>389</sup> *RPC* x 335

<sup>390</sup> *RPC* vii 618, 619

<sup>391</sup> *RPC* vii 631, 632, 647, 655, 656

<sup>392</sup> *RPC* x 455, 798-99; xi 12-13

<sup>393</sup> *RPC* vii 669; viii 47

<sup>394</sup> *RPC* xii 570

1606: assurance by Pringles, George, Robert and George in Hoppringle, George of Newhall not to harm Tait.<sup>395</sup>

James Pringle of Heriotmylne v. Thomas Adinstoun in Carcant  
1620: Pringle release from ward for attacking Adinstoun on resolution and compensation.<sup>396</sup>

Pringle in Heriotmilne v Ker of Maudsley

Pringles v. Elisabeth Edmistoun, widow of James Pringle of that ilk  
1608: James in Heriotmill, sons James and John, John of Buckholme and son John. Elizabeth also has assurance.<sup>397</sup>

James Pringle in Mitchelsoun v. Gray of Catpair

Pringle of Muirhouse and Halden of that ilk v. Pringle of Torwoodlee

Pringle in Nethershiels v. Stoddarts of Overshiels  
1613: counter complaints of assault.<sup>398</sup>

Andrew Pringle of Tinnis v. Stewart of Tinnis  
1617: against Pringle for the murder of David brother of James Stewart of Tinnis a cadet branch of Traquair. Action by Shillinglaw to prevent escalation of feud to include his friend Sir John Murray of Philiphaugh.<sup>399</sup>

Pringle of Torwoodlee v. Pringle of Muirhouse and Halden of that ilk

Riddell of that ilk v. Pringle of Galashiels

Robson v. Hall

Rutherfords v. Kers of Cessford

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<sup>395</sup> *RPC* vii 632

<sup>396</sup> *RPC* xii 322, 327

<sup>397</sup> *RPC* viii 67, 648, 649

<sup>398</sup> *RPC* ix 535, 549

<sup>399</sup> *RPC* xi 337-38

Rutherford of Hundalee v. Ker of Cessford

Rutherford of Hundalee v. Ker of Ferniehirst

John Rutherford of Hunthill v. Sir Robert Ker of Ancrum

Rutherfords of Hunthill v. Ker of Cessford

Rutherfords of Hunthill v. Ker, Lord Roxburgh

Rutherfords v. Rutherfords

1596: Andrew Rutherford in Nether Nisbett, William there, William and Nicholas in Jedburgh summoned and failed to appear with twenty-four of their friends before the council to resolve their feud with Mr Robert Rutherford of Castlewood, Adam Rutherford in Jedburgh and his brothers Andrew and Richard. Denounced rebels.<sup>400</sup>

Thomas Rutherford of Hunthill v. Dandie Young of Caverton and the Know  
1601: Youngs against Rutherfords of Hunthill, brothers William and Robert, William of Littleheugh, his sons Adam and William, Robert of the Tofts, Nicol brother of laird of Edgerston for shooting them at a horserace in Teviotdale. All warded until resolution.<sup>401</sup>

Rutherfords of Hunthill v. Ker of Grange

Rutherfords of the Tofts v. Laidley of Antrop

John Rutherford 'Provest's Jock' v. Douglas of Friarshaw

William Rutherford bailie of Jedburgh v. Ainslies v. Ker of Littledean

William Rutherford son of James burgess of Jedburgh v. John Penman  
burgess

1608: Rutherford unrelaxed from horning of 1606 for attacking Penman.<sup>402</sup>

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<sup>400</sup> *RPC* v 283

<sup>401</sup> *RPC* vi 259

<sup>402</sup> *RPC* viii 58

1609: John son of James Rutherford burges of Jedburgh appealed to the council for Penman to find caution for not harming him.

That quhair John Penman burges of the said burgh haveing consavit ane deidlie malice and haitrent aganis daylie and continewallie bragis boistis eshewis and avowis to haif my lyf and will not fail to tak some unhonnest advantage of me quhen occasion sall offer quhairthrow I may not havit nor repair in the country Theirfoir I beseik your lordships that I may have letters direct efter I haif maid faith chargeing the said John Penman to find sufficient and responfull caution actit in your lordships for my Indempunitie under sic panes as ye lordships will modifie.<sup>403</sup>

Andrew Rutherford bailie of Jedburgh v. James Ainslie merchant burges of Edinburgh

1609: Rutherfords of Jedburgh standing surety.<sup>404</sup>

Scotts of Aikwood, Goldielands, Newark and Sinton v. tenants and vassals of the earl of Angus

Scotts v. Armstrongs

Scotts of Gamescleuch and Gilmanscleuch v. Cranstoun of that ilk

Scotts v. Elliots

Scotts v. Elphinstone

Various Scotts v. James Tweedie of Drumelzier and Adam Tweedie of Dreva  
1592: Walter, David and William sons of Walter Scott of Goldielands, Walter Scott of Harden and his brother William, William Scott of Burnfoot and his brothers and Walter Scott of Whitslaid 'all bodin in feir of weir' raided Tweedie lands and houses at Drumelzier and Dreva valued at £2,000. Sir John Edmestone of that ilk, as surety for Scott of Branxholme's responsibility for his men under the general band, was ordered to present the Scotts before the council or to pay the value of the stolen goods to the Tweedies.<sup>405</sup>

1594: Walter Scott of Ashkirk and Alexander Scott of Clerkland stood surety for John Veitch apparent of Dawick not to harm Tweedies of Drumelzier and Dreva. The Scotts were also allied to the Geddes surname, with whom the

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<sup>403</sup> PC10/8A/26

<sup>404</sup> RPC viii 384

<sup>405</sup> RPC iv 709



Tweedies were at feud. See *Geddes v. Tweedie*.<sup>406</sup>

Simon Scott of Bonnington v. Walter Scott of Harden

1616: against Bonington and Scotts in Thirlestane for the murder of Walter Scott of Essinsyde, Harden's son.

1619: Murray of Elibank intercedes on behalf of Harden with James VI at Newmarket. James VI letter in favour of Bonnington, Harden summoned before council for resolution.

1620: another two letters from James.<sup>407</sup>

Sir Walter Scott of Branxholme v. Charltons of Hesleyside<sup>408</sup>

Sir Walter Scott of Branxholme v. Hays of Yester

Sir Walter Scott of Branxholme v. Ker of Cessford

Sir Walter Scott of Branxholme v. Ker of Ferniehurst

Sir Walter Scott of Branxholme v. Maxwell earl of Morton

1586: with earl of Bothwell raided Morton's lands.<sup>409</sup>

Scott of Buccleuch v. Lord Scrope<sup>410</sup>

Sir Walter Scott of Branxholme v. James Tweedie of Drumelzier

1587: assurance until council resolution.<sup>411</sup>

Walter Scott of Burnfoot v. John Stewart son of earl of Bothwell

1607: Walter committed to ward in Jedburgh by Cranstoun for harming Stewart. Freed.

1610: Scott to keep the peace.<sup>412</sup>

Scott of Burnfoot v. Letham in Hawick

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<sup>406</sup> *RPC* v 613

<sup>407</sup> GD157/1246/9; *RPC* x 667; xi 20, 98-101; xii 123, 241, 312; GD124/15/29/14

<sup>408</sup> *CBP* ii nos. 77, 80

<sup>409</sup> *CBP* i no. 447

<sup>410</sup> *CBP* ii no. 237

<sup>411</sup> *RPC* iv 225

<sup>412</sup> *RPC* viii 9, 470, 478

Will Scott in Catslack v. Alexander Stewart of Fallishope  
1620: counter-complaints of assault against each other. Caution ordered.<sup>413</sup>

Archibald Scott of Deephope v. Scott of Whitslaid and Robert son of Sir  
Robert of Thirlestane  
1608: Thirlestane stands surety for son and Walter of Whitslaid. Thirlestane  
cautioner also for Walter Scott in Gamescleuch and brothers Walter and  
Archibald Stewart son of James in Tinnis for Deephope.<sup>414</sup>

Walter Scott in the Dykes v. Patrick Storie of Rulespittle  
1605: Thirlestane and George Scott bailie of Hawick cautioner for Scott.<sup>415</sup>

Janet Scott wife of Ker of Ferniehirst v. Katherine Ker, Lady Ferniehirst  
Scott of Haining v. Murrays of Falahill and Blackbarony

Robert Scott of Haining v. Selkirk  
1608: that some Scotts attacked burgess with Haining's knowledge.  
Haining's brother rescued them from ward. Haining summoned to appear  
before privy council.  
1610: council arbitration on dispute over ownership of Haining mill between  
Haining and Selkirk<sup>416</sup>

William Scott yr of Harden v. Sir Robert Scott of Thirlestane  
1616: Thirlestane escheated.<sup>417</sup>

Scott of Harden v. Scott of Bonnington

William Scott of Hundleshope v. Adam Veitch in Fechane  
1602: complaint by Veitch against Hundilshope with other Scotts including  
Gamescleuch for burning house at Fechane.  
1603: Veitch against Haining and Thirlestane for non-entry of Hundleshope.  
1605: Scotts to appear before council to answer Veitch's complaint of

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<sup>413</sup> *RPC* xii 363, 375, 384-85, 541

<sup>414</sup> *RPC* viii 653

<sup>415</sup> *RPC* vii 606

<sup>416</sup> *RPC* viii 209-210; WM11/61, 79;12/7

<sup>417</sup> *RPC* x 457, 470

oppression.<sup>418</sup>

Scott of Hundlesdhope v. Peebles

Scott of Newark v. various Elliots

James and William sons of Scott of Newark v. Adam Dalgliesh of Deuchar  
1618: Scotts to be tried for Dalgliesh's murder and father arrested.<sup>419</sup>

Scott of Thirlestane v. Armstrong of Kinmont and others

Scott of Thirlestane v. Bell of Crookstoun

Sir Robert Scott of Thirlestane and various Scotts including Eidschaw and  
Whitslaid v. Scott of Tushielaw

1609: recent dispute and mutual assurance taken.<sup>420</sup>

1609: Assurance between Walter of Goldielands, Walter of Whitslaid, Robert  
of Headshaw, John and Alexander Stewart son of Tinnis etc and Walter of  
Tushielaw. Some declared rebel for failing to assure. Thirlestane ordered to  
assure. Case appeared three times before council in 1609. Tushielaw  
complained that Thirlestane was resetting to Headshaw and other Scotts in  
Ettrick.

1610: Case appears 3 times this year.<sup>421</sup>

1616: Letter from James VI on the pardon to John Scott of Tushielaw for the  
slaughter of Walter Scott brother of Sir Robert Scott of Thirlestane<sup>422</sup>

Robert Scott of Thirlestane v. Sym Scott of Winterburgh

1578: Thirlestane against Winterburgh for having taken the house of  
Thirlestane from him.<sup>423</sup>

Walter Scott of Tushielaw v. Armstrongs

1603: complaint by Tushielaw against Armstrongs<sup>424</sup>

<sup>418</sup> *RPC* vi 372-73, 541; vii 601

<sup>419</sup> *RPC* xi 452-53

<sup>420</sup> *RPC* viii 246

<sup>421</sup> *RPC* viii 255-56, 271, 695, 696, 724, 725; PC10/8A/113

<sup>422</sup> GD32/1/8

<sup>423</sup> *RPC* iii 39-40, 72

<sup>424</sup> *RPC* vi 538-39

Walter Scott of Tushielaw v. Johnston of Howgill  
1613: for Johnstone attacking his lands and servant.<sup>425</sup>

Scott of Tushielaw v. Murray of Falahill

John Scott of Tushielaw v. Scott of Thirlestane

William Scott of Whitehope v. Sir William Stewart of Traquair  
1602: Scotts having stolen from Traquair at Blackhouse. Scott and his surety  
Haining denounced rebel.<sup>426</sup>

Scott of Winterburgh v. Scott of Thirlestane

Walter and John Scott v. Gavin Elliot

Hob Scott in the Maynes v. Walter Scott of Clamerlane Newton  
1613: for the wounding of Hob. Buccleuch to try.<sup>427</sup>

Scotts v. Mr Thomas Abirnethie minister of Hawick  
1608: William of the Know and brother Robert bailie of Hawick. Cautioner  
James Scott bailie of Selkirk not to harm the minister.<sup>428</sup>

Selkirk v. Mitchelhill of Gledswood

Selkirk v. Ker of Fawdonsyde

Selkirk v. Ker of Yair

Selkirk v. Scott of Haining

Selkirk v Walter Scott servitor to Sir George Tours of Gairntoun  
1607: surety found by Selkirk burgesses including Mr Patrick Shaw minister  
there and eighty-seven named burgesses.<sup>429</sup>

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<sup>425</sup> *RPC* x 140

<sup>426</sup> *RPC* vi 376-77

<sup>427</sup> *RPC* x 153, 156

<sup>428</sup> *RPC* viii 681

<sup>429</sup> *RPC* vii 689

Mr Patrick Shaw minister of Selkirk v. Gavin Murray burgess there  
1616: Shaw against Murray for attacking his wife. Murray fined.<sup>430</sup>

Stewart son of Bothwell v. Scott of Burnfoot

Stewart son of Bothwell v. Lord Roxburgh

Stewart of Fallishope v. Pringle of Buckholm

Stewart of Fallishope v. Scott in Catslack

Stewart in Overhillhouse v. Halden of that ilk

Stewart of Shillinglaw v. Horsburgh of that ilk

Stewart of Schillinglaw v. Tweedies by Peebles  
1604: caution by Tweedies.<sup>431</sup>

Stewarts of Traquair v. Hays of Yester

Stewarts of Traquair v. Murrays of Philiphaugh, Eddleston, Elibank

Stewarts of Traquair, Tinnis and Kirkland v. Pringles of Buckholm and Tinnis

Stewart of Tinnis v. Pringles of Buckholm

Stewart of Tinnis v. Pringles of Tinnis

Traquair v. Scott of Whitehope

John Stewart of Traquair, Sir Robert of Shillinglaw his tutor v. William  
Turnbull younger of Bedrule

1616: Stewart complaint upheld.

1619: against Turnbells for violent cutting of wood. Walter of Bedrule and

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<sup>430</sup> *RPC* x 645

<sup>431</sup> *RPC* vii 568



son William younger arrest ordered.<sup>432</sup>

Stoddarts of Overshiels v. Pringles of Nethershiels

Storie in Rulespittle v Scott in the Dykes

Tait v. Pringle

Thomson v. Pringle of Peebles

Sir Thomas Turnbull of Bedrule v. William Ker younger of Cessford

Sir Thomas Turnbull of Bedrule v. Moscropes

Turnbolls of Bedrule, Chesters, Halden v. Ker of Woodhead

Walter Turnbull of Bedrule and others v. James Stewart of Wells

1592: for attacking his lands at Wells.<sup>433</sup>

Walter Turnbull of Bedrule v. John Beatison of Ranaldburne

1605: Beatison declared rebel.<sup>434</sup>

Sir Thomas Turnbull of Bedrule v. John Turnbull of Minto, Hector Turnbull of Wauchope, Walter Turnbull of Bewlie

1580: all took assurance not to harm each other, ordered to enter ward.

Bedrule denounced rebel for non appearance.<sup>435</sup>

Turnbull of Bedrule v Stewart of Traquair

Turnbull of Bewlie v. Ker of Ferniehirst

Turnbull of Bewlie v. Jedburgh

Margaret Rutherford widow of Mark Turnbull of Bonchester v. Walter

Turnbull of Rawflat

<sup>432</sup> *RPC* x 455-56, 487; xii 23-24, 75, 85-6

<sup>433</sup> *RPC* v 26

<sup>434</sup> *RPC* vii 100-1

<sup>435</sup> *RPC* iii 316

1617: violent ejection of her family by Rawflat.<sup>436</sup>

Turnbull in Langtoun v. Bennett of Chesters

Turnbull of Minto v. Ker of Ferniehurst

1595: Minto and Turnbull of Wauchope took assurance not to harm Ker of Ferniehurst, Ker of Cavers and Ker of Newton

1611: Turnbull of Minto license to go abroad for 5 years.<sup>437</sup>

Turnbull of Minto v. Turnbull of Bedrule

Thomas Turnbull in Rowcastle v. Mr Joseph Tennent minister of Bedrule

1616: minister complaint against repeated attacks by Turnbull.<sup>438</sup>

Turnbull of Stanyledge v. Ker of Ferniehurst

Turnbull of Wauchope v. Lorraines

Turnbull v. Turnbull

1576: Walter Turnbull of Bewlie, John of Minto, Watt of Tronyhill. Cautioner George Douglas of Bonjedburgh

Against John of Howden, George in Hallrule, Adam in Butterwell, Adam in Belsies, William in Barnhills. Cautioners Thomas Turnbull of Bedrule, William of Barnhills, William Aylie bailie of Jedburgh.

1577: complaint by Adam of Belchies and son Hector against Bonjedburgh as cautioner upheld in £1,000.<sup>439</sup>

1580: Turnbuls of Bedrule and Barnhills against John Turnbull of Minto, Hector Turnbull of Wauchope, Walter Turnbull of Bewlie. Bedrule, Minto and Bewlie ordered into ward. Caution found by Minto and Bewlie, Bedrule declared rebel.

1583: Agnes widow of Turnbull of Rawflat to be skaithless of Walter of Bewlie and sons. Ker of Ancrum, cautioner.<sup>440</sup>

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<sup>436</sup> *RPC* xi 231

<sup>437</sup> GD86/314; *RPC* ix 256

<sup>438</sup> *RPC* x 539

<sup>439</sup> *RPC* ii 544, 591

<sup>440</sup> *RPC* iii 302, 314, 316, 318, 620

Tweedies v. Broun

Tweedies v. Horsburgh of that ilk

Tweedies of Dreva v. Horsburgh of Scroggs

Tweedies of Dreva v. Murray of Halmyre

Tweedies of Dreva and Drumelzier v. Hamilton of Cotcut

Tweedies of Dreva and Drumelzier v. Scotts of Goldielands, Burnfoot,  
Whitslaid and Harden

Adam Tweedie of Dreva and James Tweedie of Drumelzier v. William Veitch  
of Dawick

1590: case appeared four times before council. Both sides found assurance  
not to harm each other over the slaughter in Peebles of Patrick son of  
William Veitch by the Tweedies.<sup>441</sup>

Tweedie of Drumelzier v. Geddes of Rauchane

Tweedie of Drumelzier v. Jardine of Applegarth

Tweedie of Drumelzier v. Nasymth portioner of Posso

Tweedie of Drumelzier v. Scott of Branxholme

Tweedies of Drumelzier and Dreva v. Veitch of Dawick

Robert Tweedie of Oliphir Castle and Patrick Tweedie in the Lyne v. William  
Veitch of Kingside

1596: Tweedies find caution not to harm Veitch.<sup>442</sup>

Tweedies v. Stewart of Shillinglaw

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<sup>441</sup> *RPC* iv 495, 496, 514, 551

<sup>442</sup> *RPC* v 684

Tweedie of Winkiestoun v. Paterson in Dreva

William Veitch of Dawick, Andro brother to late James of Stewarton, William Veitch of Kingsyde v. Jonas Hamilton of Cotcut  
1614: arbitration at council. Elibank and Sir John Cockburn of Ormiston for Veitches, Binning and Sir Alexander Drummond of Medope for Hamilton.<sup>443</sup>

Veitch of Dawick v. Tweedies of Dreva and Drumelzier

Veitch in Fechane v. Scott of Hundleshope

Veitch of Kingside v. Tweedie of Oliphir Castle

Veitch portioner of Stewartoun v. Murray of Eddleston

Youngs of Caverton and the Knowe v. Rutherfords of Hunthill

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<sup>443</sup> *RPC* x 294

## Appendix G: cases of violent crime, including feud, appearing before the privy council from 1573 to 1599

Figures have been compiled from the published *RPC* vols. ii to vi. All entries mentioning feud, violent theft, assault and slaughter have been included. Also included are the numerous acts of caution where one party found assurance not to harm the each other which indicated violence having taken place, implied violence or the threat of violence. Often these were the only indications of a feud that existed.

There was a rapid expansion in the figures from 1587 which reflected the increasing numbers of acts of caution being subscribed as James and his councillors began to bring the resolution of feuding within the crown's authority. The dip in figures in 1596 was due to the register of the acts of caution being damaged and almost no acts of caution were included for that year.

The percentages are the figures for the Middle March as a percentage of the total number and the figures for the Borders as a percentage of the total number.

	Middle March		West March	East March	Borders		Total
		%				%	
1573	6	19.3	0	0	6	19.3	31
1574	3	13.0	4	3	10	43.5	23
1575	1	10.0	1	0	2	20.0	10
1576	6	17.6	3	3	12	35.3	34
1577	2	4.4	1	3	6	27.3	22
1578	8	18.2	4	2	14	31.8	44
1579	6	7.6	13	2	21	26.6	79
1580	9	20.9	10	3	22	51.2	43
1581	3	12.0	4	4	11	44.0	25
1582	2	5.0	7	2	11	27.5	40
1583	9	25	4	2	15	41.7	36
1584	5	13.9	2	5	12	33.3	36
1585	5	11.4	2	4	11	25.0	44
1586	5	5.7	8	3	16	18.4	87



	<b>Middle March</b>		<b>West</b>	<b>East</b>	<b>Borders</b>		<b>Total</b>
		<b>%</b>	<b>March</b>	<b>March</b>		<b>%</b>	
1587	7	6.7	5	3	15	14.3	105
1588	2	1.6	8	6	16	12.6	127
1589	11	6.9	16	9	36	22.6	159
1590	24	9.4	18	12	54	21.3	254
1591	25	7.3	24	26	75	21.8	344
1592	20	8.3	12	9	41	16.9	242
1593	19	6.9	15	6	40	14.6	273
1594	15	5.9	11	7	33	13.0	253
1595	13	6.5	9	5	27	13.5	200
1596	10	12.0	10	2	22	26.5	83
1597	13	9.8	33	5	51	38.6	132
1598	19	8.3	19	6	44	19.3	228
1599	30	8.9	33	10	73	21.7	336
<b>Total</b>	<b>279</b>	<b>8.5</b>	<b>276</b>	<b>142</b>	<b>687</b>	<b>20.9</b>	<b>3290</b>

## Appendix H(a): Local office-holding in the Middle March: Sheriffs

See App. H(b) for attendance figures for the sheriff principal and deputies at the sheriff court of Roxburghshire.

Sheriffs of Peeblesshire, also known as Tweeddale:

Held hereditarily by the Hays of Yester

William, fifth Lord Yester appointed 1556, died 1586<sup>444</sup>

Deputies included William Murray of Romanno<sup>445</sup>

William, sixth Lord Yester succeeded 1586, died 1591<sup>446</sup>

James, seventh Lord Yester appointed 1591, died 1609<sup>447</sup>

John, first earl of Tweeddale succeeded 1609, died 1653<sup>448</sup>

Sheriffs of Selkirkshire:

Held hereditarily by the Murrays of Falahill, subsequently Philiphaugh to 1619

Patrick Murray of Falahill from at least 1543, died 1578<sup>449</sup>

Patrick Murray of Falahill from 1578, died 1601<sup>450</sup>

John Murray of Philiphaugh in office in 1603, surrendered office 1619, appointed for a term in 1621 and 1623, died 1640<sup>451</sup>

Pringle of Torwoodlee appointed in 1620<sup>452</sup>

Patrick Murray of Philiphaugh appointed in 1621<sup>453</sup>

Robert Scott of Thirlestane appointed in 1621<sup>454</sup>

James Pringle of Galashiels appointed in 1622<sup>455</sup>

John Murray of Philiphaugh appointed in 1623<sup>456</sup>

Pringle of Torwoodlee appointed in 1624<sup>457</sup>

Sheriffs of Roxburghshire, also known as Teviotdale:

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<sup>444</sup> *RSS* iv 3126; *RPC* iv 25

<sup>445</sup> *RPC* ii 342-43

<sup>446</sup> *RMS* v 1830

<sup>447</sup> *RMS* v 1872; Rae App. 1

<sup>448</sup> Rae Ref. 1

<sup>449</sup> *ADCP* 530

<sup>450</sup> *RPC* iii 63, 87

<sup>451</sup> *RMS* vi 1461; *RPC* xii 490; xiii 333

<sup>452</sup> *RPC* xii 322

<sup>453</sup> *RPC* xii 490

<sup>454</sup> *RPC* xii 567, 575. A letter was sent to James VI about the 'insufficiencie' of Walter Scott of Harden for the office. *RPC* xii 570

<sup>455</sup> *RPC* xiii 43

<sup>456</sup> *RPC* xiii 333

<sup>457</sup> *RPC* xiii 592

Held hereditarily by the Douglasses of Cavers

William Douglas of Cavers appointed 1559, active until 1589<sup>458</sup>

Deputies included Mr. George Douglas, John Alensone, Thomas Henderson  
burgesses of Jedburgh<sup>459</sup>

James Douglas of Cavers succeeded 1590, died 1612<sup>460</sup>

Deputies included Robert Turnbull, James Ainslie, John Alensone, William  
Douglas, Mr. John Rutherford burgesses of Jedburgh, George Moscrope  
provost of Jedburgh, Cavers's son William feuar of Cavers, James Douglas in  
Cavers, Adam Kirkton of Stewartfield<sup>461</sup>

William Douglas of Cavers sitting as deputy from at least 1603, took over in  
1612, died 1658<sup>462</sup>

Deputies included George Moscrope provost of Jedburgh, Mr. John  
Rutherford burges of Jedburgh, Adam Kirkton of Stewartfield, William  
Madder of Langtoun<sup>463</sup>

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<sup>458</sup> *RSS* v 577; *RPC* iv 408

<sup>459</sup> *SC62/2/5*

<sup>460</sup> *RPC* iv 809; *RSS* v 577; *SC62/2/7*

<sup>461</sup> *SC62/2/3*, 6, 7; *ER* xxiii 504

<sup>462</sup> *SC62/2/6*, 7; *RSS* v 577. In 1620, a proposal for the surrender by Cavers of his hereditary  
sheriffship did not come to anything, for he was still in office in the 1620s. *RPC* xii 289-90;  
*RMS* viii 592, 1655

<sup>463</sup> *SC62/2/7*; *RPC* xii 222

## Appendix H(b): Attendance figures of the sheriff principal and sheriff deputies at the weekly sittings of the sheriff court of Roxburghshire at Jedburgh

These figures were compiled from the surviving sheriff court records of Roxburghshire at the NAS, SC62/2/3-7. Only fragmented or incomplete records remain for the years 1575, 1577, 1600, 1604, 1606, 1609, 1610 and 1615. Where no figures appear for a year, no records exist.

Held by:	Sheriff Principal		Sheriff Deputy	
1575	William Douglas of Cavers	29	Mr George Douglas	15
1576	William Douglas of Cavers	31	Mr George Douglas	18
1577	William Douglas of Cavers	19	Mr George Douglas	11
1598	James Douglas of Cavers	6	Robert Turnbull	19
1599	James Douglas of Cavers	3	Robert Turnbull	33
1600	James Douglas of Cavers	0	Robert Turnbull	15
			James Ainslie	3
			John Alensone	3
1601	James Douglas of Cavers	1	Robert Turnbull	9
			William Douglas	
			yr of Cavers	8
			James Ainslie	4
			John Alensone <sup>464</sup>	10
1602	James Douglas of Cavers	3	William Douglas	
			yr of Cavers	3
			James Douglas in Cavers	26
1603	James Douglas of Cavers	3	William Douglas	
			yr of Cavers	9
			James Douglas in Cavers	24
1604	James Douglas of Cavers	2	William Douglas	
			yr of Cavers	5
			James Ainslie	1

<sup>464</sup> Alensone was described as bailie of Jedburgh. He and Ainslie sat together four times in 1601.

1606	James Douglas of Cavers	4	William Douglas yr of Cavers	15
			James Douglas in Cavers	3
			John Alensone	5
			Others	2
1607	James Douglas of Cavers	5	William Douglas yr of Cavers	13
			John Alensone <sup>465</sup>	20
			Others	3
1608	James Douglas of Cavers	9	William Douglas yr of Cavers	11
			John Alensone <sup>466</sup>	23
1609	James Douglas of Cavers	2	William Douglas yr of Cavers	10
			John Alensone <sup>467</sup>	8
1611	James Douglas of Cavers	2	William Douglas yr of Cavers	22
			Mr John Rutherford <sup>468</sup>	22
			Adam Kirkton of Stewartfield	1
1612	James Douglas of Cavers	1	Mr John Rutherford	26
	William Douglas of Cavers <sup>469</sup>	2	William Douglas yr of Cavers	8
			George Moscrope <sup>470</sup>	3
1613	William Douglas of Cavers	10	Mr John Rutherford <sup>471</sup> Adam Kirkton of	28

<sup>465</sup> In 1607, Alensone and William Douglas yr of Cavers sat together twice and Alensone and James Douglas of Cavers once.

<sup>466</sup> In 1608, Alensone and William Douglas yr of Cavers sat together nine times and Alensone and James Douglas of Cavers sat together three times.

<sup>467</sup> In 1609, Alensone and William Douglas yr of Cavers sat together five times, Alensone and James Douglas of Cavers sat together once and all three together once.

<sup>468</sup> In 1611, Rutherford was described as burgess of Jedburgh. Rutherford and William Douglas yr of Cavers sat together twelve times and Rutherford and both Cavers once.

<sup>469</sup> James Douglas yr of Cavers was listed as sheriff principal from July.

<sup>470</sup> George Moscrope was described as provost of Jedburgh.

<sup>471</sup> In 1613, Rutherford and William Douglas of Cavers sat together three times.

			Stewartfield	1
			George Moscrope	2
			William Madder of	
			Langtoun	1
1614	William Douglas of Cavers	9	Mr John Rutherford <sup>472</sup>	23
			George Moscrope	5
			Adam Kirkton of	
			Stewartfield	1
			Robert Ker of Newtoun	1
1615	William Douglas of Cavers	9	Mr John Rutherford <sup>473</sup>	17
			George Moscrope	2

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<sup>472</sup> In 1614, Rutherford and Cavers sat together three times.

<sup>473</sup> In 1615, Rutherford and Cavers sat together three times.



## Appendix I: Justices of the Peace in the Middle March

1610: Commissioners of the peace appointed for:<sup>474</sup>

Roxburghshire: John Spottiswoode archbishop of Glasgow, Lord Roxburgh, Lord Buccleuch, Lord Cranstoun, James Douglas of Cavers sheriff of Roxburghshire, Andrew Edmestoun of that ilk, Ker of Greenhead, Sir John Ker of Hirsell, Ker of Linton, George Douglas of Bonjedburgh, Andrew Riddell of that ilk, Turnbull of Minto, Mow of that ilk

Peeblesshire: archbishop of Glasgow, William earl of Morton, Murray of Blackbarony, John Hay of Smithfield, Charles Geddes of Rachan, James Lawson of Carnmure, Sir Robert Stewart of Shillinglaw tutor of Traquair, Mr William Broun of Stevenson

Selkirkshire: archbishop of Glasgow, Buccleuch, Patrick Murray of Philiphaugh sheriff of Selkirkshire, Robert Scott of Haining, James Pringle of Galashiels, Sir Gideon Murray of Elibank, Pringle of Torwoodlee, Andrew Ker of Yair

August 1611: report by Selkirk JPs<sup>475</sup>

Pringle of Galashiels, A Pringle, SJ Murray, S Roitt[?]

1613 October: Commission for Roxburghshire:<sup>476</sup>

Roxburgh, Buccleuch, Cranstoun, Ker of Hirsell, Douglas of Cavers sheriff of Roxburghshire, Ker of Linton, Douglas of Bonjedburgh, Riddell of that ilk, Sir George Ramsay of Wyliecleuch, Thomas Ker of Cavers, James Gledstane of Cocklaw

1623 August 5 and 20: Renewal of commissions of Justice of the Peace <sup>477</sup>

Roxburghshire: Chancellor, Treasurer, archbishop of Glasgow, Prince Charles, the laird of Edmestoun, sheriff of Tweeddale - is this a mistake - should it read Teviotdale, the lairds of Greenhead, Bonjedburgh, Riddell elder and younger, Linton, Turnbull of Minto, Mow of that ilk, Rutherford of Hunthill, George Ker of Cavers, James Pringle of Buckholm, James Cairncross

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<sup>474</sup> *RPC* ix 75-76

<sup>475</sup> *RPC* ix 714-15

<sup>476</sup> *RPC* x162

<sup>477</sup> *RPC* xiii331, 342

apparent of Colmslie. Convener laird of Bonjedburgh

Peeblesshire: Chancellor, Treasurer, Archbishop of Glas, Prince Charles, Lord Yester, the lairds of Traquair, Blackbarony, Smithfield, Dawick, Lawson of Carnmure, Murray of Romannos, James Griffin of Cardronoch, James Nasmith of Posso, Jonas Hamilton of Cotcut, John Murray of Halmyre, Mr Willaim Broun of Stewinson. Convener - laird of Traquair.

Selkirkshire: Chancellor, Treasurer, archbishop of Glasgow, Prince Charles, Sir James Pringle of Galashiels, Sir John Murray of Philiphaugh, Pringle of Torwoodlee, Pringle apparent of Torwoodlee, Andrew Ker of Yair, Walter Scott of Harden, Sir William Scott apparent of Harden, Sir Robert Scott of Haining, Sir Robert Scott of Thirlestane, James Pringle apparent of Whitbank, Walter Scott of Sandelands. Convener - Sir James Pringle of Galashiels

1626 August 3: Court held by the JPs at Selkirk.<sup>478</sup>

Sir James Pringle of Galashiels, Sir John Murray of Philiphaugh, Sir Patrick Murray of Elibank, George Pringle of Torwoodlee and James his eldest son, Sir William Scott of Harden, Andrew Ker of Yair and James Pringle of Whitbank.

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<sup>478</sup> *RPC* 2nd series i 673-74

## **Appendix J: Commissioners of the Middle Shires, including Lieutenants and the Triumvirate**

1605 March 7:

Five Scottish commissioners: Sir Gideon Murray of Elibank, Sir William Seton of Kylesmure, Patrick Chirnside of East Nisbet, Robert Charteris of Amisfield, Sir William Home of Whitelaw.<sup>479</sup>

1607 August 2:

grant of commission of justiciary to the earls of Dunbar and Cumberland over the Middle Shires.<sup>480</sup>

1607 November 27:

Seton of Kylesmure, Sir William Cranstoun, Sir John Charterhouse, Elibank named as commissioners to receive annual fee of £800.<sup>481</sup>

1611 June 15:

Elibank, Cranstoun, Seton of Kylesmure, David Murray of Clonyaird, brother of John Murray of Lochmaben, future earl of Annandale.<sup>482</sup>

1613 November 3:

Cranstoun, Elibank, Seton of Kylesmure, Sir Andrew Ker of Oxnam - at £500pa

Ker of Oxnam takes over border garrison from Sir Robert Ker of Ancrum.<sup>483</sup>

1613 December 7:

Indemnity to Elibank and Ker of Ancrum in their duties as Middle Shires commissioners.<sup>484</sup>

1615 June 1:

Lord Cranstoun, Sir Gideon Murray of Elibank, Sir Andrew Ker of Oxnam - as three of the Middle Shires commissioners advising privy council on

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<sup>479</sup> *RPC* vii 701-7

<sup>480</sup> *RPC* vii 728-29

<sup>481</sup> *RPC* viii 15-16

<sup>482</sup> David Murray of Clonyaird was the older brother of John Murray of Lochmaben, the future first earl of Annandale and one of the triumvirate in 1622. *RMS* vii no 505; *RPC* ix 194-96

<sup>483</sup> *RPC* x 164, 176, 200

<sup>484</sup> *RPC* x 184

sentencing of two Elliots.<sup>485</sup>

1616 February 29:

Oxnam as Middle Shires commissioner - over case of English theft by Englishmen.<sup>486</sup>

1617 January 21:

Sir John Murray of Philiphaugh appointed Middle Shires commissioner replacing over-worked Murray of Elibank. Cranstoun, Elibank, Oxnam and Seton of Kylesmure appeared to give account of their service and promised to hold justice court in March.<sup>487</sup>

1618 April 4:

Appointment of Conjoint Commission includes from Middle March: Robert earl of Roxburgh, Lord Buccleuch, Cranstoun, Elibank, Oxnam, Philiphaugh, Sir John Ker of Jedburgh, James Douglas of Cavers, Riddell of that Ilk, Douglas apparent of Bonjedburgh, Sir Robert Stewart of Shillinglaw Appeared to accept commissions 16 June.<sup>488</sup>

1618 September 9:

Appointment of the commission for the Survey of the Broken Men:  
Jedburgh Forest: Douglas of Cavers and Douglas of Bonjedburgh  
Teviotdale: Roxburgh, Cranstoun, Oxnam, Stewart of Shillinglaw and Douglas of Cavers  
Liddesdale: Buccleuch  
Ewesdale and the Debateable Land: Sir John Ker of Jedburgh  
Eskdale: Buccleuch, Robert Maxwell of Caerlaverock.<sup>489</sup>

1619 November 2:

Those Middle Shires commissioners summoned to consult with privy council.<sup>490</sup>

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<sup>485</sup> *RPC* x 331-32

<sup>486</sup> *RPC* x 467

<sup>487</sup> *RPC* xi 11-14

<sup>488</sup> *RPC* xi 344-48, 386-87

<sup>489</sup> *RPC* xi 445-46

<sup>490</sup> *RPC* xii 149-51

1619 December 16:

New commission for Survey of Middle Shires with increased powers to the commissioners:

Tweeddale: John Lord Hay of Yester, Stewart of Shillinglaw

Jedburgh Forest: Douglas of Cavers [bailie for Angus there]

Liddesdale and Debateable Land [sic]: earl of Roxburgh

Eskdale: Lord Buccleuch or Robert Lord Maxwell.<sup>491</sup>

1620 March 2:

List of commissioners for the survey of masterless men extended.<sup>492</sup>

1622 March 14:

Appointment of triumvirate: earls of Nithsdale and Buccleuch, John Murray of Lochmaben, the future earl of Annandale.<sup>493</sup>

1622 March 26:

Buccleuch's deputies: French of Frenchland, Walter Scott called Northis, Walter Scott called of Newburgh, Thomas Armstrong, William Elliot, Robert Pringle, John Scott, Alex Hamilton, Henry Davidson, Hector Cranstoun servitor to Buccleuch.<sup>494</sup>

1622 June 18:

Appointment of commissioners to meet commissioners from the other side to resolve dispute about fishing rights on the Tweed. Lord Cranstoun, the master of Jedburgh (Ker of Oxnam) and the sheriff of Teviotdale.<sup>495</sup>

1622 July 18:

Buccleuch nominates six further deputies: Francis Armstrong of Whithaugh, Simon Elliot of the Banks, Alex Armstrong called of Kinmont, his brother William Armstrong, Gavin Johnstone called of Ridhall, Robert Jardine called of Brierhill.<sup>496</sup>

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<sup>491</sup> *RPC* xii 149-51

<sup>492</sup> *RPC* xii 219-22

<sup>493</sup> *RPC* xii 673, 675-79

<sup>494</sup> *RPC* xii 695-96

<sup>495</sup> *RPC* xii 746

<sup>496</sup> *RPC* xiii 18-19

1622 August 27:

Commissioners at Justice Court at Jedburgh: Buccleuch, Lord Scott of Whitchester and Eskdale, Oxnam, Seton of Kylesmure, Philiphaugh<sup>497</sup>

1623 January 23:

Appointment of three more Middle Shires commissioners since none of the others resident in West March: James Maxwell of Kirkconnell, Nithsdale's younger brother and sheriff of Dumfries, Sir William Grierson of Lag, Sir John Charteris of Amisfield, son of one of the original commissioners.<sup>498</sup>

1623 March 4:

Renewal of commission of Middle Shires: the three new commissioners of January named as well as the four from the original 1613 commission: Cranstoun, Oxnam, Seton of Kylesmure and Philiphaugh who had replaced Elibank in 1617.<sup>499</sup>

1624 March 30:

Nomination by Annandale of fifteen subordinates from the West March.<sup>500</sup>

1624 July 1:

Adjoining of Lord Yester and Sir John Stewart of Traquair to triumvirate to replace absent Nithsdale and Annandale.<sup>501</sup>

1624 July 13:

Meeting of border commissioners and the commissioners of the western burghs: Middle Shires commissioners include Cranstoun, Seton of Kylesmure, Maxwell of Kirkconnell, Charteris of Amisfield.<sup>502</sup>

1625 January 14:

Commission to commissioners on either side of the border to adjudicate dispute between Lords Gray and Home over fishing rights on the Tweed: Scottish commissioners were Roxburgh, Buccleuch, Cranstoun, Oxnam, Sir John Home of Blacadder, Sir George Home of Manderston<sup>503</sup>

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<sup>497</sup> *RPC* xiv 677-692

<sup>498</sup> *RPC* xiii 155-7

<sup>499</sup> *RPC* xiii 182

<sup>500</sup> *RPC* xiii 482

<sup>501</sup> *RPC* xiii 542-43, 621

<sup>502</sup> *RPC* xiii 553

<sup>503</sup> *RPC* xiii 675-76, 703-5, 722



1625 November 17:

Renewal of the commission of the triumvirate to earls of Nithsdale, Buccleuch and Annandale, and the adjoining of the earl of Angus and Lord Yester to it.

Adjoined to the commission of the Middle Shires held by Cranstoun, Seton of Kylesmure and others were the lairds of Drumlanrig, Lochinvar, Bombie, Closburne.<sup>504</sup>

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<sup>504</sup> *RPC* 2nd series i 193, 373

**Appendix K: Attendance of men of the Middle March at parliaments and conventions of estates, 1573 to 1625.<sup>505</sup>**

Parliament, 23 October 1579:

Abbots of Dryburgh and Newbattle

Earls of Angus and Morton

Burgh commissioners: John Mitchelhill for Selkirk, John Ainslie for Jedburgh<sup>506</sup>

Parliament, 19 May 1584:

Abbot of Jedburgh

Earl of Bothwell

Lord Yester

Burgh commissioners: William Rutherford for Jedburgh, Gavin Wilkie for Selkirk<sup>507</sup>

Parliament, December 1585:

Burgh commissioners: Robert Alisoun for Jedburgh, George Halywall for Selkirk<sup>508</sup>

Convention, 23 October 1586:

Sir James Home of Cowdenknowes<sup>509</sup>

Parliament, July 1587:

Abbots of Melrose and Newbattle

Earl of Angus

Burgh commissioners: John Watson for Selkirk, Thomas Henderson for Jedburgh<sup>510</sup>

Parliament, 10 July 1593:

Burgh commissioners: John Stevenson for Peebles, James Scott for Selkirk, Thomas Henderson for Jedburgh

<sup>505</sup> This lists those recorded in *APS* sederunts but not those attending in official capacity such as Sir Gideon Murray of Elibank who attended as deputy treasurer in 1612, 1617 and 1621.

<sup>506</sup> *APS* iii 127-28

<sup>507</sup> *APS* iii 290-92

<sup>508</sup> *APS* iii 374

<sup>509</sup> *APS* iii 424

<sup>510</sup> *APS* iii 427-28

Lords of the articles: Sir William Stewart of Traquair<sup>511</sup>

Convention, 1594:

Burgh commissioner: Thomas Henderson for Jedburgh<sup>512</sup>

Convention, May 1596:

Sir John Carmichael of that ilk, Traquair<sup>513</sup>

Convention, 1 January 1597:

Sir Walter Scott of Buccleuch, Traquair, Carmichael<sup>514</sup>

Convention, 6 January 1597:

Sir Andrew Ker of Ferniehirst, Buccleuch, Makerstoun, Traquair,  
Carmichael<sup>515</sup>

Convention, 3 March 1597:

Sir Robert Ker of Cessford, Traquair, Ferniehirst<sup>516</sup>

Convention, 13 May 1597:

Traquair, Carmichael<sup>517</sup>

Convention, 29 June 1598:

Traquair<sup>518</sup>

Convention, 30 October and 14 December 1598:

Newbottle, Traquair, Carmichael<sup>519</sup>

Parliament, 1 May 1604:

Lord Roxburgh, Traquair<sup>520</sup>

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<sup>511</sup> *APS* iv 7-8

<sup>512</sup> *APS* iv 50

<sup>513</sup> *APS* iv 97

<sup>514</sup> *APS* iv 104

<sup>515</sup> *APS* iv 104

<sup>516</sup> *APS* iv 109

<sup>517</sup> *APS* iv 118

<sup>518</sup> *APS* iv 158

<sup>519</sup> *APS* iv 173, 177

<sup>520</sup> *APS* iv 261

Parliament, July 1606:

Sir John Ker for Roxburghshire<sup>521</sup>

Parliament, July 1607:

Sir John Ker for Roxburghshire, Sir Robert Scott of Thirlestane for Selkirkshire<sup>522</sup>

Parliament, May 1608:

Shire commissioners: Laird of Drumelzier and Sir John Murray of Blackbarony for Peeblesshire, Sir Wiliam Cranstoun for Roxburghshire<sup>523</sup>

Convention, January 1609:

Roxburgh, Lord Buccleuch

Shire commissioner: Blackbarony for Peeblesshire<sup>524</sup>

Parliament, 12 October 1612:

Earls of Angus and Lothian

Lords Thirlestane, Roxburgh, Buccleuch, Cranstoun

Shire commissioners: William Douglas younger of Cavers for

Roxburghshire, Sir Gideon Murray of Elibank and John Murray of Falahill

(Philiphagh) for Selkirkshire, Sir John Murray of Eddleston and Sir Robert

Stewart of Shillinglaw for Peeblesshire

Burgh commissioners: William Rutherford for Jedburgh, James Mitchelhill

for Selkirk, John Dickson for Peebles

Lords of the Articles: Buccleuch, Angus, Elibank<sup>525</sup>

Parliament, 17 and 28 June 1617:

Earls of Lothian, Roxburgh

Viscounts Haddington, Lauderdale

Douglas of Cavers and laird of Riddell for Roxburghshire, Sir Patrick

Murray of Langschaw and George Pringle of Torwoodlee for Selkirkshire,

Shillinglaw and Blackbarony for Peeblesshire

Burgh commissioners: Alex Kirkton and Mr John Rutherford for Jedburgh,

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<sup>521</sup> First listing of shire commissioners. *APS* iv 280

<sup>522</sup> *APS* iv 365

<sup>523</sup> *APS* iv 403

<sup>524</sup> *APS* iv 405

<sup>525</sup> *APS* iv 465-67

James Mitchelhill and Mr John Ker for Selkirk, John Dickson for Peebles<sup>526</sup>

Parliament, September 1617:

Earl of Lothian

Viscounts Lauderdale and Buccleuch

Lord Cranstoun

Shire commissioners: Blackbarony and Schillinglaw for Peeblesshire, Cavers and Riddell for Roxburghshire<sup>527</sup>

Parliament, July 1621:

Earls of Angus, Roxburgh, Buccleuch, Melrose, Lauderdale

Lords Yester, Cranstoun

Sir Andrew Ker of Oxnam<sup>528</sup>

Parliament, 3 June 1621:

Earls of Angus, Roxburgh, Buccleuch, Melrose

Lords Yester, Cranstoun

Shire commissioners: Cavers and Riddell for Roxburghshire, Sir James

Pringle of Galashiels for Selkirkshire, Traquair and Shillinglaw for Peeblesshire

Burgh commissioners: Mr John Rutherford for Jedburgh, James Williamson for Peebles, William Elliot for Selkirk<sup>529</sup>

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<sup>526</sup> APS iv 524-28

<sup>527</sup> APS iv 581

<sup>528</sup> APS iv 589

<sup>529</sup> APS iv 594

## Appendix L: Examples of Court Correspondence

Letters between privy councillors in Scotland and members of James VI's and his sons' households in London revealed the way in which Scottish privy councillors were able to use their contacts in London to secure favours with James for their kin and friends. The examples used below are intended to illustrate the way in which favour was sought and patronage bestowed.

Letters written by Sir Gideon Murray of Elibank on behalf of his kin and friends in the Middle March.

18 March 1615 - Lord Binning and Sir Gideon Murray of Elibank to James VI via John Murray of Lochmaben [future earl of Annandale] about the compensation to John Murray of Philiphaugh for his renunciation of his hereditary sheriffship.<sup>530</sup>

As your majestie wes pleased to command Sir Gideon Murray and me We have diverse tymes delt with the sheriff of the forrest for renunciation of his heritable office, and I have assured them that your Majestie wald not mak the connecting of his halding of his landis from Warde to blenche ane part of his satisfioun, but wald rather content him with money, nor yield to ane preparatioun which might Incourage otheris to Importune your Majestie With sutes for such commisions which your Majestie wes resolved not to grant. And so having used the best reasons we could to persuade him to be content of ane reasonable pryce, we have with difficultie brought him to accept of twentie thousand merkis, and tolde him that he had not to expect reddie payment of the whole bot be portionis at such termes as the great burdingis of your majesties cofferis might permit And to move him to this have promissed humblie to requeast your Majestie to grant him the fee of fyve hundreth pundis which he hes for his service as one of the commissioners of the middle schyres converted In ane lyfrent pension, upon condition that he sould serve now and In all tyme cuming when thair sould be use of such service during his lyfe, we have thocht that his satisfactoin might be the better performed with tyme, that sex thousand pundis is saved of the precept of three thousand pundis sterling granted to the Lord gray for his schirefschip. And that the case of his pryce might be ane argument to bring others who might be hereftir delt with for renunciation of the lyke offices, to be content with moderat satisfaction ...

1615: Elibank to John Murray of Lochmaben asking Lochmaben's help in protecting Andrew Ker of Oxnam - now that Somerset has fallen from favour.<sup>531</sup>

<sup>530</sup> NLS Adv MS 33.1.1 vol. 6 no. 22

<sup>531</sup> Adv MS 33.1.1 vol. 6 nos. 51, 52



Sir Thair is no men heir hes fewar frendes at court and may peradventur have more ado nor Sir Andro Kar for whome I wryt this letter. He hes many unfreindis and thay will not failye to seik his harme and skaithe now in this tyme when hie hes not my Lord Sumerset to stand for him. I wald procure him their might saiff him some harme, and ... recommend him to your frendlie dealing, That you wald be pleasit to ... in als far as you can ... your credeit to healpe him in all his lawfull desyres and to bring him to the kingis maiestie ...

11 December 1615: Elibank to Lochmaben on behalf of Lord Buccleuch<sup>532</sup>

Sir I wryt this at the desyre of my Lord of Baclughe and to accompany these of his awin he expleinis muche of Robene Elliot ... when Robene sall meit with your self and speik of that bussines It is expedient you try it of him self

December 1615: Elibank to James VI thanking him for his favour to him and his son Patrick Murray of Langshaw after the 'ruyne' of Somerset his kinsman - and asking for favour to Lord Binning.<sup>533</sup>

I have ressaved be your hienes directone frome Johne Murray that warrant your majestie wes pleasit to signe for the composition of the erle of Caithness ward and marriage, a gift wich I must confesse to be a great deale mor worthe nor my desert, Bot in regard of this tyme that your majestie hes granted it, ... nor in expectatioun that the apparent ruyme of my unhappie kinsman sould have eclipsed your majesteis favor towardis me It hes so far chandged thair opiniones and procured me so muche respect in my service ... This marque of your maiesteis favor with the gracious countenance I had from your heines when I wes thair, and the favor done to my sone by making him knight and bestowing upon him a large pensione, makes it knawn to your majesteis exceiding great praise. That it is not your hienes pleseir to punische the inocent for the faultis of thair neirest kinsmen, howsoevir many that maye ... God knawis with what joy and contentment I may these extraordinarie favoris, and what ... I have by thame to continew in the faithfull and diligent course of my service ... now that I have overcome the greatest difficulteis, by geving good satisfacione to the most part of these that importanded your majestie withe ould debtis ... Thair ar verie few in this kingdome to whome thair wes any thing dew frome your majestie ather in name of debt or for thair service, when I entered my place, that have not taisted the fruittis of your maj incomparable bowntie to thair full contentment Onlie my Lord Binning your Maj secretar and faithfull servand, hes bene neglected. When ever your Maj wilbe pleaseit to remember the paines of his long and faithfull service, in the discharge of your hienes most important effairis I hope to geive him satisfaction without prejudice to the paymentis dew to utheris furthe of your hienes cofferis heir ...

<sup>532</sup> Adv MS 33.1.1 vol. 6 no. 55

<sup>533</sup> Adv MS 33.1.1 vol. 6 no. 57

4 January 1616: Elibank to Lochmaben about the master of works, Murray of Kilbaberton, his cousin and a Murray of Falahill - who needed some compensation for his service. Elibank offered to sort out the financing of the compensation.<sup>534</sup>

our cousing one who dothe the king gud service in his office, and hes nevir yet bein remembered with any recompance (his feeis excepted) hes sent up a petitioun to be presented to his majestie that some consideratioune may be gevin him ... that when you sall heir any thing moved concerning that bussines you wald lend it your good word, and do him all the lawfull favour you can ...

5 January 1616: Elibank to Lochmaben asking Lochmaben to intercede on his behalf with James VI since some evil reports had been made to James of him and Lord Cranstoun. Elibank had not been at court for two years and was feeling out of touch.<sup>535</sup>

2 June 1616: Elibank to Lochmaben on behalf of Lord Buccleuch against Robin Elliot<sup>536</sup>

22 August 1616: Elibank to Lochmaben about the office of the comptroller of the ordinance which he had given to his nephew James Murray and which someone else was claiming.<sup>537</sup>

I then disponed the office to my nevy James Murray who is mor fitt to discharge it nor Gardner and al the tyme when It wes gevin I wreit to my Lord Secretar ...

9 September 1617: Elibank to James VI asking James not to grant a pardon to Simon Scott of Bonnington for the slaughter of Walter Scott of Essinsyde, the brother-in-law of his daughter, who was married to William Scott younger of Harden. Also asking James to uphold Elibank's grant of Bonnington's escheat to his son-in-law.<sup>538</sup>

as I did oftymes importune your majestie at your being her by dealing with your hienes that nor favour might be granted to Symon Scott of Bonyngtoun him self his breither and complices, for the cruell slaughter of one of the sones of Walter Scott of Harden, so wil I now in most humble maner crave pardone to present your hienes in remembrance thair of. I

<sup>534</sup> Adv MS 33.1.1 vol. 7 no. 9

<sup>535</sup> Adv MS 33.1.1 vol. 7 no. 2

<sup>536</sup> Adv MS 33.1.1 vol. 7 no. 21

<sup>537</sup> Adv MS 33.1.1 vol. 7 no. 32

<sup>538</sup> Adv MS 33.1.1 vol. 8 no. 33

know they have sent up to court the bussines, and ar put in hope by the moyane of thair freindis thair to get a pardone at leist to procurir the gift of thair lyfrentis to be disponed to sume freind for thair behaviour, which is almost equivalent to a pardon. Bene they wer apprehendit and broght to thair puneschment It wer not amiss to dispoune thair escheatis and lyfrentis in favouris of thair freindis and children, and commonlie that course is keped when malefactouris ar punished for thair faultis. Bot further as commit slaughter and ar maid rebelis for the same, thair escheates and lyfrentis used alwyse to be disponed to the partie that hes gottin the herme ... and so is maid a part of thair punischment. This cours have I alwyse keped in your majesties service and never suffered the escheat of a malefacctour that escheaped punischment to pas hin his favouris. I procurd your hienes hand to a signatur of that lyfrent in favouris of my sone in law who is brother to the persone that wes killed, ... sure[?] your majestie wilbe pleased that I gave it him ... [that] anie part to be maid in favouris of the malefactouris may be refused with the better reasone that your hienes have maid grant thairof already...

**Appendix M: Border-specific office-holders in the Middle March: wardens, lieutenants, keepers of Liddesdale**

<b>Lieutenant</b>	<b>Middle March warden</b>	<b>Keeper of Liddesdale</b>
1573	William Ker of Cessford <sup>1</sup>	John Carmichael of that ilk <sup>2</sup>
1574	Archibald, eighth earl of Angus <sup>3</sup>	" "
1575	" "	Carmichael at Redeswyre followed by Angus <sup>4</sup>
1576	Angus reappointed	Carmichael of that ilk <sup>5</sup>
1577	wardenry split: Cessford to the east of Dere Street, George Douglas of Bonjedburgh to the west of Dere Street <sup>6</sup>	" "
1578	Angus dismissed <sup>7</sup> William, fourth Lord Ruthven	" "
1579	Ruthven dismissed <sup>10</sup>	Carmichael briefly dismissed, then reappointed <sup>8</sup>
1580	" "	" "

<sup>1</sup> CSP Scot iv no. 217

<sup>2</sup> CSP Scot iv no. 788

<sup>3</sup> RPC ii 572

<sup>4</sup> CSP Scot v nos. 169, 194

<sup>5</sup> CSP Scot v no. 238

<sup>6</sup> CSP Scot v nos. 284, 315

<sup>7</sup> RPC ii 678-79

<sup>8</sup> CSP Scot v no. 446

<sup>9</sup> CSP Scot v nos. 446, 601. Robert Elliot of Redheugh acted as Carmichael's deputy

<sup>10</sup> RPC iii 63

	<b>Lieutenant</b>	<b>Warden</b>	<b>Keeper of Liddesdale</b>
1581	John, third earl of Montrose <sup>11</sup>	Cessford's appointment renewed <sup>13</sup>	William Ker of Cessford <sup>12</sup>
1582	Montrose reappointed <sup>14</sup> Francis, earl of Bothwell <sup>15</sup>	" "	" "
1583		" "	" "
1584		Thomas Ker of Ferniehurst <sup>16</sup>	James Johnstone of that ilk followed by Ferniehurst <sup>17</sup>
1585		William Ker of Cessford <sup>18</sup>	Ferniehurst dismissed
1586	Archibald, eighth earl of Angus <sup>19</sup>	" "	Francis Stewart, earl of Bothwell <sup>20</sup>
1587	Angus's commission renewed	" "	" "
1588		" "	" "
1589	John, Lord Hamilton <sup>21</sup>	" "	" "
1590	Hamilton's commission annulled <sup>22</sup>	" "	" "

<sup>11</sup> *RPC* iii 393

<sup>12</sup> *RPC* iii 344. Andrew Ker of (?) Faldonside and James Ker of Greenhead acted as Cessford's deputies. *CBP* i nos. 103, 245

<sup>13</sup> *RPC* iii 344-46

<sup>14</sup> *RPC* iii 498

<sup>15</sup> *CSP Scot* vi p192

<sup>16</sup> *RPC* iii 699; GD40/2/10/56. Discharged as warden in November 1585. *RPC* iv 33

<sup>17</sup> *CBP* i nos. 246, 265; *RPC* iii 699

<sup>18</sup> Robert Ker younger of Cessford acted as his father, Cessford's, deputy in 1590 and 1594. *Rae App.2*

<sup>19</sup> *RPC* iv 111

<sup>20</sup> *RPC* iv 197-98, 432; *CSP Scot* ix no. 436

<sup>21</sup> *RPC* v 426

<sup>22</sup> *RPC* v 552

	Lieutenant	Warden	Keeper of Liddesdale
1591		William Ker of Cessford	Bothwell dismissed, William Stewart of Traquair, Ludovic Stewart, Duke of Lennox and Walter Scott of Branxholme act briefly
1592		" "	Robert Ker younger of Cessford <sup>23</sup>
1593		" "	Cessford replaced by Lennox <sup>24</sup> Ludovic Stewart, Duke of Lennox <sup>25</sup>
1594		Robert Ker younger of Cessford <sup>26</sup>	Walter Scott of Branxholme <sup>27</sup>
1595		" "	" "
1596		" "	" "
1597		" "	" "
1598	William, tenth earl of Angus <sup>28</sup>	" "	" "
1599	Angus's appointment renewed	" "	" "

<sup>23</sup> Lennox gained the keepership through acquiring the lordship of Liddesdale from the forfeiture of the earl of Bothwell. Branxholme's brief tenure in 1591 was cut short by his involvement initially with Bothwell. Cessford was granted the keepership instead. *CSP Scot* x nos. 542, 581, 592, 616, 623, 640, 652, 695; *RPC* iv 649, 668

<sup>24</sup> Andrew Ker of Fernieirst acted as Lennox's deputy. *CSP Scot* x nos. 765, 779

<sup>25</sup> Robert Ker of Cessford acted as Lennox's deputy. *CSP Scot* xi no. 157

<sup>26</sup> *RPC* v 178, 230. John Mow of that ilk, Andrew Ker of Heiton and Andrew Ker of Greenhead acted as Robert Ker younger of Cessford's deputies. *CBP* ii nos. 1382, 1383; *RPC* vi 440

<sup>27</sup> *RPC* v 178; Fraser *Buccleuch* ii no. 211. Walter Scott of Goldielands and Robert Scott of Haining acted as Branxholme's deputies. *CBP* ii no. 35.

<sup>28</sup> *RPC* v 464. Roger Scott was captain of the Hermitage Castle from at least 1599 to 1611. *GD224/906/5*; *RPC* ix 708



	<b>Lieutenant</b>	<b>Warden</b>	<b>Keeper of Liddesdale</b>
1600	Angus still in office <sup>29</sup>	" "	" "
1601		Robert Ker of Cessford	Walter Scott of Branxholme
1602		Andrew Ker of Greenhead appointed in Cessford's absence <sup>30</sup>	" "
1603	Alexander, sixth Lord Home <sup>31</sup>		" "
1604	" " <sup>32</sup>		" "

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<sup>29</sup> *RPC* vi 76

<sup>30</sup> *RPC* vi 440

<sup>31</sup> Sir William Cranstoun, the future captain of the border guard, was appointed as Home's deputy. *RPC* vi 833-34

<sup>32</sup> *RPC* vii 19

## Appendix N: The border guard and the triumvirate

	Border Guard: Captains	Lieutenants/Deputies	Triumvirate: Commissioners	Deputies
1605	Sir William Cranstoun <sup>33</sup>			
1606	"			
1607	"			
1608	"			
1609	"	Cranstoun's sons John and James Cranstoun, his brother John Cranstoun, Alexander Cranstoun of Morriston, John Cranstoun of Skaidisbus <sup>34</sup>		
1610	Lord Cranstoun <sup>35</sup>			
1611	Sir Robert Ker of Ancrum <sup>36</sup>			
1612	"			
1613	Sir Andrew Ker of Oxnam <sup>37</sup>			
1614	"			

<sup>33</sup> Cranstoun had been acting as deputy to the lieutenant, Lord Home, since 1603. *RPC* vi 833-34; vii 19, 704. He was granted numerous indemnities for his actions as captain. *RPC* vii 286-87; viii 37, 279, 420, 846; xi 305-6

<sup>34</sup> These Cranstouns were listed with Sir William Cranstoun in an indemnity to them all of 1609.

<sup>35</sup> Sir William became Lord Cranstoun in June 1610. In February 1611, he was appointed lieutenant of the Middle Shires in place of the late earl of Dunbar and in August he was admitted to the privy council, on which he resigned his captaincy of the border guard. *RPC* viii 471; xi 129, 245

<sup>36</sup> On his appointment to Prince Charles's household, Ancrum nominated his friend and cousin Sir Andrew Ker of Oxnam to replace him as captain in November 1613. *RPC* x 176 Ancrum received an indemnity for his actions as captain in December 1613. *RPC* x 184

<sup>37</sup> In April 1614, Oxnam was also appointed as captain of the King's Guard, from which time it seems that the border and king's guard were the same body. *RPC* x 176, 231

	<b>Border Guard: Captains</b>	<b>Lieutenants/Deputies</b>	<b>Triumvirate</b>	<b>Deputies</b>
1615	"	"		
1616	"	William Ker <sup>38</sup>		
1617	Sir Andrew Ker of Oxnam	Sir William Scott of Harden <sup>39</sup>		
1618	"	"		
1619	"	Scott of Harden <sup>40</sup>		
1620	"	"		
1621	" <sup>41</sup>	Sir John Murray of Philiphaugh, Sir William Scott of Harden, George Ker app. of Cavers, William Ker son of Kircaldy of Grange, William Ker brother of Ancrum <sup>42</sup>		
1622			Earl of Buccleuch, Earl of Nithsdale, John Murray of Lochmaben, earl of Annandale <sup>43</sup>	French of Frencheland Walter Scott, Walter Walter Scott of Newburgh, John Scott,

<sup>38</sup> When Scott of Harden was appointed lieutenant of the guard in 1617, it was on the surrender of the office by a William Ker, who was probably a brother of Ker of Ancrum. *RPC* xi 217. In 1614, 'William Ker of Ancrum' was given a commission to apprehend an offender. *RPC* x 271

<sup>39</sup> *RPC* xi 217

<sup>40</sup> *RPC* xi 546-47

<sup>41</sup> The guard was discharged in November 1621. In 1622, Oxnam received an indemnity for his actions as captain and order was made for the continuation of his pay as captain during his lifetime. *RPC* xii 583-84, 657-60

<sup>42</sup> These men were included in the indemnity granted to Oxnam as captain of the guard. *RPC* xii 658-59

<sup>43</sup> *RPC* xii 673

	Border Guard: Captains	Lieutenants/Deputies	Triumvirate	Deputies
				Alexander Hamilton, Henry Davidson, Hector Cranstoun, William Elliot, Robert Pringle <sup>44</sup>
			Nithsdale, Annandale Buccleuch	Francis Armstrong of Whithaugh, Simon Elliot of the Banks, Alexander Armstrong of Kinmont, his brother William, Gavin Johnstone of Ridhall, Robert Jardine of Briarhill <sup>45</sup>
1623			" "	
1624			Lord Yester and Sir John Stewart of Traquair <sup>46</sup>	
1625			Nithsdale, Annandale, Buccleuch, earl of Angus,	

<sup>44</sup> Buccleuch nominated these men to assist him in his duties as a triumvir. Murray of Lochmaben also nominated ten men. *RPC* xii 695-96, 729. Only Buccleuch's deputies are listed here since they were from the Middle March. Lochmaben's were all men from the West March. In 1624 Lochmaben, now Annandale, nominated fifteen men from the West March, six of whom had been in his original force. *RPC* xiii 482

<sup>45</sup> These men were added by Buccleuch in July 1622 to his list of assisters. *RPC* xiii 18-19

<sup>46</sup> Yester and Traquair appointed in replacement of Nithsdale, who had had to go abroad due to financial embarrassment, and Annandale, whose duties at court kept him in London. *RPC* xiii 542-43, 621

Yester<sup>47</sup>

**Appendix O: Attendance at privy council meetings by men from or with close links to the Middle March, 1588-1625**

These figures are the minimum figures for attendance per year. They are derived from sederunt listings in the RPC but exclude sittings where the listing was described as '*in die predicto*'.

	1588	1589	1590	1591	1592	1593	1594	1595	1596	1597	1598	1599	1600	1601	1602	1603
Archibald, eighth	5															
William, ninth	6	17	9													
William, tenth			8	6						11	26	12	10	10		1
earls of Angus																
John Carmichael of that ilk	2	7	7	20	24	14	15	15	15	24	20	18	53	6		
William Hay, Lord Yester					3			2								
Sir James Home																
of Cowdenknowes	18	18	9	20												
Robert Ker of Cessford						1	1	5	5	19	19	13	12			9
John Maitland																
of Thirlestane	30	23	22	41	18	7	23	25								
Mark Ker, commendator																
of Newbattle	21	14	17	26	13	14	15	23	12	10	24	46	35	36	17	13
Walter Scott																
of Buccleuch						1		2	1							
Sir William Stewart							19	22	15	12	41	28	24	27		12
of Traquair																



1604 to 1614<sup>48</sup>

	1604	1605	1606	1607	1608	1609	1610	1611	1612	1613	1614
William, tenth earl of Angus <sup>49</sup>	19	19	10	12							
Walter, Lord Buccleuch			5	18	20	2	32				
William, Lord Cranstoun							5	19	22	23	
Sir George Home of Spott, earl of Dunbar <sup>50</sup>	2	10	11	9	29	19					
Mark Ker, first earl of Lothian <sup>51</sup>	28	27	37	55	18						
Mark Ker, second earl of Lothian		7	27	30	20	39	38	26	28	32	
Sir Andrew Ker of Oxnam									6	45	
Sir Gideon Murray of Elibank						9	44	50	60	65	
Robert, Lord Roxburgh, earl of Roxburgh		9	24	1	24	14		10	23	9	

<sup>48</sup> There was a hiatus in the official register from 28 February 1603 to 7 August 1606. *RPC* was compiled from the Haddington MS for this period in which sederunt lists did not appear until March 1605.

<sup>49</sup> Although the earls of Angus no longer held the lieutenancy of the marches, he still had significant landholdings and jurisdiction in the Middle March as the owner of the regality of Jedforest.

<sup>50</sup> Dunbar is included in this table because of his significant involvement in the Middle Shires from 1605.

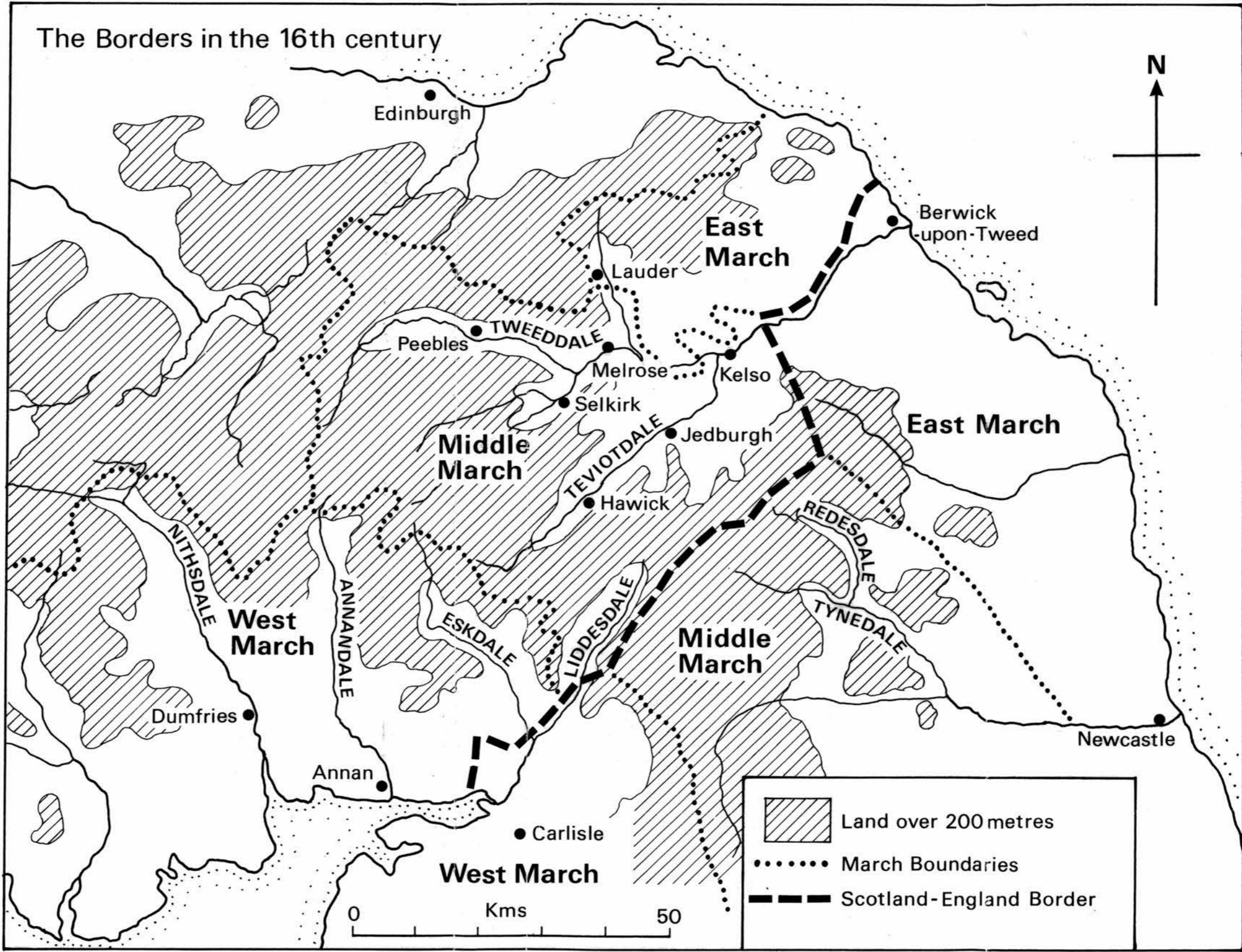
<sup>51</sup> Mark Ker, the commendator of Newbattle, was the grandson of Walter Ker of Cessford and cousin of William Ker of Cessford. He was ennobled as Lord Newbattle and created earl of Lothian in 1606. He died in 1609 and was succeeded by his son Robert, second earl of Lothian

**1615 to 30 March 1625**

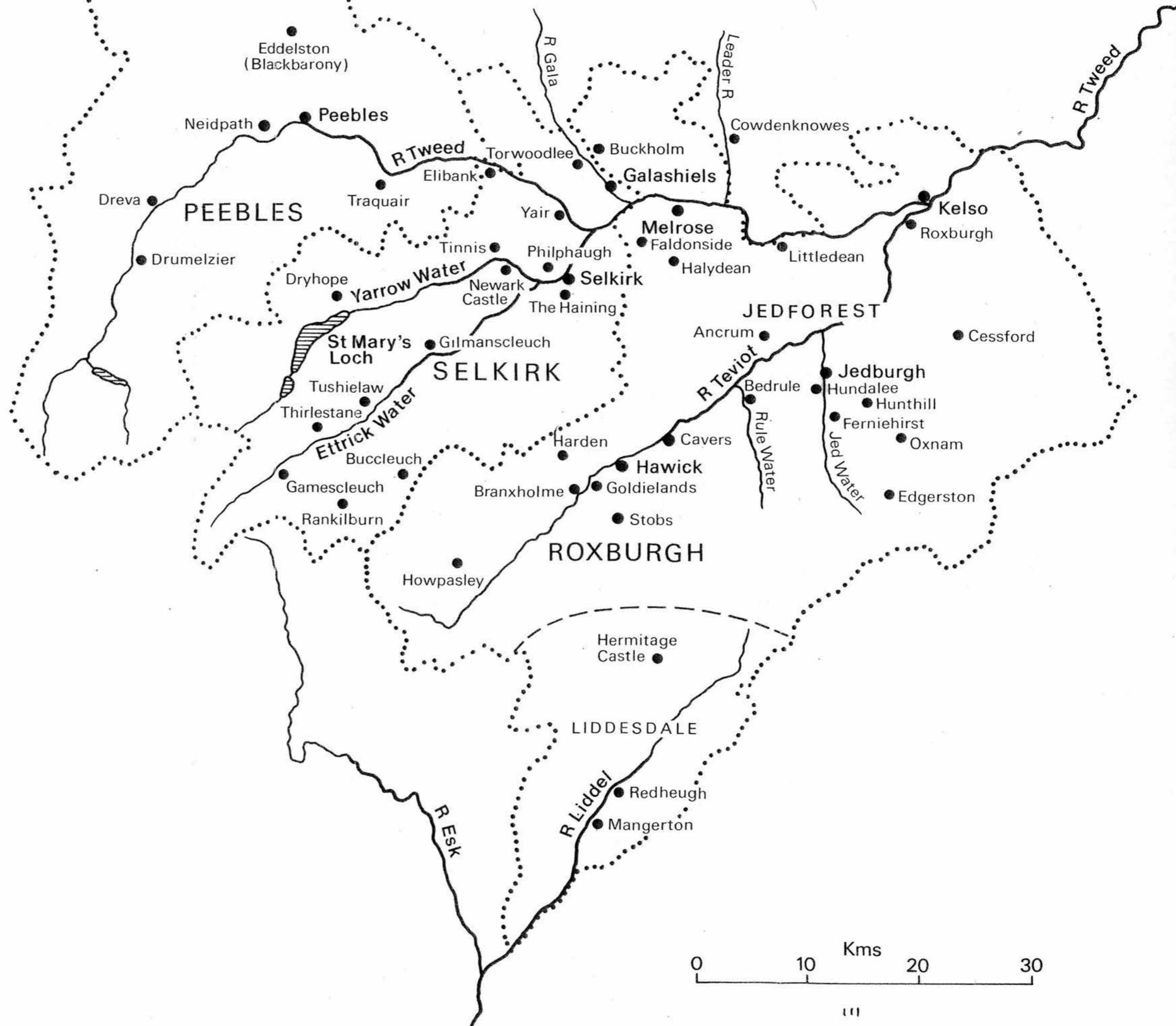
Francis, second Lord Buccleuch, first earl of Buccleuch	1615	1616	1617	1618	1619	1620	1621	1622	1623	1624	1625
William, Lord Cranstoun	10	13	23	13	26	16	4	15	11	3	
Sir Andrew Ker of Oxnam, Master of Jedburgh <sup>52</sup>	21	25	34	41	44	33	35	36	38	19	2
John, Viscount Lauderdale <sup>53</sup>			7	44	56	59	56	53	65	57	10
Robert, second earl of Lothian	38	18	30	27	35	25	27	31	32		9
Sir Gideon Murray of Elibank	62	55	55	52	52	36	28				
Robert, Lord Roxburgh, first earl of Roxburgh	3	9	15	15	12	15	23	37	50		4

<sup>52</sup> Oxnam became the master of Jedburgh in 1622 on the ennoblement of his father Andrew Ker of Ferniehirst as Lord Jedburgh.

<sup>53</sup> Lauderdale was the son of John Maitland of Thirlestane holding lands on the north-eastern edge of the Middle March

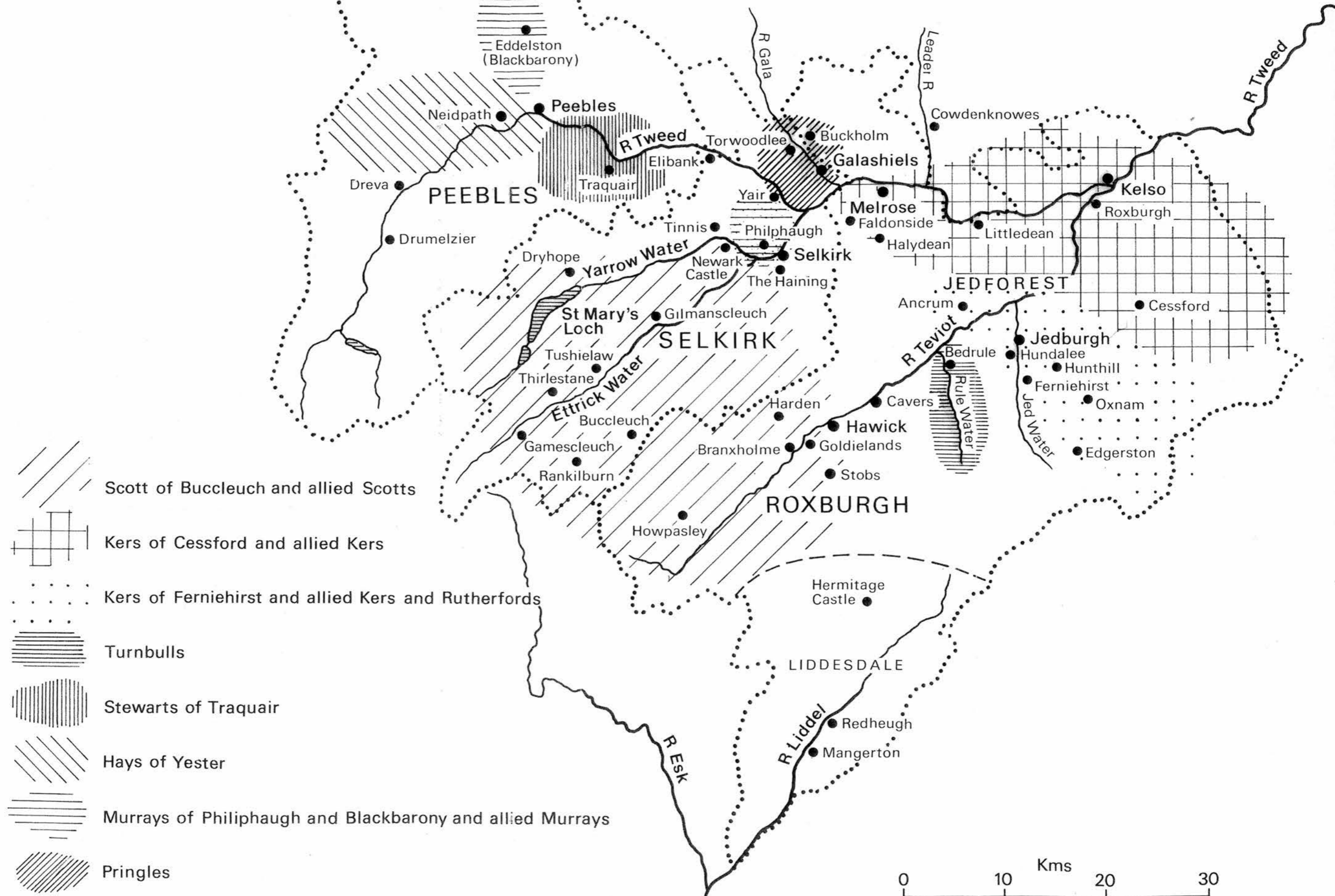



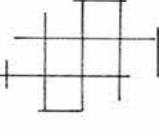


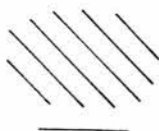


Map 2 : Roxburghshire, Selkirkshire, and Peeblesshire  
in the Middle March





Map 3 : Landholdings of the Major Surnames  
in the Middle March



-  Scott of Buccleuch and allied Scotts
-  Kers of Cessford and allied Kers
-  Kers of Ferniehurst and allied Kers and Rutherfords
-  Turnbills
-  Stewarts of Traquair
-  Hays of Yester
-  Murrays of Philiphaugh and Blackbarony and allied Murrays
-  Pringles

0 10 20 30  
Kms