

Probable origin of the Kincaids of Warriston.

One of the more prominent lines of Kincaid in Scotland was that of the Kincaids of Warriston in Edinburgh. Many are familiar with the misfortune of John Kincaid of Warriston who was murdered in 1600 at the instigation of his wife Jean Livingstoun of Dunipace.¹ The origin of this particular line of Kincaids has been elusive. However, it can be now shown that this line most likely started with John Kincaid, son and heir of Thomas Kincaid of Coates, constable of Edinburgh Castle and Master of Works at the beginning of the 16th century.²

From the testament dative and inventar of Margaret Bellenden, spouse of John Kincaid of Waristoune, registered in the Edinburgh Commissary on 9 December 1569, we learn that Edward Kincaid dwelling under the castle wall was the nephew of her husband. The reference was to £10 owed by "Edward Kincaid under the wall bro[thi]r sone to [th]e said Johne" (the th in the brackets being represented by the letter thorn). This reference recently located by this author is a key piece of evidence in determining the origins of the Kincaids of Warriston.

The following two instruments make it clear that Edward Kincaid under the wall was the son of James Kincaid of Coates (for clarity point of interest bolded):

5 January 1564. Interdiction - James Kincaid, son and heir of the late James Kincaid of the Coittis, with consent of John Logan of Cotfield and Adam Logan, brothers to his mother, his curators, to the said John and Adam Logan, William Kincaid brother of James Kincaid of that ilk, **Edward Kincaid, father's brother of granter**, and Stevin Kincaid of Craiglockhart, also his father's brother.³

Issobel Falcone and James Kincaid of the east half of the Coittis, her spouse, (with consent of Stevin Kincaid in Craiglockhart, William Kincaid, burges of Edinburgh and **Edward Kincaid under the wall**, at whose instance the said James was interdicted) on the one part; and Edward Kincaid, burges of Edinburgh, dwelling at Nether Bow, brother german of George Kincaid, burges in Campheir on the other - contract of sale of half of Falcone Myles dated 15 October 1570 and registered 16 October 1570.⁴

We also see above that Edward Kincaid under the wall was also the brother of Stephen Kincaid of Craiglockhart. From a charter registered under the Great Seal of Scotland on 1 April 1633, we learn that

¹ Pitcairn, Robert. Ancient Criminal Trials in Scotland; compiled from original records and mss., with historical illustrations, &c. Edinburgh: Printed for the Bannatyne Club, 1833. Volume II, part second, p. 445-450.

² "Protocol Book of James Young 1485-1515." Ed. Henry M. Paton and Gordon Donaldson. Edinburgh: Printed for the Society by J. Skinner & Company, Ltd., 1941-52. The Scottish Record Society. 74 (December 1940): p. 398-399, no. 1811 & Compota Thesaurariorum Regum Scotorum: Accounts of the Lord High Treasurer of Scotland. Ed. Sir James Balfour Paul. Edinburgh: H.M. General Register House, 1901. Vol. IV (A.D. 1507-1513): p. 278-279 & 445-446.

³ National Archives of Scotland, Edinburgh, UK. CS7: Acts and Decrees - Calendar of Deeds 1542-1581. XXXI: 215. Abstracted by Rosemary Bigwood, Flat B, The Lodge, 2 East Road, North Berwick EH39 4HN for Peter A. Kincaid and forwarded by email dated 17 October 2001.

⁴ National Archives of Scotland, Edinburgh, UK. CS7: Acts and Decrees - Calendar of Deeds 1542-1581. XLV: 282. Abstracted by Rosemary Bigwood, Flat B, The Lodge, 2 East Road, North Berwick EH39 4HN for Peter A. Kincaid and forwarded by email dated 17 October 2001.

Stephen Kincaid was also the brother of Cuthbert Kincaid.⁵ This links us back to 30 October 1526, when James Kincaid in the Coates, with David Kincaid, Cuthbert Kincaid and James Kincaid his sons, were granted a tack of half of the lands of Coates; of which said James Kincaid Sr. then had a tack of.⁶

The above tells us that the 1526 James Kincaid in Coates had sons David Kincaid, Cuthbert Kincaid, James Kincaid (who married Jonet Logan and had James Kincaid who eventually married Issobel Falcone), Stephen Kincaid of Craiglockhart, and Edward Kincaid under the Wall. The half of Coates that the 1526 James Kincaid held was the east half; as this is what came to be held by his grandson James Kincaid (m. Issobel Falcone).⁷

We also now know that the 1526 James Kincaid in Coates was the brother of John Kincaid of Warriston. This John Kincaid of Warriston was married to Margaret Bellenden sometime before 26 November 1538 when they and their son, John, were assigned a tack of the teinds of the town and regality of Broughton from her brother, John Bellenden.⁸

Now on 7 April 1513 the lands of Coates were held by Thomas Kincaid in Coates who was the father of Master John Kincaid, Thomas Kincaid of that ilk, and David Kincaid (who was then engaged to Helen Moubray).⁹ Thomas Kincaid of that ilk had married Elizabeth Kincaid, daughter and heir of Patrick Kincaid of that ilk, and acquired the lands of Craiglockhart from her father.¹⁰ This Thomas Kincaid in Coates was constable of Edinburgh Castle.¹¹ He died before 30 March 1517 when Master John Kincaid, his son and heir, succeeded to £3 of annual rents he held.¹²

With a gap of only 9 years (i.e. between 1517 when Master John Kincaid succeeded and the 30 October 1526 lease wherein James Kincaid held half of Coates), it seems only logical that Master John Kincaid eventually became John Kincaid of Warriston. The idea being that he took the Warriston lands while his siblings and their family got Coates. So far a record closing this nine year gap has been elusive. However, it is hard to envision a scenario whereby James Kincaid of Coates was not a younger son of Thomas Kincaid in Coates, constable of Edinburgh Castle, since the latter's elder sons survived past 1526.

⁵ Registrum Magni Sigilli Regum Scotorum: The Register of the Great Seal of Scotland A.D. 1620-1633. Ed. John Maitland Thomson. Edinburgh: H.M. General Register House, 1894. p. 729, no. 2150.

⁶ National Archives of Scotland, Edinburgh, UK. GD421/7/1403.

⁷ National Archives of Scotland, Edinburgh, UK. CS7: Acts and Decrees - Calendar of Deeds 1542-1581. XLV: 282. Abstracted by Rosemary Bigwood, Flat B, The Lodge, 2 East Road, North Berwick EH39 4HN for Peter A. Kincaid and forwarded by email dated 17 October 2001.

⁸ The Scottish Text Society. The Chronicles of Scotland Compiled by Hector Boece: Translated into Scots by John Bellenden 1531. Ed. Edith C. Batho & H. Winnifred Husbands. 2 vols. Edinburgh: William Blackwood & Sons Ltd., 1941. Volume II, p. 431.

⁹ "Protocol Book of John Foular 1503-1513: Volume 1 (continued)." Edinburgh: Printed for the Society by J. Skinner & Company, Ltd., 1940-1. *The Scottish Record Society*. 72 (December 1939): p. 170, no. 894.

¹⁰ "Protocol Book of John Foular 1503-1513: Volume 1 (continued)." Ed. Marguerite Wood. Edinburgh: Printed for the Society by J. Skinner & Company, Ltd., 1940-1. *The Scottish Record Society*. 72 (December 1939): p. 56, no. 311 & p. 58, no. 319. Registrum Magni Sigilli Regum Scotorum: The Register of the Great Seal of Scotland A.D. 1424-1513. Ed. James Balfour Paul. Edinburgh: H.M. General Register House, 1882. p. 608, no. 2861. Registrum Secreti Sigilli Regum Scotorum: The Register of the Privy Seal of Scotland. Ed. M. Livingstone. Edinburgh: H. M. General Register House, 1908. Vol. 1 (A.D. 1488-1529): p. 161, no. 1106.

¹¹ "Protocol Book of James Young 1485-1515." Ed. Gordon Donaldson. Edinburgh: Printed for the Society by J. Skinner & Company, Ltd., 1941-52. *The Scottish Record Society*. 74 (December 1940): p. 398-399, no. 1811. *Compota Thesaurariorum Regum Scotorum: Accounts of the Lord High Treasurer of Scotland*. Ed. Sir James Balfour Paul. Edinburgh: H.M. General Register House, 1901. Vol. IV (A.D. 1507-1513): p. 445-446. "Protocol Book of John Foular 1503-1513: Volume 1 (continued)." Edinburgh: Printed for the Society by J. Skinner & Company, Ltd., 1940-1. *The Scottish Record Society*. 72 (December 1939): p. 173, no. 909.

¹² "Protocol Book of John Foular: Volume II 1514-1518." Ed. Marguerite Wood. Edinburgh: Printed for the Society by J. Skinner & Company, Ltd., 1944-53. *Scottish Record Society*. 75 (December 1942): p. 10-11, no. 42.

Thomas Kincaid's son David Kincaid and his wife Helen Moubray were alive on 26 May 1531,¹³ and his son Thomas Kincaid of that Ilk was still living on 22 July 1560.¹⁴

There is further evidence of a James Kincaid associated with the family of Thomas Kincaid in Coates. On 11 May 1513, Thomas Kincaid of Craiglockhart (son of Thomas Kincaid in Coates) gave a liferent to his brother Master John Kincaid to a chamber in his mansion and lands, on the south side of Trinity College. One of the witnesses to this was a James Kincaid.¹⁵ He is perhaps their brother and the future James Kincaid in Coates.

All in all, it is not 100% certain that the Kincaids of Warriston started with the son and heir of Thomas Kincaid in Coates. However, the evidence points to this. It was certainly worthy enough to note.

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¹³ "Protocol Book of John Foular 1528-1534." Ed. John Durkan. Edinburgh: Scottish Record Society, 1985. Scottish Record Society. New Series 10 (1985): p. 105-106, no. 315.

¹⁴ National Archives of Scotland, Edinburgh, UK. Calendar of Deeds, Vol. VIII, folio 374.

¹⁵ "Protocol Book of John Foular 1503-1513: Volume 1 (continued)." Edinburgh: Printed for the Society by J. Skinner & Company, Ltd., 1940-1. *The Scottish Record Society*. 72 (December 1939): p. 173, no. 909.