

A SHORT SKETCH OF THE SCOTTISH HOUSE OF CALLENDAR¹

IT has been suggested to the author, that as his earlier work is practically inaccessible to the general reader, he should give, as an introduction to the present volume, a brief account of the origin and history of this once powerful Scottish family, whose romantic attachment to a "Lost Cause," led to its complete downfall in Scotland; so that to-day it is represented in the female line only, by Major Fenton-Livingstone of Westquarter, whose father, in accordance with the terms of the will of the late Sir Thomas Livingstone of Bedlormie and Westquarter, adopted the surname and arms of Livingstone in succeeding to this estate in 1853.² The earlier Scottish peerage writers, when at fault for the origin of a name, hid their ignorance by inventing some fabulous ancestor as the founder of the family, and that of Livingston was therefore ascribed by them to one Leving or Living, a noble Hungarian, who came to Scotland in the train of Margaret, when she and her brother, Edgar the Atheling, took refuge at the court of Malcolm Canmore about the year 1068. Margaret, who was a granddaughter of Edmund Ironside and a great-niece of Edward the Confessor, afterwards married Malcolm, and became the mother of Scottish kings.

In the case of the Livingston family, the old peerage writers had a certain substratum of truth for their inventive tactics, for the founder of the family was a Saxon thane or landowner at this period, and his name was Leving, as is clearly proved by his donation of the church of his "villa" or manor³ to the Abbey of Holyrood, which was founded by Margaret's son, King David I, in 1128. Though Leving's original charter cannot now be found, two charters confirming it are still in existence: one by Robert, the Bishop of St. Andrews, and the other by Leving's son, Thurstan, who, after his father's death "confirmed to God and to the Church of the Holy

Cross of the Castle of the Maidens—*Ecclesie Sande Cruris de Castello Puellarum*⁴—and to the canons serving God there, the Church of Leving's-tun⁵—*Ecclesie de villa leving*—with half a plough of land and a toft, and with all the rights pertaining thereto, as my father gave them—*sicut pater meus eis dednt*—in free and perpetual alms.”

This ancient “villa” or manor of Leving’s now forms the present parish of Livingston in Linlithgowshire, and remained in the possession of the elder branch of the family, namely the Livingstons of that ilk, until the commencement of the sixteenth century, when it became extinct in the male line. Surnames did not come into use in Scotland until about a century after Leving’s time, when his descendants naturally adopted that of “de Levingstoun” from the name of their estate. The date of Leving’s settlement in Scotland cannot now be ascertained. He may have entered with Margaret, or his family may have been settled in the lowlands of Scotland before her time? The name is of undoubted Anglo-Saxon origin, however. It is to be found in old Saxon charters and also in *Domesday*; and we can rest content with the fact that few families can show such an authentic and ancient origin.⁶

Thurstan, the son of Leving, had three sons, Alexander, William, and Henry, all of whom were witnesses to charters in the reign of William the Lyon 1165–1214.⁷ The next member of the family, of whom any trace can be found, is Sir Andrew de Livingston, Sheriff of Lanark in 1296. He and his kinsman, Sir Archibald de Livingston, were among those of the magnates of Scotland, who rendered formal homage to Edward I of England in that year.⁸ Sir Archibald was the representative of the senior line, while Sir Andrew was the ancestor of the junior, but far more important branch, as he was the grandfather of Sir William de Livingston, the founder of the House of Callendar. This Sir William was a doughty fighter, and served under Sir William Douglas at the siege of Stirling Castle in 1339, and was an active member of the patriotic party during the minority of David, the son of King Robert Bruce. David, on his return to Scotland from France, rewarded his faithful follower by the grant of the forfeited Callendar estates, and to better strengthen his title to these lands, their owner married (about 1345) Christian, the daughter and heiress of Sir Patrick de Callendar, the late proprietor. It is from this marriage that all the titled branches in Scotland, including the Barony of Callendar (*anno* 1458); the Earldoms of Linlithgow (1600), Callendar (1641), Newburgh (1660); the Viscounties of Kilsyth (1661), and Teviot (1696); and also the American branches of this family, are descended. As the Barony of Callendar became merged in the

higher dignity of Linlithgow, there were five distinct Scottish peerages held by Sir William's descendants, and of these now only one is in existence, and that one—the Earldom of Newburgh—is held by an Italian nobleman, who probably has never been in Scotland in his life!⁹

Sir William, the first of the House of Callendar, accompanied King David II in his unfortunate invasion of England, which resulted in that monarch's defeat and capture at the Battle of Durham or Neville's Cross, 17th October, 1346. Sir William, who had been dubbed a knight banneret¹⁰ for his gallant behaviour during this short campaign, was also among the prisoners. He was released soon after, and at the particular request of the Scottish King was appointed one of the commissioners to treat for his ransom. These negotiations extended over a period of ten years, and as one of the six Scottish commissioners, who finally ratified the treaty, his seal is affixed to this document, which can still be seen, as it is now preserved in H. M. Record Office in London.¹¹ In 1362 King David II conferred on him and his wife the lands of Kilsyth, as these had also formerly belonged to the Lairds of Callendar. It was no doubt this same monarch, who granted Sir William the right to add to his family arms the royal tressure of Scqtland.¹²

The next member of this House of importance was Sir John Livingston of Callendar, whose second wife was a daughter of Sir James Douglas of Dalkeith (1381). From this marriage the line of Kilsyth is descended. Sir John fell in battle against the English at Homildon Hill in 1402, where the Scots under the Earl of Douglas were defeated by the English under the famous Hotspur and the Earl of March. By his first wife, a daughter of Menteith of Kerse, he is said to have had three sons, of whom the eldest, Alexander, who succeeded to the estate of Callendar, was the most famous. This Alexander was a man of unquestioned ability, so that James I of Scotland, on his return from his long English captivity, employed him as one of his trusted councillors, in his attempts to destroy the overgrown power of the great nobles. James perished in his attempt, being murdered in the Dominican Monastery at Perth on the night of the 20th February 1437. During the troublous years that followed the fortunes of the House of Callendar ebbed and flowed. For some time Sir Alexander Livingston of Callendar had the custody of the youthful James II, while his son and heir, James, was captain of the Castle of Stirling. His quarrels with Crichton, the chancellor, the queen-mother, and the Douglasses, would take up too much space to relate here. He became later on Justice-General and Ambassador to England; but the enemies of the Livingston family, during his absence from Scotland in 1449, were successful in obtaining their temporary downfall.

Sir Alexander's second son and namesake, Alexander, ancestor of the Dunipace line, was beheaded, as also was Robert Livingston of Linlithgow, the Comptroller; while others, including Sir Alexander Livingston on his return from England, were flung into prison and their estates confiscated and distributed among the King's favourites. Though released soon after, Sir Alexander did not long survive his downfall. He was succeeded by his eldest son James, who was a great favourite of the young King's, whose custodian he had been in succession to his father, and then later (1448) had been given the post of Great Chamberlain. Probably, the young King's protection saved Sir James of Callendar from sharing his younger brother's fate, for after a short imprisonment he was received back at court, from whence he escaped to the Highlands. The downfall of the Livingstons in 1449 was quickly followed by the downfall of their powerful enemies the Douglasses in 1452; whereupon Sir James was received back into the King's favour, and reinstated in his old office of Great Chamberlain. From this date his fortunes rose rapidly, he had the family estates restored to him, was made Master of the Household, and in 1458 his lands were erected into the free Barony of Callendar. His creation as a Lord of Parliament probably occurred three years earlier.

His son and namesake, the second Lord Livingston of Callendar, was under tutorship, being an idiot. He was succeeded by another James as third Lord Livingston. His father is supposed to have been Alexander, second son of James, first Lord of Callendar. He was therefore nephew of James, the second lord. He married Agnes Houstoun, daughter of Sir John Houstoun of that ilk. He was succeeded by his son William, the fourth lord (*anno* 1503). This William married Agnes, a daughter of Alexander Hepburn of Whitsome (about 1501) and had three sons. Of these, Alexander, the eldest, succeeded as fifth lord, while James, the second son, killed at Pinkie (*anno* 1547),¹³ was the ancestor of the American branches treated of in this volume. Alexander, the fifth lord, was appointed by the Scottish Estates, on the death of James V, one of the two guardians of the infant Mary, Queen of Scots. In this capacity he accompanied her to France in 1548, and died in Paris two years later. His eldest son John having fallen at Pinkie, without leaving issue, he was succeeded in the title by his second son William. Two of his daughters were maids of honour to Mary, Queen of Scots. The elder of these, the queen's namesake, was one of the famous quartette known as "The Queen's Maries."

At the Reformation William, the sixth Lord Livingston, espoused the Protestant cause, and became one of its leaders, or Lords of the

Congregation. This did not prevent him and his wife being loyal to Mary, Queen of Scots, who, in 1565, was godmother to one of their children. Lady Livingston was cousin to the queen, through her grandmother Isabel Stuart, the mistress of James IV. Lord and Lady Livingston shared in the earlier years of Mary's captivity in England, and he was one of her commissioners in the negotiations with Queen Elizabeth. It was this lord who appointed the Rev. Alexander Livingston, his first cousin, to be the first reformed Rector of Monyabroch. This clergyman was the great-grandfather of Robert Livingston, the first Lord of the Manor of Livingston, New York. The sixth lord died in 1592.

He was succeeded in the title by his eldest son Alexander, as the seventh Lord of the House of Callendar. He was entrusted by King James VI in 1596 with the care and education of his eldest daughter, the Princess Elizabeth, afterwards the wife of Frederick, the Elector Palatine, and ancestor of King Edward VII. Owing to his wife being a Catholic, this arrangement gave great offence to the Presbyterian Kirk elders. But James was keen enough to know the value of trusting a family, which had been so loyal to his mother in her days of adversity, to be moved by their threats; and he still further showed his confidence in Lord Livingston by placing under his care his second daughter, Margaret, born two years later. King James VI rewarded Lord Livingston's services by erecting his lands and baronies into a free regality (*anno* 1600). By which act, he saved his royal purse the sum of £10,000 (Scots), due to Lord Livingston "for the support and education of his said daughters." The rent to be paid for this "free regality" was one pair of gilt spurs to be rendered at the Castle of Callendar on every Whitsunday. A few months later the King created him Earl of Linlithgow. He was also appointed Keeper of the Palace of Linlithgow and the Castle of Blackness, which became hereditary in this family, until the attainder of the fifth Earl in 1716. The first Earl of Linlithgow died in 1622; by his wife Lady Helenor Hay, he had three sons, besides daughters. The eldest John died in his father's lifetime, unmarried. Alexander, the second, became the second Earl of Linlithgow, while James, the third son became a soldier of fortune, and succeeded so well, that he was created by Charles I, Earl of Callendar.

Alexander, second Earl of Linlithgow, was created Vice-Admiral of Scotland in 1627. He was loyal to Charles I, while his younger brother James took the side of the Covenanters. He died in 1645. He was married twice. By his first wife, Lady Elizabeth Gordon, he had a son, George, who succeeded his father as third Earl of Linlithgow. By his second wife, Lady



George Livingstone, 3rd Earl of Linlithgow, 1616–1690. Etching by Robert White English, Scottish National Portrait Gallery. CCNC (Creative Commons-Non-Commercial) license.

Mary Douglas, he had another son, Alexander, afterwards to become the second Earl of Callendar. George, third Earl of Linlithgow, had had a military training abroad under the able tuition of his unde James, afterwards first Earl of Callendar. Like his unde, he was for a time attached to the court of the Princess Elizabeth, then Queen of Bohemia, who had a great regard for the Livingston family owing to her early days having been spent at Callendar House. So much did she regret having to quit this home of her youth, on her father succeeding to the throne of England, that at Berwick, on parting with the first Countess of Linlithgow, the little princess sobbed to her mother “Oh Madam! nothing can ever make me forget one I so tenderly loved.”¹⁴

On his return to Scotland, George Lord Livingston, though his father, the second earl, was a Royalist, served in the Covenanting army under the chief command of the Earl of Leven. In this, he was probably

influenced by his uncle James, who was second-in-command of the Scottish forces (see later under Earldom of Callendar). He later on,—also like his uncle,—when Charles the First had become a prisoner in the hands of the English Parliament, joined the Duke of Hamilton in his disastrous invasion of England for the purpose of rescuing the King they had so lately fought against.

The third Earl of Linlithgow, after the Restoration, was given the command of the Scots Foot Guards. He subsequently became commander-in-chief of the forces in Scotland (1677), and in that capacity had to serve against the armed Covenanters until the arrival of the Duke of Monmouth, who then took over the chief command and defeated the Covenanters at Bothwell Bridge (1679). He remained colonel of the Foot Guards until July, 1684, when he exchanged it for the office of Lord Justice General of Scotland. He had also been appointed President of the Privy Council in 1682. At the Revolution of 1688 he lost both these posts. He died in 1690, and was succeeded by his eldest son, George, as fourth Earl of Linlithgow. This son had been an officer in his father's regiment, and as its lieutenant-colonel had led the Foot Guards in the attack on Bothwell Bridge. He was subsequently promoted to be captain of the King's Life Guards on the death of the Marquis of Montrose, and upon the expected landing of the Prince of Orange, he was second-in-command of the Scottish cavalry which crossed the Tweed to oppose it. He, with Claverhouse, Viscount Dundee, and a few others, remained loyal to James, when the bulk of the forces—English and Scottish—went over to the Prince of Orange. After the flight of King James, he was permitted to return home, and subsequently submitted to the Estates. He died in 1695, and having no children, he was succeeded by his nephew, James, the fourth Earl of Callendar.

This nobleman was the only son of Alexander, third Earl of Callendar. He had succeeded his father as fourth Earl of Callendar in 1692, and now by his uncle's death he became also fifth Earl of Linlithgow. In 1713, on the death of the Duke of Hamilton, who was killed in a duel with Lord Mahon in Hyde Park, the Earl of Linlithgow and Callendar was elected to fill his seat, as one of the sixteen representative Scottish peers who sat in the English House of Lords, as agreed upon at the Union of the Kingdoms in 1707. This, the last Earl of Linlithgow and of Callendar, was a strong Jacobite. He fought at Sheriffmuir, and upon the failure of the rising fled to France. He died an exile at Rome in April, 1723, aged 35 years. His only son, James, had predeceased him, unmarried. He, however, left a daughter, Lady Anne Livingston, by his wife Lady Margaret Hay, second daughter of John,

eleventh Earl of Erroll. Her father had been attainted, and his estates forfeited to the Crown, but she was allowed to remain on at Callendar House on lease, as the government found considerable difficulty in disposing of the “rebel” estates. She married William Boyd, fourth Earl of Kilmarnock, and all went well with them until the landing of Prince Charles Edward in 1745, when Lady Kilmarnock’s devotion to the exiled House of Stuart caused her to urge her husband, much against his own judgment, to join the young prince’s army. Kilmarnock was taken prisoner at Culloden, at which battle his eldest son, Lord Boyd, was serving as an ensign in the English ranks. The unfortunate earl was one of the last of the Jacobite noblemen to lose his head on Tower Hill, and the block is still preserved in the Tower of London on which he and Lord Balmerino were beheaded. Their bodies were buried in the church within this fortress. His son, Lord Boyd, lost his right to his father’s title of Kilmarnock, but became fourteenth Earl of Erroll on the death of his maternal aunt, without issue, in 1758, this peerage being in no way effected by the Act of Attainder; and thus his descendant, the present Earl of Erroll, owes his title and his office of Hereditary Lord High Constable of Scotland, solely to the fact of his being descended from the last Earl and Countess of Linlithgow and Callendar.¹⁵

We must now briefly treat of the creation and history of the Callendar earldom before it became merged in the older earldom of Linlithgow. The third son of the first Earl of Linlithgow, Sir James Livingston of Brighthouse, started in life—as already mentioned—as a soldier of fortune, winning his spurs under the Prince of Orange and the great Gustavus Adolphus. He subsequently returned to Scotland and was created a peer by Charles I in 1633, as Lord Livingston of Almond; and eight years later was further advanced to the dignity of an earl; when, having recently purchased from the head of his family the estate of Callendar, he took his higher title from that place. Though he owed these favours to the unfortunate Charles the First, this did not prevent his accepting, after a show of reluctance, high command in the army of the Covenant. He fought with distinction in England against the Royalists, but with the surrender of Charles to the English Parliaments, his views changed, as was the case with other officers of rank in the Scottish army; and thus Callendar became second-in-command under the Duke of Hamilton in 1648, when the Scots made their disastrous attempt to rescue their king from his English prison. The earl thereupon had to flee to Holland. After the Restoration, on account of his having no legitimate issue, he obtained a fresh patent of his earldom (1660), in which his nephew Alexander, the eldest son of the second

marriage of his late brother Alexander, the second Earl of Linlithgow, was named his successor. The first Earl of Callendar spent the last years of his life in improving his estate, and by rebuilding the greater part of his mansion, which had suffered heavily from the bombardment it had undergone from the cannon of General Monk, when he stormed it in 1651, on which occasion the little garrison were nearly all put to the sword.

Of Alexander, the second Earl of Callendar, there is little to relate. In his youth he was a zealous Covenanter, and after his succession to the title, his strong Whig views brought him, on more than one occasion, in conflict with the government, and he narrowly escaped being involved in the Rye House Plot. He married Lady Mary Hamilton, second daughter of William, the second Duke of Hamilton who fell at the Battle of Worcester. He having no issue by this marriage, his titles and estates were claimed by Alexander, second son of George, third Earl of Linlithgow, in accordance with the terms of the patent of 1660.

Of the third Earl of Callendar, there is also little to relate, beyond the fact that he was one of those who opposed the introduction of the Toleration Act into Scotland in 1686; and also, that he three years later retired *for a time* with his elder brother, Lord Livingston, to the Highlands, so as to avoid taking the oath of allegiance to William and Mary. He died in 1692, leaving by his wife, Lady Anne Graham, eldest daughter of James, second Marquis of Montrose, a son, James, who thereupon became the fourth Earl of Callendar, which title became merged in that of Linlithgow when he succeeded to his uncle George, as already related, in 1695.

The third Livingston earldom, that of Newburgh, dates its origin from the son of a successful courtier in the reign of James the Sixth (First of England), who was also raised to the peerage by Charles the First, though unlike his namesake and kinsman, the Earl of Callendar,—Sir James Livingston, Viscount of Newburgh, was loyal throughout to his royal master, and fell therefore under the displeasure of Cromwell, and had to fly to the continent. At the Restoration he received the reward for his loyalty by being created Earl of Newburgh (1660) and, in addition, the captaincy of the Scottish Life Guards was conferred on him by Charles II. The vicissitudes which befell this earldom and its possessors during the course of two centuries, until it came to be claimed by an Italian princess half a century ago, fill a romantic chapter in the family history, but require too much explanation to be recorded here.

Of the two remaining titled branches, that of Kilsyth is the oldest, and has the most interesting history, though it was not until the reign of

Charles II that it was ennobled. One of the lairds of this line fell at Flodden Field, and it was the ninth laird—Sir James Livingston—who was raised to the peerage, after the Restoration (1661), by the titles of Viscount Kilsyth, Lord Campsie, etc., as a reward for his loyalty. The third, and last, viscount of this unfortunate race was William Livingston of Kilsyth, a dashing cavalry officer at the date of the Revolution of 1688, whose unsuccessful attempt to bring his regiment of dragoons—afterwards famous in military annals as the Scots Greys—over from the service of William of Orange to that of the gallant Dundee, and his subsequent marriage to that brave leader's widow, and her sad and tragic death, together with their only child, while in exile in Holland, form another romantic episode in the history of the House of Callendar. It was not until after his first wife's death—Lady Dundee's—that Colonel Livingston succeeded to the peerage on the death of his elder brother James, the second viscount of that name. With the usual evil fortune of his House, he espoused the losing side in the rising of 1715, and like his kinsman, the fifth Earl of Linlithgow, died an exile in Rome, when this line also became extinct.

Sir Thomas Livingston, created Viscount of Teviot by William of Orange in 1696, was a descendant of the Lairds of Jerviswood, cadets of the House of Kilsyth. Reared in Holland, where his father commanded a Scottish regiment in the service of the States General; he also rose to the rank of colonel under the Prince of Orange, whom he accompanied to England in 1688. After the flight of James II he was promoted to the command of the Scottish Dragoons, the same regiment in which his kinsman, William Livingston of Kilsyth, was serving as lieutenant-colonel. He was subsequently appointed commander-in-chief of the forces in Scotland, and created a peer by William III, on account of his services against the Jacobites, whom he defeated at the Battle of Cromdale. As commander-in-chief he became involved in that disgraceful episode of that monarch's reign the Massacre of Glencoe, and dying without male issue, in 1711, his title of Viscount became extinct. He was buried in Westminster Abbey, where the handsome monument erected by his brother Sir Alexander Livingston is still to be seen.

Of the minor Scottish branches, including that of Westquarter, which estate escaped the general confiscation following the risings of 1715 and 1745, there is no need to refer to here. But while as we have seen the once powerful House of Callendar, in spite of its numerous cadets, has perished so utterly in its native land, that there is now no longer a Scottish representative left, *in the male line*, to inherit the remains even,

of the numerous honours and extensive estates which formerly belonged to the Livingstons of Callendar, it fared otherwise with the branches of this House which settled in America in the latter part of the seventeenth century, and it is therefore to the history of these important cadets of the House of Callendar that the following chapters are devoted.

E. B. Livingston.

LONDON, 26 January, 1909

Notes

1. Unless otherwise stated, the authorities for the above sketch are given in *The Livingstons of Calendar*.
2. This branch of the family adhere to the modern, and erroneous, method of spelling the family surname with the final.
3. Sir Henry Ellis in his *General Introduction to Domesday Book* (vol i, p. 240) says "Vill or Villa" was "another term for a Manor or Lordship."
4. This was the ancient name of Edinburgh Castle. The canons lived there while the Abbey of Holyrood was being built.
5. The vernacular Saxon equivalent of the Latin "villa leving."
6. The two charters referring to Leving's donation are to be found in the *Liber Cartarum Sanctis Crucis*, pp. 11, 15, 16. Copies are given in the Appendix to the *Livingstons of Callendar*, also a facsimile of the Bishop's confirmation. These old charters are never dated, but Robert, the second Bishop of St. Andrews, under the new Roman system established by Alexander I, filled this see between 1124–1158.
7. The third son—Henry—was discovered by the late Mr. Joseph Bain.
8. See under special chapter on the Heraldry of Livingston at end of this volume.
9. The grandmother of the present holder of the title—Princess Giustiniani-Bandini—proved her right to it in 1858. The Earldom of Newburgh was not limited to heirs-male, and has descended through the families of Livingston, Radcliffe, Clifford, Mahony of Naples, and Giustiniani.
10. "Willelmus de Levingston bannerettus" he is styled in the safe conduct granted by Edward III of England, 7 December 1347.
11. See also under chapter on the Heraldry of Livingston.
12. See also under special chapter on Heraldry.
13. See under Preface to this volume for fuller details.
14. *Memoirs of the Queen of Bohemia by One of her Ladies*, p. 43.
15. The Earldom of Erroll being one of those Scottish peerages, like that of Newburgh, which is not limited to heirs-male.



William Lord Livingston

SEAL AND AUTOGRAPH OF WILLIAM, SIXTH LORD LIVINGSTON
From original Charter at Colinton House, dated
15th March 1550-1



Rev. Alexander Livingston

SEAL AND AUTOGRAPH OF REV. ALEXANDER LIVINGSTON,
FIRST REFORMED MINISTER AT MONYABROCH (KILSYTH)
From original Charter at Colinton House, dated
15th March 1550-1



*Mr. William Livingston
second reformed minister*

SEAL AND AUTOGRAPH OF REV. WILLIAM LIVINGSTON,
SECOND REFORMED MINISTER AT MONYABROCH
(KILSYTH)
From original Charter at Colinton House, dated
24th June 1607