MEMORIALS OF

The Leightons of Alishaven

(USAN)

Forfarshire,

AND OTHER SCOTTISH FAMILIES OF THE NAME.

PART I

A.D. 1260—1518.

— BY —

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PREFACE.

Cui bono?

That—to plagiarise Hamlet—is the question which, in less classic form, several friends solicitous for my sanity have put to me.

In justification of my claim to Scottish descent I have usually answered by asking another. Why do people, passing sane, spend hours upon the solution of acrostics, the integration of "jig-saw" puzzles, or the wooing of that uncertain lady Miss Milligan? Presumably for their own delectation.

Now as one who has experienced the delights of following hounds, dropping driven grouse, and landing the playful salmon, I venture to assert that the closest analogy to sport obtainable indoors is the chase of one's forbears. There is no more elusive game than the ancestor. Many a likely swim must be whipped in vain for a rise, and many a covert drawn blank before your quarry breaks. When least expecting it you view him, but he has gone away and you are after him on a burning scent. You run him to earth and with much toil dig him out, but only to find that you have changed foxes, that he is not the man you want, and that you must "hark back."

Wherefore, be it understood that the information contained in the pages which follow was collected by the Author in spare moments, solely for his own amusement, and with no idea that it would ever

make the acquaintance of printers ink. Family Histories are not for the general Public, but the frequent—and usually erroneous—allusions in the Newspapers to matters of this kind leave no room for doubt that people exist to whom the study of pedigrees is of interest, and it is for this reason that fifty copies of these "Memorials" of an ancient Scottish Family have been printed.

I make no claim to the expert knowledge which should be possessed by a Genealogist, and, conscious as I am of my shortcomings, shall be prepared to submit to the scathing criticism of the learned antiquary with resignation and—for any assistance or information proffered—gratitude.

The varied spelling of names is due to the fact that I have thought it best to follow the variations occurring in the archives from which my information has been derived.

I hope hereafter to add an index to the Authorities quoted, and my acknowledgments to those who have kindly helped me with information.

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Aylesford House, St. Albans.
January 1912.

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CORRIGENDA.

PAGE.	LINE.	
8	36	Should read "*is a comparatively modern innovation.*"
26	2	Delete the word "*for.*"
27	10	Should read "*facts dates and other coincidences.*"
32	4	Should read "*we find him as Canon of Aberdeen*" etc.
44	19	For "their" read "*there.*"
57	10	For "offenses" read "*offences.*"
61	13	For "names" read "*name.*"
76	25	For "to" read "*too.*"
78	23	For "Pilforthie" read "*Pitforthie.*"
80	8	For "when is recorded" read "*when it is recorded.*"
86	17	For "years" read "*year.*"
108	22	Delete the *accent.*
108	26	For "Set" read "*Letters.*"
124	34	For 1930 read *1929.*
125	28	Insert date *1922.*
126	13	Insert date *1922.*
126	14	For "two" read "*three.*"

p. XXXI line 31 should read "*the said John payand* (i.e. paying) *his own expenses.*"

p. XXXVII lines 1 & 10 For "jai" read "*jm.*"
line 8 For "vools" read "*bolls.*"

CHAPTER 1.

LEIGHTON AS A SURNAME.

The name Leighton occurs in one or another of its numerous forms in some of the oldest annals of English and Scottish History, but, notwithstanding the statements of various writers to the contrary, no record has yet been discovered to shew that anybody bore it as a surname prior to the middle of the twelfth century.

"In Wottons English Baronetage, that casket of spurious legend" says Mr. Oswald Barron, "we find Leighton in England *long before the Conquest and of noble extraction, as appears by Doomsday-book.*" (a) The late Andrew Jervise in his "Memorials of Angus and the Mearns" stated that the surname was "believed to have been assumed from the barony of Leighton in the County of Bedford, *where there were persons of the name even before the Norman Conquest,*" while Warden, another Forfarshire historian makes a similar baseless assertion.

The Doomsday-book as Mr. Barron points out, is wholly innocent of any such false witnessing, and if there were persons named Leighton in England at or prior to the Conquest—which there is no reason to suppose—they must, despite their "noble extraction," have been landless individuals who were ignored by the compilers of that venerable record, so that the statements above

quoted may be rejected as unadulterated fiction.

Manors and estates bearing this name, in various guises, are recorded in the Doomsday-book in about seventeen English Counties, the most usual forms being Lestone, Lestune, Lectone, Lectune, Latone and Latune, with variations. In most of these shires the place-name has long disappeared, in others it has developed into other forms such at Layton, Leyton, Laughton, etc., but we still find Leighton Buzzard in Bedfordshire, Leighton Bromswold in Huntingdonshire, Leighton in Shropshire, and two places of the name in Cheshire, one near Nantwich and the other in the Wirral division, while in Northumberland and Montgomeryshire we have Greenleighton and Leighton respectively.

The prevalence of the place name, which is merely descriptive, is easily accounted for. The word means a garden, park, or cultivated enclosure, and, although now obsolete, was used by writers even so late as the 17th and 18th centuries. It is derived from a combination of the Saxon *leac* a herb, (literally leek) with *tun* a town or enclosed place, which by the regular operation of the phonetic laws became in Anglo saxon *leah tun* and *lehtun*, and in Middle English *leghton* or *Leighton*. In the Lindisfarne M.S. of the Gospels (A D. 950) the Latin *hortus*, a garden, is rendered *lehtune* (Luke viii v. 19 and John xviii v. 1) and there are several later instances of the use of the word in the same sense.

But it is probable that some of the place-names of this and similar form, may be based upon a different etymology. We have in the English language, numerous instances of homonyms, or heterodynamic words, two or more of which have clothed themselves in exactly the same outward form, but between which there is no other bond of union; the same combination of letters—as Cobbett has expressed it—but not the same word. We have for instance "league" a measure of distance, from *leuca and* "league" a treaty from *ligare;* "host" an innkeeper from *hospes*, "host" a multitude from *hostes* and "host" the sacrifice of the mass from *hostia*, besides many others too numerous to mention, and

there seems no reason why developments similar to those which have taken place in our ordinary language should not have occurred in our proper names.[b]

If we examine the history of Greenleighton, the ancient hamlet in Northumberland already mentioned, and note the forms in which it appears in the earliest documents, we find distinctive peculiarities which, coupled with its geographical features, afford grounds for doubting whether its name is derived from *leactun* or *lehtun*. In the oldest muniments, as Mr. Hodgson points out, Greenleighton is called Lithe-dun.[c] In the *Testa de Nevill* it appears as Lytedon and Lightindon, in the *Rotuli Hundredorum* as Lithedon, in the Charter Rolls as Lytedon, in the Inquisitions Post Mortem as Licledun, Lightindon, and Lighton, and in sundry other records,[d] as Lithdun, Lithdonn, Lythedonn and Lighedon. As years go on, the influence of southern methods is manifested and the spelling is gradually varied with Lethedune, Lethton and Leghton and eventually develops into the modern Leighton, but even as late as the sixteenth century, Lighton is in the Northumbrian records the most usual orthography, and the surname so spelt is to be met with in the locality to-day.

It is significant that the earlier Northumbrian methods seem to indicate no affinity for the Saxon root above referred to, whereas in other parts of England where, in addition to those already quoted from the Doomsday Book, the common forms of the place name were Lahtune, Laton, Lecton, Lekton, Lectona, Lectune, Leocton, Lecthon, Lechtone, Legton, Legheton, Lehton, Lebeton, Lehtune, Letton, Leton, Leeton, Layton, Leyton, Leycton and Leyghton, it is almost invariably possible to recognise a derivation from *leac-tun* or *lehtun*.

If we regard primitive orthography merely as an attempt to reproduce phonographically the local pronunciation, it is impossible to resist the conclusion that in Northumberland the vowel sound of the first syllable was long "i", and that the place was formerly called *Lighton*, whereas in the south the conventional pronunciation has

always been *Layton*. It is undeniable that local dialects vary and that in our mongrel language the vowels "a" and "i" are not unfrequently confused, but there is no reason to suppose that the Northumbrian of old, like the modern Cockney, called a spade a "*spide*."

The ancient records of Greenleighton, however, disclose other peculiarities. The termination *ton tun* or *tune*, meaning a town or enclosure, though almost invariable in other parts of England, does not appear in the earlier Northumbrian records of the name, but in its place, we find don, dun or dune, an old word of Celtic origin meaning a hill or eminence—usually fortified—which still survives in our modern downs and dunes, and in such names as Dunedin, Dunottar, Dumbarton, etc. In this connection it is noteworthy that Greenleighton is situated upon an eminence, and that that place was evidently in very early times a military post; indeed there are still traces of two ancient earthworks surrounded by moats or ditches, so that the word dun—a fortified hill—would exactly describe the locality.

The late Mr. Hodgson expressed the opinion that the Northumbrian place-name is a compound of the Saxon *liht* a light and *dun* "on account of a light or beacon being anciently stationed at the Camp on the noted Greenleighton hill. On that eminence" says this learned authority "is a point called the Beacon Hill and one of the large grated fire-lamps that used to be suspended upon it is still at Wallington. This is unquestionably the antient signal station which gave the name Litedun, or Light hill to the hill on which it stands; and from which Greenleighton has its name."[e] Others have suggested a derivation from *lythe* meaning shelter and *dun* a hill—in other words "mount pleasant"—but, seeing that both *lith* and *lite* were Middle English variants of *liht*, and that in combination with *dun* they give the precise forms Lithdun and Litedun found in the early records, there seems to be little reason to quarrel with Mr. Hodgson's explanation.

Family names were generally acquired either from the calling or personal peculiarity of our ancestors, or from their place of

origin or residence, and there is ample evidence to shew that the surname Leighton, which seldom appears in the early records without the prefix *de*, was territorially derived. In Shropshire the manor of Leighton, which at the date of the Doomsday-book was possessed by one Rainald, was in 1155 and 1160 in the hands of Tihel de Lahtune, the ancestor of the ancient Salopian family now represented by Sir Brian Leighton Bart.[f] This is the first known record of Leighton as a surname, and it is obvious that Tihel and his successors in the estate owe their surname to the property.[g]

In Cheshire, Leighton, in the hundred of Wirral, was granted at the Conquest to Robert de Rodelent, but in 6 Edward II (1313) we find in possession a William de Leighton whose daughter and heiress brought the manor in marriage to Roger de Thornton.[h]

Another Leighton, near Nantwich in the same County, gave its name to its mesne lords in or before the time of King John, when Adam, lord of Lekton, confirmed to Hugh, son of his brother Thomas, the lands which he held therein, and William de Lecton subsequently made a grant of the whole lordship of the village of Lechton.[i]

In Northumberland Melcolmus (Malcolm) de Lithdonn granted part of his lands in Lithdun—now Greenleighton—to Newminster Abbey. The charter is undated but seems to belong to about the middle of the 13th Century, and, as in 1256 we find reference to a Maulokum de Lighedon in the immediate neighbourhood, it is highly probable both records refer to the same individual.[j]

We thus have evidence amounting to proof that in four separate instances, at four distinct periods, and in four different parts of England, persons rejoicing in the respective Christian names of Tihel, William, Adam, and Malcolm, between whom there is no reason for suspecting the slightest relationship, acquired Leighton as a surname from the respective estates or manors which they owned, and, although we find no further records which specifically identify a person of the name with a place of the name, the Catalogue of Ancient Deeds published by the Record Office includes numerous

charters which shew that in Bedfordshire, Huntingdonshire, and other counties, where the place-name existed, persons called Leighton or de Leighton were flourishing in the immediate neighbourhood at a very early period. Under these circumstances we may rest satisfied that the surname was in bygone days from time to time assumed by a considerable number of families from various properties, and that there is no ground whatever, for supposing that the various families which bear it to-day are descended from a common Leighton ancestor.

AUTHORITIES.

(a) *Ancestor, vol iv p.* 115; (b) *Trench Study of Words, p.* 280; (c) *History of Northumberland, Part II vol. i p.* 288; (d) *Appendix, No. I*; (e) *History of Northumberland, Part II vol i p.* 306; (f) *Eytons Ant. of Shropshire vol viii p.* 325; (g) *Ancestor, vol. iv, p.* 116; (h) *Ormerods History of Cheshire, vol ii p.* 549; (i) *Ibid, vol. iii p.* 542; (j) *Appendix, Nos I and II.*

CHAPTER II.

THE FIRST LEIGHTONS IN SCOTLAND.

Leighton does not appear in Scotland as a place-name until long after it was known there as a surname. There is in Forfarshire about two miles to the north-east of Brechin, a place called Leightonhill, and the name Leightonsheil occurs in an old inventory of the estate of Fearn in the same county, while part of the lands of Inverdovat in Fife, which were acquired by the family in 1363, became known as Lichtonis lands, but these appellations were without doubt acquired from the names of the proprietors, and we may safely assume that whenever the surname occurs in Scotland or elsewhere, it was originally imported from England.

It is impossible to say for certain whether the first Scottish Leightons came from Bedfordshire, Huntingdonshire, Shropshire, Cheshire, or Northumberland, or from one of the other English counties in which Leighton existed both as a place and family name, but the balance of probability is in favour of Northumberland as the nearest county. Apart however from geographical reasons, the orthography and pronunciation of the name in Scotland down to quite recent times consistently corresponds with the Northumbrian

methods rather than with those in vogue further south, for even so late as the middle of the eighteenth century, the vowels "e" and "a" in the first syllable are, with exceptions so rare as to prove the rule, conspicuous by their absence from the Scottish records. In the Ragman Rolls and *Rotuli Scotorum in Turri Londiniensi* the spelling is in the southern fashion, but these were probably the work of English scribes who doubtless regarded the name as identical with the not uncommon one in their own country and spelt it accordingly. If we turn, however, to the Scottish Petitions to the Pope, of the fourteenth century, we find the name rendered Lithton, Lythton, Lithon, Lithona, Lython, Lytthon and Liturn—all of which indicate a remarkable affinity for the Northumbrian Lithdon—intermingled with Lichton and Lychton, but in no case do the vowels "e" or "a" appear in the first syllable. In the following century, Scottish records shew that *Lith* and *Lyth* give place to *Licht* or *Lycht, and* thenceforward the spelling becomes more settled and consistent. If for example we take the Arbroath Cartulary and analyse the orthography of the name between the years 1348 and 1509, we get the following result :—

Lychtone	occurs	27	times.
Lychtoun	,,	17	,,
Lychton	,,	11	,,
Lichtone	,,	9	,,
Lichtoun	,,	4	,,

while only once do we get Lechtoun and once Lechtone. The Registers of the Great Seal and other contemporary documents, tell the same tale and shew that even down to the middle of the eighteenth century the conventional spelling was Lichtoun while towards the year 1700 the "c" becomes "g" and we find Lightoun, Lightone, and Lighton gradually appearing in the Parish Registers and other records, but, be it observed, no "e". The latter form continued in general use in Scotland until nearly the end of the eighteenth century, and is indeed still retained by more than one family of Scottish origin—notably that of Sir Christopher Lighton, Bart.—so that the spelling of the Scottish surname with an "e" after the English method is a modern comparatively innovation.

Although most Scotsmen of the name have now adopted the southern orthography, the old pronunciation—which is reproduced in the ancient family motto "Licht On"—is usually adhered to, and Mr. Cruickshank in his account published in 1899 of the Forfarshire parishes of Navar and Lethnot, says that Lichton is the local pronunciation in common speech at the present day.

But these are not the only reasons for looking to Northumberland as the source of the Scottish Leightons. It has been shewn that there was in the middle of the thirteenth century a family of Lithdons or Lighedons who held the estate in that county, identical with the modern Greenleighton. These lands were within the lordship which was granted by William the Conquerer to his Kinsman, Umfraville, on condition of "defending that part of the country for ever from enemies and wolves with that sword which King William had by his side when he entered Northumberland" (*) so that Maulokum de Lighedon and his family probably held their Northumbrian estate as mesne lords or vassals under the powerful house of Umfraville.

In the year 1243 Gilbert de Umfraville married Matilda or Maud Countess of Angus, and thereby, in right of his wife became Earl of Angus and the owner of vast estates not only in that shire but in other parts of Scotland. He naturally took with him to Angus a considerable retinue from his own county, and nothing is more likely than the inclusion among his followers of some of the Greenleighton family. Proof is unfortunately wanting, but the high positions obtained by the Leightons within a comparatively short time of their arrival, coupled with the undoubted fact that they subsequently became related in blood to the Royal House of Stuart, seem to indicate that they must have come north under favourable auspices.

Willelmus de Lechton, who in the year 1260 witnessed a charter of lands to Walter de Rossy, is the first of the name to make his bow in the land o' cakes, but, beyond the bare fact of his existence as a contemporary of the Northumbrian Malcolm de Lighedon,

he has vouchsafed to us no particulars concerning himself. The lands of Rossy adjoin the estate of Usan, which was subsequently if not then the home of the Leightons, both properties having been granted by Hugo Malherbe to Thomas de Rossy about the year 1245, [b] and it is noteworthy that the first Leighton to appear in Scottish records should be found on the very threshold of the estate with which the name was for so long identified. The office of witness was, as it is to-day, a neighbourly one, and it is possible, and in the light of other records probable that even at this early date (1260) the family were in occupation, either as Rossy's tenants or as owners, of the lands of Usan.

In 1284, Willelmus de Lecton [a] witnessed a charter of the lands of Culnacloyth [c] and in 1291 we find Dominus Wilhelmus de Legheton *Miles* performing homage to King Edward I within the Chapel of Kinghorn in Fife, [d] while again in 1296 William de Lecton "del Counte de Fyf" swore allegiance to the same King at Berwick-on-Tweed. [e] Whether the persons referred to in these records were one and the same, or whether or how they were related, there is nothing to shew. The Knight of 1291 may have been a son of the witness of 1260, or the father of the William who swore fealty in 1296, but that they were no mere upstarts is shewn by the record of Knighthood, as well as by the fact that only men of position and influence were called upon to do homage to the English king.

A hiatus of nearly forty years occurs before we again find the name in Scottish archives, but in 1337 a certain Dominus Thomas de Lychton [a]—or as his name is sometimes spelt de Liturn and de Lythton—puts in an appearance. He was a canon of Moray Cathedral, holding the prebend of Kinore, a parish in that diocese now merged in Huntley [f] but it is not clear whether he was a secular canon or in priests orders. He was evidently a man of high position for he held the important post of clerk of liverance and deputy chamberlain in the Royal household at Kildrummy Castle and his name frequently occurs in the Exchequer rolls as receiving

and paying money on behalf of the King. [g] He died about the year 1349 [h].

In 1350 a William de Lytthon, scholar in civil law was rector of Disart and contemporary with him was John de Lychton M.A. licentiate of civil law who in 1351 was Rector of Inchebriok and Canon of Moray and who in 1355 petitioned the Pope for a canonry of Glasgow, "notwithstanding that he had at the time the church "of Inchebriok in the diocese of St. Andrews" [k] which living became void by his death in 1359. [l] Here again is an indication that the family were at a very early date located in the immediate neighbourhood of Usan, that estate being situated in the parish of Inchbrayock.

Another John de Leighton *clericus de Scotia* had in 1374 a safe conduct from the King of England for two years to enable him to go to Oxford with a valet and three horses *Causa studendi* [m] and on the 30th of August 1394 John de Lyghton cleric received a similar safe conduct *pro commissariis regis Scotiæ*, [n] while in 1402 it is recorded that a canonry and prebend of Brechin had become void by the death at the Roman Court of John de Lithona or Lithton, probably the same individual. [o]

In 1364 Alexander de Lighton a Benedictine monk had a safe conduct to travel with other clerics in England *causa studendi*. [p]

AUTHORITIES.

[a] *Dugdale Bar of Eng. vol. II p.* 504; [b] *Arb. Cart. vol. I p.* 337; [c] *Antiquities of Aberdeen vol. II p.* 159; [d] *Chron. and Mem. vol. II p.* 123; [e] *Rag. Rolls p.* 144; [f] *Pap. Pet. vol. I p.* 256 *and Pap. Let. vol. III p.* 414; [g] *E.R. S: vol. I pp.* 438, 445, 455, 465, *etc;* [h] *Pap. Pet. vol. I p.* 256; [i] *Ibid. p.* 200; [k] *Ibid. p.* 289; [l] *Ibid. p.* 347; [m] *Rot. Scot. vol I p.* 966; [n] *Ibid. vol. II p.* 126; [o] *Pap. Pet. vol. I pp.* 596, 618; [p] *Rot. Scot. vol. I p.* 886.

CHAPTER III.

THE FAMILY ESTATES.

William de Lecton who swore fealty to King Edward in 1296 was described as of the County of Fife so that he probably possessed land in that shire, but the estate with which the surname is always associated in Scotland is Usan or Ulishaven in the County of Forfar. This place—the name of which is pronounced ooz'n—lies about two miles to the southward of Montrose in the Parish of Craig which comprehends the old parishes of Inchbrayock and St. Skae.

Warden derives the name Usan from the Gaelic "*oisin*" a corner, [a] but as this is hardly consistent with his subsequent assertion that "the estate was *originally* called Hulysham then "Ulyisishaven or Ulishaven *afterwards* contracted to Usan" his opinion must be received with caution.

The scribes of the past seem to have vied with each other in discovering different methods of spelling the name. In 1245 it appears as Hulysham, in 1467 as "Howsane," in 1484 as "Owsane," in 1485 as "Ousane" and in 1486 as "Osan," and it is curious that these forms resemble the modern orthography rather than those in use during the two centuries which follow. In 1488 we find

"Wllishavin" in 1495 "Wilishaven" in 1496 "Howlshawin" and in the following year "Wllishavin." In most of the charters under the Great Seal and other records of the sixteenth and seventeenth centuries, the first part of the name is spelt Ulls, Ulles, Ullys or Ulys—a derivation for which it is difficult to suggest a meaning, unless it be the Gaelic huil or kyle—an opening between the rocks—while the latter half usually appears as heavin, heivin, heven, havyn or haven, and seems to refer to the adjacent anchorage for fishing craft. The most curious guise in which the name appears is perhaps Wolfishavyn, but in none of the old records do we find the form Ulysseshaven, so that, albeit the locality may bear some resemblance to the rugged shores of Ithaca, it is very questionable whether it can claim Homer's hero as its godfather, and the classic form in which some modern writers have clothed the name is probably based upon an erroneous assumption.

When or how Usan first came into the possession of the Leightons there is no evidence to shew. The first of the family recorded as "of" Usan is Walter de Lychton (III) in 1467 (see Chapter IX) but as already indicated they were constantly in the immediate neighbourhood for two hundred years before this, and did not part with the property until nearly two hundred years afterwards.

A considerable portion of the lower extremity of the parish of Lintrathen, south of the Loch of Lintrathen, including the lands of Campsy Kinnaird and Brigend, also from an early date formed part of the family estates, as did the south-western corner of the parish of Fettercairn in the Mearns or Kincardineshire, various lairds of Usan being recorded as the owners of Steilstrath, Dalladies, and Capo, with valuable fishing rights on the North Esk river. In the year 1511 the lands of Usan with the tower and fortifications, and the lands of Wester Campsey, Kynnard and Dullauthy, (Dalladies) were erected by King James IV into a barony, and in 1566 John Lichtoun had confirmed to him "the lands of Ulleshavin, with the manor house, tower, fortalice, manor, mill dues, haven, fishings, and fishertown, the lands of Campsey, Kinnaird and Brigend, in the County of Forfar, and the lands of

Dulladyis, Straith, and the mill dues thereof in the County of Kincardine, which the Queen (Mary) had incorporated in the free barony of Ullishaven." In one or two of the earlier charters relating to the Mearns property, the names Dunlabee and Dunlawe occur, and these may have referred to land on the southern bank of the river in the parish of Dunlappy—now Stracathro—but, as they are stated to be situated in the shire of Kincardine, it is probable that they indicate Dalladies.

How much of the parish of Craig or Inchbrayock was included in Usan proper it is difficult to say, but at the beginning of the 17th century in addition to the manor house with tower fortalice yards dovecots and orchards were included the mains of Usan, the lands of Ethim (sic) the Kirklands fishertown and fishing rights thereof, the fishing rights of Ferryden and Itambot (sic) thereof, the fishertown of Usan, the mill called Chapel Mill, mill lands, multures and segnelles (sic) thereof, and "sundrie houses," all held upon feudal tenure from the crown, and the lands of Ileichame with the salmon fishing in the sea and water of the South Esk, of which the Bishop of St. Andrews was the Superior. Some of these names such as Ethim and Ileichame seem to have disappeared from the locality, but the estate probably included the whole of Ferryden, the Inch, and most of that part of the parish which lies to the eastward of the present line of railway. In addition to their valuable fisheries the lairds of Usan and their tenants had the right of grazing their cattle and of cutting fuel, probably peat, in the moors and marshes of Rossy.

From very early times Usan has been famous as a fishing station, and fishing is the chief industry of the neighbourhood to-day. Local tradition says that the Tullochs of Bonnyton held their lands of the Crown upon a tenure which involved their supplying the Royal table with fresh fish daily when the Court resided at Forfar, and that this was conveyed from Usan by a road ~~as broad as a mill wand is long~~, the track of which is still known as the "King's Cadger's Road." Certain it is that the fishery was a valuable source of income to the lairds of Usan, for, apart

from the references to it in the various charters relating to the estate, contracts are recorded in the register of deeds at Edinburgh which shew that large quantities of salmon, and other fish were sent from Usan to distant parts in barrels. The fishertown of Usan is a clean picturesque little hamlet nestling among the rugged rocks of Usan Bay, but Ferryden at the mouth of the Southesk opposite Montrose is a dirty and odoriferous village with little to interest visitors.

In 1613 Robert Lichtoun of Usan further extended the property by purchasing the adjoining estate of Duninnald, which however soon afterwards passed into the hands of his brother Patrick, for many years Provost of Montrose, who was also the proprietor of the estate of Ferny flat in Kincardineshire.

Upon the death of Robert Lichtoun of Usan in 1618 the barony was sold by his eldest son John to David Lord Carnegie of Kinnaird, first Earl of Southesk. In 1672 it was appropriated by the Lord Treasurer Maitland in whose charter, says Warden, reference is made to the old tower and fortalice. It was subsequently, according to the same author, acquired by a descendant on the distaff side of its original proprietors, viz., Patrick Scott fourth son of James Scott, of Logie by Margaret daughter of Patrick Leighton of Duninnald, and upon his death in 1690 was inherited by Patrick Scott's son James. In the early part of the eighteenth century Patrick Renny was designated of Usan, and upon his death in 1735 his son Robert Renny succeeded to the estate. On the 12th of February 1751 the latter's daughter Elizabeth had a charter of the property in which the lower fortalice is mentioned. She married Archibald eldest son of Robert Scott of Duninnald who, according to Warden, sold both Usan and Duninnald to a family named Spears. They in turn sold the former about 1811 to George Keith of Montrose on his return from South Carolina where he had made a fortune, and the latter to Peter Arkley ancestor of the present proprietors. Upon George Keith's death without surviving issue he devised Usan to his nephew George Keith who has recently died.

No trace is left of the ancient manor house of the Leightons with its tower and fortalice, and the existing mansion, a large square three-storeyed erection of more or less Ionic design, was probably built at the end of the eighteenth or beginning of the nineteenth century and is of no interest to the antiquary. Its situation is a fine one if somewhat bleak and the grounds are extensive and afford commanding views of the surrounding country, they are however capable of considerable improvement by the judicious and tasteful planting of forest trees.

The original residence of the lairds of Duninnald—Gaelic a fortified place by a stream—was a castle known as Black Jack which occupied the top of a perpendicular rock some 200 or 300 feet above the sea at Bodden point south of Usan. Patrick Lichtoun in 1643 disponed it—subject to his own and his wife's life interest—by way of tocher to Sir John Erskine fiar of Dun who married his third daughter Agnes Lichtoun. The Erskines sold Duninnald to the Allardyces, from whom it passed to the Scotts, and in 1811 to the Arkleys.

To the south-west of Usan, near the Elephant rocks, the ancient burial ground of St. Skeoch or St. Skae, a tiny cemetery, picturesquely overhangs the lofty sea cliffs. In this romantic "garden "of sleep" rest the bones of many a laird of Usan and Duninnald. The family tombstones of the Keiths and Scotts are still to be seen but the more ancient monuments of the Leightons are either perished or fallen into the sea.

The last of the Leightons to own property in the parish of Craig was "Master" Robert, a younger brother of the Col. John Lichtoun who sold Usan to the Carnegies. He seems to have practised law in Edinburgh with some success for he retired to Montrose in the prime of life and in the year 1643 purchased Baldovie from the Melvilles. He died in 1674 aged 70. The existing house at Baldovie which masquerades as the birthplace of Andrew Melville must be of comparatively modern construction, for Master Robert Lichtoun's Charter describes a very different residence with a tower fortalice, etc.

In the 15th century a cadet branch of the Leightons of Usan possessed Balcaskie in Fife, now the seat of the Anstruther family, together with Petdynis and the lands of Quhittislade (Whiteladies) and Glenkirk in the Barony of Glenquhyme in the County of Peebles. The male line of this branch failed on the death of David Lichtoun in 1480, when his estates were inherited by his daughter Jonete who brought them to the Erskines of Dun on her marriage to Thomas Erskine. She is described as domina de Quhitefield et Petdynneis [b].

Another numerous branch closely connected with the Leightons of Usan settled in the lands of Ethie near Arbroath. This property, now owned by Lord Northesk, they acquired from the Abbey in 1483, [c] and they continued for several generations in possession even after the dissolution of the monastery.

Numerous small properties in Forfarshire and the adjacent counties were from time to time possessed by younger sons of the Leightons of Usan, but after the sale of its headquarters, the family lost its importance and its members seem to have scattered themselves over the world in search of fortune. In the early part of the 19th century the property of Bearhill Brechin was acquired by David Leighton, a descendant of Usan, but was sold on his death, and in 1869, the farm of Westerton of Dunlappy was purchased by two sons of Alexander Leighton, a tenant farmer in Drumcairn, and renamed by them Cairndrum, but it is doubtful whether there is an acre of land in Forfarshire now owned by a Leighton, and the surname has almost disappeared from the district with which it was for so long associated.

AUTHORITIES.

[a] *Angus vol iii, p.* 157; [b] *R.G.S., vol. i, Nos.* 1939 *and* 3481: [c] *Arb. Cart. vol ii, p.* 201.

CHAPTER IV.

COAT ARMOUR.

The right to bear arms is one of the usual incidents of Knighthood so that when Sir William de Leighton on the 19th of July, 1291, paid homage to King Edward I, within the chapel at Kinghorn, he was probably possessed of an emblazoned shield, which however under the somewhat humiliating circumstances, he may have left at home. An Act of the Scottish Parliament of the year 1430, indicates that every holder in franc tenure was expected to possess "a sele of his armys" so that the Leightons as holders of the free barony of Usan would be armigerous, but there is no need for conjecture for evidence exists to prove that from a very early date they were gentlemen of coat armour.

In 1494 we find Walter de Lychtone de Houshawin and his brother Duncan, described as "Armigers," [a] and the deeds of 1566 and 1592 [b] by which John Lichtoun of Ulishaven entailed the barony, provided that, failing the persons therein specified, the property was to go to "his nearest male heirs *bearing the arms and "name of Lichtoun.*"

The seal of this John Lichtoun of Usan, was in 1572 charged with a lion rampant. The seal of Dominus Robertus Leghtoun

according to Laings Catalogue of Scottish Seals, bore a similar charge in 1536, and while we have no evidence to shew what device was borne in the previous century by the Walter and Duncan above mentioned, there seems no doubt that a lion, blazoned, either rampant, salient, or passant, has always adorned the family escutcheon. The assumption of this device may have been originally due to the connection of the Leightons with the Scottish Royal House, or perhaps, it was the result of their relationship to the Ogilvys of Airlie who bore, and still bear, a lion passant, and whose ancestor, Sir Walter Olgivy of Auchterhouse (1391), is recorded as a half brother of Walter de Lychton.

Guillim in his "Display of Heraldry" published in 1724, quaintly describes the Arms as follows :—"Argent, a Lyon passant, Gules. This pertains to Leichstein of Uzzan. He beareth Pearl, a Lyon passant guardant Ruby, gorged with a Ducal crown Topaz, and charged on the shoulder with a Mullett of the first, and is born by the name of Ogilvy an honourable and spreading Family in Scotland, the Chief of whom are the right Hon. James Earl of Airly, Elight, and Glentrahen, a person ever loyal to the Crown, and was concerned with the Earl of Montross in his loyal undertakings, etc."

A copy of the marginal illustration given by Guillim will be found on the frontispiece to this volume (fig. 2.), together with a facsimile of the representation of the Arms (fig. 1.) of Lichton of Uzsan depicted in the Ancient heraldic roll, known as "Gentlemens Arms" supposed to have been compiled in the reign of Charles I and now in the possession of the Lord Lyon King of Arms at Edinburgh.

Guillim's Blazon is practically identical with the Arms of Ogilvy of Airlie, except that in the latter the lion is crowned with a ducal Crown and is not charged with a mullet.

Nisbet in his "System of Heraldry" published in 1722 says :— "When the Lion as I have said is Bendways it was anciently blazoned salient and not rampant, as in the following coats of

Arms in our old Books by the name of Lighton, Argent, a Lion salient, Gules. But in our new books Lichton of Ullishaven has the same bearing, but the Lion is said to be rampant; Crest a lion's head, and for motto "Light On." Sir James Balfour's M.S. in the Advocates Library, Edinburgh, gives Lighton, Gules, a lion salient Argent.

Pont's M.S., circa 1624, gives two blazons, one Lighton of Wlichen Argent, a lion rampant Gules, armed Or; and Lighton, Argent, a lion rampant gules, armed Or, *aliter* Argent, a lion passant gardent Gules.

In the M.S. of Sir Patrick Hume of Petworth we find Lighton of Usan, Gules, a lion passant Argent.

Porteous has Argent, a lion rampant Vert, armed and langued Gules, while Lord Crawford's M.S.—ascribed to Sir David Lindsay, Knt. of the Mount, Lord Lyon King of Arms—has Lichtoun of Ullisheavin, Gules, a lion rampant Argent, crowned Or. (see frontispiece *fig. 3*).

In 1672 Robert Lyghtone, Colonel in the service of the King of Sweden, son of the deceased John of Ulissishaven lieut.-colonel in the same service, of whom hereafter, registered at the Lyon Office Edinburgh the following Coat:—Argent, a lion rampant Gules, armed and langued Azure. Crest a palm tree Vert: motto "*Per adversa virtus*" and this must be taken as settling the tinctures and position of the lion, though the crest like the motto was probably new.

The seals 1666 and 1673 of Robert Leighton Bishop of Dunblane and afterwards Archbishop of Glasgow were—a lion rampant, with a lion's head erased as crest, and it seems probable that the latter was the old crest of the Usan family, although sundry Scotsmen of the name have used entirely different crests, for example:— "A Minerva's head proper affrontee" and in another instance "An Eagles head erased proper holding in the beak an acorn Or, stalked and leaved Vert." These Crests seem to be of comparatively recent date and as they do not appear to be recorded in any of the ancient heraldic manuscripts or at the Lyon Office, they are probably unauthorised.

Sir Christopher Lighton the Irish Baronet, whose ancestors emigrated from Scotland early in the eighteenth century, bears the Usan coat and crest but considerably differenced viz. :—Barry of eight Argent and Vert, over all a lion rampant crowned with an eastern Crown Or, armed and langued Gules. A canton of Ireland. Crest a lions head erased, crowned with an eastern Crown Or, langued Azur, his motto being "*Fortitudine et prudentia.*"

When General Sir David Leighton, K.C.B., in 1837 registered his Arms at the Heralds College, Garter and Clarencieux excelled themselves and the deed under their seals is a monument of careless work and execrable heraldry of which the Heralds Office has no reason to be proud, the ancient arms of the Leightons of Usan having been cumbered by way of augmentation with an over-charged chief, and otherwise "differenced" as follows :—"Argent, a lion rampant Gules, supporting between the paws a sword erect proper, pomel and hilt Or, a chief embattled Azur, thereon pendant from an Orange (*sic*) ribband a representation of the Seringapatam medal between two leopards faces Or. The assault and capture of Seringapatam occurred in 1779 before the present custom of scattering decorations broadcast had come into vogue: medals were rare and were valued accordingly, and the heralds of the Georgian and early Victorian era adopted the ill conceived practice of charging shields with these "representations" in honourable allusion to the services of the grantees. It was done in the case of Lord Camperdown and several others, but was at best questionable heraldry, and is much to be regretted in these days when every tradesman's advertisement is illustrated with representations of prize medals.

The old motto of the Leightons of Usan was the canting one "*Light on*" which, regarded merely as an indication of the correct pronunciation of the surname, is of interest. It was retained by Sir David Leighton and is still used by his descendants, but other Scottish Leightons have adopted various mottoes and some have even had the bad taste to filch the ancient motto "*Dread shame*" of the Shropshire house, an unwarrantable usurpation for there is not the

slightest ground for supposing that the two families were ever connected.

AUTHORITIES.

(a) *App. No. XIII:* (b) *Ibid. No*

CHAPTER V.

HENRY DE LYCHTON.

(of Inverdovat).

Henry de Lychton of Inverdovat in the County of Fife is the first person to whom we can point with any confidence as an ancestor of the family of Leighton of Usan for however probable it may be that he was a relative or descendant of the William de Lechton of 1260 the Sir William de Legheton of 1291 and the William de Lecton of 1296, there is no corroborative evidence beyond the convenience of dates and localities.

Inverdovat, which lies about a mile to the north of the Kirk of Forgan, a Parish on the Fifeshire bank of the Tay opposite to Dundee, was acquired by Henry de Lychton in 1363 by purchase and not by inheritance, so that the possession of the property affords no link between himself and his forbears, but seeing that the William de Lecton who swore fealty in 1296 was described in the Ragman Rools as "del Counte de Fyf" it is possible that in acquiring Inverdovat Henry de Lychton was merely enlarging his inherited estates. ~~Be this as it may, the Charter of the lands of Inverdovat may~~ be regarded as the first link in the genealogical chain which the following pages attempt to forge.

Between the years 1348 and 1384 Henry de Lychton appears in many ancient documents which prove him to have been a man of rank and distinction and a pillar of the church, and, although these records do not in terms identify him with Inverdovat, the dates and localities and the persons with whom he is repeatedly associated, leave little room for doubt that the same individual is referred to in each.

Peters dubs him—we think incorrectly—a knight, and states that he was renter of the tiends of Brechin Cathedral from 1354 to 1384. [a] In 1348 he was present with Walter de Maul and Alexander de Ogilvy "and other honourable men," at Forfar when certain proceedings were taken by William Abbot of Arbroath against the Burgesses of Dundee, for having infringed the rights of the monastery by levying tolls upon its goods. [b] He witnessed charters of Maule of Panmure in the same year [c] and of Thomas Scheyl of Brechin in 1351. [d] In 1360 H..... de Lychton, doubtless the same individual, rendered his account as one of the collectors for the town of Forfar, within the Brechin district, of the third contribution for the ransom of the King. (David II) who had for eleven years been a prisoner in England, [e] while in the 34th year of the same King (1363) he had the charter above mentioned from John de Moravia, Lord of Newton in Fife, of the lands of Lochflat, Welflat and other lands in Inverdovat. [f]

The reason why this document affords strong presumptive evidence of the descent of the Usan family from Henry de Lychton, is that a century and a half later, viz : on the 28th of December.1512, we find a lease by Andrew Bonner "to his lovit freynd John Balfour as his sub-tenant of the lands of Innerduffat called Lichtonis lands lying in the half barony of Nauchtane (i.e. Newton) and Sheriffdom of Fife, *which lands the grantor and his spouse had in assedation from Walter Lichtoun of Wolfisharyn*,"[g] and although these lands may have been inherited by Walter de Lichton of Usan, from a collateral relation, the fact that Henry left issue combines with other circumstances to render such an assumption improbable.

Long after his death Henry de Lychton is referred to in an *Examinatio testium ad perpetuam rei memoriam* held at the Cathedral at Brechin in 1435 concerning the services due to the Bishop and Chapter in respect of the tiends or church lands of the parish of Lethnot. (h) In this record he is described as "*quondam "nobilis vir*" and it is proved by the evidence of Magister Cuthbertus an octogenarian, and other witnesses, that Henry (who is incidentally referred to as the father of John de Lychton) had in former times in discharge of his obligations as *arrendator ecclesie de Brechine*—presumably lay impropriator of the tiends or tithes—provided for the use of the Bishop and Chapter one large white horse and one cart for the hauling of stones for the erection of the bell tower which still adorns Brechin Cathedral.

Of the exact date of Henry de Lychton's death, we find no record, but, assuming Peters to be accurate, he was living in 1384. His wife's name was Jonete as appears from the record in the Aberdeen Cartulary of an anniversary founded in 1440, for the repose of their souls by their son Henry, the distinguished Bishop first of Moray and afterwards of Aberdeen, to whom a subsequent chapter is devoted. (i) It is curious, having regard to the Scottish custom of referring to married women in legal documents by their maiden names, that in this charter and elsewhere the surname of the wife is given as Lychton; a possible inference would seem to be that she was a cousin of her husband, and for reasons explained later, there appears ground for thinking that she was the widow of an Ogilvy when she married Henry de Lychton.

He had at least three sons and two daughters, and there were probably other children. In addition to Henry, and John, already named his heir, and therefore, presumably his eldest son, was probably Walter de Lychton of whom see Chapter VI. A fourth son was probably Sir Alexander de Lychton a Knight of the Order of St. John of Jerusalem who was the head of the Scottish Hospitallers.

Various churchmen named John de Lychton are recorded early in the fifteenth century on the east coast of Scotland, among others,

one who in 1423 applied to the Pope to hold—at his own petition and that of the Earl of Mar—*whose cousin he was*— for certain benefices. [k]. This record of relationship to the Earl of Mar, is significant. The Earl was not a very desirable connection being a natural son of the Wolf of Badenoch, but, as such, he was a nephew of King Robert and also of the Regent Duke of Albany with whom Bishop Henry de Lychton claimed kinship.

One of Henry de Lychton's daughters, according to Douglas, married Robert Spotswood of that ilk, and by him had a son and heir, Henry Spotswood, who in many authentic charters is designed as nephew to Bishop Lychton in the reign of James I, with whom he was in great favour, [l] while the other Marjory married John Johnston of Caskieben and Ballindalloch, and by him had a son and heir Gilbert. Douglas refers to the former as "of the antient family of Owsan," and to the latter as "a daughter of the laird, of Owsan in Angus" and probably based his statements upon the evidence of family charters which the author has been unable to discover.

AUTHORITIES.

[a] *Bar of Ang., p.* 100; [b] *Arb. Cart., vol. ii, p.* 20; [c] *Reg de Pan. vol ii, p.* 170; [d] *Brech Cart,* 382; [e] *E. R. S., vol. ii, p.* 40; [f] *App. No. III;* [g] *Laing's Charts. No.* 290; [h] *App. No. VII;* [j] *App. No. VIII;* [k] *Pap. Pet., vol. i, p.* 621; [l] *Bar. of Scot. p.* 446.

CHAPTER VI.

WALTER DE LYCHTON.

A gud Sqwyer of gret renown.

It has been shewn in the previous Chapter that as the estate of Inverdovat was in the possession of the Leightons of Usan in 1512, it is practically certain that they were descended from Henry de Lychton who acquired it in 1363.

By a similar process we identify Walter de Lychton as an ancestor of the same family, for after his death his son received a grant of the lands of Campsey, which subsequently descended from father to son as part of the barony of Usan, [a] and, although there is no conclusive proof of the relationship, it is difficult in view of the foregoing facts, to dates, and other coincidences, to resist the conclusion that the subject of the present Chapter was the eldest son and heir of Henry.

He is mentioned in a charter of 1384 and in 1390, he is recorded as witnessing Patrick Forsters Charter of certain lands in Inverdovat, [b] a circumstance which tends to support the above view, for, assuming that he succeeded to his father's property, we should naturally expect to find him witnessing his neighbours' charters.

Like Thomas de Lychton—see p. 10—Walter seems to have held some post in the King's Household. In 1382 he is mentioned in an account of the customs of Montrose, as receiving by order of the King £20 for his fee, (c) in 1388 his name occurs in an account of expenses incurred by him at Kyndroucht (Kinross) on behalf of his Majesty. (d) On the 6th of February 1382, he is recorded as present with the King's son Robert Earl of Fife and Menteith, afterwards Duke of Albany (with whom his brother the Bishop, claimed kinship) when Adam Bishop of Aberdeen removed a sentence of excommunication, (e) while in 1384, he is again mentioned as a witness, on this occasion to a charter by Margaret Countess of Douglas. (f)

He was killed in May 1391, at the feud of Glenbrierachan in the Stormont, a sanguinary contest which occurred at a place called Glaskune in Perthshire, in the vale of the Brierachan river near Blairgowrie. (g)

The notorious Wolf of Badenoch Alexander Earl of Buchan—fourth son of King Robert II—in consequence says Tytler "of some provocation given to him by the Bishop of Moray, descended from his mountains with a horde of Highlanders, and after laying waste the country with a sacrilege which excited unwonted horror, sacked and plundered the Cathedral of Elgin, carrying off its rich chalices and vestments, polluting its holy shrines with blood, and finally setting fire to the noble pile, which, with the adjoining houses of the canons and the neighbouring town, was burnt to the ground. This exploit of the father was only a signal for a more serious incursion conducted by his natural son Duncan Stewart, who at the head of a wild assemblage of Katherans, armed only with the sword and target, broke with irresistible fury across the range of hills which divides the counties of Aberdeen and Forfar, and began to destroy the country and murder the inhabitants with reckless and indiscrimate cruelty."

"Sir Walter Ogilvy, then sheriff of Angus, with his half brother Walter de Lichtoune, Sir Patrick Gray, and Sir David

Lindsay of Glenesk instantly collected their power, and, although far inferior in numbers, trusting to the tempour of their armour, attacked the mountaineers at Glaskune near the waters of Ila. They were, however, almost instantly outnumbered and overwhelmed, the Katherans fighting with ferocity and supreme contempt for life. Ogilvy, Lichtoune, Young of Ouchterlony, and the Lairds of Cairncross, Forfar, and Guthry, were slain, and sixty men at arms along with them; while Sir Patrick Gray and Sir David Lindsay were grieviously wounded, and with difficulty carried off the field.

The indomitable ferocity of the Highlanders, is illustrated by an anecdote related by Wyntown who says that Lindsay had pierced one of these, a brawny and powerful man, through the body with his spear, and thus apparently pinned him to the earth, but, although mortally wounded and in the agonies of death, he writhed himself up by main strength, and, with the weapon in his body, struck Lindsay a desperate blow with his sword, which cut him through the stirrup and boot to the bone, after which the Katheran instantly sank down and expired.

Wyntown, in referring to the deaths of Lichtoune and Ogilvy quaintly records the fact that they were half brothers as follows:—

"Gud schir Walter of Ogilwy
"That manly knycht and that worthy,
"Scherrave that tyme of Angus,
"Godlike, wis, and verteuous;
"And a gud Sqwyer of gret renown
"His Bruthir Wat cald of Lichtoune
"(To this gud Schirrave of Angus
"Half Brothir he wes, and rycht famous;
"Of sundry Fadirs was thai twa'
"Of lauchful bed ilkane of tha' ") (b)

This is the earliest of many references to the alliance, between the Leightons and the Ogilvys, who for long after this period are found in company, both as witnesses and in the clan feuds which

were so common in Scotland in bygone days. If Peter's statement that Henry de Lychton was living in 1384 is reliable, it follows that Sir Walter Ogilvy cannot have been the offspring of his widow's remarriage, so that presumably she must have been the widow of Ogilvy's father before she married Henry de Lychton.

Sir Walter Ogilvy's death created a vacancy in the sheriffdom of Angus, and we immediately find Duncan de Lichtoun, possibly another half brother, appointed in his place as sheriff *locum tenens, et vice comitatus de Forfar.* (j).

Contemporaries were David de Lichtoun and Ricardus de Lichtoun who appear in 1409 as jurors upon an inquisition before Walter de Ogilvy, Bailiff of the Regality of Arbroath, and who are described as *nobiles domini.* (k)

AUTHORITIES.

(a) *Ant. of Aberd., vol. iv, p.* 453, *App. No. V*; (b) *Reg. Mag. Sig. p.* 201; (c) *E.R.S. vol. vii, p.* 94; (d) *Ibid. p.* 177; (e) *Aberdeen Cart., vol. i, p.* 163; (f) *Ibid, p.* 167; (g) *App. No. IV and Fordun, vol. ii, p.* 420; (h) *Cronykill, vol. ii, p.* 369; (i) *E.R.S., vol. ii, pp.* 268, 269, *Reg. Mag. Sig. p.* 201-8 *and Chamb. Rolls, vol. ii, p.* 181-3; (k) *Arb. Cart., vol. iip.* 47.

CHAPTER VII.

HENRY DE LYCHTON, B.C.L.

Scholar, Prelate and Diplomat.

"Erat Henricus," says Hector Bœce, "familia nobilis, fortunis "opulentus, doctrina insignis, et vita gravis."

If the quaint old Scottish historian had had access to the archives of the Vatican, he would perhaps have modified this eulogy, so far as it concerned the moral rectitude of the prelate's life, but that, as Rudyard Kipling would say, is another story.

We have it upon the bishop's own authority that he was a son of Henry and Jonete de Lychton—see Chapter V—and, endowed as Bœce tells us he was, with birth, wealth, brains, and all that makes for success in life, it is not astonishing that he attained to the highest positions, not only in the Church, but in the sphere of diplomacy, and became the most illustrious scion of the Scottish family of Leighton.

The date of his birth is unrecorded, the earliest known reference to him occurring in the year 1394, when he appears as Henry de Lythouneris, B.C.L., in a petition to the Pope for a canonry

of Aberdeen "notwithstanding he already held the perpetual vicarage of Meykinche in the diocese of St. Andrew's." [a] His petition seems to have succeeded for on the 10th of November 1404 we find him witnessing a charter by Isabella, Countess of Marre. [b]

Leighton however had no scruples on the score of pluralities for in the following year he again petitioned His Holiness, this time for a cononry of Brechin with expectation of a Prebend,[c] and within the next few years he held the rectory of Kinkell in the Diocese of Aberdeen[d] the prebend of Inverkeithing in Moray, value £100, and that of the hospital of Ruthven with its chapels.[e] Notwithstanding all this preferment he was not yet in priests orders, for in 1409 he applied to Benedict XIII for a dispensation that he might not be ordained for five years while studying at an university.[f]

In this petition he is described as deacon, licentiate of civil law, bachelor of canon law, rector of Kinkel and *Kinsman to the Duke of Albany*, a fact which goes far to explain his rapid preferment, see also pp. 26 and 28.

In 1414 John de Innes Bishop of Moray died, and a meeting of the Chapter of the Cathedral was held at Elgin for the election of his successor. Henry de Lychton--who in addition to his other offices was a canon and chanter of Moray—was present. Innes had already begun the restoration of the Cathedral destroyed in 1390 by the Wolf of Badenoch—see Chap. VI.—and it was resolved that whoever should be chosen to succeed him should devote one third of its revenues to the completion of the work. The choice fell upon the chanter and Lychton was accordingly consecrated Bishop of Moray on the 8th of March 1414-15 at Valencia.[g]

While Bishop of Moray he presented the Cathedral of Aberdeen with two pairs of episcopal gloves and jewelled images of St. James and St. John.

In the year 1422 he was translated to the see of Aberdeen, being allowed "in order to spare him the labour and expense of coming to

the Roman Court" to take the oath of fealty before the Bishops of Dunblane and Dunkeld[h] and on the 20th of February 1423 we find him as Bishop of Aberdeen witnessing a Charter founding a Chaplainry at St. Mary's alter in the choir. Here his munificence was continued for, besides bestowing on his church many books and costly ornaments vestments and plate recorded in its inventories, he was the builder of by far the greater part of the existing Cathedral. The nave with its south aisle fine porch still finer west window (the seven sisters) and western towers,—not the spires,—and the Chapel of St. John in which he was afterwards buried, were his work; and "plain as the Cathedral is," says the Dictionary of National Biography, "its size and the admirable suitability of its style to the intractable granite of which it is composed fairly entitle Lichton to a place among the great church-builders of Scotland." He also enlarged the episcopal residence, embellishing the bishops palace and its grounds.

On the 20th of April 1439, he founded an anniversary for himself, and on the 16th of May 1440 one for his parents, Henry and Jonete, entrusting the property which he dedicated to this pious use to his nephew Gilbert Johnston.[i]

A more questionable transaction was the conversion on the 28th October 1427 of the revenues of St. Peter's Hospital—a foundation which he alleged was abused—to the maintenance of his episcopal table and the support of two Chaplains of St. Peter in the Cathedral for which he obtained the sanction of Pope Eugenius IV in 1435.

Lychton however did not confine his activities to the church. In 1415 he is found at a meeting of the Scottish Parliament—the Committee of Estates—at Perth, and in 1423 he was employed on a mission to England to negotiate for the ransom of King James I. On this occasion he was the spokesman of the deputation, and what purports to be a verbatim report of his remarks—for the authenticity of which we do not vouch—is given in Crawford's Genealogical History of the Stewarts published in 1710 :—

"My Lords,

The Respect and Reverence, which the Scots Nation carrieth towards all Kings, is every where known, but most that Love and Loyalty which they have to the Sacred persons of their own native Princes; for as Monarchy is the most Ancient form of Government, so have they ever esteemed it the best, it being more easy to find one instructed and trained up in Heroical virtues, than to find many. And how well soever Governours and Vice Gerants rule the Commonwealth, yet is that Government but as the Light of the Moon or stars in the absence of the Sun, but the Representation of Shadows for Real Bodies. This hath moved the three estates of that Kingdom to direct us here unto you.

Our King these many years hath been kept from us, upon just or unjust grounds, we will not argue: That Providence, which hath appointed everything to its own End, hath done this for the best both to you and us; and we are now to treat with you for his delivery, beseeching you to remember, that his Father, of Sacred Memory, recommended him, out of that general Duty that one Prince oweth to another, to your Kings Protection, in hope of Sanctuary, and in request of Aid and Comfort against his Secret, and consequently his most Dangerous Enemies: And we must confess, that hitherto he hath been better and more secure amongst you, than if he had been in his own native Country; for your Favours have been many ways extended towards him, having brought him up in all Liberal Sciences and Arts; so that his abode with you seemeth rather to have been a Remaining in an Academy than in any Captivity, and that he had been lost if he had not been lost. Besides tho' we have the Happiness to claim his Birth and Stem, ye have the Claim of his Succession and Education, He being now Match'd with the Royal Blood of England (for he had married the Earl of Sommersets Daughter) so that his Liberty, which we ask, is a Benefit to your selves and those Princes which shall claim the Descent of his offspring: For if it should fall forth (as what may not, by the variable Changes of Kingdoms, come to pass) that this Prince should be Dethroned, tis your swords that should restore

him to the Possession of his Royal Diadem; and we expect, that as you have many times rendered him yours, you will not refuse to engage him yet more by his Liberty, which he must acknowledge wholly and freely to receive from you; and by Benefits and Love, to overcome a King, is more than by Force of Arms. And since he was not your Prisoner by Chance of War (since he never rais'd Arms against you) but by way of Protection detained here and entertained; so we expect, that you will act according to your Ancient Honour and Generosity, and send him freely back to his own: Yet if it be so, that you will have an Acknowledgment for what ye have bestowed on his Education, the Distress of the present State of his Subjects and Crown considered, we will not stand upon Trifles of Money, for the Redemption of a Prince above all Price."

After the King's release Bishop Lychton was one of those selected for an Embassy to Rome whence he returned prior to June 1427, and in the following year letters passed under the Great Seal appointing him one of three Ambassadors to the French Court for treating for the Marriage of the infant Princess of Scotland to the Dauphin. Again in his old age this prelate was chosen with the Bishop of Moray to mediate between the factions of Crichton the Chancellor and the Livingstones as to the custody and education of the young King, James II.

He died on the 14th December 1440, and was buried at Aberdeen on the North side of St. John's aisle amid the ruins of which his mitred effigy in granite remained until a year or two ago exposed to wind and weather. It has recently been removed to the interior of the Cathedral, but the ravages of time have quite destroyed the features and sculpture. Upon a freestone slab his epitaph, now almost undecipherable is engraved in Latin to the following effect:

> "Here lies of blessed memory Henry de Lychtoun Doctor of Civil and Canon laws, who, having for some time taken upon him the government of the Church of Moray where he presided over them for the space of seven years, was at last translated to this, wherein he reigned eighteen years. He laid the foundation of the choir and very much advanced the fabric of the said Church. Anno. 1440."

Students of history have long been aware that the standard of morality in the middle ages was not what it is now, and that the Church was by no means free from vice, but the Calendars of the Papal Petitions and Letters now in course of publication by the Record Office throw a searching light upon the peccadilloes of the clergy. On page after page one finds candidates for priests orders dispensed for illegitimacy as the sons of priests, until one is forced to the conclusion that the priesthood was to some extent almost hereditary!

That Bishop Lychton was no exception to Mark Antony's dictum that "the evil that men do lives after them" is shewn by a "mandate" from Rome "to the Bishop of Ross (*seeing that for certain causes the Bishop of Aberdeen is not to be written to in this matter*) to dispense Andrew of Glaister and Jonete de Lychton to contract anew the marriage which they formerly contracted *per verba legitime de presenti* and consummated in ignorance of the existence of an impediment of spiritual relationship arising from the fact that Andrew received the sacrament of confirmation from a certain Bishop *(antistite)* Janets father".[j]

Coupled with the contract made upon the marriage of the parties referred to [k] this affords clear evidence that Bishop Lychton had no less than four natural children viz: a son whose name time has obliterated, another named Alexander, probably the priest of that name who was a party to the conversion of the revenues of the Hospital of St. Peter to the Episcopal table,[l] a daughter Elene or Helen, who married her father's nephew and her own first cousin Gilbert Johnston of Balnedache, son and heir of John Johnston of Caskieben by Marjorie Lychton his wife, and another daughter Janet, who became the wife of Andrew Glaystir; and was obviously named after her grandmother.

The Author was at one time disposed to think that the son whose name is illegible must have been Duncan Lychton, who was Chancellor and Treasurer of Aberdeen Cathedral during Bishop Lychton's time, and at various periods Vicar of Gamrie in the diocese of St. Andrews, Rector of Logie Buchan in that of Aberdeen,

a Canon of the Cathedrals of Aberdeen, Brechin, Dunkeld, and Moray, and Dean of Brechin; "*qui quidem Magister Duncanus fuit nepos Henrici de Lichtoun episcopi Abirdonensis.*"[m] Nepos is however an equivocal term, and, while it is possible that this Duncan may have been the offspring of the Bishop, the evidence tends to the contrary. None of the references to Duncan in the Papal Calendars mention that he was "dispensed," but on the contrary it is specially stated that he was "by *both* parents of noble race"[n] so that it seems more likely that this prosperous ecclesiastic—who evidently lost nothing by his kinship—was a legitimate nephew of the Bishop and possibly a son of Walter (I), or of the Duncan who after Walter's death became Sheriff locum tenens of Angus, see p 30. In the History of the Carnegies of Southesk this Duncan is referred to as "of" Ulishaven but no record is quoted in support of the assumption that he was ever laird of Usan and we venture to believe that none exists.

It is also probable that the missing name was John for there was a John Lychton Bachelor of Civil Law of the diocese of Aberdeen who was dispensed as the son of a priest, and certain references to him in the Papal Calendars seem to indicate that he was the individual more than once mentioned in the Aberdeen Cartulary, and there described somewhat indefinitely as "*Johannes, filius Henriei burgensi (sic) de Aberden.*"[o]

AUTHORITIES.

[a] *Pap. Pet. vol. i, p.* 586; [b] *Ant. of Aberd. vol iv, p.* 731; [c] *Pap. Pet. vol. i, p.* 621; [d] *Ibid. p.* 639; [e] *Ibid. p.* 602; [f] *Ibid. p.* 639; [g] *Grubb. Eccl. Hist. Scot. vol. i, p.* 368; [h] *Pap. Let. vol. vii, pp.* 248, 259; [i] *App. No. VIII;* [j] *Pap. Let. vol. viii, p.* 447; [k] *App. No. VI;* [l] *Aberd. Cart. vol. i, p.* 228; [m] *Ibid. vol. ii, p.* 141; [n] *Pap. Let. vol. viii, p.* 651; [o] *Aberd. Cart vol. i, p.* 221.

CHAPTER VIII.

SIR ALEXANDER DE LYGHTON.

(Knight of the Order of St. John of Jerusalem).

Mr. John Edwards, in an account of the Hospitallers in Scotland,[a] expresses the opinion that Sir Alexander de Lyghton was probably a brother of the Bishop of Aberdeen, and that this relationship was doubtless the reason why the privileges of his Order were engrossed for preservation in the Aberdeen Cartulary, where he is described as Prior of Torphichen, and Guardian and Governor of all the lands of St. John of Jerusalem in Scotland.[b]

That he was not the Bishop's natural son Alexander mentioned in the Glaister marriage contract of 1428 seems clear, because there is every reason to believe that the Prior died prior to October 14th 1427, on which date others were appointed governors of the Scottish Preceptory of St. John of Jerusalem and its possessions.[c]

In 1412 he petitioned Benedict XIII for a grant of the Priory of the Scottish Hospitallers at Torphichen in Linlithgowshire, the revenues of which were valued at £500 per annum, a considerable sum in those days.[d] His petition was successful but he found others in possession and disputes arose. In 1415 "Brother

Alexander of Lyghton" with his rivals John of Bynning and Thomas Goodwyn received a safe conduct from the English King to attend the Chapter in England when the matter was doubtless discussed.(e)

An assembly of the Order was afterwards held at Avignon, and on the 11th August 1418 a provisional compromise was arrived at, the revenues in Scotland being divided between the three claimants but not in equal proportions, Sir Alexander—who seems to have had the advantage of being present—making a good bargain and securing the lion's share. The terms of the arrangement are contained in a Bull discovered among the Archives of the Order at Malta, a verbatim copy whereof with translation is given in the Scottish Historical Review for October 1911,(a) and from the same source we learn that on the 23rd August 1418 "Brother Alexander de Lychtoun of Scotland" received a licence from the Grand Master of the Order to proceed, in what manner he pleased with suitable horses and armed retinue, to the headquarters of the Order at Rhodes, where his presence was probably required for a full and final adjustment of the difficulties which had arisen in Scotland.

"Although belonging to the clergy in a medieval sense by virtue of his vows," says Mr. Edwards, "Leighton was probably not in priests orders, but represented the militant side while Goodwin and Bynning were entrusted with the maintenance of religious worship; and though bound, as all Hospitallers were, by vows of poverty chastity and obedience, he would be more in his element in a battle than in celebrating divine service in Latin."(a)

As already stated the Prior probably died before October 14th 1427, when the affairs of the preceptory are found in other hands.

AUTHORITIES.

(a) *Scot. Hist. Rev. vol. ix, p.* 52; (b) *Aberd. Cart. vol. i, p.* 220; (c) *Reg. Mag. Sig.* 22 *Jac.* 1, *No.* 104; (d) *Pap. Pet. Vol. i, p.* 598; (e) *Bain. Cal. vol. iv, p.p.* 854, 868, 869.

CHAPTER IX.

A CENTURY OF WALTERS.

Walter de Lychton (I)—see page 27—was succeeded as head of the family by three more Walters.

On the 23rd of January 1406 Walter de Lychton (II) who is described as "son and heir of the late Walter de Lychton" received a charter under the Great Seal to himself and his heirs in fee of an annual rent issuing out of the lands of Campsey in the barony of Luntrethyne, (Lintrathen) together with the superiority of the said lands.[a] Jervise suggests that this grant may have been obtained through the influence of his relatives the Ogilvys, presumably as some kind of compensation for his father's death in action, but the Charter contains nothing to indicate that the transaction was not an ordinary sale and purchase. Nor do the records vouchsafe anything further concerning this Walter—not even the name of his spouse—we must therefore assume that he was a decent member of society who died peacefully in his bed somewhere about 1442 or 1443, for in the latter year another Walter—doubtless his eldest son and heir—had sasine of the lands of Campsey.[b]

It seems likely that he had another son John, who inherited part of his estates, for about the same time John Lychtoun is recorded as taking sasine of the lands of Inglistoun and Balcaskie in Fife,[b] in which he was succeeded in 1461 by his son David, and the latter was in 1480 succeeded—in default of male issue—by a daughter named Janet who married Thomas Erskine son of the laird of Dun. [c]

Contemporaries of Walter (II) were Andrew de Lychtoun who in 1435 received a remission from the Abbot of Arbroath for the slaughter of James Gibsoun,[d] and David de Lychtoun who was a juror upon an inquisition in 1438, and again in 1448.[e] In 1453 Davy Lychtoun is mentioned in the Accounts of the Dean of Guild of the Burgh of Aberdeen as the recipient of £12, [e] and this may have been Sir David Lychtoun—see page 48—who before his appointment as Lord Abbot of Arbroath held the post of King's Treasurer, but the Author has found no record to prove the identity.

Walter de Lichtoun (III) succeeded to the lands of Campsey in 1443 as already stated, while in 1451 his sasine of half the lands of Dullathy, (Dalladies) in the Mearns, is recorded. [f] He is the first of the family to be designated "of" Usan, and it is clear that he acquired the latter estate prior to the 30th of June 1467, on which date we find a charter under the Great Seal by which half the lands of "Dunlabee cum le Strath" in the County of Kincardine were resigned by Walterus de Lichtoun de Howsane and confirmed to him and his wife Christiane de Spens—doubtless a daughter of the ancient family of Wormiston—and the survivor, and his lawful heirs. [g]

The lands referred to were probably Dalladies and Steilstrath in the Mearns, close to the borders of and perhaps *quoad sacra* within the old parish of Dunlappie. It will be found that the lairds of Usan generally settled this part of their property upon their wives, so that it seems likely that this charter was executed in pursuance of a marriage contract and that the marriage took place at about this time.

On the 12th of June 1481, when he was described as "Walterus "Lichtoun de Howshawin et de Wester Campsy," he—"*pro singulari "dilectione filiali quam habuit erga ipsum*"—granted to his son and heir apparent Walter Lichtoun (IV) and his heirs the lands of Wester Campsey in the County of Forfar and half the lands of Dunlawe in the County of Kincardine, reserving his own and his wife's life interests. [h] This charter, which proves that Christian de Spens was still living, was witnessed by, among others, Rob. Lichtoun, possibly another son, and perhaps the Dominus Robertus Leghtoun the charge on whose seal in 1536—a lion rampant—is mentioned by Laing. [i]

In 1484-5, Walter Lichtoun of Owsane in 1485-6 Walter Lichtoun of Ousane and in 1486-8 Walter Lichtoun de Osan, obviously the same individual—was "Custumar" of Montrose, an office which doubtless involved the collection of the customs, or port dues. [j] His daughter Isabella married David, son and heir of David Rossy o' that ilk, and some dispute appears to have arisen in connection with the marriage settlements for on the 21st of May 1484, the Lords Auditors decreed that the latter should "infeft by "charter of fefing in the best form as ever David Rossy, his soun "and apparend air, and Isabell Lichtoun his (the son's) spous, ye "docht of Walt Lichtoun, in joint fefmet of ten pounds worth of "his lands of Rossy." [k]

In the same year Walter Lichtoun was involved in some litigation between "William de Strueli (Stirling) " on "ye ta pt" and "Master George Strieuelin and certain uther psonis" including himself. This was probably a Stirling family dispute into which Walter de Lychton as the friend of one of the parties was drawn, but no details are given and the proceedings were "remit and referrit "to ye lords of Counsale to be decidit and determyt before ye Juge "ordind." [l]

On the 9th August 1488, Walt Lichtoun of Wllishavin was, with David Kynnere of yt Ilke, Johne of Kynnere his sone and apparend are, Pat'c Kynner, George of Kynner, John of Kere,

Thomas Butlare of Rugaway, James Garden, Andro McGown, James Dowblare, John Rany and Thomas Esop, brought before the Lords in Council at the suit of Mgret Dempstour "for ye wrangwis spoliacioun from the said Margret of certain property, striking and hurting of her and her bairnis, etc., etc." No details are given the case being adjourned to the 8th of October following. Nobody with any experience of litigation attaches much importance to the allegations in a Statement of Claim—which are even in these days frequently grossly exaggerated—without hearing the defence, and as the result is not recorded we can only hope that this ungallant conduct was not brought home to the laird of Usan, who nevertheless seems to have been a quarrelsome individual. [m]

On the 7th of August 1495, Walter Lichtoune senior, *dominus liberi tenemente de Wilishaven*, Walter Lichtoun junior de Wilishaven, and Joh Lichtoun, witnessed a charter by David Rossy o' that ilk, *(cum consensu Isabelle Lichtoun sponse sue)* in favour of his (Rossy's) son. [n]

In May 1496 Walter Lichtoun of Howlshawin acted as "Earls Bailie" pursuant to a precept, and gave sasine on behalf of Archibald Earl of Angus, Lord Douglas, of certain lands to David Graham, son and heir of the late Robert Graham, "by putting the "said David into the principal house and shutting the door upon "him" and on the same date another precept of *"clare constat"* by the Earl of Angus is addressed to Walter Lychtoun "of Kynnard" and others as Baillies. [o] This document is interesting as indicating that the lands of Kynnard or Kinnaird, which adjoined those of Campsey and which in later charters are mentioned as forming part of the Barony of Usan belonged to the family at this early date.

Walter (III) appears to have been living in 1497 when his son Walter (IV) was still described as "junior," and "apparent of Wllishavin" [p] but he probably died in this or the following year for the sasine of Walter (IV) of half the lands of the barony (*sic*) of Dullathy (Dulladies) is dated 1501, and as the lands had been "*in manibus regis per spacium trium annorum sasina non*

recuperata" it would seem that his right to inherit had accrued three years prior to this. (q)

Walter de Lychton and Christian Spens probably had other children besides Walter (IV) and Isabella who married Rossy. Duncan de Lichtoun, the progenitor of the Ethie Leightons—of whom hereafter—was probably a son, and Sir David Lichtoun the Abbot of Arbroath was in all probability either a brother or a son. Another contemporary was Georgius Lychtone a venerable friar of the Franciscan Monastery at Aberdeen whose death in the convent at Edinburgh is recorded in the year 1499.(r)

A curious mistake concerning Walter Lichtoun (IV) occurs in the Arbroath Cartulary in the record of a document dated the 21st June 1485 to which he was a witness. He is described as "Walter Lychtoun son and heir of David (*sic*) Lichtoun de Owsawyn." (s) This must obviously be a clerical error, the scrivener having seemingly in absence of mind substituted the Christian name of his Lord Abbot for that of Walter (III). In a charter of the 13th April 1487 he is described as Walter Lichtoun de Owsane "Junior", clearly indicating that there was a Walter of Usan senior, and their is abundant evidence in the Great Seal Charters already quoted, and several other records, to prove beyond doubt that the laird of Usan at this date was not named David, that from at least 1467 to 1497 Walter Lichtoun senior was the laird of Usan, and that Walter Lichtoun junior was his son and heir.

He seems to have attached himself to the suite of his relative Sir David Lichtoun very shortly after the latter was appointed Lord Abbot of Arbroath, for from 1485 to 1502 he is repeatedly recorded as taking an active part in the affairs of the Monastery. Duncan de Lychtoun—who as already indicated was probably his brother—had on the 18th November 1483 obtained from the previous Abbot, William Bonkil, a lease, of the Burntown of Ethie in favour of himself and Marjorie Tyrie his Wife, for their lives,(t) and he and Walter, along with the latter's brother-in-law Walter Rossy of that ilk, are frequently found in company as witnesses to Charters granted by Abbot Lychtoun, or as Members of Commissions and

Inquisitions relative to the Abbey property. The Charter of the 9th of July 1494 in which all three are described as "*Armigers*" is the earliest express record that the family were entitled to bear arms.

Walter (IV) appears to have held the post of Baillie and Justiciary of the Regality down to at least 1502 (u) but after the death of Abbot Lychtoun, his name disappears from the Archives of the Monastery. It is true that in 1520 a Walter Lychtoun is recorded as a witness and as one of the Baillies of the Abbey (v) and, judging from the index, the learned author of the Arbroath Cartulary seems to have regarded him as identical with Walter IV of Usan, but we venture to doubt the accuracy of this. The Walter of 1520 is not designated "of" Usan, and was probably the son of that name of Duncan for the records indicate that Walter (IV) must have died in or about the year 1518.

In 1510 Walter Lichtoun de Wllishawin is described in dog Latin as "*Aldermannus burgi de Montrose*," (w) and in the same year he witnessed the Charter by which Jonete Lichtoun "*domina de Quhitefield et Petdynneis*" sold the latter lands in the County of Fife to Robert Lord Erskine and Isobell his Wife, (x) a fact which may be taken as evidence of the close relationship between the families of Usan and Balcaskie.

On the 23rd December 1511, he received a Charter of Confirmation from the King of the lands of Usan, Wester Campsey, Kynnard and Dullauthy, which he had resigned, presumably for the purpose of having his estates erected into a barony; (y) he is once more recorded in the Register of the Great Seal on the 20th July 1512, when he attested a Charter by his brother-in-law David Rossy of that ilk, and it was probably this laird who granted to Andrew Bonnar the lease of the lands of Inverdovat referred to on p. 24.

The following year (1513) witnessed one of the most terrible disasters which has ever befallen the Scottish nation when no less than twenty-one noblemen, five eldest sons of noblemen, and an incredible number of Barons, in all ten thousand Scotsmen, fell on the fatal field of Flodden. It is almost certain that the laird of

Usan, holding his barony as he did from the Crown, would with his sons—if he had any old enough—follow his gallant sovereign on this occasion, but he does not seem to have been among the barons who fell with King James IV on that disastrous day, for on the 29th April 1514 we find Walter Lychtoun de Ulishavin as a member of an inquisition. (z) It is possible that the latter was the son and heir of Walter (IV) but, in the absence of any charter or record of sasine, the author sees no ground for such an assumption. On the contrary although Walter (IV) was in all probability married once, if not twice or three times, it is not clear that he had any son.

According to Douglas and other Peerage authors, Janet second daughter of John second Lord Ogilvy of Airlie married Leighton of Ulishaven. (aa) and, although no Christian name is given to indicate which laird was her husband, the dates clearly point out to Walter (IV). It could scarcely have been a second marriage of his father Walter (III) for his mother Christiane de Spens was living from 1467 to within a few years of his succession, while the wife of his own successor Thomas Lichtoun was Helen Stirling. That there was close intercourse between Walter (IV) and the Ogilvys of Airlie is shewn both by the Arbroath Cartulary and the Great Seal Registers in which their names constantly appear as witnesses to the same Charters, moreover, the union would account for his appointment as deputy Justiciary of the Regality of Arbroath for this Lord Ogilvy was, with his father, in 1485 appointed by Abbot David Lichtoun to be Justiciary and Baillie *pro terminis undecim annorum post obitum Johannis Ogilvy de Luntreith militis nostre ballivi Moderni, cum potestate deputatos sub eis substatuere.*" (bb)

It would seem however that Walter Lichtoun must have been unmarried or a widower in 1502, for Sir James Balfour Paul in his Scots Peerage points out that in that year according to the Cortachy MSS "Majorie, a woman had a dispensation—upon what ground does not appear—to marry "Walter Lichtoun of Ulyshaven" but there is nothing to connect her with Janet Ogilvy.

Again, according to Clark a daughter of William Lesley was married to Lichton in the Mernis.[cc] William Lesley died in 1501, and it would have been quite natural for Walter (IV.) to be known during his father's lifetime as "Lichtoun in the Mearns" for Dulladies which was settled on him by the Charter of the 12th of June 1481 was usually occupied by the heirs apparent of Usan, prior to the death of the laird when it became the dower house. His predecessor and successors executed Settlements of their property which disclosed the names of their wives and heirs, but it is curious that the Register of the Great Seal contains no such charter in the case of Walter (IV), and that the document of the 23rd December 1511, incorporating his estates as a barony is silent on these points. In view however of the evidence that he had a wife this omission does not necessarily negative his possession of a son, and the author is disposed to think that his successor, Thomas Lichtoun was either his son or a grandson.

The record of the sasine of the latter seems to indicate that Walter (IV) must have died in or about the year 1518 when he was probably at least 50 years of age, for his parents were married in or prior to 1467, while the charter in his favour of Campsey and Dulladies was executed in 1481.

AUTHORITIES.

[a] *App. No. V;* [b] *E.R.S. vol. ix p.* 658 [c] *Ibid p.* 681; [d] *Brech Cart. vol. ii. p.* 67; [e] *Council Reg. Aberd. p.* 17; [f] *E.R.S. vol. ix p.* 661; [g] *App. No. IX;* [h] *Ibid. No. X;* [i] *Cat. Scot. Seals;* [j] *E.R.S. vol. ix pp.* 345, 411, *and vol. x p.* 63; [k] *Act. Aud. p.* 140*; [l] *A.D.C. p.* 103* [m] *Ibid. p.* 87; [n] *R.G.S. vol. i No.* 2266; [o] *Laing Charts. Nos.* 227 *and* 229; [p] *Arb. Cart. pp.* 308 *and* 312; [q] *E.R.S. vol. xi p.* 465; [r] *Spald. Misc. vol. i p.* 67; [s] *Arb. Cart. p.* 216; [t] *Arb. Cart. p.* 201; [u] *Ibid. p.* 340; [v] *Ibid. pp.* 429 *and* 430; [w] *R.G.S. vol. i No.* 3456; [x] *Ibid. No.* 3481; [y] *App. No. XV;* [z] *Hist. of Car. of Southesk p.* 527 *and Spald. Misc. vol. v. p.* 291; [aa] *Peer. of Scot. vol. i p.* 30; [bb] *Arb. Cart. p.* 235; [cc] *Clark's Gen. Coll. p.* 19.



Fig 1



Fig 2



Fig 3

Frontispiece. (see pp. 19 & 20).

MEMORIALS OF

The Leightons of Alishaven

(USAN)

Angus,

AND OTHER SCOTTISH FAMILIES OF THE NAME.

PART II.

A.D. 1518—1931,

— BY —

CLARANCE F. LEIGHTON.

PRIVATELY PRINTED.

POSTSCRIPT TO PREFACE.

Nearly twenty years have slipped away since Part I of these Memorials was printed!

The increasing calls of my profession first deprived me of the leisure necessary to pursue what was after all merely a pastime, and then came the Great War with all its incidental difficulties.

Happily both are ended, and, in spite of the fact that the question "Cui Bono?" has not been satisfactorily answered, I have felt that it behoved me to complete what I undertook to do before it was too late.

I apologise for a certain amount of repetition, mainly due to the Chapters which follow having been printed piecemeal, often after long intervals.

Ancient documents in Scots' vernacular, with unfamiliar legal terms and many contractions, are often difficult to decipher, and it is almost impossible, in making excerpts, typing them for the printers, and printing, to avoid mistakes. In spite of much care therefore I am conscious that errors have crept in.

To assist the uninitiated I have added a glossary.

Since Chapter XIX was written a valuable addition to the literature concerning "Archbishop Robert Leighton his Life Times & Writings" by the Right Reverend E. A. Knox D.D., late Bishop of Liverpool, has been published. This contains two items of information—presumably culled from records which have escaped me—viz: that Dr. Alexander Leighton's first wife, the Archbishop's mother, was the widow of an Edinburgh merchant named Means; and that his youngest son, Caleb, died as a Cornet of Horse in Ireland.

charters which shew that in Bedfordshire, Huntingdonshire, and other counties, where the place-name existed, persons called Leighton or de Leighton were flourishing in the immediate neighbourhood at a very early period. Under these circumstances we may rest satisfied that the surname was in bygone days from time to time assumed by a considerable number of families from various properties, and that there is no ground whatever, for supposing that the various families which bear it to-day are descended from a common Leighton ancestor.

AUTHORITIES.

(a) *Ancestor, vol iv p.* 115; (b) *Trench Study of Words, p.* 280; (c) *History of Northumberland, Part II vol. i p.* 288; (d) *Appendix, No. I*; (e) *History of Northumberland, Part II vol i p.* 306; (f) *Eytons Ant. of Shropshire vol viii p.* 325; (g) *Ancestor, vol. iv, p.* 116; (h) *Ormerods History of Cheshire, vol ii p.* 549; (i) *Ibid, vol. iii p.* 542; (j) *Appendix, Nos I and II.*

CHAPTER II.

THE FIRST LEIGHTONS IN SCOTLAND.

Leighton does not appear in Scotland as a place-name until long after it was known there as a surname. There is in Forfarshire about two miles to the north-east of Brechin, a place called Leightonhill, and the name Leightonsheil occurs in an old inventory of the estate of Fearn in the same county, while part of the lands of Inverdovat in Fife, which were acquired by the family in 1363, became known as Lichtonis lands, but these appellations were without doubt acquired from the names of the proprietors, and we may safely assume that whenever the surname occurs in Scotland or elsewhere, it was originally imported from England.

It is impossible to say for certain whether the first Scottish Leightons came from Bedfordshire, Huntingdonshire, Shropshire, Cheshire, or Northumberland, or from one of the other English counties in which Leighton existed both as a place and family name, but the balance of probability is in favour of Northumberland as the nearest county. Apart however from geographical reasons, the orthography and pronunciation of the name in Scotland down to quite recent times consistently corresponds with the Northumbrian

methods rather than with those in vogue further south, for even so late as the middle of the eighteenth century, the vowels "e" and "a" in the first syllable are, with exceptions so rare as to prove the rule, conspicuous by their absence from the Scottish records. In the Ragman Rolls and *Rotuli Scotorum in Turri Londiniensi* the spelling is in the southern fashion, but these were probably the work of English scribes who doubtless regarded the name as identical with the not uncommon one in their own country and spelt it accordingly. If we turn, however, to the Scottish Petitions to the Pope, of the fourteenth century, we find the name rendered Lithton, Lythton, Lithon, Lithona, Lython, Lytthon and Liturn—all of which indicate a remarkable affinity for the Northumbrian Lithdon—intermingled with Lichton and Lychton, but in no case do the vowels "e" or "a" appear in the first syllable. In the following century, Scottish records shew that *Lith* and *Lyth* give place to *Licht* or *Lycht, and* thenceforward the spelling becomes more settled and consistent. If for example we take the Arbroath Cartulary and analyse the orthography of the name between the years 1348 and 1509, we get the following result :—

Lychtone	occurs	27	times.
Lychtoun	,,	17	,,
Lychton	,,	11	,,
Lichtone	,,	9	,,
Lichtoun	,,	4	,,

while only once do we get Lechtoun and once Lechtone. The Registers of the Great Seal and other contemporary documents, tell the same tale and shew that even down to the middle of the eighteenth century the conventional spelling was Lichtoun while towards the year 1700 the "c" becomes "g" and we find Lightoun, Lightone, and Lighton gradually appearing in the Parish Registers and other records, but, be it observed, no "e". The latter form continued in general use in Scotland until nearly the end of the eighteenth century, and is indeed still retained by more than one family of Scottish origin—notably that of Sir Christopher Lighton, Bart.—so that the spelling of the Scottish surname with an "e" after the English method is a modern comparatively innovation.

Although most Scotsmen of the name have now adopted the southern orthography, the old pronunciation—which is reproduced in the ancient family motto "Licht On"—is usually adhered to, and Mr. Cruickshank in his account published in 1899 of the Forfarshire parishes of Navar and Lethnot, says that Lichton is the local pronunciation in common speech at the present day.

But these are not the only reasons for looking to Northumberland as the source of the Scottish Leightons. It has been shewn that there was in the middle of the thirteenth century a family of Lithdons or Lighedons who held the estate in that county, identical with the modern Greenleighton. These lands were within the lordship which was granted by William the Conquerer to his Kinsman, Umfraville, on condition of "defending that part of the country for ever from enemies and wolves with that sword which King William had by his side when he entered Northumberland" (*) so that Maulokum de Lighedon and his family probably held their Northumbrian estate as mesne lords or vassals under the powerful house of Umfraville.

In the year 1243 Gilbert de Umfraville married Matilda or Maud Countess of Angus, and thereby, in right of his wife became Earl of Angus and the owner of vast estates not only in that shire but in other parts of Scotland. He naturally took with him to Angus a considerable retinue from his own county, and nothing is more likely than the inclusion among his followers of some of the Greenleighton family. Proof is unfortunately wanting, but the high positions obtained by the Leightons within a comparatively short time of their arrival, coupled with the undoubted fact that they subsequently became related in blood to the Royal House of Stuart, seem to indicate that they must have come north under favourable auspices.

Willelmus de Lechton, who in the year 1260 witnessed a charter of lands to Walter de Rossy, is the first of the name to make his bow in the land o' cakes, but, beyond the bare fact of his existence as a contemporary of the Northumbrian Malcolm de Lighedon,

he has vouchsafed to us no particulars concerning himself. The lands of Rossy adjoin the estate of Usan, which was subsequently if not then the home of the Leightons, both properties having been granted by Hugo Malherbe to Thomas de Rossy about the year 1245, [b] and it is noteworthy that the first Leighton to appear in Scottish records should be found on the very threshold of the estate with which the name was for so long identified. The office of witness was, as it is to-day, a neighbourly one, and it is possible, and in the light of other records probable that even at this early date (1260) the family were in occupation, either as Rossy's tenants or as owners, of the lands of Usan.

In 1284, Willelmus de Lecton [a] witnessed a charter of the lands of Culnacloyth [c] and in 1291 we find Dominus Wilhelmus de Legheton *Miles* performing homage to King Edward I within the Chapel of Kinghorn in Fife, [d] while again in 1296 William de Lecton "del Counte de Fyf" swore allegiance to the same King at Berwick-on-Tweed. [e] Whether the persons referred to in these records were one and the same, or whether or how they were related, there is nothing to shew. The Knight of 1291 may have been a son of the witness of 1260, or the father of the William who swore fealty in 1296, but that they were no mere upstarts is shewn by the record of Knighthood, as well as by the fact that only men of position and influence were called upon to do homage to the English king.

A hiatus of nearly forty years occurs before we again find the name in Scottish archives, but in 1337 a certain Dominus Thomas de Lychton [a]—or as his name is sometimes spelt de Liturn and de Lythton—puts in an appearance. He was a canon of Moray Cathedral, holding the prebend of Kinore, a parish in that diocese now merged in Huntley [f] but it is not clear whether he was a secular canon or in priests orders. He was evidently a man of high position for he held the important post of clerk of liverance and deputy chamberlain in the Royal household at Kildrummy Castle and his name frequently occurs in the Exchequer rolls as receiving

and paying money on behalf of the King. [g] He died about the year 1349 [h].

In 1350 a William de Lytthon, scholar in civil law was rector of Disart and contemporary with him was John de Lychton M.A. licentiate of civil law who in 1351 was Rector of Inchebriok and Canon of Moray and who in 1355 petitioned the Pope for a canonry of Glasgow, "notwithstanding that he had at the time the church "of Inchebriok in the diocese of St. Andrews" [k] which living became void by his death in 1359. [l] Here again is an indication that the family were at a very early date located in the immediate neighbourhood of Usan, that estate being situated in the parish of Inchbrayock.

Another John de Leighton *clericus de Scotia* had in 1374 a safe conduct from the King of England for two years to enable him to go to Oxford with a valet and three horses *Causa studendi* [m] and on the 30th of August 1394 John de Lyghton cleric received a similar safe conduct *pro commissariis regis Scotiæ*, [n] while in 1402 it is recorded that a canonry and prebend of Brechin had become void by the death at the Roman Court of John de Lithona or Lithton, probably the same individual. [o]

In 1364 Alexander de Lighton a Benedictine monk had a safe conduct to travel with other clerics in England *causa studendi*. [p]

AUTHORITIES.

[a] *Dugdale Bar of Eng. vol. II p.* 504; [b] *Arb. Cart. vol. I p.* 337; [c] *Antiquities of Aberdeen vol. II p.* 159; [d] *Chron. and Mem. vol. II p.* 123; [e] *Rag. Rolls p.* 144; [f] *Pap. Pet. vol. I p.* 256 *and Pap. Let. vol. III p.* 414; [g] *E.R. S: vol. I pp.* 438, 445, 455, 465, *etc;* [h] *Pap. Pet. vol. I p.* 256; [i] *Ibid. p.* 200; [k] *Ibid. p.* 289; [l] *Ibid. p.* 347; [m] *Rot. Scot. vol I p.* 966; [n] *Ibid. vol. II p.* 126; [o] *Pap. Pet. vol. I pp.* 596, 618; [p] *Rot. Scot. vol. I p.* 886.

CHAPTER III.

THE FAMILY ESTATES.

William de Lecton who swore fealty to King Edward in 1296 was described as of the County of Fife so that he probably possessed land in that shire, but the estate with which the surname is always associated in Scotland is Usan or Ulishaven in the County of Forfar. This place—the name of which is pronounced ooz'n—lies about two miles to the southward of Montrose in the Parish of Craig which comprehends the old parishes of Inchbrayock and St. Skae.

Warden derives the name Usan from the Gaelic "*oisin*" a corner, [a] but as this is hardly consistent with his subsequent assertion that "the estate was *originally* called Hulysham then "Ulyisishaven or Ulishaven *afterwards* contracted to Usan" his opinion must be received with caution.

The scribes of the past seem to have vied with each other in discovering different methods of spelling the name. In 1245 it appears as Hulysham, in 1467 as "Howsane," in 1484 as "Owsane," in 1485 as "Ousane" and in 1486 as "Osan," and it is curious that these forms resemble the modern orthography rather than those in use during the two centuries which follow. In 1488 we find

"Wllishavin" in 1495 "Wilishaven" in 1496 "Howlshawin" and in the following year "Wllishavin." In most of the charters under the Great Seal and other records of the sixteenth and seventeenth centuries, the first part of the name is spelt Ulls, Ulles, Ullys or Ulys—a derivation for which it is difficult to suggest a meaning, unless it be the Gaelic huil or kyle—an opening between the rocks—while the latter half usually appears as heavin, heivin, heven, havyn or haven, and seems to refer to the adjacent anchorage for fishing craft. The most curious guise in which the name appears is perhaps Wolfishavyn, but in none of the old records do we find the form Ulysseshaven, so that, albeit the locality may bear some resemblance to the rugged shores of Ithaca, it is very questionable whether it can claim Homer's hero as its godfather, and the classic form in which some modern writers have clothed the name is probably based upon an erroneous assumption.

When or how Usan first came into the possession of the Leightons there is no evidence to shew. The first of the family recorded as "of" Usan is Walter de Lychton (III) in 1467 (see Chapter IX) but as already indicated they were constantly in the immediate neighbourhood for two hundred years before this, and did not part with the property until nearly two hundred years afterwards.

A considerable portion of the lower extremity of the parish of Lintrathen, south of the Loch of Lintrathen, including the lands of Campsy Kinnaird and Brigend, also from an early date formed part of the family estates, as did the south-western corner of the parish of Fettercairn in the Mearns or Kincardineshire, various lairds of Usan being recorded as the owners of Steilstrath, Dalladies, and Capo, with valuable fishing rights on the North Esk river. In the year 1511 the lands of Usan with the tower and fortifications, and the lands of Wester Campsey, Kynnard and Dullauthy, (Dalladies) were erected by King James IV into a barony, and in 1566 John Lichtoun had confirmed to him "the lands of Ulleshavin, with the manor house, tower, fortalice, manor, mill dues, haven, fishings, and fishertown, the lands of Campsey, Kinnaird and Brigend, in the County of Forfar, and the lands of

Dulladyis, Straith, and the mill dues thereof in the County of Kincardine, which the Queen (Mary) had incorporated in the free barony of Ullishaven." In one or two of the earlier charters relating to the Mearns property, the names Dunlabee and Dunlawe occur, and these may have referred to land on the southern bank of the river in the parish of Dunlappy—now Stracathro—but, as they are stated to be situated in the shire of Kincardine, it is probable that they indicate Dalladies.

How much of the parish of Craig or Inchbrayock was included in Usan proper it is difficult to say, but at the beginning of the 17th century in addition to the manor house with tower fortalice yards dovecots and orchards were included the mains of Usan, the lands of Ethim (sic) the Kirklands fishertown and fishing rights thereof, the fishing rights of Ferryden and Itambot (sic) thereof, the fishertown of Usan, the mill called Chapel Mill, mill lands, multures and segnelles (sic) thereof, and "sundrie houses," all held upon feudal tenure from the crown, and the lands of Ileichame with the salmon fishing in the sea and water of the South Esk, of which the Bishop of St. Andrews was the Superior. Some of these names such as Ethim and Ileichame seem to have disappeared from the locality, but the estate probably included the whole of Ferryden, the Inch, and most of that part of the parish which lies to the eastward of the present line of railway. In addition to their valuable fisheries the lairds of Usan and their tenants had the right of grazing their cattle and of cutting fuel, probably peat, in the moors and marshes of Rossy.

From very early times Usan has been famous as a fishing station, and fishing is the chief industry of the neighbourhood to-day. Local tradition says that the Tullochs of Bonnyton held their lands of the Crown upon a tenure which involved their supplying the Royal table with fresh fish daily when the Court resided at Forfar, and that this was conveyed from Usan by a road ~~as broad as a mill wand is long~~, the track of which is still known as the "King's Cadger's Road." Certain it is that the fishery was a valuable source of income to the lairds of Usan, for, apart

from the references to it in the various charters relating to the estate, contracts are recorded in the register of deeds at Edinburgh which shew that large quantities of salmon, and other fish were sent from Usan to distant parts in barrels. The fishertown of Usan is a clean picturesque little hamlet nestling among the rugged rocks of Usan Bay, but Ferryden at the mouth of the Southesk opposite Montrose is a dirty and odoriferous village with little to interest visitors.

In 1613 Robert Lichtoun of Usan further extended the property by purchasing the adjoining estate of Duninnald, which however soon afterwards passed into the hands of his brother Patrick, for many years Provost of Montrose, who was also the proprietor of the estate of Ferny flat in Kincardineshire.

Upon the death of Robert Lichtoun of Usan in 1618 the barony was sold by his eldest son John to David Lord Carnegie of Kinnaird, first Earl of Southesk. In 1672 it was appropriated by the Lord Treasurer Maitland in whose charter, says Warden, reference is made to the old tower and fortalice. It was subsequently, according to the same author, acquired by a descendant on the distaff side of its original proprietors, viz., Patrick Scott fourth son of James Scott, of Logie by Margaret daughter of Patrick Leighton of Duninnald, and upon his death in 1690 was inherited by Patrick Scott's son James. In the early part of the eighteenth century Patrick Renny was designated of Usan, and upon his death in 1735 his son Robert Renny succeeded to the estate. On the 12th of February 1751 the latter's daughter Elizabeth had a charter of the property in which the lower fortalice is mentioned. She married Archibald eldest son of Robert Scott of Duninnald who, according to Warden, sold both Usan and Duninnald to a family named Spears. They in turn sold the former about 1811 to George Keith of Montrose on his return from South Carolina where he had made a fortune, and the latter to Peter Arkley ancestor of the present proprietors. Upon George Keith's death without surviving issue he devised Usan to his nephew George Keith who has recently died.

No trace is left of the ancient manor house of the Leightons with its tower and fortalice, and the existing mansion, a large square three-storeyed erection of more or less Ionic design, was probably built at the end of the eighteenth or beginning of the nineteenth century and is of no interest to the antiquary. Its situation is a fine one if somewhat bleak and the grounds are extensive and afford commanding views of the surrounding country, they are however capable of considerable improvement by the judicious and tasteful planting of forest trees.

The original residence of the lairds of Duninnald—Gaelic a fortified place by a stream—was a castle known as Black Jack which occupied the top of a perpendicular rock some 200 or 300 feet above the sea at Bodden point south of Usan. Patrick Lichtoun in 1643 disponed it—subject to his own and his wife's life interest—by way of tocher to Sir John Erskine fiar of Dun who married his third daughter Agnes Lichtoun. The Erskines sold Duninnald to the Allardyces, from whom it passed to the Scotts, and in 1811 to the Arkleys.

To the south-west of Usan, near the Elephant rocks, the ancient burial ground of St. Skeoch or St. Skae, a tiny cemetery, picturesquely overhangs the lofty sea cliffs. In this romantic "garden "of sleep" rest the bones of many a laird of Usan and Duninnald. The family tombstones of the Keiths and Scotts are still to be seen but the more ancient monuments of the Leightons are either perished or fallen into the sea.

The last of the Leightons to own property in the parish of Craig was "Master" Robert, a younger brother of the Col. John Lichtoun who sold Usan to the Carnegies. He seems to have practised law in Edinburgh with some success for he retired to Montrose in the prime of life and in the year 1643 purchased Baldovie from the Melvilles. He died in 1674 aged 70. The existing house at Baldovie which masquerades as the birthplace of Andrew Melville must be of comparatively modern construction, for Master Robert Lichtoun's Charter describes a very different residence with a tower fortalice, etc.

In the 15th century a cadet branch of the Leightons of Usan possessed Balcaskie in Fife, now the seat of the Anstruther family, together with Petdynis and the lands of Quhittislade (Whiteladies) and Glenkirk in the Barony of Glenquhyme in the County of Peebles. The male line of this branch failed on the death of David Lichtoun in 1480, when his estates were inherited by his daughter Jonete who brought them to the Erskines of Dun on her marriage to Thomas Erskine. She is described as domina de Quhitefield et Petdynneis [b].

Another numerous branch closely connected with the Leightons of Usan settled in the lands of Ethie near Arbroath. This property, now owned by Lord Northesk, they acquired from the Abbey in 1483, [c] and they continued for several generations in possession even after the dissolution of the monastery.

Numerous small properties in Forfarshire and the adjacent counties were from time to time possessed by younger sons of the Leightons of Usan, but after the sale of its headquarters, the family lost its importance and its members seem to have scattered themselves over the world in search of fortune. In the early part of the 19th century the property of Bearhill Brechin was acquired by David Leighton, a descendant of Usan, but was sold on his death, and in 1869, the farm of Westerton of Dunlappy was purchased by two sons of Alexander Leighton, a tenant farmer in Drumcairn, and renamed by them Cairndrum, but it is doubtful whether there is an acre of land in Forfarshire now owned by a Leighton, and the surname has almost disappeared from the district with which it was for so long associated.

AUTHORITIES.

[a] *Angus vol iii, p.* 157; [b] *R.G.S., vol. i, Nos.* 1939 *and* 3481: [c] *Arb. Cart. vol ii, p.* 201.

CHAPTER IV.

COAT ARMOUR.

The right to bear arms is one of the usual incidents of Knighthood so that when Sir William de Leighton on the 19th of July, 1291, paid homage to King Edward I, within the chapel at Kinghorn, he was probably possessed of an emblazoned shield, which however under the somewhat humiliating circumstances, he may have left at home. An Act of the Scottish Parliament of the year 1430, indicates that every holder in franc tenure was expected to possess "a sele of his armys" so that the Leightons as holders of the free barony of Usan would be armigerous, but there is no need for conjecture for evidence exists to prove that from a very early date they were gentlemen of coat armour.

In 1494 we find Walter de Lychtone de Houshawin and his brother Duncan, described as "Armigers," [a] and the deeds of 1566 and 1592 [b] by which John Lichtoun of Ulishaven entailed the barony, provided that, failing the persons therein specified, the property was to go to "his nearest male heirs *bearing the arms and "name of Lichtoun.*"

The seal of this John Lichtoun of Usan, was in 1572 charged with a lion rampant. The seal of Dominus Robertus Leghtoun

according to Laings Catalogue of Scottish Seals, bore a similar charge in 1536, and while we have no evidence to shew what device was borne in the previous century by the Walter and Duncan above mentioned, there seems no doubt that a lion, blazoned, either rampant, salient, or passant, has always adorned the family escutcheon. The assumption of this device may have been originally due to the connection of the Leightons with the Scottish Royal House, or perhaps, it was the result of their relationship to the Ogilvys of Airlie who bore, and still bear, a lion passant, and whose ancestor, Sir Walter Olgivy of Auchterhouse (1391), is recorded as a half brother of Walter de Lychton.

Guillim in his "Display of Heraldry" published in 1724, quaintly describes the Arms as follows :—"Argent, a Lyon passant, Gules. This pertains to Leichstein of Uzzan. He beareth Pearl, a Lyon passant guardant Ruby, gorged with a Ducal crown Topaz, and charged on the shoulder with a Mullett of the first, and is born by the name of Ogilvy an honourable and spreading Family in Scotland, the Chief of whom are the right Hon. James Earl of Airly, Elight, and Glentrahen, a person ever loyal to the Crown, and was concerned with the Earl of Montross in his loyal undertakings, etc."

A copy of the marginal illustration given by Guillim will be found on the frontispiece to this volume (fig. 2.), together with a facsimile of the representation of the Arms (fig. 1.) of Lichton of Uzsan depicted in the Ancient heraldic roll, known as "Gentlemens Arms" supposed to have been compiled in the reign of Charles I and now in the possession of the Lord Lyon King of Arms at Edinburgh.

Guillim's Blazon is practically identical with the Arms of Ogilvy of Airlie, except that in the latter the lion is crowned with a ducal Crown and is not charged with a mullet.

Nisbet in his "System of Heraldry" published in 1722 says :— "When the Lion as I have said is Bendways it was anciently blazoned salient and not rampant, as in the following coats of

Arms in our old Books by the name of Lighton, Argent, a Lion salient, Gules. But in our new books Lichton of Ullishaven has the same bearing, but the Lion is said to be rampant; Crest a lion's head, and for motto "Light On." Sir James Balfour's M.S. in the Advocates Library, Edinburgh, gives Lighton, Gules, a lion salient Argent.

Pont's M.S., circa 1624, gives two blazons, one Lighton of Wlichen Argent, a lion rampant Gules, armed Or; and Lighton, Argent, a lion rampant gules, armed Or, *aliter* Argent, a lion passant gardent Gules.

In the M.S. of Sir Patrick Hume of Petworth we find Lighton of Usan, Gules, a lion passant Argent.

Porteous has Argent, a lion rampant Vert, armed and langued Gules, while Lord Crawford's M.S.—ascribed to Sir David Lindsay, Knt. of the Mount, Lord Lyon King of Arms—has Lichtoun of Ullisheavin, Gules, a lion rampant Argent, crowned Or. (see frontispiece *fig. 3*).

In 1672 Robert Lyghtone, Colonel in the service of the King of Sweden, son of the deceased John of Ulissishaven lieut.-colonel in the same service, of whom hereafter, registered at the Lyon Office Edinburgh the following Coat:—Argent, a lion rampant Gules, armed and langued Azure. Crest a palm tree Vert: motto "*Per adversa virtus*" and this must be taken as settling the tinctures and position of the lion, though the crest like the motto was probably new.

The seals 1666 and 1673 of Robert Leighton Bishop of Dunblane and afterwards Archbishop of Glasgow were—a lion rampant, with a lion's head erased as crest, and it seems probable that the latter was the old crest of the Usan family, although sundry Scotsmen of the name have used entirely different crests, for example:— "A Minerva's head proper affrontee" and in another instance "An Eagles head erased proper holding in the beak an acorn Or, stalked and leaved Vert." These Crests seem to be of comparatively recent date and as they do not appear to be recorded in any of the ancient heraldic manuscripts or at the Lyon Office, they are probably unauthorised.

Sir Christopher Lighton the Irish Baronet, whose ancestors emigrated from Scotland early in the eighteenth century, bears the Usan coat and crest but considerably differenced viz. :—Barry of eight Argent and Vert, over all a lion rampant crowned with an eastern Crown Or, armed and langued Gules. A canton of Ireland. Crest a lions head erased, crowned with an eastern Crown Or, langued Azur, his motto being "*Fortitudine et prudentia.*"

When General Sir David Leighton, K.C.B., in 1837 registered his Arms at the Heralds College, Garter and Clarencieux excelled themselves and the deed under their seals is a monument of careless work and execrable heraldry of which the Heralds Office has no reason to be proud, the ancient arms of the Leightons of Usan having been cumbered by way of augmentation with an over-charged chief, and otherwise "differenced" as follows :—"Argent, a lion rampant Gules, supporting between the paws a sword erect proper, pomel and hilt Or, a chief embattled Azur, thereon pendant from an Orange (*sic*) ribband a representation of the Seringapatam medal between two leopards faces Or. The assault and capture of Seringapatam occurred in 1779 before the present custom of scattering decorations broadcast had come into vogue: medals were rare and were valued accordingly, and the heralds of the Georgian and early Victorian era adopted the ill conceived practice of charging shields with these "representations" in honourable allusion to the services of the grantees. It was done in the case of Lord Camperdown and several others, but was at best questionable heraldry, and is much to be regretted in these days when every tradesman's advertisement is illustrated with representations of prize medals.

The old motto of the Leightons of Usan was the canting one "*Light on*" which, regarded merely as an indication of the correct pronunciation of the surname, is of interest. It was retained by Sir David Leighton and is still used by his descendants, but other Scottish Leightons have adopted various mottoes and some have even had the bad taste to filch the ancient motto "*Dread shame*" of the Shropshire house, an unwarrantable usurpation for there is not the

slightest ground for supposing that the two families were ever connected.

AUTHORITIES.

(a) *App. No. XIII:* (b) *Ibid. No*

CHAPTER V.

HENRY DE LYCHTON.

(of Inverdovat).

Henry de Lychton of Inverdovat in the County of Fife is the first person to whom we can point with any confidence as an ancestor of the family of Leighton of Usan for however probable it may be that he was a relative or descendant of the William de Lechton of 1260 the Sir William de Legheton of 1291 and the William de Lecton of 1296, there is no corroborative evidence beyond the convenience of dates and localities.

Inverdovat, which lies about a mile to the north of the Kirk of Forgan, a Parish on the Fifeshire bank of the Tay opposite to Dundee, was acquired by Henry de Lychton in 1363 by purchase and not by inheritance, so that the possession of the property affords no link between himself and his forbears, but seeing that the William de Lecton who swore fealty in 1296 was described in the Ragman Rools as "del Counte de Fyf" it is possible that in acquiring Inverdovat Henry de Lychton was merely enlarging his inherited estates. ~~Be this as it may, the Charter of the lands of Inverdovat may~~ be regarded as the first link in the genealogical chain which the following pages attempt to forge.

Between the years 1348 and 1384 Henry de Lychton appears in many ancient documents which prove him to have been a man of rank and distinction and a pillar of the church, and, although these records do not in terms identify him with Inverdovat, the dates and localities and the persons with whom he is repeatedly associated, leave little room for doubt that the same individual is referred to in each.

Peters dubs him—we think incorrectly—a knight, and states that he was renter of the tiends of Brechin Cathedral from 1354 to 1384. [a] In 1348 he was present with Walter de Maul and Alexander de Ogilvy "and other honourable men," at Forfar when certain proceedings were taken by William Abbot of Arbroath against the Burgesses of Dundee, for having infringed the rights of the monastery by levying tolls upon its goods. [b] He witnessed charters of Maule of Panmure in the same year [c] and of Thomas Scheyl of Brechin in 1351. [d] In 1360 H..... de Lychton, doubtless the same individual, rendered his account as one of the collectors for the town of Forfar, within the Brechin district, of the third contribution for the ransom of the King. (David II) who had for eleven years been a prisoner in England, [e] while in the 34th year of the same King (1363) he had the charter above mentioned from John de Moravia, Lord of Newton in Fife, of the lands of Lochflat, Welflat and other lands in Inverdovat. [f]

The reason why this document affords strong presumptive evidence of the descent of the Usan family from Henry de Lychton, is that a century and a half later, viz : on the 28th of December.1512, we find a lease by Andrew Bonner "to his lovit freynd John Balfour as his sub-tenant of the lands of Innerduffat called Lichtonis lands lying in the half barony of Nauchtane (i.e. Newton) and Sheriffdom of Fife, *which lands the grantor and his spouse had in assedation from Walter Lichtoun of Wolfisharyn*,"[g] and although these lands may have been inherited by Walter de Lichton of Usan, from a collateral relation, the fact that Henry left issue combines with other circumstances to render such an assumption improbable.

Long after his death Henry de Lychton is referred to in an *Examinatio testium ad perpetuam rei memoriam* held at the Cathedral at Brechin in 1435 concerning the services due to the Bishop and Chapter in respect of the tiends or church lands of the parish of Lethnot. (h) In this record he is described as "*quondam "nobilis vir*" and it is proved by the evidence of Magister Cuthbertus an octogenarian, and other witnesses, that Henry (who is incidentally referred to as the father of John de Lychton) had in former times in discharge of his obligations as *arrendator ecclesie de Brechine*—presumably lay impropriator of the tiends or tithes—provided for the use of the Bishop and Chapter one large white horse and one cart for the hauling of stones for the erection of the bell tower which still adorns Brechin Cathedral.

Of the exact date of Henry de Lychton's death, we find no record, but, assuming Peters to be accurate, he was living in 1384. His wife's name was Jonete as appears from the record in the Aberdeen Cartulary of an anniversary founded in 1440, for the repose of their souls by their son Henry, the distinguished Bishop first of Moray and afterwards of Aberdeen, to whom a subsequent chapter is devoted. (i) It is curious, having regard to the Scottish custom of referring to married women in legal documents by their maiden names, that in this charter and elsewhere the surname of the wife is given as Lychton; a possible inference would seem to be that she was a cousin of her husband, and for reasons explained later, there appears ground for thinking that she was the widow of an Ogilvy when she married Henry de Lychton.

He had at least three sons and two daughters, and there were probably other children. In addition to Henry, and John, already named his heir, and therefore, presumably his eldest son, was probably Walter de Lychton of whom see Chapter VI. A fourth son was probably Sir Alexander de Lychton a Knight of the Order of St. John of Jerusalem who was the head of the Scottish Hospitallers.

Various churchmen named John de Lychton are recorded early in the fifteenth century on the east coast of Scotland, among others,

one who in 1423 applied to the Pope to hold—at his own petition and that of the Earl of Mar—*whose cousin he was*— for certain benefices. [k]. This record of relationship to the Earl of Mar, is significant. The Earl was not a very desirable connection being a natural son of the Wolf of Badenoch, but, as such, he was a nephew of King Robert and also of the Regent Duke of Albany with whom Bishop Henry de Lychton claimed kinship.

One of Henry de Lychton's daughters, according to Douglas, married Robert Spotswood of that ilk, and by him had a son and heir, Henry Spotswood, who in many authentic charters is designed as nephew to Bishop Lychton in the reign of James I, with whom he was in great favour, [l] while the other Marjory married John Johnston of Caskieben and Ballindalloch, and by him had a son and heir Gilbert. Douglas refers to the former as "of the antient family of Owsan," and to the latter as "a daughter of the laird, of Owsan in Angus" and probably based his statements upon the evidence of family charters which the author has been unable to discover.

AUTHORITIES.

[a] *Bar of Ang., p.* 100; [b] *Arb. Cart., vol. ii, p.* 20; [c] *Reg de Pan. vol ii, p.* 170; [d] *Brech Cart,* 382; [e] *E. R. S., vol. ii, p.* 40; [f] *App. No. III;* [g] *Laing's Charts. No.* 290; [h] *App. No. VII;* [j] *App. No. VIII;* [k] *Pap. Pet., vol. i, p.* 621; [l] *Bar. of Scot. p.* 446.

CHAPTER VI.

WALTER DE LYCHTON.

A gud Sqwyer of gret renown.

It has been shewn in the previous Chapter that as the estate of Inverdovat was in the possession of the Leightons of Usan in 1512, it is practically certain that they were descended from Henry de Lychton who acquired it in 1363.

By a similar process we identify Walter de Lychton as an ancestor of the same family, for after his death his son received a grant of the lands of Campsey, which subsequently descended from father to son as part of the barony of Usan, [a] and, although there is no conclusive proof of the relationship, it is difficult in view of the foregoing facts, to dates, and other coincidences, to resist the conclusion that the subject of the present Chapter was the eldest son and heir of Henry.

He is mentioned in a charter of 1384 and in 1390, he is recorded as witnessing Patrick Forsters Charter of certain lands in Inverdovat, [b] a circumstance which tends to support the above view, for, assuming that he succeeded to his father's property, we should naturally expect to find him witnessing his neighbours' charters.

Like Thomas de Lychton—see p. 10—Walter seems to have held some post in the King's Household. In 1382 he is mentioned in an account of the customs of Montrose, as receiving by order of the King £20 for his fee, (c) in 1388 his name occurs in an account of expenses incurred by him at Kyndroucht (Kinross) on behalf of his Majesty. (d) On the 6th of February 1382, he is recorded as present with the King's son Robert Earl of Fife and Menteith, afterwards Duke of Albany (with whom his brother the Bishop, claimed kinship) when Adam Bishop of Aberdeen removed a sentence of excommunication, (e) while in 1384, he is again mentioned as a witness, on this occasion to a charter by Margaret Countess of Douglas. (f)

He was killed in May 1391, at the feud of Glenbrierachan in the Stormont, a sanguinary contest which occurred at a place called Glaskune in Perthshire, in the vale of the Brierachan river near Blairgowrie. (g)

The notorious Wolf of Badenoch Alexander Earl of Buchan—fourth son of King Robert II—in consequence says Tytler "of some provocation given to him by the Bishop of Moray, descended from his mountains with a horde of Highlanders, and after laying waste the country with a sacrilege which excited unwonted horror, sacked and plundered the Cathedral of Elgin, carrying off its rich chalices and vestments, polluting its holy shrines with blood, and finally setting fire to the noble pile, which, with the adjoining houses of the canons and the neighbouring town, was burnt to the ground. This exploit of the father was only a signal for a more serious incursion conducted by his natural son Duncan Stewart, who at the head of a wild assemblage of Katherans, armed only with the sword and target, broke with irresistible fury across the range of hills which divides the counties of Aberdeen and Forfar, and began to destroy the country and murder the inhabitants with reckless and indiscrimate cruelty."

"Sir Walter Ogilvy, then sheriff of Angus, with his half brother Walter de Lichtoune, Sir Patrick Gray, and Sir David

Lindsay of Glenesk instantly collected their power, and, although far inferior in numbers, trusting to the tempour of their armour, attacked the mountaineers at Glaskune near the waters of Ila. They were, however, almost instantly outnumbered and overwhelmed, the Katherans fighting with ferocity and supreme contempt for life. Ogilvy, Lichtoune, Young of Ouchterlony, and the Lairds of Cairncross, Forfar, and Guthry, were slain, and sixty men at arms along with them; while Sir Patrick Gray and Sir David Lindsay were grieviously wounded, and with difficulty carried off the field.

The indomitable ferocity of the Highlanders, is illustrated by an anecdote related by Wyntown who says that Lindsay had pierced one of these, a brawny and powerful man, through the body with his spear, and thus apparently pinned him to the earth, but, although mortally wounded and in the agonies of death, he writhed himself up by main strength, and, with the weapon in his body, struck Lindsay a desperate blow with his sword, which cut him through the stirrup and boot to the bone, after which the Katheran instantly sank down and expired.

Wyntown, in referring to the deaths of Lichtoune and Ogilvy quaintly records the fact that they were half brothers as follows:—

"Gud schir Walter of Ogilwy
"That manly knycht and that worthy,
"Scherrave that tyme of Angus,
"Godlike, wis, and verteuous;
"And a gud Sqwyer of gret renown
"His Bruthir Wat cald of Lichtoune
"(To this gud Schirrave of Angus
"Half Brothir he wes, and rycht famous;
"Of sundry Fadirs was thai twa'
"Of lauchful bed ilkane of tha' ") (b)

This is the earliest of many references to the alliance, between the Leightons and the Ogilvys, who for long after this period are found in company, both as witnesses and in the clan feuds which

were so common in Scotland in bygone days. If Peter's statement that Henry de Lychton was living in 1384 is reliable, it follows that Sir Walter Ogilvy cannot have been the offspring of his widow's remarriage, so that presumably she must have been the widow of Ogilvy's father before she married Henry de Lychton.

Sir Walter Ogilvy's death created a vacancy in the sheriffdom of Angus, and we immediately find Duncan de Lichtoun, possibly another half brother, appointed in his place as sheriff *locum tenens, et vice comitatus de Forfar.* (j).

Contemporaries were David de Lichtoun and Ricardus de Lichtoun who appear in 1409 as jurors upon an inquisition before Walter de Ogilvy, Bailiff of the Regality of Arbroath, and who are described as *nobiles domini.* (k)

AUTHORITIES.

(a) *Ant. of Aberd., vol. iv, p.* 453, *App. No. V*; (b) *Reg. Mag. Sig. p.* 201; (c) *E.R.S. vol. vii, p.* 94; (d) *Ibid. p.* 177; (e) *Aberdeen Cart., vol. i, p.* 163; (f) *Ibid, p.* 167; (g) *App. No. IV and Fordun, vol. ii, p.* 420; (h) *Cronykill, vol. ii, p.* 369; (i) *E.R.S., vol. ii, pp.* 268, 269, *Reg. Mag. Sig. p.* 201-8 *and Chamb. Rolls, vol. ii, p.* 181-3; (k) *Arb. Cart., vol. iip.* 47.

CHAPTER VII.

HENRY DE LYCHTON, B.C.L.

Scholar, Prelate and Diplomat.

"Erat Henricus," says Hector Bœce, "familia nobilis, fortunis "opulentus, doctrina insignis, et vita gravis."

If the quaint old Scottish historian had had access to the archives of the Vatican, he would perhaps have modified this eulogy, so far as it concerned the moral rectitude of the prelate's life, but that, as Rudyard Kipling would say, is another story.

We have it upon the bishop's own authority that he was a son of Henry and Jonete de Lychton—see Chapter V—and, endowed as Bœce tells us he was, with birth, wealth, brains, and all that makes for success in life, it is not astonishing that he attained to the highest positions, not only in the Church, but in the sphere of diplomacy, and became the most illustrious scion of the Scottish family of Leighton.

The date of his birth is unrecorded, the earliest known reference to him occurring in the year 1394, when he appears as Henry de Lythouneris, B.C.L., in a petition to the Pope for a canonry

of Aberdeen "notwithstanding he already held the perpetual vicarage of Meykinche in the diocese of St. Andrew's." [a] His petition seems to have succeeded for on the 10th of November 1404 we find him witnessing a charter by Isabella, Countess of Marre. [b]

Leighton however had no scruples on the score of pluralities for in the following year he again petitioned His Holiness, this time for a cononry of Brechin with expectation of a Prebend,[c] and within the next few years he held the rectory of Kinkell in the Diocese of Aberdeen[d] the prebend of Inverkeithing in Moray, value £100, and that of the hospital of Ruthven with its chapels.[e] Notwithstanding all this preferment he was not yet in priests orders, for in 1409 he applied to Benedict XIII for a dispensation that he might not be ordained for five years while studying at an university.[f]

In this petition he is described as deacon, licentiate of civil law, bachelor of canon law, rector of Kinkel and *Kinsman to the Duke of Albany*, a fact which goes far to explain his rapid preferment, see also pp. 26 and 28.

In 1414 John de Innes Bishop of Moray died, and a meeting of the Chapter of the Cathedral was held at Elgin for the election of his successor. Henry de Lychton--who in addition to his other offices was a canon and chanter of Moray—was present. Innes had already begun the restoration of the Cathedral destroyed in 1390 by the Wolf of Badenoch—see Chap. VI.—and it was resolved that whoever should be chosen to succeed him should devote one third of its revenues to the completion of the work. The choice fell upon the chanter and Lychton was accordingly consecrated Bishop of Moray on the 8th of March 1414-15 at Valencia.[g]

While Bishop of Moray he presented the Cathedral of Aberdeen with two pairs of episcopal gloves and jewelled images of St. James and St. John.

In the year 1422 he was translated to the see of Aberdeen, being allowed "in order to spare him the labour and expense of coming to

the Roman Court" to take the oath of fealty before the Bishops of Dunblane and Dunkeld[h] and on the 20th of February 1423 we find him as Bishop of Aberdeen witnessing a Charter founding a Chaplainry at St. Mary's alter in the choir. Here his munificence was continued for, besides bestowing on his church many books and costly ornaments vestments and plate recorded in its inventories, he was the builder of by far the greater part of the existing Cathedral. The nave with its south aisle fine porch still finer west window (the seven sisters) and western towers,—not the spires,—and the Chapel of St. John in which he was afterwards buried, were his work; and "plain as the Cathedral is," says the Dictionary of National Biography, "its size and the admirable suitability of its style to the intractable granite of which it is composed fairly entitle Lichton to a place among the great church-builders of Scotland." He also enlarged the episcopal residence, embellishing the bishops palace and its grounds.

On the 20th of April 1439, he founded an anniversary for himself, and on the 16th of May 1440 one for his parents, Henry and Jonete, entrusting the property which he dedicated to this pious use to his nephew Gilbert Johnston.[i]

A more questionable transaction was the conversion on the 28th October 1427 of the revenues of St. Peter's Hospital—a foundation which he alleged was abused—to the maintenance of his episcopal table and the support of two Chaplains of St. Peter in the Cathedral for which he obtained the sanction of Pope Eugenius IV in 1435.

Lychton however did not confine his activities to the church. In 1415 he is found at a meeting of the Scottish Parliament—the Committee of Estates—at Perth, and in 1423 he was employed on a mission to England to negotiate for the ransom of King James I. On this occasion he was the spokesman of the deputation, and what purports to be a verbatim report of his remarks—for the authenticity of which we do not vouch—is given in Crawford's Genealogical History of the Stewarts published in 1710 :—

"My Lords,

The Respect and Reverence, which the Scots Nation carrieth towards all Kings, is every where known, but most that Love and Loyalty which they have to the Sacred persons of their own native Princes; for as Monarchy is the most Ancient form of Government, so have they ever esteemed it the best, it being more easy to find one instructed and trained up in Heroical virtues, than to find many. And how well soever Governours and Vice Gerants rule the Commonwealth, yet is that Government but as the Light of the Moon or stars in the absence of the Sun, but the Representation of Shadows for Real Bodies. This hath moved the three estates of that Kingdom to direct us here unto you.

Our King these many years hath been kept from us, upon just or unjust grounds, we will not argue: That Providence, which hath appointed everything to its own End, hath done this for the best both to you and us; and we are now to treat with you for his delivery, beseeching you to remember, that his Father, of Sacred Memory, recommended him, out of that general Duty that one Prince oweth to another, to your Kings Protection, in hope of Sanctuary, and in request of Aid and Comfort against his Secret, and consequently his most Dangerous Enemies: And we must confess, that hitherto he hath been better and more secure amongst you, than if he had been in his own native Country; for your Favours have been many ways extended towards him, having brought him up in all Liberal Sciences and Arts; so that his abode with you seemeth rather to have been a Remaining in an Academy than in any Captivity, and that he had been lost if he had not been lost. Besides tho' we have the Happiness to claim his Birth and Stem, ye have the Claim of his Succession and Education, He being now Match'd with the Royal Blood of England (for he had married the Earl of Sommersets Daughter) so that his Liberty, which we ask, is a Benefit to your selves and those Princes which shall claim the Descent of his offspring: For if it should fall forth (as what may not, by the variable Changes of Kingdoms, come to pass) that this Prince should be Dethroned, tis your swords that should restore

him to the Possession of his Royal Diadem; and we expect, that as you have many times rendered him yours, you will not refuse to engage him yet more by his Liberty, which he must acknowledge wholly and freely to receive from you; and by Benefits and Love, to overcome a King, is more than by Force of Arms. And since he was not your Prisoner by Chance of War (since he never rais'd Arms against you) but by way of Protection detained here and entertained; so we expect, that you will act according to your Ancient Honour and Generosity, and send him freely back to his own: Yet if it be so, that you will have an Acknowledgment for what ye have bestowed on his Education, the Distress of the present State of his Subjects and Crown considered, we will not stand upon Trifles of Money, for the Redemption of a Prince above all Price."

After the King's release Bishop Lychton was one of those selected for an Embassy to Rome whence he returned prior to June 1427, and in the following year letters passed under the Great Seal appointing him one of three Ambassadors to the French Court for treating for the Marriage of the infant Princess of Scotland to the Dauphin. Again in his old age this prelate was chosen with the Bishop of Moray to mediate between the factions of Crichton the Chancellor and the Livingstones as to the custody and education of the young King, James II.

He died on the 14th December 1440, and was buried at Aberdeen on the North side of St. John's aisle amid the ruins of which his mitred effigy in granite remained until a year or two ago exposed to wind and weather. It has recently been removed to the interior of the Cathedral, but the ravages of time have quite destroyed the features and sculpture. Upon a freestone slab his epitaph, now almost undecipherable is engraved in Latin to the following effect:

> "Here lies of blessed memory Henry de Lychtoun Doctor of Civil and Canon laws, who, having for some time taken upon him the government of the Church of Moray where he presided over them for the space of seven years, was at last translated to this, wherein he reigned eighteen years. He laid the foundation of the choir and very much advanced the fabric of the said Church. Anno. 1440."

Students of history have long been aware that the standard of morality in the middle ages was not what it is now, and that the Church was by no means free from vice, but the Calendars of the Papal Petitions and Letters now in course of publication by the Record Office throw a searching light upon the peccadilloes of the clergy. On page after page one finds candidates for priests orders dispensed for illegitimacy as the sons of priests, until one is forced to the conclusion that the priesthood was to some extent almost hereditary!

That Bishop Lychton was no exception to Mark Antony's dictum that "the evil that men do lives after them" is shewn by a "mandate" from Rome "to the Bishop of Ross (*seeing that for certain causes the Bishop of Aberdeen is not to be written to in this matter*) to dispense Andrew of Glaister and Jonete de Lychton to contract anew the marriage which they formerly contracted *per verba legitime de presenti* and consummated in ignorance of the existence of an impediment of spiritual relationship arising from the fact that Andrew received the sacrament of confirmation from a certain Bishop *(antistite)* Janets father".[j]

Coupled with the contract made upon the marriage of the parties referred to [k] this affords clear evidence that Bishop Lychton had no less than four natural children viz: a son whose name time has obliterated, another named Alexander, probably the priest of that name who was a party to the conversion of the revenues of the Hospital of St. Peter to the Episcopal table,[l] a daughter Elene or Helen, who married her father's nephew and her own first cousin Gilbert Johnston of Balnedache, son and heir of John Johnston of Caskieben by Marjorie Lychton his wife, and another daughter Janet, who became the wife of Andrew Glaystir; and was obviously named after her grandmother.

The Author was at one time disposed to think that the son whose name is illegible must have been Duncan Lychton, who was Chancellor and Treasurer of Aberdeen Cathedral during Bishop Lychton's time, and at various periods Vicar of Gamrie in the diocese of St. Andrews, Rector of Logie Buchan in that of Aberdeen,

a Canon of the Cathedrals of Aberdeen, Brechin, Dunkeld, and Moray, and Dean of Brechin; "*qui quidem Magister Duncanus fuit nepos Henrici de Lichtoun episcopi Abirdonensis.*"[m] Nepos is however an equivocal term, and, while it is possible that this Duncan may have been the offspring of the Bishop, the evidence tends to the contrary. None of the references to Duncan in the Papal Calendars mention that he was "dispensed," but on the contrary it is specially stated that he was "by *both* parents of noble race"[n] so that it seems more likely that this prosperous ecclesiastic—who evidently lost nothing by his kinship—was a legitimate nephew of the Bishop and possibly a son of Walter (I), or of the Duncan who after Walter's death became Sheriff locum tenens of Angus, see p 30. In the History of the Carnegies of Southesk this Duncan is referred to as "of" Ulishaven but no record is quoted in support of the assumption that he was ever laird of Usan and we venture to believe that none exists.

It is also probable that the missing name was John for there was a John Lychton Bachelor of Civil Law of the diocese of Aberdeen who was dispensed as the son of a priest, and certain references to him in the Papal Calendars seem to indicate that he was the individual more than once mentioned in the Aberdeen Cartulary, and there described somewhat indefinitely as "*Johannes, filius Henriei burgensi (sic) de Aberden.*"[o]

AUTHORITIES.

[a] *Pap. Pet. vol. i, p.* 586; [b] *Ant. of Aberd. vol iv, p.* 731; [c] *Pap. Pet. vol. i, p.* 621; [d] *Ibid. p.* 639; [e] *Ibid. p.* 602; [f] *Ibid. p.* 639; [g] *Grubb. Eccl. Hist. Scot. vol. i, p.* 368; [h] *Pap. Let. vol. vii, pp.* 248, 259; [i] *App. No. VIII;* [j] *Pap. Let. vol. viii, p.* 447; [k] *App. No. VI;* [l] *Aberd. Cart. vol. i, p.* 228; [m] *Ibid. vol. ii, p.* 141; [n] *Pap. Let. vol. viii, p.* 651; [o] *Aberd. Cart vol. i, p.* 221.

CHAPTER VIII.

SIR ALEXANDER DE LYGHTON.

(Knight of the Order of St. John of Jerusalem).

Mr. John Edwards, in an account of the Hospitallers in Scotland,[a] expresses the opinion that Sir Alexander de Lyghton was probably a brother of the Bishop of Aberdeen, and that this relationship was doubtless the reason why the privileges of his Order were engrossed for preservation in the Aberdeen Cartulary, where he is described as Prior of Torphichen, and Guardian and Governor of all the lands of St. John of Jerusalem in Scotland.[b]

That he was not the Bishop's natural son Alexander mentioned in the Glaister marriage contract of 1428 seems clear, because there is every reason to believe that the Prior died prior to October 14th 1427, on which date others were appointed governors of the Scottish Preceptory of St. John of Jerusalem and its possessions.[c]

In 1412 he petitioned Benedict XIII for a grant of the Priory of the Scottish Hospitallers at Torphichen in Linlithgowshire, the revenues of which were valued at £500 per annum, a considerable sum in those days.[d] His petition was successful but he found others in possession and disputes arose. In 1415 "Brother

Alexander of Lyghton" with his rivals John of Bynning and Thomas Goodwyn received a safe conduct from the English King to attend the Chapter in England when the matter was doubtless discussed.(e)

An assembly of the Order was afterwards held at Avignon, and on the 11th August 1418 a provisional compromise was arrived at, the revenues in Scotland being divided between the three claimants but not in equal proportions, Sir Alexander—who seems to have had the advantage of being present—making a good bargain and securing the lion's share. The terms of the arrangement are contained in a Bull discovered among the Archives of the Order at Malta, a verbatim copy whereof with translation is given in the Scottish Historical Review for October 1911,(a) and from the same source we learn that on the 23rd August 1418 "Brother Alexander de Lychtoun of Scotland" received a licence from the Grand Master of the Order to proceed, in what manner he pleased with suitable horses and armed retinue, to the headquarters of the Order at Rhodes, where his presence was probably required for a full and final adjustment of the difficulties which had arisen in Scotland.

"Although belonging to the clergy in a medieval sense by virtue of his vows," says Mr. Edwards, "Leighton was probably not in priests orders, but represented the militant side while Goodwin and Bynning were entrusted with the maintenance of religious worship; and though bound, as all Hospitallers were, by vows of poverty chastity and obedience, he would be more in his element in a battle than in celebrating divine service in Latin."(a)

As already stated the Prior probably died before October 14th 1427, when the affairs of the preceptory are found in other hands.

AUTHORITIES.

(a) *Scot. Hist. Rev. vol. ix, p.* 52; (b) *Aberd. Cart. vol. i, p.* 220; (c) *Reg. Mag. Sig.* 22 *Jac.* 1, *No.* 104; (d) *Pap. Pet. Vol. i, p.* 598; (e) *Bain. Cal. vol. iv, p.p.* 854, 868, 869.

CHAPTER IX.

A CENTURY OF WALTERS.

Walter de Lychton (I)—see page 27—was succeeded as head of the family by three more Walters.

On the 23rd of January 1406 Walter de Lychton (II) who is described as "son and heir of the late Walter de Lychton" received a charter under the Great Seal to himself and his heirs in fee of an annual rent issuing out of the lands of Campsey in the barony of Luntrethyne, (Lintrathen) together with the superiority of the said lands.[a] Jervise suggests that this grant may have been obtained through the influence of his relatives the Ogilvys, presumably as some kind of compensation for his father's death in action, but the Charter contains nothing to indicate that the transaction was not an ordinary sale and purchase. Nor do the records vouchsafe anything further concerning this Walter—not even the name of his spouse—we must therefore assume that he was a decent member of society who died peacefully in his bed somewhere about 1442 or 1443, for in the latter year another Walter—doubtless his eldest son and heir—had sasine of the lands of Campsey.[b]

It seems likely that he had another son John, who inherited part of his estates, for about the same time John Lychtoun is recorded as taking sasine of the lands of Inglistoun and Balcaskie in Fife,[b] in which he was succeeded in 1461 by his son David, and the latter was in 1480 succeeded—in default of male issue—by a daughter named Janet who married Thomas Erskine son of the laird of Dun. [c]

Contemporaries of Walter (II) were Andrew de Lychtoun who in 1435 received a remission from the Abbot of Arbroath for the slaughter of James Gibsoun,[d] and David de Lychtoun who was a juror upon an inquisition in 1438, and again in 1448.[e] In 1453 Davy Lychtoun is mentioned in the Accounts of the Dean of Guild of the Burgh of Aberdeen as the recipient of £12, [e] and this may have been Sir David Lychtoun—see page 48—who before his appointment as Lord Abbot of Arbroath held the post of King's Treasurer, but the Author has found no record to prove the identity.

Walter de Lichtoun (III) succeeded to the lands of Campsey in 1443 as already stated, while in 1451 his sasine of half the lands of Dullathy, (Dalladies) in the Mearns, is recorded. [f] He is the first of the family to be designated "of" Usan, and it is clear that he acquired the latter estate prior to the 30th of June 1467, on which date we find a charter under the Great Seal by which half the lands of "Dunlabee cum le Strath" in the County of Kincardine were resigned by Walterus de Lichtoun de Howsane and confirmed to him and his wife Christiane de Spens—doubtless a daughter of the ancient family of Wormiston—and the survivor, and his lawful heirs. [g]

The lands referred to were probably Dalladies and Steilstrath in the Mearns, close to the borders of and perhaps *quoad sacra* within the old parish of Dunlappie. It will be found that the lairds of Usan generally settled this part of their property upon their wives, so that it seems likely that this charter was executed in pursuance of a marriage contract and that the marriage took place at about this time.

On the 12th of June 1481, when he was described as "Walterus "Lichtoun de Howshawin et de Wester Campsy," he—"*pro singulari "dilectione filiali quam habuit erga ipsum*"—granted to his son and heir apparent Walter Lichtoun (IV) and his heirs the lands of Wester Campsey in the County of Forfar and half the lands of Dunlawe in the County of Kincardine, reserving his own and his wife's life interests. [h] This charter, which proves that Christian de Spens was still living, was witnessed by, among others, Rob. Lichtoun, possibly another son, and perhaps the Dominus Robertus Leghtoun the charge on whose seal in 1536—a lion rampant—is mentioned by Laing. [i]

In 1484-5, Walter Lichtoun of Owsane in 1485-6 Walter Lichtoun of Ousane and in 1486-8 Walter Lichtoun de Osan, obviously the same individual—was "Custumar" of Montrose, an office which doubtless involved the collection of the customs, or port dues. [j] His daughter Isabella married David, son and heir of David Rossy o' that ilk, and some dispute appears to have arisen in connection with the marriage settlements for on the 21st of May 1484, the Lords Auditors decreed that the latter should "infeft by "charter of fefing in the best form as ever David Rossy, his soun "and apparend air, and Isabell Lichtoun his (the son's) spous, ye "docht of Walt Lichtoun, in joint fefmet of ten pounds worth of "his lands of Rossy." [k]

In the same year Walter Lichtoun was involved in some litigation between "William de Strueli (Stirling) " on "ye ta pt" and "Master George Strieuelin and certain uther psonis" including himself. This was probably a Stirling family dispute into which Walter de Lychton as the friend of one of the parties was drawn, but no details are given and the proceedings were "remit and referrit "to ye lords of Counsale to be decidit and determyt before ye Juge "ordind." [l]

On the 9th August 1488, Walt Lichtoun of Wllishavin was, with David Kynnere of yt Ilke, Johne of Kynnere his sone and apparend are, Pat'c Kynner, George of Kynner, John of Kere,

Thomas Butlare of Rugaway, James Garden, Andro McGown, James Dowblare, John Rany and Thomas Esop, brought before the Lords in Council at the suit of Mgret Dempstour "for ye wrangwis spoliacioun from the said Margret of certain property, striking and hurting of her and her bairnis, etc., etc." No details are given the case being adjourned to the 8th of October following. Nobody with any experience of litigation attaches much importance to the allegations in a Statement of Claim—which are even in these days frequently grossly exaggerated—without hearing the defence, and as the result is not recorded we can only hope that this ungallant conduct was not brought home to the laird of Usan, who nevertheless seems to have been a quarrelsome individual. [m]

On the 7th of August 1495, Walter Lichtoune senior, *dominus liberi tenemente de Wilishaven*, Walter Lichtoun junior de Wilishaven, and Joh Lichtoun, witnessed a charter by David Rossy o' that ilk, *(cum consensu Isabelle Lichtoun sponse sue)* in favour of his (Rossy's) son. [n]

In May 1496 Walter Lichtoun of Howlshawin acted as "Earls Bailie" pursuant to a precept, and gave sasine on behalf of Archibald Earl of Angus, Lord Douglas, of certain lands to David Graham, son and heir of the late Robert Graham, "by putting the "said David into the principal house and shutting the door upon "him" and on the same date another precept of *"clare constat"* by the Earl of Angus is addressed to Walter Lychtoun "of Kynnard" and others as Baillies. [o] This document is interesting as indicating that the lands of Kynnard or Kinnaird, which adjoined those of Campsey and which in later charters are mentioned as forming part of the Barony of Usan belonged to the family at this early date.

Walter (III) appears to have been living in 1497 when his son Walter (IV) was still described as "junior," and "apparent of Wllishavin" [p] but he probably died in this or the following year for the sasine of Walter (IV) of half the lands of the barony (*sic*) of Dullathy (Dulladies) is dated 1501, and as the lands had been "*in manibus regis per spacium trium annorum sasina non*

recuperata" it would seem that his right to inherit had accrued three years prior to this. (q)

Walter de Lychton and Christian Spens probably had other children besides Walter (IV) and Isabella who married Rossy. Duncan de Lichtoun, the progenitor of the Ethie Leightons—of whom hereafter—was probably a son, and Sir David Lichtoun the Abbot of Arbroath was in all probability either a brother or a son. Another contemporary was Georgius Lychtone a venerable friar of the Franciscan Monastery at Aberdeen whose death in the convent at Edinburgh is recorded in the year 1499.(r)

A curious mistake concerning Walter Lichtoun (IV) occurs in the Arbroath Cartulary in the record of a document dated the 21st June 1485 to which he was a witness. He is described as "Walter Lychtoun son and heir of David (*sic*) Lichtoun de Owsawyn." (s) This must obviously be a clerical error, the scrivener having seemingly in absence of mind substituted the Christian name of his Lord Abbot for that of Walter (III). In a charter of the 13th April 1487 he is described as Walter Lichtoun de Owsane "Junior", clearly indicating that there was a Walter of Usan senior, and their is abundant evidence in the Great Seal Charters already quoted, and several other records, to prove beyond doubt that the laird of Usan at this date was not named David, that from at least 1467 to 1497 Walter Lichtoun senior was the laird of Usan, and that Walter Lichtoun junior was his son and heir.

He seems to have attached himself to the suite of his relative Sir David Lichtoun very shortly after the latter was appointed Lord Abbot of Arbroath, for from 1485 to 1502 he is repeatedly recorded as taking an active part in the affairs of the Monastery. Duncan de Lychtoun—who as already indicated was probably his brother—had on the 18th November 1483 obtained from the previous Abbot, William Bonkil, a lease, of the Burntown of Ethie in favour of himself and Marjorie Tyrie his Wife, for their lives,(t) and he and Walter, along with the latter's brother-in-law Walter Rossy of that ilk, are frequently found in company as witnesses to Charters granted by Abbot Lychtoun, or as Members of Commissions and

Inquisitions relative to the Abbey property. The Charter of the 9th of July 1494 in which all three are described as "*Armigers*" is the earliest express record that the family were entitled to bear arms.

Walter (IV) appears to have held the post of Baillie and Justiciary of the Regality down to at least 1502 (u) but after the death of Abbot Lychtoun, his name disappears from the Archives of the Monastery. It is true that in 1520 a Walter Lychtoun is recorded as a witness and as one of the Baillies of the Abbey (v) and, judging from the index, the learned author of the Arbroath Cartulary seems to have regarded him as identical with Walter IV of Usan, but we venture to doubt the accuracy of this. The Walter of 1520 is not designated "of" Usan, and was probably the son of that name of Duncan for the records indicate that Walter (IV) must have died in or about the year 1518.

In 1510 Walter Lichtoun de Wllishawin is described in dog Latin as "*Aldermannus burgi de Montrose*," (w) and in the same year he witnessed the Charter by which Jonete Lichtoun "*domina de Quhitefield et Petdynneis*" sold the latter lands in the County of Fife to Robert Lord Erskine and Isobell his Wife, (x) a fact which may be taken as evidence of the close relationship between the families of Usan and Balcaskie.

On the 23rd December 1511, he received a Charter of Confirmation from the King of the lands of Usan, Wester Campsey, Kynnard and Dullauthy, which he had resigned, presumably for the purpose of having his estates erected into a barony; (y) he is once more recorded in the Register of the Great Seal on the 20th July 1512, when he attested a Charter by his brother-in-law David Rossy of that ilk, and it was probably this laird who granted to Andrew Bonnar the lease of the lands of Inverdovat referred to on p. 24.

The following year (1513) witnessed one of the most terrible disasters which has ever befallen the Scottish nation when no less than twenty-one noblemen, five eldest sons of noblemen, and an incredible number of Barons, in all ten thousand Scotsmen, fell on the fatal field of Flodden. It is almost certain that the laird of

Usan, holding his barony as he did from the Crown, would with his sons—if he had any old enough—follow his gallant sovereign on this occasion, but he does not seem to have been among the barons who fell with King James IV on that disastrous day, for on the 29th April 1514 we find Walter Lychtoun de Ulishavin as a member of an inquisition. (z) It is possible that the latter was the son and heir of Walter (IV) but, in the absence of any charter or record of sasine, the author sees no ground for such an assumption. On the contrary although Walter (IV) was in all probability married once, if not twice or three times, it is not clear that he had any son.

According to Douglas and other Peerage authors, Janet second daughter of John second Lord Ogilvy of Airlie married Leighton of Ulishaven. (aa) and, although no Christian name is given to indicate which laird was her husband, the dates clearly point out to Walter (IV). It could scarcely have been a second marriage of his father Walter (III) for his mother Christiane de Spens was living from 1467 to within a few years of his succession, while the wife of his own successor Thomas Lichtoun was Helen Stirling. That there was close intercourse between Walter (IV) and the Ogilvys of Airlie is shewn both by the Arbroath Cartulary and the Great Seal Registers in which their names constantly appear as witnesses to the same Charters, moreover, the union would account for his appointment as deputy Justiciary of the Regality of Arbroath for this Lord Ogilvy was, with his father, in 1485 appointed by Abbot David Lichtoun to be Justiciary and Baillie *pro terminis undecim annorum post obitum Johannis Ogilvy de Luntreith militis nostre ballivi Moderni, cum potestate deputatos sub eis substatuere.*" (bb)

It would seem however that Walter Lichtoun must have been unmarried or a widower in 1502, for Sir James Balfour Paul in his Scots Peerage points out that in that year according to the Cortachy MSS "Majorie, a woman had a dispensation—upon what ground does not appear—to marry "Walter Lichtoun of Ulyshaven" but there is nothing to connect her with Janet Ogilvy.

Again, according to Clark a daughter of William Lesley was married to Lichton in the Mernis.[cc] William Lesley died in 1501, and it would have been quite natural for Walter (IV.) to be known during his father's lifetime as "Lichtoun in the Mearns" for Dulladies which was settled on him by the Charter of the 12th of June 1481 was usually occupied by the heirs apparent of Usan, prior to the death of the laird when it became the dower house. His predecessor and successors executed Settlements of their property which disclosed the names of their wives and heirs, but it is curious that the Register of the Great Seal contains no such charter in the case of Walter (IV), and that the document of the 23rd December 1511, incorporating his estates as a barony is silent on these points. In view however of the evidence that he had a wife this omission does not necessarily negative his possession of a son, and the author is disposed to think that his successor, Thomas Lichtoun was either his son or a grandson.

The record of the sasine of the latter seems to indicate that Walter (IV) must have died in or about the year 1518 when he was probably at least 50 years of age, for his parents were married in or prior to 1467, while the charter in his favour of Campsey and Dulladies was executed in 1481.

AUTHORITIES.

[a] *App. No. V;* [b] *E.R.S. vol. ix p.* 658 [c] *Ibid p.* 681; [d] *Brech Cart. vol. ii. p.* 67; [e] *Council Reg. Aberd. p.* 17; [f] *E.R.S. vol. ix p.* 661; [g] *App. No. IX;* [h] *Ibid. No. X;* [i] *Cat. Scot. Seals;* [j] *E.R.S. vol. ix pp.* 345, 411, *and vol. x p.* 63; [k] *Act. Aud. p.* 140*; [l] *A.D.C. p.* 103* [m] *Ibid. p.* 87; [n] *R.G.S. vol. i No.* 2266; [o] *Laing Charts. Nos.* 227 *and* 229; [p] *Arb. Cart. pp.* 308 *and* 312; [q] *E.R.S. vol. xi p.* 465; [r] *Spald. Misc. vol. i p.* 67; [s] *Arb. Cart. p.* 216; [t] *Arb. Cart. p.* 201; [u] *Ibid. p.* 340; [v] *Ibid. pp.* 429 *and* 430; [w] *R.G.S. vol. i No.* 3456; [x] *Ibid. No.* 3481; [y] *App. No. XV;* [z] *Hist. of Car. of Southesk p.* 527 *and Spald. Misc. vol. v. p.* 291; [aa] *Peer. of Scot. vol. i p.* 30; [bb] *Arb. Cart. p.* 235; [cc] *Clark's Gen. Coll. p.* 19.



Fig 1



Fig 2



Fig 3

Frontispiece. (see pp. 19 & 20).

MEMORIALS OF

The Leightons of Alishaven

(USAN)

Angus,

AND OTHER SCOTTISH FAMILIES OF THE NAME.

PART II.

A.D. 1518—1931,

— BY —

CLARANCE F. LEIGHTON.

PRIVATELY PRINTED.

POSTSCRIPT TO PREFACE.

Nearly twenty years have slipped away since Part I of these Memorials was printed!

The increasing calls of my profession first deprived me of the leisure necessary to pursue what was after all merely a pastime, and then came the Great War with all its incidental difficulties.

Happily both are ended, and, in spite of the fact that the question "Cui Bono?" has not been satisfactorily answered, I have felt that it behoved me to complete what I undertook to do before it was too late.

I apologise for a certain amount of repetition, mainly due to the Chapters which follow having been printed piecemeal, often after long intervals.

Ancient documents in Scots' vernacular, with unfamiliar legal terms and many contractions, are often difficult to decipher, and it is almost impossible, in making excerpts, typing them for the printers, and printing, to avoid mistakes. In spite of much care therefore I am conscious that errors have crept in.

To assist the uninitiated I have added a glossary.

Since Chapter XIX was written a valuable addition to the literature concerning "Archbishop Robert Leighton his Life Times & Writings" by the Right Reverend E. A. Knox D.D., late Bishop of Liverpool, has been published. This contains two items of information—presumably culled from records which have escaped me—viz: that Dr. Alexander Leighton's first wife, the Archbishop's mother, was the widow of an Edinburgh merchant named Means; and that his youngest son, Caleb, died as a Cornet of Horse in Ireland.

Bishop Knox however seems to have gone astray in adopting the untouched statements of previous biographers regarding Alexander's relationship to the Usan family.

As I have pointed out (see pp. 91 *&* 92*) the evidence is against Jervise assertion that the Doctor was uncle to Robert Leighton of Usan, and Bishop Knox's statement that he was a nephew of the last owner of Usan is even more untenable for Alexander died before the birth of the last laird, Colonel John Leighton, and his brothers. Nor is there, I venture to believe, any evidence, or even probability, that either the Archbishop or his father was born at Usan.*

Moreover, whatever his fathers delinquencies, the fact that many Ogilvies and Campbells were slain, in the feuds mentioned on pp. 63 *&* 64*, hardly justifies the branding of John Leighton II of Usan as a murderer.*

In conclusion I desire to express my gratitude to many who have helped me with information, including the officials at the General Register Office in Edinburgh, and Mr. J. G. Low, Baillie of Montrose, a well known local Antiquary and Author of "The Old Church of Montrose" etc.

CLARANCE F. LEIGHTON.

Red Gate, Bexhill-on-Sea.
December, 1931.



GEN^{L} SIR DAVID LEIGHTON K.C.B.
From a miniature by William Egley.

CHAPTER X.

SIR DAVID LICHTONE.

King's Treasurer and Lord Abbot of Aberbrothock.

"When the rock was hid by the surge's swell
"The mariners heard the warning bell;
"And then they knew the perilous rock,
"And blest the Abbot of Aberbrothock."

We quote the foregoing lines without accepting any responsibility for Southey's false quantity, and without suggesting that the subject of this Chapter was the worthy Abbot whom Sir Ralph the Rover sought to "plague."

On the death of Abbot William Bonikil, the Council of Arbroath Monastery, being assembled on the 29th of July 1483 for the election of his successor, and being divided in opinion, both parties of the Monks by the advice of William Archbishop of St. Andrew's, by way of compromise, elected Sir Alexander Masoun Prior of Fyvie as *compromissar* for choosing the Abbot. The Compromissar forthwith postulated Sir David Lichtone, clerk of the King's Treasury and Archdeacon of Ross, to be Abbot. He was "received with great joy" and the Chapter voted a grant of 3,000

gold ducats for the expense of expediting the bulls of his appointment at Rome, a sum which long burthened the Abbey.[a]

The Lord Abbot of Arbroath was privileged by Rome to wear the mitre and, says the late Cosmo Innes in the preface to the Arbroath Cartulary—"whether bearing crosier or mitre or buckling on more carnal armour, whether sitting in the high places of Council and Parliament or taking homage and dispensing law among his vassals and serfs or following his sovereign to battle, was, in virtue of his social position, his revenues his followers and actual power by far the greatest personage of the Shire. The Abbey was toll free and custom free, but the privilege the Abbot most valued (and intrinsically the most valuable) was the tenure of all his lands in free regality, that is with sovereign power over his people, and the unlimited emoluments of criminal jurisdiction. In 1435 the then Abbot, in virtue of that right of regality, compounded with Andrew of Lychtoun and granted him a remission for the slaughter of James Gibsoun, and long afterwards the Lord of the Regality had the same power and was able to rescue from the King's Justicier and to repledge into his own Court four men accused of the slaughter of William Sibbald—as dwelling within his bounds."

"The Officer who administered this formidable jurisdiction was the Bailie of the Regality or Justiciar Chamberlain and Bailie. The best of the Shire and neighbouring districts thought it no degradation to hold their lands as vassals of the great Abbey. Record was made of the homage done by these barons to the Justiciar of the Regality kneeling on the ground with hands joined" as appears by the record of homage received in 1492 by Walter Lichtoun fiar of Ullishavyn as justiciar from Alexander Irvine laird of Drum and John Wishart of Pitarrow."

Although his parentage is not recorded Sir David Lichtone's constant intercourse with, and his numerous grants of Abbey lands and other benefits to, members of the family make it clear that he

was closely related to the house of Usan, and it seems probable that he was a brother, or younger son of Walter (III). His kith and kin certainly had no reason to complain that he was squeamish about nepotism. Walter Lichtoun (IV) when fiar or heir apparent of Usan held, as above recorded, the post of justiciary and Baillie of the Abbey, and doubtless charged handsome fees for granting sasines, etc., besides receiving a grant of the Abbey lands of Cowle in the Barony of Tarves.[b]

Duncan de Lychtoun, who as a member of his suite was actively engaged in the affairs of the Abbey, and his wife Marjory Tyry had in 1483 received from the previous Abbot an assedation for their lives of the lands of Burntown in Ethie, the former being expressly exempted from prœdial service on the ground that he was to attend the Abbots court and ride in his retinue[c] and these lands *cum decimis garbalibus* were in 1502 regranted by Abbot Lichtone to them and their two sons David and Walter on similar conditions.[d]

The elder of these, David, in 1528—after the death of his father Duncan—resigned his liferent in the Burntown of Ethie and received in exchange an assedation of the southern half of. the mains of Ethie for the lives of himself, his wife Gelys Guthrie, and their two sons Andrew and John.[e] Andrew probably died childless for the second son John appears to have succeeded to the Mains of Ethie,[f] and, as will be shewn hereafter, would have inherited the barony of Usan had the direct line failed.

Walter Lychtone and his son George,[g] Agnes Lychtone who married Alexander Burnet of Leys,[h] Jonete Lychtone who married Robert Joffrasome,[i] and Elizabeth Lychtone,[j] all obtained grants of Abbey lands, while John Lychtoun was in 1485 presented to the Vicarage of Kirriemuir[k] in 1490 to that of Newtyle[l] and in 1495 to that of Muirhouse.[m] He resigned Newtyle in 1494[n] but retained the other two until his death in 1495.[o] Alexander Lychtone another cleric was in 1489 presented to the Vicarage of Fyvie[p] which he held until his death in 1498.[q]

Sir David Lichtone seems to have managed the finances and property of the monastery with great care and diligence. The record of leases of land and tiends, presentations to livings, and other documents relating to the Abbey, were during his term of office more fully and carefully kept than in earlier times, and contain curious references to the offices of "granitor" and "cellarer." On the 5th of April 1486 he engaged "a discret clerk Master Archibald Lane" for three years after Whitsunday to teach the novices and younger brethren at the munificent annual salary of "ten merks" besides his daily portion with the monks.

The last charter by Abbot Lichtone is dated 17th December 1502, and he is believed to have died very shortly afterwards.

AUTHORITIES.

[a]*Arb. Cart. p.* 211; [b]*Ibid p.* 312; [c]*Ibid p.* 201; [d] *Ibid p.* 344; [e]*Ibid p.* 483; [f]*App. No. XXII;* [g]*Arb. Cart. p.* 343; [h]*Ibid p.* 331; [i]*Ibid p.* 338; [j]*Ibid p.* 323; [k]*Ibid p.* 229; [l]*Ibid p.* 266; [m]*Ibid p.* 287; [n]*Ibid p.* 267; [o]*Ibid p.* 288; [p]*Ibid p.* 260; [q]*Ibid p.* 325.

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CHAPTER XI.

THOMAS LICHTOUN OF WOLFISHAVYN.

Thomas Lichtoun who succeeded Walter Lichtoun (IV) as laird of Usan had sasine of the Barony on the 14th October 1525 when it is recorded that the estates had,—for some unexplained reason—been in the hands of the Crown for the space of seven years from the last lapse, sasine not having been taken up.(*)

It is remarkable that replete as the Arbroath Cartulary is with records of contemporary members of the family, its pages may be searched in vain for any mention of this laird of Usan, nor is he much in evidence in other archives until considerably later. None of the documents in which his name occurs vouchsafes any information as to his parents, so that it is impossibe to say for certain how he was related to his predecessor, but in the absence of evidence—and I have found none—to the contrary it seems probable that he was a son or grandson of Walter (IV) for the provisions of later charters indicate that if that laird had died without issue Duncan, if living, or the latter's heir, would have inherited the Barony of Usan, hence my assumption that Walter (IV) and Duncan were brothers. In any case there is no reason to doubt that Thomas Lichtoun was the direct heir of the old family of Usan.

Why he should have delayed entering into possession of his heritage for seven years is not apparent: it can hardly have been due to his minority for at the date of his succession he was a married man with a family. It may be that he was a younger son who had gone to seek his fortune abroad and was unexpectedly re-called to inherit, perhaps through the decimation of the family at Flodden. He may have been a prisoner in England, or possibly, in consequence of some spirited conduct in his youth, he had found the climate of his native land uncongenial and had prudently withdrawn from the country for a spell.

In the "good old times" of rugging and reiving, when Phairshon swore a feud," and it was considered "a cryme unpardonable" in a person of any rank " to reset or schaw favour to ony person aganis whome he beiris querrell;" no self respecting Scottish gentleman failed to get "put to the horn" at Edinburgh Cross for sticking somebody in the bowels, and Thomas Lichtoun, as we shall see, duly proved that the traditions of gentility were in this respect safe in his hands. The reason, however, for the postponement of his sasine must be left to conjecture.

Twelve months after his succession Thomas Lichtoun executed a charter by which he settled upon himself and his wife Helen Stirling the liferent of the Estate of Dalladies where twenty-three years later that unfortunate lady was foully murdered.(b) They were however probably married some years prior to the date of this settlement for 16 years later their eldest son appears as a Benedict.(c)

Thomas Lichtoun's next appearance in the records occurs on the 22nd June 1531 when he attested at Montrose a charter by Dominus Johannis Gilbert.(d) A year afterwards, viz., on the 23rd December 1532, we find him at Edinburgh witnessing a charter by David Crawford,(e) while on the 9th January 1534 he was a member of an assize.(f) On the 31st October 1539 it is recorded that Thomas Lichtoun of Ullishaven received a "Remission" for the slaughter of Andrew Tait and others.(g) Such an everyday occurrence was

apparently considered of trifling importance for no further particulars are given, and we may take it for granted that the unfortunate Andrew and his friends fell victims to one of the numerous scrimmages of the period.

On the 5th of March 1542, Thomas Lichtoune of Ullisheavin "with the consent of Jhone Lichtoune my son settis and for ferme maill lettis to ane honble man Thomas Melville fear of Disart and Janet Scrymgeour his spous the shadow third of Dysert in wadsett"[h] and on the 4th April in the same year he made over the lands of Campsy as a marriage portion to his son and heir apparent John Lichtoun and Jonete Levingstoun, the latter's wife.[i] He must have died within the next few years for in 1546 this son had sasine of the lands of Ullishavin.[j]

I have reason to believe that Thomas Lichtoun had two other sons, viz., James and Malcolm, and it is possible that the William Lichtoun mentioned in contemporary charters was a fourth son. His hapless widow Helen Stirling belonged to the family of that name which owned Easter Brakie in the parish of Kinnell, which they acquired from their cousin Hugh Lord Lovat in 1476. George Stirling was designated "of" Easter Brakie in 1498[k] and David Strweling—probably her father—on the 20th January 1531 endowed an altar in the Church of Kinell for the safety of the souls of his father George Stirling of Easter Brekky, his mother Margaret Dowglass, his uncle Patrick Stirling and the late Hugh Fraser Lord Lovat. This charter was witnessed by the William Lichtoun above mentioned.[l]

AUTHORITIES.

[a]*App. No. XVI;* [b]*App. No. XVII;* [c]*App. No. XVIII;* [d]*R.G.S., vol. ii, No.* 1,146; [e]*Ibid No.* 1,248; [f]*Ibid No.* 1,465; [g]*P.C.T., vol. i (App.* 352*) and R.P.S.S. vol. xii, p.* 31; [h]*Reg. of Conts. of the Commissary of St. Andrews;* [i]*App. No. XVIII;* [j]*App. No. XIX;* [k]*Ald. Misc, p.* 392; [l]*R.G.S., vol. ii, No.* 1,146.

CHAPTER XII.

JOHN LICHTOUN I OF ULYSSESHAVEN.

The Black Sheep.

The record of John Lichtoun I of Ulleshaven son and heir apparent of Thomas Lichtoun of Ullishaven and Helen Stirling is a short but tragic one.

The state of society, not only in Scotland but throughout Europe, at this time was such that we must not judge our ancestors by modern standards or take it greatly to heart if it is often through the records of criminal proceedings that we are enabled to make their acquaintance. "Theft, rapine, murder, and disorder of all kinds," says Dr. Robertson "prevailed in every Kingdom in Europe, to a degree almost incredible, and scarce compatible with the subsistence of civil society. Every offender sheltered himself under the protection of some powerful chieftain, who screened him from the pursuits of justice, and to apprehend and punish a criminal often required the union and effort of half a Kingdom." ("Hist. of Scot. p. 18).

The mountainous nature of the country, the small number of cities, the division of the people into clans and factions with deadly

feuds transmitted from father to son, the frequent minorities of her sovereigns, and the repeated conflicts with England, all combined to unsettle the government of Scotland and aggravate the lawlessness of her inhabitants, and it would be difficult to find an old Scottish family whose escutcheon is untarnished by some deed of inglorious violence.

Many of the feuds which occurred at this time without doubt owed their origin to religion, for nothing engenders such animosity and bitter strife as a change of creed, and the Reformation was unquestionably responsible for numbers of family and other quarrels which ultimately resulted in crime.

The Leightons of Usan were a fiery race, and, as already indicated the name is recorded in connection with more than one "slaughter" but no other member of the family has earned notoriety by being a party to such a savage and brutal crime as that which disgraces the history of John Lichtoun. His name does not appear prior to the 26th of March 1540 when his father, "*pro filiali amore et ob dotem*" resigned in his favour the lands of Campsy in the Barony of Willishavin, which were confirmed to John L. and his spouse Jonete Levingstoun and the survivor and their lawful heirs.[a] She was a daughter of Mr. Alexander Levingstone of Donypace[b] who was a great grandson of Sir Alexander Levingstone of Callander. Her father, a Director in Chancery, was in 1550 appointed an Extraordinary Lord of Session under the title of Lord Dunipace. The marriage in all probability took place about the date of this charter of 1540.

John Lichtoun's sasine of the lands of Usan is recorded on 29th April 1546,[c] and two years later he in turn resigned the estates to the Queen for the purpose of having them confirmed to his son and heir apparent John Lichtoun II to whom they were accordingly granted on the 1st July 1548, the liferents being reserved to the parents.[d]

After the death of Thomas Lichtoun his widow had married James Straton of Lauriston and—for what reason is not apparent—seems to have incurred the vengeance of her son the Laird of Usan.

On the 20th of May 1549 it is recorded that his father-in-law Alexander Livingstone of Dunipace, Director in Chancery had a letter of gift of his escheat, he being at the horn and fugitive for the violent taking of the deceased Helen Stirling his Mother out of the place of Ardinhall (doubtless Arnhall) belonging to the Laird of Lowrestoun in April 1548 and taking her to Ullishavin against her will, binding her as a thief[e] and for the alleged cruel slaughter of his said mother on Whitsunday in Pasche week namely on the 24th April 1549 in the place of Dulladis at 12 o'clock at night.[f] It will be noted that a year elapsed between these two offenses.

On May 28th 1549, says Pitcairn, William Waldy William Gray and James Fotheringham were convicted of "art and part of the cruel slaughter and murder of Helen Struieling Lady Ullishavin spouse of James Stratoune, and Jonet Sawlie her servant within the place of Dullady, committed under silence of night of forethought felony on April 24th last, the said Helen and Jonet being pregnant at the time, and also of breaking up the chests of the said James Stratoune and stealing and reiving furth of the said place and chests all the goods and jewels contained therein," and were duly hanged.

On the next day John Lichtone of Ullishaven was "denounced rebel and put to the horn as a fugitive from law" in connection with the above murder,[g] but no further record of him appears to exist.

Eighteen months later, viz., on the 1st December 1550 James Schoriswod was charged with being party to "ye crewel slauchter of umqule Helene Stirling Lady Ulleshavene. The quhilk day comperit in jugement James Stratoune and James Lychtoun Parsone of Dunloppy; and yai being requirit by ye said James Schoriswod gyf yai wald persew him of his lyfe for ye said slauchter? Answerit yat yai wald persew him for ye samin. And yairupon ye said James Schoriswod askit ane Act of Court and instrumentis and protestit yat ye said parsone suld tyne his benefice conforme to ye laws." In other words Shoreswood seems to have raised the technical defence that it was "*ultra vires*" for a parson to prosecute but whether the court unheld this objection or not does not appear.[h]

In my account of Thomas Lichtoun in the previous Chapter I ventured the conjecture that the James who is mentioned in contemporary records was his son. There is no actual proof of this, but it was the custom in Scotland in those days for the nearest of kin of the deceased to prosecute in cases of murder, after the manner of the scriptural Avengers of the Blood, and it would consequently be in the ordinary course for a son of Helen Stirling to join with her second husband in seeking to bring her murderers to justice so that it is highly probable that the James Lichtoun whom the accused contended was a parson was a younger brother of John Lichtoun I, and identical with the James Lichtoun whose issue, as I shall hereafter shew, subsequently inherited the Barony of Usan.

No less than 16 persons were charged with being concerned in the above tragedy so that there was evidently an extensive raid, but as no details are recorded it is difficult to hazard any opinion as to the extent to which the laird of Usan was implicated, nor is there any evidence that he was even present. The theory that the man was a lunatic is negatived by the number of others concerned, and the absence of evidence in support renders it unfair to conjecture that the woman was an undesirable character or that the son was seeking to avenge his dead father's dishonour; indeed, matricide is such a revolting and unnatural crime that it is almost inconceivable that John Lichtoun, however cruelly wronged, deliberately compassed the death of his own mother.

The account of the conviction of the three men who were executed indicates that they were seeking something more than a woman's life, for chests were broken open and the goods and jewels found therein removed, but it is improbable that mere plunder was the object of the expedition. The fact that the son had a year before taken his mother a prisoner and "*bound her as a thief*" affords some indication that his object was to recover something which he considered she had wrongfully abstracted. Thomas Lichtoun had recently died, and the widow had evidently lost little time in marrying James Straton. She had doubtless removed her

jewels and paraphernalia to the house at Dalladies of which, as already shewn, she had the liferent, and it is quite likely that the son, rightly or wrongly, conceived that she and her second husband had possessed themselves of more than they were entitled to. Matters of this kind were not in those days usually settled in the Law Courts; the natural remedy would be for John Lichtoun to send his retainers to forcibly recover possession of the property which he claimed, and the latter would incidentlly have no hesitation in laying hands on whatever else they fancied. Resistance by the inmates of the house, too much zeal on the part of the hot-headed raiders, and a melée in the dark would account for the rest.

Whether he was captured, tried, convicted, and executed in accordance with law, or whether he fell a victim to the vengeance of his mother's relatives does not appear, but certain it is that John Lichtoun ended his days very shortly after this tragedy for within eight months we find "Jonete Levingstoun Lady Hullishavin" mentioned as the wife of Robert Bruce a nephew of David Bruce of Clakmannane.[i] This ancient family claimed descent from a younger son of Robert de Bruce, Baliol's rival for the Scottish Throne, and from it are descended the Earls of Elgin and Balfour of Burleigh.

John Lichtoun had two sons, viz., John and Patrick and a daughter who married a Wood, all of whom must have been young children at their father's death. The former after a long minority succeeded him as Laird of Usan.

AUTHORITIES.

[a]*App. No. XVIII;* [b]*R.G.S. vol. iii, No.* 570; [c]*App. No. XIX;* [d]*Ibid No. XX;* [e]*R.P.S.;* [f]*Pit Crim. Trials, vol. i, p.* 344; [g]*Ibid;* [h]*Ibid, pp.* 350, 411; [i]*R.G.S.*

CHAPTER XIII.

JOHN LICHTOUN II OF ULLESHAVEN.

John Lichtoun of Ullishaven son and heir apparent of John Lichtoun and Jonete Levingstoun was of a different type from his father.

The settlement of the 26th of March 1540[a] made upon his parents "*ob dotem*" was probably executed soon after their marriage so that on the 1st of July 1548 when the lands and Barony of Ullishaven were, upon the resignation of his father, granted to him and his heirs, subject to the liferent of his parents or the survivor in the lands of Campsy Kynnard and Bridgend, we may assume that he was of tender years.[b]

His long minority is confirmed by the record of his sasine in the lands of Dulatheis (i.e. Dalladies) dated 3rd March 1559, which states that this property had been in the hands of the King and Queen for 11 years "*ratione warde*" and we may take it that he probably attained his majority at about this date.[c]

On the 17th of March 1566 the lands of Ulleshavin were upon his own resignation confirmed to him and the heirs male of his body, with the Manor house, tower, fortalice, manor, mill-dues, haven,

fishings and fishertown, and the lands of Campsy Kinnaird and Bridgend in the County of Forfar, and the lands of Dullydyis, Straith, and the mill-dues thereof in the County of Kincardine, which the Queen incorporated in the free barony of Ullishaven. Failing heirs male the estates were to go to his brother Patrick and the heirs male of his body, failing whom they were to go to Robert Lichtoun—son and heir of the late James Lichtoun Burgess of Montros—and the heirs male of his body, failing whom they were successively entailed upon John Lichtoun in Ethie and his three brothers, Richard, David and Duncan and the respective heirs of their bodies, failing whom they were to go to the nearest lawful heirs of John Lichtoun of Ullishaven, whoever they might be, bearing the names and arms of the family of Ulleshaven.[d]

The laird of Usan was probably unmarried at this date, for no liferent is reserved to his wife and the careful provision for the succession seems to indicate that he was not only without children, but even without many near relatives except his brother Patrick, for if there had been sons or other brothers it is unlikely that their names would have been omitted from this important charter of entail.

"The late James Lichtoun" can hardly have been a deceased brother or he would probably have been so described, we are therefore forced to the conclusion that he was an uncle for, having exhausted his own father's issue, John would in accordance with the recognised rules naturally select his heir in the line of his grandfather's second son, so that the record seems to indicate that James was the second son of Thomas, and thus tends to corroborate the view previously expressed that the James Lychtoun who sought to bring to justice the murderers of Helen Stirling was her son. It is, however, curious that he should have been designated in 1550 "Parsone of Dunloppy" and in 1566 "Burgess of Montrose" but the descriptions are not inconsistent, and there seems to be no reason why he should not have subsequently become a Burgess of Montrose. That he was more probably an uncle, than a brother of John Lichtoun II, is indicated by the fact that his son Robert and the laird of Usan were clearly contemporaries.

Patrick Lichtoun the laird's brother probably died without issue prior to the 19th of June 1592 on which date John Lichtoun executed a second charter of entail which contains no reference to him.

I have already given reasons (see p. 50), for believing that John Lichtoun in Ethie and his brothers, who were in turn to succeed should Robert Lichtoun's line fail, were grandsons of Duncan Lichtoun in Ethie and that the latter was a brother of Walter Lichtoun (IV) of Usan.

If John Lichtoun of Usan had been married at the date of this charter the document would doubtless have reserved a life interest for his wife, but he must have shortly afterwards entered into the bonds of matrimony for on the 26th February 1574 the King confirmed to him and Katherine Wod his spouse and the survivor the lands of Dilladais and Steilstraucht,[e] and by her he had several daughters but apparently no sons.

In 1572 the seal of John Lichtoun of Ullisheiven says Stoddart, bears the charge of a lion rampant.[f]

In the year 1577, John Lichtoun of Ullishaven was served heir to his father's brother Malcolm Lichtoun, in the lands of Skechin in the barony of Panmure[g] from which it may be assumed that the latter died without issue. This was clearly a younger son of Thomas Lichtoun and probably the same Malcolm who witnessed a charter by James Erskine on the 13th March 1539.[h] The date of his death is not recorded, but from the fact that his name was omitted from the Charter of entail of the 17th of March 1566, he probably died prior to that date, although the retour is so much later. Possibly his widow enjoyed the liferent of Skechin.

John Lichtoun II, on the 10th June 1587 received a confirmation to himself and his heirs male of the lands of Capo in the Barony of Kethic in the County of Forfar, which he had purchased from

Alexander Bishop of Brechin, with the consent of the Chapter of that Cathedral, on the 4th January 1566. Although here described as in the County of Forfar, Capo is in the Mearns, lying just to the south of Dalladies and Steilstrath. The same Charter confirms a grant dated at St. Andrews 25th November 1578, to him and his wife Katherine Wode and the survivor, of the Church lands and glebe of Nether Inchbraik, and the names of John Lichtoun in Ethie and Rob Lichtoun burgess of Montrois, appear as witnesses.(i)

In the latter part of 1591, John Lichtoun of Usan took an active part in the long standing quarrel between the Campbells and the Ogilvys, a feud which, after slumbering for years, would from time to time break out to the mutual loss of both clans until in 1640 it culminated in the demolition of Lord Ogilvy's castles of Airlie and Forter by the 8th Earl of Argyll, an event which gave rise to the ballad "The burning of the bonnie House o' Airlie."

On the 18th of October 1591 "Lichtane of Usan, Johnne Lichtane"—probably John in Ethie—"Archibald and Alexander Ogilvy and Johnne Smith," who are described as "his seruandis" were, with numerous others of the Ogilvy clan, accused of "having on the 16th of August last by past, with convocation of his Maiesties leigis to the nowmer of threscoir personis or thairby, all bodin feir and weir, with jakkis, speiris, hacquebutis, pistolettis, and utheris weaponis invafuie, prohibite to be worne by the lawis of this realme and Actis of Parliament, of the speciall causing, sending hounding out, command &c., of the said Lord (James Lord Ogilvy) came upon umqle Robert Campbell in Millhorne, William Campbell of Souttarhous, Thomas Campbell portioner of Kethick, and John Campbell of Muretoun, and maist cruellie and unmercifullie murdreist and slew theme, upon sett purpois, provisioun, and foirthocht fellonny, in hie and proud contemptioun of his Maiestie, and encouragement of utheris to commit the like shamefull and cruell slauchteris heirafter."(j)

The letters raised were at the instance of "the wyffis, bairnis, and remanent kin, and friends, of the deceased persons", and Lichtoun, who seems to have been in command of the party, was

along with the lairds of Teling, Balfour, Drummis, Queich and Innerquharratie, and upwards of twenty other Ogilvys, charged to appear before the King and Council, but none of them appearing they were denounced rebels and put to the horn.

It seems possible that John Lichtoun in Ethie was wounded in the fight, for on the 31st October he made his Will which was signed on his behalf by Mr. John Fullertoun the Minister of Inverkeilor because "through weakness he cannot write himself" and he died on the 9th of November 1591.[k] His wife Matilda Auchinlech predeceased him in October 1580.[l]

This raid may have been the cause of the fresh outbreak of the old feud, but was more probably one of the several fights which occurred between the Campbells and Ogilvys about this time, for a few days afterwards the 7th Earl of Argyll with 500 of his clansmen attacked the Castle of Forter, and Lord Ogilvy of Airlie, who with his lady and family were living there, had difficulty in escaping, while nearly twenty of the inhabitants of Glenisla were slain by the Campbells in cold blood. A month later Clova and Glenisla were attacked by the Campbells "under cover of night" and three or four innocent men and women were slain, and "a great prey of goods reft and taken away."

The denunciation and horning of the laird of Usan by the Lords of the Secrete Council do not seem to have seriously interfered with his domestic arrangements for within three weeks he entered into a contract for the marriage of his daughter Eupham to Robert Lichtoun son of Robert Lichtoun Burgess of Montrose and grandson of the late James Lichtoun Burgess of Montrose. Robert junior, was obviously a good match for his cousin Euphemia Lichtoun. It would seem from the terms of the Contract that John was without sons, and if his younger brother Patrick had, as I assume, died without heirs the family estates would upon his own death by virtue of the Charter of Entail go to Robert Lichtoun senior and eventually to his son. By this marriage John Lichtoun not only secured the property for his own issue but effected an

arrangement which seems to have enabled him to raise the money which he required to relax the 'horning" above mentioned.

The marriage Contract, which is a long and interesting document and a model of careful draftsmanship, provides that in consideration of John Lichtoun making over the lands of Campsey, Brigend, Kynnaird, and "that pendicle to the said lands called Correffie" and binding himself not to alter the entail of Usan, Robert Lichtoun Senior bound himself to pay him 6,000 merks by instalments extending over two years, to forthwith enfeft his son Robert and the bride in the lands of Campsy, and to redeem an annual rent charged upon the property in favour of John Lichtoun in Ethie by paying to the latter a sum of 1,250 merks. Moreover, the lands of Capo and Heichame, which had been acquired by John Lichtoun since the date of the Charter of Entail of 1566, were also to be entailed upon Robert Lichtoun Senior and his heirs male in a similar manner to the Barony of Ulysseshaven.

In the event of John Lichtoun's Wife Katherine Wod predeceasing him and of his having heirs male by a second wife careful provision is made protecting the interests of such heirs who were to be able to redeem the property on payment of certain sums.[m]

Very shortly afterwards the lands and barony were confirmed and granted *de novo* to Robert Lichtoun Senior reserving to John Lichtoun II, his life interest and to his wife the free tenement of Dwlydyis, with the mill and fishing and her proper third of Ulleshaven should it become due to her. Like the marriage contract this Charter contains no mention of John's brother Patrick but except that David Lichtoun in Ethie takes the place of his father John in Ethie and that Alexander Lichtoun is mentioned as the eldest son and heir apparent of the late Duncan L. in Gwildie; the succession is provided for as in the Charter of 1566.[n]

In 1593 Katherine Lichtoun, another daughter of John L. of Usan, married her father's first cousin James Levingstoun of Cauldame, lawful son of John Levingstoun of Donypace, the

marriage contract bearing date the 14th of September in that year.[o] A third daughter was Elizabeth Lichtoun who married William Murray,[p] while a fourth was Jeanne Lichtoun who married Alexander son and heir apparent of Alexander Guthrie of that ilk.[q]

Warden (Ang. Vol. 1, p. 395) states that Margaret Lighton who in 1585 married Thomas son of Thomas Maule of Panmure, was a daughter of the Laird of Ulishaven, but I have failed to discover any record to confirm this.

In 1609 Usan's financial affairs were evidently not in a very satisfactory state. He was in debt to the extent of about £8,000 Scots, his lands were subject to various wadsets, and his creditors had put him to the horn. On the ninth of January 1609 he entered into a contract with his son-in-law Robert Lichtoun whereby in consideration of the latter undertaking to discharge all his liabilities he surrendered his life interest in the lands and barony of Ulisheivin.[r]

This quaint document throws so much light upon the family circumstances and is of such local interest, that I have set it out *in extenso* in the Appendix. Then as now Usan and Ferryden were important fishing stations. From references in various records to the "salmond fyschings" in the waters of the North and South Esks it is evident that large quantities of that fish were then as now taken, and as "barrels of salmon" are frequently mentioned it would appear probable that the fish was dried in some way for export doubtless producing a large revenue to the laird to whom the fishing boats evidently belonged, and the fishermen seem to have held their cottages and lands upon a kind of feudal tenure in return for their services. The quaint arrangement for John Lichtoun to occupy the principal residence *at his own expense* for one month and no further in each year seems to indicate that he was unwilling to entirely forego his position as head of the family, or it may perhaps have been to enable him to be present for the purpose of watching his interests during the most important period of the fishing season.

This contract also records the fact that its date, the 9th January 1609, Robert Lichtoun the elder was dead.

It is clear that John Lichtoun was getting on in years. On March 13th 1611 an action is recorded at the instance of Margaret Woid lawful daughter of William Woid of Balblene a son of John Lichtoun's sister against her great uncle to enforce a promise which he had made to settle 500 merks upon her when she married John Lamb in Hillhorne. "In respect of his great age" a commission was granted to take John Lichtoun's evidence at Dilladies.(s)

He died at Dalladies surrounded by the members of his wife's family on the 29th August 1613, being probably about 80 years of age, without leaving male issue, and the record of his Will shews that in spite of adverse circumstances he maintained to the last the traditions of a baron of olden times and was apparently a man of piety.(t)

The surname Wood, is a very old one in Scotland and is said to have originally been "deBosco." The Woods of Bonnington or Bonyton derived their property from the ancient Forfarshire family of Tulloch which prior to 1493 merged by marriage into that of Wood. The Tullochs were the "Kings Cadgers" who are reputed to have held the lands of Bonnington under the tenure of supplying fresh fish to the Royal table. The fish were taken from the fishtown of Usan to Forfar by what was known as the "Kings Cadgers Road." The Woods were barons of Angus, and besides Bonnington, members of the family owned Idvies, Balnamoon, Craig, and other lands in the shire.

Katherine Wood's brother, James Wood, fiar of Bonnington was beheaded in 1601. It appears that in 1596 the "young laird of Bonitone" was declared "an excommunicated Papist." He seems to have quarrelled with his family who were Protestants, and on the 16th of March 1601 accompanied by his brother-in-law (*sic*) William Wood of Lawton and other persons he broke into his father's house and took therefrom certain legal papers belonging to his sister Lady Usan, besides a quantity of clothes, napery, and

blankets. He was tried along with William Wood at Edinburgh, and both were sentenced to be executed. William obtained a remission, but James, notwithstanding great interest made on his behalf by Lords Huntly, Errol and Home, was beheaded as above mentioned. His brother Henry, or Hary, who witnessed the Will of John Lichtoun became fiar of Bonnyton on his death.[u]

There had apparently been some family dispute about charters, for a considerable period, for on the 5th of June 1590 an action is recorded at the instance of William Wod son and heir of the deceased William Wod of Lawton for delivery of a charter of the lands of Resnallie which was in the possession of John Lichtoun of Ulisheavin.[v]

A sister of John Lichtoun whose name is not recorded married a Wood, possibly a brother of Katherines, and by him had William Wood of Balblane whose daughter made the claim for tocher against John Lichtoun as above mentioned.

Katherine Wod Lady Usan seems to have been a dour old lady who lived to an advanced age, for though her death is not recorded there is evidence that in November 1619 she sufficiently retained her faculties to decline to renounce her life interest in the lands of Dulladies which her son-in-law Robert Lichtoun was anxious to sell.

AUTHORITIES

[a]*App. No. XVIII;* [b]*Ibid, No. XX;* [c]*Ibid, No. XXI;* [d]*Ibid, No. XXII;* [e]*Ibid, No. XXIII;* [f]*Stoddart Scot. Arms;* [g]*Inqu Retorn Forfar;* [h]*R.G.S., vol. ii, No. 2,836;* [i]*App. No. XXIV;* [j]*R.P.C.S., vol. iv, and Pit. Crim. Trials, vol. i, p. 264;* [k]*App. No. XXV;* [l]*Edinburgh Testaments, vol. ix;* [m]*App. No. XXVI;* [n]*Ibid, No. XXVII;* [o]*Reg. Deeds Edin., vol. 51 and R.G.S., vol. vii, No. 1,938;* [p]*Reg. Deeds Edin., vol. 293;* [q]*Ibid, vol. 50 and R.G.S., vol. v, No. 1,190;* [r]*App. No. XXVIII;* [s]*Reg. of Acts and Decreets, vol. 263, fo. 108;* [t]*App. No. XXIX;* [u]*Chamber's Dom. Ann. 1601;* [v]*Reg. Deeds Edin., vol. 50.*

CHAPTER XIV.

ROBERT LICHTOUN OF TOLMUNDS.

Robert Lichtoun senior, who by virtue of the entail was entitled to succeed to the Barony of Ulysseshaven upon John's death, predeceased the latter in or about the month of December 1608, so that he never actually owned the property. He was, however, a man of considerable local influence and importance, and the owner of the lands then known as Tolmunds in the parish of Logie-Montrose.

On the 24th October 1581 and 8th July 1587, he was present as member for Montrose of the Parliament held in Edinburgh, and it is probable that the Lichtoun—Christian name not recorded—who was member for Montrose at the Convention of Estates held at Stirling Castle on June 12th 1578 was the same individual. In 1591, he is described as a Councillor, and as "Principal" at the Convention of Royal Burghs held at Montrose,(*) while numerous documents recorded in the Register of Deeds in Edinburgh disclose the fact that he was Provost of Montrose in 1585, 1592, 1593, 1598, 1599, 1600 and 1601 and probably on other occasions.

The Provost of the Royal Burgh was a personage of no slight importance. Apart from other privileges he was "Admiral of the

Coast," his jurisdiction extending along the seashore from the River Southesk to the River Northesk, within which limits he could secure all the "flotsam and jetsam"—i.e., wreckage of all kinds—cast ashore. Moreover, by a charter of King James V the Provosts and Bailies of Montrose were created "Justiciaries" within their Burgh and the liberties thereof which were of considerable extent, and among the duties of the Justiciaries were "to catch call acquit or condemn thieves, pickpockets, robbers, re-setters of theft, etc., to grant uplift and receive, and if need bees to reckon and grant discharges for, all escheats and amercements of their Courts, to apply the one half of the escheat of said persons who shall happen to be acquit to their own proper use, and the other half to be brought unto us and our treasurer for the time being." It will thus be seen that the office involved not only considerable power but opportunities for personal profit which the Provosts of those days were probably not slow to take advantage of.

According to Mitchell's History of Montrose the inhabitants of the town suffered much at different times from the raids of the surrounding barons and marauders of every description, and especially from the Erskines of Dun under whose jurisdiction more particularly the town was. So serious were these raids that the gates of the town had to be secured, and the cattle penned up in a part of the High Street every night. In order to secure their goodwill, the burgesses frequently elected the lairds of Dun as their Provosts, more as a matter of necessity than of choice. It would seem, however, that towards the end of the sixteenth century the burgesses became weary of this subservience to the Erskines and determined to assert their rights, and they appear to have chosen Robert Lichtoun as their Champion.

In 1592 John Erskine, Seventh Earl of Mar, a Court favourite who acted as Regent during the minority of James VI and was afterwards tutor to Prince Henry, made use of his influence to get himself nominated by the King for election as Provost of Montrose, but the burgesses ignoring the nomination decided to appoint Robert Lichtoun. The Earl of Mar, unwilling to be ousted without an effort,

at once took proceedings to enforce what he conceived to be his rights, and the Municipality "found caution" for his election in case it were found by the Lords of Session that they ought to elect him. Apparently before obtaining a judicial decision on the point, the Burghers proceeded to elect Robert Lichtoun, with the result that the latter, together with the two ballies, ten councillors and the clerk of the burgh, were called before the Privy Council who found "that the defenders had done wrong in not electing the said Earl and for using of a pretentit forme of election of their awne and be the unlawfull ressaving of the aithis of the inhabitantis of the said burgh to assist thame in their said electioun they therefore ordained the defenders to be committed to ward in the castles of Blakenes, and Doune of Monteith, during His Majesty's pleasure."(b)

The committal to gaol of an entire corporation would cause some astonishment in these degenerate days, but it will be generally conceded that if a few of the follies of modern municipal councils could be punished in this manner at the instance of the ratepayers the effect would be salutory, even though it might necessitate increased prison accommodation.

It seems probable that Lord Mar failed to establish his supposed rights though Johnne Erskine of Dun is described as Provost of Montrois, and Robert Lichtoun as Councillor there, in a document dated the 10th of August 1592 relating to certain proceedings taken by Edmond Arnold "merchant in Hippiswiche" against the Provost, Bailies and Council to recover £3,080 "the price of certain victual"(c) for the City fathers do not seem to have been kept long in durance vile, and in the following year (1598) we find Robert Lichtoun again acting as Provost, a post which he held in several subsequent years.

The ill feeling between the Lichtouns and Erskines broke out again in 1604 when Robert Lichtoun fiar of Usane, William Wood of Lautoun, Patrick Lichtoun and James McEane, were ordered "to repair as soon as possible to the town of Arbroath and remain there till the Lords of the Secrete Council declare their will towards them

anent the trouble which fell out in the town of Monrois between them and Mr. Arthour Erskin," while the latter along with David Erskine of Logie, Robert Erskin his brother, and Robert Keyth younger, were similarly banished to Dundie,[d] but this was not the only feud in which the family were embroiled. Two years previously viz:—in 1602 the Lindsays and Ogilvys fell foul of one another, and Alexander Lord of Spynie Hary Lindsay of Kinfauns, Sir John Lindsay of Wodheid, David Lindsay fiar of Edzell, Patrik Lindsay of Barneyairdis, David Lindsay of Vane, Sir Walter Lindsay of Balgavies, John Lindsay of Balhall, David Lindsay apparent of Kinnettles, Alexander Lindsay of Kettick, and other members of the family on the one part and James Master of Ogilvy, Sir John Ogilvy of Craig, Mr. David Ogilvy and George Ogilvy sons of Lord Ogilvy, Sir John Ogilvy of Innerquaritie, David and Robert Ogilvy of Bannaboith, Robert Lichtoun, son and apparent heir of Robert Lichtoun fiar of Ulissanne, Francis Ogilvy son of the said Lord Ogilvy, and others of their clan on the other part were required within six hours under pain of rebellion to subscribe to a mutual assurance for keeping the peace "the quarrel between them yet remaining."[e]

I have already shewn that the Leightons of Usan and the Ogilvys of Airlie were the offspring of the same mother (p. 29) that their coat armour was originally identical, (p. 19) that they intermarried, (p. 46) and that for upwards of 200 years they fought side by side in their clan feuds. (pp. 28, and 63). Later records indicate that after Usan had passed into other hands and the family was dispersed many of its cadets gathered under the ægis of the castles of Forter and Cortachy. In the latter part of the 17th Century the lands of Memus, Strone, Dykehead, Muirhead, Fetteragie, Fichell, Murie, Glasslite, Tarrybuckle, Rottal, Cadham, Hillocks and Acharn in GlenClova were all tenanted by Leightons, and many of the family were "out" for Prince Charlie with Lord Ogilvy in the disastrous "45" so that they must be regarded as a sept of the Ogilvy clan whose tartan they doubtless wore.

Richard Lichtoun who is named in the charters of entail of 1566 and 1592 as a brother of John Lichtoun in Ethie appears to

have been one of the Baillies of Montrose and his name occurs in an interesting record "Anent the Duche Schippis taken by the Pyrattis." In 1574 "a schip of the town of Twisk besyde Meneblik in north Holland and an uther schip callit the Forlorne sone" jointly owned by Godscale Tymmerman one of the Council of Danskin and Lucas Yeleson of the town of Emden "wer in thair dew course recounterit and takin by a schip of weir of the realme of England quhairof is capitaine Robert Istied of the town of Hastingis in the County of Sussex and brocht to the burgh and port of Montrose." Istied was doubtless one of the numerous privateers or "Sea-dogs" as they were called who at this period accepted letters of marque from the Prince of Condé and the French Protestants to aid the Netherlands in their struggle against Philip of Spain. The hapless Dutch Ships may have been mistaken for Spaniards for when their owners arrived at Montrose to recover their property the privateer seems to have admitted their claims and "The Lordis of the Secrete Counsall willing to do Justice and schaw all reasonable favour to the saidis personis spuilyeit and the guidis being sic as be keping cannot be observit"—the goods partly consisted of barrels of "as" whatever that may have been—they were ordained to pas to thair schippis and guidis and thair be advise of Richard Lichtoun and Richard Andersoun Baillies of the burgh of Montrose or ather of thame that sal be present and se to the selling valuation and estimatioun of the saidis schippis and guidis and report quhat the same extendis to, to the Regentis Grace and Counsall with all convenient diligence." The proceeds of realisation were to be held until the owners obtained satisfactory evidence of their title from the towns of Horne Encusen or Emden.(f)

Robert Lichtoun was also "father of the poor of the hospital at Montrose" and after his death a bond is recorded whereby his son Robert of Usan undertook to pay to the Provost, Baillies and Council 100 merks left by his father in legacy for the benefit of the poor,(g) this son inherited Tolmunds in 1615 doubtless after his mother's death,(h) for as stated Robert Lichtoun senior died in December 1608.(i) I have failed to find any record of his Will but he married Elspeth Petrie who survived him.(j) I have discovered

nothing to shew who she was, but there was a family of the name of Montrose in those days.

He left four sons, namely, Robert Lichtoun of Usan, Patrick Lichtoun, James Lichtoun, A.M. and John Lichtoun who are dealt with in Chapter XV and according to tradition the notorious Dr. Alexander Leighton (of whom hereafter) was also a son of his but I have searched in vain for any record to prove this. He also had four daughters, viz.—Agnes who married William Ramsay, Provost of Montrose, son of David Ramsay of Balmain;[k] Lucrece who married Mr. Patrick Irving in Over Park;[l] Elspeth who married James Williamson, Burgess of Montrose;[m] and Margaret who married David Guthrie one of the Baillies of Montrose. She died in 1653 and bequeathed £100 Scots to the Church of Montrose.[n]

AUTHORITIES.

[a]*Montrose Burgh Rec.*; [b]*R.P.C.S., vol. vi, p.* 34; [c]*Ibid pp.* 1, 2 *& 3*; [d]*Ibid, vol. vii, p.* 577; [e]*Ibid, vol. vi, p.* 393; [f]*Ibid, vol. ii, p.* 377; [g]*Reg. Deeds Edin., vol.* 304; [h]*Inqu Retorn Forfar, No.* 82; [i]*Reg. Deeds Edin., vol.* 166; [j]*Ibid, vol.* 240; [k]*Ibid, vols.* 148 *&* 379; [l]*Ibid, vol.* 281; [m]*Brechin Tests, vol. ii;* [n]*Reg. Deeds Edin., vol.* 240 *and Lows Church of Old Montrose, p.* 182.

CHAPTER XV.

ROBERT LICHTOUN OF ULLESHEAVIN and his brothers.

I have already explained that Robert, the eldest son and heir of Robert Lichtoun of Tolmunds became entitled by virtue of the charter of entail and the contract made upon his marriage to Eupham daughter of John Lichtoun II of Usan, to succeed to the Barony subject to the liferents of his father-in-law and father respectively. The latter on the 1st of January 1602 resigned all interest in the property[a] and we thereafter find his son described as "fiar" or "apparent" of Usan, while some years before the death of John Lichtoun II that laird's financial difficulties enabled his son-in-law to obtain possession of the estates upon the terms of the contract of the 9th of January 1609 mentioned on p. 66.

Either because these terms were too onerous or for some other reason Robert Lichtoun appears to have outrun the constable within a very short time. His wife Eupham died in May 1613, and although her estate was valued at £4,104 she appears to have been jointly liable with her husband for sums amounting to £8,833.[b]

His bereavement, however, had no sobering effect upon the laird of Usan for within two months we find him entering into contract to purchase from Sir George Hay of Netherliff and Peter Hay the eldest son the adjoining estate of Duninnald for £20,000 Scots[c] and on the 8th July 1613 he received a Charter of Confirmation of this property.[d]

In the following year he granted a tack of half the lands of Duninnald to Andrew Lamb[e] but the latter does not seem to have proved a very satisfactory tenant, for two years later litigation is recorded about 300 merks—presumably rent— which the laird of Usan was claiming.

In all probability Robert's object in acquiring Duninnald was to consolidate his property, for on the 21st of March 1614, he agreed to sell the outlying portions of the barony known as Dalladies and Capo to John Straton of Lauriston for £17,000[f] and bound himself to get his mother-in-law Katherine Wood—who it will be remembered had the life rent—to resign her interest. He, however, reckoned without his host for the old lady declined to be put upon the shelf, and he was unable to carry out his bargain before her death . Relying as he doubtless was upon the proceeds of this sale to pay for Duninnald he seems to have found himself in a tight corner, for nearly twenty bonds and actions are recorded against him at this period which indicate that he was borrowing money right and left. Most of these bonds were guaranteed by his brother Patrick as "cautioner" but the latter was far to canny a gentleman to have rendered this assistance without a *quid pro quo*, and in all probability Patrick took a charge or wadset upon Duninnald, for within a few years he appears as the proprietor of that estate.

From the frequency with which Usan's name occurs in the Register of Acts and decrees he was evidently a good friend to the lawyers. From 1612 to 1617 he was engaged in litigation, first with Sir David Wood of Craig and afterwards with his own brother "Mr." James Lichtoun, concerning the Kirklands manse and glebe of Inchbraik which the latter claimed as minister of the Parish, Robert apparently supporting the title of the minister in

possession who rejoiced in the name of Thomas Hog and refused to budge. The decisions, however, were invariably against the laird of Usan and his protegé, and Mr. James Lichtoun, who was backed by Sir David Wood of Craig, eventually obtained possession of the manse. This difference seems to have made very little bad blood between the brothers for Mr. James acted as a witness to Robert's Charters during and after the proceedings.

From first to last Robert Lichtoun did not manage his affairs with success. He became entangled with a woman named Isobel Wyllie, a daughter of one of his own tenants, and it was due to his extravagances, and the encumbrances with which he fettered the estate, that his son and heir was forced to part with the property with which the family had owned for so long. He must have died in the Autumn of 1617, for on the 11th of September he executed a bond in favour of his brother James for 900 merks[g] while on the 23rd of December in the same year is referred to as the deceased Robert Lichtoun of Ullishavin.[h]

He had eight children by his wife Eupham namely; John, James, Robert, William, David, Elspeth, Katherine and Lilias. The sons are dealt with hereafter. Of the daughters Elspeth the eldest, married after her father's death, William Keith of Bruntoun in the Parish of Fetteresso but died on the 9th May 1626 leaving "to the wise and fatherly care of her husband her three young children Elspeth, Jean and Alexander."[h] He was I believe a brother of Alexander Keith of Kirktounhills, who married another daughter of the laird of Usan, Catherine Lichtoun, and they were both probably sons of Mr. Alexander Keith who towards the end of the 16th century was minister of the five churches of Arbuthnott, Kineff, Caterline, Bervie and Garvock. On the death of her husband Catherine Lichtoun received in 1663 Sasine of the Kirklands of Arbuthnott, doubtless inherited from the pluralist above mentioned.

Patrick Lichtoun the brother of Robert Lichtoun of Usan was a wealthy merchant at Montrose and, judging from the number of bonds executed in his favour, must during the first half of the

17th century have been the principal financier in the neighbourhood. He was a Baillie of Montrose in 1613, 1615 and 1618 while from 1622 to 1643—with the intermission of four years,—he is almost continuously found in the Register of Deeds as Provost of Montrose. He was known as Patrick Lichtoun of Dunninald having apparently acquired that estate under a Contract dated the 10th October 1617 from his elder brother Robert who had purchased it four years previously.[i] In 1624 he purchased from William Graham for 28,000 merks the lands and Barony of Ferniflett or Easter Kineff in the Mearns.[j] He also owned the lands of Gardyne Pitforthie and others in the neighbourhood of Montrose.[k] He married Margaret Grahame of the Ferneflett family who was probably a daughter of John Graham Chamberlain to the Earl Marischall of Scotland,[l] and by her had a large family.

The extent of his financial transactions may be judged by the fact that I have traced in the Registers at Edinburgh nearly 200 bonds between the years 1606 and 1643 for securing the payment of money due to him chiefly for grain and money lent—In 1631 he appears to have enforced a security against John and James Gardyne heirs of the deceased David Gardyne whereby he acquired the mill and mill lands of Gardyne called Denniemill. In 1646 he had sasine of Pilforthie and he was in 1626 the owner of the lands of Brounknow—probably a part of Duninnald—and of Strowokhill of which he granted tacks.[m]

He represented the Burgh of Montrose in the Parliament held in Edinburgh in 1612 and in that held at Holyrood House in 1630.

Thanks probably to his wealth, Patrick Lichtoun seems to have had no difficulty in procuring satisfactory alliances for his daughters. The marriage of the eldest Elspeth is not recorded. The second Margaret married James Scot of Logie—a wealthy landed proprietor—and died aged 72, in December 1694.[n] The third daughter Agnes married Sir John Erskine fiar of Dun,[o]

while the youngest daughter Jean married James Sandilands afterwards Lord Abercrombie.(p) Patrick settled Duninnald on his daughter Lady Erskine, and Ferniflett on Lady Abercrombie.

That he was a man of action is apparent from the following amusing complaint of Walter Innes to the Privy Council in 1624 :— "He lately sold to Patrick Lightoun of Dunnynad provost of Monros the nowmber of ten last of Kelling (*Anglice* 120 *tons of codfish, a last being* 12 *tons*) to be delivered between now and Whitsunday next for the sum of 1,200 merks. The complainer received that sum from Lichtoun on the 2nd of November last and gave an acquittance after which he having set out homeward and gone into the town of Abirbrothok by the way, the said Patrick with James Gairdyne of Dunbarro John Gardyne of Murehouse and others all armed followed the complainer to Arbroath. Then learning that he was in the house of Mr. Patrick Carnegie they went thither early in the morning before he was out of bed and entered the house alleging that Lichtoun had paid the complainer a larger sum than 1,200 merks. They first desired him to let it be counted but as he reasonably refused to trust his money in their hands they then as he was lying in his bed as said is held drawn quhingeris (hangers) to his breast and threattenit him with death to lay doun the money unto thame. In fear of his life he therefore directed his servant to lay doun the money upoun a boord; quhilk after they had tauld and numerat over, the compleneris servand haveing put up in a purse, in which there was another sum of 1,900 merks, 3,100 merks in all togidder with tua ringis of gold, quhairof one was sett with a diamont and sevin rubeis, and the uther with a fair turkas, and preassing to have putt the same up altogidder Lichtoun and his Company set upon the servant to take the purse from him. The complainer rose from his bed to oppose the theft when they laid violent hands on him poust him struck him and held him fast until they carried off from him and his servant the purse with the whole of the money and rings; which they still detain—Both parties appearing personally the Lords remit the charge of taking the purse to be tried by the judge competent, and reserve to the pursuer his action for riot and violence after discussion of the civil action."(q)

The Privy Council evidently considered that the matter was one for decision by a civil rather than a criminal court, but whether Innes was proved to be a "slim" individual who had "bested" the Provost or whether he recovered his fair turquoise or compensation for the indignity of being "poust" in his night attire, history does not relate.

"Mr." James Lichtoun another brother of the laird was "maister of the schole" in Montrose in 1614 when is recorded in the register of Montrose sasines that he resigned his house "on the eiside of the pier wynd betwyxt . . . vennel and the vennel callit rottenrow in favour of Mr. Patrick Lychton his aire" so that at this date he was probably without issue. He was minister of Inchbrayock until the latter part of 1622 when he became minister of Dun where he remained until 1650. In 1646 it is recorded in the kirksession book of Menmuir that the minister of that parish was appointed for three months to the Angus regiment then at Newcastle, and that in his absence Mr. James Lightoun officiated in his stead. On the 4th of October 1650 Mr. James was arraigned at Arbroath before the Commission of the General Assembly and convicted:—"first of his activeness in promoting the election of the Earl of Southesk to be a Commissioner to the Generall Assembly of 1648 when as some of the brethren had declared how the said Earle had carried himself in relation to the unlawfull engagement against England; next that in a passionate way he did challenge some of his brethren in the Presbyterie when they had given faithfull warning to the hearers of the States wronging the Kirk in thair carrieing on the said engagement. Thirdlie that he admitted a lieutenant of horse in the said engagement to the covenant without the advice of the Presbyterie. Fourthlie that he useth ordinarily to swear by his trouth!". One can fancy that the latter lapse may have been due to his having "foozled" a short putt on the famous girdle green of the Montrose golf links, but no such extenuating circumstances were found, and "considering other weightie particulars informed against him which are not yet

cleared." Mr. James was suspended from all exercise of the ministerie and referred to the next meeting of the Commission for further tryell, and Mr. John Lambie was ordained to intimat this sentence at the Kirk of Dun on the Lord's Day October 14th after sermon.[r] His son William is recorded as minister of Dun in 1656 and was there for many years. Mr. James Lichtoun survived until November 1666 on the 9th of which month his burial is recorded in the Register of that Parish and it is curious that he is there still described as "minister at Dun." Besides William b. 15th July 1616 he had a daughter Marie who on the 3rd August 1647 married Robert Gardyne and died 1673[s] another daughter Annas b. 1618 who married 29th July 1647 Mr. David Fullerton minister of Edzell and a third Elspet born September 1622. I can find no trace of his wife's name.

Of the remaining brother, namely John Lichtoun, the only record I have found is in a deed executed at Edinburgh on the 13th March 1629 which contains no further information about him than that he was "brother German" to the deceased Robert Lichtoun of Usan.[t]

AUTHORITIES.

[a]*App. No. XXX;* [b]*St. Andrew's Tests, vol. v;* [c]*Reg. Deeds Edin., vol.* 241; [d]*App. No. XXXI;* [e]*Reg. Deeds Edin., vol.* 241; [f]*Ibid, vol.* 257; [g]*Ibid,* 318, *fo.* 43; [h]*Ibid, vol.* 306 *and St. Andrew's Tests, vol. viii;* [i]*Reg. Deeds Edin., vol.* 519; [j]*Ibid, vol.* 369 *and R.P.S., vol.* 98, *fol.* 329 *and Laings Charts No.* 1,941; [k]*Reg. of Sas Forfar, vol.* 36, *fo.* 200 *and vol.* 55, *fo.* 175; [l]*R.P.S., vol.* 97; [m]*Reg. Deeds Edin.;* [n]*Burke's Hist. of Commons and Montrose Par. Reg.;* [o]*Reg. Deeds Edin., vol.* 619; [p]*R.G.S., vol. viii, Nos.* 1,535, 2,069, 2,097 *and* 2,158 *and Hist. of Carnegies of Southesk;* [q]*R.P.C.S., vol. xiii, p.* 678; [r]*Rec. of Presbg of Brechin;* [s]*Brechin Tests.;* [t]*Reg. of Deeds Edin., vol.* 401.

CHAPTER XVI.

COL. JOHN LICHTOUN OF ULISHEAVIN.

The Last of the Barons.

John Lichtoun III is described in various sasines as the eldest lawful son and apparent heir of Robert Lichtoun of Ulisheavin, lawful and nearest heir male of taillie of his deceased grandfather John Lichtoun of Ulisheavin, and as the nearest heir of the deceased Thomas Lichtoun.[a]

The date of his birth is not recorded but by the terms of his parents marriage contract[b] their wedding was to take place "betuix the nynt day of November 1591 and the tuentie fyft day of December nixtocum" so that he cannot have been much more than 25 years of age at his father's death and must have been under fifteen on the 24th of February 1607 when he was betrothed to his second cousin Agnes, lawful daughter of Sir John Livingstone of Dunipace.[c]

Whether on coming to years of discretion he found the lassie ill favoured, or whether the condition of his father's finances hindered him from "giving hostages to fortune," it is impossible to say

but he did not fulfil the contract, and an action was accordingly brought against him by the young lady and her father on the 27th January 1619 to recover the sum of 3,000 merks, being the first terms payment of tocher which had been paid to him or his father on his behalf.

His reign as laird of Usan was brief for he found his inheritance encumbered with so many charges that it was impossible for him to live there, and he sold the lands and barony on the 14th of June 1618 to David Lord Carnegie of Kinnaird for the sum of £40,000 Scots subject to his lordship redeeming sundry annual rents amounting in all to about 1,750 merks per annum with which Robert Lichtoun had charged the estates in favour of his younger children.[d] It is doubtful, however, whether John Lichtoun had much left out of the £40,000 by the time he had satisfied his father's creditors for he appears to have been the target for all kinds of claims and actions, and he determined to emigrate.

Gold mining, cattle ranching, and the cultivation of tea, coffee or rubber in the far East, were not then open to fortune hunters, and in those days large numbers of the impoverished heirs and younger sons of Scottish gentlemen sought military careers in the service of some foreign Monarch. The Thirty Years War was just beginning and Scottish mercenaries were ever welcome, so that it is not surprising that John Lichtoun found his way to Sweden and offered his sword to the Great Gustavus Adolphus. There is little doubt that he saw much service and he was probably present at the famous victory of Lutzen in 1632 when his distinguished leader was killed, for his promotion was rapid and in 1633 he is recorded as Lieut. Colonel under Thorsten Stalhandske and subsequently Colonel. He fell, however, on the 4th October 1636 at the attack upon Wittstock when he was probably about 44 years of age. Thus died the last Leighton who was laird of Usan.

In the year 1628 he was married in Borga to Catherine Guthrie, daughter of his compatriot and fellow soldier, Major Robert Guthrie of Tervik. This officer was a son of Gilbert Guthrie

and Isobel Reid. He emigrated to Sweden and became ensign in a cavalry regiment in 1614. He married Catherine widow of Stalhandske and thereby became the owner of the Estate of Tervik near Borga which through his daughter Catherine passed to Col. John Lichtoun who in the country of his adoption was known as Baron of Ullishavin.

Colonel John Lichtoun had one son only, viz., Robert Lichtoun of whom hereafter.[e]

AUTHORITIES.

[a]*App. No. XXXII and Reg. of Deeds Edin., vols.* 277, 278 *and* 286; [b]*App. No. XXVI;* [c]*Reg. of Acts & Decreets, vol.* 327, *fo.* 200; [d]*App. No. XXXIII and Reg. of Deeds Edin., vol.* 278; [e]*Otto Douner's Scottish Families in Finland and Sweden, p.* 33.

CHAPTER XVII.

LIEUT-GENERAL ROBERT LICHTON.

Count Ullishaven and Lord of Tervik.

Col. John Lichton's only son Robert had a distinguished career in the Swedish service. He was born in 1631 at Humsland in Borga parish, and was therefore under three years of age when his father fell at the siege of Wittstock and he inherited the latters estate of Tervik.

He entered the Swedish Army as a musketeer at the age of fifteen and in 1661 was introduced as a nobleman to the Swedish House of Nobles. In 1675 he attained the rank of Colonel and was created a Baron, and in 1681, being just fifty years of age, was appointed Governor of the Finnish provinces of Reval and Esthonia.

In 1685 he became a Lieut-General in the Swedish Army, and was appointed two years later President of the Superior Court of Justice at Abo. In the same year he was created a Royal Counsellor, with the title of Count and Baron Ullishaven, Lord of Tervik and Peraniemi.[a]

Although he probably regarded himself as a Swede, he seems from the following to have valued his Scottish nationality:—

"Anent a Petition presented be Collonel Robert Leightoun shewing that he haveing these diverse years past been furth of the Kingdom and is at present a collonell in the King of Sweden's service, and quhereas far verifieing of his genealogie and discent he has purchased a certificat under the hands of the Earles of Linlithgow, Panmuir, the lard Thesaurer Deput, and other noblemen and gentlemen of great quality, as the same produced beares, humbly therefor supplicating that order and warrand might be direct to the effect underwrythen; the Lords of Council, haveing heard and considered the said petition and certificat produced, doe hereby give order and warrand to the Directour of the Chancellary to extend a bore breiff in the supplicants favours, conform to the said certificat, and to the Keeeper of the Great Seall to append same thereto."(b)

He probably required the "birth brief" for which he applied to enable him to register his Arms with the Lyon King at Arms in Edinburgh, which he did in the same years as follows:—Argent, a Lion Rampant gules, armed and langued azur; crest a palm tree vert; motto "Per adversa virtus", describing himself as a Colonel in the service of the King of Sweden.(c) His adoption of the above motto in lieu of the old "Licht On" was probably in allusion to the manner in which his father and he had restored the fallen fortunes of his house.

I have found no record that he ever visited Scotland, although it is probable that he did so for the purposes of the above petition to the Privy Council. Otto Donner states that he died without male issue in 1692 at the age of 61, so that the next heir of the line would be the Eldest son of one of his uncles, and who this was is not recorded, but as the estates in Scotland had been sold by his father this is not a matter of moment. Otto Donner does not say whether he left female issue.

AUTHORITIES.

(a) *Otto Donner's "Scottish Families in Finland" p.* 33; (b) "*Acts of Privy Council Scot" June*, 1673 *and August*, 1678; (c) *Stoddart's Scottish Arms, vol. ii, p.* 293.

CHAPTER XVIII.

SCATTERED CADETS.

Like leaves on trees the race of man is found,
Now green in youth, now withering on the ground,
Another race the following spring supplies;
They fall successive, and successive rise.

Pope's Iliad.

One result of the much abused feudal system was that it kept families together. The king granted lands to his relatives or retainers on condition of military service when required, the grantee in turn allotting part of his grant to his own relatives and retainers on a similar condition of personal service. In peace they led an Arcadian life, ploughing their lands and breeding their cattle and sheep, but when danger arose they were ever ready at the call of the head of their house to take arms on his behalf without enquiry as to the righteousness of his cause. So it is that we find in Scotland records of innumerable feuds and forays in which younger brothers and remoter relations appear as henchmen of the laird, and are described as his "servants," but the sale by Colonel John Leighton of the Barony altered all this. The cadets who had so long sheltered under the ægis of Usan were dispersed, while the family lost its importance and drifted for the most part into humbler stations.

The intimate connection which had for centuries existed between the Leightons and the Ogilvy clan has already been mentioned (pp. 29 & 63) and it is not surprising that many of the cadets of Usan sought shelter under the "Bonnie House of Airlie", ever in need of retainers to repel the forays of marauding hordes of Catherans from the Highlands who lost no opportunity of crossing the Grampians to attack it. During the 17th century Glen Ogil seems to have been populated by Leightons from end to end, persons of that name being in occupation of the lands of Dykehead, Muirhead, Tarabuckle, Fetteragie, Fichell, Rottal, Cadam, Hillocks and Acharn, and a friend who was shooting in that district recently told me that he came across a ghillie of the name. Such are the vicissitudes of life!

The disentailing charters make it obvious that when Robert Leighton of Usan died there were comparatively few male descendants nearly related. He left five sons, his brother Patrick of Duninnald had five, while his brother James, the minister of Dun, had, so far as I can discover, only one, viz., William who succeeded him in the ministry. The descendants of the latter seem to have settled in Dundee, most of the cadets therefore were probably descendants of the somewhat prolific Leightons who, since 1483 when Sir David Leighton was Lord Abbot of Arbroath, had held the Abbey lands of Ethie, now the seat of the Earl of Northesk (see p. 50).

I have already dealt with Robert Leighton's eldest son, Colonel John. James, the second son, was in comparatively humble circumstances. He is described, sometimes as a Merchant, sometimes as a Tailor, and sometimes as Burgess of Montrose. He married Jean Beattoun and died young in 1625, leaving two children, Elspeth and James. His brother Robert was the executor of his Will, the value of his estate being about £900 Scots.(a)

The third son of Robert Leighton of Usan is invariably referred to as "Mr." Robert Leighton, indicating that he had graduated at one of the Universities. He was a lawyer, presumably a W.S., for he is described in many legal documents which he witnessed, and

some of which he wrote, as "Writer in Edinburgh." He evidently acted as the legal adviser of his uncle Patrick, and in later life he may have been associated with the latter in business for in Bonds of 1632 and 1637 he is called "Merchant and Burgess of Montrose," though in 1639 he is again described as a Writer in Edinburgh, so he seems to have divided his time between the two places. He was evidently well to do, and married a daughter of Alexander Forbes, Bishop of Aberdeen[b] by whom he had three sons, Patrick, Robert and John, and three daughters, Anna, Jean and Marie.

As stated on p. 16 he had a charter dated 14th January 1642 from "Patrick Melvill brother German and heir of the late Mr. Andrew Melvill," of the lands of Baldovie which lie in the Parish of Inchbrayock on the borders of Montrose Basin, "with the tower manor mill and fishings in the Southesk," a description which the present house—although old—does not visualise.[c] He sold this property twenty years later to James, lawful son of the late James Scot of Logie and Margaret Leighton his wife. The Montrose Parish Register states that he "dyed about the 70th year of his age and had at his funeral on the 10th of July 1674 the best mort-cloth and bells, for which was paid £6 6. 8."

William, the fourth son of Robert Leighton of Usan, probably died a minor, for I have found no mention of the discharge of the estates from his portion.

Chapter XIX is devoted to David, the fifth son.

During the 17th and 18th centuries many Leightons are recorded in Dundee carrying on business as skippers, master mariners or ship-owners, wine importers, timber merchants, cordwainers, and in other more or less humble occupations. Those who were not descendants of the Minister of Dun probably came from the Ethie branch of the family which seems to have dispersed soon after Usan passed into other hands. There were also branches in Edinburgh, and, from a very early date, in Aberdeen.

Another family of Lightons were in the 16th century in occupation of the lands of Auchinstour in Kirkcudbright, but it is very doubtful whether they were in any way connected with the Usan family. It seems more probable that they came from Northumberland, where the name is more or less common today.

AUTHORITIES.

(a) *Brechin Tests, col. iv;* (b) *Macfarlane's "Genealogical Collections" p.* 242; (c) *App. No. XXXI;*

CHAPTER XIX.

AN ARCHBISHOP AND HIS RELATIVES.

No account of the Usan family would be complete without reference to its most distinguished cadet, Robert Leighton, D.D., successively Bishop of Dunblane, Principal of Edinburgh University, Dean of the Chapel Royal at Holyrood, and Archbishop of Glasgow, whose writings are still standard works on theology.

His biography has been repeatedly written, but nowhere so admirably as in "The Life and Letters of Robert Leighton" by the Rev. D. Butler, M.A., F.R.S.E., published in 1903, to which work I am indebted for much that appears here and would refer all interested in the character of a wonderfully farseeing and tolerant man of religion endowed with exceptional personal charm.

He was a son of a notorious Puritan, Dr. Alexander Leighton, and that they claimed descent from the Usan family is undisputed, but, while all their biographers agree on this, none has offered any evidence on the point. Jervise, without vouchsafing his authority, says that Robert Leighton of Usan was a nephew of Dr. Alexander[a] and Butler follows him, but the evidence is all against this.

The entailing charter executed by John Leighton II of Usan on the 17th March 1566[b] indicates that at that date his nearest relative was his brother Patrick, who must be presumed to have died without issue, for the estates on John's death passed to the heirs of the next in entail, Robert Leighton (of Tolmunds) described as "son and heir of the late James Leighton" who was probably a brother to John Leighton I and uncle to John Leighton II. (see p. 58). Be that as it may, the latter was succeeded by Robert Leighton of Usan, the son and heir of Robert of Tolmunds, and grandson of James, and if Dr. Alexander, who was not born before 1570, was his uncle, the latter must have been an unusually posthumous son of James, who was in his grave in March 1566. We must therefore search elsewhere for his forbears.

We may rule out Malcolm Leighton, (p. 62), whose property passed in default of issue to his nephew John Leighton II so that the natural place to seek for Dr. Alexander is among the Ethie Leightons.

The Charter of 1566 provided that failing Patrick and his heirs and Robert of Tolmunds and his heirs, the estates were to go to the following in succession:—John Leighton in Ethie and his heirs, failing whom his brother Richard and his heirs, failing whom his brother David and his heirs, failing whom his brother Duncan and his heirs. In 1592[c] the estates were confirmed to Robert Leighton (of Tolmunds) and his heirs subject to the life interests of John II and his wife, but Patrick and his heirs are not mentioned, which indicates that he had died in the meantime without any. In other respects the entail on failure of heirs of Robert is identical except that Duncan's place is taken by "Alexander Leighton, son and heir of the late Duncan Leighton in Gwildie," a small property on the outskirts of Dundee.

By the foregoing elimination the Archbishop's admitted descent from the Usan family whose arms were engraved upon his seal when he was Bishop of Dunblane will probably be established. Dr. Alexander mentions in one of his Petitions his "inbred generosity"


Archbishop Leighton.

which meant that he came from an ancient stock. He would be about twenty-two years of age at the date of the charter of 1592 having recently graduated at the adjacent University of St. Andrew's and, as no other contemporary Alexander is recorded, the probabilities seem all in favour of his identity with the son of Duncan in Gwildie.

The biographies of the Archbishop give details of the atrocious barbarities inflicted, at the instance of Laud then Bishop of London, upon this unfortunate Puritan for publishing a book called "Zion's Plea against the Prelacie," a virulent attack upon the Episcopal Bench which his son was destined to adorn. The Star Chamber convicted him of "a most heinous offence by his Assertions, to the scandal of the King, Queen and Peers, especially the Bishops," declaring that "it was His Majesty's Mercy and Goodness he was not question'd as a Traitor," and sentenced him "to be committed to the Fleet during Life, fin'd 10,000L. and unfrocked and brought to the Pillory at Westminster and there whip'd; and, after whipping, to be set in the Pillory, have one of his Ears cut off, one side of his Nose slit, and be branded on one cheek with the letters S S, for a Sower of Sedition, and another day be brought on a Market day to the Pillory in Cheapside, there likewise whipt, and have his other Ear cut off, and the other side of his Nose slit."(d)

"He received 36 stripes upon his naked back with a three-fold cord, his hands being tied to a stake, and then stood almost two hours in the pillory in the frost and snow, before he was branded in the face, his nose slit, and his ear cut off; after this he was carried by water to the Fleet, and shut up in such a room that he was never well, and after eight years was turned into the common jail."(d)

His Petition to the King, throws a ghastly light upon prison life in those days.

"Petitioner being aged, much distressed, and sick, and going now in the ninth year of a hard imprisonment and the sixty-eighth

year of his miserable days, is fallen lameish in his limbs, and defective in his hearing and sight, having the charge of a weak wife and six children all unprovided for, besides all which, and the sharp inflictions he has suffered, the clerk of the Fleet on the 19th February last caused him by force and violence to be dragged from a poor little ruinous chamber, for which he has paid full dear, to the common gaol, tne loathfulness and nastiness whereof he dare not specify to your Majesty, where he is shut up with other poor wretches from any place of retiring, though daily like to be stifled in it; and this was done without any order showed. By which violent dealing Petitioner was bruised in his body that thereby, together with the vileness and unhealthiness of the place, he fell into a fever, the painful symptoms whereof remaining he is like to perish therein unless your Majesty relieve him, etc., etc."

Charles I referred it to the Privy Council but nothing resulted, and two years later Alexander presented another Petition, containing an "Epitome of his Sufferings" to Parliament which took a more merciful view. The House resolved that his seizure and detention were both illegal, that Laud ought to give him satisfaction, and that the fine and sentence of corporal punishment were illegally impos'd by the Star-chamber. His release was accordingly ordered, and his fine cancelled, while £6,000 were voted to him as compensation for his losses and inhuman treatment. It is stated that when released he could hardly walk, see, or hear, but he survived for eight years and must at his death have nearly, if not quite, attained the ripe age of 80.

By the irony of fate within two years Laud's Palace at Lambeth was converted into a State Prison for Rebels, and Dr. Leighton was appointed Keeper. The following entry occurs in Laud's Diary: "1642 (Dec. 23) Thursday. "Dr. Layton" (observe the English pronunciation) "came with a warrant from the House of Commons for the keys of my house to be delivered to him." Could anything have been more galling to Laud than to see his hated victim in occupation of his palace?



ALEXANDER LEIGHTON, M.D.

ALEXANDER LEIGHTON, M.D.

From a scarce etching by Hollar in the British Museum.

It would have been pleasanter to find that the treatment to which Leighton had been subjected had engendered a feeling of sympathy for the unfortunates committed to his charge, but he was unable to resist the temptation to feather his nest at their expense. One of these, Sir Roger Twysden, has left a journal which sheds side-light upon Alexander's character, not mentioned by his biographers.(*)

"I could not immediately get out of Lambeth for now I was to make a reckoning with my Keeper, one Alexander Leighton, a Scot who writ himself Dr. of Phisick, sometime heretofore a Divine, no ille disposed person, but an ernest Presbyterian, and one who had not many years beefore beene censured *(sic!)* in ye Star Chamber for a Booke called "Zion's Plea against the Prelacy," but now, to shew their greater contempt of ye Archbishop *(Laud)*, had ye Keeping of Lambeth Howse (by order from ye Lords and Commons) committed unto him for a prison."

The fees "yielded him some dispute" with the Keeper:—For the bare walls of his lodging "They demanded XII sh by the weeke when I entered, wch I payd tyll ye 16 August 1644, when, seeing my imprisonment like to bee long, I went to the Doctor with some others and told hym I could not pay that summe any longer. But he, who loved money, would not abate one peny though he were very ritch; for I myself saw of his at one time so much brought into that howse as two porters could hardly carry in great baskets to ye porch from ye waterside without resting, and thence through the hall to hiss lodging gave them their fill. It was sayd to have beene above two thousand pounds, and that it was after viewed by some of ye Parliament's officers and found to be so."* . . . . . ."Upon my denyal of rent I was threatened with harder usage," . . . . "Besides this the Doctor demanded five marks for entrance money, as being a Baronet, all wch came to a great matter, more than I was well able to pay" . . . . "They would permit no provisions to bee brought to us but by their owne servants, and sold it at excessive rates; wch was extreame troublesome to me who had much I eat and

*Presumably part of the compensation voted by Parliament.

all I burnt out of Kent." And, "this beeing with some earnestness endeavoured to be put upon" him, Sir Roger appealed to the "Chayrman of Committee of the Howse of Commons for Prisoners," which ordered "that the Keeper and his Deputy, do suffer the sayd Sr Roger Twysden to bring in to ye sayd prison bear, fewell, and other necessaries for his subsistence," and, having got it altered, the baronet "parted with every great kindness from Dr. Leighton, the man beeing no ill dispositioned person but one who loved the Presbytery and loved money."

Alexander's duties as Governor did not prevent his visiting his native country—no light undertaking in those days for a man of 73—and we find him in 1643 with his son Robert at Newbattle, while the latter frequently visited his father in London. Everything points to their devotion to each other, although in most respects each was the antithesis of the other. The father must have been a man of iron constitution, the son suffered from a weak chest and almost chronic ill-health. The doctor's partiality for the bawbees was certainly not transmitted to his son, of whom Burnet relates[1] that he distributed all he had in charities, took whatever his tenants were pleased to pay him, and could only be prevailed upon to accept the Archbishopric of Glasgow upon the condition that he received no more than one-fifth of its temporalities. The Archbishop's contempt for money is further exemplified by his reply to his brother-in-law who had written urging him to come to London to see after his father's legacy to him of £1,000 which he had entrusted to a defaulting merchant there. "Any pittance," he wrote, belonging to me may be useful, and needful for my subsistence, but truly, if something else draw me not, I shall never bestow so long a journey on that I account so mean a business."

Controversy was Alexander's life blood. Narrow-minded, and intractable, he was one of the unfortunate type whose blood boils, and could only express himself in superlatives; unable to credit those who differed from him with honesty, he regarded them as

emissaries of the Devil, in short, his zeal outran his discretion, and his "ungoverned heat" destroyed all sense of proportion. What a contrast was his placid and tolerant son who was all for moderation! Robert's enthusiasm for religion was no less than that of his father, but he detested polemics, and his life was devoted to effecting a reconciliation between the Churches. "I am so weary," he writes to Lord Lauderdale, "of the trifling contentions of the conflicting sects," and, on another occasion, that one of his reasons for resigning his Archbishopric was "the continuing divisions and contentions of this Church and ye little or no appearance of their cure for our time."

To the father Rome was the "Scarlet Whore," and "Poperie the Mark of the Beast." The son, says Brodie of Brodie, had "Greate latitud." "He said he had not ani thing he mor desir'd than that the Papiste might hav liberti and for ther consciences not to be prest: he would indulg them and Anabaptists and Quakers."(g) "Sir" said Stewart, Provost of Edinburgh, "I hear your grandfather was a Papist, your father a Presbyterian and suffered much for it in England, and you a Bishop! What mixture is this?" "It is true, sir," replied Leighton, "and my grandfather was the honestest man of the three."(h)—But perhaps no better illustration can be offered than the story that when at Newbattle this Episcopalian rode off to visit a sick Presbyterian Minister on a horse borrowed from a Roman Catholic Priest![i]

But although their views must have been widely divergent, their cordial relationship remained unimpaired, and their mutual devotion was probably due to the kindly disposition reputed common to both. Cross-grained and difficult as the father must have been, Sir Roger Twysden's gratuitous and reiterated testimonial that he was "no ille dispositioned person" shows that he had his softer side, while his attitude to his persecutors "of whom he was never heard to speak but in terms of forgiveness and compassion" and his unswerving loyalty to his friends, whose names repeated offers of pardon failed to induce him to disclose, compel ungrudging admiration.

The Doctor evidently attended his fellow prisoners, but his remedies seem to have been drastic. Accompanying a Petition of one Lunsford in 1635 was the following:—"Certificate of Alexander Leighton, M.D., that Thomas Lunsford is sick of a putred fever and to enter on a course of physic in that close and corrupt air almost (*sic*) as dangerous as the disease itself."

The Presbytery book of Dalkeith fixes the approximate date of Dr. Leighton's death, for on June 14th 1649, Robert declared that "his father, being under seikness, had written for him and theirfor desyred libertie to goe and visite him," while on September 6th it is recorded that he was present for the first time since June. He had probably remained in London until his fathers death, which certainly occurred before the 31st December 1649, when the son wrote about his inheritance.

According to the Dictionary of National Biography Dr. Alexander married twice, and his petition states that he had six children. The name of his first wife is unknown, but his second is said to have been a daughter (who had been twice widowed) of Sir William Musgrave of Cumberland. The sons' names are usually placed in the following order:— James, Robert, Elisha and Caleb, but Burnet states that Robert was the eldest. I have found nothing to indicate what became of James and Caleb, but the eldest daughter, Elizabeth, married a man named Rathband, and the younger, Sapphira, Edward Lightmaker of Broadhurst, Horsted Keynes, Sussex. The Archbishop was especially attached to her, and after resigning lived with her until his death. One wonders what infantile deceit could have condemned the poor lady a baptismal name of such ill repute.

Robert Leighton died at the age of 74 from pleurisy at the Bell Inn, Warwick Lane, on the 25th June 1684, while on a visit to London, and was buried at Horsted Keynes, where his tombstone may be seen alongside that of his brother, Sir Ellis Leighton.

He was never married, and when a minister's widow who thought he would make a suitable "Number Two," met him out

walking, and told him she had had a revelation that his Lordship and she were to be married, the Bishop's reply was "Have a little patience, and when I have a revelation also I will let you know."

We now pass to his brother Elisha—from grave to gay.

"He was very like Robert in face and in the vivacity of his parts, but the most unlike him in all other things that can be imagined." So wrote Burnet of this extraordinary man—a dog with a bad name, fated to suffer from odious comparisons with his saintly brother, but, despite his shortcomings, an amazingly versatile man of unlimited energy, and withal extremely good company.

The vagaries of his father were not calculated to give him a good start in life, and it is difficult to understand how, during Alexander's long imprisonment, his children were maintained and educated, but in spite of these drawbacks Sir Ellis became an influential courtier of Charles II and James II, and secured various important State appointments.

When or why his baptismal name Elisha became euphonised into Ellis is not clear, but Biblical names were not liked by the Cavaliers, to whom he attached himself, for he was a Colonel in the Royalist Army and, in 1647, was lodged as a prisoner in Windsor Castle following the defeat of Charles I at Naseby.

After the King's execution Colonel Leighton joined the Duke of Buckingham and other Royalists abroad, and immediately became active in the cause of Charles II. In 1649 the Duke of Lorraine sent him to England to raise a regiment in the Royal cause, but the Privy Council warned him that he was suspected and liable to be proceeded against as a spy.(j) In the following year he was sent by Charles II to Scotland as Secretary of State there for English affairs. Sir Edward Nicholas, who detested him, wrote to Lord Hatton in 1650(k):—"I am sorry to hear what all of them say concerning the D. of Buckingham's intireness with the Marqu Argyle and that faction, being wholly governed by one Col. Leighton,

a great confident of Lord Biron's and Lord Wilmot's, and who now executes the place of Secretary for England affairs." In subsequent letters Nicholas described him as "A perfect Presbyterian who was a great confidant of Lord Biron and Lord Hopton," and "a very vicious man."

In July 1652 there is a letter to Sir Edward Hyde stating:— "There are some here that have letters from England which say that Leighton was there shut up two hours with Cromwell who used him with more than ordinary courtesy." but the Council of State, ordered him to depart out of the Commonwealth within ten days. A few months later he had a severe illness at Antwerp, accompanied by some form of delirium which gave rise to a rumour that he was insane, for Nicholas wrote to Sir Edward Hyde in December 1652:— "I presume you have heard from Dr. Morley the fearful condition of Colonel Leighton which may be a terror to all the willing atheists of your acquaintance." A week later he writes, "I now hear Col. Leighton hath recovered his health and his wits again, but as for his religion I do not understand that it is either better or worse than it ever was."

About this time Colonel Leighton joined the Church of Rome; a step calculated to cause his poor old father to positively rotate in his grave, and this may account for much of the rough handling he received from writers like Nicholas and Burnet, at a time when, as Mr. Beresford says,[l] "Conversion to Roman Catholicism was an event accounted an unforgivable political crime."

In June 1656 he severed his connection with Buckingham, alleging that the latter "did not rightly submit himself to the King,[m] but subsequently became Secretary to the Duke of York, afterwards James II. In April 1659 he was Knighted by Charles II at Brussels,[n] and after the Restoration became reconciled to Buckingham, to whom he is said to have been indebted for much advancement. In 1661 he was able, through the medium of Lord Aubigny, not only to induce the King to make his brother a

Bishop, but to overcome the latter's reluctance to accept the appointment, and it is remarkable, if Elisha was as black as he is painted, that he should have possessed the great influence over Robert with which Burnet credits him. The Bishop was neither a fool likely to be hoodwinked, nor a man to be persuaded by an atheist, or to remain—as his letters prove—on affectionate terms with a notoriously vicious man, albeit his brother.

In April 1664 Sir Ellis was made one of the Secretaries of the Prize Court, receiving a Commission to take charge of the King's moiety of certain forfeitures and prizes captured by the African Company pursuant to their Charter,[o] and Pepys' records:—Jan. 25th 1664-5: Mr. Hill tells me that he is to be assistant to the Secretary of the Prize Office, Sir Ellis Layton . . . . . "Visited Sir J. Minnes who continues ill, but he told me what a mad freaking fellow Sir Ellis Layton hath been, and is, and once at Antwerp was really mad."

On the 15th June 1665 he was appointed one of the King's Counsellors in the Admiralty Court, and it was probably in connection with this appointment that Charles II recommended him to the University of Cambridge for the honorary degree of D.C.L. "to encourage him and render him more useful for service,"[p] and Pepys again records:—"Mar. 26, 1667: To Exeter House where the Judge was sitting, and there heard our cause pleaded, Sir Edward Turner (the Solicitor-General) Sir W. Walker and Sir Ellis Layton being our Counsel . . . The second of our three Counsel was the best . . . After dinner to the Court where Sir Ellis Layton did make a silly motion on our behalf, but did neither hurt nor good." A client is not always the best judge of his Counsel's methods, and this solitary reference to a junior hardly warrants the sweeping statement in the Dictionary of National Biography that Leighton was an indifferent advocate.

Further remarks by Pepys indicate that he found Sir Ellis an entertaining companion:—"Jan 11th 1664. By invitation to St. James'

where at Mr. Coventry's chamber I dined with my Lord Berkeley, Sir G. Cartaret, Sir Edward Turner, Sir Ellis Layton, and one Mr. Seymour, a fine gentleman; where admirable discourse of all sorts, pleasant and serious." Oct. 18th 1664: "Mr. Gray says that Sir Ellis Layton is for a speech of forty words the wittiest man that ever he knew in his life, but longer he is nothing, his judgment being nothing at all but his wit most absolute." Dec. 20th 1665: "To the old Exchange, thence I took Sir Ellis Layton to Capt. Cookes, where my Lord Brouncker and Lady Williams dine and we all mighty merry, but Sir Ellis Layton one of the best companions at a meale in the world."

In 1670 Lord Berkeley of Stratton became Lord-Lieutenant of Ireland, and Sir Ellis Leighton accompanied him as Secretary, and was appointed Recorder of Dublin, receiving a present of money from the Citizens.(q) A copy of his speech at the Tholwell of Dublin is in the Bodleian Library. In 1675 Lord Berkeley was appointed Ambassador to France where Sir Ellis joined him, the Duchess of Cleveland giving him a passage in her yacht.(r) Six months later a British Merchant, Francis Hereford, lodged a complaint of Sir Ellis' "ill proceedings" at Paris in reference to the clearing of English ships taken by French privateers, alleging that he demanded bribes from the English owners, etc. This ultimately resulted in the downfall of this soldier of fortune.

He was arrested by order of the Privy Council and committed to the Tower charged with contracting for bribes in the prosecution of the merchants' affairs, but made his escape to Bordeaux and his pension of £66 13s. 4d. as second Justice of Connaught was forfeited. On January 5th 1677 he was called upon to return on peril of penalties, but did not do so until the following August, when he surrendered and was taken to the Tower. He at once petitioned the King, "beseeching him to admit him to his presence, and doubts not to give him such a clear demonstration of his transactions that it would quite take off the aspersion and calumny that now lies against him," and applied for bail, but the King refused to grant him liberty on bail "till the merchants be consulted."(s)

Within a month however he was released for Evelyn's Diary contains the following record under date 29th September 1677: "I went to see Sir Ellis Leighton's project of a cart with iron axle-trees," so that, in addition to his other activities, this soldier, courtier, politician, and lawyer—a veritable Pooh Bah—apparently found time to indulge a taste for mechanics; indeed, he was a Fellow of the Royal Society, though expelled in this same year by reason no doubt of the charges pending against him.

He apparently broke his bail and again decamped, but three months later was brought under a safe guard to London and delivered to the Keeper of Newgate,[t] who was authorised to allow William Cowland, a Goldsmith of London, and his wife Elizabeth (a niece of Sir Ellis) "to see and converse with him, as Cowland has become bail for him in severall considerable sums and is likely to be ruined thereby unless he can have instructions from Sir Ellis Leighton how to defend himself," all of which seems to indicate that Sir Ellis had not "played the game" as regards the hapless Goldsmith. It was also ordered that Dr. Bell, the King's Chaplain, and Stanton, an apothecary, might be allowed to see him, as he was dangerously sick, but the latter only in the Keeper's presence and during his sickness.[u]

I have found no record of his trial or its result, and it is quite possible that he cleared himself, for had there been a conviction it would probably have been recorded; but, whatever the explanation, his bubble was pricked and he seems to have sunk into obscurity. His death five years later occurred in the Parish of St. Andrew, Holborn, on the 9th of January, 1684-5, a few months prior to that of the Archbishop.[v] He was buried in the Church of Horsted Keynes, where his tombstone bears the following inscription:—

> Here lyeth interred the body of
> Sr Ellis Leighton Kt. who dyed
> 9th Jan. 1684.

He married Mary Lesley, daughter to William Lesley by his wife Mistress Marjorie Barnard,[w] and left a daughter named Mary, but I have failed to discover what became of her or whether he had other children.

That his character left much to be desired is obvious, but impartiality compels one to make some allowance for his environment, the times in which he lived, and the prejudices of his critics. Who was incorruptible in those days, or even fifty years later, when Lord Macclesfield, Chief Justice and afterwards Lord Chancellor, impeached for having "extorted money from several of the Masters, and embezzling the estates of widows and orphans" could only reply that he had merely followed the example of his most illustrious predecessors, and that the moneys he received were reckoned among the known perquisites of the Great Seal? Even to-day, although our judicature is happily above suspicion, we are not in a position to throw stones. Traffic in titles has been notoriously rife, and, as every business man knows, it is difficult to obtain orders, especially from municipalities and similar authorities, without greasing the palms of somebody.

Nicholas' suggestion that Sir Ellis was a very vicious man, may or may not have been well founded, but we do not know whether the "vices" alluded to were political or moral. It is hardly to be expected that a Stuart Courtier would be overscrupulous, but immorality was not confined to the Court, and pious Pepys was fain to record some of his own doings in French cipher. There is however no evidence that Sir Ellis was a debauchée, and perhaps Pepys was nearest the mark when he described him as "a mad freaking fellow."

AUTHORITIES.

(a) *Mem. of Ang. & Mearns*; (b) *App. XXII*; (c) *App. XXVII*; (d) *Rushworths Hist. Coll. vol. ii*; (e) *Arch Cantiana vol. iv, p.* 175; (f) *Hist. of His own Times*; (g) *Butler Life and Set of Rob. Leighton, p.* 306; (h) *Ibid p.* 76; (i) *Ibid p.* ; (j) *Cal. State Pap. Dom.* 1649-50, *p.* 399; (k) *Nicholas Papers*; (l) *Gossip of the* 17*th and* 18*th Centuries*; (m) *Clarendon State Pap., vol. iii, p.* 137; (n) *Le Neve Harl. Soc. p.* 41; (o) *Cal. State Pap. Dom.* 1664-5 *p.* 371; (p) *Ibid*; (q) *Harris Life of Will. III, pp.* 98-99; (r) *Cal. State. Pap. Dom.* 1676-7; (s) *Ibid* 1677, *p.* 318; (t) *Ibid* 1678, *p.* 382; (u) *Ibid* 354 (v) *Probate Act Book PCC* 1685 *fo.* 30 *b.*; (w) *Clarke's Gen. Coll. p.* 13.

CHAPTER XX.

COL. DAVID LEIGHTON.

Verifying a Tradition and refuting a Calumny.

My interest in my forbears was first aroused in 1883 by various memoranda found among the papers of my grandfather, General Sir David Leighton, tracing his descent from a David Leighton who at the end of the 17th century was in occupation of the lands of Knowhead in the parish of Menmuir.

Among these notes—which my grandfather stated he had taken from a family Bible in the possession of his sister—was a letter, dated the 29th of September 1850, from the Sessions Clerk at Menmuir, one David Laing, from which I quote the following:—"The large tombstone near to your grandfather's stone was erected by James Birnie in memory of his mother Agnes Leighton, daughter of David Leighton in Eastertown of Dunlappie. She died in 1727." There was also a pedigree of the descendants of the first mentioned David.

I wrote to the only person likely to possess information about these ancestors, an old gentleman named Alexander Fairweather, living at Brechin. He was a son of my grandfather's elder sister,

Margaret Leighton, who married George Fairweather and died in 1851, aged 80. Mr. Fairweather had been a successful merchant retiring with a fortune of between £30,000 and £40,000, but was ruined in 1878 by the failure of the City of Glasgow Bank in which he was a considerable shareholder. He was much interested in his own family of which, in conjunction with the late Surgeon General Don, he published an account. His reply was:—

"There is I think no doubt that your family was a branch of the Leightons of Usan, but what the precise connection was I cannot say. There was a tradition that your ancestor David Leighton (Knowhead) was a grandson or great grandson of the proprietor of Usan early in the seventeenth century, his father or grandfather having served abroad under Gustavus Adolphus. Miss Ann Leighton, who died nearly 40 years ago, knew much of the family history but, being myself in my 74th year, I cannot pretend at this distance of time to recollect all that she told me. I have been acquainted from my childhood with the family graves at Menmuir, but I cannot say that I have any recollection of the large stone mentioned in the Session Clerk's letter to Sir David, the writer of which I remember. It must I think have long since fallen into decay and disappeared."

A further enquiry as to the tradition elicited the following:—

"In reply to your favour of the 18th instant I received the tradition which I mentioned from an elderly lady named Birnie who was wont to visit these parts some years ago. She was a cousin, although I cannot recollect the precise connection, and must I think have long since gone to her grave. Somewhere I have a note of what she told me, but I am sorry to say that I am unable to find it just now. So far as my memory serves David Leighton, (Knowhead) was said to be either a son or a grandson of a Colonel David Leighton, one of two brothers of the Usan family who like many Scottish gentlemen of those days went abroad to seek their fortunes as mercenaries under

Gustavus Adolphus, and she told me that some of her family had writs to prove it."

In May 1885 he wrote:—

"I much regret my long delay in replying to your letter of the 9th ult., but my advanced age puts many barriers in my way, and I have been unable to entirely shake off the troubles which during most of the winter have tortured me in my lower limbs, arising, my doctor says, from a partial stoppage of the main artery. I have been kept much to my bed, and so unable to make a search for my notes, which however I now have the pleasure to enclose. It is I fear nothing more than a tradition which it would not at this distance of time be possible to verify, for our Kirk Session books in this district are very imperfect, and none I think extend so far back. At any rate, although I am unable to vouch for the narrative, it will doubtless be of interest to you."

I returned his notes after making a copy as follows:—

BIRNIES AND LEIGHTONS.

"These families were much inter-married. David Leighton (Knowhead) and Andrew Leighton (Burnside) were brothers and they had a sister Agnes who married George Birnie. Andrew also married a sister of George Birnie."

"Knowhead was at one time factor on Dininnald."

"In the early part of the 17th century the Leightons of Usan were much in debt and the young laird was compelled to sell the estate. His name was John. He, with a younger brother named David, went abroad, and entered the service of the great Gustavus Adolphus. Both rose to be Colonels, but John was unfortunately killed. David returned to Scotland and is said to have fought under the Marquis of Montrose. He had a son, also named David, who settled in Dunlappie, and was father to David Leighton in Knowhead and Andrew Leighton in

Burnside, and grandfather to the David and Andrew named upon the gravestone at Menmuir. George Birnie's son, also George, married his cousin, also Agnes, daughter of Andrew Leighton at Burnside."

Mr. Fairweather died soon afterwards, and it was not until many years later that I obtained evidence in confirmation of these traditions.

So far as concerned Colonel John Leighton the authorities quoted in previous chapters entirely confirm Miss Birnie's story, but they did not help much as regards his brother David.

Among the St. Andrew's Testaments, however, I found the Will of their mother Eupham, the wife of Robert Leighton of Usan, which states that her two lawful sons David and William were minors at the date of her death in May 1615. Many charters which I subsequently found at the General Register House, Edinburgh, proved beyond all doubt that Robert Lichtoun and his wife Eupham had, as stated on p. 77, five sons, viz., John, James, Robert, William and David. They are all mentioned in a Renunciation dated at Brechin 21st May and at Edinburgh 2nd June 1619, which narrates that Robert Lichtoun of Usan, with the consent of John his eldest lawful son and heir apparent, had in October 1617 given a bond disposing certain annual rents to each of his children payable out of the lands and barony of Ulisheavin.[a] On the 6th February 1620 George Campbell of Crunan, as one of the tutors and curators of David and Lilias Lichtoun, minors, in consideration of 5,500 marks renounced their annual rents,[b] while on the 22nd March 1621 a Ratification of the foregoing renunciations was registered to which all the children were parties.[b]

In September 1902 I found in the Register of Baptisms for the Parish of Montrose the following entries:—

"1646 Jan. 28. Coll. David Lightoun had ane child baptd called Margaret Lightoun—James Keith James Graham witnesses.

"1649 Dec. 4. Co David Lightoun father had ane child bap: called David Lightoun sonn Witnesses David Murray and Mr. David Oughterlounie.

"1651 July 4 Co David Lightoun had ane child baptd called ( ) Lightoun Wit Alexander Keith and Robert Lightoun."

These records proved three things consistent with Miss Birnie's tradition, (a) that Colonel John Leighton had a brother named David (b) that there was living in or near Montrose from 1646 to 1651 a Colonel David Leighton and (c) that he had a son of the same name baptised in 1649. Colonels were not as plentiful in those days as now, and the fact that John Lightoun's brother Robert, his nephew Alexander Keith (see p. 77) and his cousins the Murrays (see pp. 66 and 78) acted as sponsors, affords fairly strong evidence that the father of the children was none other than David the youngest son of Robert Lightoun of Usan, and therefore brother to Colonel John Lightoun.

"On the 16th June 1630 a Lieut. Lighton obtained an arrest on property of the deceased Capt Ramsay on account of debts incurred. They were both in the service of the King of Great Britain."(c) This may or may not have been David, but if they were identical it would seem that his Foreign service had been with the Scots Brigade in the Low countries and not with Gustavus Adolphus. Incidentally the Ramsays were related to the Leightons of Usan. There can I think be no doubt that the David Leighton "who had been a Colonel abroad" and was second in command at the famous siege of Dunottar Castle by Cromwell in 1652 was the same individual.

He is most unjustly maligned in "The true account of the Preservation of the Regalia of Scotland" by Sir George Ogilvy of Barras, published by the Bannatyne Club, but happily his character has been vindicated by the researches of the Rev. Douglas Gordon Barron, D.D., F.S.A. (Scot.), which prove that the "true account" was anything but true.

Here is the Ogilvy version :—

"And that which did (sometime before) mightly incommode and Perplex Sir George the Governour was a Mutiny raised

and fomented by one David Lighton who had been a Colonel abroad, yet by the said Governours Prudence Diligence and Conduct, the Mutiny was supprest and crush'd in the Bud, by causing train-out Colonel Lighton, and never allowed him to re-enter the Castle; whereby the Soldiers were Quash'd and compos'd And the direful effects of that Mutiny prevented, which was to have Sacrific'd the Governour, and all under his charge, to the merciless cruelty of the English.

"And 'twas a signal Act of Providence the Design was discovered; For there being several veteran Soldiers in the Garrison, who had served in France and other places, most of them strangers to the Governour, and getting no Pay from the Publick, made the Governour's Post uneasie, and also brought him to a good deal of charges, he being Necessitat to give Pay to the said Colonel Lighton; and also to the surgeon, Engineer and Connoneer, all out of his own pocket, he having got no pay either to himself or them from the Publick."(d)

The writer of the foregoing was the grandson of the gallant Ogilvy of Barras who was governor of the Castle. He was not even born when the events which he purports to chronicle occurred, and Dr. Barron has informed me that his statements are seldom to be relied on. So far as concerns Col. Leighton, they are certainly inconsistent with the documentary evidence discovered by Dr. Barron among the Ogilvy MSS. in the Crown Room at Edinburgh.

There were undoubtedly differences of opinion between the Governor and his staff as to the wisdom of continuing a defence which from the first had been contrary to the orders of the Government, but his grandson's description of what occurred as a mutinous attempt on Sir George Ogilvy's life is as far from the truth as his statement that Colonel Leighton was arrested and turned out of the Castle, which, as Dr. Barron remarks, is characteristic of its author. The Governor's difficulties were in short solely due to the fact that when he received the summons to surrender his funds were

exhausted, and he was unable to fulfil his bargain with his mercenaries as regards their pay.

The total strength of the garrison, including Col. Leighton and three other officers—the surgeon, engineer and connoneer—was only sixty-six. They had been hurriedly enrolled after the arrest of the Earl Marischall, and many of them were, like Leighton, professional soldiers who had been mercenaries abroad. Strangers to Ogilvy, they owed no territorial or feudal allegiance to him or to the Earl Marischal. They probably had as little personal interest in one side as in the other, and regarded fighting merely as a means of earning a livelihood.

As Sir James Turner expresses it, they had doubtless "swallowed without chewing in Germanie a very dangerous maxime which militarie men there too much follow, which was that soe wee serve our master it is no matter what master wee serve,"(e) but for honest service pay is a condition precedent. These men had displayed courage and endurance in a cause to which they were only attached by the promise of remuneration. However gallantly they might fight they could hardly expect recognition of their services from the Government whose orders they were disobeying. They had their wives and bairns to consider, and it is not surprising that they wished to know how they stood.

Four days elapsed before the demand for capitulation was answered in the negative. In the meantime the pay question was settled by Ogilvy undertaking—reluctantly, no doubt—to make himself personally responsible, and all was well. Colonel David Leighton —so far from being arrested and turned out—agreed to remain, and was confirmed in his appointment as second in command, as proved by the quaintly worded agreement signed by Ogilvy and himself.(f)

From his grandson's story it is possible that after the siege the Governor was held to his bond by Leighton and the others, and —in his unsuccessful efforts to obtain recognition of his services in saving the Crown jewels, and a refund of the expenses incurred—Ogilvy may have exaggerated his difficulties with the

garrison, but the reference to his being "necessitat to give pay to them he having got no pay either to himself or them from the Publick" clearly indicates where the shoe pinched, and the jaundiced account above quoted may be explained by the obvious chagrin of his descendant at the resulting pecuniary loss to the family.

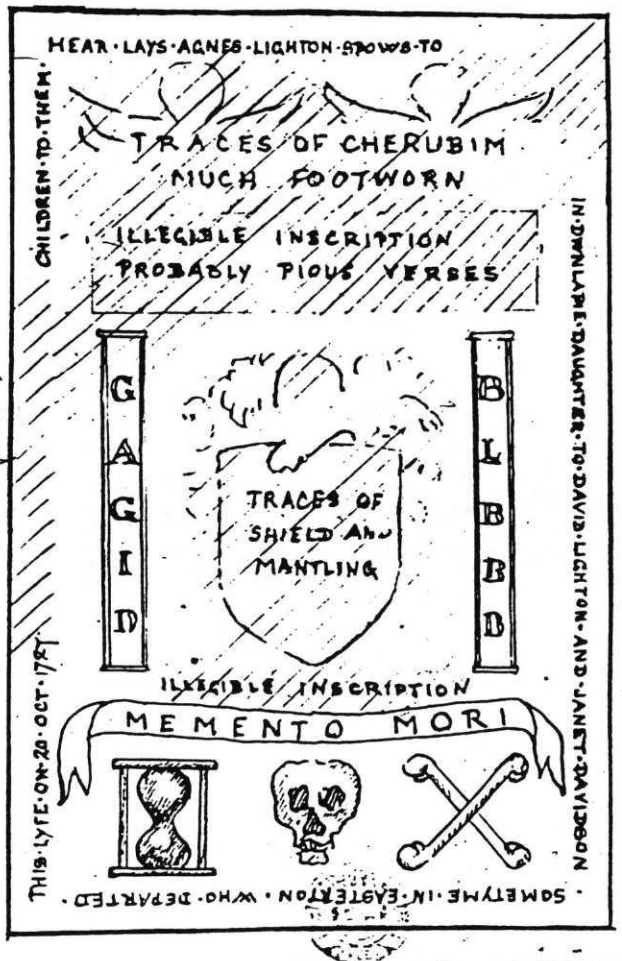
I have failed to discover whom Colonel David Leighton married, but it is not improbable that she was a sister or daughter of one of the sponsors of his children named in the Register of Baptisms at Montrose.

The records quoted in this and the preceding chapters bear out all Miss Birnie's statements about Colonel John Leighton, and also about his brother Colonel David, with two not very material exceptions, viz., that he served under Gustavus Adolphus and the Marquis of Montrose respectively. Although Ogilvy records that he "had been a Colonel abroad" David is not, so far as I know, named in any of the Swedish lists of Scottish soldiers, and it is possible, as already stated, that his service was with the Scots Brigade in Holland; nor have I traced any record that he took part in Montrose's firework campaigns, but as he was undoubtedly back in Scotland about that time nothing is more likely.

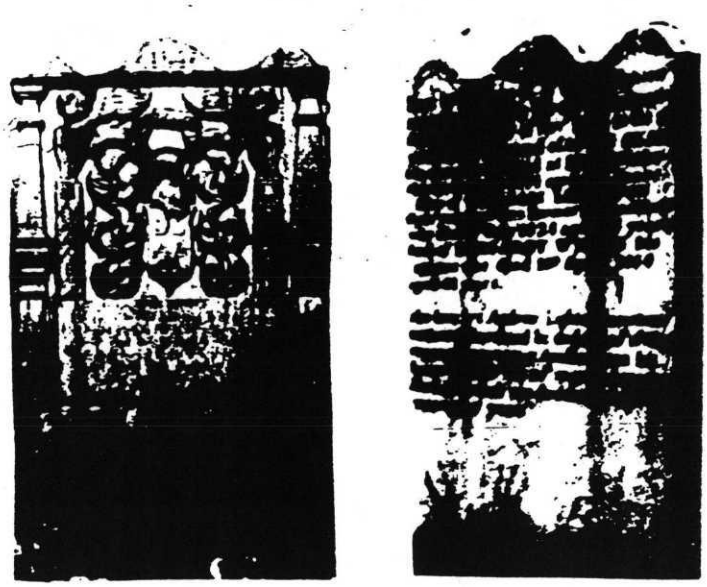
The general accuracy of Miss Birnie's story is however remarkable, seeing that she can hardly have had access to the records to which I have referred. Otto Donner's "Scottish Families in Finland and Sweden" was not published until after she told it, while it is obvious that if she had known of Ogilvy's Account of the Preservation of the Regalia she would not have omitted to mention the part taken by Colonel David in the defence of Dunottar.

AUTHORITIES.

(a) *Reg. of Deeds Edin. vol.* 286; (b) *Ibid* 308; (c) *Scots Brig. in Holl., Scots. Hist. Soc.*; (d) *Regalia Papers Bann. Club*; (e) *Turner's Mems. of his Own Life p.* 14; (f) *App. No. XXXI.*



Sketch of Old Flat Gravestone of 1725 unearthed by the Author at Menmuir. *(see p. 118).*



The Family Tombstone of David Leighton and Ann Skair, his spouse, in Menmuir Kirkyard, front and back. *(see p. 120).*

CHAPTER XXI.

THE MENMUIR FAMILY.

"On the Grampian hills
My father feeds his flocks; a frugal swain
Whose constant cares were to increase his store."
John Home.

"The Man's the gowd for a' that."
Rob. Burns.

Hearsay, although received in many continental countries, has never been admissible as evidence in English, or, so far as I know, Scots courts, but in pedigree cases family tradition or repute has not been entirely ignored on questions of marriage and parentage. It is useful as a guide-post to the genealogist but of little value unless supported by records or other circumstantial evidence.

The Montrose Parish records had confirmed the tradition that Colonel David Leighton had a son of the same name baptised on the 4th December 1649, but what was there to confirm that the Menmuir family was descended from him? The "writs" to prove it mentioned by Mr. Fairweather were not available and the parish records were so defective that I had almost abandoned hope of finding anything to throw further light upon the matter.

Several visits to the kirkyard of Menmuir in search of the large tombstone, of which Mr. Fairweather had no recollection, had proved fruitless. I had noticed that there was no headstone to the grave next to that in which our known forbears David Leighton and Ann Skair lay, and suspected that the large stone had probably stood there but had long since perished. However, in 1909 I determined to make one more effort to discover this secret of the kirkyard.

The late Mr. David Avenal Vipont, who was then minister of the Parish and much interested, gave me permission to probe the ground, the result that some six or eight inches below the turf I came upon a large flat stone about 6′ x 3′ covering the whole grave, and, with his kindly assistance, unearthed and cleaned it. It lay beside the pathway and had evidently been much footworn so that to decipher the inscription, some of which had shaled away, was no easy task. but Mr. Vipont agreed with me that if the missing words could be supplied it would read as follows:—

HEAR LAYS AGNES LIGHTON SPOWS TO (GEORGE BIRNIE TENANT) IN DWNLAPIE DAUGHTER TO DAVID LEIGHTON AND JANET DAVIDSON SOMETIME IN EASTERTON WHO DEPARTED THIS LYFE ON 20 OCT 1727 (ALSO THE SAID GEO BIRNIE ERECTED BY THEIR) CHILDREN TO THEM.

At the top of the stone were what appeared to be much worn representations of cherubim with illegible pious verses below; in the centre the remains of a defaced shield, with heraldic mantling and more illegible verses, under which was a scroll bearing the words "Memento mori", and the usual representations of an hour-glass, skull and cross-bones. In accordance with the prevailing custom the initials of the deceased and their children appear in vertical columns on either side of the shield as shown in the rough sketch here reproduced.

This clearly points to the reliability of Miss Birnie's story that David Leighton in Knowhead of Balconnel, Andrew Leighton of Burnside in Balconnel, and their sister Agnes who married Geo.

Birnie, were children of David Leighton in the Easterton of Dunlappy, and records that the name of the latter's wife was Janet Davidson.

Documentary proof that the last named David was identical with Colonel David Leighton's son born at Montrose in 1649 will, I fear, never be forthcoming, but in view of Miss Birnie's definite statement that it was so, and of the proved accuracy of the rest of her information, there seems little doubt about the matter. Proof has been defined as "that which carries conviction to the minds of reasonable men" and I must leave it to those who read the foregoing narrative to judge whether they are convinced or not.

The subsequent pedigree of this race of yeomen who claimed descent from the ancient house of Usan was shown by Sir David Leighton's papers. They seem to have been a God-fearing lot, respected and, as the sessions book expresses it, "well testified of," and to have taken a leading part in the affairs, such as they were, of their little Grampian community. That they were fairly well to do is indicated by the superior character of their tombstones, and the record of the use of the large plush mortcloth at their obsequies instead of the small coarser one used by the poorer class.

According to Sir David's notes, his great grandfather David Leighton in Knowhead married Jean Mathers. The kirk sessions minute books contain the following entries:—

5th July 1698: This day David Lighton and Jean Mathers were married."

I have found nothing to confirm Miss Birnie's statement that Knowhead was at one time factor on Duninnald but it is quite likely, for Patrick Leighton had settled the property by way of tocher on his daughter Jean when she married John Erskine of Dun. These posts were usually held by relatives of the laird, and a hundred years later John Leighton was Factor there.

- "27 July 1710: After lecture by Mr. Harry Hamilton, minister of Navar, David Lighton in Balconnel had a son baptised named Andrew." This was obviously the Andrew whose death, on the 20th of May 1745, aged 35, is recorded on the family tombstone, together with those of his wife Anne Findleson and their son John, aged 17.

The birth of Knowhead's elder son David is not recorded, but according to the same tombstone it must have occurred in about 1705, for his death in his 48th year took place in November 1753. His marriage to Ann Skair is noted in the kirk sessions book as follows:—"20 Nov. 1732, the same day being Tuesday, David Lighton and Ann Skair both in this parish were married by Mr. John Dunbar minister of the place."

She was a daughter of David Skair, a "bonnet" laird who was the proprietor of Burnside. She died in the year 1774 and the tombstone also records the deaths of their youngest son William and Margaret Wyllie his spouse.

On 11th Jany 1718 "There was given unto the Session by David Lighton in Knowhead as the yearly payment due by him for the foremost pew in the loft 16 sh. Scots," so that he clearly took a front seat, and the following is a further testimonial of the esteem in which he was held:—

8th May 1715:—"This day David Lighton was ordained an Elder of the Parish of Menmuir."

On the 24th June in the same year David Lighton in Knowhead of Balconnel had a daughter baptised named Jean.

Miss Birnie's account of his brother Andrew is confirmed by the following:—

April 8th 1705: "Andrew Lighton and Jean Birnie, single persons well testified of, were contracted in order to marriage, and gave in their pledges, as is always done here."

March 30th 1713: "Andrew Lighton in Burnside of Balconnel had a daughter baptised named Anne.

The deaths of Ann Findleson his spouse on February 20th 1745. and of John their son aged 17 on the 8th of April 1754, are also recorded on the family tombstone.

My grandfather's notes gave the names of his uncles and aunts whom he doubtless knew, with the dates of their births, etc., which he presumably obtained from the family Bible he mentions, and particulars of their descendants down to 1845. The initials on the tombstone confirm the names of the former but there appears to have been another child with the initial E, perhaps Elspeth.

His own parents, Thomas Leighton and Ann Fairweather, lie near to the other family graves at Menmuir but on the opposite side of the path under a large square tomb which bears the following inscription:—

ERECTED BY COL DAVID LEIGHTON C.B. ADJUTANT GENERAL AT THE PRESIDENCY OF BOMBAY IN MEMORY OF HIS PARENTS THOMAS LEIGHTON AND ANN FAIRWEATHER.

The former who was the second son of David Leighton and Ann Skair—the eldest, David died at the age of 17 in 1751 without issue—was born on the 7th of January 1736 and died on the 19th of July 1785. Ann Fairweather his wife was born on the 15th of May 1736 and died on the 19th of November 1823 aged 87.

CHAPTER XXII.

SUNDRY DESCENDANTS.

It seems strange that a surname which was so common, and so widely spread over Angus and the Mearns two hundred years ago should now be comparatively rare in those shires. It illustrates the tendency of the Scot to seek his fortune in England and the Colonies, where more scope was afforded for his industry and ability, but in the case of the Menmuir family the pedigrees which follow shew that it has come near to extinction, for few descendants in the male line of David Leighton and Ann Skair survive.

The following notes may be of interest to them and those who come after.

Sir David Leighton, K.C.B., the only son of Thomas Leighton and Ann Fairweather who attained 21, was born at Brechin on the 27th of July 1774 and was largely indebted for his advancement to his uncle John Leighton, who was factor to Mr. David Scott of Duninnald. On the death of his brother Thomas, this uncle had his nephew to live with him and had him educated at Montrose, subsequently placing him in a Bank to learn book-keeping with a view to his entering the Indian Civil Service. As, however, the boy yearned for a soldier's career Mr. Scott, who was a Director of the Hon. East India Company, procured him a commission as ensign in the

Military Establishment of that Company, and told him not to return until he was a General. He was gazetted in 1795 to the 1st Batallion of the 5th Native Infantry, and four years later served in the Mysore campaign, taking part in the assault and capture of Tipu Sahib's stronghold at Seringapatam. For this he received a substantial share of the prize money—John Company shook the pagoda tree in those days—and the silver medal, which, with an ornate gilded tulwar reputed to have belonged to Tipu, and a large elephant hide shield taken on that occasion, are in the writer's possession. In 1800 he accompanied the Duke of Wellington, then the Hon. Arthur Wellesley, in the operations which ended in the defeat of the Mahratta freebooter Dondia Waugh, taking part in the storming and capture of three of the latter's fortresses. Three years later he served in the Malabar campaign during the rebellion in that province, and in 1815 commanded a Brigade in the Deccan field force. In 1818 he was on the staff of Sir Miles Nightingale, then Governor of the Bombay Presidency, and three years later was sent to Arabia with the expedition under Sir Lionel Smith which resulted in the subjugation of the Arab tribe of Beni Boo Ali. He held for many years the post of Adjutant-General of the Bombay Army, and, said "The Times" in its obituary notice, "the firmness and impartiality which characterised his administration gained for him the esteem and respect of all those with whom he was brought into contact." On his retirement in 1831 he settled at Charlton Kings, near Cheltenham.

He married in Bombay on the 29th August 1818, Isabella Constantia, daughter of Henry Thomas Williams, a London stockbroker. Her mother, Honoria Torriano, was a descendant of the family of that name who were Rulers of Milan in the Middle Ages. She was a woman of great ability with a passion for tuition, and published several books on teaching children to read and spell by the Syllabic System which a century later has been adopted in our elementary schools.

Sir David died at his residence, Bafford House, Charlton Kings, on the 1st of June 1860, in his 87th year, being the senior officer on the Bombay establishment, and a marble monument to his memory

will be found on the wall in the church of Charlton Kings, near the main entrance. Lady Leighton, who survived him for sixteen years, inherited her mother's abilities. In order to coach her son for his examinations she set herself to learn both Greek and Latin; she also published new editions of William's Syllabic System.

Their eldest son, David Clarance Russell Leighton, was born 17th September, 1826 and educated at Wimbledon and Haileybury, then the Hon. East-India Company's College. He passed into the Indian Civil Service in 1845, and was Magistrate and Collector of Kolaba, then called Sholapur, and subsequently Postmaster-General of the Bombay Presidency. While holding the latter appointment he was sent home seriously ill in 1860, and was forced through ill-health to retire on a pension two years later, after seventeen years' service. He married at Tannah, Bombay, on the 19th of March 1849, Jane, youngest daughter of Captain Andrew Creagh of Cahirciveen, Co. Limerick, by whom he had four sons, two of whom died in infancy, and two daughters. Mr. Leighton sold Bafford House, which he inherited from his father, and, until his death in December 1911 at the advanced age of 85, resided at the house near by now known as Bafford Grange. Until nearly 80 he used to walk daily to and from the Club in Cheltenham, two miles away, a rendezvous for Anglo-Indians where one heard much of bungalows, compounds, the horrors of the Mutiny, and the decadence of the service owing to the follies of the "Competition Wallah" in educating the native. He was typical of Thackeray's Colonel Newcome, and greatly respected in the neighbourhood where he served on many local committees, and took an active interest in the affairs of the Cheltenham General Hospital, of which he was a Vice-President.

His eldest son, David Edmund William Leighton, was born at Ahmed Nugger on the 14th of May 1851 and educated at Marlborough. He was for many years a merchant in Madras, of which he was at one time High Sheriff. His first wife was a daughter of Colonel Robertson of Bridge of Allan. He died at Cheltenham without issue in 1930 survived by his second, Cordelia Whiteside, a capable miniature painter who has frequently exhibited at the Royal Academy.

Clarance Frank Leighton, the younger son, born at Poona 28th September 1859 was educated at Repton, and admitted a Solicitor in February 1883. He practised in London until 1926 when he retired, and after visiting Ceylon, Burmah and the Federated Malay States settled at Bexhill-on-Sea. He married in 1893 Jessie daughter of John Francis Miéville formerly of Duncroft, Staines, a descendant of an ancient Swiss family an account of which was published some years ago by the late Sir Walter Miéville, K.C.M.G. She was for many years the honorary secretary of the Mid. Herts. Hospital at St. Albans of which she was elected a life governor in recognition of her services to that Institution, and during the war established and superintended a canteen for the workers at the War Inventions trial grounds at Esher.

Their only son David, born 12th December 1900 and also educated at Repton, is a Chartered Accountant by profession. He married 12th December 1928 Gladys, only daughter of Joseph Mears of Richmond Surrey, who had a successful career at Cambridge University. Their son, David Robin, born 21st September 1929 is at present the youngest descendant of the Menmuir family bearing the surname.

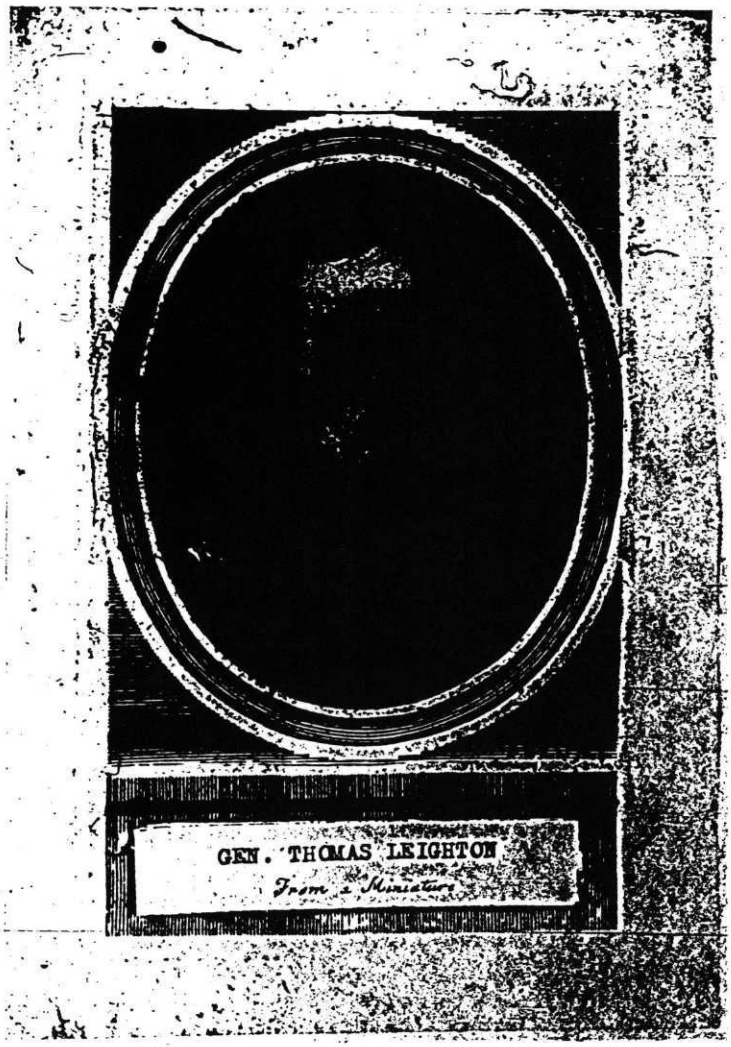
Sir David Leighton's second son, Edmund Thomas, after taking his M.D. degree at Caius College, Cambridge, practised for a few years in London, but retired soon after his marriage to Mary Anne, daughter of Thomas Wormald, a distinguished surgeon at St. Bartholomew's Hospital. He resided at Basset Wood, near Southampton, and died at Milan in leaving two daughters Mrs. Yeo and Mrs. Helme, but had no son.

John Leighton the third son of David Leighton and Ann Skair, was factor on Duninnald and a man of considerable repute in Angus and the surrounding shires. In consideration of his services to Agriculture he received the freedom of the Burghs of Montrose, Brechin, Arbroath, Perth and Inverbervie. He died in 1798 from

a fall from his horse while riding home from an election at Montrose and there was some talk of foul play. He married twice, first Magdalen Smith, and second Ann Airth by both of whom he left issue. A monument to his memory exists in the old kirkyard at the Inch, Montrose.

His son, David Leighton, born 1782 died 1846 was a successful merchant in India and on his retirement purchased the small estate of Bearhill, Brechin. He married Agnes Valentine and was succeeded by his second son, also David, born 1830 who went to the Argentine where he owned a successful cattle Ranch or estancia. He married Cecilia Cowen and lived at Edinburgh where he died in 1891 leaving two sons, David and Patrick Alexander. The former born in 1869 married Elizabeth Macpherson and died in 192 leaving two daughters but no son. Patrick Alexander the younger son, was born in 1873 and after taking his medical degree at Edinburgh, practised for many years at Mottingham in Kent, where he established a reputation as a skilful surgeon and was much respected for his kindness to his patients. During the War he did excellent work at the front, but was deafened in one ear by the bursting of a shell. He married Emily Thomson and has recently retired. His elder son, David, is in the army, the second being still at school.

James Leighton the fourth son of John, the Factor, was for many years Town Clerk of Montrose and died in 1850 without issue. His younger brother Thomas was in the Indian Army and was gazetted a General on the date of his death which occurred in London in 1855. He left two daughters only.


GEN. THOMAS LEIGHTON
From a Miniature

APPENDIX.

No. I.

GRANT OF LANDS in Lithdun (now Greenleighton) Northumberland by MALCOLM de LITHDON to Newminster Abbey (*Circ.* 1260).

Sciant omnes quod ego MELCOLMUS de LITHDONN dedisse concessisse et hac presenti carta confirmasse Deo et Beate Marie et monasterio Novi Mon. in usus pauperum Christi ad portam unam acram et vij perticatas et unum rodam terræ meæ in campo de Lithdun scilicet, j acram et vij perticatas in Crokdale et totam Rodedale quæ se extendit versus orientem usque in moram cum pertinenciis suis. Tenendum et habendum de me et heredibus meis praedicto monasterio et suis assignatis libere, qui honorifice in perpetuam elemosinam sicut aliqua et liberius et quietius potest dari vel teneri. Ego autem et heredes mei praedictas terras cum dicta libertate prefato monasterio et suis assignatis contra omnes homines warantizabimus. Testibus etc. (*Newminster Cartulary Pub. by Surtees Socy. p. 92*).

No. II.

EXTRACT from the ASSIZE ROLL of Northumberland 40 Hen. III (A.D. 1256) relating to MALCOLM de LIGHEDON.

Assisa venit recognitura si Robertus de Rolee, Galfridus filius Radulphi, MAULOKUM de LIGHEDON, Bartholmaeus de Wyndesgates, et Johannes de Wotton injuste etc., etc. . . . . disseiverunt Alanum de Calulee de libero tenemento suo in Rotheley post primam, etc., etc.—(*Surtees Socy*).

APPENDIX.

No. III.

EPITOME of a CHARTER OF CONFIRMATION of the lands of Inverdovat in the parish of Forgan in Fife to HENRY de LYCHTON. (A.D. 1363).

CONFIRMATIO CARTE HENRICI DE LICHTONa.

David dei gratia Rex Scottorum Omnibus etc. Sciatis nos quondam cartam Johannis de moravia de newtona etc. tenorem qui sequitur continentem. Sciant presentes et futuri me Johannem de Moravia dominum de newtona in fyfe dedisse concessisse et hac presenti carta mea confirmasse HENRICO de LYCHTONA pro homagio et servicio suo illam carucatam terre integram cum Lochflat Wellflat et braddale cum pertinenciis quas quondam Robertus Trymblay de domino de newtona tenuit et possedit de tenemento de Inverdovet quas'quidem terras cum pertinenciis Cicilia trymblay heres dicti quondam Roberti trymblay cum fuste et baculo michi sursum Reddidit in presencia plurium apud Sandforde, Tenendum at habendum predicto Henrico et heredibus suis ac assignatis etc. etc. . . . Ego vero predictus Johannes et heredes mei ac assignati predicto Henrico et heredibus suis ac assignatis predictas terras contra omnes homines et feminas warantizabimus acquietabimus et in perpetuum defendemus. In cujus Rei testimonium sigillum meum presenti carte mee appensum est patenti. Testibus dominis Johanne de Kyndelouche et nicholas de Ramesay militibus, W. de Sancto claro, domino de dyserth, alexandro de Lyndesay de glenesk, matheo sibalde et aliis. Quam quidem cartam etc. Confirmamus salvo servicio nostro. In cujus Rei etc. Testibus etc. Apud perthe xxmo die novembris Anno Regni nostri Tricesimo quarto.—(*Reg. Mag. Sig. Scot. p.* 85).

APPENDIX.

No. IV.

RECORD of the death of WALTER de LICHTONE (I).

In Consilio Generali apud Perth xxvj die Marcii. A.D. MCCCXCII.

Robertus dei gratia Rex Scottorum vicecomiti et ballivis suis de Aberdene salutem. Sciatis quod ex deliberatione quam plurium proborum et fidelium de tribus statibus Regni nostri ad presenciam nostram pro consilio habendo super diversis punctis necessariis, nos et populum nostrum tangentibus nuper fecimus convocari ordinacionem accepimus, consilium etiam et decretum, ut malefactores notorii in superioribus Regni partibus conversantes, qui nostris fidelibus subditis strages et incendia et alia magna dampna et gravamina Jam non per modici temporis spacium intulerunt et inferre continue non desistunt ab hujusmodi sceleribus committendis intentis affectibus restringere et refrenare curemus ac ipos comparere justicie compellamus similiter pro commissis. Vobis igitur districte percipiendo mandamus quantinus omnes et singulos subscriptos et eorum complices sequaces et adherentes quos nos ex dicta deliberacione consilio et decreto poni fecimus ad cornu Regis et ad cornu fore judicari et publice proclamari decrevimus apud villam nostram de perth die vicesimo quinto mensis Marcii ultimo jam elapso, vos in principali burgo vicecomitatus vestre indilate visis presentibus auctoritate nostra ad cornu Regis ponatis et ad cornu esse positos et adjudicatos publice denunciari faciatis. videlicet. Duncanum stewart. Robertum stewart patricium duncansone thomam duncansone robertum de Athale andream macnayre. duncanum bricesone. angusium macnayre. johannem aysone juvenem et omnes alios suos adherentes qui fuerunt ad occisionem domini Walteri de ogilvy WALTERI de LICHTONE et ceterorum legiorum nostrorum cum ipsis occisorum. Item slurach et fratres ejus et omnes clanqwhevil (*et alios*) cum suis adherentibus et eorum omnes alios et singulos parcenarios sive participes qui interfuerunt interfectioni domini Walteri de Ogilvy, WALTERI de LICHTONE et aliorum nostrorum fidelium interfectorum ibidem etc. etc. Datum sub testimonio magni sigilli nostri apud perth xxvjo die Marcij Anno Regni nostri ijo etc. *Act Parl. Scot. vol. 1, p. 217.*

APPENDIX.

No. V.

CHARTER by the Regent Duke of Albany to WALTER de LYCHTONN (II.) relating to the lands of Campsey in the Parish of Lintrathen. (A.D. 1406).

CARTA PRO WALTERO de LYCHTONN.

Robertus dux albanie Comes de Fyfe et de mentethe ac gubernator Regni Scocie Omnibus probis hominibus tocius Regni predicti, clericis et laicis, Salutem: Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto nostro WALTERO de LYCHTONN, FILIO ET HEREDI QUONDAM WALTERI de LICHTONN, illum annuum redditum duarum marcarum debitum et exeuntem de terris de Campsy, una cum superiotate earundem. Jacentum in baronia de luntrethyne infra vicecomitatu de Forfare. Qui quidem annuus redditus et superioritas dictarum terrarum de Campsy erant Thome de Strathechyne . . . Et quem annuum redditum ac quam superioritatem dictarum terrarum idem Thomas non vi aut metu ductus nec errore lapsus Set mera et spontanea voluntate sua in presencia plurium nobilium testium subscriptorum in manus nostras per fustim et baculum sursum reddidit pure et simpliciter resignavit. Ac totum Jus et clameum que in dictis annuo redditu et superioritate dictorum terrarum habuit vel habere potuit pro (se) et heredibus suis omnino quietum clamavit imperpetuum. Tenendum et habendum, etc. . . . . predicto Waltero et heredibus suis de domino nostro Rege et suis heredibus in feodo et hereditate imperpetuum, cum omnibus et singulis libertatibus commoditatibus et aysiamentis ac justis pertinenciis, etc. . . . . Faciendo inde domino nostro Regi et heredibus suis dictus Walterus et heredes sui servicium debitum et consuetum. In cujus rei testimonium presenti carte nostre Sigillum officii nostri apponi precepimus. Testibus Reverendo in Christo patre gilberto episcopo aberdonensi cancellario scocio, venerabili patre Johanne abbate de Culros. Alexandro Comite de Marre nepote nostro dilecto Roberto de Erskyne, Waltero de lyndesay consanguineis nostris, Johanne Forstere de Corstorfyne militibus, donaldo de bute decano dunblanensi et Johanne Skyrmegeoure clavigero apud monasterium de Culros, vicesimo secundo die mensis Januarii Anno domini millesimo quadringentesimo Sexto Et gubernacionis nostre anno primo.—(*Reg. Mag. Sig. Scot. p. 228*).

No VI

MARRIAGE CONTRACT of JONETE de LYCHTON.

In Jersey

The indenturis betuene Murthou of Glaystir of Lungeir and Gilbert of Jonston of Balnedache (A D 1428).

This Indentur made in Aberdene the ten day of August the yer of our Lord a thousand four hunder twenty and aucht yer betuen Murthou of Glaystir of Lungeir on a part and Gilbert of Jonston of Balnedache on the tothir part beres witness in maner efter folouand that is to say That Andru Glaystir sone and ayr to the said Murthou als sone as he cummis to perfyte elde sal Mary JONETE OF LYCHTOUN full sister til ELENE OF LYCHTON spous to the said Gilbert and the marriage beand fulfillit the said Murthou is oblisit be gud tayth leiy and treuly to joynt feft the forsaid Andru and Jonet communetly and the langast lyvand of thame als far as in hym is in the landis of the Hilton within the schirredome of Mernis and tailyeand tharof thru alienacoun he sal joynt fef tham in als mykill in als convenant place the frendis of the said Jonet obtenand the Kingis consent thairto and makand the costs tharof To be hald in to thame and to the langast lyvand and to the airis to be gotten betuen thaim with all commoditeis and profytis to tha landis pertenand or mayand pertene be resone and law. For the quhilk mariage to be fulfillit betuen the personis for namet the said Gilbert has now payt in hand to the said Murthou fourty pundis of vsuale money of Scotland and incontinent efter the fulfilling of mariage and joynt tettment gyvin the said Gilbert is oblisit be gude tayth for to pay fourty marcis of vsuale monay of Scotland to the said Murthou his ayris executouris or assignez And the payment of the said fourty marcis tailyeand the tym before written the profytis of the said joynt feftment remaynand with the said Murthou to the tym the said sowm be fully assithit on a day

. . . . And gif it hapnis / as God forbede / the said mariage to failyie thru decese of the said Andru and Jonet or ane of thaim or gif the said Andru uill nocht wilfully fulfill the said mariage the said Murthu oblisis now as than to the said Jonet and failyand of her to Maister ..... LICHTOUN her brothir and failyand of hym til ALISANDIR OF LICHTOUN his brother and failyeand and persounis foirnemit / as God forbede / til ELENE OF LICHTOUNE befoir said and til hir ayris / the landis of Glak uithin the schyr of Davyot and in the scheruedom of Abirdene for the said sovm of fourty pundis to be haldin and had to the persounis befor written uith all commoditeis and fredomis as wadsettying quhil he the said Murthou his aris executouris or assignez on a day betuen the sonn rysing and to gangyng have fully payit the said fourty pundis til ony of the persounis before writin in the paris kirk of Davyot / the malis resauit of the said land in the menetym nocht covntit in the principale sovm of fourty pundis / payand yerly the said Jonet and the persounis before tailyent all chargis of the said land to the kirk of Aberdone and to the Bischapis be and for the tym and makand the said land at Glak free at thair vscher lyke as ony of thaim resavis it at thair entre. And for mar sikernes of al thingis forsaid to the part of this indentour remaynand with the said Gilbert the forsaid Murthou has put to his seele, and to the part remaynand uith the said Murthou the said Gilbert, forthi that he has na seele of his own, he has procurit the seele of John of Jonston his fadir to be put befor Maister Walter Ydill vicar of Innerovry ALISANDIR OF LYCHTOUN and Jon of Jonstoun the day the yer and place before wryten.—(*Ant. of Aberdeen and Banff, Vol 3, p. 260.*)

No. VII.

EXTRACTS from an EXAMINATION of WITNESSES before the Consistorial Court of Brechin Cathedral with reference to the annual rents of the Church of Lethnot. (A.D. 1425).

Curia consistorialis tenta apud Brechine in loco consistoriali prima die Februarii anno domini millesimo quadringentesimo vicesimo quinto per reverendum in Christo patrem et dominum dominum Johannem Episcopum Brechinensem. Quo die comparuit in judicio venerabilis vir dominus Johannes Lyale procurator.

* * * * * * *

Positiones et Articulos subscriptos dat et exhibit Johannes Lyall procurator episcopi Brechinensis et capituli ejusdem in causa que vertitur seu verti speratur inter dictum reverendum patrem et capitulum ejusdem actores ab una et discretum virum magistrum David de Ogilvy rectorem ecclesie de Lethnot seu quemcunque alium vel alios interesse in dicta causa habentes seu habere putantes.

Super quibus petit testes per ipsum productos singulanter et singillatim examinari juramento prius præstito de veritate dicenda.

Primo ponit et probare intendit quod ecclesia de Lethnot tenetur astricta episcopo Brechinensi et capitulo ejusdem in pensione annua viginti octo marcarum. Secundo ponit et probare intendit quod dictus reverendus pater et capitulum fuerunt et sunt in possessione dicti pensionis. * * * * *

Tertio quod dictus reverendus pater et capitulum habent literam authenticam sigillo nobilis viri et potentis domini domini David de Lyndsay militis, domini de Glenesk, veri quondam patroni dicte ecclesie de Lethnot sigillatum consentientis et approbantis dictam annuam pensionem ut prescriptum est deberi.

Quarto ponit et probare intendit quod quondam nobilis vir HENRICUS de LECHTON arrendator dicte ecclesie pater JOHANNIS de LYCHTON soluit et cum effectu realiter deliberavit reverendo patri domino Patricio episcopo Brechinensi et

capitulo ejusdem unum magnum equum album in partem solutionis dicte pensionis Quinto quod idem Henricus de Lechton ad ducendum lapides ad edificationem campanalis ecclesie Brechinensis tempore quondam patricii episcopi Brechinensis realiter et cum effectu dedit unum currem quem fecit Ellisius Wrycht tunc commorans apud Fynnewyn super le bank de Lymny in partem solutionis dicte pensionis.

Examinatio testium in causa predicta primus testis Magister Cuthbertus Henrici decanus Brechinensis octogenarius et ultra juratus et diligenter examinatus interrogatus &c. &c.

* * * * * * *

Ad quartum articulum respondit affirmative et ultra hoc dicit quod vidit illum equum deliberatum in partem solutionis dicti pensionis.

* * * * * * *

Dominus Gilbertus Broun precentor ecclesie Brechinensis secundus testis septuagenarius et ultra juratus et diligenter examinatus in omnibus concordit cum primo teste Et ista per suum juramentum nec preçe. . . . .

Magister Galfridus cancellarius Brechinensis tertius testis quinquagenarius et ultra juratus. . . . interrogatus de primo articulo secundo et tertio concordat cum duobus testibus precedentis. Interrogatus de quarto articulo respondit quod audivit quod sic, de quinto et sexto respondit quod audivit quod sic.

Dominus Adam Roger presbyter quartus testis nonagenarius et ultra juratus. . . . interrogatus in omnibus articulis concordat cum duobus primis testibus preter in ultimo articulo dixit quod audivit quod sic.

* * * * * * *

Ideo hoc presens scriptum clausum sigillo discreti viri MAGISTRI WALTERI LYCHTOUN per me cum instancia in presencia honorabilium et nobilum virorum Willelmi Dolesse et Johannis Bouer procurato sigillavi in absentia sigilli mei Apud Brechin et propria manuscripsi demica die Februarii, Anno suprascripto xxxvto (*Brechin Cartulary*).

APPENDIX

No. VIII.

EPITOME of a CHARTER relating to an anniversary founded by Bishop HENRY de LICHTONE for the souls of his Parents. (A.D. 1440).

CARTA HENRICI LYCHTON EPISCOPI.

Henricus . . . episcopus Aberdonensis . . . . . Nouerit vniuersitas vestra nos . . . dedisse . . . Gilberto de Jhonston de Ballindach totam illam portiunculam terre quam edificauit . . . . Johannes de Caideow sacrista ecclesie nostre . . . . iacentem ex parte boreali mansionis de Muirthlaw prope commune passagium de canonia nostra Aberdonensi qua itur ad montem qui vulgaliter dicitur Dymydronys hill que fuit dicti Johannis . . . quam idem . . . nobis . . . . quiete clamauit imperpetuum pro quadam certa summa pecunie sibi . . . persoluta . . . . Tenendam . . . . in feodo et hereditate per omnes rectas metas et diuisas suas incipiendo ab orientali parte eiusdem edificij per eundem Johannem constructi vsque al superiorem partem clausure lapidee de antiquo mansionis predicte de Murthlaw et deinde in longitudine ascendendo vsque ad crucem ligneam que vulgariter dicitur ly girthteorse et directe a dicta lapide clausura in latitudine de communi passagio predicto vsque ad la grein valk directe sicut la valk se extendit et a superiori parte de la valk per spatium quatuor rudarum a dicto passagio usque perueniatur ad dictam crucem . . Reddendo inde annuatim . . . . pro salute anime nostre antecessorum et successorum nostrorum canonicis et capellanis ecclesie nostre Aberdonensis in anniuersarijs patris nostri HENRICI de LICHTONE et matris nostre JONETE de LICHTONE . . . . tresdecem solidos et quatuor denarios . . . . inter eosdem diuidendos secundum laudabilem consuetudinem ecclesie nostre prefate videlicet sex solidos octo denarios pro salute anime nostre antecessorum et successorum nostrorum et sex solidos octo denarios pro salute animarum patris et matris nostri predictorum ad duos anni terminos consuetos . . . . Quaquidem solutione cessante de dicta terra . . . . dictus Gilbertus se . . . . obligat quod dicti tresdecem solidi et quartuor denarij annuatim leuentur de terris suis de Ballindach cum pertinentijs iacentibus infra vicecomitatum de Aberdene . . . . Apud Aberdon decimo sexto die mensis Maij anno Domini millesimo quadringentesimo quadragesimo. - (*Aberdeen Cartulary Vol. I. p. 241*)

APPENDIX.

OBITUS.

HENRICUS LYCHTON ET JONETA LYCHTON.

Nonis Februarij obitus HENRICI LYCHTONE ET SPONSE SUE de xiij s. iiij d. leuandis de mansione edificate iuxta ortum mansionis de Murthelowe fundatur per dominum HENRICUM LYCHTON episcopum Abirdonensem vnde respondebit dominus de Jonstone annuatim.—(*Aberdeen Cartulary Vol. II. p. 200*).

No. IX.

EXTRACT from a CONFIRMATION OF A CHARTER of Settlement by WALTER LICHTOUN (III.) of Usan of the lands of Dalladies upon himself and his wife Christian Spens.

Apud PERTH 30 Jun 1467.

REX confirmavit WALTERO de LICHTOUN DE HOWSAN et CHRISTIANE de SPENS ejus sponse,—dimidietatem terrarum de Dunlabee, cum le Strath, vic Kincardin;—quas idem Walterus apud Faucland resignavit:—TENEND dictis Walt: de L et Christiane et eorum alteri diutius viventi in conjunctam infeodationem, et post eorum decessum legitimis et propinquioribus heredibus dicti Walt: de L quibuscunque:—TEST etc. (*R.G.S. vol. I. No. 925*).

APPENDIX.

No. X.

EXTRACT from a CONFIRMATION OF A CHARTER of West Campsy and Dalladies by WALTER LICHTOUN (III.) of Usan to his son and heir WALTER LICHTOUN (IV.)

Apud EDINBURGH 12 Jun 1481.

REX confirmavit cartam WALTERI LICHTOUN de HOUSHAWIN (*Houesane*) et de Westir Campsy,—(qua-pro singulari dilectione filiali quam habuit erga ipsum)—concessit filio suo et heredi apparenti WALTERO LICHTOUN, et heredibus ejus, —terras de Westir Campsy, vic Forfar: TENEND: de rege:— REDDEND: regi unum denarium argenti, nomina albe firme:— Reservatis libero tenemento dicto Walt: patri et rationabili tertia Christiane Spens, sue sponse, cum contigerit:—TEST (*inter alios*) DAVID ROSSY de eodem ROB LICHTOUN, Apud Houshawin 24 May 1481] NECNON aliam cartam dicti Walteri.—[qua pro dicta causa—concessit prefato filio suo Waltero Lichtoun et heredibus ejus,—terras dimedietatis de Dunlawe, vic Kincardin:—TENEND de rege:—REDDEND: communem sectam in curia vic de Kincardin, cum Warda &c—RESERVATIS libero tenemento dicto Walt: patri, et rationabili tertia Christiane sue sponse, cum contigerit. TEST et de data ut supra] Salvis regi wardis, &c:— TEST &c. (*R.G.S. vol. I. No. 1479*).

No. XI.

EPITOME of a LEASE by William Bonkil Lord Abbot of Arbroath to DUNCAN de LYCHTOUN and MARJORY TYRIE his Wife of the lands of Burntown of Ethie (A.D. 1483).

Assedacio terre nostre de Burntown in Athe.

Uniuersis pateat . . . nos Willellmum . . . abbatem . . . de Abirbrothoc assedasse . . . DUNCANO de

LYCHTOUN ET MARIORIE sponse sue moderne . . . terras ville nostre de Burntown de Athy cum decimis garbalibus . . . . pro toto tempore vite sue pro suis gratitidinibus . . . . et signanter pro certa summa peccunie nobis gratanter soluta et in vsus monasterii nostri conuersa . Soluendo *etc. etc.* . . . Et quia dictum Duncanum nobiscum in curia nostra et alias equitandum et laborandum intendimus onerare sumptibus nostris ipsum ab omnibus husbandorum oneribus relaxamus saluo iure regalitatis nostre *etc. etc.* . . . Apud capitulum nostrum . . . xviii° die mensis Nouembris anno Domini m° cccc lxxx tercio.—*(Arbroath Cartulary p. 201.)*

No. XII.

EXTRACT from the APPOINTMENT by the Lord Abbot DAVID LYCHTOUN of WALTER LYCHTOUN (IV.) of USAN DUNCAN LYCHTOUN and others as deputy Bailiffs and justiciaries.

Commissio in itinere iusticiarie et camerarie.

Uniuersis pateat . . . nos Dauid . . . abbatem . . . de Abirbrothoc . . . constituisse . . . magistrum Johannem Lyoun dominum de Glammys . Jacobum Ogilvy de Erle militem . Johannem Ogilvy de Bawndowff . WALTERUM LYCHTOUN de Owsane iuniorem . DUNCANUM LYCHTOUN (*et alios*) . nostros . . . procuratores sindicos commissarios iusticiarios camerarios balliuos . . . negociorumque nostrorum gestores . . . ad comparendum pro nobis . . . coram . . . iusticiariis . . . regis . . . seu locumtenentibus . . . *etc. etc.* . . . Apud Abbirbrothoch decimo quinto die mensis Aprilis anno Domini 1487.—*(Arbroath Cartulary p. 255).*

No. XIII.

PRESENTATION by the Lord Abbot DAVID LYCHTONE of John Tyry to the Vicarage of Newtyle on the resignation of JOHN LYCHTONE (A.D. 1494).

Reuerendissimo . . . domino Willelmo . . . Archiepiscopo Sanctiandree . . . Dauid . . . abbas . . . de Abribrothoc . . . reuerencias et honores . . . Ad vicariam perpetuam ecclesie parrochialis de Newtyle vestre diocesis . . . per dimissionem domini JOHANNIS LYCHTONE presbiteri inantea per nos ad eandem presentati duodecimo die mensis Octobris vltimi elapsi hora secunda post merediem vacantem . . . dominum Johannem Tyry presbiterum vestre paternitati . . . presentamus . . . regantes quatinus . . . nostrum presentatum . . . admittatis . . . Apud . . . monasterium . . . nono die mensis Nouembris anno Domini mo cccco nonogesimo.

Memorandum quod ista presentacio suprascripta erat extracta de regestro sub sigillo communi capituli et subscripcione notarii anno (et) die ut infra sequitur.

Et me Valtero Makynis notario . . . ac clerico et scriba dicti capituli presenti ad suprascriptam presentacionem de conuentus regestro extrahendam . . . . vna cum . . . . VALTERO LYCHTONE de HOUSHAWIN . Dauid Rossy . et DUNCANO LYCHTONE . ARMIGERIS . . . cum diuersis aliis nono die mensis Julii anno Domini mo cccco nonogesimo quarto . . . requisito in testimonium omnium et singulorum premissorum.—(*Arbroath Cart. p. 267*).

No. XIV.

RECORD OF THE SASINE of WALTER LICHTOUN (IV) of Usan in the lands of Dalladies (A.D. 1501).

Item onerat se de xv li de firmis dimedietatis terrarum baronie de Dulathy cum pertinenciis existentis in manibus regis per spacium trium annorum sasina non recuperata. Et de v li de relevio ejusdem regi debito per sasinam datam WALTERO LICHTOUN sexto Marcii anno regni regis decimotercio. Summa hujus oneris xx li (*Exchequer Rolls Scot. Vol XI. p.* 366*).

* *Note.—A memorandum of the same sasine occurs at page 465 of the same volume.*

No. XV.

CONFIRMATION of a CHARTER of KING JAMES IV. incorporating the estates of WALTER LICHTOUN (IV.) in the Barony of Usan.

Apud EDINBURGH 23 Dec., 1511.

Rex concessit confirmavit et quitteclamavit WALTERO LICHTOUN de ULLISHAVIN, et ejus heredibus, terras de Ullishavin, cum turre, fortalicio, molendino et portu earundem, una cum communi pastura infra moras de Rossy, catellis tenentium et dictarum terrarum de U. inhabitantium, cum privilego lucrandi et adbuctionis focalium tam in moris quam in maresiis infra dict. terras de R, exceptis terris dominicalibus de R. David Rossy de eodem pertinentibus, vic. Forfare;—quorum proprietatem idem Walt. personaliter, et superioritatem David Rossy per procuratores, resignaverunt;—necnon terras de Wester—Camsy cum silvis et speluncis earundem,—necnon terras de Kynnard, vic Forfare; et terras de Dullauthy cum piscariis earundem, vic Kincardin;—quas idem Walt: resignavit;—et quas integras terras rex *pro singularibus favoribus* incorporavit in unam liberam baroniam de Ullishavin:—REDDEND annuatim tres sectas ad tria placita capitalia vic de Forfare necnon wardam &c., cum contingerent.—(*R. G. S. Vol. I. No. 3671*).

No. XVI.

RECORD OF THE SASINE of THOMAS LICHTOUN in the lands and Barony of Wolfishavin, (A.D. 1525.)

Vicecomes de Fortare respondebit pro iiijc lxvj li xiij s iiij d de firmis terrarum le Wolfishavin cum turre fortalicio molendino et portu earundem cum suis pertinentiis maeum communi pastura infra moras de Rossy omnibus et singulis catallis tenentium et dictarum terrarum de Wolfishavin inhabitantium cum privilegio luerandi et abductionis suorum focalium, tam in moris quam in maresiis infra predictas terras de Rossy, exceptis terris dominicalibus de Rossy quondam David Rossy de eodem pertinentibus, ac de firmis totarum et integrarum terrarum de Westir Campsy cum silvis et speluncis earundem, necnon de firmis totarum et integrarum terrarum de Kynnard cum pertinentiis jacentium infra balliam suam, acetiam de firmis totarum et integrarum terrarum de Dallathy cum piscaria earundem et suis pertinentiis olim jacentium infra vicecomitatum de Kincardin et nunc per annexationem et unionem carte domini regis sub suo magno sigillo jacentium infra dictam balliam suam quequidem omnes et singule predicte terre per dictam annexationem et unionem jacent in baronia de Wolfishavin existentium in manibus regis per spatium septem annorum ultimo elapsorum sasina non recuperata, et pro lxvj li xiij s iiij d de relevio earundem regi debitis per sasinam datam THOME LICHTOUN de eisdem. Apud Edinburgh xiijo Octobus anno xiijo regni regis.—(*Exchequer Rolls of Scotland Vol. XV. p. 636*).

APPENDIX.

No. XVII.

CONFIRMATION of SETTLEMENT of the lands of Dalladies by Thomas Lichtoun of Usan upon himself and his wife Helen Stirling.

Apud EDIN. 10 Oct. 1526.

*REX Confirmavit THOME LICHTOUN de Ullishavin et HELENE STRIVELING ejus sponse,—terras de Dulady, vic Kincardin. et per annexationem infra vic de Forfare;—quas idem Tho resignavit:—TENEND dictis Tho et Hel, et ipsorum alteri diutius viventi in conjuncta infeodatione, et heredibus inter ipsos legit: procreatis quibus deficientibus legit et proprinquioribus heredibus dicti Tho: quibus-cunque:—Test, &c.—(*R. G. S. Vol. II. No. 1546.*)

* *Note.—The Precept for the above Charter is recorded in the Register of the Privy Seal Vol. VI. fo. 58 and is dated 1st Oct. 1526.*

No. XVIII.

CONFIRMATION of a SETTLEMENT of the lands of Campsey by Thomas Lichtoun of Usan upon his son John Lichtoun (I.) and Jonete Levingstoun.

Apud S. Andream 4 Ap. 1542.

REX confirmavit cartam THOME LICHTOUN DE VILLISHAVIN,—(qua, pro filiali amore et ob dotem per se receptam, concessit filio suo et heredi apparenti JOHANNI LICHTOUN et JONETE LEVINGSTOUN ejus sponse,—terras de Campsy, in baronia de Willishavin, vic. Forfare:—TENEND dictis Joh: et Jon: et eorum alteri diutius viventi in conjuncta infeodatione, et heredibus inter ipsos

legit procreatis, quibus deficientibus, legit et proprinquioribus heredibus seu assignatis dicti Joh quibuscumque de rege:—Test (inter alios) WIL LICHTOUN Apud Eglismaldy. 26 Mar. 1540) Test &c.—(*R. G. S. Vol. II. No. 2635.*)

No. XIX.

RECORD OF THE SASINE of John Lichtoun (I.) in the lands of Ullishavin and Kynnard A.D. 1546.

Vice comes respondebit pro £24 de relevio totarum et integrarum terrarum de Ullishavin cum turre fortalicio molendino et portu earumdem cum pastura in more de Rossy omnibus tenentibus de Ullishavin pro suis vaccis sustinendis, cum privilegio lucrandi et abducandi focalia in moris et maresiis dictarum terrarum de Rossy, exceptis terris dominicalibis de Rossy de eodem necnon omnium et singularum terrarum de Kynnard jacentium infra balliam suam, regine debitis per sasinam datam Johanni Lichtoun Edin. 29 April 1546.—(*Exchequer Rolls of Scotland Vol.* XVIII. *p.* 396).

No. XX.

CHARTER to JOHN LICHTOUN Junior (II) of the lands and Barony of Usan.

Apud LETHINGTOUN 1st July. 1548.

REGINA &c. concessit et pro bono servitio, quitte clamavit JOHANNI LICHTOUN filio et heredi apparenti JOHANNIS L DE ULLISHAVIN heredibus ejus et assignatis,— terras et baronian de Ullishavin, viz, terras de U cum villa, turre, fortalicio, manerie, molendino, piscariis, et villa piscarie earundem, terras de Campsyis, Kynnard et Brigend. vic Forfare; terras de Dulydyis, Strath et

molendino earundem, vic Kincardin;— NECNON concessit dicto Johanni Lichtoun seniori, et Jonete Levingstoun ejus conjugi et eorum alteri diutius viventi in vitali redditu,—dictas terras de Campsy, Kynnard et Brigend;—quas omnes idem Joh: senior resignavit:— Reservatis libero tenemento dicto Joh: seniori et rationabili tertia ejus sponse cum contingeret, Test &c.—(*R. G. S. vol, iii No.224*).

No. XXI.

RECORD of the Sasine of JOHN LICHTOUN (II) OF USAN in the lands of Dalladies (A.D. 1558).

Vice-Comes respondebit pro £440 de firmis terrarum et villarum de Dulatheis jacentium infra balliam suam etc_____existentium in manibus regis et regine per spatium undecim annorum ultimo retroactorum ratione warde et sasina non recuperata et pro £40 de relevio earundem regi et regine debitus per sasinam datam JOHANNI LICHTOUN Edin 3 March.—(*Exchequer Rolls Scotland Vol. XIX. p. 438*).

No. XXII.

EPITOME of a CONFIRMATION of a CHARTER by JOHN LICHTOUN (II) OF ULLISHAVIN entailing the lands and Barony.

Apud EDIN 17 Mar. 1566.

REGINA confirmavit, et pro servitio sibi impenso et impendendo, quitteclamavit JOHANNI LICHTOUN DE ULLISHAVIN—terras ac baroniam de Ulleshavin cum villa, turre, fortalicio, manerio, molendino, portubus piscariis, et villa piscaria earundem, terras de Campsis

Kynnaird et Brigend vic Forfare; terras de Dullydyis, Straith et Molendinum earundem, vic Kincardin,—quas idem Joh; personaliter resignavit; et quas regina incorporavit in liberam baroniam de Ullishaven:—TENEND dicto Joh; et heredibus masculis ejus de corpore legitime procreatis, quibus deficientibus, PATRICIO LICHTOUN ejus fratri Germano, et heredious &c. (*ut sup*) quibus deficientibus, ROBERTO LICHTOUN filio et heredi quondam Jacobi Lichtoun burgensis de Montros et heredibus &c. (*ut sup*) quibus def, JOHANNI LICHTOUN in Ethie et heredibus &c. (*ut sup*) quibus def RICARDO LICHTOUN ejus fratri germano, et heredibus &c. (*ut sup*) quibus def DAVIDI LICHTOUN fratri ejusdem germano, et heredibus &c, (*ut sup*) quibus def DUNCANO LICHTOUN fratri ejusdem germano, et heredibus &c. (*ut sup*) quibus def. legitimis et propinquioribus heredibus dicti Joh Lichtoun de U. quibuscunque, cognomen et arma familie de Ullishavin gerentibus TEST &c. (*R. G. S. vol. iii. No. 1775*).

No. XXIII.

EPITOME of a CONFIRMATION of a SETTLEMENT of the lands of DALLADIES and STEILSTRATH.

Apud HALYRUDHOUS 26 Feb. 1574.

REX &c confirmavit JOANNI LICHTOUN de ULLESHAVEN et KATHERINE WOD ejus sponse:—terras de Dilladais et Steilstraucht, cum molendino molendinariis terris et multuris molendeni de Dilladais in baronia de Ullishavin vic Kincardin;—quas idem Jo resignavit:—TENEND dictis Jo et Kath et eorum alteri diutius viventi in conjuncta infeodatione, et heredibus masculis inter se legitime procreatis, quibus deficientibus, heredibus assignatis dicti Jo quibuscunque: TEST &c. (*R. G. S. vol. iii No. 2365*).

APPENDIX.

No. XXIV.

EPITOME of a CONFIRMATION of a CHARTER by the BISHOP and CHAPTER of BRECHIN to JOHN LICHTOUN (II) of ULLISHEVIN of the Episcopal lands of CAPO and the glebe lands of INCHBRAYOCK.

Apud. FALKLAND 10 Jun 1587.

REX confirmavit cartam Alexandri episc: Brechinen, (qua,—cum consensu capituli Brechinensis,—pro 250 marcis persolutis ad feudifermam demisit JOANNI LICHTOUN DE ULLISHEVIN, et heredibus masculis ejus de corpore legitime procreandis, quibus deficientibus legitimis et propinquioribus heredibus ejus masculis quibuscunque et assignatis, terras de CAPO in baronia de Kethic, vic Forffar:—REDDEND &c. Test &c:—Apud civitatem S Andree, 4 Jan. 1566).

NECNON cartam factam per quondam Robertum Hammiltoun prepositum, Magistros Wil. Skene, Jo Robertsoun et Wil, Welwode, magistros principales collegii Mariani intra civitatem S Andree,—(qua ad feudifermam demiserunt dicto JOANNI LICHTOUN et KATHERINE WODE ejus sponse.—terras ecclesiasticas et glebam de NETHIR INCHBRAIK (inter terras de Hechem dicto Jo spectantes ex orien, *lie Grenedyik* ex occiden, terras de Brodland Rogero Wod de Craig pertinentes ex boreali, decursum aque *lie Watterstrype* ex australi) cum decimis inclusis que nunquam a trunco separabentur, (per Wil Cuik occupat), vic Forffar TENEND dictis Jo L et Kath et eorum alteri diutius viventi in conjuncta infeodatione heredibus masculis inter eos legitime procreandis quibus deficientibus heredibus dicti Jo masculis et tallie ad dominium et baroniam de Ullishevin earum ordine provisis quib def heredibus dicti Jo legitimis et propinquioribus sive assignatis quibuscunque de de dictis preposito etc &c. REDDEND &c:—TEST Wil Wode de Lawthoun, JOANNE LICHTOUN IN ETHIE, ROB LICHTOUN burgen. de Montrois:—Apud S Andream 25 Nov. 1578): TEST &c.

No. XXV.

EPITOME of the WILL of JOHN LICHTOUN in ETHIE.

(A.D. 1591-2).

March 11. TESTAMENT tastamentar of JOHN LICHTOUN IN THE MAINS OF ATHIE in Angus, who died on 9th November 1591, given up by himself on 31st of October 1591.

His estate is valued at £406, and there was due to him £1,182 including 320 merks by JOHN LYCHTOUN OF ULLISHEAWIN. He was due £868, including £80 to the bairns of the deceased Robert Guthrie of Lownane for certain goods belonging to them with which he had meddled; £50 to the Abbey of Arbroath for the teinds of Balmulistoun, 1050 merks to David Lichtoun, eldest son of the defunct.

Free gear is £720; to be divided into three parts.

His testament is dated at the Mains of Athie 31st October 1591 and in it he appoints his body to be buried in the kirk (*sic*) of Athie leaving his soul to God, to his son William who is not equally provided with the rest of his brothers in lands, he gives 300 merks; and the rest of his goods he ordains to be equally divided between his children John, William, James, Elizabeth and Matyld. appointing his son John Lichtoun his executor who is to act by the advice of the defunct's eldest son, David Lichtoun. He desires the minister, Mr. John Fullertoun, to subscribe this will for him as through weakness he cannot write himself.--(*Edinburgh Testaments Vol. XXIII*).

No. XXVI.

EPITOME of CONTRACT made for the marriage of ROBERT LICHTOUN with EUPHEMIA daughter of JOHN LICHTOUN II of ULLYSSESHAVEN (A.D. 1591).

AT MONTROSE the nynt day of November the yeir of God j^{m} v^{c} lxxxxl yeris It is apointit contractit and finallie agreit betuix the richt

honorabill JOHNNE LICHTOUN OF ULLISHEVIN and EUPHAME LICHTOUN his dochter, baith with ane consent and assent on the ane pairt, and ROBERT LICHTOUN burges in Montros and ROBERT LICHTOUN HIS SONE and aperand air, and als with consent of the said Robert his father gydar and administratour of the law to him, on the other pairt, in maner following TO witt the said Robert younger sall except the said Auphame to be his lawchfull spous, and solempnezat the band of matrimonie with hir in face of Christis congregatioun betuix this dait present and the tuentie fyft day of December nixtocum, or soner as the saidis freindis thinkis expedient. Siclyk the said Johnne Lichtoun of Ullishevin oblissis him his airis and assignis (alsueill of lyne as of talzie) to sufficientlie infeft the said Robert Lichtoun elder and the airis maill lawchfullie gottin or to be gottin of his bodie, and falzeing thairof the said Robert Lichtounis airis maill quhatsumever specified in the Charter of talzie of the leveing of Ullishevin successive and in maner as they ar contenit in the said Charter, (titulo oneroso) in all and haill the said Johnes landis of CAMPSEIS, BRIGEND, KYNNARDE, and CORREFFIE, with the pertinentis lyand within the schirefdome of Forfar, to be haldin in our soverane lord and his graces successouris in similable maner as dois the said Johnne Lichtoun held the samin, ather be resignatioun or confirmatioun as best sall pleis the said Robert Lichtoun elder accept. And the charter to be maid thairof to contene all maner of claussis of Warrandice necessar and requisit in sic forme and maner as the said Robert Lichtoun elder pleissis devyse.

Lyk as the said Johnne Lichtoun of Ullishevin bindis and oblissis him and his foirsaidis to warrand his saidis landis with the pertinentis frie frome all danger and perrell that may fall thairupoun for quhatsumever caus bygane, and siclyik sall mak the samin frie of theyis infeftmentis therof maid to JOHNNE LICHTOUN IN MAINS OF ETHIE, and to JEANE LICHTOUN dochter to the said Johne Lichtoun of Ullishevin, and of all other infeftmentis quhidder the same be of propirtie or annuelrentis addettit furth of the samin, and sall obtene and delyver to the said Robert elder sufficient renunciationes therof Reserving in all the saidis infeftmentis the said Johnne Lichtoun of Ullishevin his awin lyfrent of the saidis landis of Correffie.

Forder the said Johnne Lichtoun of Ullishevin sall instantlie enter the said Robert Lichtoun elder to the peceabill and frie occupatioun of

the saidis landis of CAMSIE and KYNNERD, with houssis and toftis thereof to be occupeit be him and his foirsaidis or sett to tennentis at thair plesour, and to that effect sall mak the saidis landes and houssis voyd and red.

Sicklyik the said Robert Lichtoun elder, being sufficientlie infeft in the saidis landis of Campsie Brigend Kynnerd and Correffie in maner abouewrittin, he sall incontinent thairefter sufficientlie infeft the saidis Robert Lichtoun younger and Euphame Lichtoun his future spous in conjunct fie, to thame and the airis maill lawchfullie to be gottin betuix thame. RESERVING ALWYIS to the said Robert Lichtoun elder his awin lyfrent of the saidis landis of Kynnerd with the pertinentis, and to the said Johnne Lichtoun of Ullishevin his lyfrent of the saidis landis of Correffie.

Attour it is agreit be all the saidis parteis that gif it salhapin the said Robert Lictoun younger to depairt fra this lyif without airis maill lawchfullie gottin of his bodie, onlie haifing air or airis femell, in that caise the air maill quha salhappin to succeid to the saidis landis salbe haldin to pay to the air femell being onlie ane the sowme of thrie thowsand markis money, being tua airis femell proportionallie betuix thame four thowsand merks, and being thrie in nwmber equallie amangis thame sex thowsand merkis, and being four in nwmber aucht thowsand merks, viz to ilk ane of thame tua thowsand merkis vsuall money of this realme.

For the quhilkis caussis the said Robert Lichtoun elder oblissis him his airis executouris and assignis to thankfullie content and pay to the said Johne Lichtoun of Ullishevin his airis executouris or assignis the sowme of sex thowsand merkis guid and vsuall money of this realme at the termes following thairof; the sowme of ane thowsand merkis yerlie at the making heirof; the sowme of tua thowsand merkis betuix this dait present and the feist of witsonday nixtocum, the sowme of ane thowsand merkis betuix that and the feist of Mertimes in the yeir of God j^{m} v^{c} lxxxxij yeris, and the sowme of tua thowsand merkis in compleit payment of the said sex thowsand merkis betuix that and the feist of Witsonday in the yeir of God j^{m} v^{c} lxxxxiij yeris, without forder delay.

And forder for the said Robert Lichtoun elder his better securitie, the said Johnne Lichtoun of Ullisheavin makis and constitutes and ilk

ane of thame conjunctlie and severallie irrevocable procuratouris and speciall erand beraris to resigne the saidis landis with the pertinentis in the handis of aur soverane lord, with all richt title propirtie and possessioun quhatsumever, in favouris of the said ROBERT LICHTOUN elder for heretabill infeftment thairof, to be gevin to him and the airis maill lauchfullie gottin or to be gottin of his bodie, quhilkis falzeing to JOHNNE LICHTOUN IN ETHIE and the airis maill lawchfullie gottin or to be gottin of his bodie, quhilkis falzeing to RICHART LICHTOUN his brother germane and the airis maill lawchfullie gottin or to be gottin of his bodie, quhilkis falzeing to DAVID LICHTOUN siclyk his brother germane and the airis maill lawchfullie gottin or to be gottin of his bodie, quhilkis falzeing to DUNCANE LICHTOUN siclyk brother germane to the said Johnne Lichtoun in Ethie and the airis lawchfullie gottin of his bodie maill, quhilkis all falzeing (as God forbid) to the narrest and lawchfull aris maill of the said Johnne Lichtoun of Ullishevin quhatsumever bering and wering the suirname and armes of Lichtoun. To be haldin of our said soverane lord and his graces successouris for richt and service of the saidis landis with the pertinentis as is specified in the infeftmentis therof maid to the said Johnne Lichtoun of Ullishevin, and generallie to do all thingis requisite anent the premissis als largelie in all respectis as gif the said Johnne Lichtoun wer personallie present in propir persoun. Reserveing the said Johnne Lichtoun of Ullishevin his lyfrent of the saidis landis of Correffie.

Forder the said Johnne Lichtoun of Ullishevin oblissis him nether to brek nor alter the charter talzie of the leveing of Ullishevin and landis thairof quhatsumever alreddie maid.

Forder the said Johnne Lichtoun of Ullishevin sall instantlie infeft the said Robert Lichtoun elder and the airis maill lawchfullie to be gottin of his bodie, quhilkis falzeing to the remanent persones of talzie successive in ordour abovewrittin, in all and haill the landis of Capo with the fisheingis of the samin lyand in the watter of Northesk barronie of Kethik and schirefdome of Forfar, as also in all and haill the landis of Hihein, with the boittis fischeingis and salmond fisheingis callit the hoill, with pendicles privilegis and pertinentis thairof lyand in the baronie of Rescobie regalitie of Sanct Andros and schirefdome of Forfar. Attour the said Johnne Lichtoun of Ullishevin assignis and disponis to

the said Robert Lichtoun elder all and sindrie the cornis aittis and beir presentlie standing vpoun the tua pairt landis of Campsie, and haill toun and landis of Kynnerd presentlie occupeit be the said Johnne Lichtoun of Ullishevin. and sielyik he presentlie sellis and disponis to the said Robert Lichtoun elder thais aucht oxin presentlie in Kynnerd, and theis saxtein oxin presentlie in Campsie and pertening to the said Johnne Lichtoun of Ullishevin, with full power to the said Robert instantlie to enter and intromet with the saidis haill cornes and guidis landis houssis toftis thairof with the pertinentis, labour and vse the samin at his plesour.

For the quhilk the said Robert elder sall pay and delyver to the said Johnne Lichtoun in Ethie his airis or assigneis the sowme of tuelf hundreth and fiftie merkis for the lawchfull redemptioun fra him of ane annuelrent of threttie sevin bollis tua firlottis victuell annaleit yerlie to him furth of the saidis landis of Campsie, and releif the said Johnne Lichtoun of Ullishevin of the payment of the said annuelrent.

Forder gif it salhapin Katherene Wod present spous to the said Johne Lichtoun of Ullishevin to depairt this present lyif tefoir him, and it sall pleise him to marie ane vther wyif, it is provydit that his future spous quhomsumever sall haif and bruik induring hir lyftyme the haill landis of Dilledeis and Capo mylne pairtis and pendicles thairof in full contentatioun and satisfactioun baith for her conjunctfie and terce of the haill abouewrittin landis with thair pertinentis.

Reservand alwyis to the said Katherene Wod hir conjunctfie and lyfrent of the saidis landis of Dilledeis mylne and pertinentis thairof as the samin is alreddie provydit to hir, togidder with hir full terce of all and sindrie sic landis as the said Johnne Lichtoun hir husband hapnis to dee vest and sesit in but fraud or gyle.

Mairower the said Robert Lichtoun bindis and oblissis him to mak na selling nor dispositioun of the foirnamet landis mylnes fischeingis and thair pertinentis nor na pairt thairof, bat in caise it salhappin him to mak ony alienationes or Wodsett of the samin yit it salbe done vnder reversiones sua that the foirnameit haill landis mylnes fischeingis and thair pertinentis sall remaine heretabillie with the said Robert younger and his future spous and thair airis aboue mentionat. IN WITNES etc. Witnesses, David Rossie of that Ilk, Patrick Rossie his sone, George

Barclay of Matheris, Gabriell Guthrie brother to Alexander Guthrie of that Ilk, Mr. Patrick Lindsay provest of Guthrie, William Thomsoun procuratour in Dundie, and George Fyif noter publict, James Ramsay, David Aucor, and Johne Strathauchin youngest of Dulinard; (*M.S. Reg. of Deeds Edin. vol. 50*).

No. XXVII.

EPITOME of a Charter of ENTAIL of the lands and Barony of Ullishevin subject to the life-rents of JOHN LICHTOUN of ULLISHEVIN and Katherine Wood his Wife.

Apud HALYRUDHOUS 19 Jun 1592.

REX concessit et pro bono servitio, de novo dedit ROBERTO LICHTOUN burgensi de Montrois—terras et baroniam de ULLISHEVIN, cum villa, fortalicio, manerie, molendino, portubus, piscariis et villa piscaria earundem, terras de CAMPSEYIS, KYNNARD et BRIGENT, vic Forfar; terras de DOWLYDYIS, STRAITH et molendinum earundem, vic de Kincairdin;—quas ab ab antiquo in unam baroniam de Ullishevin unitas, JOANNES LICHTOUN DE ULLISHEVIN in favorem dicti Rob. resignavit; et quas Rex de novo in liberam baroniam de Ullishevin incorporavit, ordinando fortalicium de ∪ principale messuagium ejusdem fore:—RESERVATIS dicto Joanni libero tenemento terrarum de Ullishevin cum pertinentiis Dwlydyis Straith cum molendino; et KATHERINE WODE ejus sponse libero tenemento de Dwlydyis cum molendino et piscariis, cum rationabili tertia de Ulleshevin et Straith si contigeret;—TENEND dicto Rob et heredibus masculis ejus de corpore legitime procreatis quibus deficientibus, DAVIDI LICHTOUN in Ethie et heredibus &c. (*ut sup*) quibus def, RICARDO LICHTOUN burgensi de Montrois et heredibus &c. (*ut sup*) quibus def, DAVIDI LICHTOUN fratri germano dicti Ricardi, et heredibus &c. (*ut sup*) quibus def, ALEXANDRO LICHTOUN seniori filio et heredi apparenti quondam

DUNCANI LICHTOUN in Gwildie et heredibus &c. (*ut sup*) quibus def. legit et propinquioribus heredibus masc dicti JOHANNI LICHTOUN DE ULLISHAVIN quibuscunque. arma et cognomen de Lichtoun gerentibus:—TEST &c. (*R. G. S. vol. iv No. 2110*).

Note.—The precept for the foregoing Charter is recorded in the Register of the Priy Seal vol. 64.

No. XXVIII.

EPITOME of CONTRACT between JOHN LICHTOUN of ULLYSSESHAVEN with ROBERT LICHTOUN his son in law.

(A.D. 1609).

AT Dullarderis and Montros the nynt and ellevint dayes of Januar respective the yeir of God j^m vj^c and nyne yeres it is appoyntit contractit finallie endit and agreit betuix JOHNE LICHTOUN frank tenementar of Wlishewin on the ane part and ROBERT LICHTOUN his sone in law fear thairof as principall and James McKen, William McKen, James Williamsoun and William Ramsay all burgesses of Montros as cautioneris on the vther part baith the saidis parteis bindand and oblesand thame thair ares executouris assignis universall successouris and intromittouris with thair guiddes and geir quhatsomevir hinc inde to utheres in maner forme and effect as eftir followis that is to say.

The said Robert Lichtoun for the causses subsequent bindis and oblessis him and his foirsaidis to content and pay to the said John Lichtoun his wodsetteres and creditouris after specifeit the sowmes of money particularlie underwrittin ilk ane of thame respective for thair awin partes as is under dewydit to wit; to George Petrie younger of Montros the sowme of six hundreth merkis usuall money of this realme of Scoitland now callit North Bretane for the laufull redemptioun fra him of that annuelrent of tuelff bollis beir annaleit to him be the said Johne Lichtoun furth of the landis of Fischertoun of Ulishewin: to James Scot fleschour burges of Montros the sowme of tua thowsand

merkis as principall and thrie hundreth merkis as liquidat expensses addettit be the said Johne Lichtoun to the said James Scot: to Johne Findlaw couper burges of Montros the sowme of nyne hundreth pundis money foirsaid as principall and thrie hundreth pundis as liquidat expensses incais of failzie addettit be the said Johne Lichtoun to the said Johne Findlaw: to Alexander Arnot in Scottistoun the sowme of thrie hundreth pundis addettit be the said Johne Lichtoun to the said Alexander Arnot togidder with the liquidat expensses

Also the said Robert Lichtoun be thir presentes grantes him compleitlie payit and reallie satisfeit be the said Johne Lichtoun of the sowme of four thowsand merkis and fyftein bollis chirreteit beir and fiftie fywe bollis chirreteit beir addettit be the said Johne Lichtoun to him, and be thir presentes discharges the said Johne Lichtoun of the said four thowsand merkis and thrie scoir ten bollis beir, and declares the said Johne Lichtoun frie and quyt thairof in all tymes cumming.

Lycas the said Robert Lichtoun oblessis him and his foirsaidis to purches and delywer to the said Johne Lichtoun the said George Petre James Scott Johne Findlaw and Alexander Arnot thair sufficient and waleid compleit acquittances and discharges of the haill sowmes foirsaidis principall and expensses addettit to thame as saidis betuix the dait present and the feist and terme of Witsonday nixtocum in this present yeir j^{m} vj^{c} and nyne yeres.

Siclyk the said Robert Lichtoun sall discharge as be thir presentes he discharges the said Johne Lichtoun and his foirsaidis of all guddes geir sowmes of money quhatsomeivir restan awand be the said Johne Lichtoun to umquhile Robert Lichtoun, father to the said Robert, fallin and pertening or that ony wyse may fall and pertein to the said Robert Lichtoun be deceis of the said umquhile Robert his father.

Forther the said Robert Lichtoun oblessis him and his foirsaidis to mowe and procuir Patrik Lichtoun his brother, as donatour to the said Johne Lichtones escheit, sufficientlie assignit dispoint and transfer the said Johne Lichtones gift of escheit foirsaid to ony persouns quhatsoeivir that the said Johne Lichtoun plesis nominat and designe.

Alsó the said Robert Lichtoun oblessis him and his foirsaidis to warrand releiff and keipe skaithles the said Johne Lichtoun and his

foirsaidis of the teynd silver and teynd dewtie quhatsomeivir, baith personage and wicárage, and few dewteis quhatsoeivir addettit furth of the haill landis and baronie of Ulishewin or ony part thairof, to the parsoun wicar and superiouris landis and utheres quhatsomewir hawand richt thairto, and of all taxationes impostes and reiddes imput or that may be imput to the saidis landis and baronie of Ulishewin or ony part thairof, and sufficientlie releif the said Johne Lichtoun and his foirsaidis thairof of the croppe and yeir of God j^{m} vj^{c} aucht, and siclyk yeirlie and termlie in all tymes cumming during all the dayes of the said Johne Lichtones lyftyme, the said Johne Lichtoun alwyse relewand the said Robert Lichtoun of the few dewteis and teyndsilver baith parsonage and wicarege of the saidis landis and baronie of Ulishevin of all yeres and croppes preceding the said crope j^{m} vj^{c} and aucht yeres.

Lykas the said Robert Lichtoun oblessis him and his foirsaidis to obtein ane sufficient relaxatioun to the said Johne Lichtoun of the haill letters of horning executiones registratioun and proces thairof rasit and execuit againes him be his creditouris foirsaidis or ony of thame.

Mairower the said Robert Lichtoun sall pay to the said Johne Lichtoun yeirlie induring all the dayes of his lyftyme threttie chaldere wictuall efter specifeit, at the termes and in maner underwrittin, to wit, for fyftein chalderes thairof the said Johne Lichtoun sall accept as be thir presentes he acceptes the Maynes of Dallerdie presentlie occupyit be himself, Capo and the haill rest of the said barone of Dullardes as the said is worth and tennentes payis thairfoir yeirlie induring all the dayes of the said Johne Lichtones lyftyme, and thairfoir the said Johne Lichtoun be thir presentes discharges the said Robert Lichtoun of the said fyftein chalderes wictuall in part of payment of the said threttie chalderes wictuall induring the said Johnes lyftyme.

And the said Robert Lichtoun as principall and the said James and William McKeanes James Williamsoun and William Ramsay his cautioner abouewrittin oblessis thame, and thair foirsaidis conjunctlie and severallie as saidis, to thankfullie content pay and delyver to the said Johne Lichtoun and his foirsaidis yeirlie during all the dayes of his lyftyme sex scoir bollis beir and sex scoir bollis meill, sufficient stuff mercat rwne met within the burgh of Montrose, with the tow met thairof betuix the feistes of Yule and candilmes, or at the thrid day of May yeirlie at forthest, and failyeing thairof to pay the sowme of ten pundis

for ilk boll of the said wictuall as pryce liquidat and agreit upone be baith the saidis parteis, togidder with tuadosoun capones and ten dusone pultrie, the pultrie at mertymes, and capones at pasche, as use is, out of the saidis landis of Ulishewin, begynnand the first yeres payment of the said fyftein chalderes wictuall for the crope and yeir of God j^{m} vj^{c} and aucht yeres betuix the dait present and Candilmes or at the thrid day of May nixt at forthest, and failyeing thairof the liquidat pryces abovewrittin, and that in compleit payment and full satisfactioun of the saidis threttein chalderes wictuall above specifeit.

For the quhilkis causes the said Johne Lichtoun, franctenementor of Ulishewin sall rennuce, discharge and simpliciter owergif, as be thir presentes he renuncis discharges and simpliciter owergiffes, to the said Robert Lichtoun fear abovewrittin his ares and assignis and in thair speciall favour all and haill the said Johne Lichtones lyfrent richt tytle entres quhatsomeivir he hes had or ony wyse may hawe into the townes and landis particularlie efter mentionat, viz :—the maynes of Ulishewin with the tour fortalice maner place houses bigingis orchard dowcat the toun and landis of Ethim, Kirk landis and fischertoun and fische bottes thairof, with the fische bottes of Ferrieden and Itamebot thairof, and fischertoun of Ulishewin, togidder with the mylne callit the chappell mylne, mylnelandis, multures, segnelles, and pertenentes thairof, with all and sundrie houses annexis connexis priviledges and pertenentes quharsomeivir of the haill landis and barone of Ulisheivin quhatsomeivir, to the effect that the said Robert Lichtoun and his foirsaidis may briuk and joyse the said in all tyme cumming;

Reserivand alwyse to the said Johne Lichtoun power and priveledge to resort to the plate of Ulisheivin yairdis orchardis and dowcattes thairof and mak his resident thairin for the space of ane moneth yeirlie induring his lyftyme, quhilk the said Robert sall mak patent yeirlie to the said Johne induring his lyftyme for making recidens and halding hous upone the said John his awin expenses with the said Robert yeirlie induring the said space of ane moneth and na forder;

Reserivand lykwaynes to the said Johne Lichtoun the haill fische of the fysche bott of Ferriden induring his lyftyme, and to that effect the said Robert sall suffer and tollarlat the fischeres to briuk thair landis usit and wont for lawboring of the said fische bot yeirlie, the said Robert

getting the rest of the dewtie quhilk the tennentes arin use of payment of for the fischer landis by and attour thair labouring of the fische bot, the said Johne Lichtoun uphalding the said fische bot in all necessar thairof:

Reserwand siclyk to the said John Lichtoun induring his lyftyme the salmond fisching of the hoill or pot of Ithim.

Finallie the said Johne Lichtoun be thir presentes selles and dispones to the said Robert Lichtoun the haill cornes cattell scheipe horse nolt guiddes and geir uteceill domeceill quhatsomeivir presentlie being in and upone the Maynes and place of Ulisheivin, and grantes that the said Robertis intromissioun thairwith befoir the dait heirof was and sall be als laufull and waleid as gif the said Johne Lichtoun had disponit the same to the said Robert befoir his intromissioun thairwith or ony part of the same: and for the said Robertis better securetie thairanent the said Johne Lichtoun be thir presentes renunceis all actioun of electioun intrusioun spuilzie repossessioun and utheres actiones of the law quhatsoeivir competent or that ony wyse may be competent to the said Johnes Lichtoun aganes the said Robert thairanent:

Also the said Johne Lichtoun assignis to the said Robert Lichtoun the haill byrune dewteis quhatsoeivir of the saidis landis and barone of Ulisheivin restin awin in the tennentes handis of the crope and yeir of God j^m^ vj^c^ and aucht yeres and all utheres yeres preceding the same, with power to the said Robert to ressave and uptak the same and gif acquittances to the tennentes quhilk sall be als waleid as the said Johne Lichtones awin acquittance:

And siclyk the said Johne Lichtoun be thir presentes discharges the said Robert Lichtoun of the sowme of tuelff thowsand merkis quhilk the said Robert Lichtoun had power to uplift to his honorabill advis upone the said Johne his haill landis and living or ony part thairof be wertew of ane contract of mariage past betuix the said Johne Lichtoun for him selff and takand the burdein upone him for Euphame Lichtoun his dochter, spous to the said Robert, on the ane part, and the said umquhile Robert Lichtoun and the said Robert Lichtoun his sone, tuching the mariage than contractit and thaireftir solempnesat betuix the said Robert and Euphame Lichtones, contening dyvers utheres heiddes and clauses, and all benefit that the said Johne Lichtoun hes competent to him be wertew of the said contract thairby:

And the said Robert Lichtoun, fear foirsaid oblessis him and his foirsaidis to pay to Alexander Michell in Capo the sowme of ane thowsand merkis for reddemptioun of the landis of Capo fra him betuix the dait present and the terme of Witsonday in the yeir of God j^{m} vj^{c} and nyne yeres, quhairof the said Johne Lichtoun oblessis him to furneis and delyiver to the said Robert Lichtoun the sowme of fywe hundreth merkis to mak the foirsaid redemption as said is.

Last of all baith the saidis parteis be thir presentes hinc inde discharges utheres of all dettes sowmes of money comptes rekinngis dettes and actiones quhatsomeivir restin awand and addettit be ather of thame to utheres, be wertew of quhatsomeivir contract band obligatioun or promit be wreit or word maid betuix them, and of all letters of horning, inhibitiones areistment and executioun thairof rasit and execuit be ather of the saidis parteis aganes utheres for ony caus preceding the dait present, and declares utheres frie and quyt thairof in all tyme cumming, saiff and onlie and exceptand the contentes of this present contract.

And the said Robert Lichtoun oblessis him and his foirsaidis to warrand releif and keipe skaithles his saidis cautioneris and ewerie ane of thame and thair foirsaidis of thair cautionerie abovewrittin, and of all coist skaith damnage interest and expenses that they or ony of thame or thair foirsaidis sall happin to sustein or incur thairthrow, lykas the said Robert Lichtoun oblessis him and his foirsaidis subscrywe this present contract and becume cawtioun to the said Johne Lichtoun in maner and to the effect foirsaid.

And gif this present contract be nocht sufficient to the effect foirsaid baith the saidis parteis bindis and oblessis thame and thair forsaidis to alter iterat and reforme the same ay and quhill it be sufficient and waleid to the effect abonewrittin keping the substanciallis heirof: and for the mair securetie baith the saidis parteis and cautioneris ar content and consentes that thir presentes be insert and registrat in the buiks of Counsall, or Comissary buikis of Sanc Androns or Brechin, thair to hawe the strenth of ony of the saidis judges decrettes, with executoriallis of horning poynding and warding to pas thairupone the ane but preiudice of the uther, and the horning to pas upone ane simple charge of sex dayes, and to that effect constitutes Mr. Thomas Rolloque and Alexander Cumming, adwocattes and ilk ane of thame conjunctlie and severallie thair haill procuratouris, to compeir befoir ony of the saidis judges and

in thair names to consent to the registration heirof promitten de rato &c. IN witnes quhairof baith the saidis parteis and cautioneris foirsaidis hes subscriwit this present contract (writtin be Johne Auchterlony servitour to the Commissar of Brechin). Witnesses, Johne Ramsay Commissar of Brechin, Mathow Wod in Dilladeif, and the said Johne Auchterlony, Johne Stratoun, serwitouris to the said Johne Lichtoun, Richard Gardin, Patrik Lichtoun, and Johne Gardin, all burgesses of Montros. (*M.S. Reg. of Deeds Edin. Vol. 166*).

No. XXIX.

EPITOME of the WILL of JOHN LICHTOUN of ULISHEVIN.

(A.D. 1615.)

November 17. Testament testamentar of JOHN LICHTOUN OF ULISHEVIN, in the Parish of Fettercairn * and shire of Kincardine, who died on 20th August 1613, given up by himself and by CATHARINE WOD, his Widow as executrix.

The estate is valued at £843 : 6 : 8, and there was due to him £1,107, among the debtors being the tenants of the defunct's lands of Dillideis, Steile, Straith and Capo; and Robert Lichtoun of Ulishevin for some grain. There was due by him £523. 3. 4, among the creditors being Annas Wod, lawful daughter of the deceased Andrew Wod of Brux, for good service, £266 : 13 : 4 and Matthew Wod, chamberlain and servant to the defunct, for his fee £120, and Laurence Wod, a servant, £10.

His testament is dated at Dillades, 27th July 1615, and in it he ordains his body to rest unto the day of the resurrection in his yle in the kirk of Inchebreak. He nominates his beloved spouse, Catherine Wod, his only executrix; and appoints 400 merks to be paid to Annas Wod foresaid. Among the witnesses are Hary Wod of Bonytoun and Mr. John Guthrie, minister at Arbirlot.

Confirmed as above, Walter Barclay of Kirktounhill being cautioner. (*St. Andrew's Testaments Vol. V*).

*Note**.—*Usan was residing at Dalladies in that Parish at this time.*

No. XXX.

SASINE of JOHN LICHTOUN III of ULISHEAVINE in the lands of HEICHAME etc. (A.D. 1620).

On the 23rd November 1620 Sasine, dated 27th September is recorded to JOHN LICHTOUN, lawful and nearest heir male of the deceased THOMAS LICHTOUN OF ULISHEAVINE and of the deceased ROBERT LICHTOUN, YOUNGER, his father, at least heir male of one or other of them, in the lands of Heichame, with salmon fishing in the sea and water of South Esk, lying in the barony of Rescobie, upon a Precept of Clare Constat by John, Archbishop of St. Andrews which narrates that the deceased Thomas Lichtoun of Ulishevin died last infeft in these land as held of the Archbishop's predecessors and that he understands that the deceased Robert Lichtoun, eldest lawful son of the deceased Robert Lichtoun, burgess of Montrose, was also infeft therein by the King upon the Resignation of the said deceased Robert Lichtoun, burgess of Montrose, and he has evidence that John Lichtoun, bearer of these presents is lawful and nearest heir of the said deceased Thomas Lichtoun and also of the deceased Robert Lichtoun, younger, his father and is of lawful age, which Precept is dated at Dairsie 22nd August 1620. (*Register of Forfar Sasines Genl Register House Edinburgh*).

* * * * * *

On the same date another Sasine of the same is recorded dated 27th September in the KIRKLANDS AND GLEBE OF INCHABREYOK, &c., proceeding on a precept by Dr. Robert Howie and others at St. Mary's College in St. Andrews which narrates that the deceased JOHN LICHTOUN OF ULISHAVEN grandfather of JOHN LICHTOUN, lawful son of the deceased ROBERT LICHTOUN OF ULLISHEAVIN, bearer of these presents, died last vest and seased in the lands and kirklands and glebe of Inchbrayok, and that the said John is lawful and nearest heir male of taillie and provision of his said deceased grandfather in these lands, and is of lawful age. The precept is dated at St. Andrews 1st August 1620. (*Register of Forfar Sasines Genl Register House Edinburgh*).

No. XXXI.

CONTRACT betwixt GEORGE OGILVY Governer of Donoter and CORNELL DAVID LICHTOWN. (A.D. 1652).

At Donoter the nynth of Janr Jaj Vjc fyiftie tua yeare—It is endeit and agriet betwixt GEORGE OGILVY Governer of Donoter and CORNELL DAUID LICHTOWNE that the said Cornell Dauid sall stay in the Garischoane of Donoter and discharge the dewetie of ane officer nixt the gowerner himselff and not remoue therfra till he sall have his pais frome him an salbe faithfull in his charge during his abood for the qlk the said George Ogilvy obliges himselff to pay to the said Cornell Dauid Lichtowne monethlie four voolls meill or fourtie punds monee And the said Cornells entry wes in the beginning of Sepr last by past jai Vjc & fifty ane and so fourth to continow during his abood in that charge. And qt mor it sall pless the King's Majestie or the earll Marschall to bestow upon the said Cornell for his guid service of his salbe noways prejugditiall to the samen. And both the said parties obliges themselff to stand heirbe. Subscribd wt our hands day and year forsaid before thes witnes Mr Androw Hendersone and Rot Douglas both in Donor etc

A. Hendersone witnes (sd) GEORGE OGILUY.

R. Douglas witnes (sd) DAVID LICHTON.

APPENDIX.

No. XXXII.

CHARTER of the Lands of Baldovie to "Mr." Robert Leighton.

Apud Edinburgam 6 Feb. 1643.

REX—cum consensu etc.—concessit et de novo dedit M ROBERTO LICHTOUN, filio legit quondam Roberte Lichtoun de Willieshertoun heredibus ejus et assignatis quibuscunque—terras de Baldovie cum turre maneriei loco molendinis piscationibus cum piscationibus in Southesk ad Quond: Ric Melville spectantibus, in baronia de Inschbrayock vic Forfar; quas Pat Melvill, frater Germanus et heres quond M Andree Melvill de Baldovie resignavit per procuratorium de data 14 Jan 1642.

(*R.G.S. Scot 1634-1651 No. 1298*).

No. XXXIII.

CHARTER of Entail of the same lands.

CONFIRMING to James Scot (lawful son of the late James Scot of Logie), and MARGARET LEIGHTON his wife* in life rent, and to Patrick Scot their son and the heirs of his body the lands of Baldovie with the manor place, mills, wods, fishings and pertinents, and the salmon fishing in the water of South Esk in the Parish of Inchbrayock formerly belonging to Mr. Andrew Melvill of Baldovie, Mr. Patrick Melvill his brother and heir, and Mr. Robert Leighton lawful son of the late Robert Leighton of Usan, and resigned by the latter at Edinburgh in favour of the above in Feb. 1562.

(*R.G.S. 1660-1668 No. 717*).

*Second daughter of Patrick Leighton of Duninnald. See p 78

GLOSSARY.

GLOSSARY.

Addettit	= *Indebted.*
Aganes	= *Against.*
Airis or Ayris	= *Heirs.*
Aithis	= *Oaths.*
Aittis or Aits	= *Oats.*
Als	= *As.*
Alsueill	= *As well.*
Amercements	= *Fines.*
Ane or A	= *One.*
Anent	= *Concerning.*
Angus	= *Forfarshire.*
Annaleit	= *Annually.*
Assedation	= *Lease for life or long term.*
Assithe or Assythe	= *Compensate or satisfy.*
Ather	= *Either.*
Attour (*lit At over*)	= *Beyond or Moreover.*
Aucht	= *Eight.*
Awin	= *Own.*
Ayn or Ain	= *Own.*
Baillie	= *A Magistrate or Bailiff.*
Baith	= *Both.*
Beand	= *Being.*
Beir or Bere	= *A coarse Barley.*
Betuen or Betuix	= *Between.*
Biggin	= *A building.*
Bodin	= *Foreboding or threatening.*
Boll (*lit Bowl*)	= *A measure from 4 to 6 Bushels.*
Bore brieff (*lit Birth brief*)	= *A writ or certificate of descent.*
Bots	= *Boats, e.g. fischebots.*
Brek	= *Break.*
Bruick	= *Enjoy, use, possess or permit.*
Bygane	= *Bygone.*
Cadger (*lit catcher*) e.g. fischecadger	= *Fisherman.*
Caution	= *Security.*
Cautioner	= *Surety.*
Chalder (*lit Cauldron*)	= *A measure containing 8 quarters.*
Compromissar	= *Arbitrator.*
Cummis	= *Comes.*

Dait	= *Date.*
Dee	= *Die*
Dispone	= *Make over, dispose of.*
Docht	= *Daughter.*
Dowcat (*lit Dorecot*)	= *Pigeon house.*
Dewydit	= *Divided.*
Elde	= *Age.*
Enfeft	= *Enfeoff or vest in.*
Escheat	= *A forfeiture. Donator of Escheat was a trustee or guardian of sequestered property.*
Factor	= *A land agent or steward of a Manor.*
Failyand or falzeing	= *Failing.*
Fadir	= *Father.*
Feft (*see enfeft*)	
Fefmet (*lit feoffment*)	= *A resting conveyance of land.*
Fiar or fear	= *Heir apparent.*
Fleschour	= *Butcher.*
Firlot or firlottis	= *A measure ¼ of a boll.*
Forder	= *Further or furthermore.*
Foirnamit	= *Before-named.*
Foirsaidis	= *The aforesaids.*
Forthi (*lit for that*)	= *Because. In as much as.*
Folowand	= *Following.*
Frankteneméntor	= *Freeholder.*
Gangyng	= *Going.*
Gud	= *Good.*
Guidis (*lit goods*)	= *Chattels.*
Gudschir	= *Grandfather.*
Gydar	= *Guardian.*
Gyf	= *If.*
Haill	= *Whole.*
Hald, halden	= *Hold, held or holden.*
Hapnes	= *Happens.*
Hawand	= *Having.*
Heiddis	= *Heads.*
Heretabill	= *Heritable.*
Hinc inde	= *Henceforth.*

Ilk	= *Each or same. O'that ilk refers to the property from which the owner takes his name.*
Imput	= *Impose.*
Incontinent	= *Forthwith, immediately.*
Intromit.	= *Intermeddle.*
Invafuie *(lit envyful)*	= *Hencewaponis invafuie means deadly weapons.*
Jakkis	= *Probably coats of mail.*
Lauchful	= *Lawful.*
Lawboring *(lit labouring)*	= *Working.*
Lely	= *Loyally.*
Lyferent	= *Life estate.*
Lyvand	= *Living.*
Lyk	= *Like.*
Lykas	= *Likewise.*
Lyand	= *Lying.*
Maill or malis	= *Male or males.*
Mairower	= *Moreover.*
Mercat	= *Market or marketable.*
Mernis or Mearns	= *Kincardineshire.*
Meill	= *Meal or flour.*
Met.	= *Measure.*
Milne or mylne	= *Corn mill.*
Multures	= *Mill dues or fees payable by the laird's tenants for having their grain ground.*
Mykill, forasmykil	= *much, forasmuch.*
Nather or nether	= *Neither.*
Nether	= *Lower.*
Nowmer	= *Number.*
Oblessis or oblises	= *Obliges or binds himself.*
Owergiffes	= *Makes over.*
Pasche	= *Passion week or Eastertide.*
Parteis	= *Parties.*
Pendicle	= *A small piece of land or croft.*
Pertinentes	= *Appurtenances.*
Pleise, Pleisis	= *Please, Pleases.*
Pultrie	= *Poultry.*

Provost = *The Chief Magistrate of a Municipal Burgh.*

Procuratouris = *Deputies or Attorneys.*

Quhairof or quhareof = *Whereof.*
Quhat = *What.*
Quhidder = *Whether.*
Quhilk = *Which.*

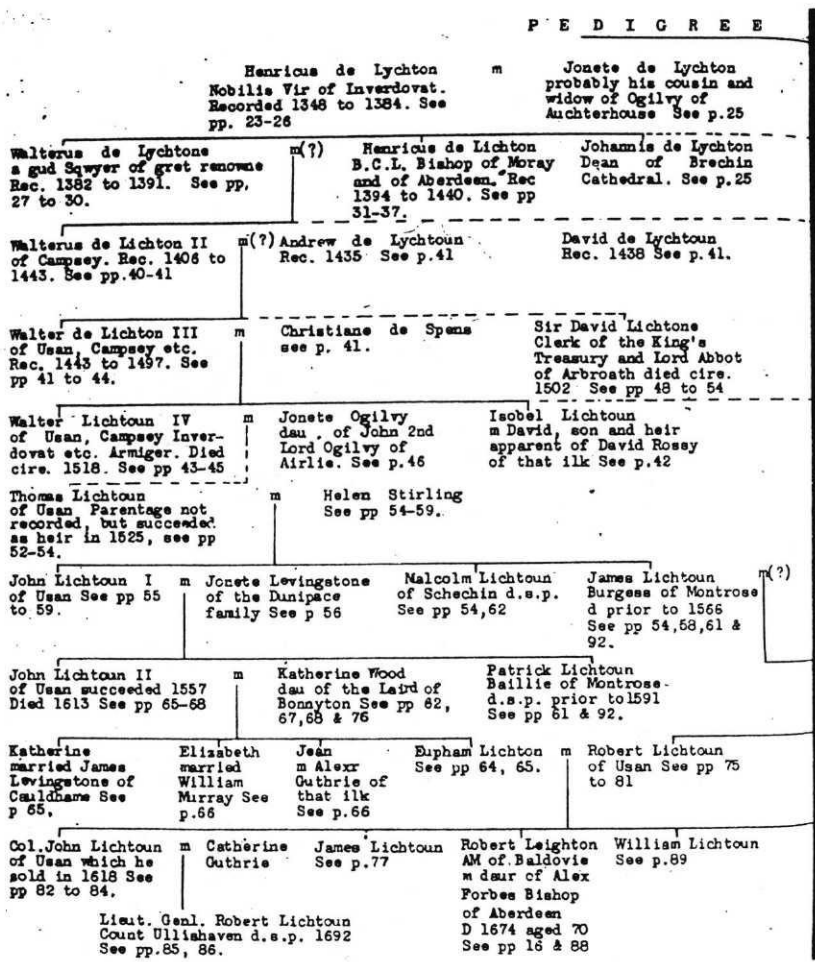
Rasit = *Raised.*
Reset = *Harbour an outlaw.*
Resetters of theft. = *Receivers of stolen goods.*
Ressaving. = *Receiving.*
Remaynand = *Remaining.*
Resten = *Ditto.*
Richt = *Right.*

Salbe = *Shall be.*
Salhapin = *Shall happen.*
Samen = *Same.*
Sasine *(lit Seisin)* = *Legal possession or the document conferring it.*
Schaw = *Show.*
Scheipe = *Sheep.*
Schip, or schippis, = *Ship, or ships.*
Schirredome = *Sheriffdom.*
Scoir. = *Score.*
Servitouris *(lit Servitors)* = *Employees.*
Segnelles *(f) Probably equivalent to the French Seigneurie, i.e. Lordship or Manor.*
Sept = *Branch of a Clan or family.*
Siclyik or Syklyk = *In the same manner.*
Sicker *(lit Secure)* = *Safe, sure.*
Sikernes = *Security.*
Skaith = *Harm.*
Skaithles *(lit scatheless)* = *Harmless or Indemnified against harm.*
Sowme = *Sum.*
Speiris = *Spears.*
Spuilzie = *Spoil or despoil.*
Suld = *Should.*

Tack = *A letting contract or lease.*
Taillie or Tailzie = *Entail.*

Tiend or Teynd		= *Tithe.*
Tierce or Terce		= *A third part.*
Til or intil		= *To or into.*
Tinsale or Tynsale		= *Forfeiture.*
Theyis or Theyes,	probably	= *These or those.*
Threttie		= *Thirty.*
Tocher		= *Dowry or Marriage portion.*
Toft		= *A piece of land near a house.*
Tollerlat		= *Tolerate.*
Tuadosoun		= *Two dozen.*
Tym		= *Time.*
Umquhile		= *Former late or ci-devant.*
Wadset		= *A mortgage or charge.*
Wynd		= *Alley or Lane.*
Wyif or Wifie		= *Wife or woman.*

PEDIGREE No. 1.



PEDIGREE No. 2.

Issue of Col. David Leighton fifth Son of Robert Leighton of Usan.

Col. David Lightoun m (?) Wife's name not recorded
(See pp 109-118)

- Margaret B Jan. 1646
- David Lighton in Westerton of Dunlappie B. Dec 1649 See p.112. m Janet Davidson D 20 Oct. 1727 See P.118.
- Child B July 1651

David Lighton in Knowhead of Balconnel Mennuir See pp 111,118,120. m Jean Mathers See p.119.

Andrew Lighton in Burnside of Balconnel. See p.111. m Jean Birnie See p.120.

Agnes Lighton D. 20 Oct. 1727 See p 118. m Geo. Birnie in Dunlappie.

David Lighton in Balrownie Mennuir B 1706 D. 1753 See p.120 m Ann Skair dau of David Skair of Burnside. D. 1774 see p.120

Daughter

Daughter

Andrew Lighton in Knowhead B 1710 D 20 May 1745 m Ann Findleson B 1710 D 20 Feb 1748

Agnes B Mar 1713 m George Birnie

David B 1734 d.s.p. 1751

Thomas Lighton B. 7 Jan 1736 D. 19 July 1785 m Ann Fairweather B 15 May 1736 D 19 Nov 1823

Isabella Andrew m Thomas Don. m (1) Mary Beattie (2) Janet Fairweather (See Ped No. 7)

Agnes B 1742 D Single

John Leighton Factor on Duninnald B 15 Ap. 1750 D 1798 See p.125 m (1) Magdalen Smith B 1752 D 1785 (2) D Ann Airth D 17

Janney B 1 March 1767 D 20 Nov. 1768

Ann B 1st May 1769 D Single 14 July 1847

Margaret B 4 June 1771 d 28 May 1851 m Geo. Fairweather

Genl. Sir David Leighton K.C.B. B 27 July 1774 D 1st June 1860 See pp 122, 123 m Isabella Constantia Williams B 1791 D 1876

Magdalen B 13 Ap. 1776 D Single 29 June 1852

Capt. John D.S.P. 1794

David Leighton of Bearhill B 1782 D 1 May 1846 m Agnes Ann Valentine Widow of hercousin Capt. Valentine R.N. D Oct 1851

James Town Clerk of Montrose B 1791 D.S.P. 1851

Isobel Margaret Alison D 1854

Robert D.S.P. in infancy

Honoria Flora B 7 Oct 1822 D Single 19 Dec 1889

David Clarance Russell Leighton H M Ind. Civil Service B 17 Sept. 1826 D Dec. 1911 See p.124 m Jane dau of Capt. Andrew Creagh B 29 Feb 1830 D 27 Mar 1897

Amelia Mary B 20 Feb 1829 D 24 Ap. 1922 Marr. Rev. Canon William Bonner Hopkins (See Ped No.4)

Isabella Elizabeth B 25 June 1833 D 23 Dec 1880 marr Claudius Buchanan Ker M.D. (See Ped No.5)

Edmund Thomas Leighton M.B. M.A. Caius Coll. Camb. B 1835 D 1903 m Mary Anne Wormald B 1843 D 1923 (See Ped. No. 3)

David Leighton B 1830 D 1890 m Cecilia Cowan B 1849 D 1919

Mary Flora B 2 Feb. 1850 D 17 Feb. 1922 Married Arthur Bume Spry R.M.I.C.S. D 9 Dec. 1896 (See Ped. No. 6)

David Edmund William Leighton B 14 May 1851 D.S.P. 31 Mar. 1929 See p. 124 m (1) Louie Robertson D 24 Oct 1898 (2) Cordelia Whiteside.

Charles B 9 Sep 1855 D.S.P. 27 Apl. 1862

Edgar Atheling B 2 Dec. 1857 D.S.P. 9 June 1859

Clarance Frank Leighton B 28 Sept. 1859 See p.125 m Jessie dau of John Francis Mieville B 29 July 1869

Jane Creagh M.B.E. B 11 Apl. 1865 D Single July 1923

Agnes B 1867 m C. Parry D 1894

David B 1869 D 1922

Jessica Maude May B. 6 June 1894 m Richard Combe Marchant B. 7 Aug. 1888

Jeannie Claudine B 30 Nov. 1896 m Vincent Reynolds Woodland M.A. Trin. Hall Camb. Sudan Political Service Governor of Mongalla Province.

David Leighton B 12 Dec. 1900 m Gladys Mears B.A. Girton Coll. Cambridge 1st Class Honours

Molly B 1899

Margaret B 1900

Peter Leighton Marchant B 31 Dec 19

Felicity Jane B 27 Feb. 1929

Michael Richard Marchant B 17 Oct 1931

Frances Anne B 13 Nov. 1926

John Reynolds Woodland B 7 Apl. 1929.

David Robin Leighton B 21 Sept. 1929

P E D I G R E E No. 3. (Yeo and Helme).

Issue of Edmund Thomas Leighton second son of General Sir David Leighton K.C.

Edmund Thomas Leighton M.D. Caius Coll. Cantab of Bassett Wood Southampton B 1835 D at Milan 1903 See p.125 m Mary Anne Wormald (dau. of Thomas Wormald Senr. Surgeon of St. Bartholomew's Hospital and President of the Royal Coll. of Surgeons) B 1843 D 1923.

- Mabel B 1868 m Gerald Yeo.M.A. Univ. Coll. Oxon Barrister at Law B 1866
  - Honoria Mary Rosamund B 1898
  - Selina Frances Imogen B 1899
  - Sylvia Geraldine B 1900 m William Bayard Hynes D.S.O. Commr.R.N.
- Cicely B 1870 D in infancy
- Flora B 1872 m (1) Harry de Clair Vaux Moody South Wales Borderers D.S. Killed in action S.Africa
  - (2) William John Helme of Bro Court Co. Hereford D. 192
    - Edmund Leighton B.A.Univ. Coll.Oxon Solicitor B 1904
    - Mabel Arminel B 1907 m Hugh George Pigot Williams Capt. Dogra Regt.
    - Noel Joan B 1904

P E D I G R E E No. 4. (Hopkins).

Issue of Amelia Mary second daughter of General Sir David Leighton K.C.B.

Canon William Bonner Hopkins B.D. Vicar of Littleport, Cambs. 2nd Wrangler, Fellow of Caius Coll. Camb. and Rural Dean of Ely B 27 Jan 1823 D 24 Mar 1890 m Amelia Mary Leighton B 20 Feb. 1829 D 24 Ap. 1922.

- Corrie Leighton Hopkins B 11 Sep. 1859 D 1 July 1867
- Isabella Elizabeth Leighton B 2 Mar. 1861
- William Bonner Leighton Hopkins M.A. Vicar of Lavenham B 9 Nov. 1862 m Emily Escreet D.S.P. 20 Jan 1917
- Flora Leighton B 26 Aug. 1864 m Ernest Hignett Wilford who d.s.p. 26 Oct. 1904
- Amy Leighton B 29 April 1866 m Genl. John Campbell Cameron Highland Regt.
- Emma Leighton B 14 Nov. 1867
- Charles Leighton Hopkins M.D. B 31 July 1869 D 16 Mar. 1926. m Hilda Wilberforce
  - Joan Leighton Hopkins B 17 Apl. 1911

P E D I G R E E No. 5. (Ker).

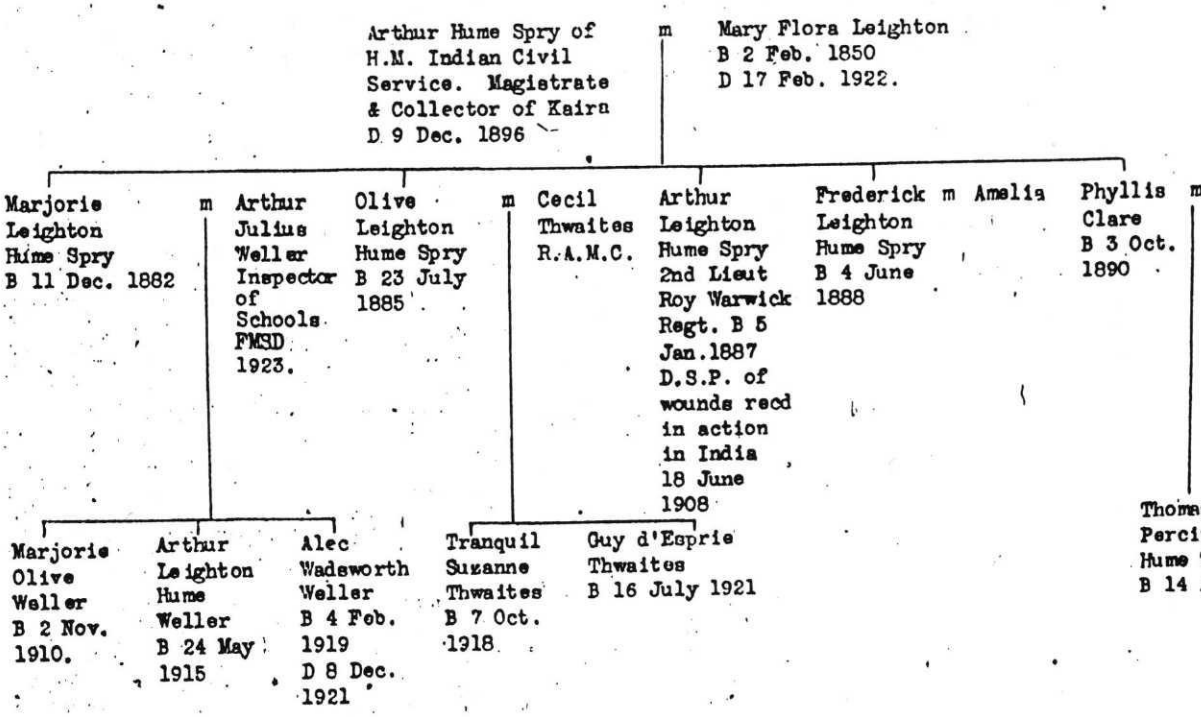
Issue of Isabella Elizabeth, third daughter of General Sir David Leighton K.

Claudius Buchanan Ker M.D. of Hadley House Cheltenham B 25 June 1823 D 7th May 1898 m Isabella Elizabeth Leighto B 7 Feb. 1831 D 23 Dec. 1

- Leighton Buchanan Ker B 2 June 1857 D.s.p: 14 May 1919
- Francis Alan Ker M.A. B 3 Sep. 1858 D.s.p. 4 Mar. 1893
- Flora Constance Ker B 29 Aug. 1860 J.P. for Co. Gloucester
- Amy Lawson Ker B 13 July 1862 D Single 25 Mar 1914
- Claude Buchanan Ker M.D. B 22 Mar. 1867 D 4th Mar. 1925 m Katherine Malcolm dau of Alexander Thom M.D. Crieff
  - Helen Flora B 3 June 1906
  - Frank Leighton Ker B 12 July 1907
  - Katherine B 2nd D 4th Aug 1912.
  - Amy Victoria B 30 Mar. 1914
  - Yvonne Katherine Malcolm B 24 Oct. 1916
  - Joan Margar B 6 June 19

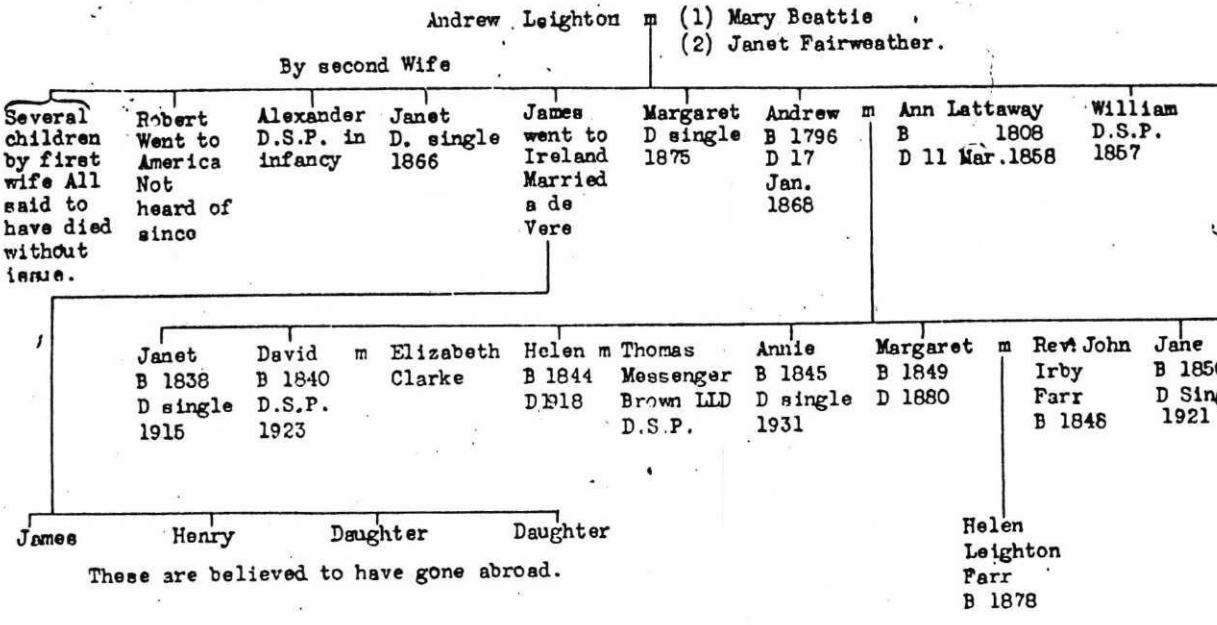
P E D I G R E E. No. 6. / (Hume Spry).

Issue of Mary Flora eldest daughter of David Clarance Russell Leighton.



P E D I G R E E No. 7.

Issue of Andrew Leighton third son of David Leighton and Ann Skair.



P E D I G R E E No. 8.

Issue of William Leighton fourth son of David Leighton and Ann Ska

William Leighton
in Blackhall Menmuir
B 1752
D 15 July 1828

m

Margaret Wyllie
B 1759
D 15 Apl. 1850

John Leighton
D.S.P.

David Leighton
of Hutton Bank
Hamilton Chamberlain
to the Duke of
Hamilton

m

Austin

William Leig
of Hutton Ba
his brother
to the Duke
D.S.P.

Catherine	Elizabeth	Margaret	Ann	Isabella	Mary
B 1817 married but D.S.P.	B 1818 D single	B 1819 D single	B 1924 D single	B 1826 D single	B 1828 D single

P E D I G R E E No. 9. (Harrison).

Issue of Isabella Harriet eldest daughter of General Thomas Leighton.

William Henry Harrison of the Indian Civil Service Judge of S.D.F.A. B.13 Oct 1811 D 4 Mar.1871. m Isabella Harriet Leighton B 13 Oct. 1811 D 4 March 1871

- Isabella Maria B April 1844 D. Single
- Maj.William Courtenay Harrison B 6 May 1845 D.S.P. at Venice 12 Jan.1882 m Ina Mary Burn Murdoch
  - George Courtenay Harrison B 12 Dec. 1885.
  - Rollo Dallas Harrison B 13 Aug. 1887. m Elizabeth Blanche Widyatt
- Alice Julia Elizth B 1849 D single 1895
- Alfred George Harrison B June 1853 D Sept. 1930 m Elise Eleanor Stokes
  - William Claud Montresor Harrison B 6 June 1894
  - Louis Cecil Harrison B May 1896 D Apl. 1903
  - Horatio Reginald Harrison B 6 Sept. 1848 D.S.P. 16 Feb. 1903
- Capt. Claud Edward Harrison B Aug. 1856 D Aug. 1910 m Lilian Bell D 1930
  - Lilian Isabella Leighton Harrison B 6 June 1901
  - Phyllis Leighton Harrison B 9 Dec. 1894 m
- Philip Raikes Harrison B Jan. 1858 D Sept. 1909 m Elizabeth Beddard
  - Gweniol[illegible] Leighto[illegible] Harriso[illegible] B 30 No[illegible] 1896.

P E D I G R E E No. 10. (Macgregor).

Issue of Annie Louisa youngest daughter of General Thomas Leighton.

