

STEWART

of BOTHWELL & COLDINGHAM

JOHN STEWART, PRIOR OF COLDINGHAM, was a natural child of King James V., by Elizabeth, daughter of Sir John Carmichael, and received letters of legitimation under the Great Seal on 7 February 1550-51.¹ He received a grant of the barony of Darnley on 6 June 1556² and died when still a young man at Inverness, in October or November 1563, when on a northern circuit with his brother, James, Earl of Moray. He married at Seton, on 4 January, 1561-62, Jean, daughter of Patrick Hepburn, 3rd Earl of Bothwell, (she survived him and married secondly, John, Master of Caithness, who died in 1573. She married thirdly, by April 1581, to Mr. Archibald Douglas, brother of William Douglas of Whittinghame, when she successfully petitioned the King to be allowed to enjoy her own property, notwithstanding her husband's forfeiture³) and by her he had issue :

1. Francis Stewart, Earl of Bothwell, (*see below*).

He was also father of at least two natural children :

2. Hercules Stewart, became involved in his half-brother's intrigues against the King and although he surrendered himself to the authorities on the undertaking that his life would be spared, he was hanged in Edinburgh on 18 February 1594-95.⁴ He married by 27 July 1587, to Marian, youngest daughter and coheirress of Patrick Whitelaw of that Ilk, (from whom he was divorced in 1592. She married secondly William Home, King's Stabler and younger son of Alexander Home of

¹ RMS Vol. 4, no. 565.

² PS1/28/28.

³ RPC First Series, Vol. 3, p. 371.

⁴ Robert Birrel's Diary, p. 34.

Manderston), when they had a Tack of the teindsheaves of the parish of Swinton from his brother Francis Stewart, Earl of Bothwell.⁵ He had issue,

2a} John Stewart of Whitelaw, succeeded his father and was the subject of a complaint to the Privy Council by William Crawford of Falabank in 1622 for having come to his house and made threats upon his life.⁶ He had died *s.p.* before August 1636.

2a} Margaret Stewart, in whose person her father's forfeiture was rescinded on 17 July 1633, and she was served heir general to him on 13 August 1636.⁷ She married at Bangwall, in Ireland, on 10 March 1619, to John Hamilton, son of Allan Hamilton of Ferguslie, but on 17 June following, she appeared before the Privy Council in Edinburgh to give evidence in a charge against him for having previously been married to Jaqueline Quenlie, a Frenchwoman.⁸

3. Margaret Stewart, married firstly, William Sinclair, third son of Olave Sinclair of Brue, and had issue. She married secondly, William Bruce, 1st of Symbsiter, and died before 14 September 1608, when her Testament was confirmed.⁹

FRANCIS STEWART, EARL OF BOTHWELL, is generally believed to have been born in 1563, the year of his father's death, and was the Godson of Queen Mary, who named him after her first husband, Francis II. of France. In his infancy, he and his mother, Jean Hepburn, received a grant from Queen Mary on 7 December 1564, of the lordship of Darnley and also of the lordship of Badenoch upon the forfeiture of the Earl of Huntly, to be held by himself and the heirs male of his body, which failing, by the Queen's brother, James, Earl of Moray.¹⁰ He also had a grant from the Queen on 15 July 1565, of the Commendatorship of the Priory of

⁵ RH15/29/132.

⁶ Reg. Privy Council – 1622.

⁷ C22/15/44.

⁸ RPC First Series, Vol. 11, pp. 640-641.

⁹ Edinburgh Tests.

¹⁰ PS1/32/121.

Colidingham,¹¹ which she revoked before 16 April 1567, when in replacement, she made a second gift to him of the thirds of the Priory of Coldingham and the Abbey of Kelso with the cell of Lesmahago “annexit and pertening thairto with all and sindrie kirkis, lands etc.”¹² On 28 October 1573, the King appointed Sir John Bellenden as coadjutor and administrator of the Abbey of Kelso to endure until Francis Stewart, to whom it had been granted in commendam by the Queen, “attains the age of fourteen”¹³ and in her Will of February 1577-78, the exiled Queen Mary beseeched her son, James VI., to grant Francis the estate and honours of Bothwell, which had belonged to his maternal uncle, her late husband, James Hepburn. He had been created Earl of Bothwell by 30 June 1578, when he received licence from the King “understanding the ernist and ardent desyre of his traist cousing, Frances, Earl of Boithuill, to do his hieness masit humbill and loyall service and to be ane proffitabill member in this commoun welth according to that place and honour quhairunto his hieness hes promovit him, and being desyrous to that effect to spend sum tyme of his yowth in foreyne cuntreis, intending eftir sum sycht of the state thair of and exercitioun of himself in honest and gude exercises as ar convenient for him to rerurne exercisit in honest effaris belanging cheiflie to the furtherance of his hiens service and weifair of this cuntre” with provision to take such persons with him who are not “landit men or beneficit personis” and to endure for three years.¹⁴ He sat on the King’s Council on 16 July 1578¹⁵ and apparently departed the country soon after. He remained abroad in April 1581¹⁶ but had returned to Scotland by 16 June of that year, when he received a grant from the King of the extensive lordship of Hailes and the office of Great Admiral of Scotland.¹⁷

¹¹ PS1/34/54.

¹² PS1/36/101.

¹³ Laing charters, no. 883.

¹⁴ PS1/45/113r.

¹⁵ RPC First Series, Vol. 3, p. 6.

¹⁶ RPC First Series, Vol. 3, p. 371. When he is referred to as absent in his mother’s petition to the King.

¹⁷ RMS Vol. 5, no. 218.

He was one of the banished Lords who, on 1 November 1585, “came to Striveling with ther haill forces, thinking they had beine longe exyled fra hes Maiestie’s presence, and yat by the counsell of new come courtiers, desperatly surprysit ye toun of Striveling, and vane ye castell, and ver receivit in favour with hes Maiestie ; many wer fled from ye King, bot ye Lords remainet lyk loyall and trew subjects, bot not veill to them quho wer the contrivers and causers of the exyle.”¹⁸ He was a commissioner to treat with the English in 1586 and had a new charter for the lands and lordship of Hailes on 29 July 1587.¹⁹ He slew Sir William Stewart on 30 July 1588 “the cause he slew him for wes, yat upone a tyme befor, ye Earle and he being at words, Sr William bad ye Earll kis his ; the Earl heiring yat base and despytful ansuer, ther made a vooue to God, yat he should kis hes To hes no grate pleasour : sua thereafter rancountering the said Sr Villiam in ye Black friar vynde by chance, told him he vold now kis his, and vith yat drew his suord ; Sr Villiam standing to hes defence, and hauing his back at ye vull, ye earle made a thruste at him vith his rapier, and strake him in at the back and out at the belley, and killed him.”²⁰

He was made joint Governor of the Realm with the Duke of Lennox in 1589²¹ but on 2 June of that year he was ordered to ward at Tantallon castle²² on account of the “mislykeing that has fallen out Francis, Earl of Bothuile, great admiral of this realm, and Alexander, Lord Hume, warden of the East March.” On 17 October, the king being “desirous to have universale peax and quietnes throchoute his haill realme, and specialie betuixt noblemen quha aucht to intertyn the same, during the tyme of his Hienes absence furth of the reamle” took action for their peaceable behaviour “as it is nocht convenient that ather of thame suld giff occasioun of trouble or brek of assuurance to utheris.” He ordered Bothwell to remain at Edinburgh “within the bounds of Lowtheane” and Hume to remain within the

¹⁸ Robert Birrel’s Diary, pp. 23-24.

¹⁹ RMS Vol. 5, no. 1316.

²⁰ Robert Birrel’s Diary, p. 24.

²¹ RPC First Series, Vol. 4, p. 425.

²² RPC First Series, Vol. 4, p. 389.

Merse and “at his own house of Dunglas,” with power to the Duke of Lennox “to convocate the lieges, and by force to resist the pairty being the occasioun of the trouble.”²³

He had fallen out of royal favour by 21 April 1591, it is said by the connivence of Chancellor Maitland, when he was ordered into ward in Edinburgh castle upon accusation of “certain crymes of tressoun and lesemajestie.”²⁴ At the beginning of June he was again warded there “for alledgit vitchcraft, and consulting vith vitches, especially vith ane Richard Grahame, to conspyre the King’s death ; and, upone the 25 of Junii, ye said Earle Bothuell wes forfaulted, and intimatione made therof by opin proclamatioun at the crosse of Edinburghe”²⁵ for which his lands and the extensive lordship of Hailes were given by the King to Ludovic, Duke of Lennox, by charter issued under the Great Seal the following day.²⁶

On 27th September 1591, he “made a steir in the Abbay of Holyruidhous, quho came in over ye hous in ye south syde of the palace, and the said Earle taking too grate presumptione, he, with hes complices, strake vith ane hammer at his Maiesties chalmer dore, and, in the meine tyme, the haill noblemen and gentlemen of hes Maiesties hous raise, quho thought to have taken ye said earll Bothuell and hes complices : the said Earle fled : zet he returned at the south syde of the Abbay, quher the said Earle and hes complices slew hes Maiesties maister stabler, named Villiam Shaw, and ane with him, named Peiter Shaw. Bot the King’s folks tooke 8 men of Bothuell’s factioun, and, on the morrow, hangit them all vithout ane assyze, betwixt the girth crosse and ye Abbay gate.”²⁷ He and his accomplices were denounced King’s rebels on 12 May 1592, and summonsed to attend the Parliament at Edinburgh on 12 July to answer for their crimes, but five days later, on the 17th the king being at his palace at Falkland “the Earll of Bothuell, with hes complices, made a fray at Falkland, hes Maeistie being ther, and thereafter hes

²³ RPC First Series, Vol. 4, p. 423.

²⁴ RPC First Series, Vol. 4, p. 609.

²⁵ Robert Birrel’s Diary, pp. 25-26.

²⁶ RMS Vol. 5, no. 1888.

²⁷ Robert Birrel’s Diary, p. 26.

Maiestie came over the vater ; and, upone the 26 day of this same moneth, hes maiestie made an oratione concerning the same in ye grate kirke of Edinburghe. Immediately after ye fray, Bothuell and hes men came over ye vater, and ther ver 18 of them taken in Cader mure, and in other pairts neir Cader mure, laying sleiping for vant of rest and interteinment ; and immediately after ther taking, they we all brought to Edinburghe, and hangit.” On 17 November following, a proclamation was issued forbidding the reset of Bothwell and ordering all of those who had been with him to “not come neir his Maeistie vithin 20 miles, under the paine of death.”²⁸ That was followed on the 23rd by a proclamation against the Countess of Bothwell, who had been accepted into the king’s peace only sixteen days earlier, forbidding anyone from resetting her nor to “giue her enterteinment, or to have aney commerce or society vith her in aney cais.”

On 24 July 1593, “at 8 hours in the morneing, the Earle of Bothuell, the laird of Spott, Mr Villiam Leslie, and Mr John Colvill, came into the King’s chalmer weill provydit with pistol ; this Earle and hes complices, came not yis way provydit with pistolls he could not get presence of his Maiestie, nor speich of him, for the Homes, quho wer courtiers with the King, and enimies to the said earle of Bothuell, sua they came in into hes maiestie’s chalmer, resolving yameselues not to be haldin back, till they sould have spken vith him : and sua ater yai came in, hes Maeistie wes coming frae ye backstair and his breiks in hes hand in ane seir ; howbeit he needit not. Ye forsaid Bothuell and hes complices fell upoine yair knies, and beggit mercie at her maiestie ; and his Maiestie bein wyse, merciful, a noble Prince of grate pitie, not desyrus of bluid, grantit yame mercie, and receit yame in hes favour ; and at 4 hours afternoone, causit proclame yame hes frie leidges ; and upone ye 27 day, ye same proclamations of ye Earll of Bothuell’s peace wes renewit at ye crosse vith heralds and trumpettis sounding for ioy.”²⁹ The reconciliation was short-lived and on 20 september following “ye said Earle of

²⁸ Robert Birrel’s Diary, p. 28.

²⁹ Robert Birrel’s Diary, pp. 30-31.

Bothuell [was] chargit by an proclamatioun at the crosse, yat he sould not come vithin 10 myles of ye King's Maiestie, under the paine of deathe."³⁰

He remained at large and at the head of a substantial body of armed men and on 3 April 1594, "the King's Maiestie rais and the toune of Edinburgh in armes. The Earle of Bothuell, qua wes in Leith, hearing that his Maiestie wes coming doune, with the toune of Edinburgh, he rais with his fiue hunder hors, and rode up to the Halkhill besyde Lesteric, and ther stood till he saw the King and the toune of Edinburgh aproaching neir him. He drew hes company away throw Duddingston. My Lord Home followit till the Wowmet, at qlk place, the Earle of Bothuell turnit, thinking to have a het at Home ; bot Home fled, and he followit ; zit be chance little buid." Two days later "the King, upone the 5 day, raid out to have tane Bothuell, bot gat him not."³¹ Throughout the remainder of that year those who had either given hospitality to Bothwell or supported him in some way were rounded up by the king's forces and executed. On 29th April, William Hegie was "hangit for receiving the Earl of Bothuell," and on 17 September Allan Orme was "henget" for "enterteining" him, then on the 24th of that same month John Gibson and James Cochrane were also hanged for "interteining" him. On 15th October the Captain of Blackness was next to be hanged upon that same charge, while on 13 February of the following year, Bothwell's own brother, Hercules, was hanged along with John Syme for "bearing companie and interteining his awen brother and the earle of Bothuell."

A sentence of excommunication was issued against Bothwell on 18 February 1594-95 and abandoned by his followers, he first took himself to the north of England until ordered to quit by Elizabeth I, after which he skulked about Caithness and Orkney until April when, "not knowing whom to trust, he stole away privately to France" where he was by November of that year.³² His wife having again "receivit in fauor wt the King in Glasgow" during the previous month of

³⁰ Robert Birrel's Diary, p. 31.

³¹ Robert Birrel's Diary, p. 32.

³² RPC First Series, Vol. 5, p. 239.

September, it is likely that he took his leave of her about that time, but on 3 December she suffered banishment, although six days later she succeeded in purchasing “ane letter of peace subscribed be his awen Maiestie’s hand.”³³ On learning of Bothwell’s departure, the King sent a messenger to the King of France demanding his return, to which the reply was that “he should give him no countenance, but, since he had taken his refuge thither, he could not but suffer him enjoy the free ayre of his countrey.” Even exile could not dampen Bothwell’s wayward character and he soon became compelled to flee France to Spain. He ended up in Naples, where he is variously described as having lived “an obscure and indigent life,”³⁴ “in a poor estate”³⁵ until his death which occurred about 1612. He was generally regarded as one “of the most treasonable trators that ever this nation bred”³⁶ but in his duplicity, evidence suggests that his wife was at least his equal.

He married by 1 March 1583, to Margaret, daughter of David Douglas, 7th Earl of Angus,³⁷ (she was widow of Sir Walter Scott of Buccleuch, and died in 1640), and was father of,

1. Francis Stewart, (*see below*).
2. John Stewart, received a grant of the benefice and office of Commendator of Coldingham which was confirmed to him by charter under the Great Seal on 25 August 1620³⁸ were appraised by Alexander Home in June 1642.³⁹ He married Margaret Home and had issue,

2a} Francis Stewart, had a charter of the barony of Coldingham on 10 June 1638⁴⁰ and on account of “some appearance of trouble like to fall out

³³ Robert Birrel’s Diary, p. 36.

³⁴ Peerage of Scotland, (Sir Robert Douglas, Edinburgh 1798) Vol. 1, p. 233.

³⁵ RPC First Series, Vol. 5, p. 209*n*.

³⁶ RPC First Series, Vol. 5, p. 209*n*.

³⁷ RH6/2713.

³⁸ RMS Vol. 8, no. 78.

³⁹ C3/4/294.

⁴⁰ C2/56/21.

betwixt” himself and Sir Robert Bruce of Clackmannan, both parties and their supporters were, on 20 September 1639, ordered to appear before the Lords of the Privy Council the following October to underly the peace.⁴¹ He is stated by one authority to have become a Captain of Dragoons in the Horse-Guards and to have had the command of the cavalry on the left at the battle of Bothwell-bridge in 1679, although of him nothing further is known.

2a} Margaret Stewart, married Sir John Home of Renton (he was widow of Janet, daughter of Sir George Home of Manderston, whom he had married in 1622.⁴² He died on 13 July 1671⁴³) and whom she survived.⁴⁴

3. Henry Stewart, with the consent of his elder brothers Francis and John Stewart, he granted an annualrent from the lands of Coldingham to James, Earl of Home, on 8 July 1623.⁴⁵

4. Frederick Stewart, was included with his three brothers, Francis, John and Harie, when on 26 November 1612, on account of “some variance and contraveris standing betuix” them and Willliam Scott of Burnfute, they were ordered to appear before Lords of the Privy Council “to underly suche ordour as salbe prescryvit to thame.”⁴⁶

5. Elizabeth Stewart, married James, Master of Cranston, (he was widow of Elizabeth, eldest sister of David Macgill of Cranston Riddell, by whom he had issue. He died *v.p.* in 1633).

6. Margaret Stewart, married Alan, 5th Lord Cathcart, (marriage contract 11, 22, 25, 26 and 27 August 1621.⁴⁷ He married secondly, in 1626, to Jean, daughter of Sir Alexander Colquhoun of Luss, and died on 18 August 1628), and with whom

⁴¹ RPC Second Series, Vol. 7, p. 136.

⁴² RD1/354/236.

⁴³ Fountainhall’s Journals.

⁴⁴ RD4/41/366.

⁴⁵ C2/50/212.

⁴⁶ RPC First Serives, Vol. 9, p. 498.

⁴⁷ RD1/340/302. See also: C2/50/116.

she had a conjunct charter under the Great Seal for the barony of Auchincreeff on 12 December 1622.⁴⁸ She died *s.p.* before October 1626.

7. Helen Stewart, married John MacFarlane of that Ilk and had issue.
8. Jean Stewart, married Robert Elliot of Reidheugh but upon his being imprisoned in Edinburgh Tolbooth, she petitioned the Privy Council for relief of the hardship that had brought upon her and their “poore indigent childrene,” and on 30 November 1624, they allowed her 100 merks.⁴⁹ They had issue.

FRANCIS STEWART, received a charter under the Great Seal for the benefice and commendam of the Abbey of Kelso on 27 November 1588,⁵⁰ but suffered greatly on account of his father’s rebellions. Upon the rescinding the forfeiture he received had a new grant of the commendatorship of Kelso, which was confirmed by charter under the Great Seal of James VI. on 12 October 1621.⁵¹ He married Isobella, daughter of Robert Seton, 1st Earl of Winton, (she was born on 30 November 1593 and was widow of James Drummond, 1st Earl of Perth, whom she had married in 1608, and who had died on 6 November 1611⁵²), and died in 1639, in financial straits.⁵³ He was father of,

1. Charles Stewart, born on 15 April 1618 and was served heir to his father on 20 April 1647. He is said to have become a Trooper during the Civil Wars and to “have dyed in England after Worcester.”
2. Margaret Stewart, born on 1st and baptised at Tranent, on 4 April 1619.
3. Elizabeth Stewart, baptised at Inveresk, on 12 September 1632.

⁴⁸ C2/50/24.

⁴⁹ RPC First Series, Vol. 13, pp. 651-652.

⁵⁰ RMS Vol. 5, no. 1597.

⁵¹ RMS Vol. 7, no. 231.

⁵² CC6/5/4.

⁵³ Edinburgh Tests.