

# **HISTORICAL ACCOUNT OF THE FAMILY HAY OF LEYS**

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Incorporating the Hay family Kinnoull of Balhousie castle, Hay Street Perth, Perthshire with forward & context of the close kinship branch, Hay of nearby Smithfield & Haystoun, County of Peebles by John L. R. Guest of Melbourne, Victoria, Australia, 14<sup>th</sup> November, 2019.

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1882

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## FORWARD & CONTEXT

By John L.R. Guest

14<sup>th</sup> November, 2019

The parent stock is Hay of Errol's, with the Hay of Tweeddale stem being where the junior Errol lines the Hay family of Kinnoull, Balhousie Castle. Perth, Perthshire and its closest kinship branch, the nearby Hay family of Smithfield and Haystoun are found.

The "Hay" surname has its roots in the original naming, de la Haye of Normandy. In Normandy there were lands and a lordship denominated Hay, and in the roll of the adventurers who accompanied William the Conqueror into England in 1066, le sieur de la Haye is expressly mentioned, besides others of the same name. The two most ancient families of this surname in Scotland are those of Errol (see ERROL, earl of.) And Tweeddale (see TWEEDDALE, marquis of,) who use the same armorial bearings as do those families of the name in Italy, France, and England. Sir George Hay, descended from a younger branch of the same stock as that of the earl of Errol, was created, in 1627, Viscount Dupplin and Lord Hay of Kinfauns, and in 1633 earl of Kinnoull (see KINNOULL, earl of). Sir James Hay of Fingask, uncle of the first earl of Kinnoull, was created in 1609 Lord Bewlie, and his son, Sir James Hay of Pictorial, Fifeshire, who accompanied King James the Sixth into England, and was one of his especial favourites, was in 1615 created by him Lord Hay of Sawlie in the peerage of England, in 1618 viscount Doncaster, and in 1622 earl of Carlisle; which titles became extinct on the death of his only son, James Hay, second earl of Carlisle, in 1660.

The family of Hay of Smithfield and Haystoun kinship branch of the Hay family of Kinnoull at Balhousie Castle, at nearby Perth, Perthshire are also descended from John, 3d Lord Hay of Yester, of the house of Tweeddale, by his 2d marriage with the daughter and heiress of the ancient family of Dickson of Smithfield, Peebles-shire. By this lady he had, with one daughter, Jean, wife of George Broun of Colstoun, progenitor of the baronets of that name, one son, John, of Smithfield, living in 1525. The latter had 3 sons. 1. James, 2. Thomas, 3. John, of Kingsmeadows, whose descendants carried on the line of the family.

The eldest son, James, succeeded his father, and dying without issue, his brother, Thomas, inherited the estate. On this gentleman's death, in 1570, his son, John, Hay, became proprietor of Smithfield, and at his decease in 1628, was succeeded by his only surviving son, James.

Appointed by James VI., in 1624, esquire of his body, James Hay of Smithfield was, July 20, 1635, created a baronet of Nova Scotia, the patent being accompanied by a grant of land in Nova Scotia, to be thenceforth called the barony and regality of Smithfield. Sir James had, with a daughter, Mary, married to Sir James Douglas, afterwards earl of Morton, 2 sons; 1. John, his successor in the title, but whom he disinherited with a legacy of £1,000; 2. William, who succeeded to the estates, and died without issue.

Sir James, the 2d baronet, died in 1654. His eldest son, Sir John, 3d baronet, died in 1659. Sir John's eldest son, Sir James, succeeded as 4th baronet. Born in 1652, this gentleman was the last representative of the Smithfield branch. He died, without male issue, in 1683.

The kinsman of the last baronet, James Hay, M.D., who had succeeded to Haystoun (Haystone), the property of his father, in 1762, preferred, in 1805, a claim to the dormant title. This Dr. Hay was the eldest son of John Hay of Haystone, great-great-grandson of John Hay, Esq. of Kingsmeadows, youngest son of the first John Hay of Smithfield. His claim was allowed by a jury assembled at Peebles, Nov. 9, the same year (1805), and he, in consequence, became 5th baronet. He had 3 sons and 4 daughters. He died Oct. 21, 1810.

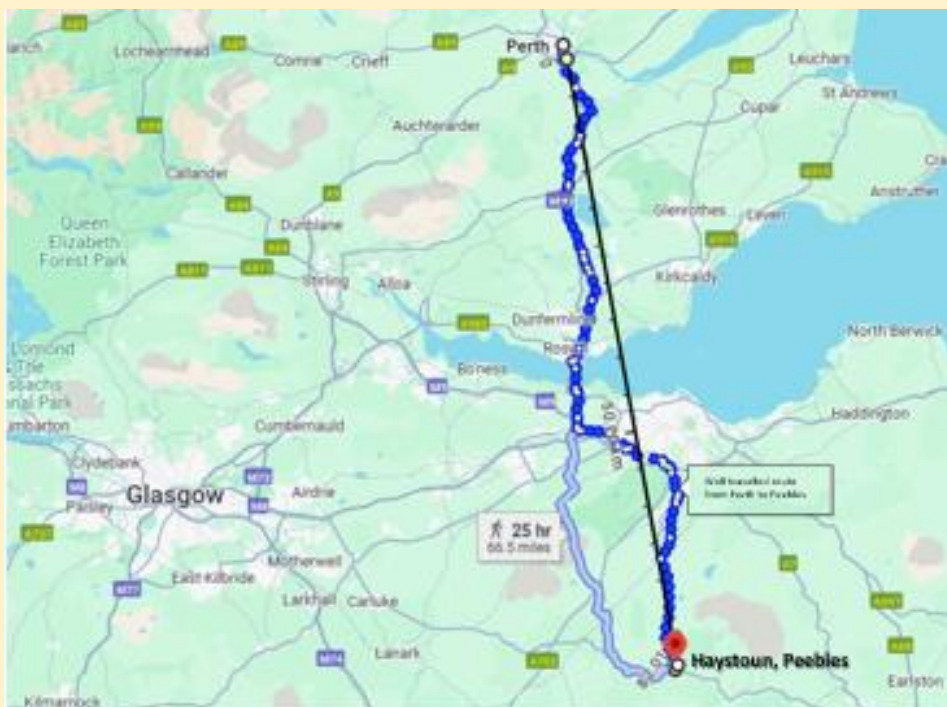
His eldest son, Sir John, 6th baronet, born January 15, 1755, married in 1785, Mary Elizabeth, youngest daughter of James, 16th Lord Forbes, and had 5 sons and 6 daughters. He died May 23, 1830.

His son, Sir John, 7th baronet, M.P., born Aug. 3, 1768, died, without issue, Nov. 1, 1838. His brother, Sir Adam Hay 1795-1867, succeeded as 8th baronet. Born Dec. 14, 1795, he married in 1823, Henrietta Callendar, eldest daughter of William Grant, Esq. of Congalton, Haddingtonshire; issue 4 sons and 5 daughters. His eldest son, **John William Hay 1824-1857, born Feb. 15, 1824, was at one period a captain Scots fusilier guards. He died in Madras after leaving Scotland where he was based in Glasgow from 1847-1854 and his body was never returned home.**

The “Kinnoull” Hay family of Balhousie Castle estate at Balhousie Castle well noted within, was directed to the management of the Government of Scotland and is a Military Museum. The Kinnoull branch and its near cousin branch the Hay family of Smithfield and Haystoun, not far south west of Perth appear to remain socially close.

They the Hay family of Smithfield and Haystoun, like the Hay of Kinnoull branch are a cadet branch of the royal hay of Errol’s parent stock. The present Earl of Errol having succeeded through female succession, the present proprietor of Leys is now the male representative of the noble family of Hay. It is the Hay of Leys featured most predominant in this account of the Hay family.

It is however, suspected, or at the very least, cannot be ruled out that Amelia Hay, nee Justice’s lawful husband John Hay, biological father of William Hay/Simmie 1851-1926, is Captain John William Hay 1824-1857. As a gateway ancestor his military status and standing would be a good reason why his biological son, per se, Willaim Hay 1851-1927, was permitted to join and became a life serving member held in great esteem by the Nava l and Military Lodge of Victoria. Whereby a non-serving member could only be accepted if their father served as an officer of either the navy or military service of Britain. **Sir Adam Hay, built railway and other civil infrastructure on a larger scale emulated by expat Scot, George Simmie and partner Simon Fraser. George being William Hay/Simmie’s 1851-1926 uncle and mentor after all migrated to the Colony of Victoria from 1852 and 1862 respectively.**




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HISTORICAL ACCOUNT

OF THE

FAMILY

OF

HAY OF LEYS,

*&c. &c. &c.*



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1832.



## INTRODUCTION.

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**T**HE origin of the ancient and noble family of **HAY** is exceedingly curious. In the reign of **Kenneth III.**, A. D. 980, the **Danes**, who had invaded Scotland, having prevailed at the battle of **Luncarty** near **Perth**, were pursuing the flying Scots from the field, when a country man and his two sons appeared in a narrow pass through which the vanquished were hurrying, and impeded for a moment their flight. ‘What!’ said the rustic, ‘had you rather be slaughtered by your merciless foes, than die honourably in the field? Come, rally, rally,—’ and he led them on, brandishing the yoke of his plough, and crying ‘out that help was at hand.’ The **Danes**, believing that a fresh army was falling upon them, fled in confusion; and the Scots thus recovered the laurel which they had lost, and freed their country from servitude. The country man’s name was **Hay**, and he was afterwards brought to the **King**, who, assembling a Parliament at **Scone**, gave to him and his sons, as a joint reward for their valour, so much land on the river **Tay**, in the district or carse of **Gowrie**, as a falcon from a man’s hand flew over till it settled, which, being six miles in length, was afterwards called **Errol**. The stone on which the falcon lighted is still to be seen in the carse of **Gowrie**, in a small village called **Hawkstone**, now belonging to **Mr. Richardson of Pitfour**; and the **King**, being desirous to elevate **Hay** and his sons from their humble rank in life to the rank of nobility, his Majesty assigned them a coat of arms, which was three escutcheons gules, to intimate that the father and two sons had been the three fortunate shields of Scotland. The **Earls of Errol** also bear on their crest a falcon; and their armorial

supporters are two men in country habits, holding the yokes of a plough on their shoulders, with the motto ' *Serva jugum,*' in allusion to their origin.

Leaving, however, the doubtfulness of tradition for the sounder evidence of history, it appears that the Earls of Errol and the Marquisses of Tweeddale claim a common ancestor in the person of William de la Haya, who settled in Mid-Lothian in the 12th century, and held the office of *Pincerna Regis*, or King's Butler, in the reigns of Malcolm IV. and William the Lion. From William, the elder son of this officer, descended the Errol branch of the family,—from Robert, the younger, that of Tweeddale.

Sir David de la Haya, son of the second William, had large possessions in Perthshire; and he obtained from King William the Lion a charter of the before-mentioned lands and barony of Errol in that county between the years 1189 and 1199. His younger son William is the ancestor of the family of Leys, from whom is descended the house of Kinnoull. Many individuals of the noble family of Hay distinguished themselves in the military service of their country, and were in high estimation with their respective Sovereigns.

William de Haya received from his brother Gilbert, the eldest son of Sir David, a grant of two carucates of land, besides twelve acres and an oxengate of land in Errol, called Leys, ' given for faithful ' counsel and service willingly exercised by the said William to Gilbert ' in times past,' conform to charter dated 7th June 1235, and which grant was confirmed by William Lord de Haya and Lord of Errol to Edmund Haya of Leys, the lineal descendant of the above-named William, on the 1st of April 1451. This Edmund was the sixth generation of the ancient house of Leys in a direct male line, and left two sons,—

1. Edmund, his successor, who carried on the line of the family of Leys; and,
2. Peter, progenitor of the Hays of Melginch, who afterwards became Earls of Kinnoull. It is thus perfectly clear and certain that the family of Kinnoull are descended directly from the family of Leys, and not from that of Errol, as has been sometimes insinuated

or supposed. The Leys family had existed for upwards of two hundred years before the Melginch or Kinnoull branch commenced. It has been stated (certainly without any evidence) that Peter Hay, Edmund's second son, succeeded to the property of Melginch, now called Megginch, by marriage; but the presumption is, that Megginch was a part of Leys;—it is bounded partly by that property;—it was a part of the barony of Errol; and from the circumstance of Edmund having only two sons, the natural supposition is, that he left a part of his estates to Peter, while the principal part, and that bearing the name of Leys, went to Edmund, his eldest son.

But to return to the Leys family: They appear to have descended in a direct male line to the present day. The estate of Leys is still in the possession of the family; they are the only branch of the noble family of Hay that have retained their paternal property, and are in possession of the only part of the barony of Errol now belonging to the Hays. The present Earl of Errol having succeeded through female succession, the present proprietor of Leys is now the male representative of the noble family of Hay. Several members of the family of Leys acted a conspicuous part at the Reformation, and were on friendly terms with the reformer Knox.

The family of Leys have, for some hundred years, borne for a coat of arms three escutcheons gules and ermine; their crest being a country man holding the yoke of a plough over his shoulder, with the motto *Primus è stirpe*,—in allusion to their being the immediate younger branch of the noble family of Hay of Errol.



## ERROL BRANCH.

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### No. I.

**WILLIAM DE HAYA**, who settled in Lothian at the end of the twelfth century; had the office of Pincerna Domini Regis (King's butler) during the reigns of Malcolm IV. and William the Lion; is witness to various charters of Malcolm, particularly to the Abbey of Scone. He died about 1170. Cartularies of St. Andrews, Scone, Couper.

Married **JULIANA**, daughter of Ranulph de Soulis, Lord of Liddesdale, by whom he had two sons—

1. **WILLIAM DE HAYA** of Errol, his successor. (No. II.)
2. **ROBERT DE HAYA**, the second Son. Witnesses a charter confirming the liberties of Durham and Coldingham Abbeys, 1204. He was ancestor of the Tweeddale family. Cart. Coldingham.

*(See Tree, Appendix A.)*

## No. II.

Caledonia, l. 538. **SIR WILLIAM DE HAYA**, the eldest son, succeeded his father, but not in his office of King's butler, which passed into the Soulis family. He obtained from William the Lion the manor of Herrol, now Errol, in Perthshire, erected into a barony, for the service of two soldiers, to which Hugh Bishop of St. Andrews is a witness, and which must have been granted between 1178 and 1188, the period that Bishop held the see. He granted to the Abbey of Couper the lands of Ederpolls for the salvation of Malcolm the King, Ranulphi de Soulis, avunculi sui, and ratified by William the Lion. He died towards the end of the twelfth century.

Carta penes  
Errol.

Cart. Couper,  
Crawford, 138.

Cart. of St.  
Andrews, Cale-  
donia, l. 539.

He married **EVA de PETENALIN**, with whom he obtained the lands of Petenalin, which he and Eva his wife gave to the Priory of St. Andrews, which was confirmed by their son David, and ratified by William the Lion. By her he had six sons—

1. **DAVID DE HAY**, who succeeded him. (No. III.)
2. **WILLIAM DE HAY**, who granted to the Abbey of Couper—for the welfare of his own soul, of his wife Ada, of William de Haya his father, and of Eva his mother—all the lands he had obtained in the Carse from his brother David de Haya.
3. **JOHN**, who is designed Johannes de Haya de Ardnaughton in a donation made by him to Couper Abbey, with consent of Peter de Haya, his son, for the welfare of the soul of the deceased Juliana de Lascelles, his wife. This grant is witnessed by William de Haya his brother, and Gilbert de Haya his nephew, ancestor of the Hays of Naughton in Fife.
4. **THOMAS DE HAYA**, who made a donation to Couper Abbey for the salvation of the souls of King William, William de Haya his father, Eva his mother, and Ada his wife.
5. **ROBERT DE HAYA**, witness to Thomas' grant.
6. **MALCOLM DE HAYA**, witness to his brother Thomas' grant.

Cart. Couper, 15.

Cart. Couper, 16.

Ibid.

Ibid.

Ibid.

## No. III.

Carta penes  
Errol.

Cart. Couper.

Ibid.

Carta penes  
Errol.

**DAVID DE HAYA** is designed son of William de Haya in a charter by William the Lion to him of the barony of Errol, to be held by him as freely as his father held the same, dated September 17, (year omitted); but it must have been betwixt 1189 and 1199, the period in which Hugh Cancellarius, one of the witnesses, held that office. He gave to the monks of Couper a fishing in Tay, with three acres of arable land, for the welfare of the souls of King William—William de Haya his father, himself, and Helen his wife, witnesses—Gilbert his eldest son and heir, and Malcolm and Robert his brothers. Enters into an agreement with the Abbot of Scone, about some disputed lands in Gowrie, 1237, in which Gilbert his eldest son is mentioned; and Sir John Hay, knight, and Malcolm de Hay, are witnesses.

Married Helen, daughter of Gilbert Earl of Strathern, and had two sons—

1. **GILBERT DE HAYA**, who succeeded him. (No. IV.)
2. **WILLIAM DE HAYA**, ancestor of the Hays of Leys, now the male representative of the Hays of Errol. (No. XII.)

## No. IV.

GILBERT DE HAYA, the eldest son of David de Haya, (No. III.) Designed Dominus de Errol in a donation made by him to Couper Abbey for the welfare of his soul, to which deed the seal of Nicholaus de Haya, his eldest son, is appended. Is witness to a charter of Alexander III. to the Priory of St. Andrews, 1250-1. Regent of Scotland along with others, September 20. 1255 and 1258. Penes Com. de Errol.  
Dal. Annals, 1. 184-188.

Married N. N., a daughter of William Cumming Earl of Buchan; and by her he had two sons—

1. NICHOLAS DE HAYA, who succeeded him. (No. V.)
2. Sir JOHN DE HAYA, witness to a charter of Alexander de Moravia, 1281.

## No. V.

NICHOLAS DE HAYA, eldest son of Gilbert de Haya, (No. IV.) was one of the Scotch nobles who became bound to acknowledge Margaret Princess of Norway, as their Sovereign in Parliament, at Scone, February 5. 1283-4,—and one of those who consented to her marriage with Edward Prince of England at Brigham, July 18. 1290. One of the nominees on the part of Bruce. King John Baliol erected his lands of Errol, Inchyra, Kilslynie, Dronlaw, Pethpontos, Cassingray, and Fossy, in free warren, August 1. 1294. Swore fealty to Edward 1296. Died soon after, 1302. Fœdera, II. 266. 471. 553.  
Penes Errol.  
Nisbet, 2. 22.

By his wife, whose name has not been discovered, he left four sons—

1. Sir GILBERT DE HAYA, who succeeded him. (No. VI.)
2. NICHOLAS, rector of Fossenib, and deacon of Dunkeld, 1324.
3. HUGH, a companion of Robert Bruce. Dal. Annals, II. 2. 7.
4. JOHN, who witnessed a charter of his brother Gilbert to the Blackfriars of Perth, 1324.

## No. VI.

Sir GILBERT DE HAYA of Errol, eldest son of Nicholas de Haya, (No. V.) succeeded his father; joined Bruce in 1306, and continued faithful. In consideration of his services, King Robert gave the lands of Slaines in Aberdeenshire, and the office of Constable of Scotland. Designed Constable of Scotland in a letter to Philip of France, March 16. 1308-9, and in a donation by Bruce to Scone Abbey, 1313. The office was bestowed upon him heritably by a royal charter, November 12. 1314. He nobly supported the independence of his country at the battle of Bannockburn, Cart. Scone.  
Dip. Scotia.

where he had the command of 1000 men. He subscribed the letter to the Pope, April 6. 1320. Died in 1330, and was buried at Couper.

The name of his wife is not known. His issue were—

1. NICOL, who witnessed his father's charter to the Blackfriars of Perth, and died before his father without issue.
2. Sir DAVID HAY of Errol, who succeeded him. (No. VII.)

#### No. VII.

Cart. Arb.  
Great Seal, 38.  
Dal. Annals,  
II. 240.

Sir DAVID DE HAYA de Errol, son of Sir Gilbert, (No. VI.) succeeded his father as Constable of Scotland; witnessed charters of David II. 1343-4. He fell at the battle of Durham, October 17. 1346.

Married N. N., daughter and heir of Sir John Keith of Innerpeffer, by whom he had a son—

Carta penes  
Errol.

- Sir THOMAS HAY of Errol, who succeeded him. (No. VIII.)

#### No. VIII.

Fœd. VI. 619.  
Robertson's  
Index.

Sir THOMAS HAY of Errol, only son of Sir David de Haya de Errol, (No. VII.) was one of the Commissioners appointed to treat with the English for the ransom of David II. 1353, and was a hostage for his ransom 1354; acted as Constable of Scotland at the coronation of Robert II. at Scone, March 26. 1371, and next day took the oaths of homage to his Majesty, and swore to the Act of Settlement of the Crown, April 4. 1371; served heir to his grandfather, Sir John Keith of Innerpeffer, January 19. 1389-90; had a grant of Slaines, which Robert I. had given to the deceased Gilbert de Haya, 1376; and had all his lands erected into a free barony, June 30. 1378. Died 1406.

Penes Errol.

Great Seal, 135.  
Penes Errol.

Reg. Mag. Sigilli,  
115.

Married ELIZABETH, third daughter of King Robert II. by his first wife Elizabeth More, by whom he had two sons—

1. Sir WILLIAM HAY of Errol, who succeeded him. (No. IX.)
2. GILBERT HAY of Dronlaw.

#### No. IX.

Sir WILLIAM HAY of Errol, eldest son of Sir Thomas Hay of Errol, (No. VIII.) succeeded his father 1406. Constable of Scotland in a charter under the Great Seal, dated March 19. 1392-3, whereby King Robert III.

enters into an engagement not to ratify any alienations made by his father Thomas de Haya, without his consent and the King's Council. He is designed 'nepoti suo Willielmo de Hay, filio et hæredi domini Thomæ de Haya.' He got the barony of Cowie in Kincardine, on the resignation of William Fraser of Philorth, May 14. 1415; knighted at the coronation of James I. Died 1436. Great Seal, B. 3.  
No. 63.

Married MARGARET, daughter of Sir Patrick Gray of Broxmouth, and by her had two sons—

1. GILBERT HAY, who succeeded him. (No. X.)
2. WILLIAM HAY, ancestor of the Hays of Urie.

#### No. X.

GILBERT HAY, the eldest son of Sir William Hay of Errol, (No. IX.) went to England as a hostage for Murdoc, eldest son of the Duke of Albany, 1412; one of the hostages for James I. 1424,—his revenue yearly being 800 merks; designed 'Gilbert, eldest son and heir of William Constable of Scotland;' died a hostage in England, 1426, before his father. Fœdera, 8. 736;  
10. 364; 10. 525.

Married ALICIA, daughter of Sir William Hay of Yester; she got a safe conduct to go to her husband in England, and by her he had two sons— Carta penes  
Tweeddale, Fœd.

1. WILLIAM HAY, who succeeded. (No. IX.)
2. GILBERT HAY of Urie.

#### No. XI.

WILLIAM HAY of Errol, eldest son of Gilbert Hay, (No. X.) succeeded his grandfather 1436, and in 1446 obtained the patronage of the church of Turriff in place of the church of Errol, which had been insidiously wrested from Sir William Hay of Errol, his grandfather. He, in 1452, granted a charter of the lands of Achmore to Sir David Hay of Yester, 'avunculo suo;' created Earl of Errol March 17. 1452, and is so designed in his acceptance of the resignation of the lands of Urie from his uncle William Hay in March 1453; one of the Commissioners in a treaty with England 1457; and died soon afterwards. Penes Errol.  
Penes Tweeddale.  
Fœd. 11. 403.

Married BEATRIX, daughter of James Douglas third Lord Dalkeith, by whom he had issue, as expressed in the tree, (Appendix B.) which is brought down to the present time.

## LEYS BRANCH.

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### HAY OF LEYS.

#### No. XII.

Carta penes  
Leys.

Ibid.

WILLIAM DE HAYA, second son of David de Haya of Errol and Helen de Strathern his wife, (No. III.) obtained a charter from Alexander III., dated April 29. 1251, confirming a donation made by Gilbert de Haya, dominus de Errol, (No. IV.) to William de Haya his brother, of two carucates &c. of land in Errol called Leys, June 7. 1235, for faithful counsel and service willingly exercised by the said William to Gilbert in times past. This grant was afterwards confirmed, in 1451, by William Earl of Errol (No. IX.) to Edmund Hay of Leys, (No. XVIII.) the lineal descendant of this William de Haya.

The name of his wife has not been discovered, nor that of his son.

N. N. DE HAYA de Leys succeeded him. (No. XIII.)

N. B.—*The charter of confirmation in 1451, in favour of Edmund Hay of Leys, the sixth in descent from this William, completely establishes his being the lineal heir-male of this branch.*

#### No. XIII.

N. N. DE HAYA de Leys was son of William de Hay, (No. XII.) the second son of David de Haya of Errol.

His son was—

EDMUND DE HAYA del Leys, who succeeded him. (No. XIV.)

#### XIV.

EDMUND DE HAYA del Leys, son of N. N. de Haya de Leys, (No. XIII.) and grandson of William de Haya first of Leys, (No. XII.) got a lease from the abbot and convent of Scone to himself and son William, in 1312, of the lands of Balgarvie. He witnessed a charter by his cousin Sir Gilbert, the

Constable of Scotland, to the Blackfriars of Perth, 1324, wherein he is styled Gilbert del Leys, burghess of Perth. He was a worthy patriot, and distinguished himself in favour of Robert I. in settling the independence of his country.

WILLIAM DE HAY del Leys, his son, (No. XV.) succeeded him.

No. XV.

WILLIAM DE HAYA del Leys, son of Edmund Hay of Leys, (No. XIV.) obtained, alongst with his father, a lease of the lands of Balgarvie from the abbot and convent of Scone.

N. N. DE HAYA de Leys, his son, (No. XVI.) succeeded him.

No. XVI.

N. N. DE HAYA de Leys, son of William de Haya del Leys, (No. XV.)

N. N. DE HAYA de Leys, his son, (No. XVII.) succeeded him.

No. XVII.

N. N. DE HAYA of Leys, son of N. N. de Haya of Leys, (No. XVI.) and who was grandson of William de Haya del Leys, (No. XV.) who got a lease from Scone in 1312.

EDMUND HAY of Leys, his son, (No. XVIII.) succeeded him.

No. XVIII.

EDMUND HAY of Leys, son of N. N. de Haya of Leys, (No. XVII.) obtained, in April 1. 1451, from William Earl of Errol, Constable of Scotland, a charter of confirmation of two carucates of land granted, in 1235, by Gilbert de Haya, the Earl's ancestor, to William de Haya, (No. XII.) ancestor of the family of Leys, and brother-german of Gilbert, (No. IV.) Charter 1235, confirmed 1451.

He had issue two sons—

1. EDMUND HAY of Leys, his successor. No. XIX.)
2. PETER of Melginch. (No. XXXVII.)

## No. XIX.

EDMUND HAY of Leys, eldest son of Edmund Hay of Leys, (No. XVIII.) who got the confirmation from William Earl of Errol 1451, wherein he is designed the Earl's cousin; and had sasine of Leys 1496, wherein he is styled son and apparent heir of Edmund Hay of Leys, (No. XVIII.)

He had issue four sons—

1. PETER HAY of Leys, (No. XX.) who died before his father.
2. PATRICK HAY of Leys, who succeeded. (No. XXI.)
3. WALTER HAY, mentioned in charter 1496.
4. THOMAS HAY, also mentioned 1496.

## No. XX.

PETER HAY of Leys, eldest son of Edmund Hay of Leys, (No. XIX.) William Earl of Errol, upon November 8. 1496, grants a charter of the lands of Leys to his cousin Peter Hay, son and heir of Edmund Hay of Leys, and the heirs-male of his body; whom failing, to Patrick Hay, Walter Hay, and Thomas Hay, brothers-german of the said Peter; whom failing, to William Hay, brother-german to the said Edmund. Sasine thereon November 15. 1496; has a new charter of Leys to the same series of heirs—viz. his brothers; then, failing them, to Edmund Hay of Melginch, (No. XXXVIII); whom failing, to William, brother to Edmund Hay.

Peter died without issue, and was succeeded by his brother PATRICK HAY of Leys. (No. XXI.)

## No. XXI.

PATRICK HAY of Leys, second son of Edmund Hay of Leys, (No. XIX.) succeeded his brother Peter, (No. XX.) and also to his father Edmund, January 31. 1497.

Married ELIZABETH MONCRIEFF, daughter of John Moncrieff of Moncrieff, who got a charter, 1498, of half the lands of Leys, wherein she is designed spouse of Patrick Hay of Leys, and by whom he had—

- EDMUND HAY, his successor. (No. XXII.)

## No. XXII.

EDMUND HAY of Leys, eldest son of Patrick Hay of Leys, (No. XXI.) who had a charter, as heir to his father, upon a precept of clare constat, March 18. and 20. 1513; sasine thereon 1541.

Married ELIZABETH DURHAM, who, as his spouse, was infest in Leys 1522, by whom he had two sons—

1. PATRICK HAY of Leys, who succeeded. (No. XXIII.)
2. N. N. Hay. (No. XXIV.)

## No. XXIII.

PATRICK HAY of Leys, eldest son of Edmund Hay of Leys, (No. XXII.) succeeded his father, and dying without issue male, his estate went to his nephew George, (No. XXV.) Charters 1541; precept and sasine, 1543, as heir to his brother Edmund; charter of renunciation 1577.

He left only one daughter, Margaret Hay, who, as heir of line, rnonced her succession to the lands of Leys in favour of John Hay of Leys, (No. XXVI.) her cousin and heir of tailzie, 1577.

GEORGE HAY of Leys, (No. XXX.) his nephew, succeeded to the estate as heir-male.

## No. XXIV.

N. N. HAY, brother-german of Patrick Hay of Leys, (No. XXIII.) and second son of Edmund Hay of Leys, (No. XXII.)

He had issue two sons—

1. GEORGE HAY of Leys, his successor, (No. XXV.) who also succeeded to his uncle Patrick. (No. XXIII.)
2. EDMUND HAY of Nether Leys died without issue, and was succeeded by his nephew John Hay of Leys. (No. XXV.)

## No. XXV.

GEORGE HAY of Leys, eldest son of N. N. Hay of Leys, (No. XXIV.) who was second son of Edmund Hay of Leys, (No. XXII.) succeeded his uncle Patrick Hay of Leys, (No. XXIII.) as heir of tailzie upon a precept of clare constat; sasine 1543.

He had issue only one son—

- JOHN HAY of Leys, his successor. (No. XXVI.)

## No. XXVI.

JOHN HAY of Leys, only son of George Hay of Leys, (No. XXV.) succeeded his father in the lands of Leys, and his uncle Edmund in Nether Leys. His cousin Margaret Hay, daughter and heir of line of Patrick Hay of Leys, (No. XXIII.) renounced her right to the lands of Leys, in his favour, as heir-male and tailzie, 1577. He also had a tack of the teind-sheaves of Leys, 1584. Sasines 1549, 1553, 1577, 1586.

He married, and left issue two sons—

1. PETER HAY of Leys, who succeeded. (No. XXVII.)
2. GEORGE HAY, parson of Turriff, who witnesses a tack of teinds 1585.

## No. XXVII.

PETER HAY of Leys, eldest son of John Hay of Leys, (No. XXVI.) succeeded his father, and appears in his father's tack of the teinds of Over and Nether Leys 1584. Sasines, 1586, of Over and Nether Leys, as heir to his father John Hay of Leys. (No. XXVI.)

He had an only son—

- PETER HAY of Leys, who succeeded him. (No. XXVIII.)

## No. XXVIII.

PETER HAY of Leys, only son of Peter Hay of Leys, (No. XXVII.) has a sasine of the lands of Leys, as heir to his deceased father Peter, and styled 'an honourable youth,' 1611; has a charter of the teind-sheaves from the King, 1638. March 19. 1644, he conveys the lands of Leys to his eldest son Peter in marriage with Joan Gray.

He left issue two sons—

1. PETER HAY of Leys, who succeeded. (No. XXIX.)
2. JOHN HAY, mentioned in a bond of provision, 1680, by Catherine Blair, wife of Peter Hay of Leys, (No. XXX.) renouncing an annuity over Leys in favour of John Hay, uncle to Peter by the father's side.

## No. XXIX.

PETER HAY of Leys, eldest son of Peter Hay of Leys, (No. XXVIII.) has a charter of the lands of Leys upon his marriage in 1644. He is a

party contractor with his son Peter Hay, and Catherine Blair his future spouse, 1671.

Married JOAN GRAY, daughter of John Gray of Ballygerno, by whom he had—

1. PETER HAY of Leys. (No. XXX.)
2. MARY, who married James Balfour, Esq. of Randerston, and had issue an only daughter Mary, who became her father's heir; and marrying her cousin-german George Hay, Esq. of Leys, carried the property of Randerston into that family. (See No. XLVI.)

#### No. XXX.

PETER HAY of Leys, only son of Peter Hay of Leys, (No. XXIX.) received a grant of the lands of Leys from his father upon his marriage 1671; and in 1698 he obtained a decree of transumpt as heir to his grandfather, upon which David Earl of Southesk resigned the lands of West Leys in his favour. Died 1712; sasines 1671; resignation 1698.

Married CATHERINE BLAIR, daughter and heiress of James Blair of Newbigging, (No. XLV.) by whom he had—

1. GEORGE HAY BALFOUR of Leys, his successor. (No. XXXI.)
2. JAMES HAY, born 1688, who died young.
3. JAMES HAY, merchant, Dundee, was born 1694, and is named in an instrument of resignation by David Hay Balfour of Leys, June 10. 1758. He married, and had issue, whose descendants still reside in Dundee.
1. JEAN HAY, born 1684.
2. MARGARET HAY, born 1686.
3. MARY HAY, born 1689.
4. ANN HAY, born 1691.
5. CATHERINE HAY, born 1697.

#### No. XXXI.

GEORGE HAY BALFOUR of Leys, eldest son of Peter Hay of Leys, (No. XXX.) born 1682; succeeded his father in the lands of Leys; precept of clare constat 1712.

Married MARY BALFOUR, his cousin-german, daughter of James Balfour of Randerston, (No. XLVI.) by whom he had—

1. PETER HAY, who succeeded. (No. XXXII.)
1. MARY HAY, born 1715. Died young.
2. CATHERINE HAY, born 1723. Married George Clephan, Esq. of Carslogie.
3. MARY HAY, born 1727, married Sir Robert Gordon of Gordonstoun.
4. ELIZABETH HAY, born 1729, married N. N. Sinclair, Esq.

## No. XXXII.

PETER HAY of Leys, eldest son of George Hay Balfour of Leys, (No. XXXI.) born 1717, obtained the estate of Leys, upon his marriage, 1739; served heir to his father 1752; contract 1739; retour 1752.

Married ELIZABETH SCOTT, daughter of David Scott of Scotstarvet, 1739, (No. XLVII.) by whom he had—

1. DAVID HAY BALFOUR, who succeeded. (XXXIII.)
2. JOHN HAY BALFOUR, who became his brother's heir.
1. LUCY HAY, born 1740, died young.
2. MARY HAY, born 1741, died young.
3. LINDSAY HAY, born 1743, married John Dalziel, Esq. of Lingo, and had issue.
4. CATHERINE HAY, who married Henry Butter, Esq. of Pitlochrie, and had issue.
5. ELIZABETH HAY, who married Peter Stewart, Esq. of Collarnie, and had issue.
6. LUCY HAY, born 1755, married Patrick Moncrieff, Esq. of Reidie, eldest son of Colonel George Moncrieff of Reidie and Mrs. Helen Skene, (No. XLVIII.) and had issue.
7. and 8. PETTY HAY and JANET HAY, twins. In consequence of the death of their father previous to the birth, Robert Hay, merchant, Dundee, cousin-german, became sponsor. They both died young.

## No. XXXIII.

DAVID HAY BALFOUR of Leys and Randerston, eldest son of Peter Hay of Leys, (No. XXXII.) was served heir to his father in the lands of Leys 1757, and served heir to his great-grandfather, James Balfour of Randerston, in 1757. Died, without issue, 1760. Retour 1757 and 1759; sasine 1759. The retour narrates that David Hay Balfour of Leys and Randerston is eldest son and heir of the deceased Peter Hay of Leys and Elizabeth Scott his wife (No. XXXII.) under a contract of marriage, to which contract George Hay of Leys (No. XXXI.) is a party; and by the contract, failing heirs-male of the said Peter, certain lands were to go to James Hay, merchant in Dundee, brother-german of the said George, (No. XXXI.) In October 14. 1757, a precept was obtained from Chancery to infeft him as heir of James Balfour of Randerston, his grandfather by the mother's side, upon which sasine was taken November 5. 1757.

Succeeded by his brother, JOHN HAY BALFOUR of Leys.

## No. XXXIV.

JOHN HAY BALFOUR of Leys, second and only surviving son of Peter Hay of Leys, (No. XXXII.) succeeded his brother David Hay Balfour of Leys and Randerston, (No. XXXIII.); served heir; retour 1759; sasine 1762.

Married CATHERINE MONCRIEFF, daughter of Colonel George Moncrieff of Reidie, in 1777, (No. XLVIII.) by whom he had—

1. DAVID BALFOUR HAY. (No. XXXV.)
2. Captain PETER HAY. (No. XXXVI.)
3. JANE HAY, who married James Paterson, Esq. of Carpow, and has issue.

## No. XXXV.

DAVID BALFOUR HAY of Leys and Randerston, eldest son of John Hay Balfour of Leys and Randerston and Catherine Moncrieff, (No. XXXIV.) succeeded his father. Charters 1791; sasine 1792; and is the male representative of the noble family of Hay of Errol.

## No. XXXVI.

CAPTAIN PETER HAY, second son of John Hay Balfour of Leys and Randerston and Catherine Moncreiff, (No. XXXIV.) late of the 18th Dragoons.

## MELGINCH BRANCH.

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### No. XXXVII.

THE first of this family was PETER HAY, second son of Edmund Hay of Leys, (No. XVIII.) who obtained a charter of confirmation in 1451, from William Earl of Errol, of two carucates of land originally granted, in 1235, by Gilbert de Haya of Errol to his brother William de Haya, the ancestor of the Leys family, (No. XII.) He lived in the reign of James III., and was the first baron of Melginch of the name of Hay, and is designed, in authentic writs, 'second son of Edmund of Leys.'

Douglas Peerage,  
481.

Macfarlane's Coll.

By his spouse, whose name has not been discovered, he had two sons—

1. EDMUND HAY of Melginch, his successor. (No. XXXVIII.)
2. WILLIAM HAY of Lochley, mentioned with his brother Edmund in Leys entail 1496.

### No. XXXVIII.

EDMUND HAY of Melginch, eldest son of Peter Hay of Melginch, (No. XXXVII.) is mentioned, in the entail of the estate of Leys by Peter Hay of Leys, as next heir immediately after his own brothers. He lived in the reign of James IV. Charters 1496.

Douglas Peerage,  
481.

Charter penes  
Leys.

He had issue a son—

- PETER HAY of Melginch, his successor. (No. XXXIX.)

### No. XXXIX.

PETER HAY of Melginch, eldest son of Edmund Hay, (No. XXXVIII.) had a charter of the lands of Inchconnane in Perthshire to himself and Margaret Crichton his wife, and Peter Hay their son, and Margaret his wife, 1555.

Great Seal Book,  
31. 65.

Married MARGARET, daughter of Crichton of Ruthven, and had issue—

1. PETER, their eldest son, who succeeded. (No. XL.)
2. Sir JAMES HAY of Fingask.
3. EDMUND HAY, Professor of Scots Law at Douay.
1. CATHERINE married, 1st. Robert Moncur of Balumby; 2d. George Drummond of Blair.
2. JANET married Sir Patrick Murray of Auchtertyre.

No. XL.

PETER HAY of Melginch, eldest son of Peter Hay, (No. XXXIX.) had a charter of the church lands of Errol in favour of himself and Margaret Ogilvie his wife, December 19. 1569. Great Seal Book,  
32. 90.

Married MARGARET OGILVIE, daughter of Sir Patrick Ogilvie of Inchmartin, by whom he had—

1. PATRICK HAY, who succeeded. (XLI.)
2. Sir GEORGE of Kinfauns. (XLII.)
3. PETER of Kirklands of Melginch, from whom the present Earls of Kinnoull are descended. (No. XLIV.)

No. XLI.

PATRICK HAY of Melginch, eldest son of Peter Hay of Melginch, and Margaret Ogilvie his wife, (No. XL.) was ancestor of the Hays of Pitfour, Seggieden, Newhall, and whose genealogy is inserted in Douglas' Baronage, p. 481-483, and goes on thus :—

(See Tree, Appendix C.)



## KINNOULL BRANCH.

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### No. XLII.

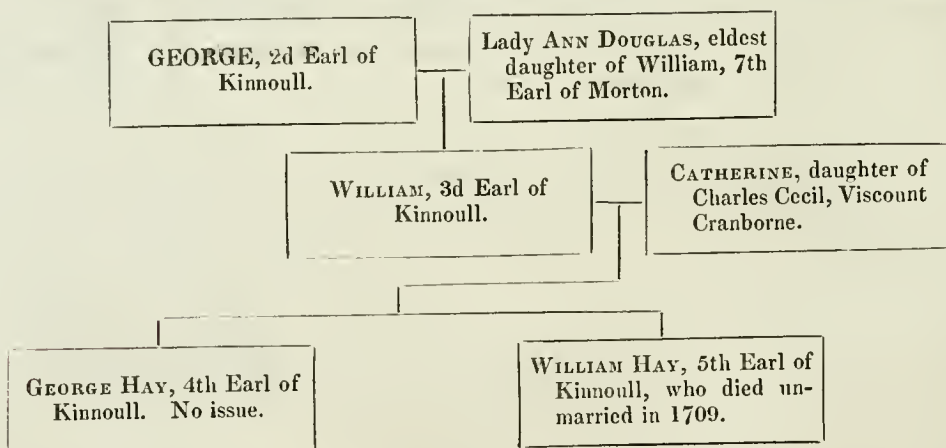
Wood's Peerage, 1. 46. SIR GEORGE HAY, second son of Peter Hay of Melginch, (No. XL.) was created Lord High Chancellor of Scotland July 16. 1622; created a Peer, by the title of Earl of Kinnoull, 1633; and died 1633.

Ibid. Married MARGARET HALYBURTON, daughter of Sir James Halyburton of Pitcur, and by her had two sons—

1. SIR PETER HAY, who died without issue.
2. GEORGE, second Earl of Kinnoull. (No. XLIII.)

### No. XLIII.

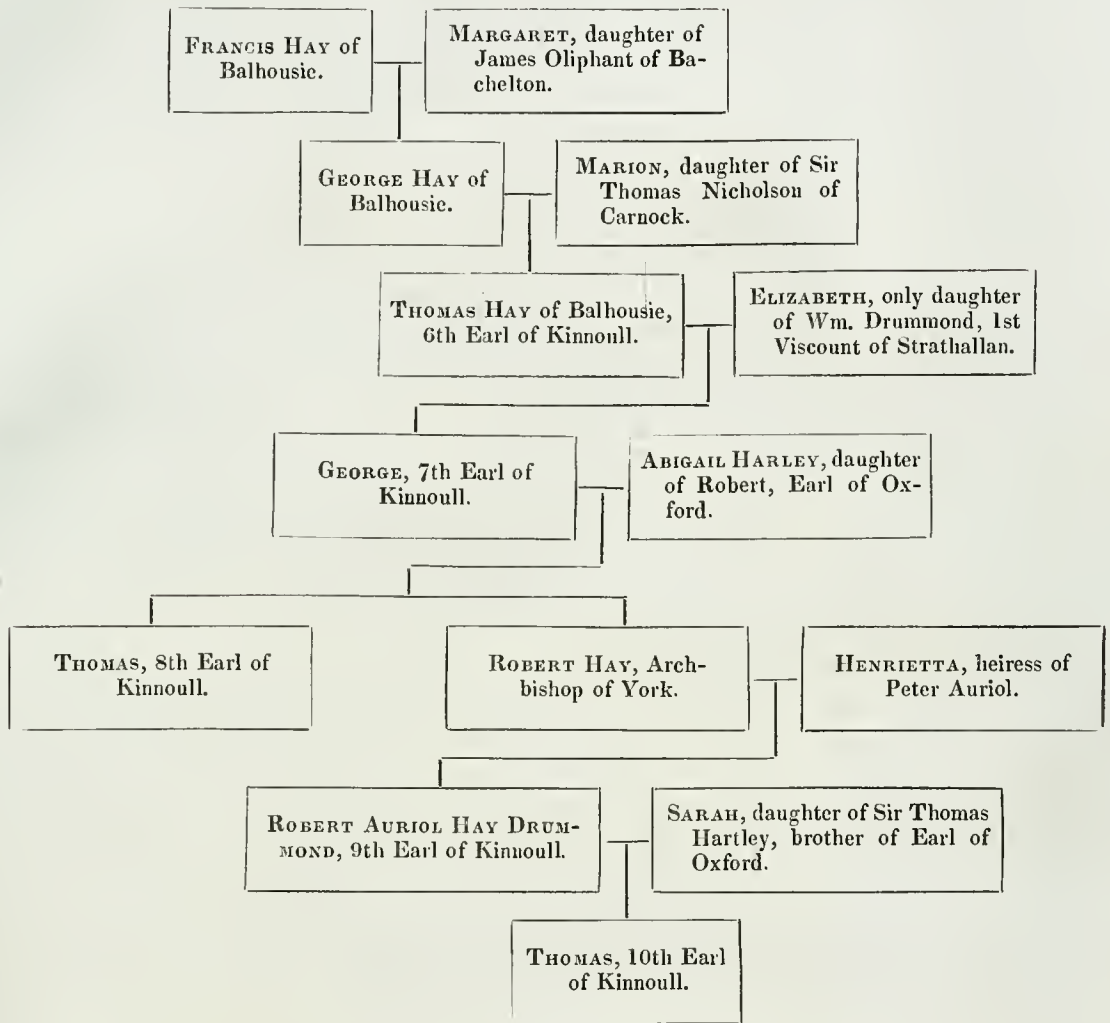
Ibid, 47. GEORGE, 2d Earl of Kinnoull, succeeded his father (No. XLII.) in 1633; died in 1644. His descent stands thus:—



And the title, being limited to heirs-male, went to Peter Hay of Kirklands of Melginch, brother of the first Earl.

## No. XLIV.

PETER HAY, 3d son of Peter Hay of Melginch (No. XL.) and Margaret Ogilvie his wife, and had issue, Francis Hay of Balhousie, whose descent stands thus:—

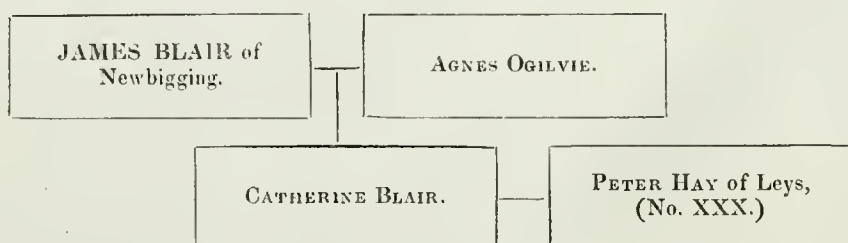



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**INTERMARRIAGES WITH THE LEYS' FAMILY.**

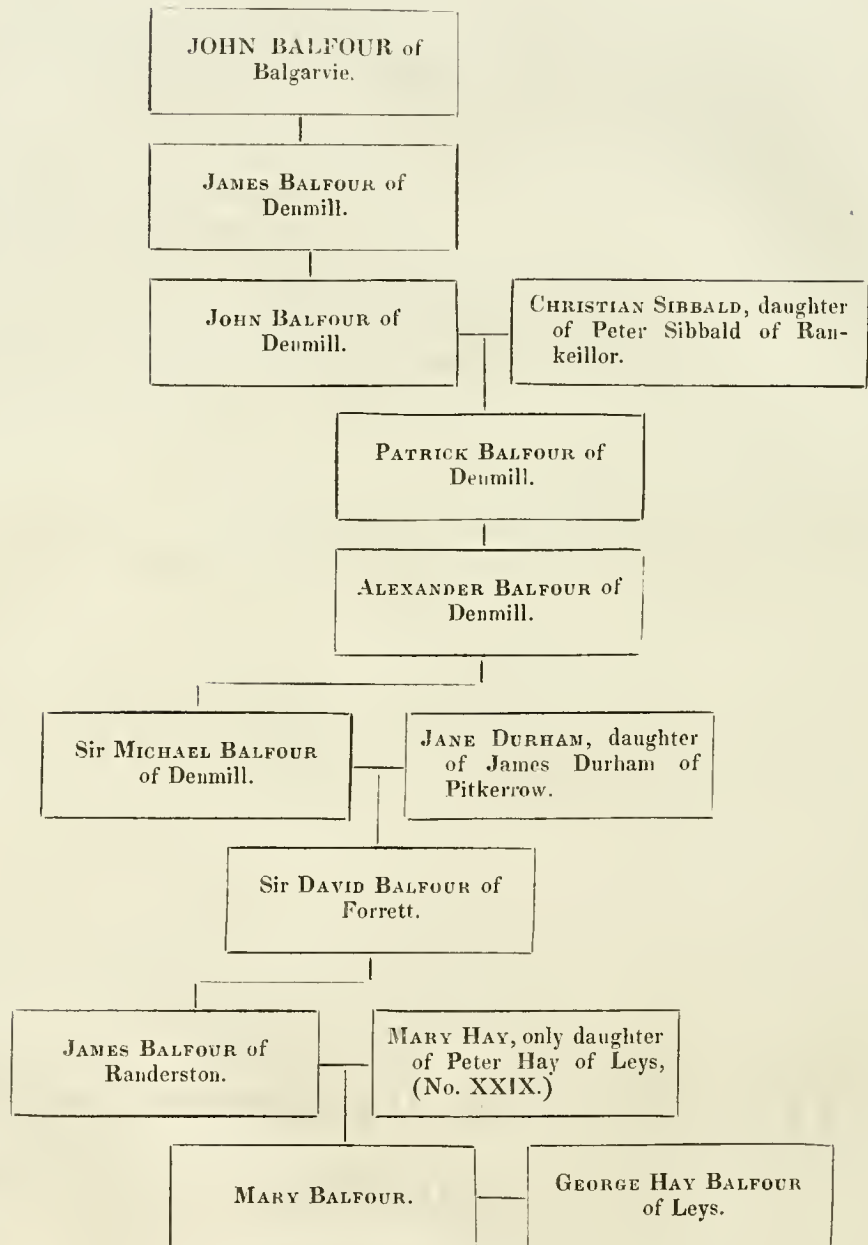
**BLAIR BRANCH.**

## No. XLV.



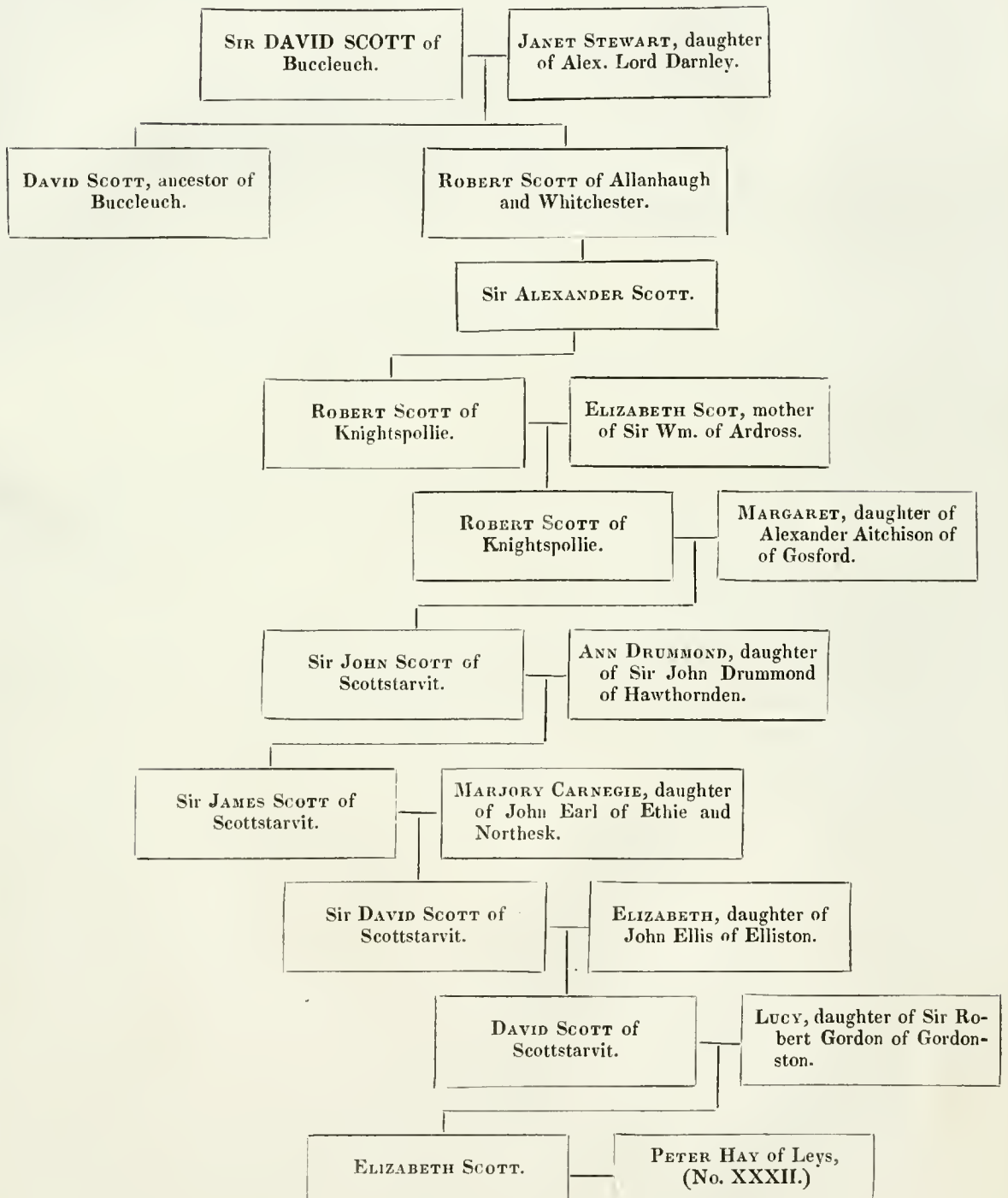
## BALFOUR BRANCH.

No. XLVI.



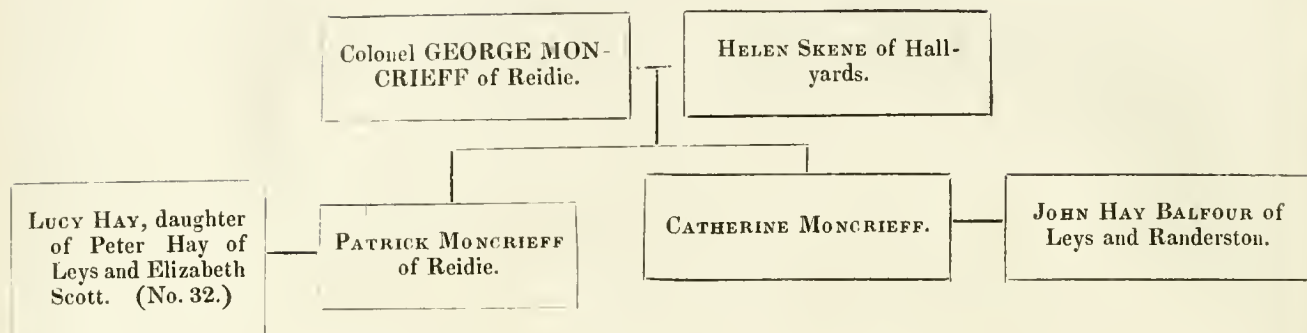
## SCOTT OF SCOTTSTARVIT.

No. XLVII.



## MONCRIEFF BRANCH.

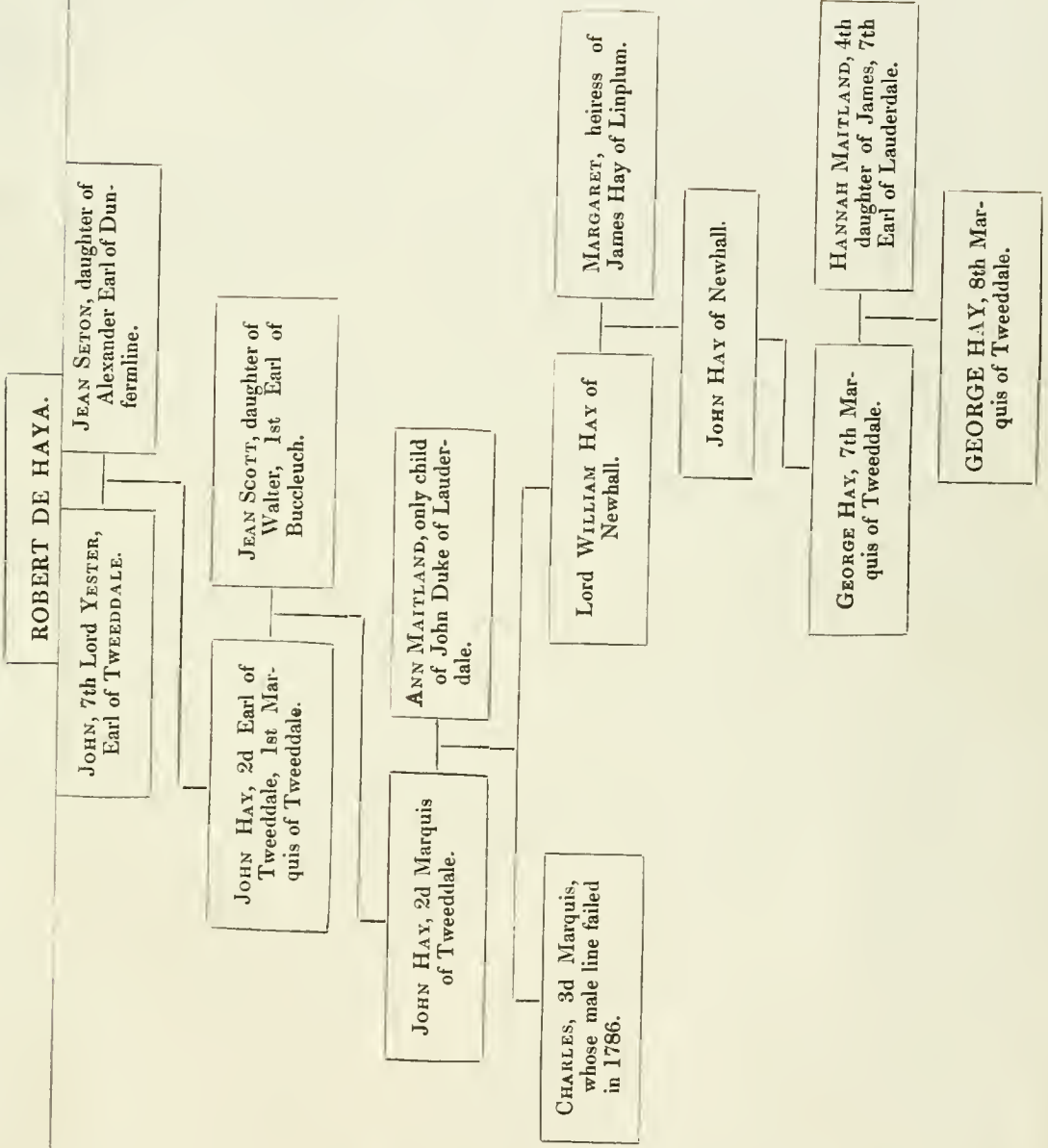
No. XLVIII.







The Ancestor.





NICOLAS, 2  
died with

ELIZABETH, youngest daughter  
of William, 1st Lord  
Ruthven.

WILLIAM H.  
of E

WILLIAM HAY, 5th Earl  
of Errol.

JANE

ELIZ. DOUGLAS, daughter  
of William Earl of  
Morton.

FRAN

WILLIAM HAY, 9th Earl  
of Errol.

GILBER  
of Er  
out is

CHARLES, 12th  
Errol, died unm

GEORGE, 14th Earl, who  
died without issue.



Pa

Sir PETER  
whose

JEAN HAY, daughter of  
Andrew Hay of Keill

1st m

MARY HAY of ROSS.

JOHN HAY of Pitfour

JAMES HAY of  
Pitfour.

ELIZABETH, daugh  
George Gordon of  
inglassie.

JOHN HAY of  
Pitfour.

AGNES,  
Patri  
Balf

ALEXANDER HAY.









