

III.

NOTICE OF THE FAWSYDES OF THAT ILK. BY CHARLES H. BEDFORD, M.B., B.Sc., C.M. EDIN., M.R.C.S. ENG., F.S.A. SCOT., SURGEON IN H.M. BENGAL ARMY.

The subject of the present paper has for some time back engaged my attention on account of the little that is known of this old and long extinct family.¹

Most of the Fellows of this Society resident in or near Edinburgh are familiar with the venerable ruin² which overlooks the site of the field of Pinkie, and crowns the slope known as Fawsyde or Falside Hill.

The former denizens of this picturesque ruin will alone claim our attention in the present paper. The name of Fawsyde is not to be found in any of the great classics of Scottish history, such as the works of Tytler and Hill-Burton.³ The first record I have been able to find of them is the bare mention of the fact that a William de Ffauside sat in the Scottish Parliament in the reign of David the First (1124-1153). In the same reign a charter to Thor, the son of Swan of Tranent, is witnessed by Edmund de Ffauside. In the time of William the Lion, a charter to the monastery of St Mary of Newbattle is witnessed by Gilbert de Fawsyde. In 1200 Allan de Fawsyde's name occurs in the chartulary of Soltre; and in 1246 (in Alexander II.'s reign) Donatus Sybald witnessed a charter by De Quincy, Earl of Winton and Win-

¹ I must explain, however, that I have been only induced to bring the subject forward in a state which I consider incomplete at the present time for the reason that I am leaving immediately for a long tour of military service in India. I will thus not have the opportunity of amplifying the notes which, up to the present, I have collected.

² For an architectural account of the building, there is none better than the careful and accurate description to be found in Macgibbon and Ross's *Castellated and Domestic Architecture of Scotland*.

³ Local history has ascribed to them an important position in the Lothians, and they are invariably referred to as an "ancient and honourable family" by those having occasion to mention them in the records of their period. Further, they have furnished the novelist with a theme; and Grant draws a graphic picture, on the whole, of life in a family of such degree in the stirring times of Mary of Lorraine.

chester, to Adam of Seaton,¹ of the maritage of the heir of Allan of Fawsyde. In 1253 Allan de Fawsyde gives an obligation to the monks of Dunfermline to pay out of his lands 5 "solidi" of silver.² In the time of Baliol, in 1292, Robert de Fawside signed the Ragman Roll.³

Again, in 1296, Roger and William Fawsyde swear fealty to Edward I. There is mention in Nisbet's *Heraldry* of Roger Fawside having obtained a grant of his lands from Robert the Bruce. It is, however, hard to reconcile this statement with (1) the fact that Roger swore fealty to Edward Longshanks (unless he subsequently made his peace with the Bruce), and (2) with the official statement that the lands of Wester-Fawsyde were the gift, in 1371, of William de Seaton to John of Fawsyde.

In 1306 Sir Alexander Seaton, a son of the Sir Christopher who married the Bruce's sister, and who was later executed by Edward I., obtained from his uncle, Robert the Bruce, a grant of the lands of Tranent, including Fawside and Longniddry. These lands had been forfeited by Allan la Suche.

Between 1306 and 1329 there is a grant⁴ to Roger Fawsyde of "ane annual of 10 l. furth of Letham, in the vicinity of Edinburgh." In 1330 Roger is allowed ten pounds for travelling expenses to England, where he had gone on State business.

In David II.'s reign there is a charter to Allan Fawsyde of "ane forfeiture of ane Coupland, herald."⁵

In 1350 Sir Thomas of Fawside witnessed a charter⁶ of Duncan, Earl of Fife, to the Abbacy of Lindores.

In 1362 Thomas witnesses a charter by Robert, the Steward of Scotland, to Maurice of Drummond, of the lands of Drummane and Tuly-chravine.⁷ In the same year Thomas has the Thanage of Kinlevin in his hands as surety for the payment of a debt of the King's due to him.⁸

In 1364 William de Fawsyde married Marjory, one of the two daughters of Malcolm, Earl of Wigton.⁹

¹ Nisbet's *Heraldry*.

² *Ibid.*

³ *Ibid.*

⁴ Robertson's *Index of Charters*.

⁵ *Ibid.*, p. 37.

⁶ Nisbet's *Heraldry*.

⁷ *The Red Book of Menteith*, by Sir W. Fraser, K.C.B., p. 250.

⁸ *Exchequer Rolls*.

⁹ *Peerage of Scotland*.

In 1366 a charter of Malcolm de Fawside was witnessed by Symon Preston, of Craigmillar, Sheriff of Edinburgh. This charter was for the lands of Lathame in the "Constabulary" of Haddington, and Malcolm is described¹ as "the son and heir of Roger Fawside, 'miles.'"

In 1369 John Fawside is referred to as being a bailie of Edinburgh.² Again, in 1371, John of Fawside, "armiger," is granted "the whole lands of Wester Fawside, in the barony of Travernent" (Tranent), by William de Seaton. This gift, of course, does not exclude the probability of the Fawsides being already in possession of land in that locality, as the reference is to the lands of Wester Fawside. There is no *official* mention (at least, I have been unable to find any) of a former gift of lands at Fawside to the family of Fawside; and my opinion is that the Fawsides up to this date were vassals of the Seatons, from whom, later, they received this gift of the lands of Wester Fawside. The older portion of the Castle of Fawside seems to have been built about this period, possibly later. This gift of Seaton's to John of Fawside is confirmed by Robert II. on the 20th June of that year. In 1372 William de Fawside is "custumar" of Edinburgh.³

In 1377 there is a note⁴ of a payment to Adam of Fawside. In 1386 there is a payment to William of Fawside for a debt due by the King to him.⁵

Coming now to the reign of the Jameses, we note that, in 1425, William of Fawside,⁶ and Marjorie Fleming, his spouse, obtained the lands and vill of Tolygart, in Clackmannan; and the lands of Wester Fawside are confirmed to John of that ilk in June 1425. This was in James I.'s reign. This is the first mention of the Clackmannan Fawsides, who were most probably an offshoot of the East Lothian family, for the grant of land is to William of Fawside, probably the one before referred to as "custumar" of Edinburgh.

In 1426 there is a note of payment of *fermes* (*i.e.*, crown rents) got from Under Liberton to John of Fawside and James of Heriot, "the King's bailies."

¹ Robertson's *Index of Charters*, p. 134.

³ *Ibid.*

⁶ Robertson's *Index of Charters*, p. 134.

² *Exchequer Rolls.*

⁵ *Ibid.*

⁴ *Ibid.*

In 1455 (in James II.'s reign) George Fawsyde's name occurs; and (in James III.'s reign) in 1467 his son and heir, John, sat in Parliament. He married Margaret, daughter of Sir John Swinton of that Ilk, in 1472. After her husband's death she became, in 1503, Prioress of the Cistercian Nunnery of Elcho,¹ to which James IV. granted a special protection. There is a discharge by the elder Fawsyde to Sir John Swinton (dated 20th June 1472), for 12 score of "merks," in which sum the latter was bound to him as "tocher." Of this marriage there was a son,² George, "whose Castle of Falside was burned by the English in 1547, after Pinkie, and after a stout resistance."

In 1527 we find that George Fawsyde sat in an inquisition regarding the retour of Egidia Cranstoune, as heiress of her father, Wm. Cranstoune, of Rathobiris.³ On April 6th, 1528, we find a remission granted to George Fawside of that Ilk, and Mr Wm. Browne, tutor, of Colstoune, for treasonable assistance to George, Lord Hume, and David Hume of Wedderburn, his brother, "being the King's rebels." In 1535 George Fawside's son and heir, John, sells to Richard Bothwell, minister of Glasgow, the lands of Bogend. In 1539 John Fawside is on the retour of James Creichtoun, as heir to his father, James.

Coming now to 1547, we find this family prominently mentioned in the account of the "Expedicion into Scotlād" of the Duke of Somerset, written by W. Patten. The allusions to the battle of Pinkie are so quaint and so full of local interest that I cannot refrain from quoting them from Patten's book (p. 11):—

"This battell and felde now which is the most principall part of any matter, y^e Scottes & we are not yet agreed how it shalbe named.

"We cal it Muskelborough felde, because that is the best towne (and yet had inough) nigh the place of our metig.

"Sum of thē call it Seton felde (a town thearnie too) by means of a blynd prophecie of theirs, which is this or sum suche toy, Betwene Setō & the sey, many a man shall dye that day.

"Sum wyll have it Fauxside Bray, feld of the hill (for so they cal a bray) upon the syde whearof our forward stode, redy to cum doune and ioyne. Sum

¹ *Swintons of that Ilk*, p. 34.

² Douglas's *Baronage of Scotland*.

³ *The Scotts of Buccleuch*, vol. ii. p. 151.

⁴ *Ibid*, p. 167.

other will have it Undresk feld, in the fallowes whereof they (*i.e.*, the Scots) stooode & we met.

"Sum will have it Walliford feld, and sum no feld at all for that they say thear wear so few slain and that we met not in a place by appointment certayn, according to the order and manner of battell, with such like fond arguments."

So much for the nomenclature of Pinkie field; now for the part which more particularly interests us:—

"We had the Fryth on the North & this hil last remembered as I sayd, on the South (the west side whereof is called Fauxsyde Bray), whereupon städeth a sory castell and half a skore houses of lyke worthiness by yt, and had westward before us, thē lying in campe.

"There was upon the Fauxsyde Bray (as I have before said) a little castel or pile which was very bysy all the tyme of the battaile as ony of our men cam nye it to shoot at them w^t suche artillerie as they had (which was none oother than of hand gunnes and hakbutes, and of them not a doosen neyther) litle hurt did they; but as they sawe their fellows in the field thus driven and beaten away before their faces, they pluct in ther peeces, lyke a dog his taile, and couched themselves within all muet; but by and by ye hous was set on fyre, and they, for their good will, brent and smothered within."

In 1552 we find the Fawsides connected with the Heriots of Trabroun, for Margaret (daughter of James Heriot of Trabroun) was married to "Thomas Fawsyde of Fawsyde, near Tranent."¹ In the same year there is a charter under the Great Seal (14th October) of the lands of Bogend, &c., to "Thomas Fawsyde de eodem, et Margreta Heryot, his spouse."² In 1559 Thomas Fawsyde is a witness³ to a discharge granted on behalf of the Lord Sanct Androis (*i.e.*, the Archbishop) to Master⁴ William Roy, for receipt of debt due by the Earl of Huntly." This deed is dated 1st June. In 1567 Thomas signed the Bond of Association for defending the coronation and government of James VI. against his mother's supporters.

In 1568 George Heriot (the father of the founder of Heriot's Hos-

¹ *Supplement to the History of Heriot's Hospital*, by F. W. Bedford, D.C.L. Oxon., LL.D. Dubl., &c., p. 58.

² *Ibid.* p. 59.

³ *Ibid.* p. 48; also *Register of Deeds*, v. 3, f. 240 B.

⁴ "Master" or Mr at this period signified the degree of M.A.

pital), described as a goldsmith and burghess of Edinburgh, becomes surety that Thomas Fawsyde of that Ilk shall not quit the burgh of Edinburgh unless with the Lord Regent's leave.¹ In 1569 Thomas is surety for Henry Congiltoune and others, who were accused of the murder of John Geddes; and in 1570 he is a member of (though recorded as absent from) an assize, at which John Carkettill and his son George are accused of murdering, at Preston, James Ballagne. In 1571 Thomas again became surety for the entry of James Heriot of Trabroun, as also for the giving up of his house if charged to do so, under a penalty of £1000 Scots.² In 1578 Thomas is one³ of an Inquest in Retour of Alexander Hume, son and heir of Alexander Hume, which is dated at Stirling Castle on July 25th of that year. In 1579 he became surety for Alexander Dalmahoy of that Ilk, who is accused of having besieged the house of Somerville.⁴ In 1582 Thomas sat on an assize, at which George Home of Spot is acquitted of the murder of Henry Darnley, King of Scots. In 1583, Robert, younger of Fawside, son of Thomas Fawside, guaranteed that Sir Wm. Lauder of Hatton and others should be "free and skaithless" from James Heriot of Trabroun.⁵ There is mention in the same year of a John Fawsyde, minister of Edilstoun, having prosecuted a George Greenlaw for theft.

In 1585 there is a complaint lodged by Robert Fawside, younger of that Ilk, against John Borthwick, his son, and others, who were implicated in a raid against the Fawsydes, stealing their cattle, and wounding severely some of their dependents. The stolen goods were ordered, under pain of rebellion, to be restored within forty-eight hours to the place from which they were taken. In 1586 Robert Fawside sits on an assize at which Mr Archibald Douglas, parson of Glasgow, is accused as accessory to the murder of Darnley.

In 1590 there is a note of a caution by Thomas Hamilton of Presterfield that Thomas Fawside and his son Robert will not harm John Smith of Musselburgh. In 1594 we find that George Ker, eldest son of Andrew Ker of Fadounsyde, entered into a covenant not to harm

¹ *Register of the Privy Council.*

² *Ibid.*

³ *Home Writs.*

⁴ *Pitcairn's Criminal Trials.*

⁵ *Records of Privy Council.*

Thomas Fawsyde. This was subscribed at Gullane on 26th June.¹ In 1599 Robert Fauside is surety in 2000 merks that Patrick Livingston of Saltcoats shall not harm Margaret Stewart, relict of Andrew Ker of Fawdounsyde, and George Ker of Fawdounsyde.² In 1600, it is noted in *Calderwood's History*, that bonfires were lit on Arthur's Seat, Fawsyde Hill, &c., on the escape of James VI. from the Gowrie Conspiracy. In 1606 there is a mention of a person, who was probably a member of a cadet family of the main line of Fawsydes. This was Thomas Fawsyde, who was deacon of baxters in Glasgow, and who (along with William Heriot, baxter, also of Glasgow) was implicated in a brawl "while the Privy Council were in that city." They are also charged with assaulting Sir George Elphingston of Blytheswood, Provost of Glasgow. This same Thomas seems to have been of a pugnacious disposition, for he is later charged with assaulting the Laird of Minto, and Sir Wm. Stewart of Heildoun becomes surety for him to the extent of £200.³ In 1616 James Fawsyde of that Ilk became pledge and surety for Sir Patrick Chirnsyde of East Nisbet, who was accused before the Justiciary Court with abducting a girl of thirteen from Haddington. In the same year Fawsyde's servitor, Robert Robertson, was "delaitit for the crewel slaughter of umquhile John Fawsyde, in the barn of Fawsyde, with a knife or dagger, on 10th November, 1616." He expiated this crime shortly after on the Castle Hill of Edinburgh, where he was beheaded.⁴

On a dormer window, which existed till recently at the ruins of Fawsyde Castle, there were carved the letters IF-IE. 1618. This probably refers to the occupiers of the Castle at that date, James of Fawsyde and his wife. In 1620 an attempt to raise the price of coals, by a combination of coalowners on the south side of the Forth, was met by a speedy reprimand.⁵ Janet Lawson, Lady Fawsyde, invited the neighbouring proprietors of coal-fields to dine at her Castle of Fawsyde on November 15th, 1820. To this came George, Earl of Winton, the Countess of Winton, the Master of Elphinstone, Johnstone of Elphin-

¹ *Register of Privy Council.*

² *Ibid.*

³ *Ibid.*

⁴ Pitcairn's *Criminal Trials.*

⁵ *Memorials of the Family of Wemyss of Wemyss*, by Sir W. Fraser, vol. i. p. 229.

stone, and Sir James Richardson of Smeaton. After dinner it was proposed and carried that a bond (which was duly drawn out) should be made by them all to raise the price of coal per load from 3s. to 4s. All these persons were summoned before the Privy Council on a charge of convening and resolving on matters injurious to the Commonwealth, and had their bond nullified, and were dismissed "with a warning." About 1620 a George Fawside is escheated.¹ He had destinated to his second daughter, who had married a son of Lord Drumlanrig. In 1631 Robert Fawside of that Ilk is one of a Commission for augmenting the stipend of Inveresk. About this time the Fawsides sold their estate to a merchant in Edinburgh named Hamilton.

In 1647 was established that link which makes the Marquess of Queensberry the sole representative of this ancient family. It was in that year that the Hon. William Douglas of Kelhead (second son of Sir William Douglas of Drumlanrig), who was afterwards first Earl of Queensberry, married Agnes, daughter of Fawsyde of Fawsyde, who, in Foster's *Peerage*, is described as a "member of an ancient family, which has been seated for four centuries at Fawside Castle, in the parish of Tranent."

In 1666, James, eldest son of John Fawsyde of that Ilk, witnesses a charter of George, Earl of Winton, to David Allan of Tranent. In the same year he again witnesses a charter of George, Earl of Haddington. Again, he is a witness for the birth of the son of Patrick Corbane of Tranent.² Later, along with George, Lord Winton, he is witness for the birth of John, son of George Sinclair, Tranent, and Joan Fawsyde, his wife.³ Still again he performs a similar function, along with Lord Winton, at the birth of George, son of Mr Andrew Barclay, minister of Tranent.⁴

In 1704 the lands of Fawside belonged to Dundas of Arniston; at the present time they belong to Sir George Suttie.

In conclusion, I may mention that the family arms are blazoned thus:⁵

¹ Memo. by Sir J. Hamilton, first Earl of Haddington.

² MSS. Parish Records of Tranent in the General Register House.

³ *Ibid.*

⁴ *Ibid.*

⁵ Sir David Lindsay's *Heraldry*.

Gules, a fess between three bezants, or. The motto was, "Forth and Feir Nocht."

A stone bearing their arms, and having underneath, in place of motto, the words "John Fawsyde of that Ilk," is built into one of the outer walls of Tranent parish kirk.

There were, besides the Tranent branch (which is certainly the main and original one), families of Fauside in Kincardine, Jedburgh Forest, the Mearns, and Clackmannanshire. These I have endeavoured on all occasions to discern and separate. There was, besides, the West Country branch—the Glasgow deacon of bakers among them—who probably were closely related to those of that Ilk.
