

DUMFRIESSHIRE AND GALLOWAY  
NATURAL HISTORY & ANTIQUARIAN  
SOCIETY.

FOUNDED 20th NOVEMBER, 1862.

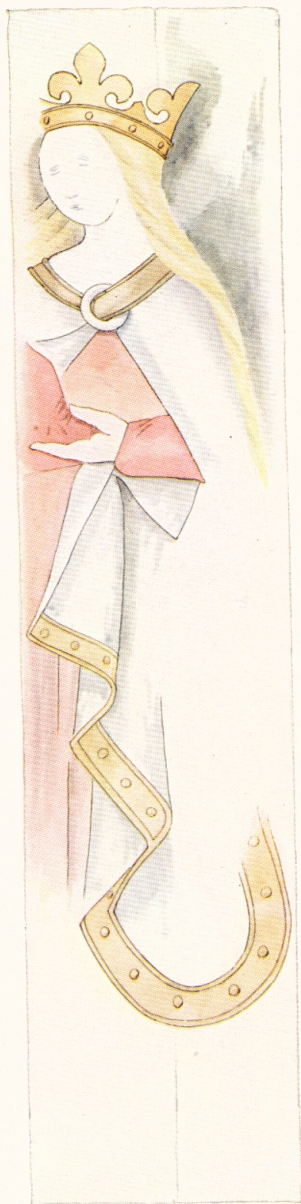
TRANSACTIONS  
AND  
JOURNAL OF PROCEEDINGS  
1920-21.

THIRD SERIES, VOLUME VIII.

EDITOR:  
G. W. SHIRLEY.

DUMFRIES:  
Published by the Council of the Society.  
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## EDITORIAL NOTE.

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The Editor acknowledges with gratitude the patience the members of the Society have displayed, and apologises for the long delay in the publication of this volume.

The thanks of the Society is due to Mr William J. Smith, architect, for the beautifully executed drawings which we reproduce.

Members working on local Natural History and Archæological subjects should communicate with the Honorary Secretary. Papers may be submitted at any time. Preference is always given to original work on local subjects.

Enquiries regarding purchase of *Transactions* and payment of subscriptions should be made to the Honorary Treasurer, Mr M. H. M'Kerrow, 43 Buccleuch Street, Dumfries.

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G. W. S.



PROCEEDINGS AND TRANSACTIONS  
OF THE  
Dumfriesshire and Galloway  
Natural History & Antiquarian Society.

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SESSION 1920-21.

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**15th October, 1920.**

**Annual Meeting.**

Chairman—Mr G. MACLEOD STEWART. V.P.

The Office-bearers and Members of Council for the year were elected (see p. 3).

The Secretary and Treasurer submitted their reports, which were approved. The former showed that four notable members of the Society had died :—Mr James Weir of Over Courance; Mr Matthew S. M'Kerrow; Mr John Gulland, M.P.; and Sir Thomas Anderson Stewart, Professor of Physiology and Dean of Faculty of Medicine in the University of Sydney; that nine members had resigned, and twenty new members, including one life member, had been elected.

The President submitted a motion, unanimously recommended by the Council, that the annual subscription be raised to 10s, and moved its adoption. The motion was seconded by Mr James Davidson, and there being no amendment, was unanimously adopted by the meeting.

**Presidential Address.**

By HUGH S. GLADSTONE, of Capenoch, F.R.S.E., F.Z.S.,  
M.B.O.U., F.S.A. (Scot.).

**The Value of Birds.**

Birds, apart from their æsthetic value, on account of their natural grace or their beauty of song, have a real economic value. This economic value may be sub-divided into intrinsic value—as regards their use as messengers, for human food, or as adornment; and extrinsic value—as regards the food they themselves consume.

I do not think I need speak at length of their æsthetic worth—"A thing of beauty is a joy for ever," and what is more beautiful than an Eagle on gliding wing or more soul-moving than the soaring song of a Skylark. With bird-life has been associated purity, valour, fidelity, passion for freedom, and the exalting love of maternity. Our poets have drawn some of their loftiest inspirations from birds, and even hardened criminals have been known to make friends with the sparrows which fluttered round the bars of their cells. To the ancients a place without birds was so dreadful that they called their hell *Avernus*.

I have said that part of the intrinsic value of birds is their use as messengers. The first use of Pigeons as message-carriers is wrapped in the mystery of antiquity. Solomon is alleged to have transmitted orders throughout his kingdom by means of Homing Pigeons, and the ancient Greeks, Egyptians, and Romans employed these birds in their armies. After the conquest of Gaul relays of Pigeons carried the news to Rome, as, in later days, the news of the victory at Waterloo was brought to England by Pigeons some days in advance of the official courier. It was thought that wireless telegraphy would take the place of the old-time Pigeon service, but the recent war proved that these birds were invaluable when trained to fly in-shore from minesweepers or from trenches to headquarters. The pluck with which Pigeons continued their flight, after having been wounded,



was remarkable, and it has been said that His Majesty had no more devoted, though unwitting servants, than the Homing Pigeons of his Army and Navy.<sup>1</sup> When considering birds in the capacity of messengers we must not forget the service rendered by Canaries to miners and persons working where there is a danger of poisonous gases. These birds, being about fifteen times more sensitive than man to these noxious fumes, are habitually used to test atmospheric conditions in mines. During the war they were freely utilised to foretell the coming attacks of poisonous gas. On other occasions birds have proved themselves to be valuable messengers to man, and I need not remind you of the old story of the Capitoline Geese, and many other similar tales.

As regards the intrinsic value of birds as human adornment much need not be said. This is as undeniable as it is regrettable when such species as the Egret are in mind; the plumes of this bird demand a high price and are only obtainable in the breeding season. It might have been hoped that this fact, if generally known, would have precluded for ever the use of "aigrettes" (or "ospreys," as they are termed) by our lady friends. Fashionable millinery seems to have decreed that "fine feathers make fine birds," but I would here point out that this adage was originally sarcastic. There can be no excuse for the display of "ospreys" or for the wearing of the plumage, or portions of the plumage, of birds which are beneficial, or innocuous to man. Far be it from me to condemn the farming of Ostriches, or the systematic collection of the down of Eider Ducks, which provide us with Ostrich Feathers and Eider-Down, and which in the aggregate, amount to no little commercial value. For example, it was stated in 1910 that £1,500,000 worth of Ostrich feathers were imported to Great Britain.<sup>2</sup> All bird lovers rejoiced when, early in 1920, a Bill was presented to Parliament prohibiting the importation of all plumage, except the feathers of the Ostrich and Eider Duck, to Great Britain. Provision was made that birds required for scientific purposes

<sup>1</sup> H. S. Gladstone, *Birds and the War* (1919), pp. 19-20.

<sup>2</sup> H. H. Smith, *Aigrettes and Birdskins* (1910), p. 67.

could be imported by special license; and plumage, reasonably required for the personal use of a passenger, was to be allowed into this country. The Royal Society for the Protection of Birds has for many years endeavoured to get such a Bill as this passed, and some of you may remember that a meeting was held in Dumfries advocating such a Bill so long ago as April, 1914. The 1920 Bill, in its initial stages, had the almost unanimous approval of the House of Commons, but on reaching Committee it was "blocked" by some five or six members who, for reasons unknown, chose to support a trade denounced by Parliament and people. Since 1908 similar Bills have met the same fate almost annually, and those who have the welfare of birds at heart were therefore not to be silenced by this their latest petty defeat; a new "Importation Plumage (Prohibition) Bill" was promptly presented, and passed the third reading on 10th June, 1921. The consideration of the welfare of foreign birds gives us hope that the day is not far distant when thoughtful legislation will be passed on behalf of our British birds.

From a food point of view the value of birds is intrinsically far greater than at first might be thought. It is alleged that from the original red jungle fowl (*Gallus gallus*) every variety of domestic fowl has been derived: from this species, which in a wild state lays at the utmost forty or fifty eggs in her lifetime, there have now been produced domestic strains which are veritable egg machines, laying as many as 3,000 eggs.<sup>3</sup> More than £33,000,000 worth of eggs and poultry produce were imported into Great Britain in 1919, and it has been reckoned that this sum would have been nearer £60,000,000 had it not been for restrictions following on the war. Dried and liquid eggs worth £7,500,000 were also imported.<sup>4</sup> But I have no figures to give as regards the enormous quantities of eggs which must be produced annually in this country. In this connection it must not be forgotten that the eggs of many wild birds are edible, and that some,

<sup>3</sup> William Beebe, *Monograph of the Pheasants*, Vol. I. (1918), p. xlviii., and Vol. II (1921), p. 169, *et seq.*

<sup>4</sup> *Daily Mail*, 2nd October, 1920.

indeed, are regarded as luxuries. Early " Plovers' Eggs " (the eggs of the Lapwing) command fancy prices by London gourmets, and the eggs of such species as the Blackheaded Gull, Razorbill, and Guillemot, which nest in colonies, are in places systematically collected and sold. During the war this useful source of food supply was considerably utilised, and it has been computed that in 1918, besides some 130,000 eggs of sea birds, about 97,000 Blackheaded Gulls' eggs were put on the market or sent to hospitals.

Then, as regards the *corpus vile* of birds, I think I may pass over, as of inconsiderable value, those birds, such as Fulmars, Penguins, Puffins, Geese, Ostriches, Emus, Rheas, and others from whose bodies oil is obtained; with the exception of Penguin oil from the Falkland Isles, none of them appear to any extent in commerce and are only utilised locally. The sinews of birds are used by certain remote tribes in place of thread, and there are, of course, many other minor uses to which portions of birds' bodies may be put. I have already referred to the cosmopolitan value of fowls' eggs, and I must remind you of the world-wide importance of domestic poultry, for we are apt to forget that the Fowls, Ducks, Geese, and Turkeys of our farmyards are but wild birds habituated for centuries to domestic use.

When we come to consider the value of undomesticated birds as human food we must realise how many species are regarded as edible. In this country they may be roughly summarised as the Game birds, Ducks, Pigeons, and certain of the Waders. Of course we all know that " Rook Pie " is by some considered a dainty, and Larks are often served at London ballroom suppers. There are other species which are doubtless eaten, and on the Continent the *chasseur* is pleased to consider as *gibier*, Blackbirds, Thrushes, Finches, Robins, and practically anything that flies. To give an estimate of the actual value of Game, Ducks, Pigeons, and Waders consumed annually in Great Britain would be impossible since much of it is eaten on the spot or given away to friends and never finds its way to market. But in this connection it must not be forgotten that a considerable body of men are employed in looking after game. The census



of 1911 shows that, in Scotland alone, 5,910 men are returned as gamekeepers, and this number does not include persons engaged in handling game such as poulterers. It has been stated in print that in 1912 there was fifteen times more game killed annually in Great Britain than in 1860, but this I believe to be far too low an estimate, and sporting subjects now form a very important item in the rateable value of the country. The Commission which in 1905-11 investigated the causes of Grouse disease, estimated the gross rental of Grouse moors in Scotland at no less than £1,000,000, and in England at £270,000 annually. In the United States of America the protection of food-birds (if I may use the term) is considered so important that legislation has been passed to provide sanctuaries for these species, and also to shorten the open season in which they may be killed; the results have been most encouraging.<sup>5</sup>

The foregoing remarks do not attempt to exhaust the intrinsic value of birds, but, it is hoped, will emphasise, in no exaggerated form, how valuable they are to man. I shall now proceed to point out what is the main object of this paper, the services rendered by birds to man. I would remind you that the word value comprises both a minus and a plus quantity, for I do not wish it to be understood that all birds are beneficial. Let me state that, although a keen bird-lover, I am not a sentimentalist. I have served on two Departmental Committees in connection with the protection of birds, and I look forward to the day when an ornithological bureau in this country will determine what birds shall be encouraged and what birds kept in check in the interest of mankind. Such a bureau has existed for many years in the United States of America as a section of the Biological Survey carried on by the Department of Agriculture. This section is managed by a director, assisted by an economic expert (occupied with the monetary value of birds), a food expert (devoted to the study of birds' food), and a migration expert (engaged in the determination of migration routes). Wonderful results have already been achieved.

<sup>5</sup> H. S. Gladstone, *Birds and the War* (1919), p. 57.

The stomach, or crop, contents of thousands of birds have been collected and tabulated, the actual status of certain species, as regards increase or diminution, has been accurately ascertained, and the migration routes of certain species between the different States has been mapped out; the total result being that it has been possible to frame legislation which is really beneficial. Only in June, 1919, the Imperial Bureau of Entomology met in London and devoted ten days to a conference to discuss such curses as the "tsetse fly plague" and the crop pests of Ceylon and the West Indies. In the *Times* of 19th August, 1920, there appeared an advertisement for six naturalists required by the Board of Agriculture and Fisheries for the study of fish. The importance of entomology and ichthyology having thus been recognised I venture to hope that ornithology will be similarly treated, believing as I do that some birds do inestimable good in keeping down insect plagues.

Great Britain cannot afford to be behindhand in instituting a systematic enquiry into the value of birds, and I sincerely trust that the setting up of an ornithological bureau is not far distant. A question, which cannot be ignored, but which is too long for discussion here, is whether—and if so, to what extent—birds are responsible for the dissemination of disease. Recent outbreaks of foot-and-mouth disease having baffled the authorities—since the usual means of communication do not account for the invasions—the Ministry of Agriculture is now investigating the possibility of the virus of the disease being air-borne for long distances, either by birds or air currents. It is not thought likely that birds will be found guilty, because the invasions of disease during the past twenty years have shown no general relation to the migration periods of birds. There are, however, such birds as Ducks, Geese, and Gulls which travel long distances outside the migratory seasons; and investigations are now to be undertaken to see whether such birds are capable of depositing virus in this country, either from their feet, plumage, or through their intestines. As the matter stands at present, however, the evidence, such as it is, is most in favour of

particles of virus being carried by the air.<sup>6</sup> When thus briefly considering the question of birds as carriers of disease, it may be pointed out that anthrax is a common natural infection of the Ostrich, and the liability of man to this disease is well known. Psittacosis, a recognised disease of birds, is thought to be transmissible to man since a number of outbreaks of infectious pneumonia in human beings have been observed to occur simultaneously with the bird disease. The forms of tuberculosis, diphtheria, and cholera, which are known to attack birds, are, however, believed to be of an Avian type peculiar to them. But there is much need for further investigations into these questions and that birds in general are often accused of heinous offences, without any real justification, is common knowledge. The evidence brought before the Scottish Game and Heather Burning Committee, and to the notice of the Commissioners of Forestry, though it often displayed much ignorance, indicated that birds are at any rate being regarded as worthy of immediate and close attention. Since compiling this paper, advisory committees on wild birds protection have been appointed for England and Scotland, and I believe that a similar committee is to be set up for Ireland. The duties of these committees have not yet been clearly defined, but they will presumably advise the Home Secretary, the Secretary for Scotland, and the Lord Lieutenant of Ireland respectively as to the administration of the Wild Birds Protection Acts. It does not seem too much to hope that from these committees there may be derived an ornithological bureau to advise on all matters dealing with birds whether wild birds or otherwise. The subject is of the utmost importance, not only to the farmer but also to the fisherman, the forester, the game preserver, the gardener, the agriculturist, and the pisciculturist; other avocations may be affected but I take these as the principally concerned. It will be noticed that I have now narrowed down my remarks to a point which will only allow of my dealing with the value of our British birds, and I propose eventually to deal with these

<sup>6</sup> *The Estate Magazine*, March, 1921, p. 175.



more or less species by species. It is first necessary, however, to realise some of the difficulties which confront a student of the subject.

The investigation of the food of birds demands an intimate knowledge, not only of ornithology but also of botany and entomology, in order that the contents of crop or stomach may be accurately determined. It must be remembered that these contents are often in a disintegrated condition, owing to partial digestion, which renders identification extremely difficult even to an expert. Moreover, experiments have shown that some birds digest their food so rapidly that after four hours no trace of it remains in their alimentary canal. An examination of the fæces, therefore, becomes imperative, and this is even more difficult to carry out. Having identified the animal or vegetable matter, it requires a competent zoologist and botanist to decide how much of the matter could have been beneficial, or injurious, to man. As regards animal remains, I have used the term zoologist in a wide sense, and am not thinking so much of our raptorial as of our piscivorous birds. Certain fish and other marine creatures, which are eagerly taken by some birds, are themselves predacious on fish which are of great commercial value, and some fish, which are themselves valuable, destroy smolts which in the aggregate are more valuable. It is, of course, generally recognised that certain seeds are useful and others injurious; it is not so generally known that some birds by passing these seeds whole and undestroyed become actual distributing agents of noxious weeds. The fact, therefore, that birds may be seen energetically feeding on certain injurious seeds does not prove that they are destroying them; only an examination of the stomach contents and the fæces will reveal the value of their activities. Insects cannot be classed summarily as harmful; because some may destroy vegetable matter it does not always follow that their particular food is of value to man; again certain insects prey on others, and we are apt to forget the services of the earth worm and to ignore that pattern of industry, the bee.

Enough has been said to show that the question of the

food of birds is not one which can be decided by a casual observer; the misdeeds of birds are much more manifest than the hidden benefits they confer. I must here point out that actual, but unintended, harm has been done to birds by describing certain species as harmless when certain individuals of that species are known, exceptionally it may be, to lapse. The gamekeeper who shoots a Long-Eared Owl, or a Kestrel, in the act of taking a young Pheasant from his rearing field is apt to snigger when he reads in text books that Kestrels and Long-eared Owls live entirely on insects, mice, and such like creatures, and by such statements he is led to classify all scientists as liars. Enough allowance for individuality has never, to my mind, been made in birds. Because there are man-eating tigers, it does not follow that all are man-eaters; and the existence of rogue-elephants does not show that all are rogues: conversely because Kestrels and Long-eared Owls are beneficial as species it does not follow that an individual will not occasionally develop bad habits. I know of a case where one of a pair of Ravens caused great damage among hill flocks by picking out the eyes and tongues of newly-born lambs; the bird was shot in the act, but the remaining bird was spared, found another mate, no more damage was done, and in due course a brood was reared.

The above remarks will show that, in addition to being a zoological and botanical specialist, the investigator of the food of birds will require also to be an observant field-naturalist who will have particularly to satisfy himself whether the food selected is of choice or of necessity. He will, moreover, have to see whether birds when searching for food (such as wireworms) harmful to man, uproot cereals (such as corn), and if so he will have to balance the bad that is done against the good. Only in July, 1919, Mr J. H. Gurney wrote to me from Norfolk that Rooks had been very destructive to his swede turnips:—"After being hoed, the remaining plants naturally drooped, and the Rooks, thinking this was caused by wireworms, accordingly came and dug them out—a curious instance of instinct at fault." The actual amount of grain eaten by Grouse or Blackgame during

a wet harvest, when the stooks of corn have had to remain in the field for a long time, is trivial as compared with the quantity they tread down and foul with their excreta. Only a field observer is qualified to assess the loss caused on such occasions, and the investigator laboriously determining the intestinal contents of any bird is not in a position to appreciate such damage. Here it may be pointed out that, although a bird may be discovered to have been eating grain, it is quite possible that this grain may have dropped on the ground and, as it would therefore never have been ingathered, it cannot be regarded as anything but waste. The value of first-hand observation in the field cannot be overestimated, and it may be said that though the difficulties of the scientist are great, in that they require the skilful classification of certain specific remains, those of the field naturalist are even greater, since the only evidence at his disposal is purely problematical.

In order that the proper value of any species may be settled, it is essential that investigations shall be carried out throughout the year, and in different parts of Great Britain. The publication of single observations on the food of birds has done such incalculable harm in the past that I feel I may be allowed to emphasise this remark, although it is so obvious, by giving one or two examples. A Wagtail takes a small trout in December from a fish hatchery in Bute: are all Wagtails to be at once banned? The contents of a Wood Pigeon's crop, consisting of 189 larvæ of a moth destructive to fruit and forest trees, taken in June, is exhibited in a Natural History Museum: are we at once to conclude that the Wood Pigeon is one of the most valuable birds to the horticulturist and forester? A Starling is shot in Kent in the summer gorged with cherries: are we at once to slay Starlings perennially and throughout the country? I repeat that single observations are worse than useless, and I cannot too strongly urge the danger of personal opinion as opposed to the results of organised scientific enquiry. Granted an investigation throughout the year and throughout Great Britain, the investigator will have to remember that every bird requires a certain bulk of food each day. The volu-

metric, or percentage by bulk, method of apportioning the crop or stomach contents must therefore be employed rather than the various modifications of numerical systems which formerly satisfied enquirers. It is only by use of the volumetric system that scientific accuracy can be assured.

I think I have said sufficient to make it clear that the question of the food of birds is one which can only be decided, after laborious and unremitting care, by more than a usually skilled scientist. I cannot claim to be an original worker in the interesting field of avian dietetics, but, such is my interest in the welfare of birds, I think I may safely say that I have perused most of the authoritative literature on the subject.<sup>7</sup> It will be my endeavour to give you the gist of this collected material, and, as much of it is controversial, you must forgive me if I appear to rush in where angels (otherwise scientists) fear to tread. The actual value of many species has been mathematically, or volumetrically, worked out in tables showing the actual percentage of beneficial, injurious, and neutral food consumed. In the following remarks, however, I have decided not to quote figures, but to try, as shortly as possible, to give the economic status of the various species. I shall qualify my summaries or the value of our birds by a final definition of my ideas as regards their protection.

With this somewhat lengthy preamble we arrive at the consideration of the benefits, or otherwise, rendered by our British birds. I do not propose to deal with uncommon or local residents in, or rare visitors to, Great Britain, and the following synopsis has only been arrived at by an attempt to reconcile the expressed opinions (often diametrically opposed) of recognised authorities with my own observations as a field naturalist. Taking the various families, as arranged by modern systematists, the first placed is the *Corvidae*, which includes :—

THE RAVEN—Destructive and of doubtful utility, but on account of its rarity it seems undesirable that it should be

<sup>7</sup> See BIBLIOGRAPHY at end.

interfered with unless where it is too numerous and is attacking sheep and lambs. **THE CARRION CROW**—Harmful and useless except as a destroyer of garbage and carrion. **THE HOODED CROW**—Injurious; though it may take carrion, some insect food, and garbage, it attacks weakly lambs, and on the shore destroys mussels and cockles. **THE JACKDAW**—Does more good than harm, but may be too numerous in some localities; inimical to game and other birds and their eggs and young. **THE ROOK**—Grain appears to be its preferred food, and it has other bad habits, but it destroys many injurious insects; of recent years the species has much increased, and should be reduced in numbers. **THE MAGPIE**—Beneficial to agriculture, but destructive to game and other birds and their eggs and young. **THE JAY**—Beneficial to agriculture, but destroys small birds and their young and eggs; destructive in orchards and gardens.

Of the family *Sturnidæ* only one species need be considered here :—

**THE STARLING**—Formerly did as much, if not more, good than harm; its numbers have of late years increased to such an extent that it is now obliged to supplement its useful diet by taking valuable food; it should be reduced.

The family *Fringillidæ* includes, so far as we are here concerned :—

**THE GREENFINCH**—A pest on the farm and in the garden, but with the balance of utility in its favour where not too plentiful. **THE HAWFINCH**—Where numerous does much harm in gardens, but takes large numbers of caterpillars and other insects when feeding its young. **THE GOLDFINCH**—Distinctly beneficial, though it may aid in distribution of some noxious weed seeds. **THE SISKIN**—Wholly innocuous and possibly beneficial. **THE HOUSE-SPARROW**—In spite of any good done by its insectivorous nestlings, this species is one of our worst agricultural pests; it not only deprives purely insect-eating birds of their food, but



ousts them from their nesting places; in towns this species was certainly of some value as a scavenger in the days before motor cars, and may be of some use still. THE TREE-SPARROW—Far more locally distributed than the preceding species, and probably does no more harm than good. THE CHAFFINCH—The bulk of its food is of neutral value, and what harm it does is rather more than balanced by the good it does. THE LINNET—Occasionally injurious, but balance of utility very largely in its favour. THE LESSER REDPOLL and THE TWITE—Wholly innocuous if not beneficial. THE BULLFINCH—For quite half the year most destructive in orchards; it confers no benefit on agriculture, its food being either of value or of a neutral nature. THE CROSSBILL—Injurious to the forester and orchard keeper, but does not occur in sufficient numbers in this country to cause any considerable damage. THE CORN-BUNTING—Occasionally injurious, but balance of utility very largely in its favour. THE YELLOW HAMMER—Activities are beneficial or neutral, though at times it is injurious to cereals. THE REED-BUNTING—Wholly innocuous and possibly beneficial. THE SNOW-BUNTING—Absolutely harmless and possibly beneficial.

Of the family *Alaudidæ* only one species need be considered :—

THE SKYLARK—The injury it does to seed corn and other crops is far outweighed by the destruction it causes to noxious insects.

The family *Motacillidæ* includes :—

THE WAGTAILS—All of which are wholly innocuous; moreover, they help to keep down many noxious creatures, such as the water-snail, which is the secondary host of the liver-fluke in sheep. THE PIPITS—Wholly innocuous and possibly beneficial.

The family *Certhiidæ* is represented by :—

THE TREE-CREEPER—Wholly innocuous and possibly beneficial.

The family *Sittidæ* comprises only :—

THE NUTHATCH—Wholly innocuous and possibly beneficial.

The family *Regulidæ* includes :—

THE GOLDCREST—Entirely beneficial.

The family *Paridæ* provides an army of industrious workers :—

THE GREAT TIT—A most valuable destroyer of injurious insects, but does damage to ripe fruit. THE COAL TIT—A most valuable destroyer of insects, though it may do some damage to fruit. THE BLUE TIT—One of the most valuable destroyers of injurious insects, but does damage to ripe fruit. THE LONG-TAILED TIT, MARSH TIT, and WILLOW TIT—Innocuous and probably beneficial.

Of the family *Laniidæ* we need only here consider :—

THE RED-BACKED SHRIKE—Decidedly beneficial, but takes small birds and their young, some of which are themselves beneficial.

The next family, the *Sylviidæ*, includes :—

THE WHITETHROAT and GARDEN WARBLER—What little damage they do in gardens is more than compensated for by the nature of their other food. THE BLACKCAP—In small numbers probably does more good than harm, but is an undeniable pest in gardens when fruit is ripe. THE REED-WARBLER, MARSH-WARBLER, SEDGE-WARBLER, WILLOW-WARBLER, WOOD-WARBLER, and CHIFFCHAFF may be regarded as innocuous if not as beneficial.

The family *Turdidæ* comprises :—

THE MISTLE THRUSH—Is much more beneficial than harmful; any harm it does is to fruit. THE SONG-THRUSH—Any damage it may do to fruit is more than compensated for by the good it does during the rest of the year. THE REDWING and FIELDFARE—These winter visitors deserve

every protection. THE BLACKBIRD—The amount of damage it does is not compensated for by any good it may do. THE RING-OUZEL—Wholly innocuous and possibly beneficial. THE REDSTART—Beneficial. THE ROBIN RED-BREAST—Occasionally injurious, but balance of utility very largely in its favour. THE NIGHTINGALE—Wholly innocuous and possibly beneficial. THE STONECHAT and WHINCHAT—Beneficial. THE WHEATEAR—Wholly innocuous and possibly beneficial.

Only one species of the family *Accentoridæ* calls for attention :—

THE HEDGE-SPARROW—Wholly innocuous and possibly beneficial.

The family *Cinclidæ* has only one representative :—

THE DIPPER—Food aquatic, and though accused of taking small fish and spawn it is certainly most destructive to some of the worst enemies of these precious products.

The family *Troglodytidæ* is that of :—

THE WREN—Distinctly beneficial.

The next family *Muscicapidæ*, as its name shows, is beneficial; it includes. so far as we are concerned :—

THE COMMON and the PIED FLYCATCHER—Beneficial in the highest degree.

The family *Hirundinidæ* includes :—

THE SWALLOW, HOUSE-MARTIN, and SAND-MARTIN—All of which are entirely insectivorous and most beneficial.

The family *Picidæ* comprises :—

THE WOODPECKERS—Insectivorous and entirely beneficial.

THE WRYNECK—Entirely beneficial.

Only one representative of the family *Cuculidæ* need be considered here :—

THE CUCKOO—A most useful bird which does no harm; devours hairy caterpillars as no other bird will do.

The family *Cypselidæ* is represented by :—

THE SWIFT—Insectivorous and entirely beneficial.

The family *Caprimulgidæ* includes :—

THE NIGHTJAR—Chiefly consumes insects which are injurious to agriculture, a small proportion of its food being insects of a neutral character.

The family *Alcedinidæ* has only one representative which need be mentioned here :—

THE KINGFISHER—By far the greatest proportion of its food is of a neutral nature; any injuries it may inflict are amply compensated for by the good it does in destroying injurious insects and their larvæ, which are destructive to eggs and fry of fish.

The families *Flammeidæ* and *Strigidæ* include :—

THE BARN OWL, SHORT-EARED OWL, and TAWNY OWL—All of which are extremely beneficial to agriculture, feeding mostly on voles, mice, etc. THE LONG-EARED OWL is, however, occasionally troublesome to game preservers. THE LITTLE OWL (an imported species to England) may possibly do less harm than good.

Most of the *Falconidæ* on the British list have been, and are, so persecuted that they merit protection because of their very rarity. Of the less rare :—

THE BUZZARD probably does more good than harm. THE GOLDEN EAGLE—Generally welcomed in the Highlands, where it helps to keep down the number of mountain hares, but is at times complained of as attacking sheep and lambs. THE SPARROW HAWK—More injurious than beneficial; it kills small birds, many of which are of use to man, indiscriminately. THE PEREGRINE FALCON—More injurious than beneficial; it destroys game of considerable value.

THE HOBBY—Far more beneficial than otherwise. THE MERLIN—Probably not so beneficial as harmful. THE KESTREL—Balance of utility entirely in its favour, in spite of occasional and brief havoc amongst young game-birds.

The next family for consideration is the *Phalacrocoracidae*, which includes :—

THE CORMORANT and SHAG—Extremely destructive, eat flat and other fish, taking good and bad indiscriminately ; most noxious in fresh waters.

The family *Sulidae* comprises :—

THE GANNET—Extremely destructive to fish, many of which are, however, predaceous on their fellows.

We now come to the family *Anatidae*, which includes many species of considerable value as food for man ; many of these birds are only winter visitants to this country, and the whole family may be summarised as innocuous and, more or less, beneficial. We may, however, notice :—

THE GREY LAG-GOOSE—The only Goose which breeds with us, which is at times harmful to the farmer ; and the MALLARD or WILD DUCK, which occasionally destroys cereals and has been accused of taking spawn.

The family *Mergidae*, or Diving Ducks, includes :—

THE GOOSANDER and RED-BREASTED MERGANSER—Consume vast quantities of fish, and must be classed as injurious.

The family *Ardeidae* only comprises one species so far as we are concerned :—

THE HERON—Occasionally injurious to fresh water fish, but balance of utility largely in its favour.

The family *Charadriidae* contains many species which are edible, and may be certainly classed not only as innocuous



but also as most beneficial to man. I need not enumerate them all, but would remind you that the family includes :—

THE WOODCOCK, SNIPES, KNOT, SANDPIPERS, DUNLIN, REDSHANK, GODWITS, CURLEW, WHIMBREL, PLOVERS, OYSTER-CATCHER, and the LAPWING, the last named is of the greatest benefit to the agriculturist. Enthusiasts who demand that no "Plovers' eggs" should ever be taken forget that by allowing the eggs to be picked up till April 15th an actual benefit is conferred on the species. There is always a grave danger that the earlier broods will come into the world at a time when insect food is scarce; the later, therefore, the eggs are hatched the more chance there is of there being a sufficiency of this class of food.

The next family to be dealt with is the *Laridæ* :—

THE COMMON GULL—Lives almost entirely on miscellaneous marine organisms and mollusca which are of no value, and though it may take a few food fish it may be regarded as practically harmless. THE HERRING GULL—Takes a certain proportion of food fishes, but it feeds mainly on valueless marine organisms and mollusca, and it also destroys a considerable amount of injurious insects. THE GREATER BLACK-BACKED GULL—Takes garbage and carrion, but very harmful to fish, and attacks sickly lambs; must be classed as injurious. THE LESSER BLACK-BACKED GULL—Useful as a scavenger, and destroys quantities of noxious insects, but injurious to fish; may be classed as harmful. THE BLACK-HEADED GULL—Lives mainly on miscellaneous marine organisms of no value; it devours mayfly and ephemeridæ prized by anglers, but from the farmers' point of view it far more than compensates any harm it may do by the good it does. THE KITTIWAKE—Takes food fish, but probably not to the injurious extent which is generally supposed. THE TERNS—Prey on fish, but take young coal-fish and other fish of same family which when adult are known to devour salmon smolts wholesale.

Next in the order of arrangement comes the family *Stercorariidæ*, comprising :—

THE SKUAS—Predatory in their habits and only injurious in so far as they molest other species which may be, in part, beneficial.

The family *Alcidæ* follows, and this includes :—

THE RAZORBILL and GUILLEMOTS—Take a certain proportion of food fishes. LITTLE AUK and PUFFIN—Live almost entirely on small crustacea.

The family *Procelariidæ* comprises :—

THE PETRELS—Probably quite innocuous.

The family *Puffinidæ* includes :—

THE SHEARWATERS and FULMAR—Also probably quite innocuous.

The family *Colymbidæ* represents :—

THE DIVERS—Piscivorous and, though of little influence in the open sea, are very injurious to fish in inland waters.

The family *Podicipedidæ* comprises :—

THE GREBES—Consume a certain amount of small fish, but destroy insects and larvæ detrimental to food fishes, and are probably mainly innocuous.

The family *Rallidæ* includes :—

THE RAILS, CRAKES, MOORHEN, and COOT—Wholly innocuous and, more or less, beneficial; the MOORHEN, however, has been accused of taking grain.

The next family for consideration is the *Columbidæ*, all of which, it must be remembered, have a certain gastronomic value. The family comprises :—

THE STOCK DOVE—Where numerous is as injurious as the WOOD PIGEON, which is one of the worst agricultural pests. THE ROCK DOVE—Probably differs very little from its congeners, but is far more rare. THE TURTLE DOVE—Any

good it does cannot be balanced by the injuries it causes to the farmer and to the fruit grower.

The family *Phasianidæ* includes the most valuable of game birds, from a food point of view, which we possess, and includes :—

THE PHEASANT—Far more beneficial than harmful; its principal food being injurious weeds and insects, but in numbers of more than one bird per acre it is liable to become harmful. THE PARTRIDGE—Any damage done by this species is more than counter-balanced by the amount of injurious weeds and insects it consumes during the greater part of the year. THE QUAIL—Very uncommon, and wholly innocuous if not beneficial.

The remaining family is the *Tetraonidæ*, which comprises valuable game birds from a food point of view :—

THE CAPERCAILLIE—Is in part injurious to forestry, but destroys noxious insects. THE BLACK GROUSE—Chief food is moorland vegetation of no value, and it destroys noxious insects, but is at times very destructive to young conifer plantations, and in autumn it raids stubbles. THE GROUSE—Chief food is heather and moorland vegetation of no value; destroys noxious insects; it makes occasional raids in autumn to stubbles, but corn is not a suitable food. THE PTARMIGAN—Absolutely innocuous.

The foregoing remarks are an attempt to summarise very briefly the value of our British birds. The final consideration, how we are to make the best use of them, still remains, and this brings us to the question of protection. I do not, however, propose to offer any detailed criticism of our existing Game Laws or Wild Birds Protection Acts, but will simply deal generally with the subject.

If a balance of Nature was ever made by a Divine Providence, it has long ago been upset by man. We must now take the world as we find it, and possibly with some thought as to what we wish to make it. Certain raptorial birds, formerly common, have now disappeared. Grouse, which it

is alleged only began to eat corn early in the nineteenth century, now come down annually to our upland stubbles. Black-headed Gulls, in days gone by regarded as one of the farmers' best friends, are now said to eat his corn, and similar changes in the habits of many other birds have been recorded. If ever there was a balance of Nature, we are to-day totally ignorant of what it was, and our object should now be to establish a new balance in conformity with the present conditions of our country. But at the same time we must realise, assuming that a balance once existed, that any interference has probably been made by man in his own interests, whether misdirected or not, and it therefore behoves us to be guided by scientific investigations before we ourselves interfere with Nature as we now find it. Persons engaged in fish hatchery, in game rearing, or in other similar businesses which offer unusual attractions to birds, should take all possible care to keep temptation out of their way. Such a precaution as the netting of small fruit at the time when it is ripe or ripening, to protect it from the ravages of birds which at other times are harmless if not beneficial, should obviously be a general practice. The old adage, "One can have too much of a good thing," can aptly be applied to birds, and a system of repression seems to offer a *via media* out of the difficulty. It is, however, not so easy to decree that no species should be allowed to become so numerous as to be a pest in any particular district; here the volatility (if I may use such a term) of the bird presents itself in its most difficult aspect. It also seems illogical to expect that the reduction in numbers of a species which has become harmful to man (because it has increased to such an extent that it has exhausted its normal sustenance and is therefore compelled to take valuable food) will immediately cure it of its newly formed bad habits so that what individuals of the species are left will at once be converted from sinners to saints.

Birds should be protected by law, but we cannot in all cases apply the laws which govern man to birds. Man is an educated creature, and can be punished for any moral lapse by man-made laws. Birds are uneducated, and must perforce

be judged by a standard set up by man, as to whether they are beneficial or harmful to his interests. This apparently simple difference is, however, rendered complex by the fact that many birds which are occasionally beneficial are at times harmful, and it is therefore necessary to weigh their benefits against their injuries. Take, for example, the Sparrow, which feeds its young exclusively on insect food, thereby doing incalculable good to man, but which in harvest time consumes enormous quantities of grain. The advice, to kill the bird in *flagrante delictu* and spare it at other seasons, seems at first thought obvious; but ornithologists will tell you that the Sparrow is prolific, rearing three broods a year, and that were there no Sparrows there would be more insectivorous birds of other species which are deprived of nesting-places and of sustenance, and so kept in check by the "avian rat." The whole question of the plus and minus value of birds demands most considerate attention. It is not one to be dismissed as trivial. As examples I may take the question of the disposal of garbage; here one can hardly estimate the important part played by gulls in ridding our rivers and estuaries of the offal and filth which emanates from sewers, vessels, slaughter-yards, and many other sources. Nor would any summary of the activities of birds be complete without mention of the periodic plagues of voles, one of which, in 1891-2,<sup>8</sup> infected from 720 to 1200 square miles of upland farms on the Borders; on this occasion Short-Eared Owls, Rooks, Kestrels, and such uncommon visitors as Buzzards, congregated on the infected area and waged war on the devastating voles. Probably these little beasts would have been destroyed, as is usual in such cases, by some epidemic disease following on their overcrowding or as they exhausted their food, but the birds certainly did great execution, and the numbers of voles they consumed were enormous. When we reflect that a single bird, whose actual weight may be but ounces, will consume

<sup>8</sup> Other similar outbreaks are mentioned in 1 Sam. V. 6 and VI. 4, 5, 11, and occurred in Essex 1580, Kent 1615, Kent 1648, Essex 1660, Norfolk 1754, Gloucestershire 1813-14, La Plata 1872-3, Roxburgh 1875-6, Hungary 1875-6, and Thessaly 1891-2.

in a year what may be reckoned in hundred-weights, we realise that we ought to know more about the food of birds. Prodigies of valour, from a human point of view, are daily performed by certain birds in their war against noxious insects. While feeding its young the Blue Tit has been calculated to dispose of 40,000 caterpillars, of which, in one year, the same observer reckons it consumes 200,000. A Redstart has been seen to capture 600 flies in one hour, and a pair of Wrens destroyed some 12,000 flies, moths' eggs and larvæ during the short period of rearing their young. It has been calculated that 10,000 Skylarks would consume 27 tons of food in one year, of which  $2\frac{1}{2}$  tons would be cereals; during the period, however, they would destroy 30,000,000 injurious insects and 30,000 slugs, which, if left to themselves, would prove a veritable agricultural plague. Even the Sparrow, already described as the "avian rat," has been adjudged (it must be confessed by a sentimentalist) as capable of disposing of a total of 505,440,000,000 caterpillars in England in one year alone. Some idea of the damage done by insects may be gathered from the following notes:—A single caterpillar after 56 days consumes 86 times its original weight—aphis, or plant lice, in 1882 caused £1,750,000 worth of damage in British hop fields—in a single field of oats £70 worth of damage has been known to have been done by leather-jackets, the grub of the crane-fly ("daddy long-legs"). I interpolate these remarks here because I have not hitherto drawn attention to the enormous amount of injury which insects would do were they not kept in check by birds; in this connection it is important to observe what a large quantity of food is daily consumed by our feathered friends. As a whole they may be regarded as greedy, and the class *Aves* may be summarised as omnivorous: what we require is some guiding spirit to enable us to frame legislation for the protection of those species which are beneficial or innocuous to man.

The making of laws is always controversial and difficult, and when dealing with such creatures as birds the controversies and difficulties are even greater. My recommendation is that there should be set up in this country an

Ornithological Advisory Bureau (similar to that now at work in the United States of America as a section of the Biological Survey carried on by the Department of Agriculture) composed not only of scientists and field-naturalists but also of agriculturists. I would here remind you that anything we know in this country as to the food of birds has hitherto been due to private enquiry. Thanks to the labours of a few scientific workers we know the food of a few species, but, as I have endeavoured to show, birds are such volatile creatures—here to-day and gone to-morrow, in some seasons numerous, in others absent from a locality—that we require a small, permanent, authoritative body of specialists to watch over the birds, and, at the same time, protect them from man and man from them. It has already been suggested that certain species have increased to such an extent that they are now obliged to supplement their useful diet by taking food which is of value to man : one of the first duties of the bureau would be to take a census of such birds and, if found necessary, authorise their repression but not their extermination. I would give this bureau full control of the nation's birds, game birds and wild birds alike, and would make it the sole authority for framing new laws, for making special local orders, and the final arbiter in disputes regarding agricultural damage done by birds. Moreover, I would make this bureau the competent authority to grant licenses, either to persons to collect birds for scientific purposes, or to persons engaged in industries, to kill birds which were proved, to the bureau's satisfaction, to be injurious to their interests. It may be argued that this process might be too slow, and that before the bureau came to a decision the damage would have been done. In most cases, however the bureau would be able to decide on past experience, and, in other cases, an immediate but temporary license, restricted to the locality of alleged damage, to kill the offending birds, would pacify the complainant, if not remedy the trouble. When really rare birds were concerned the bureau would, of course, use its discretion with greater circumspection. I have no fear that this bureau, if carefully constituted, would fail in its duties either on account of senti-



mentality or brutality. We all know the amount of indisputable evidence that has to be corroborated before a human being can be condemned; as a bird lover I should expect that similar evidence would be produced before any species was branded as totally injurious to man. Our present legislation affecting birds has been drawn up with little or no regard to the results of scientific enquiry, and thus birds, good and bad, are protected alike; under an Ornithological Advisory Bureau, working as I have indicated, the birds would be made to either exonerate or condemn themselves. No single nation has the right to regard its birds as a purely national asset since they comprise species, many of which are only summer or winter visitants; if ever there was a question which called for international consideration it is, for the above-mentioned reason, the Protection of Birds. I would therefore expect that the British Ornithological Advisory Bureau would treat with other nations so as to ensure the safety of our feathered visitants when they leave our country. It has been stated that on the Continent, notably in France and Italy, where every bird of whatever species is indiscriminately killed, insect pests are no more frequent or severe than they are in this country where birds have long enjoyed the benefits of protection. I do not by any means accept this statement *in toto* and it is remarkable that, of recent years, our Continental friends should have strongly urged an International Protection of Birds. It is surely conceivable that this so-called protection of ours has been so misdirected as to have failed to do the good expected of it but, whether or no, as regards the value of birds, I adhere to the belief—so tersely put by M. Michelet, the distinguished French ornithologist—“*L'oiseau peut vivre sans l'homme, mais l'homme ne peut vivre sans l'oiseau.*”

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1921. COLLINGE, WALTER E.—“ The Starling ” (*Journal of Ministry of Agriculture*, vol. xxvii., No. 12; March, 1921).
1921. COLLINGE, WALTER E.—“ Economic Status of the Kingfisher ” (*Ibis* (eleventh series), vol. iii., pp. 139-150).

There are many books and articles dealing with Natural History, Bird Protection, Sport, etc., which touch on the question of the food of British birds; there are, besides, many foreign publications (notably those hailing from the United States of America, where the subject has received, and is receiving, proper consideration) which might have been included. The above list, though by no means complete, is, however, sufficiently comprehensive to show that there is already, as regards this country, a considerable amount of literature referring to the value of birds.

NOTE.—Since reading this paper to our Society, on 15th October, 1920, I have acquired a good deal of information on the subject. I have, therefore, when correcting the proofs for publication, taken the opportunity of bringing it up to date.

H. S. G.

15th June, 1921.

**12th November, 1920.**

Chairman—Mr JAMES DAVIDSON, V.P.

**Allan Cunningham's Contributions to Cromek's  
"Remains of Nithsdale and Galloway Song."**

By FRANK MILLER, Annan.

In the summer of 1809 Robert Hartley Cromek, a London engraver, who had published a volume entitled *Reliques of Burns*, visited Dumfriesshire, his object being to collect materials for a new edition of Burns.<sup>1</sup> From Mrs Fletcher, Edinburgh, the friend of Scott, he brought a letter of introduction to young Allan Cunningham, then a journeyman mason, earning eighteen shillings a week. Naturally enough the youth submitted some of his already numerous poems to the judgment of his visitor, who remarked:—"Your verses are well, very well; but no one should try to write songs after Robert Burns unless he could either write like him or some of the old minstrels." Nodding assent, the poet changed the subject of conversation, and talked of the fragments of ancient ballads still to be picked up among the peasantry of the western Scottish border. "Gad, sir," said Cromek, "if we could but make a volume. Gad, sir! see what Percy has done, and Ritson, and Mr Scott more recently with his *Border Minstrelsy*!"<sup>2</sup>

Assailed by a temptation to palm off a number of his own compositions as relics of past days, and thus secure for them attention, Allan promised to put down anything he knew. Soon after his return to London, Cromek received a crude but affecting piece headed "She's Gane to Dwall in Heaven," which Cunningham said was believed to date back to the

<sup>1</sup> Cromek was born at Hull in 1770. In addition to *Reliques of Burns* and *Remains of Nithsdale and Galloway Song*, he published *Select Scottish Songs, Ancient and Modern*, 1810. He died in 1812.

<sup>2</sup> Peter Cunningham's "Introduction" to *Poems and Songs by Allan Cunningham* (1847), p. xi.



time of the Reformation, and to relate to a daughter of the Laird of Cowehill, who died at the age of nineteen.<sup>3</sup> In a short time the eager London collector was in possession of many songs and ballads by Allan Cunningham, and these productions formed a large portion of his *Remains of Nithsdale and Galloway Song*, which appeared in December, 1810, and had a favourable reception from the press and public. Allan boasted that he could deceive a "whole General Assembly of Antiquarians," but the most competent judges did not accept the volume as a collection of ancient pieces. The aged Bishop Percy pronounced many of the poems to be forgeries, Scott shook his head, and the Ettrick Shepherd declared that the book was virtually the work of his friend, Allan Cunningham, whose "luxuriousness of fancy" was unequalled.

Was the whole book, or nearly the whole book, written by the young Nithsdale mason? In a letter to his brother James, dated 8th September, 1810, Cunningham says:—"Every article but two little scraps was contributed by me, both poetry and prose." When a writer states that he has "contributed" certain articles to a book, he is generally understood to claim the authorship of the articles in question. But Cunningham must have meant simply that, with the exception of two scraps, all the pieces which make up the volume came to Cromeck through his hands. He could not expect his brother to believe that widely-circulated and obviously old songs like "Kenmure's on and awa', Willie," and "Awa', Whigs, Awa'," were his own. Many of the ballads and songs in the book were certainly not written by him, though doubtless very few of them passed through his hands without undergoing some revision. But can we state positively which of the sixty-five poems contained in Cromeck's book were composed by Cunningham? Did he, or his son Peter, who in 1847 edited his poetical remains, reprint any of them as original productions?

<sup>3</sup> It is clear from Cromeck's letter in acknowledgment of the instalment that he had some doubts concerning the antiquity of the lines, though he did not suspect that they were the composition of his correspondent.

In *Sir Marmaduke Maxwell, etc.*, a work published in 1822, Allan Cunningham gave ten of the songs that had charmed Cromek :—

- “ The Lord’s Marie.”
- “ Bonnie Lady Ann.”
- “ Thou hast sworn by thy God, my Jeanie.”
- “ The Lovely Lass of Preston Mill.”
- “ A Weary Bodie’s Blythe whan the Sun Gangs Down.”
- “ Stars Dinna Keek In ” (much altered).
- “ The Ewe-Bughts ” (reprinted under the title, “ The Shepherd,” by Peter Cunningham).
- “ The Sun’s Bright in France.”
- “ The Young Maxwell ” (altered, but not improved).
- “ The Mermaid of Galloway.” (This long ballad was greatly admired by Cunningham’s contemporaries, and was considered the gem of Cromek’s collection.)

Cunningham’s *Songs of Scotland, Ancient and Modern*, 1825, a work greatly lessened in value by the liberty taken with many of the texts embraced, has a section headed “ Songs of Living Lyric Poets,” and that section gives under the name of Allan Cunningham six of the pieces acknowledged in *Sir Marmaduke Maxwell*, and also “ The Return of Spring ” and an English version of the following lyric :—

#### FRAGMENT.

Gane were but the winter-cauld,  
 And gane were but the snaw,  
 I could sleep in the wild woods,  
 Whare primroses blaw.

Cauld’s the snaw at my head,  
 And cauld at my feet,  
 And the finger o’ death’s at my e’en,  
 Closing them to sleep.

Let nane tell my father,  
 Or my mother sae dear,  
 I’ll meet them baith in heaven  
 At the spring o’ the year.<sup>4</sup>

<sup>4</sup> *Remains of Nithsdale and Galloway Song*, p. 41.

Ten of the songs already named, and the following additional compositions were reprinted in Peter Cunningham's book :—

- " She's Gane to Dwall in Heaven."
- " The Broken Heart of Annie." (A different song is given under this title in *Sir Marmaduke Maxwell, etc.*)
- " Derwentwater."
- " The Wee, Wee German Lairdie."
- " Carlisle Yetts."
- " Cumberland and Murray's Descent into Hell."
- " The Waes o' Scotland."
- " The Lovely Lass of Inverness." (Burns has a song with the same title.)
- " Young Airly." (The subject of this lyric is the burning of the House of Airlie by the Earl of Argyle in 1640. Some old verses on the same theme are also included in the *Remains*.)
- " Hame, Hame, Hame." (With matchless impudence, Cromek or Cunningham says :—" This song is printed from a copy found in Burns's Common Place Book, in the Editor's possession." Referring to " Hame, Hame, Hame," the Rev. David Hogg in his *Life of Allan Cunningham* innocently remarks :—" We have failed to find it in any of the editions of Burns's works, and are at a loss to understand how he should have omitted to introduce it.")<sup>5</sup>
- " Lament for the Lord Maxwell." (Relates to the condemnation of the Earl of Nithsdale, one of the leaders of the Border insurgents in 1715.)

But, you will say, more than forty pieces are still unaccounted for. Can none of them be assigned to Allan Cunningham with full confidence? I am fortunate enough to possess a copy of the *Remains* with annotations in the handwriting of Cunningham, and it enables me to lengthen

<sup>5</sup> *Life of Allan Cunningham*; Dumfries, 1875, p. 106. David Hogg (1815-1879) succeeded Cunningham's friend, Dr Wightman, as minister of Kirkmahoe.

the list of his original contributions a little, for, besides all the ballads and songs already named, six pieces are marked "A. C." on its pages :—

"Ladie Jean's Luve."

"The Auld Carle's Welcome."

"The Pawky Auld Kimmer."

"The Pawky Loon, the Miller."

"The Lamentation of an Old Man over the Ruin of his Family."

"The Lusty Carlin."

The last two songs are Jacobite in character. "The Lusty Carlin" describes the joy with which the peasantry of Galloway received the news of the extraordinary escape of the Earl of Nithsdale from the Tower on February 23rd, 1715. Through the courtesy of Constable Maxwell of Terregles, a descendant of the House of Nithsdale, Cromek and Cunningham were enabled to print, in the appendix to the *Remains*, a letter by the Earl's beautiful and accomplished wife, giving a circumstantial account of his escape, which indeed was entirely due to her courage and ingenuity.<sup>6</sup>

A humorous song, headed "Cannie wi' your blinkin', Bessie," is marked "Thomas Cunningham." The writer named was Allan Cunningham's brother, Thomas Mounsey Cunningham, best known as the author of "The Hills o' Gallowa'," an excellent song published in the *Forest Minstrel* of his friend, James Hogg, in 1810, and reprinted in *The Nithsdale Minstrel*, a Dumfries collection, in 1815.

Thirty-five of the Nithsdale and Galloway lyrics bear no markings in my copy of the *Remains*, and, consequently cannot be assigned to Allan Cunningham. He was in possession of a complete copy of James Johnson's *Scots Musical Museum*, having received the six volumes of that invaluable work from Cromek in October, 1809; and several of the songs printed in the *Remains* were taken from the "Museum." But he was not confined for help to printed

<sup>6</sup> The title-page of Cromek's book has a design by Stothard representing an old woman communicating to Lord Nithsdale's tenants the news of his escape.

books, several friends being always ready to assist him. In not a few cases he professes to give the source of the verses used; but so frequently was he guilty of what Motherwell calls "literary falsehood," that his evidence must be received with caution. He gives the addresses as well as the names of those who had been most helpful to him: Mrs Copland, Dalbeattie; Miss Catherine Macartney of Hacket Leaths, Galloway; and Miss Jean Walker, who afterwards became his wife. Mrs Copland, in particular, seems to have proved very useful. Writing from London to his brother James on 8th September, 1810, about three months before the issue of the *Remains of Nithsdale and Galloway Song*, he says: "You must send me, with Peter, a little twopenny book of old songs, in the handwriting of my beloved Mrs Copeland. I forgot it, I daresay, among my papers in my chest." In all likelihood this "twopenny book" contained a good many of the older poems which were printed, though not without alteration, in the *Remains*, and it would be interesting to learn whether it still exists. Curiously enough, Cunningham credits Mrs Copland, not only with the preservation of copies of "Kenmure's on an' awa', Willie," "Awa', Whigs, Awa'!" and other old songs, but also with the "recovery" of "Carlisle Yetts," "The Young Maxwell," "The Lord's Marie," and "The Lamentation of an Old Man over the Ruin of his Family"—unquestionably productions of his own. The poet would hardly have dared to use Mrs Copland's name so freely without her permission. Probably she and the other ladies saw little harm in cheating antiquaries, and gave their talented friend authority to associate their names with any lyrics, old or new. Cromek dedicated the *Remains* to Mrs Copland, making reference, in appropriate words, to the assistance she had rendered in connection with the work.<sup>7</sup> After settling in London, Cunningham corresponded with her regularly; but, according to the Rev. David Hogg, his

<sup>7</sup> In my annotated copy of the *Remains* the page with the dedication is wanting, having been cut out.

letters to her were all destroyed.<sup>8</sup> She died at Newabbey in the spring of 1833.

Though Allan Cunningham, in my copy of Cromeek's *Remains of Nithsdale and Galloway Song*, does not claim more than twenty-nine pieces, he may have altered and improved many others. With the exception of Motherwell, who vehemently denounced Cunningham's methods, the more gifted Georgian editors of ballads had not sufficient reverence for old poems as relics of the past, and did not scruple to improve anything that came into their hands. Allan Cunningham was an adept at "touching up," and probably not half-a-dozen of the compositions gathered by him were printed without change. Some of the pieces which he did not claim may be his as truly as "Ca' the Yowes to the Knowes" and "My Love, she's but a Lassie Yet" are Burns's. But it must be admitted that while Burns's alterations were almost invariably improvements, Cunningham often weakened the old rhymes that came into his hands.

The poems in the *Remains* are divided into several sections—Sentimental Ballads, Humorous Ballads, Jacobite Ballads, Old Ballads and Fragments. All the pieces classed as Sentimental were written by Cunningham, except two—"Habbie's frae Hame," a song by a south-country versifier named James Turner, and "My Ain Fireside," the author of which was an Irish lady, Mrs Elizabeth Hamilton, whose novel, *The Cottagers of Glenburnie*, an unflattering study of Scottish country life, was long well known. I do not think these two compositions bear any traces of alteration by Cunningham.

The humorous ballads are more numerous than those described as sentimental. The following are not marked by Allan Cunningham as his:—

"The Gray Cock." (A clever lyric, probably based on a song preserved by Herd, "O saw ye my father, or saw ye my mother."<sup>9</sup> It is similar in subject to Burns's "Waukrife Minnie.")

<sup>8</sup> *Life of Allan Cunningham*, p. 371.

<sup>9</sup> *Ancient and Modern Scottish Songs*, edn. 1870, Vol. II., pp. 208-9.

"Galloway Tam." (Chambers attributes the four verses which make up this somewhat indelicate piece to Allan Cunningham. The last two verses may be his, but the first two were reproduced almost unaltered from the *Scots Musical Museum*.)<sup>10</sup>

"Tam Bo." (The title and some of the lines of this song were used by Cunningham in a lyric which will be found in Peter Cunningham's collection, pp. 140-1.)

"Were ye at the Pier o' Leith." (Not "humorous," but deeply pathetic. Here are the last two lines of the fragment:—

May the sleekie bird ne'er build a nest  
That sung to see the hawk wi' me!)

"Our Guid-wife's ay in the Right." (One of the songs received from Mrs Copland. As Professor Hecht remarks, the beginning "shews close coincidences" with a fragment preserved by Herd in manuscript.)<sup>11</sup>

"Original of Burns's Carle of Kellyburn Braes," "Souter Sawney had a Wife," and "Fairly shot on her."<sup>12</sup> (These compositions are grouped together in the *Remains*, and oddly described as "lamentable fragments of henpecked ejaculation." Henley thinks the source of Burns's ditty was an English song, "The Farmer's Wife." But the real source of both Burns's and Cunningham's "Carle" was an old Galloway song which was not committed to writing till 1892, when it was taken down by Mr William Macmath from the recitation of his aunt, Miss Jane Webster, Crossmichael, who had learned it long before the date mentioned at Airds of Kells, from the singing of Samuel Galloway. The spirited lines rescued from oblivion by Miss Webster and Mr Macmath were published by Professor Child in that great work on the

<sup>10</sup> Vol. IV., No. 325.

<sup>11</sup> *Songs from David Herd's Manuscripts*, ed. Hans Hecht, Edinr., 1904, p. 184 and p. 308.

<sup>12</sup> A less vulgar version of "Fairly shot on her" is contained in the *Scots Musical Museum*, Vol. VI., No. 557.

Ballads which owes so much to the labours of the Edinburgh collector.)<sup>13</sup>

“ My Kimmer and I.” (Modern, but suggested by an old song greatly admired by Burns.)

“ Tibbie Fowler.” (Allan Ramsay in *The Tea-table Miscellany* (1724) refers to a tune called “ Tibby Fowler in the Glen.” Two verses which probably belonged to a song associated with that tune were printed by Herd.)

“ Variations of Tibbie Fowler.” (Cromek thought these verses “ very good,” but the eminent German critic, Professor Hecht, calls them “ worthless stuff.”)

“ Original of Burns’s ‘ Gude Ale Comes.’ ” (James Johnson printed “ O gude ale comes, and gude ale goes ” as a song “ corrected by R. Burns.” Cunningham’s “ Original ” is a longer piece. The chorus of the song, at least, is ancient.)

“ There’s nane o’ them a’ like my Bonnie Lassie,” “ The Bridal Sark,” and “ The Bridegroom Darg.” (In all probability these lyrics are virtually the work of Allan Cunningham.)

Of more interest than the humorous ditties are the Jacobite ballads, twenty-three in number. Thirteen of these, including such fine pieces as

“ Carlisle Yetts,”

“ Hame, Hame, Hame,”

“ The Sun’s Bright in France,” and

“ The Young Maxwell,”

are claimed by Cunningham; but the following ballads are unmarked :

“ Kenmure’s on an’ awa’, Willie.”

“ Awa’, Whigs, Awa’ !”

“ The Highland Laddie.”

“ Merry may the Keel Rowe.”

“ Song of the Chevalier.”

“ Lassie, lie near me.”

<sup>13</sup> *The English and Scottish Popular Ballads*, Vol. V., p. 108.



" Bannocks o' Barley."

" The Highland Widow's Lament."

" Charlie Stewart."

" Were ye e'er at Crookie Den?"

" Kenmure's on and Awa', Willie," is generally supposed to be a song of the 'Fifteen, and to relate to William Gordon, the sixth Viscount Kenmure. Mr Macmath, however, in an article in *The Scots Peerage*, conjectures with much probability that the hero of the song was really Robert the fourth Viscount, who was an active leader against the Commonwealth and Protectorate.<sup>14</sup> Of course if the song had its origin in the time of Robert Gordon, it is more than two centuries and a half old. Burns worked over it.

" Awa', Whigs, Awa'!" was also in existence in some shape long before Cunningham's time. A version appears in the third volume of the *Scots Musical Museum*, 1790, and exactly the same copy is given in Joseph Ritson's *Scotish Songs*, 1794. The editor of the *Remains* observes that two of the verses " bear evident marks of the hand of Burns," and I would add that some of the verses in the Cromek set bear traces of honest Allan's hand.

" The Highland Laddie."—As Burns says, in his " Notes to Johnson's *Scots Musical Museum*," " there are several airs and songs of that name." In 1724 a set of the lyric was published by Allan Ramsay, in *The Tea Table Miscellany*. In a collection of manuscript copies of songs which was made by a lady in the North of England in the time of Burns and is now in my possession, I find a version of " Highland Laddie."<sup>15</sup> The copy has a close relation to one printed in *A Collection of Loyal Songs, Poems, etc.*, 1750, but the heroine is named " Maggy," not " Jenny," in the MS.

" Merrie may the Keel Rowe " (" As I Came Down the

<sup>14</sup> Article on " Kenmure " in *The Scots Peerage*, Vol. V., p. 121.

<sup>15</sup> The songs in the collection referred to are written in various hands; and the manuscripts have been in their present form—bound in paper-covered volumes—since the eighteenth century.

Canno'gate ") and the " Song of the Chevalier " (" To Daunt me an' me sae Young ") are both fine lyrics. Hogg, in *The Jacobite Relics of Scotland*, prints three versions of the latter.

" Bannocks o' Barley," " The Highland Widow's Lament," and " Lassie, lie near me," are *Museum* pieces, eked out by Allan Cunningham. The lines which impart a Jacobite flavour to " Lassie, lie near me " are by Allan.

The Jacobite lays are followed by a few pieces described as " Old Ballads and Fragments." The most important of these is a long ballad entitled " We were Sisters, we were Seven," said to have been " copied from the recital of a peasant-woman of Galloway, upwards of ninety years of age." Doubtless the woman referred to was Margaret Corson, who lived at Kirkbean, and, according to Allan Cunningham's brother Thomas, had " a budget filled with songs." Professor Child recognised the value of " We were Sisters, we were Seven," as a version, largely modernised, it is true, of an ancient and interesting ballad, and included it in *The English and Scottish Popular Ballads*, remarking that the omission of some verses manifestly interpolated by Cunningham and the restoration of the stanza form, " will give us, perhaps, a thing of shreds and patches, but still a ballad as near to genuine as some in Percy's *Reliques* or even Scott's *Minstrelsy*." <sup>16</sup>

Allan Cunningham seems also to have been indebted to Margaret Corson for " Lady Margerie." Only a few unconnected fragments of this strange ballad were recovered by Cunningham, and, contrary to his usual practice, he did not attempt to piece them together. Here is one of the verses given :—

D'ye mind, d'ye mind, Lady Margerie,  
When we handed round the wine;  
Seven times I fainted for your sake,  
And you never fainted once for mine.

The same section of the book embraces a version of " Logan Braes," stated to have been received from Mrs Cop-

<sup>16</sup> Vol. I., pp. 72-74.

land. The song begins thus :—

It was nae for want, it was nae for wae,  
That he left me on the Logan brae:  
There was lint in the dub, and maut in the mill,  
There was bear in the trough, and corn in the kill.

The Appendix to the book contains John Lowe's popular lyric, entitled "Mary's Dream." Referring to this piece, Cunningham says, in *The Songs of Scotland*: "Since the first appearance of the song, which was soon after the year 1770, it has received, I know not from what hand, two very judicious amendments. It originally commenced thus :—

Pale Cynthia just had reached the hill,

which was well exchanged for :—

The moon had climbed the highest hill.

The fifth and sixth lines, at the same time, by an excellent emendation, let us at once into the stream of the affecting story. They once ran thus :—

When Mary laid her down to sleep,  
And scarcely yet had closed her e'e.<sup>17</sup>

Cunningham was not far wrong concerning the date of the "Dream," for, as Mr Shirley lately pointed out in a most interesting article on Lowe, in the *Dumfries and Galloway Courier and Herald*,<sup>18</sup> the song, in the following shape, was published by the author in the *Dumfries Weekly Magazine* of Tuesday, October 12th, 1773 :—

*Sandy and Mary. A Ballad.*

Fair Cynthia just had reach'd the hill  
That rises o'er the source of Dee,  
Clear on the eastern mount she shin'd  
High o'er the top of ev'ry tree;  
When Mary laid her down to sleep,  
But scarcely yet had clos'd her eye,

<sup>17</sup> *Songs of Scotland*, Vol. III., pp. 306-7.

<sup>18</sup> "John Lowe, the Galloway Poet: his Authorship of 'Mary's Dream,'" in *The Dumfries and Galloway Courier and Herald* of 18th August, 1920.

She thought she heard a whispering voice  
Saying, " Mary, weep no more for me."

She from her pillow gently rais'd  
She saw young Sandy shiv'ring stand  
With visage pale and languid eye:  
" O lovely maid; cold as the clay,  
I lie beyond the stormy sea,  
Far from Britannia's friendly shore;  
Yet, Mary, weep no more for me.

" Twelve tedious days and stormy nights  
We were toss'd 'long the raging main;  
Long did we strive our lives to save,  
But all our efforts prov'd in vain.  
Ev'n then, while life ran in my veins,  
My breast was fill'd with thoughts of thee;  
Now far from dang'rous seas I dwell,  
So, Mary, weep no more for me.

" Haste, dearest maid, thyself prepare;  
Soon shalt thou come to yonder shore,  
Where this our love shall be enlarg'd,  
And thou and I shall part no more."  
Loud crew the cock, at which he stopt,  
No more of Sandy might she see;  
He quickly left the fainting maid,  
With " Mary, weep no more for me."

JOHN LOWE.

Banks of Dee, September, 1773.

In comparing the widely-circulated " Mary's Dream " with " Sandy and Mary," its much inferior original, Mr Shirley asks whether Lowe was capable of changing a piece of commonplace verse into a thing of no small beauty? I think Cunningham's words, " It (the song) has received, I know not from what hand, two very judicious amendments," show that he also thought the revised verses had touches beyond Lowe. " Mary's Dream " is certainly much superior to John Lowe's ordinary work, but we need not doubt that he had moments of inspiration. Allan Cunningham did not himself interfere with the text, the version printed by Cromek being the same as that given in the first volume of Johnson's *Scots Musical Museum*, published in 1787, just before the editor became acquainted with the immortal poet whose contributions to subsequent volumes were to add

immeasurably to the value of the work. Being curious to know whether the song in its present form first appeared in *The Scots Musical Museum*, I examined as many of the collections published between 1773 and 1787 as I could see in the Advocates' Library, or could borrow from private collectors. In *The Musical Miscellany* (Perth, 1786),<sup>19</sup> a copy of which was lent me by Mr J. C. Ewing, Glasgow, one of the chief authorities on Burns, I found a set of "Mary's Dream" exactly the same as that printed in *The Scots Musical Museum*. Doubtless the song was taken by Johnson from *The Musical Miscellany*,<sup>20</sup> but that volume was not the first book in which the "Dream" appeared. Lady Dorothea Ruggles Brise, who has a wide acquaintance with the sources of our song-literature, has done me the honour to help me by looking through all the volumes dated between 1773 and 1786, in her extensive collection of Scottish song-books and music, and has discovered the following version in *The Charmer* (second volume, 1782), an earlier miscellany than the Perth book.

(No Title).

Fair Cynthia scarce had reach'd the hill  
That rises o'er the source of Dee,  
Clear on an eastern bank she shone,  
Far o'er the top of every tree,  
When Mary laid her down to sleep;  
But scarcely yet had clos'd her e'e,  
She thought she heard a trembling voice  
Say, Mary! weep nae mair for me.

She from her pillow gently rais'd  
Her head, to see what this might be;  
She saw her Sandy shiv'ring stand,  
With visage pale and languid e'e.

<sup>19</sup> *The Musical Miscellany: A Select Collection of the Most Approved Scots, English, and Irish Songs, Set to Music.* Perth, 1786, pp. 96-7. The chief editor of this book was one Alexander Smith.

<sup>20</sup> In support of this view Lady Dorothea Ruggles Brise writes: "I notice two or three preceding songs were obviously taken from the Perth *Miscellany*, and Johnson appears to have been in the habit of taking several pieces at once from the works he consulted."

### ERRATUM.

The second line of the second stanza has been omitted.  
It reads:

Her head, to see what this might be;

My dearest maid! cold as the clay,  
 I lie beyond the stormy sea,  
 Far from Britannia's friendly shore:  
 Sae, Mary, weep nae mair for me.

Then, dearest maid! lament nae mair:  
 Soon shall we come to yonder shore,  
 And there our loves shall be enlarg'd,  
 And thou and I shall part no more.  
 Loud crew the cock; at once he stopt,  
 Na mair her Sandy might she see;  
 He quickly left the fainting maid,  
 With, " Mary, weep nae mair for me."<sup>21</sup>

It will be observed that this version contains only three stanzas, not four as in the case of the original version and in that of the well-known set. The lyric seems to have circulated in Galloway in a separate form before it appeared in *The Charmer*, and possibly some local copy printed between 1773 and 1782 may yet turn up.

In Johnson's *Scots Musical Museum* two airs are given in connection with the song. Stenhouse attributes the second air—the one usually sung—to " my friend Mr Schetky, the celebrated violoncello player in Edinburgh." But the title-page of a copy lent me by Lady Dorothea Ruggles Brise shows that it was composed by John Relfe (1766-1837):—

" MARY'S DREAM

or

SANDY'S GHOST.

Sung by Miss Chanie at Hanover Square Concerts, and at the Pantheon.

Set to Music by  
 J. RELFE.

LONDON:

Printed by Longman & Broderip, No. 26 Cheapside, and No. 13 Hay Market. Where may be had all the Vauxhall and Ranelagh Songs.

N.B.—Lately Published by the above Author, a set of Grand Lessons and Duets for the Harpsichord or Piano-Forte."

The version of the song which Relfe set to music is almost word for word the same as the Perth version, which,

<sup>21</sup> *The Charmer*, Edinr., 1782, Vol. II., p. 4.

as I have stated, was reprinted by Johnson and by Cromek. Longman & Broderip started their Haymarket branch about 1784. Lady Dorothea Ruggles Brise would assign her copy of their publication to a later date, but there may have been an earlier edition than the one it represents. Evidently the editor of the Perth *Miscellany* did not know Relfe's air.

In addition to the well-known set of "Mary's Dream," Cromek gives one in the Scottish dialect, declaring that it is the original. With reference to the latter, David Laing remarks: "Although never acknowledged, I have no doubt that Allan Cunningham was the author of this version of "Mary's Dream"—a circumstance that cannot be excused, merely as a pretended old ballad, since it affected Lowe's reputation as a poet by taking away the originality of the poem to which he owes any celebrity, but I am sure my excellent friend has long since repented ever having made any such attempt"<sup>22</sup> Laing's conjecture as to the authorship of the "Scottish Version" seems too probable. It is true that in my copy of the *Remains* the piece is not initialled "A. C.," but the poet may have thought it unnecessary to mark a contribution given merely in the Appendix, and he may have been unwilling to confess that he had forged verses which long before David Laing's criticism was penned were condemned in Galloway as designed to injure, without cause, the reputation of a favourite singer.

### A Plague at Annan in the Twelfth Century.

By FRANK MILLER, Annan.

So few are the references to Annan in writings dating further back than the thirteenth century that I need hardly apologise for calling your attention to one that seems to have escaped the notice of our local historians. In the *Historia Rerum Anglicarum* of William of Newburgh (1136-1201?), a Canon of the Augustinian Priory of Newburgh in the North

<sup>22</sup> Notes to *The Scots Musical Museum* (1853 edn.), Vol. IV., p. 116.\*

Riding of Yorkshire, I lately came across an interesting account of a plague which raged at Annan in or about 1196, destroying most of the inhabitants. William's chronicle, which, of course, is in Latin, deals in the main with the memorable events of the writer's own time. Freeman acknowledges its value, and Miss Kate Norgate describes it as "both in substance and in form the finest historical work left to us by an Englishman of the twelfth century." In his account of the Annan pestilence, as in some other passages, the historian displays that love of the marvellous which characterises most mediæval writers; but this fact need not make us doubt the substantial accuracy of the narrative, which was based on information got directly from a monk in holy orders who had "stood forth distinguished and powerful" (*clarus et potens . . . exstiterat*) in Annandale, and had taken an active part in combating the plague described. William's informant was probably a monk of Guisborough Priory, a famous religious house, in the chronicler's own county, founded by Robert de Brus, afterwards Baron of Annandale, in 1119. The Church of "Anant" having been granted to the Yorkshire monastery, there was a close ecclesiastical connection between Annan and Guisborough. According to William of Newburgh, Annan was already a place of some importance, having "streets" — not one street only — and having been "populous" before the outbreak of plague (*qui populosus paulo ante fuerat*). This fact seems to lend probability to the view that the castle around which it had grown had been in existence for a considerable time. A "castle" was included in the grant of Annandale to Robert de Brus, and Dr. George Neilson thinks Annan has a "reasonable claim" to the distinction of being the place where the unnamed castle or fort stood.

The Annandale monk's story is certainly strange. To escape punishment for some crime, a man notorious for wickedness fled from Yorkshire to the "castle which is called Anant" (*castellum quod Anantis dicitur*), seeking and obtaining the protection of the lord of that castle, namely,



William de Brus, grandson of the Robert de Brus already mentioned and father of the Robert de Brus who married a daughter of David, Earl of Huntingdon, brother of William the Lion—thus founding the claim of the Brus family to the throne of Scotland. Settling in the town of Annan, the fugitive continued his career of wickedness for a time, and then died miserably. Though he had refused the last rites of the Church, he received Christian burial, but this did not benefit him, for he could not lie peacefully in the grave. The rest of the tale may be told in the words of the chronicler, as done into English by the sure hand of my friend, Mr William Duncan, B.A. (Lond.), long Rector of Annan Academy :—

Going out from the tomb in the night time, by the operation of Satan—a horrible crowd of dogs following, with barking—he [the dead scoundrel] used to wander through the streets and around the houses, all persons shutting their doors, nor daring to go out on any business from the fall of darkness to the rising of the sun, lest anyone by chance should meet the monster as he roamed about. But this precaution availed nothing, for the air, being infected by the moving about of his foul body, filled with a pestilential exhalation all the houses with disease and death; and now the town, which had been populous a little before, seemed to be almost destitute of life, while those who survived the disaster, lest they themselves, too, should die, moved to other parts. Now, grieving greatly over the desolation of his parish, that man from whose mouth I heard these things desired to summon on the Holy Day, which is called Palm Sunday, wise and religious men who in so great a crisis might give beneficial counsel, and by well-considered consolation might restore the wretched remnants of the common people. A sermon having therefore been delivered to the people, and the solemnities of the venerable day having been duly fulfilled, he invited to his table his guests, along with the other honourable people who were present. As they were dining, two young brothers who had lost their father in that disaster, encouraging each other, said: “ That monster destroyed our father, and will soon also destroy us

if we take no action. Therefore let us do something manly for the protection of our own health as well as in revenge for our father's death. There is none to hinder while the banquet is being celebrated in the house of the priest, and while all this town is silent as if it were empty. Let us dig up that pestilence, and let us burn it with fire." Therefore, seizing a pretty blunt spade and going to the burial ground, they began to dig. And while they thought that they would require to dig somewhat deeply, suddenly they laid bare the corpse, not much earth having been cast out—the body swollen with enormous corpulence, and the face red and swollen above measure. But a handkerchief in which it had been wrapped seemed to have been cut entirely to pieces. The young men, whom their anger incited, not being afraid, inflicted a wound on the lifeless body, from which so much blood immediately flowed forth that it might be considered to have been the result of the blood-sucking of many. However, dragging it outside the town, they quickly built a pyre, and when one of them said that the pestilential body could not burn unless the heart were extracted, another laid open the side with strokes of the blunt spade, and inserting his hand, drew forth the accursed heart, which, having been cut up and the body now burning, it was announced to the dinner party what was being done, and running up they were able to be witnesses of the transaction for the rest of the time. Forthwith that infernal brute having been so destroyed, the pestilence also, which had been growing worse, was abated among the people, as if by that fire which had consumed the awful corpse, and the air was now purified which had been corrupted by the pestilential motion of it.

### Two Dumfriesians in London in the XIVth Century.

By the EDITOR.

We have been entertained, time out of mind, by stories of the simple countryman and the astute town-dweller, stories in which the countryman was not always the dupe. We find one of these incidents recorded in Riley's *Memorials of*

*London*, in which the participants were two Dumfriesians who visited that city in the year 1382. Arriving there, John Thomson and William de Glendale "of Dounfriz in Scotland," on the Feast of St. Stephen, the day after Christmas, attracted it may be by a homely Scots accent, succumbed to the hospitality offered by Richard Scot, a hosier, ably seconded by the attractions of Alice, his wife. They entered Richard's house in Lombard Street, and there were induced to try a throw with fortune, and to Richard they lost forty shillings and a knife valued at four shillings. How they discovered that they had been cheated by Richard using false dice and "joukerie" is not recorded, but such they did discover, and then, of course, all Richard's friendliness was "deceit and falsehood," and the sweet syllables of Alice "deceitful and false words," and their offer of hospitality "false instigation."

Indignant, they charged Richard before the Mayor and Alderman, and Richard pled not guilty. Next day a jury of twelve was empanelled, the foreman boasting a good Scots name, John Boner, and they found Richard guilty of "the deceit and falsehood aforesaid." Richard therefore had to repay the forty-four shillings and damages of twenty pence. But this was not all: he was to be imprisoned in Newgate, and to be taken daily, for three days, with trumpets and pipes to the pillory, there to stand with the false dice suspended from his neck for an hour, proclamation being made by the Sheriff's men of the cause of his punishment. We are free to speculate that John Thomson and William de Glendale viewed the discomfiture of Richard on the following day, and joined in throwing rotten things at him, while the enticing Alice wept or flouted after the manner of her kind. And in good time they would return to Dumfries and gleefully recount to homely wits their escapade among the southerners. "Joukerie" no doubt was their word for Richard's ways, and the court inscribed it duly amidst the Latin of its records, and whereas Richard was a hosier, it may have been business that brought the men together, Dumfries, a century later, being a town "quhair mony small and deligat quhites (white

woollen clothes) ar maid holdin in gret dainte to merchandis of uncouth realmes " (Boece).

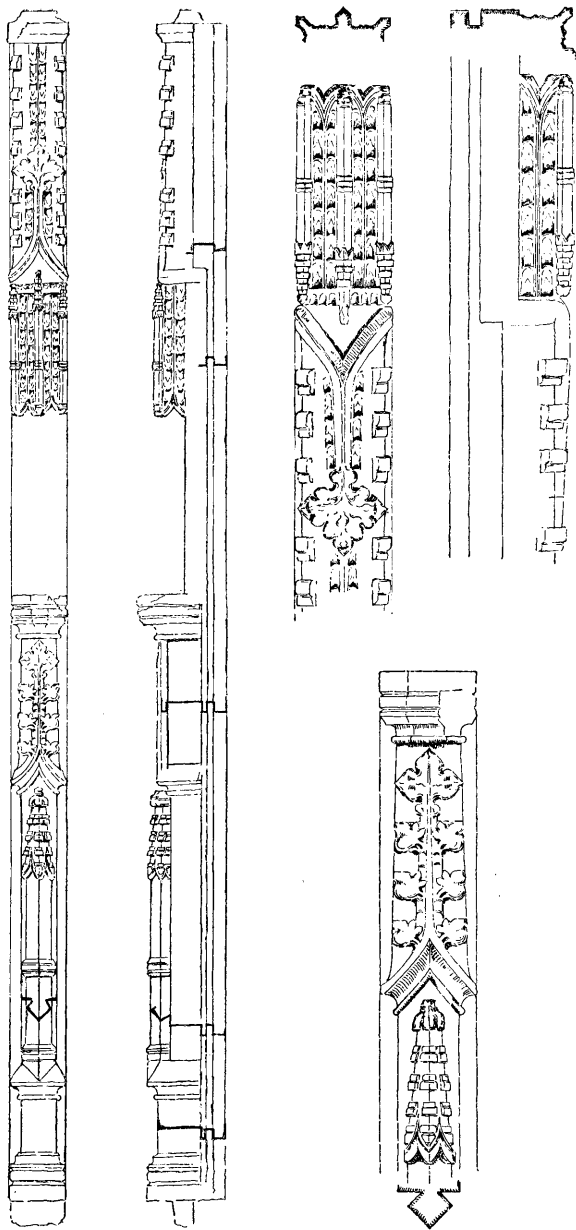
For us, amid the perishing of records of so many more significant, more inspiring, curious, and instructive events, this little genre etching remains to light a particle of the past and keep alive the names of these Dumfriesians and their would-be exploiters.

Punishment of the Pillory, for Cheating with False Dice (5 Richard, 11, A.D. 1382. Letter Book H., fol. cxxxviii. Latin).

On the same 8th day of January, Richard Scot, *hosyere*, was attached to make answer, as well to the Mayor and Commonalty, as to John Thomson and William de Glendale, of Dounfriz in Scotland, in a plea of deceit and falsehood; for that he, the same Richard, by his false instigation and by that of Alice, his wife, and by deceitful and false words, made the said John and William enter the house of the said Richard, in the Parish of St. Edmund Lumbardestret, on Thursday, the Feast of St. Stephen [26 December] in the 5th year; where, by false dice and *joukerie*, the same Richard won of them 40s and a knife, value 4s, maliciously and deceitfully, etc.

The said Richard Scot, being questioned thereupon by the Mayor and Alderman, how he would acquit himself, said that he was in no way guilty thereof; and put himself upon the country as to the same. The jury of the venue aforesaid appeared on the 9th day of January following, by John Boner and eleven others; who declared upon their oath, the said Richard to be guilty of the deceit and falsehood aforesaid. Therefore it was adjudged, that the said Richard should repay the 44s aforesaid, and damages taxed by inquisition at 20d; and that on the same day he should be put upon the pillory, there to remain for one hour of the day, the said false dice being hung from his neck; and after that, he was to be taken to Neugate, and from thence, on the two following days, with trumpets and pipes, to be taken again to the said pillory, there to remain for one hour each day, the said false dice being hung from his neck. And the Sheriffs were ordered to have the cause of his punishment proclaimed.—*Memorials of London and of London Life in the XIIIth, XIVth, and XVth Centuries*, by Henry Thomas Riley, London; 1868; p. 457.

G. W. S.



CARVED POST OF STALL  
from Lincluden College.

(Drawn by W. J. SMITH, Architect. Reduced from 5 ft. 8 1/2 in.  $\times$  3 1/5 in.)

*See pp. 197-8.*

**Mrs Carlyle's Claim to Descent from John Knox.**

By Sir PHILIP J. HAMILTON GRIERSON.

In an interesting contribution printed in the Society's *Transactions* of the session 1888-89 the late Mr John Carlyle Aitken collected a number of notices relating to the early history of the Welsh family and its various branches. I have been able to gather some further information from the manuscript and published records, and I venture to submit it to the Society, in the hope that it may be of some interest in itself, and that other members may be able to fill in some of the gaps which I have been unable to bridge.

I shall confine myself to two families—the Welshes of Colliston and the Welshes of Craigenputtock—of whom the former was connected with John Knox, while the latter has a special interest as having been represented in recent times by Jane Welsh, the wife of Thomas Carlyle.

The earliest notice of the family of Colliston with which I am acquainted belongs to the year 1538, when John Welsh in Colliston was witness to an instrument of sasine.<sup>1</sup> On 22nd May, 1545, sasine of the merkland of Stronschilloch, called the merkland of Burnesyde, lying in the parish of Glencairn and sheriffdom of Dumfries, was given to John Velshe in Makcollestoun—a common form of Colliston—and Mariota Fergusson, his wife, and to the survivor in conjunct fee, and the heirs of their bodies.<sup>1a</sup> On 13th December, 1555, a charter of the 10s lands of Colloustoun or Makcollostoun and the half merkland of Larg in the parish of Dunscore, and of the 20s lands of Barquhregane called Makcallinstane and the half merkland of Stellintrie in the parish of Holywood, was granted by Thomas, perpetual commendator of the monastery of Holywood and the convent thereof in favour of their servitor, John Welsche in Col-

<sup>1</sup> Sir Mark Carruthers' *Protocol Book*, 1531-61, fol. 33. I am indebted to Mr R. C. Reid of Mouswald for an opportunity of perusing his abstract of this protocol book.

<sup>1a</sup> Herbert Anderson's *Protocol Book* (1541-1550), No. 25, printed in the Society's *Transactions* (1913-14).

loustoun, his heirs and assignees.<sup>2</sup> I have not ascertained the dates of the deaths of John and his wife; but we know<sup>3</sup> that he was survived by two sons—John and Cuthbert<sup>4</sup>—and by two daughters—Kate and Isabel.

John married Marion Greir and died on 5th June, 1600, survived by his widow, three sons—David, Cuthbert, and John—and three daughters—Margaret, Jean, and Marion.<sup>5</sup>

The third son, John, married Elizabeth, third and youngest daughter of John Knox, the Reformer, by his wife, Margaret Stewart, daughter of Andrew, second Lord Ochiltree.<sup>6</sup> He died in 1624, survived by three sons—William, who became a physician and left a daughter named Margaret; Josias, who died on 23rd June, 1634, and whose son John was minister of Irongray; and Nathaniel, who was drowned at sea—and two daughters, of whom one was named Louisa.<sup>7</sup> John Welsh, minister of Irongray, of whom

<sup>2</sup> See MS. *Abbrev. Cartarum Feudifirme Terrarum Eccles.* ii., fol. 255, Register House, Edinburgh. See also the Charter of Confirmation, dated 13th November, 1584, in the *Collection of Charters in the Register House, Edinburgh*, No. 2769.

<sup>3</sup> See the will of his eldest son, John, recorded 29th June, 1604, Edinburgh Comm.

<sup>4</sup> Cuthbert married Agnes, daughter of John Greirsoun and Jonet Young, in whose favour the commendator of Holywood had granted a charter of the 10s lands of Skynfurde in the parish of Holywood on 10th July, 1573. See the Charter of Confirmation, dated 29th August, 1577 (*Reg. Magni Sig.*, No. 2711). Cuthbert died before 2nd April, 1632, on which date his son, Edward, had sasine of the lands of Skinfurde (recorded 9th April, 1632, in the MS. *Dumfries Particular Register of Sasines*); and on the same day Edward gave sasine of the said lands to David Welsh of Colliston.

<sup>5</sup> His three sons and his daughters, Margaret and Marion, are mentioned in his will, where it is stated that he owed 400 merks to Margaret "be way of contract be Homer Maxwell of Fourmerkland." Jean is not mentioned in his will, but the marriage contract between her and William Grierson of Kirkbride, dated 1st November, 1613, printed in Mr Carlyle Aitken's paper referred to above, states that she was John Welsh's daughter.

<sup>6</sup> See J. Young's *Life of John Welsh, Minister of Ayr*; Edinburgh, 1866, p. 49.

<sup>7</sup> *Id. ib.*, pp. 411-18.

the Rev. S. Dunlop has given to the Society an interesting account,<sup>8</sup> married first Elizabeth Somerville on 18th February, 1653.<sup>9</sup> She died in child-bed at Corsock about 1663.<sup>10</sup> His second marriage took place in Fife in 1674.<sup>11</sup> He died on 9th June, 1681.<sup>12</sup> We do not hear that there was any surviving issue of either of his marriages.

David Welsh, John's eldest brother, was served heir to his father on 15th February, 1609;<sup>13</sup> and in the following year he entered into a contract with Lord Herries by which the latter agreed on payment of 2000 merks to infeft him in the three merkland of Craigenputtock—composed of Nether Craigenputtock, Rouchmerk, and Costroman, each extending to a merkland.<sup>14</sup>

David's wife was Agnes Stewart, who died in September, 1623.<sup>15</sup> He had two sons—John and Lancelot<sup>16</sup>—and from an instrument of sasine, dated 14th January, 1624,<sup>17</sup> we learn that John, his elder son, married Katherine, daughter

<sup>8</sup> *Transactions* (1911-12) and (1912-13).

<sup>9</sup> *Parish of Holyrood or Canongate Register of Marriages, 1564-1800*, Scottish Record Society.

<sup>10</sup> MS. *Memoirs of Blackader*, Advocates' Library, G.2, Wodrow Coll. xcvi.

<sup>11</sup> See Rev. S. Dunlop, "John Welsh, the Irongray Covenanter," in the Society's *Transactions* (1912-13), p. 74.

<sup>12</sup> Robert Law, *Memorials*, Ed. by C. K. Sharpe, Edinburgh, 1818, p. 175.

<sup>13</sup> *Inquis. Spec. Dumfries*, 70. The lands in which David was infeft were the 10s land of Collustoun, the half merkland of Larg, the 20s lands of Barquhregane and Makcaluestoun (vel Makcalmes-toun).

<sup>14</sup> *Inventory of the Muniments of the Families of Maxwell, Herries, and Nithsdale, in the Charter Room at Terregles*, by Sir William Fraser, Edinburgh, 1865. "The Herries Inventory," 356. These lands had been set in feu to Lord Herries by the Monastery of Holywood (see MS. *Charge of the Temporalities of Kirklands South of the Forth*, fol. 354, in the Register House, Edinburgh).

<sup>15</sup> See her testament recorded 21st December, 1624, *Dumfries Commissariat*.

<sup>16</sup> See instrument of sasine, dated 3rd February, and recorded 12th March, 1668 (*General Register of Sasines*).

<sup>17</sup> Recorded 18th February, 1624 (*General Register of Sasines*).



of William, *alias* Wilkeine, Johnstone of Auchenheid, and relict of John Kirko of Bogrie, and had sasine from his father of the lands of Gibbiston<sup>18</sup> and Stellingrie in the parish of Holywood, and of an annual rent to be uplifted out of the lands of Colliston and Larg in the parish of Dunscore. By this marriage he had two children—John and Marie. He married, secondly, Sara Kirkpatrick, sister of John Kirkpatrick of Okinson (Auchinseu), and by this marriage he had a daughter, Helen.

In 1634 David Welsh was in possession of Nether Craigenputtock, while his son John was in possession of Colliston and Larg.<sup>19</sup> In 1647 and 1649 the latter was on the Committee of War for Dumfriesshire;<sup>20</sup> and on 21st July, 1654, a charter of certain lands, including Colliston and Gibbieston, which had belonged to his father and had been appraised from him, was granted to him, his heirs and assignees.<sup>21</sup>

On 3rd August, 1654, his son John, designated as John Welsh, son of John Welsh, younger of Colliston, had sasine in the poundland of Gribton.<sup>22</sup> He died before 20th January, 1659, on which date Marie Welsh, wife of William Gordon of Monibuy, was served his heir in certain lands, including the lands of Gibbieston, but not including the lands of Colliston.<sup>23</sup>

In November, 1661, John Welsh, the father of John and Marie, died, survived by his widow, Sara Kirkpatrick, who afterwards married John Fergusson, brother of Robert Fergusson of Craigdarroch, and by a daughter, Helen;<sup>24</sup> and in

<sup>18</sup> The name given to the 20s lands of Barquhregane.

<sup>19</sup> See the *Valuation of the Teinds of Dunscore*, dated 21st March, 1634, and recorded 2nd July, 1712, in the Teinds Office, Edinburgh.

<sup>20</sup> Acts of Parliament, vi. pt. i., p. 815; vi., pt. 2, p. 188.

<sup>21</sup> *Reg. Mag. Sig.*, x., No. 314.

<sup>22</sup> Recorded 29th August, 1654 (*Dumfries Particular Register of Sasines*).

<sup>23</sup> *Inquis. Spec. Dumfries*, 239.

<sup>24</sup> See John Welsh's Testament, recorded 7th and 28th April, 1662, *Dumfries Commissariat*.

1668 Marie Welsh, who had married John Gordon of Kirkconnell in the preceding year, gave sasine of the £4 land of Gribton, the 20s land of Nether Whiteside, the two and one half merkland of Colliston, the 20s land of Gibbieston, and certain lands in Galloway to her husband in liferent and the heirs of the marriage in fee, in terms of their marriage contract, dated 25th March, 1667.<sup>25</sup>

From a sasine dated 3rd February, 1668,<sup>26</sup> we learn that Lancelot Welsh of Craigenputtock, described in the document as heir of line male, tailzie or provision to umquhile John Welsh, elder of Colliston, his brother, or John Welsh, younger of Colliston, his son, had, by letters of disposition under his hand, sold and annalzed and disposed to John Fergusson, brother to Robert Fergusson of Craigdarroch, heritably and irredeemably, the 20s land of Colliston, the merkland of Larg, and the 20s land of Nether Whiteside, in trust for his behoof and for defence of an action intended by Marie Welsh, pretended heir to the said umquhile John Welsh, younger of Colliston, and John Gordon of Kirkconnell, her spouse, against the said John Fergusson and Sara Kirkpatrick, his spouse, and relict of the said umquhile John Welsh, elder of Colliston, and the said Lancelot Welsh. John Fergusson bound himself, on the action being decided in his favour, to divest himself of all right to the said lands in favour of Lancelot, excepting his wife's right to a liferent in terms of her marriage contract.

What lands were the subject of Marie Welsh's claim we are unable to say, but that she retained possession of Colliston and Larg, while Nether Craigenputtock remained with her uncle Lancelot, seems to be certain. Mr Carlyle Aitken, in the paper to which I have referred above, writes that "in the year 1685 there is a service of Mary Welsh as heir to her father in the 20s land of Colliston, the merkland of Larg, the 20s land of old extent of Nether Whiteside, and the 40s land of old extent of Craigenputtock." I have been unable to find

<sup>25</sup> Recorded 4th January, 1668 (*General Register of Sasines*).

<sup>26</sup> The instrument of sasine is cited in Note 16 above.

this service in the records, and its inclusion of the 40s land of Craigenputtock presents a difficulty which I have been unable to solve, as Lancelot is designated as of Craigenputtock in documents dated in 1649, 1662, 1668, 1670, and 1679.<sup>27</sup>

On 10th April, 1691, William Copland, son of the late John Copland, some time Provost of Dumfries, had sasine of the lands of Colliston and Larg and of other lands;<sup>28</sup> and the connection of the Welshes with Colliston came to an end.

Let us now return to David Welsh, who was, as we have seen, in possession of the lands of Nether Craigenputtock in 1634. His name and that of John, his son, both designated as of Colliston, appear in a list of contributors to the cost of building the new parish church of Dunscore in 1649; and in the same list we find the name of Lancelot Welsh of Craigenputtock.<sup>29</sup> He is mentioned in a decree, dated 2nd October, 1657, in a process at the instance of Robert Archibald, minister of Dunscore;<sup>30</sup> and in documents dated in 1662,<sup>31</sup> 1668,<sup>32</sup> 1670,<sup>33</sup> and 1679,<sup>34</sup> he is designated as "of Craigenputtock" or "of Nether Craigenputtock." In 1712 John Welsh, younger of Craigenputtock, who seems to have been Lancelot's son, was witness to an instrument of sasine;<sup>35</sup> and two years later his son John had a sasine from his father.<sup>36</sup> In the latter instrument another son—Timothy—is mentioned. John Welsh, the elder, died in February, 1722, and his inventory was given up by his son, John Welsh, described as "now

<sup>27</sup> See Notes 31, 32, 33, 34 below.

<sup>28</sup> Recorded 26th November, 1691 (*Dumfries Particular Register of Sasines*).

<sup>29</sup> Dalgonar Charter Chest.

<sup>30</sup> *Dumfries Particular Register of Hornings and Inhibitions*.

<sup>31</sup> *Register of Deeds*, v. 190, 191 (Durie).

<sup>32</sup> See instrument cited in Note 16 above.

<sup>33</sup> Bond dated 28th March, 1670, recorded November, 1677 (*Minute Book of Deeds, Commissariot of Dumfries*).

<sup>34</sup> Bond dated 8th and recorded 28th May, 1679 (*ib.*).

<sup>35</sup> See an instrument of sasine dated 20th May and recorded 27th June, 1712, by Gilbert Grierson of Chapel in favour of John Neilson (*Dumfries Particular Register of Sasines*).

<sup>36</sup> Dated 22nd October and recorded 16th December, 1714 (*ib.*).

of Craigenputtock," and Mary Muirhead, his granddaughter.<sup>37</sup>

On 24th March, 1724, William Hunter of Over Craigenputtock infeft John Welsh of Nether Craigenputtock in the lands of Over Craigenputtock.<sup>38</sup> It seems to have been this John Welsh to whom Froude refers<sup>39</sup> as a sympathiser with the cause of the Pretender. In 1760 his son Robert married Menzies, daughter of William Irving of Gribton,<sup>40</sup> and dying early was survived by a son John, who was the paternal grandfather of Jane Welsh, the wife of Thomas Carlyle. Froude<sup>41</sup> observes of Mrs Carlyle's ancestors that "the eldest son bore always the same name. John Welsh had succeeded John Welsh as far back as tradition could record, the earliest John of whom authentic memory remained being the famous Welsh, the minister of Ayr, who married the daughter of John Knox." Mrs Carlyle seems to have accepted this tradition; but, as we have seen, it receives no countenance from the records. These plainly indicate that the Craigenputtock

<sup>37</sup> See his will recorded 12th June, 1722, *Dumfries Comm.*

<sup>38</sup> See instrument of sasine, recorded 20th May, 1724 (*Dumfries Particular Register of Sasines*). In 1611 a crown charter, confirming a charter granted by Lord Maxwell, was granted in favour of John Kirko apparent of Bogrie (*Reg. Mag. Sig.*, vii., No. 417); and in a bond, dated 1st February, 1620, it is stated that the 20s land of Over Craigenputtock had been apprised from John Kirko, son and heir of the late John Kirko of Bogrie (*Herries Inventory*, Nos. 428, 429). On 22nd February, 1639, Thomas Hunter of Over Craigenputtock gave sasine of a liferent of 140 merks to be uplifted out of the lands to his spouse, Barbara Maxwell, relict of Alexander Fergusson of Ile. The instrument is recorded 26th February, 1639, in the *Dumfries Particular Register of Sasines*. On 13th February, 1678, Thomas Hunter of Craigenputtock gave sasine to his wife, Susanna Greirsoun, in the lands of Over Craigenputtock in implement of a bond in her favour. The instrument is recorded 10th April, 1678, in the *Dumfries Particular Register of Sasines*.

<sup>39</sup> See Froude's *Thomas Carlyle: A History of his Life in London* (1834-1881). London, 1884, i., 109.

<sup>40</sup> Kirk Session Records of Holywood, December 17th, 1760, communicated by the Rev. J. M'Combie, minister of Holywood.

<sup>41</sup> Froude's *Thomas Carlyle: A History of his Life in London* (1834-1881).

family sprang not from the husband of Knox's daughter, but from David Welsh, his elder brother.<sup>42</sup>

Still a difficulty presents itself, which I have been unable to solve. How comes it that in the service of Mary Welsh, who, according to Mr Carlyle Aitken, was served heir to her father in 1685, the 40s land of old extent of Craigenputtock was included? It may be that the original document is still in existence, and that its terms may supply an answer to this question.

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### 10th December, 1920.

Chairman—Dr. T. R. BURNETT.

#### The Romans in Dumfriesshire.

By GEORGE MACDONALD, LL.D.

Even at this distance of time the exploration of the Roman fort at Birrens in 1895 is, I doubt not, a vivid memory to some who are present this evening. Nor do you need to be reminded that a permanent record of its immediate results is preserved in your own *Transactions*.<sup>1</sup> During the quarter of a century that has since elapsed we have learned much. Nevertheless, the opening up of Birrens still marks a notable epoch in our progress towards a knowledge of Roman Scotland. It was the first systematic enterprise of the sort to be undertaken by the Scottish Society of Antiquaries, and the late Mr Barbour carried his share of it through with a skill and an intelligence that made it, in its day, a pattern of its kind. The justification for going back on it to-night is that, thanks in no small measure to the impulse which it gave, the remains can now be interpreted with far more certainty than was possible when they were actually uncovered. A great deal is still dim and obscure, and is never likely to be much

<sup>42</sup> The same view is taken by J. M. Sloan, *The Carlyle Country*, London, 1904, p. 236.

<sup>1</sup> No. 12 (1895-96), pp. 158 ff.

clearer. But we can discern at least the faint outlines of the story to which the familiar green mounds bear silent witness. We can also hazard a guess at the significance of the other memorials which the Romans have left within the limits of what is to-day the county. In the circumstances it is, perhaps, worth while pausing to take stock, as it were, of our knowledge, to see what can be done in the way of bringing the scattered threads together, in the hope that they may furnish a clue to the direction of further advance. This is the task to which your Committee have done me the honour of asking me to address myself.

A few words of preliminary explanation are required. To understand Birrens, we must remember that it was no isolated phenomenon; there were hundreds of other forts almost exactly like it in Europe, in Western Asia, in Northern Africa. These forts were a recognised feature of the Roman frontier system. The boundary of the Empire was nowhere a finely drawn, imaginary line. On the contrary, it was usually a wide zone, sometimes as much as two or three hundred miles broad. On the innermost edge of this stood the great legionary fortresses, in which the real fighting strength of the army was concentrated. The troops that lay in leaguer there were within ready call of the provincial governor in the unlikely event of the peace of the province itself being broken. But it was towards the foe outside that their faces were really turned. If operations on a great scale had to be undertaken, if field-works of a more than usually elaborate character had to be constructed, their services were requisitioned. The Roman Government, however, could not afford to regard its expensive and highly-trained legionaries too lightly; and so, for the ordinary rough-and-tumble encounters, from which certain of the frontier districts were never entirely free, a less costly class of soldier was employed. The auxiliaries, as they were called, occupied that part of the frontier zone which stretched beyond the fortresses or "stations" of the legions. This district was covered by a network of military roads, to render movement easy, while all the points of strategic importance were commanded by

permanent forts calculated, as a rule, to accommodate a regiment of auxiliaries, 500 or (it might be) 1000 strong, but sometimes held by a mere handful of men. These sites were more than forts in the modern sense of the term. They were military settlements, and attached to each were quarters for women, children, traders, and time-expired soldiers. In the normal course of events one and the same regiment might remain on the same spot, not only for generations, but for centuries. The gaps in the ranks were often filled by lads whose fathers had themselves seen service, and who, if they survived the perils of campaigning, would in their turn settle down to spend their declining years under the shadow of the walls within which the better part of their lives had been passed.

The application of these general principles determined the distribution of the Roman garrison in our own island. There were great legionary fortresses at York, at Chester, and at Caerleon-upon-Usk. Beyond the lines connecting these, and as far as the arm of Rome could reach, we should expect to discover traces of military roads and of the forts or *castella* of the auxiliaries who patrolled them. And that is just what we do meet with, among the wild Welsh hills and throughout the bleak expanse of high and broken ground which occupies so much of the north of England and the south of Scotland; even the two " Walls " are little more than special cases of cross-roads that were held in exceptional strength owing to the geographical opportunity they presented. The whole of this outer region was ill-adapted to support a population devoted to such peaceful arts as were familiar to the ancient world. For restless tribes of hunters and marauders, on the other hand, it must have been ideal. Birrens was one of the numerous *castella* designed to hold these tribes in check and keep communication open. But its occupation was not continuous throughout the long period during which Britain was a province of the Empire. The tide of Roman power on the British frontier ebbed and flowed, at one time surging forward into Perthshire, at another retreating to the Tyne and

Solway isthmus. Can we ascertain how these vicissitudes affected Birrens?

A convenient starting point is supplied by the Antonine Itinerary (*Itinerarium Antonini Augusti*), a list of the principal roads within the Empire, which was originally compiled either under Pius or under Caracalla—whence its title—but which has obviously undergone various recensions down to the reign of Diocletian (A.D. 284-305). Two of the fifteen British roads or *itineræ* begin on the north of Hadrian's Wall. The description of the more westerly of these opens thus:—

*A Blatobulgio castra exploratorum* ... M.P. xii.  
*Lugovallō* ... ... M.P. xii.

Lugovallum or Lugovallium is without doubt Carlisle. Netherby, which lies some eleven English or twelve Roman miles to the north of it and which is known to have been a Roman fort, is in all probability *Castra Exploratorum*. A very short distance farther takes the *Iter* across the Border, so that *Blatobulgium*<sup>2</sup> was certainly in Scotland. On the Ordnance Map of Dumfriesshire the surveyors mark as "Roman" a section of an old road whose remains are still traceable in the parish of Kirkpatrick-Fleming. They are only guessing. But they may nevertheless be right, for the section lies not far from the modern highway and railroad, and thus follows what is plainly the natural route from the head of the Solway towards the Clyde. Unfortunately, it is not more than three-quarters of a mile long. But its position is quite compatible with the idea that it is part of a road that once ran from Netherby into Dumfriesshire. Moreover, a continuation of it would lead in ordinary course to Birrens; and, as Birrens is almost the same distance from Netherby as Netherby is from Carlisle, the conclusion that it represents the *Blatobulgium* of the Antonine Itinerary is virtually inevitable. The identification is not new. It is, in fact, nearly two hundred years old. But it must, nevertheless, be put in the forefront of any account of the fort.

<sup>2</sup> The name is Celtic. See Holder's *Alt-Keltischer Sprachsatz*, s.v.



As to the situation of Birrens, and its discovery in or about 1723, there is nothing to add to what is already recorded in the *Transactions*.<sup>3</sup> But there is one recently ascertained fact that deserves to be mentioned. I do not think it has yet been published.<sup>3a</sup> In the autumn of 1915 excavation in the churchyard at Hoddum, some three miles away, brought to light the greater part of the foundations of the old church, erected not later than the beginning of the fourteenth century. At the east end of the nave there were still three or four courses of masonry left, and an examination of these suggested that the entire building had been constructed from material that had been carried from the ruins of the Roman fort. The foundations of the side walls rested upon two rows of channelled stones which had belonged to Roman gutters, while other blocks betrayed the handiwork of the Roman mason by their dressing, and particularly by the chevron ornament that decorated the side originally intended to be seen. Finally, there was bonded into the cross wall of the chancel a stone bearing, within a framework of lines, the letters LEG VI V, "the Sixth Legion, the Victorious." This is a highly instructive illustration of the process of spoliation to which the memorials of the Roman occupation were for centuries exposed.

Mr Barbour's account of the defences can hardly be amplified without further and much more extensive excavation than he was able to embark upon. But it is important to emphasise one piece of evidence to which he refers. It was apparent that at some time or other the rampart had

<sup>3</sup> In *Birrens and its Antiquities*, also published by the Society (1897), there is a reference (pp. 6 f., footnote) to a MS. account of the fort, dated 1723, and now in the Advocates' Library. Mr G. W. Shirley has drawn my attention to another MS., now in the possession of the Rev. Dr King Hewison of Rothesay, which proves that the fort was first recognised as Roman by the Rev. Peter Rae of Kirkbride, who brought it to the notice of Alexander Gordon in 1723.

<sup>3a</sup> Since this paper was read the story has been given to the public in the *Royal Commission's Inventory of the Ancient and Historical Monuments of Dumfries* (1920), p. 98.

been breached to a considerable depth and subsequently repaired. The obvious suggestion that the fort had once been partially destroyed, and afterwards restored, was fully confirmed by the exploration of the north gateway, where an earlier entrance was discovered at a depth of about 3 feet below a later one. The remains of the west gateway were too fragmentary to admit of its being determined whether the conditions were similar there, while the east gateway was quite gone, but for a pivot-stone which was found in the neighbourhood. On the fourth side the whole rampart with its trenches has disappeared, and doubts have consequently been expressed as to there ever having been an entrance there at all. The doubts may be set aside as unjustified. As we shall see in a moment, the principal building in the interior faced southwards, and it is impossible to suppose that there was no approach to it from the front. The disappearance of the southern defences is due to the encroachment of the stream.

The area enclosed by the rampart was just under four acres. Mr Barbour's admirable plan<sup>3b</sup> shows it to have been closely packed with buildings. In the very centre was the Principia or Headquarters of the garrison staff (No. xii.), the design of which was of a now familiar type. Entering from the south, one found oneself in a court-yard which contained a well, and which was surrounded by a colonnade, enclosing a cloister or covered walk. The north wall of the court-yard was divided into seven bays, and through the central and widest of these bays access was had to an inner court-yard, in the rear of which was the Sacellum or Shrine of the Standards, flanked by two smaller chambers on either side. The smaller chambers were offices of one sort or another. The Sacellum held the regimental colours and the image of the Emperor. Its floor had been raised above the ordinary ground level, and beneath it was a cellar or strong-room,

<sup>3b</sup> See Plate I. A of the *Transactions*, 1895-96. It has been reproduced in *Birrens and its Antiquities*, as well as in the *Proceedings of the Society of Antiquaries of Scotland* (vol. xxx.), and elsewhere.

to which a flight of steps led down. Here the military chest was kept.

After the Principia the most easily recognisable buildings in the central block are the two store-houses (Nos. xi. and xv.). They can be identified at once by their peculiar construction. The numerous buttresses were intended to resist the outward thrust of heavy vaulted roofs, while the longitudinal dwarf walls were designed to permit such a current of air to circulate as would keep the floors damp-proof. That these buildings were used for the stocking of grain is certain; blackened wheat was found among their ruins. The interior area of each is not far short of 130 square yards. It is safe to assume that the two together would easily hold 420 tons, an amount which on the basis of a 3 lb. daily ration would be sufficient for 1000 men for a complete year.<sup>4</sup> The daily allowance seems large, but it has to be remembered that the Roman army was, in the main, a vegetarian army.<sup>5</sup> Meat and shell-fish were eaten: witness the remains from the Bar Hill and from Newstead. But bread was the staple. It is, therefore, interesting to note the position of the bakery with its ovens, close to the east gateway (No. xxx.).

The foundations at the western extremity of the central block (Nos. ix. and x.), may very well represent the *fabrica* or workshop of the fort. Those immediately to the east of the Principia (Nos. xiii. and xiv.) in all probability once supported the walls of the official residence of the Commandant. It will be observed that one of the rooms was heated by a hypocaust, a wise precaution against the rigours of our inclement winter. The presence of this hypocaust led the excavators to believe that what they had lighted upon here was the bathing establishment, which was an indispensable adjunct of even the smallest of Roman permanent forts. The baths, however, must have lain outside, as they almost invariably did. If the annexe is ever explored, their remains will be found not far from the road that passes out of the

<sup>4</sup> See R. G. Collingwood in *Cumberland and Westmorland Ant. and Arch. Soc. Trans.*, vol. xx. (N.S.), pp. 138 ff.

<sup>5</sup> See Haverfield, *ibid.*, pp. 130 f.

west gateway. There is, however, some reason to think that they have been already plundered, for the harvest of inscribed stones includes three altars to Fortune, and it was usually in the baths that dedications to that divinity were placed.

The purpose of the long narrow buildings that filled so much of the northern portion of the enclosure is unmistakable. These were the barracks of the soldiery (Nos. xvi.-xxi. and xxiii.-xxviii.). Technically they were known as *hemistrigia*. You will note that, for the most part, they run in pairs, and that they have been sub-divided into small compartments by cross-walls, a few of which can still be traced. The explanation is that they were modelled on the rows of tents as usually pitched in a field encampment, each row containing ten tents and each tent being designed to hold eight or ten men. A row would thus accommodate a century, and a double row a maniple, which was the regimental unit in the Roman army. The two buildings at the extreme north (Nos. xxii. and xxix.) differ in plan from the others. No evidence as to their use was forthcoming, but it is not unlikely that at least one of them was a latrine. Leaving these out of account, we can see twelve regular *hemistrigia*. If each of these housed 80 men—and 80, not 100, was the ration strength of a century—we should get a garrison of 960, or, say, 1000 in all.

The figure is exactly what we should expect, for each of the two regiments which the inscriptions enable us to associate with the fort was 1000 strong. And there is something more. Each of them was a *cohors equitata*. That is, 260 of the men were mounted. This, I think, supplies a key to the buildings in the southern half of the enclosure. Nos. i.-iii and v.-vii. were stables, each for 40 or 50 horses. The more westerly of the two that abut on the main street probably contained harness rooms and the like. The more easterly is shown by its ground plan to have been a storehouse. Here would be kept the food for the horses. Mr Barbour draws attention to the stone plat at the western end, "measuring five feet each way, and raised a step above the

level of the street." As its surface was worn with use, he suggests that it may have been a post for a sentry. It seems more likely that it was a loading platform.

The general meaning of the plan is now, I hope, apparent. Before we leave it, however, I wish to remind you of a most interesting feature, already commented on by Mr Barbour. Speaking, not of any particular part of it, but of the whole interior, he says:—"The walls belong to two distinct periods. Evidently the original buildings had been destroyed and razed. . . . When occupation again took place, the buildings were reared of new." It is in connection with the *hemistrigia* that the lack of coincidence between the primary and the secondary foundations is most obvious. But the same phenomenon can be detected elsewhere. In a word, the testimony of the interior confirms in the most striking fashion the inference drawn from the breach in the defences. The fort had been destroyed and afterwards rebuilt. Moreover, both the original structure and that which replaced it had conformed to the normal type of a Roman *castellum*. Both, therefore, had been reared by Roman hands. And the plan furnishes material for one further deduction. The restoration cannot be placed earlier than the second half of the second century after Christ, for it was only then that it became customary to have a strong room beneath the floor of the *Sacellum*.

This exhausts the information that can be extracted from the ruins themselves. We have next to see how far it is borne out, or supplemented, by the evidence that can be gleaned from the objects found. Happily these are numerous enough to point the way to more definite conclusions. In considering them, we have to keep firm hold of the fundamental fact that the active interference of the Romans in Scotland was limited to three well-marked chronological periods. The first, which it is convenient to associate with the name of Agricola, began in A.D. 81, and lasted (as I am now disposed to believe) for thirty years or longer. The second, which was chiefly notable for the building of the Wall between Forth and Clyde, began about A.D. 142, and

ended soon after 180. The last covers the invasion of Caledonia by Septimius Severus in the opening decade of the third century. It is by far the shortest and least important of the three. Despite the grandiloquent descriptions given by Cassius Dio and Herodian, it seems to have been a mere episode, and to have had but a transient effect. Bearing this threefold division in mind, let us see what the relics have to tell us.

We may begin with the coins. During the excavations of 1895 there were found two denarii of Mark Antony and one denarius each of Domitian, Nerva,<sup>6</sup> Hadrian, and Pius, as well as two large brass coins of Trajan, one of Hadrian, and one of Pius, and a single second brass of Pius. As I have pointed out in an article published in a recent volume of the *Proceedings of the Society of Antiquaries of Scotland*,<sup>7</sup> the second century complexion of this list is very decided. The denarii of Mark Antony and of Domitian were, of course, struck much earlier, but such pieces circulated freely in the reign of Pius and even later. They and the coins of Nerva and Trajan may have been dropped during the "Agricolan" period. Equally, however, they may not have been lost until after the building of the Forth and Clyde Wall. Two other apparent exceptions are less easily disposed of. I have dealt fully with both in the article just referred to, and have shown that the first—a bronze coin minted between A.D. 16 and A.D. 19, and seen by Sir John Clerk in 1737—was in all probability a waif, while the second—a gold piece of Constantius Chlorus (A.D. 305-6), illustrated in Gordon's *Itinerarium*—had been worn for many years as an amulet, and was therefore of no value as evidence.

As a whole, then, the coins, few in number though they be, point plainly to an occupation which did not extend beyond the limits of the second century. A scrutiny of the fragments of pottery leads to a similar conclusion. In 1895

<sup>6</sup> This is the piece which in the original report was doubtfully assigned to M. Aurelius.

<sup>7</sup> Vol. lii., pp. 203-276. For Birrens, see pp. 217-219.

the importance of potsherds for purposes of dating was much more imperfectly appreciated than it had come to be ten or twelve years later when Newstead was explored. There was no systematic search for them at Birrens, no methodical trenching for rubbish pits. Yet the number recovered was far from inconsiderable. Of Samian ware alone no fewer than 500 pieces were picked up, the great majority of them, no doubt, very small. The quantity of coarse ware—mainly portions of mortaria and amphorae—was likewise anything but negligible. With it all, however, there was not a single fragment that suggested a date either earlier or later than the second century. It is always possible that, if the annexe could have been cut into and its rubbish pits cleared out, there might have been a different story to tell. But, as matters stand, the case against an Agricolan origin for Blatobulgium seems conclusive.

We may venture to go further. Mr James Curle, to whom I am indebted for communicating to me the results of a careful examination of the whole of the pottery, informs me that among the fragments of Samian there were some to which Newstead offered no parallel. So far as he could judge, these fragments seemed to be from vessels which had been manufactured in the potteries of Eastern Gaul, and had probably been imported before the reign of Pius. That is, they belonged to the Hadrianic period. If this be so, the chances are that the fort at Birrens was originally built when Hadrian's Wall was erected, and that it was held by a Roman garrison for fifteen or twenty years before Lollius Urbicus led the troops of Pius into Scotland about A.D. 142. In that event it must have been designed as an outlier of the great Tyne and Solway barrier. And a function of the sort would agree admirably with the passage quoted above from the Antonine Itinerary, where Blatobulgium is made the starting point of the road that ran *a vallo*—that is, from the Wall—to Richborough. We have thus reached, by a somewhat different path, the same foundation-date as was tentatively suggested in *Birrens and its Antiquities*.<sup>8</sup>

<sup>8</sup> pp. 68 f.

The inscriptions enable a further advance to be made. Inclusive of the stone discovered in the ruined walls of the old church at Hoddum, as many as twenty-five of these are recorded. The full and careful list already printed in your *Transactions*<sup>9</sup> makes it unnecessary to go into details. It will be sufficient to emphasise the salient points. And first as to the three stones that bear the name and titles of the Sixth Legion. Their presence proves that this legion—usually designated *Victrix*, *Pia*, *Fidelis*, or “the Victorious, the Dutiful, the Loyal”—was ultimately concerned with the operations that led either to the building or to the rebuilding of Birrens. It was not included in the original army of Britain, but was brought to the island from Lower Germany some time in the reign of Hadrian, to fill the gap caused by the annihilation of the Ninth Legion at the hands of the Brigantes. Its headquarters were at York. Shortly after its arrival it must have assisted in the work of erecting Hadrian’s Wall, along which it has left numerous inscriptions, and about A.D. 142 a detachment of it was engaged in the construction of the Forth and Clyde barrier. It is not possible to say with certainty when the Legion was at Blatobulgium. But it is worth noting that about the year 1803 there was found at Kirkandrews, not far from Burgh-upon-Sands, and therefore almost at the nearest point to Birrens on the line of the English Wall, an altar dedicated by a commander of the Sixth Legion *ob res trans vallum prospere gestas*—that is, “as a thank-offering for success in the campaign north of the Wall.” The inscription<sup>10</sup> unquestionably falls within the limits of the second century, and experts are inclined to think that the form of the letters indicates a date later than A.D. 150. Very possibly, therefore, the altar ought to be connected with the campaign that resulted in the restoration of Blatobulgium.

When the heavy part of the fighting was over and the legionary troops had been withdrawn, a regiment of auxili-

<sup>9</sup> No. 12 (1895-96), pp. 108-130.

<sup>10</sup> *C.I.L.*, vii., No. 940.



aries would be left in garrison at Birrens. In discussing the plan, I indicated that the names of two such regiments have been preserved in the inscriptions, that both were double cohorts, with a nominal strength of 1000 men, and that both included a certain proportion of cavalry. The fort is too small to admit of the supposition that their presence in it was simultaneous. It is therefore reasonable to associate one of the two with each of the periods of occupation so unmistakably suggested by the structural remains. It will be remembered that the organisation of Roman frontier defence knew nothing of any system of periodical reliefs. Once a regiment had had its station allotted to it, something approaching a general upheaval was required to bring about a change. The destruction and restoration of the fort give us precisely such an indication of upheaval as we should look for, and it is accordingly justifiable to assume that they represent the line of demarcation. As I have had occasion to point out elsewhere, the forts on the Forth and Clyde Wall provide an exact parallel: they have all been destroyed and rebuilt, and wherever the inscriptions are at all numerous, they give us the names of two regiments.<sup>11</sup> It is quite certain that soon after the middle of the second century the Romans were temporarily driven out of the Scottish *castella* by a successful native rising.

Returning to Birrens, we find that two of the inscriptions bear the name of the *Cohors I. Nervana Germanorum milliaria equitata*—"Nerva's Own First Cohort of Germans, a thousand strong, with a contingent of cavalry." One of these is dedicated by the regiment to the Goddess Fortune. The other, which now forms part of Hoddum Church, is likewise a regimental dedication; but the deity honoured is Jupiter Optimus Maximus, and the commander's name is specially mentioned—L. Faenius Felix. Very little is known of the history of this cohort, which does not appear anywhere outside of our island. It is now generally agreed that its title points to its having been raised under Nerva rather

<sup>11</sup> *Roman Wall in Scotland*, p. 398.

than to its having been recruited from the Nervii. At one time it seems to have been in garrison at Burgh-upon-Sands, while at another it may have been stationed at Netherby. What needs to be said about it here is that, so far as one can judge, its stay at Blatobulgium belongs to the earlier of the two periods during which that fort was occupied. To understand the grounds for this view, we must glance at the rest of the inscriptions.

No fewer than nine of them record the name of the Second Cohort of Tungrians, likewise a thousand strong and likewise including a contingent of cavalry. Alone among the auxiliary cohorts it had the privilege of using the title *civium Latinorum*, a degree of distinction only slightly lower than that implied in *civium Romanorum*. It had formed part of the army of Britain from a comparatively early period, and was in the front of Agricola's line when he defeated Galgacus at Mons Graupius. It survived the evacuation of Blatobulgium, and appears then to have been withdrawn to Castlesteads on the Wall of Hadrian, where it has left various inscriptions, including one that can be dated to A.D. 241. The fact that the Birrens stones with the name of the Tungrians are more than four times as numerous as those with the name of the Germans might at first sight seem to suggest that the former made the longer stay on the spot. That is a possible explanation. But the discrepancy in numbers can quite well be accounted for without any reference to the comparative length of the two occupations. If the First Cohort of Germans was in garrison during the earlier period, their monuments must have been exposed to far greater risk of destruction. The damage inflicted on them by the victorious Caledonians, in the first flush of their exultation over the withdrawal of the invaders, was probably far less serious than that which they suffered at the hands of the returning Romans in the process of systematically clearing away the debris and rebuilding the ruined fort.

But no mere consideration of statistics can take us beyond the region of conjecture. On the other hand, the commemorative tablet with which you are familiar brings us

at once to solid ground. You will recollect that the thirteen fragments of it which survive were discovered, in 1895, lying scattered throughout the interior of the Headquarters building, on one of the walls of which it had evidently occupied a prominent position. Epigraphists were able to supply a good many of the missing letters at once, but it was not until 1903 that the whole could be completed. It had run as follows :—

IMP . CAES . T . AEL HADR  
 ANTONINO . AVG . P . P . PONT  
 MAX . TR . POT . XXI . COS . III  
 COH . II . TVNGR . MIL . EQ . C . L  
 SVB IVLIO VERO . LEG . AVG . PR . PR

That is :—“ *Imp(eratori) Caes(ari) T(ito) Ael(io) Hadr(iano) Antonino Aug(usto) P(atri) P(atriciae) Pont(ifici) Max(imo) Tr(ibunicia) Pot(estate) XXI Co(n)s(uli) IV Coh(ors) II Tungr(orum) Mil(liaria) Eq(uitata) C(ivium) L(atinorum) sub Julio Vero Leg(ato) Aug(usti) Pr(o) Pr(aetore)*,” or “In Honour of the Emperor Cæsar Titus Aelius Hadrianus Antoninus Augustus, Father of his Country. Pontifex Maximus, twenty one times invested with the Tribunician Power, four times Consul, the Second Cohort of Tungrians, a thousand strong, including a mounted contingent, and enjoying the privilege of Latin Citizenship [erected this] under Julius Verus, Governor of Britain.”

The first point of interest here is that the inscription can be dated. As the tribunician power was conferred upon the Emperors annually, its number is equivalent to the regnal year; and, as Antoninus Pius assumed the purple in A.D. 137, the stone must have been cut in A.D. 158. The second point is that the tablet belongs to a well-known class, other examples of which occur in Scottish forts. They were set up when the Principia was built, and they gave the name of the regiment which was to have its headquarters there. The corresponding tablet at Rough Castle actually contained the words, *principia fecit*. The circumstances in which the Birrens fragments were found justify us in concluding that

the slab must be associated with the second occupation, not with the first. Some of them were taken out of the well, while others were picked up in the courtyard. Clearly, therefore, the tablet was in position until the Romans finally left the fort in the hands of the spoiler. That is, it was not part of the original Principia, but part of the Principia as restored. In other words, we know now that Blatobulgium was rebuilt in 158 A.D., and that the garrison that took possession of it then consisted of the Second Cohort of Tungrians. It is worth adding that the inference just drawn is confirmed by the altar dedicated by the same regiment to the "Discipline of Augustus." It was found not far from the ruined Shrine of the Standards, in or near which it must have been standing at the moment of abandonment.

But we have not yet exhausted the information which the tablet is capable of yielding. It will not have been forgotten that the name of the Governor of Britain under whom it was erected was only partially preserved. Indeed, so seriously was it mutilated that it remained unintelligible for eight years, when a slab was dredged up from the bed of the Tyne, bearing the following inscription:—

I M P . A N T O N I  
 NO . AVG . PIO . P  
 PAT . V E X I L A T I O  
 LEG . II . AVG . ET . LEG  
 . VI . VIC . ET . LEG .  
 . XX . VV . CONTR  
 BVTI . EX . GER . DV  
 OBVS , SVB . IVLIO . VE  
 RO . LEG . AVG . PR . P

That is:—"In Honour of the Emperor Antoninus Augustus Pius, Father of his Country, a Detachment of the Second Legion, Augustus's Own, and of the Sixth Legion, the Victorious, and of the Twentieth Legion, the Valerian, the Victorious, composed of men specially transferred from Upper and Lower Germany, [erected this slab] under Julius Verus, Governor of Britain." Professor Haverfield at once pointed

out the significance of the new discovery.<sup>12</sup> It revealed the name that was missing on the Birrens tablet, as well as on a closely analogous tablet from the fort of Anavio or Brough in Derbyshire, if not also on a broken stone from Netherby. At the same time it threw fresh light on the building activity to which all three inscriptions bore witness. It made it plain that there had been grave trouble in the island when Julius Verus was governor. Drafts from the armies on the Rhine had to be hurried across the North Sea to fill up the gaps in the ranks of the legions stationed in Britain. Obviously the Brigantes had been in revolt, for Birrens, Netherby, and Brough all lay within the territory inhabited by that formidable tribe. You remember the slab dedicated to the goddess Brigantia by the architect Amandus at Birrens.

The new facts thus ascertained provided an illuminating commentary on a hitherto misunderstood reference made by Pausanias to a great rising of the Brigantes, which had at first met with considerable success, but had in the end been crushed completely. As Pausanias placed it in the reign of Pius, it had been supposed that he must have been speaking of the operations that culminated in the building of the Forth and Clyde Wall. It now became plain that his words were much more applicable to the events that had taken place in the governorship of Julius Verus, the exact date of which was given by the Birrens inscription. Thus everything falls neatly into its proper place, and it becomes possible to reconstruct in outline the history of Blatobulgium. Coins and pottery agree in suggesting that the fort, as we know it, was a second century foundation. The character of some of the Samian ware seems to point to the reign of Hadrian. If this indication is trustworthy, then the *castellum* originally formed part of the defensive organisation whose main element was the great Wall between the Solway and the Tyne. Otherwise, its erection must date from about A.D. 142, when Lollius Urbicus advanced into Scotland. In

<sup>12</sup> *Proc. Soc. of Antiq. of Scotland*, vol. xxxviii., pp. 454 ff.

any event, not long after the middle of the century it was successfully attacked by the Brigantes, and its interior buildings destroyed. The garrison at this time probably consisted of the First Cohort of Germans. They may have succeeded in beating a retreat, or they may have been cut to pieces. The paucity of the memorials they have left elsewhere makes the latter alternative not unlikely. And it must be remembered that, north and south, the whole country was aflame. By A.D. 158 Julius Verus had the rebellion sufficiently well in hand to admit of his rebuilding Blatobulgium and leaving the Second Cohort of Tungrians to hold it. This they did for twenty or thirty years longer. Finally, early in the reign of Commodus, there was another and an even more formidable rising, as the result of which Southern Scotland was definitely abandoned.

Apart from the general outline, the inscriptions supply numerous details, some of which have a wider interest. They tell us that during at least part of its sojourn in Dumfriesshire the First Cohort of Germans was commanded by L. Faenius Felix. They also tell us of two different commanders of the Second Cohort of Tungrians—C. Silvius Auspex and P. Campanus Italicus, for the safety of the latter of whom a statue of Fortune was set up by his freedman, P. Celer. These, however, are mere names to us. They add a certain touch of realism to the story, but otherwise they carry us no further forward than does the mention of Afutianus, son of Bassus, who died at Birrens, and to whose memory a tombstone was erected by his faithful wife, or that of others of humble or uncertain rank—Amandus and Gamidiahus, the architects, Julius Crescens, Ingenuus Rufus, Frumentius, Magunna—all of whom sought to placate the gods by statues or by offerings. But, when we turn from the dedicators to the dedications themselves, the stones have more to teach us.

To begin with, they illustrate most aptly the curious medley of deities that commanded the devotion of the imperial soldiery. The goddess Fortune is honoured three times, and Mercury twice. Minerva, Mars, and Victory each

occur once. Besides an imperfectly described altar to Jupiter, now lost, there is a well-preserved dedication to Jupiter Optimus Maximus—"Jupiter, Best and Greatest"—by the First Cohort of Germans. He was pre-eminently the soldiers' god, and, if I am right as to the period when this regiment garrisoned Blatobulgium, the altar probably stood in the Principia of the original fort, just as the altar dedicated to the "Discipline of Augustus" by the Second Cohort of Tungrians must have occupied a prominent place in the Principia as restored. The influence of the Eastern cults is represented by a fragmentary dedication to Dolichenus, the Baal of the little town of Doliche in Commagene, whose worship was probably first introduced into the West in the reign of Vespasian, although the earliest of the inscriptions that allude to it belong to the time of Hadrian. Just as the Greeks identified him with Zeus, so the Romans identified him with Jupiter; and, had the stone been complete, the letters I O M would probably have appeared at the top.

So far the gods and goddesses that have been enumerated are familiar enough. But the "*dib(us) deab(us) q(ue) omnib(us)*" of the altar of Frumentius included divinities that were much more strange. Brigantia, whom I have already mentioned, and who is known also from inscriptions found in Yorkshire, in Cumberland, and in Durham, was obviously the eponymous goddess of the war-like Brigantes. The Birrens statuette shows her endowed with some of the attributes of Victory, with whom (as there is other evidence to prove) the Roman soldiers had decided to regard her as identical. Harimella, on the other hand, whom the architect Gamidiahus elected to honour, is undoubtedly an importation from the Continent. Her name occurs nowhere else, but all the probabilities are in favour of her having been of Germanic origin. The same may be said of Ricagambeda and of Viradecthis. The altar to the latter was erected by the *pagus Condrustis milit(ans) in Coh(orte) II Tungror(um)*—that is, by soldiers from the district of the Condrusi, serving in the second cohort of Tungrians. And the Condrusi are mentioned by Cæsar as one of the tribes inhabiting

the basin of the Meuse. The companion altar to Ricagambeda is similarly dedicated by the *pagus Vellaeus milit(ans) (in) Coh(orte) II. Tung(rorum)*. Here, however, we are without any clue to the precise whereabouts of the *pagus Vellaeus*, and we have to be content with the assumption that it lay somewhere within the region from which this regiment of Tungrian auxiliaries was recruited.

The inscriptions have thus introduced us to a notable galaxy of gods and goddesses. But they throw an interesting light on the worshippers as well as on the objects of worship. They show that they fell into groups—congregations we might call them—each centring round a particular divinity. No doubt a man might be a member of several congregations at one and the same time: the pantheistic dedication of Frumentius is typical of the spirit that prevailed. Yet the grouping is none the less a fact that should be noted. With the worshippers of Ricagambeda and Viradecthis the bond of union was plainly a local one, just as it was with the Rhaetians who dedicated the altar to Mars and Victory. The two dedications to Mercury indicate association of another kind. The first is a pedestal apparently designed to support a wooden column surmounted by an image of the god, which had been presented by one Julius Crescens at his own expense to the devotees of this particular cult—*cult(oribus) ejus*. The second is likewise a pedestal on which once stood a statue, presumably of Mercury, erected by the devotees themselves—*cultores col(umnae) lign(iae) ejusdem dei*—under the supervision of Ingenius Rufus.

These glimpses into the mind of the soldiery have a significance somewhat wider than might at first sight appear. The troops concerned owed allegiance to Rome, but they were largely recruited among peoples whose culture and general outlook presented many points of contrast with those of our own forefathers. Of the religion of the latter we know nothing. But it is legitimate to suppose that here, too, there must have been some analogy. Brigantia may have been to a large extent an abstraction, the creation of the invaders themselves, like Britannia and the Genius of the Land of Britain, who appears on an altar from the Wall of



Pius. But there is no mistaking the thoroughly un-Roman ring of names like Harimella, Ricagambeda, and Viradecthis. These, of course, are Gaulish or Germanic. The point, however, is that they had in all probability their counter-parts among the tribes of ancient Caledonia—deities whose very names are long forgotten, and the influence of each of whom extended at the best over a narrowly restricted area.

I have lingered somewhat over the evidence from Birrens. But in view of its exceptional interest you will, I hope, agree that it deserved to be dwelt upon. The next question arises naturally out of it. Was Blatobulgium the terminus of the line that the Romans held in South-Western Scotland? Or did the chain of *castella* run northwards through Annandale into the valley of the Clyde? Here we become at once involved in an atmosphere of doubt and uncertainty. In the upper, as in the lower, part of the county one catches occasional glimpses of an old trackway that has generally been identified as a Roman road and is so marked on the one-inch Ordnance Survey Map.<sup>13</sup> We meet it near Lockerbie, for instance, and again in Applegarth parish, where it runs along the east side of the Annan into the parish of Wamphray. After crossing Wamphray Water and then the Annan itself, it seems to have followed the west bank of the stream to Tassiesholm. But by far the most considerable stretch of it that survives is that which lies along the eastern slope of the ridge separating the Evan Water from the Annan. For the most part this is moorland country, which has never been under cultivation. Accordingly the line of the road, though entirely overgrown, can still be easily distinguished by the difference in the character of the vegetation. In spring, at all events, the walker can traverse it without the slightest hesitation from the Coates Hill at Moffat to almost within sight of Elvanfoot in Lanarkshire. For much of the distance the track is wonderfully straight.

In 1892 the structure of this road was carefully examined

<sup>13</sup> See *Proc. Soc. of Antiq. of Scotland*, vol. xxviii., pp. 298 ff., for an exhaustive discussion.

at several points in the neighbourhood of Moffat, trenches being cut across it in order to determine how it had been laid.<sup>14</sup> It is not surprising that the result should have been inconclusive. There is no satisfactory structural criterion for discriminating between Roman roads and those of later date. On the other hand, nothing was found that was incompatible with the popular idea that it was of Roman origin. And it is not easy to account for its existence on any other hypothesis. This is no road that has set out to meander easily from one village or homestead to another. The directness with which it makes its way through the desolate and lonely hills leaves the distinct impression that it forms part of a big design, that its builders were pressing forward to a definite, and possibly a distant, goal such as the line of the northern isthmus would present. At the worst, the verdict must be an open one. At the best, the degree of probability seems fairly high. Certainty, however, could only come with the actual discovery of Roman posts along the route. Normally one would expect to find *castella* at intervals of seven or eight miles, and, if they ever existed, their complete disappearance is hard to understand, especially when so much of the land has been untouched by the plough. The Royal Commission's report on the Historical Monuments of Dumfriesshire should be issued almost immediately.<sup>14a</sup> It will contain an exhaustive inventory of the ancient earthworks in the county. When that is available, your society might do worse than organise a careful survey, grouping them according to their kinds. If any of them revealed features that justified a *prima facie* suspicion of their being Roman, then—always assuming that thoroughly competent expert supervision were available—a few days' spade-work might settle the question definitely.

In the meantime there is a gap of many miles between Birrens and the *castellum* at Castledykes in the policies of Carstairs House. Nor is it absolutely necessary to suppose

<sup>14</sup> *Op. cit.*, pp. 314 f.

<sup>14a</sup> It was issued in 1920. See *supra*, p. 72.

that there was ever direct communication between them. The existence of a *castellum* at Lyne in Peeblesshire shows that Castledykes was accessible in Roman times from the eastern trunk-road by the valleys of the Tweed and the Manor and Biggar waters. On the other hand, the Annandale route seems so much more obvious that I for one would be extremely loth to give it up. An experienced soldier like General Roy took it as a matter of course that this was how the invaders had advanced. When in 1764 he discovered a temporary camp at Cleghorn,<sup>15</sup> a mile or two from Castledykes, he requested his friend, "Mr Commissioner Clerk," to make search for similar camps in Annandale.<sup>16</sup> "Mr Commissioner Clerk" was George Clerk or Clerk-Maxwell, the second son of Sir John Clerk of Penicuik, and the grandfather of Clerk-Maxwell, the physicist. He had been made a Commissioner of Customs in 1763, and he was intimately associated with the district to be explored. He had inherited the property of Drumcrieff, near Moffat, from his father, while he became possessed of the estate of Middleby through his marriage with Miss Maxwell, the heiress, who was his cousin, and whose name he assumed.

As a result of his search, Clerk found more or less definite remains of what seemed to have been two links in the broken chain of camps—not, be it observed, *castella*—to which Cleghorn had belonged. The first and more important of these was on Torwood Moor near Lockerbie. The situation is quite suitable—a high piece of ground lying in the angle formed by two small tributaries of the Annan. Roy's plan is dated 1769, five years later than Clerk's discovery; and I have been able to show that it is probably based on a personal survey.<sup>17</sup> It is particularly satisfactory to have its accuracy thus vouched for, since all traces of the fortifications have now disappeared. When Roy saw them,

<sup>15</sup> See my paper in *Archæologia*, vol. lxxviii., pp. 161 ff., for a full account of Roy's activities in connection with his *Military Antiquities*.

<sup>16</sup> *Military Antiquities*, p. viii.

<sup>17</sup> *Archæologia*, lxxviii., p. 180.

one side, including two gates with traverses, was almost entire, while small portions of the two ends also survived. The shape was not unlike that of Cleghorn. So far as could be conjectured, the dimensions must have been about 1760 feet by 1270 feet, giving an interior area of just under 50 acres as against about 55 for Cleghorn. On the whole, therefore, the probability that Torwood Moor and Cleghorn were units of the same series is very considerable. And, if that be so, a connection through Annandale may be regarded as established. You will, however, have noted that I have spoken of Torwood Moor and Cleghorn as "camps." If they are Roman, as they very likely are, they belong to a different category from Birrens and Castledykes and Lyne. They are a memorial of the stage of active operations, each being designed to hold a field-army. They are twelve or fifteen times as large as the average *castellum*, and were only occupied for a few weeks at the outside. Torwood Moor thus throws no light on the question as to whether there was a permanent Roman road through Annandale. The most it does is to mark a stage in the progress of the invading legions, and to prove that in one or other of their advances into Scotland the Romans followed the valley of the Annan.

The same is true of the second of Clerk's two camps, the case for which is, however, much less convincing. Roy's account of it is perfectly frank: "About fourteen miles north from Lockerby, at a village called Tassiesholm, on the west side of the river Annan, there is a square redoubt, and just by it the angle of an intrenchment, which, with regard to its profile, perfectly resembles those of the temporary camps. But though the distance is very suitable for the ordinary march of a Roman army . . . and that its situation, on the side of the Roman way, makes it highly probable that here the same division encamped, after leaving Lockerby; yet as no gate exists, and only a very small part of the intrenchment, the vestiges must be considered too slight to enable us to pronounce absolutely on the head."<sup>18</sup> Here,

<sup>18</sup> *Military Antiquities*, p. 61.

then, is another opportunity for careful and well-directed exploration. With Roy's plan before him a competent excavator would have no difficulty in re-discovering Torwood Moor, even although there is now nothing to be seen upon the surface. An examination of the ditches and the traverses would suffice to determine whether they were the handiwork of Roman engineers or not. Similarly, at Tassiesholm modern methods could reconstruct the whole outline, of which Roy saw but a fragment, and so put us in a position for forming a judgment as to its origin.

So far, then, as Annandale is concerned, we must be content to await the result of further enquiry. Moving eastwards into Eskdale, we encounter the remarkable entrenchments at Gilnockie, in the parish of Canonbie. These were unknown to General Roy. Within a few years of his death, however, they were definitely described in Sir John Sinclair's *Statistical Account*<sup>19</sup> as "the remains of a Roman station." Again, in 1807, Chalmers wrote: "In Lower Eskdale, three-quarters of a mile eastward from Gilnocky, there are the remains of another Roman station, near which a variety of Roman coins and sculptured stones have been discovered by excavation."<sup>20</sup> The last clause would be most important if it were true. On reference, however, to the *Statistical Account*, which is cited as the source of the statement, it turns out that the neighbourhood in which "a variety of Roman coins and stones with Roman inscriptions have from time to time been dug up" was not that of Gilnockie at all.<sup>21</sup> It was that of Netherby in Cumberland, of which we have already heard. In point of fact, the only Roman antiquity authentically recorded as found near Gilnockie is an *aureus* of Nero which was picked up at, or not far from, the Church of Canonbie.<sup>22</sup>

The situation of the camp itself is very striking. The plateau on which it lies is some distance eastward of the Esk.

<sup>19</sup> Vol. xiv., p. 421.

<sup>20</sup> *Caledonia*, p. 153.

<sup>21</sup> *Stat. Account*, xiv., p. 421.

<sup>22</sup> *New Stat. Account*, iv., p. 490.

Though it is not lofty, the view from it is most commanding. To the west and south-west, beyond the Solway, are the hills of Galloway and Cumberland. To the north and north-east the eye ranges over the great mass of the Southern Uplands, intersected by Eskdale, Ewesdale, and Liddesdale, the passage of any of which an army stationed at Gilnockie would be in a position to dispute. Of the fortifications the traces are scanty but unmistakable.<sup>23</sup> The camp has apparently been regular in form, the major axis running north-east and south-west. On the north-east the indications of the rampart and ditch are very faint—barely discernible, indeed, in the arable land. But the greater part of the south-eastern side, including two gates with their traverses, is well preserved. The other two sides are almost entirely gone. To judge by the abrupt fall in the ground, that on the south-west has been to some extent coincident with the line of the railway from Riddings Junction to Langholm. That on the north-west is generally supposed, with or without good reason, to be covered by the present farm road. A day or two's work with the spade would settle this last point absolutely. So long as it continues to be doubtful, any estimate of the size of the whole must, of course, be conjectural. But, if we assume the ordinary view to be correct, the length must have been about 1450 feet and the breadth about 750 feet, dimensions which mean an interior area of about 25 acres. The camp would then be about half the size of Cleg-horn and Torwood Moor, and about a quarter of the size of the great enclosures in Stirling, Forfar, Kincardine, and Aberdeen.

The existence of a temporary camp of Roman origin at Gilnockie at once suggests an attempt by the invaders to penetrate the recesses of Eskdale. And there is some reason to think, not merely that such an enterprise was undertaken, but also that it was carried to a successful conclusion. We cannot yet tell in which of our three periods the move was

<sup>23</sup> For plan and description see pp. 27 f. of the Royal Commission's Inventory of the Ancient and Historical Monuments of Dumfries.

made. But it is not difficult to divine its purpose. Lonely and deserted as much of Eskdale is to-day, there are abundant signs that in pre-historic times it supported an extensive population. Almost every conspicuous height is crowned by the remains of a native stronghold, the most notable of these being the great ditches and ramparts of Castle O'er, sometimes believed to represent the site of Uxellum, one of the towns which Ptolemy assigns to the Selgovae. Nor is it only the tops of the hills that speak of a vanished past. In the haughs beside the stream the careful searcher may detect grass-grown mounds that have been reared by human hands. Unfortunately, we do not know to what particular epoch any or all of these traces of inhabitation ought to be assigned. We are still a long way from even a rough chronological classification of native Scottish earthworks. But, without committing ourselves to any opinion whatever as to the identity of Ptolemy's Uxellum, we may safely say that the testimony which he bears to the comparative density with which Southern Scotland was peopled in the second century of our era, seems to justify us in associating the forts and mounds of Eskdale with one or more of the tribes which he catalogues. The survival of what can hardly be anything save enclosures for sheep and cattle, in close proximity to some of the strongholds, would appear to indicate that they had been a pastoral folk. Probably they were also hunters. In any event we may conclude that they were formidable fighters, and that, unless they were over-awed by the presence of Roman garrisons, they would be apt to be as troublesome as are the hill-tribes on our own Indian frontier.

Gilnockie was clearly a temporary camp; its size renders it quite unsuitable for a permanent fort. But, if we follow Eskdale for twenty miles or so, as far as Eskdalemuir Church and a little beyond it, we shall find at Raeburnfoot the remains of entrenchments, apparently Roman in their character and yet obviously different in their purpose from Gilnockie. No detailed description of them is called for here, since any such description could only be a repetition of what

has already appeared in your *Transactions*.<sup>24</sup> Mr Barbour had a very limited time at his disposal for the excavations which he carried out on behalf of your society in November, 1897, and he naturally concentrated his efforts upon the points which seemed to him most likely to yield a definite answer to the question whether Raeburnfoot was Roman or not. One can do little more than express concurrence in the verdict at which he arrived. The pottery and window-glass which he recovered seem conclusive. But it is worth drawing attention to the remarkable resemblance in outline between the entrenchments at Raeburnfoot and those at Castleshaw, which stand high above Oldham, guarding a pass across the Pennine chain.<sup>25</sup> Excavation at Castleshaw has produced Samian ware, coins, and other remains, all suggestive of an occupation during the period I have called "Agricolan"—that is, from about A.D. 80 to about A.D. 120. There the "camp" or outer enclosure covered a little over 3 acres and had apparently had four gates; the "fort" or inner one, which seems to have had but a single gate, was thus decidedly smaller than Raeburnfoot. And there were other differences. At Castleshaw the ramparts of both "camp" and "fort" were built of sods, possibly reinforced at some points by a palisade, while there was no indication that the inner defences had been perceptibly more formidable than the outer ones, such as was afforded by the double ditch of the "fort" at Raeburnfoot. Still, when every allowance of this sort has been made, the analogy between the two sets of entrenchments is none the less remarkable, and may not unfairly be claimed as confirmatory evidence of the Roman origin of the Dumfriesshire stronghold.

Nor is Castleshaw a solitary parallel. In 1902 Professor Haverfield examined with the spade a very similar

<sup>24</sup> No. 14 (1897-98), pp. 17 ff.

<sup>25</sup> See *Second Interim Report on the Roman Forts at Castleshaw*, by F. A. Bruton (Manchester University Press, 1911).

<sup>26</sup> See *Cumberland and Westmorland Ant. and Arch. Society's Trans.*, vol. iii. (N.S.), pp. 331 ff.



entrenchment at Caermot near Torpenhow, in Cumberland.<sup>26</sup> No datable objects were found, but the case for a Roman occupation was conclusively proved. Again at Dealginross near Comrie, in the immediate vicinity of what was beyond all question a Roman temporary camp, there still can be seen the remnants of a double enclosure which seems to have been a permanent fort, and which—for reasons that I need not enter upon here—I am disposed to attribute to the period of Agricola. If Castleshaw and Dealginross are Agricolan, Caermot and Raeburnfoot may well be Agricolan too. In regard to this, however, it would be unwise to be dogmatic. Some day your Society may be able to resume the task they inaugurated so happily in 1897. If one or two of the ditches could be systematically cleared and the soil riddled for pottery fragments, information of real value might very well be obtained. Meanwhile, it may not be irrelevant to point out that all the Roman coins hitherto found in Eskdale are of the first century.<sup>27</sup>

I have left to the last the group of fortifications that is in some respects the most interesting, as it is the most tantalising of all, and here again the account already accessible in your *Transactions*<sup>28</sup> renders detailed description unnecessary. Criffel itself is hardly more familiar to Dumfriesshire folk than the flat-topped hill of Burnswark or Birrenswark. Those who have set foot on it know the "Three Brethren" well, and must often have wondered as to the circumstances under which the long lines of earthwork were thrown up. The excavations carried out in 1898 under Mr Barbour's direction represent the first attempt to solve the problem on scientific lines. To his full and careful account of the results I have already made allusion. In the spring of 1915 the site was surveyed afresh, in the light of that account, on behalf of the Monuments Commission. The conclusions reached did not in all respects agree with those originally arrived at. They cannot claim to be in any sense final. But,

<sup>27</sup> *Proc. Soc. of Antiq. of Scotland*, vol. lii., pp. 241 f.

<sup>28</sup> No. 16 (1899-1900), pp. 41 ff.

such as they are, they will be found set out at length in the Commission's Report, which should be in your hands very shortly.<sup>28a</sup> All that need be said here is, firstly, that in future discussions it will have to be recognised that the entrenchments are not homogeneous, but belong to three distinct types; and, secondly, that it is by no means certain that the two large camps were simultaneously occupied or that they were ever connected by lines of circumvallation.

That some, at all events, of the entrenchments are Roman is not, I think, open to question. That, I consider, Mr Barbour has definitely proved. Further, we may with some confidence assign them to the first of the three periods of Roman interference in the affairs of our country. The chief argument in favour of this early date is furnished by the notable collection of leaden *glandes* or sling-bullets which Mr Barbour recovered. I am aware that that distinguished Dumfriesshire scholar, Dr George Neilson, is disposed to challenge the theory that these are Roman at all. Dr Neilson is a mediævalist, and he not unnaturally wants to claim them for the middle ages, or, at all events, for the beginning of the modern epoch; he will have it that they were fired from muskets, and he has evidence that Birrenswark was a rendezvous for "Wapenschaws." For my own part, however, until I am shown undoubted musket-bullets that approximate as closely in shape as these do to the well-known *glandes* or "acorns" of the Romans, I shall cling to the belief that the Birrenswark examples must be Roman too. And, if they are, the suggestion that they testify to a first century occupation of the hill is irresistible, for about the beginning of the second century the Roman army ceased to use leaden *glandes*, replacing them by bullets of clay.

Alexander Gordon,<sup>29</sup> the first to describe the Birrenswark fortifications, unhesitatingly assigned them to Agricola on the somewhat fanciful ground of their resemblance to the picture of a Roman camp as "beautifully and accurately" given by Josephus. General Roy was of a different opinion.

<sup>28a</sup> Now published. See *supra*, p. 72.

<sup>29</sup> *Itin. Sept.*, p. 17.

Like Gordon, he regarded the two larger enclosures as forming a single encampment. But he ascribed them to the second century, holding that they had been constructed as a look-out station when Hadrian's Wall was being built, and giving an ingenious explanation of the twofold division. "The very disposition of the camps and posts around this hill shew that the Romans chose not to venture their whole force on one side of it, lest the enemy had in the night, or otherwise, by surprise, come behind them, and obtained possession of the summit; but, by securing the skirt of the hill below, if at any time they were in danger of being overpowered by superior numbers, they could always retreat to the top, and make their stand there."<sup>30</sup> Roy, it will be observed, had no manner of doubt as to the two main enclosures having been thrown up simultaneously. Further, he regarded the two larger "posts" below, as well as the heart-shaped enclosure on the summit, as forming part of the same defensive organisation. The whole of the rest of the earthworks, as he puts it, "appear to have been prior to the camps and larger posts; and possibly might even have existed before the arrival of the Romans."<sup>31</sup>

In 1792, a year before Roy's theory saw the light, a quite different hypothesis had been published by an anonymous writer in the first volume of *Archæologia Scotica*.<sup>32</sup> The paper, which seems to have been the outcome of a chance visit paid by the author to the locality, gives a fairly full description of the fortifications, and then continues:—"The whole suggested to me the idea of a siege. The natives, from the plains, had conveyed their cattle and effects to the top of the hill, and increased the natural defence by walls. The Romans divided their forces into two bodies, and placed one on each side of the hill. This accounts for the difference in the form and gates of the camp, from the plan which they usually formed in their encampments. The camps are not square, the lower side is considerably longer than that

<sup>30</sup> *Military Antiquities*, p. 74.

<sup>31</sup> *Ibid.*, p. 73.

<sup>32</sup> pp. 124 ff.

which fronts the hill. The gates in this front are more numerous, to enable them to form the troops more expeditiously so near the enemy; and well fortified, to protect them in case of a retreat." The passage just quoted was clearly familiar to the anonymous "Friend to Statistical Inquiries," who contributed the notice of the parish of Tundergarth to Sir John Sinclair's *Account* in 1797. Although "Brunswark," as he calls it, was not in Tundergarth, but in the neighbouring parish of Hoddum, he takes occasion to mention "the remains of two Roman encampments, which appear on the eastern and on western side of its declivity," and adds:—"It seems highly probable that they were at first formed by the Romans besieging a body of the ancient Britons, who had occupied the summit of the hill."<sup>33</sup>

The view thus summarised was whole-heartedly adopted by Dr Christison in the report upon the excavations of 1898, where a practically complete system of circumvallation is shown upon the plan, and it has since found an enthusiastic advocate in Professor Schulten of Erlangen, who visited Birrenswark in 1913, and afterwards published his impressions of it in an article entitled *Birrenswark: Ein Britanisches Numantia*.<sup>34</sup> The siege theory has undoubtedly a certain attractiveness, which was not lessened by the discovery in 1898, near the top and flattened as if by impact, of some of the leaden *glandes* that have already been spoken of. On closer examination, however, it proves to be beset with difficulties of a practical kind. To begin with, the surface appearances make it very doubtful whether the so-called circumvallation-lines, with their subsidiary works, are circumvallation-lines at all. At the best, it has never been claimed that the hill was completely surrounded. But, even if we accept the explanation that the section in the west, which is open, was effectually cut off from the outside world by a marsh, there is no such organic relation between the "lines of circumvallation" and the larger enclosures as is suggested by the plan on which the arguments of Christison

<sup>33</sup> *Op. cit.*, xix., p. 446.

<sup>34</sup> *Neue Jahrbucher für das klassische Altertum*, 1914, pp. 607 ff.

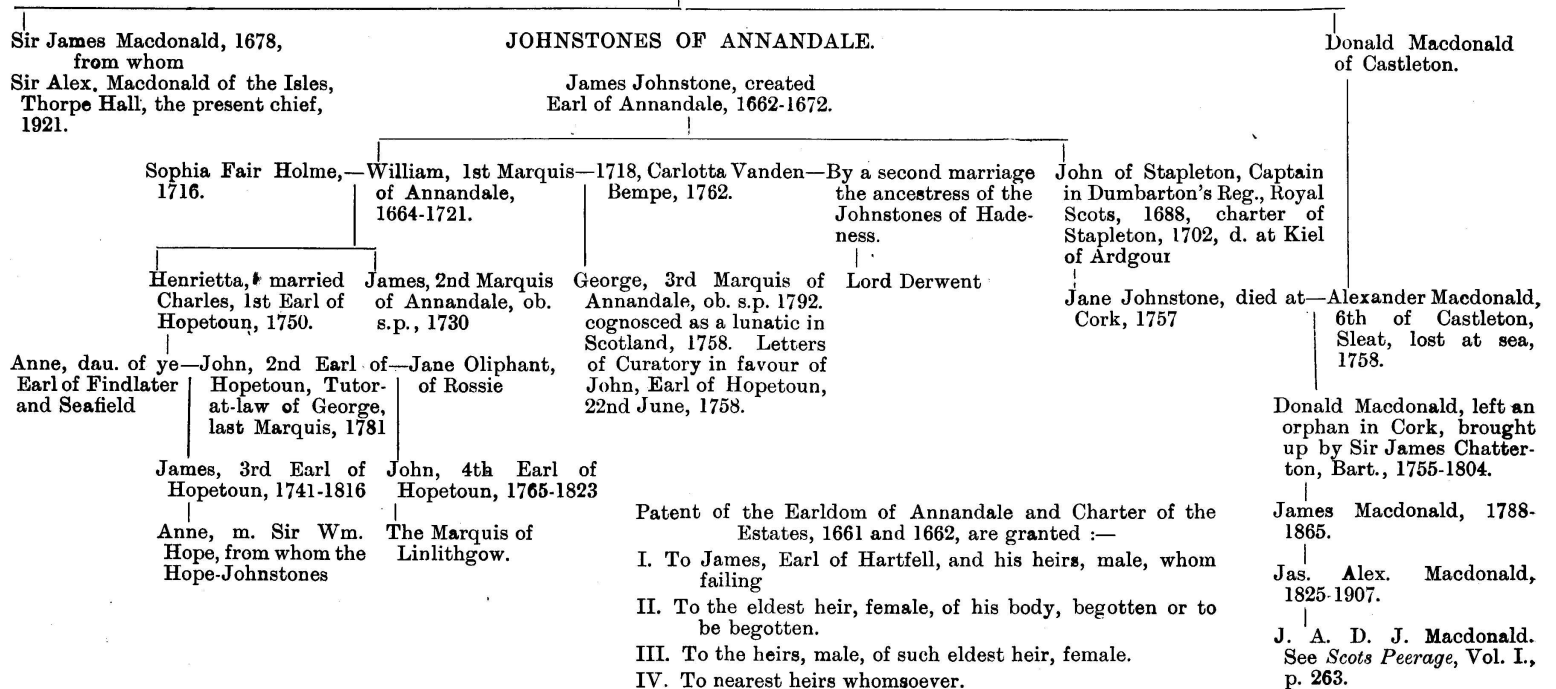
and Schulten are based. Further, as a system of circumvallation, the lines and works would present some curious features. It will be noted that, while the forts and redoubts or "posts" would, for the most part, lie on the inner side of the lines as if their main purpose had been defence against attack from without, the most formidable of all, the great enclosure in the south, as well as the post that is next to it on the east, would lie half in the inner and half on the outer side, as if in doubt from which of the two quarters most danger was to be apprehended. Finally, except on the assumption that, man for man, the defenders of Birrenswark were far better armed and far more formidable at close quarters than their assailants, it is not easy to believe that the very restricted area afforded by the hill-top could have harboured a sufficiently large garrison to render such elaborate siege-works necessary.

It is, of course, possible that the difficulties to which attention has been drawn may admit of a solution that is not incompatible with the theory of a siege. Further, if that theory be rejected, we are confronted at once with a different set of problems that seem equally insoluble, unless we regard the enclosures on north and south as belonging to different periods. If they were occupied contemporaneously, what motive could their designer have had for thus dividing his forces, except the desire to hem the enemy in? This question has been anticipated by Roy. But his answer merely leads to a fresh dilemma. If the hill-top were friendly ground, why should it have been necessary to make the entrances that faced towards it specially strong? The truth is that without further, and very thorough, excavation it would be unwise to express a definite opinion one way or the other. Practically all that can be said with safety has been already said. The larger enclosures, at least, and possibly one or two of the smaller ones, would seem to be Roman, and may belong to the "Agricolan" period. Their size and their general appearance are hardly consistent with the idea that they were permanent forts. They should rather be associated with some spell of active campaigning.

# HEIRS OF GEORGE, LAST MARQUIS OF ANNANDALE.

## MACDONALDS OF THE ISLES.

Sir Donald, 1st Baronet of Sleat, 1590-1643.



**28th January, 1921.**

Chairman—Mr JAMES DAVIDSON, V.P.

**Early Anglo-Saxon Art in Northumbria.**

By Prof. G. BALDWIN BROWN.

[Professor Brown rendered to the Society an admirable résumé of his subject, dealing with the Ruthwell and Bewcastle Crosses, the "Gospels" of Lindisfarne, Stonework at Hexham, Hartlepool, and Monkwearmouth, and the coins and the silver and gold jewellery of the period, which he illustrated with lantern slides. As the subject is fully dealt with in the fifth volume of Professor Brown's *The Arts in Early England*, it would be superfluous to summarise the lecture here.]

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**25th February, 1921.**

Chairman—Mr JAMES FLETT.

**Captain John Johnstone of Stapleton : The Untraced Link to the Marquisate of Annandale.**

By the Rev. J. A. D. J. MACDONALD, of Castleton, Minister of Arisaig and Moidart.

John Johnston, the subject of this enquiry, was born on Sunday, 3rd September, 1665, and was the third son of James, first Earl of Annandale and second Earl of Hartfell. In October, 1674, he and his brother, William (afterwards first Marquis of Annandale), went to Glasgow Grammar School, then kept by Mr Herbert Kennedy. From thence he went to St. Andrews University, and was still there on 8th February, 1685, when he was studying fortification.

The Johnstones seem to have been represented on both sides at Killiecrankie. When Dundee was shot, in the act of rallying his Lowland horse, a Johnstone was near him and

caught him as he sank down from the saddle. "How goes the day," said Dundee. "Well for King James," answered Johnstone: "but I am sorry for your lordship." "If it is well for him," answered the dying man, "it matters the less for me." He never spoke again. Annandale's horse, however, were on the other side; and when they broke and fled, all was over. William, then Earl, later Marquis of Annandale, was not at their head. "Annandale," says Macaulay, "the most factious of all Montgomery's followers, preferred the Club and the Parliament House to the field." Montgomery's faction, known as the Club, opposed King William's Government, and rapidly matured into rebellion. King James, deceived as to their power, named Annandale a Marquis, Governor of Edinburgh Castle, and Lord High Commissioner. But the plot collapsed. Annandale was apprehended, brought to London, acknowledged that he had been seduced into treason, made the full confession exacted of him, obtained pardon, prospered, and became in due time Marquis and Lord High Commissioner, and President of the Privy Council for Scotland.

While William, the Earl and later the Marquis of Annandale, basked in the sunshine of prosperity, his brother John, more constant to a lost cause, passed into the cold shade of adversity, and was at length forgotten. Yet if consistency and honesty are virtues oft-times rewarded by misfortune, they should finally receive their due in recognition. And the part which John Johnstone played in the Revolution brought about the Mutiny Bill and the formation of our standing Army and deserves record.

That famous regiment of Scots, now the first of the line, the Royal Scots, was known from its commander at the Revolution as Dumbarton's, and "Dumbarton's Drums" are famous still. Lord Dumbarton was Captain John Johnstone's uncle, and gave him his commission in that regiment. He was appointed Captain on the last day of 1688. Dumbarton's priests succeeded in converting him to the Roman faith. "*Raisons que M. Johnston a donné de sa Conversion à la Foi Catholique*" is the heading of a paper in Nairne's



collection which is noted by some other scribe with the remark, "Quibbles which have been repeated times innumerable." I am not sure that these *Raisons* are those which weighed with our M. Johnston, but whatever his reasons were, he remained as long as we can trace him steadfast to his convictions, and willing to suffer rather than change his coat to suit the times.

The account of the Mutiny of the Royal Scots in March, 1689, may be read in Macaulay's *History*, and need not be repeated here. Dumbarton was not with them. They did not succeed in reaching, as they desired, their native land; and putting themselves under the orders of their own Scottish Parliament. The warrant for the committal of their officers to the Tower, dated March 28th, 1689, names Captain John Johnson first, and from this one might infer that he was the leader. Captains John Auchmouty, John Murray, William Deans, Livingston, Farmour are named in that warrant and other succeeding papers as his companions. Sir James Montgomery visited him in the Tower, and his brother William arrived in London and presented the address of eleven peers and sixty-one commissioners of the Scots Parliament to King William on the 15th of October of that year, 1689. On the 9th John was bound by recognizance to answer at the Sessions. Things were not going so well for King James as appeared to the dying Dundee at Killiecrankie. Before a month had passed the Highland Army had melted away. The siege of Derry had been raised, and the Enniskillen men had routed King James's forces at Newton Butler in the same week as Killiecrankie was fought. Next year came the battle of the Boyne, and the collapse of Annandale and Montgomery's plot. Captain John wrote to his brother from Moffat on November 19th, 1690, taking leave of him. He had been with the Duke of Hamilton and several of his best friends, and taken advice no doubt with them. Both he and William, as boys of 7 and 8, when their father died, had been under the Duke of Hamilton's care. John felt that he could not in honour stay in this kingdom to be a servant to his brother's family. He intended to go to Holland.

In 1692 at La Hogue the French fleet was destroyed. The French Army of 30,000 men was assembled on the coast of Normandy under King James, ready to embark for England. King James witnessed the catastrophe from the cliffs, the ruin of his last hopes. It would seem that Captain John Johnstone was there. In a list, preserved amongst the Stuart papers of "Officers subsisted after La Hogue, 1692," his name appears thus :—

"In Captain Johnstone's list were Captains Auchmouty, Deans, Livingston, Farmour, etc., in all 49. A part of his list were to join the two Scots companies in Rousillon. Of their further adventures we can say little. A glimpse of "Old Captain Livingstone of Dumbarton's regiment" is caught at Sheriffmuir in 1715, "calling with great oaths to General Gordon to attack the enemy before they were formed." The question arises, where was Captain John by this time? King James's testimony to these two warriors may here be given :—

"Que les Colonels Johnson et Livingston, nos sujets nous ont fidèlement servis dans nos armées, et se sont comportés en gens d'honneur dans toutes sortes d'occasions : que le dit Colonel Johnson est une personne de la première qualité de notre Royaume d'Ecosse, qui, partout où il estoit de besoin pour notre service nous a fidèlement servi pendant l'espace de quatorze ans et pour avoir fait son devoir a été pendant un tems considerable emprisonné par l'usurpeur de ces royaumes,"\* etc.

King James died at St. Germain on the 16th of September, 1701. On the 12th of August the Duke of Queensberry wrote to Secretary Carstairs, interceding for Captain John. The Duke says he was kind to him as a boy, and he fancies Captain John has more than ordinary trust in him on that account. He was one of the revolting Captains, and had since served in France with reputation. He might be, if rightly managed, of use to the King. If His Majesty should have the goodness to pardon him, it was thought that this act

\* From the original Warrant Book of King James in the Stuart papers.

of grace would induce most of his subjects now at St. Germain's to make application to him. King William died in March, 1702, and on May the 12th, a letter of remission was passed under the Great Seal of Scotland pardoning and acquitting Captain Johnstoun, brother to the Marquis of Annandale, of the crimes of treason and lese-majesty, discharging actions civil or criminal against him, and restoring him to his fame and Her Majesty's grace and favour.

The Marquis William, in a letter dated 2nd May, 1702, informs his wife that he has been appointed Lord Privy Seal, and adds:—"I am also to tell you that the Queen has allowed my brother to come over, and he is now here. He has taken the oaths, and the morrow is to kiss the Queen's hands, and in a little tyme I believe she will doe for him, for he appears to be a verie prettie young fellow, and weel considered by everie bodie, and I hope shall be exactlie dutiful towards me and my familie."

His brother, the Marquis, now resigned the £10 land of Stapleton in his favour, and a Crown charter under the Great Seal was passed on 23rd September, 1702, and sasine followed thereon on 1st, and registration in the Register of Sasines for Dumfriesshire, 5th October, 1702.

Captain John does not seem to have lived long in peace at Stapleton Tower. The correspondence of Col. Hooke, agent from the Court of France to the Scottish Jacobites in the years 1703-1707, shows that they had not given up hopes of his assistance.\* Covenantee Dumfriesshire could not, in those days, have been a congenial neighbourhood for a conscientious Romanist. This will appear from the following letter, which he wrote to his friend, Sir George Maxwell:—

\* Roxburghe Club Publications, pp. 66-7, 80; *Premier Memoire de M. Leviston*. "Il est vray que ces seigneurs ont de bons Emissaries en Ecosse, gens zellés qui disposent les peuples à un acte comme celui dont je viens de parler. J'ay l'honneur d'en connoître trois l'un appelle Monsieur Johnston, mais il est toujours avec son frere le Marquis d'Anandall, grand pensionnaire du Duc de Hannover est avec Madame Hopton, sa niece, je ne l'ait point conversé ainsi je n'en diray rien de plus."

London, 20th November, 1707.

Dear Maxwell,

I return my kind thanks for your obliging Letter, which contains the Matter of Fact at large, and you have hitt the Truth in all the Particulars you mention. You did like yourself and my Friend to insist as far as good Manners would allow for a Settlement; but what can't be can't be. I will oblige my Lady as far as is possible for mortal Man to doe. As for my Lord, if I come short in Respect or anything els, it shall be out of Ignorance, and not through wilfulness. I confes to you, dear Maxwell, that I wish with all my Heart I was now with my Lord, and nothing I long for more than to have a seasonable Opportunity to do myself Justice in as modest terms as I can expres myself, and in the next place to live with him with that hearty Friendship and reale Respect as becomes me; but alas! what is a 100<sup>£</sup> to pay my Debts buie a few cloths, a little Linen and other Necessaries, and then to bring me from hence to Scotland. I must confes the Sum surprised me. However so soon as it is possible for me to paie my Creditors, you may depend upon it I wil com down. So much for that. In the next pleas, the grettest Scrupl is not removed, which you hav not thought on; that is, to be plean, my Religion. I confes I hav not lived to that Strictnes I ought to have don, and I did commit a gret Falt, which I hav been vere sensabl of, and I hop God wil forgiv me for it; and in short I will starv souner than I wil goe to Church with my Lord. So you must remove that Difficulte, ells you doe nothing at all; for, my dear Sr Georg, I gro ould, so, consequently I aught to gro wesser. I shal wret to my dear Lord Johnston; and as for your Sword, you shall have a good wan and hansom, sin you lev it to me, whether I cum don or not; and I wil take cair to send a fine Snuf Box to my dear Lord Johnston; and ashur yourself, my dear Maxwelle, that I love you, and will serv you with all my Hart Soul, for beliv, as poor as I am, I wil starv in a Gail, suner than renouns my Frenship and Honeste, that is deu to thos I ow it to. Which is from him who is, my dear Frend,

Your's eternely to command,

JOHN JOHNSTON.

Two years later he was anxious to enter the service of the Russian Czar, "not being able to serve in the armies of Queen Anne," and Marlborough wrote for him a letter of introduction to Prince Menzikoff, with what result we know not.\*

John M'Diarmid, in his *Picture of Dumfries*, 1832, says :—

"In the year 1715 Sir John Johnstone of Stapleton, near Annan, brother and heir-apparent to the Marquis of Annandale, patron of the Burgh, entered Dumfries with a few followers, for the purpose of augmenting their numbers and embarking forthwith in the rebel service. This he did contrary to the advice and wishes of his brother, and as the magistrates were acquainted with his bold reckless character, they came to the resolution of placing him in durance till the storm blew over. This resolution they carried into effect, and appointed M'Noe, the town drummer, at that time the best valet in the place, to wait on him sedulously and supply his table with the best the principal inn afforded. In the first instance, Sir John stormed like a raging lion, and protested loudly against so flagrant a violation of the liberty of the subject; and if matters had taken a different turn the magistrates might have had to answer for their treason with their heads. But he lived to view their conduct in a more favourable light, and after the rebellion was quelled, presented the town as a mark of gratitude with the portraits of King William and his Consort, Queen Mary. In the course of years he got into other scrapes, and was probably engaged in the subsequent rebellion. At length he emigrated, married, it is said, a Dutch lady, and died abroad; and thus much is

\* Marlborough Despatches, vol. iv., 665. To Prince Menzikoff à St. James, ce 13 Décembre, 1709.—Monsieur,—Le Colonel Johnston, frère du Marquis d'Anandale, qui aura l'honneur de présenter cette lettre à V.A. ne pouvant servir dans les troupes de la Reine, a une tres-grande ambition de se distinguer dans celle de S. M. Czarienne. Si elle veut bien lui faire la grâce de l'honneur de sa puissante protection, j'ose bien me flatter qu'il s'en rendra tout-à-fait digne et je lui aurai aussi une entière obligation, étant avec respect.—Monsieur, de V. A., etc., M.

certain that the whole claimants of the Marquisate of Annandale assert that they are descended from this gentleman. The above story was often told by old Provost Clarke,\* and Mr Shortt, while engaged a few years ago in examining the Burgh Records, discovered a letter from Sir John himself—a letter we have seen—confirming the incident in every particular.”

“Mr Shortt,” the “senior town clerk,” was, when M'Diarmid wrote in 1832, “a venerable gentleman, who retained all his faculties and a vast fund of local information at the age of 78.” But a man born in 1754 could not report events of 1715, save by tradition; and his story presents a composite picture of two John Johnstons, uncle and nephew. The pictures referred to, which long hung in the Midsteeple, and were destroyed by the fire in the Town Hall on 20th November, 1908, were presented by the nephew, who was M.P. for the Annan Burghs, to the town in 1739.

It would be interesting to know whether there is any confirmation of the tradition as to the alleged imprisonment in 1715.

The Burgh Records contain ample evidence of the hustle and alarm which filled the town as the Highland host drew near. The Treasurer's Accounts detail the sums disbursed during those days for powder, lead, brandy, bread, candles, plenchers, express horsemen, trench-diggers, barrow-men, etc., etc. Peter Rae relates that the Lord-Lieutenant of the County, the Marquis of Annandale, came to his house at Lochwood on the night of October 12th, 1715, having been closely pursued up Tweed by the Earl of Winton and his party, and “narrowly escaped being intercepted by the Viscount of Kenmure and the rebels with him.”

Thursday, 13th October, 1715.—“By one of the clock an alarm was given.” . . . “A considerable Body of Horse and Foot drew up in the streets, which were illuminated. . . . The Horse marched out a little after three, arrived at Loch-

\* John Clark, Provost, 1777-9; William Clark, Provost, 1786-8.

wood early in the morning, and returned that same Forenoon with my Lord-Lieutenant."

The Burgh Records show the following entry :—26th October—To William Pickersgill for ringing the bells when the Marques of Annandeall came to town, by the Provist's order which was on the 13th October, 1715—1s.

Whilst these joy bells were ringing for the Marquis, was his brother discreetly consigned to durance? Old Provost Clarke's tradition says he was attended by a valet named M'Noe, the town drummer. The town drums appear to have been vigorously beaten in that time of alarm, as there is a sum set down for their repair. The day after the joy bells rang we find the entry :—1715, Oct. 14—To James Mackno,\* by the provist's order, to give to one of the expresses sent to the country." On that day, Rae tells us, " there was a general Rendezvous at the Moat both of Horse and Foot where they were reviewed by the Lord-Lieutenant. In the meantime upon an Alarm of the Enemy's approach the Guards were reinforced. . . . But soon after it was found to be only a party of their own men who had been sent out to apprehend some disaffected Gentlemen to prevent their taking Arms and joining the Rebels."

After the disturbances of 1715 the Marquess William was not long in Annandale. His first wife died in 1716. He married Carlotta van dem Bempde of Hackness in Yorkshire in 1718. After that marriage he never returned to Scotland, and died at Bath in 1721. James, his son by the first wife, died without issue in 1730; George, the third Marquis, Carlotta's son, was born in England, and resident there during his long life. He was declared a lunatic in 1747, and died in 1792, without issue. Thus that family disappeared from view.

What became of Captain John? In 1825 before the House of Lords an advocate pleaded " Your Lordships will be informed that James, Earl of Hartfell " (father of William and John) " had but one son." " We have shown by conclusive evidence that he had but one son." But this infor-

\* His name appears elsewhere spelled M'Noe.

mation was not accepted by the Lords. The Lord Advocate, on behalf of the King, refused to regard that evidence as conclusive. The House of Lords ordered enquiries to be made as to the Earl's descendants.

These enquiries reached the City of Cork where old people remembered that a Scottish lady of the Annandale family named Jane Johnstone, had died, leaving two orphans, shortly after her husband, Alexander Macdonald, had perished at sea.\* He was on his way to Scotland with family papers, at the time when George, the last Marquis of Annandale, was declared a lunatic.

Jane Johnstone was described as "a tall, elegant, lady-like woman with a very peculiar Scotch accent." She died in Paul Street, and was interred in St. Paul's Churchyard. Her eldest son, Daniel or Donald, was born 27th April, 1755; the younger, Alexander, 1st May, 1757. These infants were taken to the Cork Workhouse in 1762, after being about two years in the care of Hester Studdy, a neighbour. They were rescued by Sir James Chatterton, as appears by an entry in the Workhouse books dated 10th September, 1767, which orders "Daniel Macdonald, No. 964, to be apprenticed to James Chatterton for seven years."

Under the kindly care of Sir James and his sons, this family preserved its existence and continuity. General Sir James Chatterton, Bart., the Peninsular and Waterloo veteran, who carried the great banner at Wellington's funeral, has left on record the great regret which his father exhibited at the loss of so esteemed and valued a friend as Daniel Macdonald, when they both witnessed the interment of Daniel in the churchyard of St. Finn Barr in Cork in 1804. Daniel's son, James, an artist, was roused by the House of Lords' enquiry to take depositions from aged people as to his family history; and the General took the keenest interest in his

\* A letter of Rorie or Roderick Macdonald to the Factor of Sleat, dated Sandaig, 24 Apryle, 1764, in which he says, "I have sent my son Sandie when in Sleat last week," etc., does not refer to this Alexander but to a member of a family descended from James, 2nd Bart., of Sleat, resident at Totamurich till 1753.



efforts. James Alexander Macdonald, his son, a Wesleyan minister, made petition to the House of Lords in 1877 *re* the Annandale Peerage, but was not able to appear in its pursuit. The present writer is his eldest son.

James Macdonald, the artist, visited the Island of Skye in 1860, and set on foot enquiries which showed that both in Sleat and in Ardgour old people were well acquainted with the fact that Captain John Johnstone farmed the lands of Kiel in Ardgour, and was buried in the churchyard of Kiel.

*The Annandale Family Book* states that he died without issue. When that book was published the present writer was in Edinburgh, and received a letter from his uncle, Sir John Denis Macdonald, F.R.S., asking him to search in the Register House for record of the marriage of Captain John Johnstone with Mary Maclean in Ardgour. The Rev. John Anderson, then assistant curator of the Historical Department, in answer to this enquiry, at once replied:—"As far as I remember that Captain John Johnstone is said to have died without issue."

It was surprising to find an old gentleman who appeared able on the spot to give information about people who died so long ago. But it happened that Mr Anderson had worked through the Annandale papers in the preparation of the *Annandale Family Book*, and had given evidence in the House of Lords on the Annandale case.

Seven years afterwards, when a new edition of *Douglas's Peerage* was being prepared, the Rev. Mr Anderson sent to Leith and asked to see the family papers of Sir John Denis Macdonald's forefathers.\* The result of his investigations was that in *The Scots Peerage*, vol. i., p. 263, the following note is inserted:—

In Annandale Peerage case, 1844, it was stated† that

\* Known in the clan as Macdonalds of Castleton. See *Clan Donald*, vol. iii., p. 522.

† See *Annandale Book*, i., p. cclv.; *Annandale Minutes of Evidence*, 1544, 54-63.

no trace of John Johnstone can be found after above date (1707), and he was presumed dead, as his lands were in the hands of his nephew, Marquis George, in 1730.

But† the evidence given (in 1844, *i.e.*) is not completely satisfactory, and there is reason to believe that John went to the West Coast of Scotland, and there married a lady, Mary Maclean, and by her had issue three daughters, the eldest of whom, Jane, was married to Alexander, eldest son of Roderic Macdonald of Camiscross in Sleat, and had issue.

The present writer, now minister of the parish of Arisaig and Moidart, supplied the information and evidence referred to. But since that time he has noticed that Dumfries traditions furnish traces of Captain John Johnstone up to the rebellion of 1715, and afford a very satisfactory reason for his withdrawal into the obscurity of Ardgour and the congenial neighbourhood of the Roman Catholic Highlands. Young Ardgour had brought about a hundred men to the banners of his chief, Sir John Maclean, in 1715. Sir John led them to Sheriffmuir, and his son, Sir Hector, brought them out again in 1745 to Culloden.

Though the Dumfries traditions have amalgamated the accounts of two John Johnstones, uncle and nephew, and added some particulars which look like addenda from the apocrypha of Mr Goodinge Johnstone,\* we may note that the Dumfries town clerk, Mr Shortt, who seems to have been M'Diarmid's informant when the *Picture of Dumfries* was published in 1832, appeared two years afterwards before the House of Lords, and gave a correct account of the gift of the

† Information and evidence supplied by Rev. James Alexander Macdonald, Wesleyan minister, 5 Restalrig Terrace, Leith.

\* The case of John Henry Goodinge Johnstone was decided in the Court of Session against him, November 19th, 1839 (*Dunlop*, vol. ii., p. 73). He represented himself to be the great-grandson of Captain John Johnstone of Stapleton. His petition to the Committee of Privileges was dated 27th March, 1851. He published a pamphlet entitled *The Johnstones of Annandale in London*, 1853. Mr George Souter Johnstone made a similar claim about 1827, but no further steps were taken on his behalf.

pictures of King William and Queen Mary to the town by John Johnstone, the nephew, in the year 1739. This John was M.P. for the Annan Burghs, and died in 1742.

What is the evidence that Captain John Johnstone settled in Ardgour? He was spoken of by Ardgour farmers even to our own days as the man who first introduced the Cheviot sheep into that country. It was said that he was tenant at Kiel before the rebellion of 1745, holding that farm, which is close to Cuil House, Maclean's mansion, as a tenant of the chief. He held also part of the lands of Narrahan, and had tenants under him there. About seven years after he settled there he married a sister of John Maclean, then factor to the laird, and had two or three daughters by that marriage. His wife died before him; his sister-in-law lived with him. The eldest daughter married a Macdonald from Skye, who went by the nickname of Gillownder—a nickname which always followed the Macdonalds, as they were not much liked by the Lochaber men. Johnston, known in Gaelic as "MacIain," was a Captain in the Army, a fine man, very charitable and good. He was buried under a tombstone in the churchyard of Kilmodan, close to Kiel, by Corran Ferry. A sword and coat-of-arms were carved on the stone.

In 1860 two aged men, farmers, of Clovullin, the village at Maclean's gate, gave depositions before Alexander Maclean of Ardgour, Justice\* of the peace for Argyll, to the above effect. The first of these, Alexander Maclean, born about 1781, had his information in his youth from Anne Maclean, who lived as a servant with the factor. The second, Duncan Maclachlan, born about 1792, heard these particulars from his father and mother, and from his grandmother, Anne MacMullen, born about 1732. His grandfather, Hugh Maclachlan, was the chief herdsman of Johnstone aforesaid, and was drowned, at the age of 56, about 1770, whilst driving cattle across a river in going from Kiel to Narrahan. From these connections he naturally had heard much about the Captain.

\* This Justice's mother was the daughter of John, 2nd Earl of Hopetoun. His Father, 13th of Ardgour, was a Captain in the Hopetoun Fencibles, under James, the 3rd Earl.

Further evidence was given in 1860 and repeated again in 1876 before the Rev. Archd. Clerk, LL.D.,\* minister of Kilmallie, by Archibald Livingstone, latterly crofter at Achaphuble. Livingstone was born at Cuil, in Ardgour. His father, Allan, born about 1751, his grandfather, and great-grandfather, all lived and died on the farm of Cuil, where he himself spent upwards of forty years of his life. He often heard his father speaking of a man named Johnston, who lived in Kiel, and was formerly called "Stableton." It may be mentioned that the Highland drovers who went with cattle to the south knew where Stapleton Tower was situated.

Dr Keith Norman Macdonald,† a well-known Skye man, was then (1860) doctor in Lochaber. He certifies "As to the correctness of the statements laid down in his (Livingstone's) document there can be no doubt, as he has repeatedly told me the same when conversing with him on the subject."

The evidence of old people in Skye, given in depositions at the same period (1860), confirms all that was related in Ardgour. Malcolm MacGillivray of Hest, then in his 88th year, stated on oath at Ord before Charles Macdonald, J.P., that his father, John MacGillivray, was in the service of Roderick Macdonald of Camuscross in Sleat. He himself went in early days to Lochaber as a servant to John Macdonald of Essa. Alexander, the son of Roderick (nicknamed Gillownder by the Lochaber men), visited Essa, and was remembered as being such "a good hand at the gun" that Essa's mother was sorry when he left for Ardgour.

\* Dr Archd. Clerk was son-in-law of Dr Norman Macleod, sen., of St. Columba's, and collected his Gaelic writings in the well-known work, "Caraid nan Gaidheal."

† Dr Keith Norman was brother of Lachlan of Skeabost, and son of Charles Macdonald of Ord, commemorated by Alexander Smith in his "Summer in Skye." Dr Keith was afterwards Civil Surgeon of Prome. He published "The Practice of Medicine among the Burmese," 1879; "The Gesto Collection of Highland Music," 1895; "Macdonald Bards," 1900. He lived latterly at 21 Clarendon Crescent, Edinburgh, where he died a few years ago. In a letter to the writer's father, still preserved, he speaks as though he had seen Captain John Johnstone's tombstone.

and was no longer hunting about the farm. John of Essa went to Alexander's wedding as his best man, and Alexander married Jane Johnstone, the eldest daughter of Captain John Johnstone, who resided at Ardgour. Captain Johnstone's wife was a Maclean. Alexander went to Ireland, and after six years attempted to return home, and was lost at sea on the Irish coast.

Ranald Macdonald of Stonefield, known as Ranald Duke,\* born about 1785, gave evidence in 1860. His grandfather, Samuel Macdonald, lived on the same farm (of Camus-cross) with Roderick M'Ian Macdonald for many years, and kept an inn there, his father lived with Captain Donald Macdonald of Tormore, and afterwards with James of Knock, younger brothers of Alexander, who married Jane, daughter of Captain John Johnstone. Ranald was about sixteen when his grandfather died, and had every opportunity of hearing almost every family occurrence in the Macdonald family aforesaid. Ranald has left copious depositions confirming all that was related to Ardgour.

When Ranald was fifteen years of age he knew an aged woman, Rachel M'Intosh, who in early life lived as a servant with a lady, whose husband was a "Lundie Glengarry," in a house within four miles of Ardgour. Rachel told Ranald's family that she had spent three days in Captain John Johnstone's house—she called him "Stapleton"—but the Captain was then dead, and his three daughters lived in the house. "The youngest daughter was the prettiest, the second well-looking, but Jane, the eldest, must be," said Rachel, "the flower, as Captain John left no son to succeed to his estate." In describing the lands, Rachel mentioned the Appins (Gaelic for Abbeylands) of the Stewarts, when young Ranald asked "whether that was the place from which the tinkers who

\* "Ranald, 'The Duke,' appears to have a talent for historical events and a tenacious memory. I remember when living in Skye that Ranald was famed for his knowledge regarding family affairs, and he took a pride in it," says Dr Keith N. Macdonald. There are depositions from four other aged people taken in 1860, all to the same effect.

used to make the spoons for the family came," and she said, "Yes, it was." Rachel's mistress, the wife of Lundie Glen-garry, was a daughter of Archibald MacIlan, brother of Roderick of Camuscross. Archibald lived at Knock, the house beside the old castle (Caisteal a' Chamuis, now the abode of Colonel Kemble), where Roderick's father, John, lived before them. In John's days it was called Cul-na-cnock. It lies between Isle Ornsay and Armadale Castle. This family of Macdonalds is recorded in *Clan Donald*, vol. iii., 517, as Macdonalds of Castleton. Their forefather, Donald of Castleton, commanded the Sleat contingent at Killiecrankie. Five gentlemen of the clan, cousins of Sir Donald, the chief of Sleat, fell on that field. According to Martin, the cows of one of them, James of Capstall, gave blood instead of milk on that fatal night. Whatever the omens were, they could not be more ominous than the enterprise. Killiecrankie was more than a Pyrrhic victory for these tribes—at any rate for the Macdonalds.

In publishing this paper, it is possible that the attention of Dumfries antiquarians may be drawn to the affair of 1715, and some evidence may emerge to establish or to explode the tradition which asserts that the old Captain of the Royal Scots, who by one mutiny led to the establishment of our British Standing Army, by another provoked the magistrates of Dumfries to terminate his military career.

If he was the General Johnston whose death was reported by R. H. to Mr Sheridan in April, 1715,\* he cannot have been engaged in the attempt on the town in the following October. The footnote on M. Leviston's memoir, which says he died a

\* *Stuart Papers at Windsor Castle*, vol. i., p. 358. R. H. to Mr Sheridan.—1715, April 5 [-16]—I received yours of 6 Feb., with the enquiry about General Johnston, and whilst I was endeavouring to find out where he was, and what circumstances might be useful for you to know, an account came to his relations that he was dead of a fever; which has been confirmed. He was a very well-tempered, honest gentleman, and I am heartily sorry for his death, but I would fain think it can be no great disappointment to you, being unwilling to despair so far as to believe you ought to have made such an adventure. . . .

Major-General in the service of the Polish King Augustus, supports this view.†

On the other hand, it is strange that the attempts to prove his extinction in the House of Lords, continued so lately as May 30th, 1881, made no reference to the death of this General, and seem to have been made in ignorance even of Marlborough's letter of 1709, since they fixed his disappearance in 1707. But as his very existence was at first denied, and then admitted, and extended to 1707, it may turn out that he lived even longer than that.

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### 25th March, 1921.

Chairman—HUGH S. GLADSTONE, President.

#### Burghal Life in Dumfries Two Centuries Ago.

By Mrs G. W. SHIRLEY.

There lie before me as I write two MS. books of, at first sight, a rather disreputable appearance. Anyone not knowing what they were might, and probably would, throw them out for waste paper. A closer examination, however, would soon reveal the fact that their contents are of more than usual interest. They are, indeed, old Account Books of the Royal Burgh of Dumfries, bearing the dates 1709-10-11. The heading of the first one runs thus :—"Accompt of debursements for ye Toun of Drumfries from Michaelmas 1709 to Michaelmas 1710." Each of them contains the record of the moneys disbursed by the Burgh Treasurer for one whole year. The pages are about the size of an ordinary sheet of foolscap, and are of rough, coarse paper, somewhat discoloured by

† Correspondence of Colonel N. Hooke, p. 80.—L'un nommé Johnston‡ (frère du Marquis d'Anandale, qui est le plus zélé partisan de Hanover) est assez modéré.

‡ Il est mort Major-General au Service du Roy Auguste en 1715.

age; they are sewn together in book form with twine, and covered with strong brown paper, which has wonderfully withstood the wear and tear of nearly two and a quarter centuries. The writing is beautifully clear in each book—for they appear to have been written by different hands. That dated 1710-11 is particularly beautiful, and almost reminds one of some exquisite Eastern cursive script. The first of these books appears to have been written by Robert Crosbie, the Burgh Treasurer. Mr Crosbie's strong point, however, is not his spelling, which is, to put it briefly, very phonetic; and it would seem, whether from this reason or some other, that he had impressed another person into either writing or, at least, copying out most of his accounts. From other evidence, the second book appears to be in the handwriting of one Robert Boyd, the Treasurer being John Gilhaggie. There are a number of pages of items of disbursements for payment of which a receipt was not required; then follow a page or two of larger disbursements for which a receipt was given; then comes a page of "rests"—that is, moneys that for various reasons had not been collected by the end of the financial year; and, finally, the last page contains a summary of the whole, with a sort of auditor's report signed by the Provost and the members of a committee of the Town Council. From the latter we learn that the Provost at this time (1709-10) was John Crosbie of Holm of Dalskairth (grandfather of Andrew Crosbie, advocate, the "Pleydell" of *Guy Mannering*). The Bailies were Alex. Barclay, John Martin, and John Ewart; while in 1710-11 the Provost was Robert Corbet, and the Bailies were John Kennan (a brother-in-law, I believe, of John Crosbie of Holm), John Ewart, and William Neilson, while the Burgh Treasurer was Robert Crosbie (who was, I think, John Crosbie of Holm's son). Other Councillors were John Paterson, Adam Sturgeon, William Craig, John Gilhaggie, John Gilkerson, and J. Coupland.

In this paper I have dealt more particularly with the book dated 1710-11, though from the preceding and the following I have been able here and there to glean items of information, throwing a light more particularly on that one



dealt with in detail. In this year the "discharges" or disbursements amount to £5385 15s, which sum includes the "rests." The "charges" are noted as being £5369 14s 11d, leaving the burgh debtor to the Treasurer for that year to the amount of £16 0s 11d, or, as we should say nowadays, there was a deficit to that amount. It should be noted that these sums and all others mentioned in the book are in Scots money, not sterling. The pound Scots was equivalent to one shilling sterling, the shilling to a penny, while the merk, which is occasionally mentioned, was 13s 4d Scots.

Unlike the bald and dry sheets which we receive annually from our Burgh Treasurer nowadays, these pages, by reason of their minute and careful detail, are a mine of information to the antiquary. To the general public there is much concerning the manners and customs and the social life of 200 years ago that cannot fail to be of great interest. As an example, consider this entry, which occurs among the first dozen :—

Sept. 30—To Deacon Mitchell and his servant that day thay wrought at ye writing chamber in lieu of yr morning drinks, 4s  
What would the taxpayers of a Scottish town say nowadays if they found such an item in the burgh accounts? A little further down the page we come across this :—

Octr. 4—For brandy and Syrup to ye Council after they came down ..... £2 8s

Indeed, on going over the items of this book, I find that a very large proportion of them consist of notes of disbursements for the benefit of the Provost or "Magistrats" or Council in the way of ale or brandy and syrup, which latter seems always to have been their favourite tipple. For instance, we have :—

Octr. 9—For 26 pints of ale, 3 half-mutchkins of brandy, with pipes and tobacco spent by ye Magistrats Conveener and Deacons in Deacon Sturgeons house ..... £4 8s

Evidently the city fathers had been "making a night of it" with the worthy Deacon. Again we have :—

Octr. 30—For 4 gills of brandy and syrup spent by ye Magistrats and oyr's after the Council ..... 18s

## 120 BURGHAL LIFE IN DUMFRIES TWO CENTURIES AGO.

Deer. 5—Half-a-mutchkin of brandy and syrup to ye Magistrats met about ye touns affairs ..... 12s

And so on ; while on December 18th we have :—

For 6 gills of syrup and brandie spent by the Magistrats, Council, and oysrs ..... £1 16s

There is no mention of “ touns affairs ” here, and it is evident that the “ Magistrats ” did not keep all the good things going to themselves, for observe the “ oysrs.” Again we have :—

Jan. 11—To ye Magistrats and oysrs of ye Council when met in Bailie Neilsons about ye touns affairs a mutchkin of brandie at ..... £1

Feb. 19—To the Magistrats and Council after ye Council rose when considering Thos. Martin his bill for alimint in prison 6 gills of brandy and syrup at ..... £1 16s

July 30—A gill of brandy and syrup to ye Magistrats and some gentlemen ..... 6s

In fact, whenever the Council happened to be sitting it seemed to be quite the thing to finish up with the inevitable brandy and syrup. And, of course, when the venerable fathers of the burgh had occasion to inspect any of the town's works there must be refreshments going, as, for instance, we have :—

Jan. 12—For ale spent by Bailie Ewart, Bailie Barelay and oysrs with respect to ye caul work ..... 11s

And yet the stingy ratepayers nowadays cry out if the town's elected representatives take a little trip to see the local water-works and indulge in what they modestly designate a “ luncheon ” there at the town's expense. Here is another entry, which shows how good a thing it was to be acquainted with a “ Magistrat ” in those days :—

Feb. 19.—To Conveener Newal for ye expense of a treat given by ye Magistrats to Bailie Kirkpatrick of Kirkcudbright ... £6

Dignitaries of one town are sometimes entertained by dignitaries of another town at the public expense even yet, but nowadays a cautious regard for the ratepayer does not

allow of its being called straight out a "treat" to the fortunate recipients. But it was not only the Magistrates and Council who gave "treats"; the Provost, whether by virtue of his office or because he was a genial soul, was not at all backward in giving treats himself at the town's expense. For example, we have an entry :—

Decr. 13—For a gill of brandie and syrup to ye Provost and Mr Plummer when discoursing about ye touns affairs ..... 6s  
 Janr. 16—For 3 half-mutchkins of brandy and syrup to ye Provost with Sir Thomas Kirkpatrick and oysrs ..... £1 16s

Could this be over the "toun's affairs," too? Evidently the burgesses of Dumfries were lenient persons who did not require their Chief Magistrate always to take town's business along with his dram. Again we have :—

April 19—To ye Provost and oysrs 2 gills brandy and syrup ..... 12s  
 April 25—For a gill of brandie and syrup to ye Provost and Mr M'Ghie ..... 6s

and

May 2—For 3 gills of brandy and syrup spent by ye Provost with strangers at 2 times ..... 18s

Evidently the Provost thought that tourists (as in these later times) ought to be encouraged to come about the town!

It will be noted that the principal refreshment that the burgh dignitaries affected in these days was brandy and syrup. Ale is occasionally mentioned, but not often; beer or whisky never, which is rather strange, seeing the latter is supposed to be Scotland's national drink. I have only once come across wine.

Octr. 13—For 5 bottles of wine spent by ye Magistrats with Collonel Stewart of Stewartfield ..... £9

Sometimes tobacco and pipes are added, as in the entry for October 9th already quoted, and again, we have, on December 27th :—

For ale brandy and pipes and tobacco spent by ye Magistrats and oysrs in Mrs Fingass ..... £3 14s

This entry has a sort of "Tam o' Shanter" flavour about it, reminding one of the historic evening that worthy spent before

setting out for home by the road that passed Alloway's haunted kirk. On April 13th we have a grand "burst," to wit:—

To ye Magistrats and oysr brandie and syrump figgs and raisings cost  
£4 18s at admitting Mr Kennedy, Auchtyfardels son a burgess.

There is no mention of pipes and tobacco here; perhaps they made up for their absence with the "figgs and raisings." Various places are mentioned as the scenes of these convivial gatherings. The Coffee House was one. This belonged to the town, and had, besides refreshments such as the Council loved, a sort of public reading-room, where newspapers were kept, as testified by several entries referring to payments for these newspapers, which were supplied by a man in Carlisle.

Another favourite "howff" was Mrs Fingass's. Her name occurred so often that I came to the conclusion that she must live very handy, so to speak, to the Council Chambers. And so it turned out, for on one of the pages, noting receipted accounts, we find the following entry:—

Feb. 10—To Isabel Johnston relict of Wm. Fingass, late Bailie, for  
spendings in her house and reparation of the town's house  
possessed by her ..... £88 18s 2d

While from another entry, I need not quote here, we learn that the house was close by the Council Chambers. So that Mrs Fingass possessed the triple attractions of living near by, of being a widow (and we know what they are from the lips of Mr Weller, sen.), and of being the widow of one of their late colleagues. Of course, like all widows one has ever heard tell of that have kept public-houses, she must have been trig, bouncing, and audacious, with a plump figure and a merry eye. Small wonder that the Provost and Town Council's "spendings," as the scribe pleasantly puts it, mounted up till they came in the course of the year to a pretty considerable figure. I have taken the trouble to total up the various amounts thus spent, and find they make the respectable sum of £73 2s. To this one finds a further list of "spendings" in the receipted accounts amounting to £216 12s. Whether this is for brandy and syrump is not

stated, but as several of the entries are noted as being " spendings " at the Coffee House, it is highly probable that they were for the same purpose. Even in pounds sterling this works out to a fairly respectable sum for refreshments in a year. I wonder how many pounds to-day it would take to purchase the amount of brandy a pound purchased in these times.

It is to be noted also that the Provost and Bailies had each a salary as well, for among the receipted disbursements we find the following entry :—

Novr. 6—To Robert Corbet, Provost, as his salary from Michaelmas, 1710, to Michaelmas, 1711 ..... £66 1s 4d

To John Kennan, John Euart and Wm. Neilson, Bailies £40 as yr salaries ditto year, their receipts except Bailie Kennan's ..... £120

The Provost, too, was provided with a softer, more decorative seat than the others, for we find :—

July 4—For silk to sue the provosts velvet cod and for mending yrof ..... 7s 6d

So that, taking everything, it was probably not a bad thing to be a burgh magnate in the year 1710. But drinking habits were not confined entirely to the Provost and Council. It must have been the custom to give a " treat " occasionally to the town's workmen also—a touch of nature that might have wondrous effects were it practised to-day—for we have entries like the following :—

Jan. 9—To ye workers at ye quarries by ye Provosts order at ye visiting of ye Kingholm ..... 6s

June 23—For 23 pints of ale given to ye workers at ye Caul, £2 6s

Most of the entries, however, that record drink given to workmen are like this one :—

Jan. 16—For ye morning drinks for ye workmen who wrought at ye rebuilding of ye Highpledgehouse stair three days ... £1 8s

And again : —

July 14—To Thos. Rowan, Jas. Aitking, and Geo. M'Whae for yr work at ye Caul one day and for yr morning drinks ... £1 11s 6d

Indeed, morning drinks and rolls or bread are so often noted as given to the town's workmen that one concludes that it was part of their pay.

The rates of pay for the town's workmen at this time are given in a notebook of the work done at the Kingholm. Here we have a list of the workmen employed, with the sums disbursed, and the number of days worked. They seem to have been paid at the uniform rate of 8s (8d stg.) per day. Among the names are those of five women, who, after the manner of those (and later) times, were considered to be worth only half of what the men were and got the extravagant wage of 4s (4d stg.) a day. There is also, so far as I can find, no mention of disbursements for bread and ale to them. A thatcher, however, appears to have been a superior individual, for one, John Milligan, thatching the house erected at the Kingholm, is paid 9s (9d stg.) per day, and, again, Hugh Roddick, for working one day with his horse and cart is paid £1 5s (Scots), while the rate for a horse alone is given at 8s (8d stg.). Oxen were also employed, for we find an entry thus :—

2 rodds and whipcord to them for ye oxen ..... 3s 8d (Scots)

and Hugh Roddick (who appears to have been a capitalist in his day) is paid 10s for " carrying bear straw " to them. Another curious entry runs :—

To Wm. Reid for blooding and docking ye horses and shoeing yrof  
and making links ..... £1 10s

and the toilette of the oxen was also attended to, for we have 2s 6d paid for

1 pair of shears for polling the oxen.

These animals seem to have been brought from some distance, for we find an entry :—

To Logan for grazing ye 8 oxen in his park for 5 nights ..... £4

and another entry shows how the merciful man of those days was merciful to his beast :—

For oyl for ye oxens neck ..... 9s

The overseer of the work at the Kingholm was Bailie Barkly, and that he did it in proper style, as befitting a magistrate of the royal burgh, is evidenced by more than one entry recording the payment of the hire of a horse to take him to the Kingholm to superintend operations. One interesting entry I have found here, which I have not come across elsewhere, is the purchase of a "Teviotdale boll" of wheat to sow the Kingholm at the price of 11s.

There is, naturally, not much information to be got from a book of this character as to the prices of food or clothing. Indeed, the only thing in the way of food stuffs (if they could so be called) that one comes across are the "figgs and raisings" already mentioned. Bread is mentioned as being given to the workmen, and also rolls, which, I suppose, would be the "baps" of other chroniclers of this period, but as they are reckoned along with the ale and the workers' wages there is no way of finding out exactly how they were sold.

Another item mentioned, though hardly coming under the heading of food stuffs, is tallow. The entries regarding it are interesting, as showing how, to some extent, the Town Council regulated the prices of various articles sold in the burgh at this time. We have the entry:—

- Dec. 13—To the drummer for his extraordinary services in going throw [the toun] and intimating the price of candle and tallow by the Provosts order ..... 3s  
 Jan. 2—To ye officers by ye Provosts Order for yr pains about ye poulding James Gibson, flesher, for selling tallow at too high a rate ..... 12s

The principal articles bought for the town's use were iron, "leed," timber, lime, and various kinds of nails. As the town owned a good deal of property, of course such material was always being required for its repair, etc. The lead seems to have been mostly required for the roofs of the Council House, Steeple, and Tolbooth; the iron, timber, and lime were, of course, for repairs, alterations, and re-building. In very few instances are exact prices for a given quantity noted. However, we have on June 16th 4 lbs. 10 ozs. of iron for ye miln spinnel at £1 16s per stone, showing that the iron

was bought by weight and worked up as required. On September 18th we have :—

For 1 lb. of leed for the touns use ..... 2s 6d

Lime appears to have been bought by the peck or boll (the latter measure is still used in some parts of the country), as in the entry for July 6 :—

For 9 bolls 12 pecks of lime for the toun's use ..... £23 8s

In the end of 1710 and the beginning of 1711 the " writing chamber " seems to have been in need of many repairs, for we have entries such as the following :—

For half a stone of hair for the plastering of the writing chamber ..... 4s

For sawing 4 dales for the partition in ye writing chamber ... 8s

To John Fair, mason, by Bailie Euarts order for casting lime in ye writing chamber ..... 4s

And in order that the health of the town's dignitaries should not suffer, we have :—

For peets laid into ye writing chamber for drying ye new plastering ..... 4s 6d

and

For five loads of peets laid into ye clerk's chamber to be burnt up in respect of ye moistness yrof by ye Provosts order ... 7s 6d

But that the burgh fathers looked carefully after other of the town's property is evidenced by the following :—

By ye Provost's orders to John Cleg for cleaning ye Kirkspouts, 6s

To Wm. Reid, smith, for ironwork for ye use of ye Kirk and Mealmerket by Bailie Neilsons order ..... £1 6s

To Charles M'Kie, wright, for mending ye weighhouse broad by B[ailie] Kennans order ..... 5s 8d

To the wrights and workmen for putting in ye slouces in ye stone bulwark of ye new miln by ye Provosts order ..... £2

To the Officers for taking up pails to keep the rain in the Council house ..... 1s 6d

To Wm. Weir, clockkeeper, for making a new wheel to ye Tolbooth Clock ..... 10s

To ten and a half fathom of cord to ye steeple bells ..... £1 1s

By Bailie Euarts order for mending ye Kirkbell stock for 4 lb. 3 oz. iron ..... 9s 4d



while the amount of nails required seems to the ordinary mind not acquainted with the inner mysteries of joiner and mason and plaster work in these times as little less than extraordinary. Could one have been able to celebrate the "Queen's byrthday" in nails instead of the customary brandy and syrup, one would have been almost suspicious of the town's "spendings" in this direction. On the 10th September, 1710, for instance, we have the town buying  $3\frac{1}{4}$  hundred of window nails "for ye writing chamber," at 9s 10d.

For $\frac{1}{4}$ hundred of single plenshers for do. use at .....	2s 4d
For tacketts for ye writing chamber .....	1s
For $\frac{1}{4}$ hundred of double plenshers for that work .....	4s 6d
For $\frac{1}{2}$ hundred of window nails for ditto .....	1s 6d

Not content with this orgy, they start off again the next day, For 15 double plensher nails for ye writing chamber ..... 2s 4d and proceed to revel in "single plenchers," "tacketts," and so forth over every page of the book. The plenchers, I ought to say, were very large strong nails, but what the town did with the quantities of these and others that it bought I have been unable to make out.

For the writing chamber there are other entries every now and again for such things as would be required therein. At the end of 1710 we find a "quair of paper" costs 8s, while in 1711 it has risen to 9s, and so continues. A stick of sealing wax costs 5s; a box of wafers, 3s; and an occasional parchment skin, 12s. On October 9th occurs the entry:—

For paper for this book and another .....	8s
---	----

Evidently half a quire made a book. Candles are often mentioned, as, of course, at this time it would be the usual illuminant. So we have the entry:—

Decr. 25th—For 22 lb. of Candles furnisht to ye Guard from 29th	
Sept. to this day, a quarter of a lb. every night and 5s per	
lb. ....	£5 10s

One can almost see the Dumfries Dogberry snuffing his candles and singing out "Past twelve o'clock and a fine frosty morning." Coal seems to have been very little used or not at all, for any entries refer to "peet," which, con-

sidering the proximity of the Lochar and other peat mosses to the town, is not to be wondered at. Here is one entry :—

Sept. 18th—For 2 lbs. 10 oz. of English peuter for souder to ye  
leeds of ye Steeple ..... £1 5s 10d  
For peets to melt ye souder ..... 5s

Of clothing, the only entry refers to the town's officers, of whom there were five :—

May 19th—For 5 coats to ye officers at £2 per peice, and for 5 hats  
to ym at 30 sh. per piece, and for 5 pair of stockings and shoes  
to ym at £3 per pair, each pair of stockings and shoes, £82 10s

As regards matters relating to the history of the town, the antiquary might extract as much information as would fill a volume. The entries are too numerous to quote at length, but one may learn from them that at this time the burgh possessed a good deal of valuable property. People nowadays regard the municipalisation of such things as water, gas, etc., as a new and very progressive step, but at this time the people did these things without worrying over “ lang-nebbit ” words or erudite theories. Thus we learn that Dumfries possessed, in the years 1711-12, several mills, including a snuff-mill and a meal-mill, two or three kilns for burning lime, a weigh-house, a meal market, a quarry, and a good deal of house property besides, as is evidenced by the number of entries relating to repairs, etc. The worthy Mrs Fingass is a notable example of this. Not content with bewitching the grave and reverend seignors of the town into unholy “ spendings ” on brandy and syrup, “ figgs and raisings,” she seems to have pretty much twisted the whole Council round her little finger when it came to repairs to her house. Perhaps it was one glance of her merry eye that seduced the Bailies into allowing on May 10th :—

2 lbs. of glew for ye whiting of ye rooms in ye touns house possesst  
be Mrs Fingass and for peets to boyl it ..... 8s 6d

Anyhow there is no account of their whiting anybody else's house. And again we have :—

May 31—To Geo. Jollie by Bailie Kennan's order for making a  
window in Mrs Fingass house and for oyr work about ye  
house ..... £3 12s

Of the mills the town still possesses at least one, and it would be interesting work for some prying busybody to find out why and for how much the rest of the property passed into other hands. Among other public works undertaken by the town at that time, we find numerous entries relating to the building of the Caul or weir across the Nith, and also to the building of parts of the Dock, for at that time much larger vessels unloaded at Dumfries than the little coasting schooners that come up now. Then the town owned that piece of land called the Kingholm, which now belongs to the War Office. On this land they grazed "bestial" for the town's folk, as may be seen from the entries :—

May 29th—To ye officers for extraordinary service at entering ye Bestial to ye Kingholm grass 6s per piece and to Thos. Forsyth, Herd, for his services yn ..... £2 2s

And again :—

June 12—For 2 pints of tar for marking ye entered Bestial, £1 12s

I also find the following entry :—

Dec. 13—To Wm. Copland of Colliston for John Anderson, workman's keeping ye Town's Bull from 3 March, 1709, to 3 March, 1711 ..... £48

I have not come across an account of any town in these days of collective enterprise getting so far as to municipalise their bull.

Besides money spent on works for the town and such other objects as I have already mentioned, the Town Council must have been at liberty to draw on town funds for charitable purposes. I do not know the actual state of the Poor Law in Scotland at this time, but there seems to have been a good deal of liberty allowed in helping cases of distress. An entry typical of many others is the following :—

Oct. 13—To a poor distressed seamon by Baillie Kennan's orders ..... 12s

Seamen seem to have had a peculiar propensity for being distressed in Dumfries at this time, for they are by far the most numerous recipients of doles. Sometimes a soldier turns up, and several times a woman, but while the man invariably gets

12s, the woman only receives 6s. I suppose the latter were believed to be able to keep body and soul together on much less than a man could, a pleasing fiction that has not yet altogether died out. Once the dole is to a "blind man going to Glasgow," another time to a "poor back-gone merchant."

Prisoners are often mentioned, as on 4th April, when we find "Alex. Little, a prisoner for theft," getting 6s. Little comes up again several times for his alms till we begin to feel he is almost like an old friend, so that it is with rather a shock that we suddenly come on the entry :—

May 30—By Bailie Kennan's order for putting up and taking down the gibbet to hang Little on ye condemned criminal ..... £5

Indeed, some of the entries throw rather a lurid light on the life of the time. Here are some that tell their own tale :—

Apr. 9—For 2 lb. of leed to fix the iron pike qron Janet Shanks a malefactors hand was exposed and a pint of ale to ye putting of ye pike on ye Tolbooth ..... 6s

Apr. 10—To John Fair, mason, for making a hole qrin ye sd pike was fixed ..... 7s

Apr. 11—To ye slaters for carrying ye Ladder and setting it at ye Tolbooth for ye putting up of Shanks hand ..... 12s

Apr. 13—To ye Officers and Executioner for putting up Shanks hand ..... 18s

It seems to have been the custom, when possible, to make some of the unfortunate prisoners serve as executioner, a duty they did not always relish, as seen from the entries :—

Apr. 27—To a poor man put in prison upon his engaging to be executioner ..... 4s  
and

June 9—By Bailie Kennans order to ye officers for apprehending M'Duff ye executioner qn he was fled from his service ... £1 16s

When the town did come to a standstill for want of an executioner the functionary who belonged to Wigtown seemed to be a most obliging person, for we have numerous entries referring to him. He seems to have been regarded (or perhaps it was that he regarded himself) as a very important official indeed, as witnessed by the following entries :—

For candles given by Bailie Euarts order to Wigtown executioner ..... 2s 6d

By do's [the Provost's order] to Thomas Jardine in part payment for conducting the Wigtoun executioner home ..... £4

Why that functionary could not go home by himself I cannot tell. Perhaps after a season of the giddy whirl of town life he showed a disposition to remain there, preferring it to a peaceful, pastoral existence in his native Wigtown.

But not only was he escorted home. When his services were required no less than a " Bailie " went to fetch him, for we find this entry :—

To Bailly Martin as his expenses in going to bring the executioner of Wigtoun from there to this place ..... £38

I am suspicious of the " spendings " of the good Bailie on this occasion. £38 seems a large sum even in Scots money for merely going to Wigtown, especially as we have the additional entries :—

To John Neilson, workman, for his attending Bailly Martin and for hire of his two horses to and from Wigtoun ..... £8

Evidently the worthy magistrate did things in style, and in mercy to beast as well as man we have this entry :—

To Dean Crosbie for pay to ye executioner of Wigtoun's horse .. 14s

It is no wonder we have frequent visitations of the executioner of Wigtown when he was so well looked after.

Towards the middle of the year 1711 we find that the burgh thinks of having an executioner of its own. Perhaps the Wigtown functionary had gone on strike, or it may be that he was become very difficult to persuade to return home again after his trips to Dumfries. Be that as it may, we have the entry :—

To George Mickle-Duff when he engaged to be ye Common Executioner ..... £2  
and for harden to be his pockets, etc. .... 11s

Perhaps it was with a remembrance of the " spendings " connected with his Wigtown confrère and a desire to induce the native performer to hold on to his office that we find the following :—

To ye Officers when they went down with ye Executioner at his entry to his house ..... 4s

# 132 BURGHAL LIFE IN DUMFRIES TWO CENTURIES AGO.

To ye Executioner by ye Provosts order, 36s; to buy plaiding for Blankets to him ..... £1 16s  
To him 5 quarters of harden to be pocks to him ..... 7s 6d

Another entry is interesting as dealing with a custom of the times. One of the perquisites of the executioner's office was to go round the meal market and take a scoopful of meal out of each pock, which explains the next entry :—

To him for to buy a pan weighing 1 lb. 6 oz. .... £1 10s 2d  
the pan, of course, being his handled scoop or ladle.

Very shortly, however, M'Duff must have repented his grisly office, as the following entries record :—

June 9—By Bailie Kennans order to ye officers for apprehending and incarcerating M'Duff the Executioner when he was fled from his service ..... £1 16s  
July 13—To Robert Newal, Javelor, for meat and drink to the Executioner M'Duff, 34 days in prison ..... £3 8s

And since we are on the subject of executioners and prisoners, what could not a skilful storyteller make out of the following entries :—

Mar. 10—To men which searcht the Thiefs-hole when the prisoners were breaking it 5 pints of ale at ..... 10s  
Mar. 12—For ye masons qo were mending ye breach in ye prison wall a pint of ale at ..... 2s  
Mar. 13—For 2 stone 15 lbs. 8 ounces of leed to run into ye wall with ye iron bands ..... £4 15s  
For 2 stone 3 lbs. 3 ounces of iron to be the bands ..... £3 19s 6d  
For poets to melt ye leeds ..... 3s  
For candles to let ye workers see ..... 2s 6d  
To John Neilson, carter, for a draught of stones to ye work ..... 9s  
For straw to ye prisoners to ly upon ..... 3s

One can almost see the jubilant escape of the renegades, their doleful return, the kind jailor assuring them that their new straw beds would be exceedingly comfortable, and the earnest workers by candle light making certain with " leed " and iron " bands " that the same shall not happen again.

Here is another set of entries that can call up a picture, too, to the reader's mind, though of a different kind. The first entry reads thus :—

July 24—By ye Provost's order to lads for fetching ye horses from

ye Kingholm to ye Magistrats and Inhabitants which went to meet ye burial of ye Duke of Queensberrie's corpse .....	3s
July 30—To 3 women for sweeping ye streets upon account of ye funeral of ye Duke of Queensberry .....	7s 6d
To half a pound of candles to let ye men see to put up ye mournings in ye room qr ye corpse lay .....	3s
To George M'Cron, Drummer, for attending ye Magistrats qr they were waiting ye funeral .....	12s
Aug. 1—To Wm. Glover for attending ye Magistrats qn they accompanied the Duke of Queensberrie's corpse to ye burial-place .....	12s
Aug. 8—To ye Provost for the equivalent disbursed by him when ye Magistrats and Inhabitants returned from ye said Dukes funeral .....	£2 12s 6d
Aug. 11—To Dean Crosbie for ye equivalent disbursed by him when several inhabitants returned from ye said Dukes burial,	£2 16s 6d
Aug. 15—To Wm. Duff for ye hire of his horse to a servant yt attended ye Magistrats when they met ye said Duke's funeral,	10s
Sept. 12—To Wm. Martin for ye hire of his horse to Bailly Kennan at ye Duke of Queensberrie's burial .....	12s

In the Account Book for 1712 I find the following :—

Nov. 10 (1711)—To A. Sturgeon and Wm. Hastie, taylors, for the use of ye Weighhouse for keeping ye Duke of Queensberries corpse, they being the tacksmen yrof .....	£6 13s 4d
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With a little imagination one can construct the whole procession over again, though why the Duke's corpse was kept in the Weigh-house of all places, or why the Weigh-house should be rented by tailors, are two facts entirely beyond my comprehension. It is quite clear, however, that they got the Duke's corpse buried at Durisdeer with all due ceremonial after its long journey from London, James, second Duke of Queensberry, having died there on 6th July, 1711. And one can easily infer that the proper quantities of brandy and syrup were not wanting to the occasion. The Duke's was not the only corpse thus honoured. The Magistrats had another "do" when Lady Closeburn died.

Sept. 12—To ye Provost for ye equivalent paid by him for ye Magistrats and Inhabitants spendings as they went to the Lady Closeburn's burial .....	£2 12s 6d
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The still-continuing local popularity of funerals is thus shown to be based on a proper estimate of the pleasures of life.

# 134 BURGHAL LIFE IN DUMFRIES TWO CENTURIES AGO.

Mention has been already made of the coming of the Circuit Court and the Lords of Justiciary to Dumfries. We have a series of entries relating to this which pictures for us almost the whole proceeding even down to the usual " spendings," for the first entry runs thus :—

Sept. 30—For the Magistrats and Burgesses spendings at Amisfield Toun waiting upon the Lords of Justiciary ..... £3 10s

The coming of the Lords was an occasion for a State entry into the burgh along with its civic heads. Other preparations were also necessary :—

Oct. 3—For 3 lb. of candles for ye Circuit Court ..... 15s

Then we have the trumpeters to celebrate their arrival with a fanfare :—

Oct. 4—To Bailie Kennan to give to the trumpeters and Cook to the Lords of Justiciary ..... £7 10s

and the following day :—

By ye Provost's order given more to ye two trumpeters ..... £6

To Wm. Duff [by the Provost's order] for hire of his horse which one of ye Officers rode on when waiting on ye Magrats as they were meeting the Lords of Justiciary ..... 6s

While the Court was sitting a guard was provided for the Lords by the town, for we read :—

Oct. 13—To 20 men for service in the guard the time of the Circuit, being 6 days ..... £42

To James Douglas as Captain of ye Guard to ye said Lords ..... £6

To George M'Cron, Drummer, for service in the said Guard ... £3

It would appear that Lord Blairhill, perhaps the highest dignitary of the Circuit Court, had a special guard all to himself, for we have the entries :—

To Wm. Sturgeon for attending as one of ye Guard to my Lord Blairhill ..... £3

To Wm. Wightman for service as one of my Lord Blairhill's guard ..... £3

And that rejoicings proper to the occasion were observed we know by this entry :—

Dec. 1—For four pints of ale given to ye Ringers of ye Bells at ye entering of ye Lords of Justiciary into ye toun ..... 14s



and, after the manner of town corporations to this day, we find an entry concerning the municipal honours bestowed :—

Oct. 27.—To Mr M'Ghie for gilding ye burgess tickets for ye Lord of Justiciary by Bailly Kennan's order ..... £6

And, of course, the ubiquitous Mrs Fingass has to have a finger in the pie :—

Oct. 16—For ye Magistrats charged in Mrs Fingass's when compting with her anent the wine sent for from Edr for the occasion of ye Circuit ..... 12s

And, finally, that nobody be overlooked, here is another interesting entry :—

May 1—By ye Provost's order to ye Trumpeters of this Circuit a guinea, and to ye Lord's cook a crown ..... £15 18s

One or two interesting entries throw light on the elections of those days :—

Oct. 2—To Wm. Porteous, Vailer, for musick at ye election ... £3

Oct. 23—For a skin of parchment to write ye [Oath of] Abjuration on to be signed by the Council before they chose a Commr to elect ye Burgess for ye Parliament ..... 10s

Oct. 28—For 2 gills of brandy spent by ye Magistrats with Bailly Irving in Annan after returning from ye election of ye Burgess for ye Parliament ..... 10s

Nov. 9—For 2 gills of brandy and syrup spent by ye Provost with four gentlemen before ye election of ye Commissioner to ye Parliament for ye shire ..... 12s

Nov. 24—To John Neilson, carter, for ye hire of his horse to Kirkcudbright when ye election of ye Burgess for ye Parliament was ..... £1 10s

Dec. 13—To ye Captain of ye Guard when ye Knight of ye Shire was elected, 24s, and to 12 men of that guard, 6s each of them by ye Provost's order ..... £4 16s

Very many interesting little sidelights are thrown on the burgh as it was in these far-off times. We get such as this, for instance :—

Mar. 8—To George M'Cron, drummer, for going and securing two Egyptians at Trohochton hill ..... 12s

Having evidently satisfied their curiosity, the civic authorities a few days later dismissed the strangers, for we read :—

Mar. 13—To George M'Cron by ye Provost's orders for puting ye Egyptians out of Toun ..... 6s

# 136 BURGHAL LIFE IN DUMFRIES TWO CENTURIES AGO.

The Army had its troubles then as now :—

Feb. 1—For 4 load of peets to ye Recruits lying in prison by ye  
Provost's order ..... 7s

and to show how little, after all, times change, we have the  
burgh bringing an expert to give advice just as at the present  
day, and just as now having to pay him for his knowledge :—

Feb. 17—By ye Provost's order for ye charges of ye Englishman  
who came to give his advice anent taking away ye whins out of  
ye Kingholm, £2 8s, and to him for his trouble in coming that  
length, a guinea ..... £15 6s

I wish only to give one or two more entries, as showing  
that the civic fathers looked after the entertainment of their  
citizens as well as encouraged their patriotism, for we find :—

Feb. 6—For 15 lbs. of candles to burn in ye window of ye Council  
House, etc., on ye Queen's byrthnight ..... £3 15s

Feb. 7—To ye Officers for extraordinary service in ye Queen's  
byrthnight, 15s, and 4 pints of ale at 4s ..... 16s

For 12 pints of ale to ye Ringers of ye bells in ye Queen's Birth-  
night ..... £1 4s

To Wm. Pickersgill for extraordinary service of himself and oysr  
at ye solemnity ..... £3

There are many more entries that one could touch upon,  
and from them one could almost reconstruct a mental picture  
of social life in this old royal burgh in the days of Queen Anne.  
Going through the book, what a varied and picturesque life  
unfolds itself before us ! Provost and Bailies, Lords of  
Justiciary, with their cooks and trumpeters, " Egyptians " and " distressed " seamen, all make their entry and exit ; thieves break out of prison, Bailies hold high festival, the Queen's birthnight is signalised by grand illuminations, and the whole communal life passes before our eyes as in a panoramic show. Who would have dreamt that in this dingy-looking old book, with its ragged brown paper covers, so much of life was lying hid through the lapse of two hundred years.



COVENANTERS' FLAG.

*See page 137.*

**A Battle Flag of the Covenant.**

By J. ROBISON, Kirkcudbright.

When the Earl of Mar raised the standard of rebellion at Castletown, Braemar, on 6th September, 1715, and openly defied the Hanoverian Government, it was the opening scene in the tragedy of the Gordons of Kenmure. The standard was blue, having on one side the Scottish arms wrought in gold, on the other the thistle and the ancient motto, "*Nemo me impune lacessit*," and underneath the words, "No Union." The pendants of white ribbon were inscribed, the one, "For our wronged King and oppressed country;" and the other, "For our lives and liberties."

The author of the *History of Galloway* quotes this statement from Sir Walter Scott's "Tales of a Grandfather," and proceeds to say:—"A banner, somewhat similar, presented to the Galloway men who went out with Kenmure, and under which they fought at Preston, is now (1840) in the possession of Sir John Gordon of Earlston, a lineal descendant of that ancient House."

Desirous of knowing whether this priceless relic of a great national crisis had survived the vicissitudes of close upon two centuries, the writer of this article communicated with Lady Gordon of Earlston. Her ladyship courteously replied that there was an ancient banner at Earlston, but that the tradition in the family was that it was of Covenanting origin. As is well known, the Gordons of Earlston were stalwart upholders of the principles of the Solemn League and Covenant. One head of the family, William Gordon, fell beneath the swords of the Dragoons when hastening to Bothwell Bridge, and his son suffered much and great persecution.

On her ladyship's kind invitation, the writer visited Earlston, where he was shown the venerable flag. It was at once apparent that the learned author of the *History of Galloway* had fallen into a strange error, as it could not possibly have, in any respect, been similar to that which proclaimed the

rebellion of the Fifteen. The standard which floated on the "Braes o' Mar" was of blue, and the one at Earlston is white, and bears mottoes which conclusively prove that it was at least of Covenanting origin. About four feet long and three feet deep, a well-meaning attempt has been made to preserve it, and it has been pasted on to white muslin, but unfortunately on the side of the lettering, which, however, can be distinctly made out through the muslin. The standard has evidently at one time been subjected to the perils of fire, as it is scorched in parts. At the top left-hand corner are the Earlston arms, with the word "Dalry" on each side of the scimitar. Above is the family motto, "Dread God," and below are the words, "Not Devils, Deaths, nor Nero's," with the date "1715," which is evidently of later date than the flag itself. On the right half of the flag is displayed a large rising sun, surmounted by the words, "*Exurgat Deus Discepentur Inimici*"—"Let God arise, and scattered be His enemies." Below all are the words, "PRO. RELIGIONE. LIBERTATEQUE. FEDERATA." breathing the very spirit of liberty.

Whence came this venerable relic of other days? Kenmure and Nithsdale were the only persons of note in this district who followed the lead of Mar, and the Earlston flag could not have been the standard under which Kenmure's men marched to death on the battlefield, to imprisonment in vile jails, or to drag out a miserable existence on the Plantations.

Active preparations for coping with the rebellion were taken all over the Stewartry, under such men as the celebrated Colonel Maxwell of Cardoness, "One of King William's Men;" Gordon of Earlston; Captain Fullarton of Carleton; John Gordon of Lagmore, captain of the fencible men of Borgue; Ephraim M'Lellan of Barmagachan; Hugh Blair of Dunrod; David Blair of Borgue; and others. The enthusiasm of the people in the royal cause is well attested, and when it was made known that it was the intention of the rebels to capture Dumfries, great numbers from Galloway flocked to the town to take part in its defence. When the news reached Kirkcudbright, the very next day Captain

Fullarton, late Provost of the town, Mr Samuel Ewart, and Sergeant Currie set out with a company of foot under their command, reaching Dumfries the same night. The rebels, intimidated by the preparations for defence, retreated, and the town was saved.

That Sir Thomas Gordon took a very prominent part on the side of the Government is evident from the fact that he was appointed Deputy-Lieutenant for the Stewartry by the Marquis of Annandale, the Steward.

Through the courtesy of Lady Gordon of Earlston, the following interesting extract from the Earlston family MSS. was supplied to the writer :—

“ He was more active (and but ill requited) than his circumstances permitted in the Rebellion 1715, gained great credit with the Marquis of Annandale, whose commission appointing him his Deputy-Lieutenant, with several blank commissions signed and seal'd, for him to fill up if it should have been thought necessary to raise the Militia, lyes now before me, and is still preserved in the family. But it was thought unnecessary, as volunteers to the number of 2000, well armed and disciplin'd was soon collected, and marched with *colours* flying, Drums beating, with their Deputy-Lieutenant and officers at their head into the town of Dumfries, which prevented the rebels, as they intended, from making Dumfries their Head Quarters in their way to England, prevailed on the Marquise, who was teiz'd with Divisions (contrary to his intentions) to remain in Town, and they remained without a murmur until the Rebels were gone, and the Town and Country in perfect security, and behaved in such a way as did them great honour, and preserved both Town and Country in perfect security from Contributions and all other Depredations wc. ought never to be forgot.”

This extract shows clearly the great service Sir Thomas Gordon and his Galloway volunteers were enabled to render in the preservation of an important centre. His prompt action, along with other officers, in rallying to the defence of Dumfries, was a powerful factor in the issue of the campaign, which terminated so tragically for Lord Kenmure.

It also proves that the volunteers were provided with colours, and the family tradition is that the standard at Earlston is the identical standard which accompanied Sir Thomas on his march to Dumfries.

A rough sketch of the flag, with its inscriptions, was submitted to the Lord Lyon, Sir James Balfour Paul, and that eminent authority had little hesitation, judging from the mottoes, in stating that the banner was originally prepared for the Covenanters, but was pressed again into service in 1715, at which time that date was added. The mottoes, as he points out, were not at all suitable for the rising of the 'Fifteen, but would be quite appropriate on a Covenant flag.

The word "Dalry" on the flag might supply a clue. There was no family in the Stewartry which suffered more for their staunch adherence to the principles of the Solemn League and Covenant than the Gordons of Earlston, and the then head of the family was one of the foremost leaders in the resistance to the tyrannical rule of Charles II. Under Sir James Turner, the Government troops harassed the whole district, ushering in that mournful period, so emphatically known as "The Killing Times." Gordon of Earlston, for his non-compliance, was banished the realm, the sentence to take effect within a month, and he was forbidden to return under pain of death.

Finally, on Tuesday, the 13th day of November, 1666, the unhappy people were goaded into rebellion. A party of the homeless wanderers repaired to Dalry for rest and refreshment. Following the narrative as given in the *History of Galloway*, a little distance from the village they met a small party of soldiers, driving before them a number of people, in order to thrash some corn which had been taken for the payment of a fine from a poor old man of the name of Grier, who had fled. The Covenanters, whose number is stated to have been only four, passed on to the village. Here they got information that the old man had been seized and taken to his house, where the soldiers were treating him in a barbarous and inhuman manner. Proceeding there to

endeavour to get the old man released, a melee ensued between them and the soldiers, in which one soldier and two countrymen were wounded. The die was cast, and in an encounter next morning with another party of soldiers, one of the latter was killed. There was little doubt that speedy vengeance would be taken; Dumfries, where Sir James Turner lay, was only eighteen miles distant. M'Lellan of Barscobe and Neilson of Corsock, with other gentlemen, gathered 50 horsemen and a company of foot, and on the 15th marched on Dumfries, where Turner was made prisoner in his lodgings. Three or four hundred men joined the insurgents, and marched towards Edinburgh, expecting to recruit their numbers in that locality. In this they were disappointed, and, under the command of Colonel Wallace, drew up on the slopes of Rullion Green, on the rolling uplands of the Pentlands. Here they were met by the celebrated General Thomas Dalziel of Binns, the "Muscovy beast" of the Covenanting annals, and totally defeated. It is said there was little slaughter, as Dalziel's cavalry was chiefly composed of gentlemen who pitied their oppressed fellow-countrymen, but many were taken prisoners, and well would it have been for most of them had they fallen on the field of battle. On the south were placed the gentlemen of Galloway, under M'Lellan of Barscobe, and among others present were Robert and John, the two sons of Gordon of Knockbrex. These two young men were among the first to suffer. Their heads were ordered to be sent to Kirkcudbright, to be exposed on the Meikle Yett, their dishonoured bodies being buried in the usual place assigned to traitors. Neilson of Corsock, after the most inhuman treatment, was also executed. Sir William Bannatyne and his dragoons were let loose on the devoted district, and Earlston House was turned into a garrison, the most inhuman persecution being practised on the inhabitants.

The battle of Rullion Green was fought on 28th November, 1666, and the flag which finds an honoured resting place at Earlston House may have waved over the heads of the Galloway men who fought in that battle. The sentence of



banishment against Gordon of Earlston had never been enforced, and the next we hear of him is being in command of a large troop of Galloway horse at the celebrated conventicle held at Irongray. The Highland Host had come and gone, and their place had been taken by five thousand troops, who were placed in garrison all over the south-west. Claverhouse was defeated at Drumclog, and shortly afterwards, on 22nd June, 1679, was fought the battle of Bothwell Bridge. William Gordon of Earlston was not at the battle, but he was met hastening towards it by some dragoons engaged in the pursuit. As he refused to surrender, he was instantly slain, and was afterwards buried in the churchyard of Glassford, where a monument, carefully tended by the Earlston family, was erected to his memory. His son, Alexander, was present at the battle, and escaped arrest by flying into a house at Hamilton and disguising himself in female apparel, and he afterwards suffered much persecution till the Revolution, when the accession of William and Mary heralded a brighter dawn.

Less than forty years elapsed between the rising of Dalry and the rising of the 'Fifteen, and there can be little doubt that the venerable standard which accompanied Sir Thomas Gordon to Dumfries had also accompanied the Covenanters in their wanderings, and waved over the heads of the Galloway men at Rullion Green, Drumclog, and Bothwell Bridge.

### **The Baronies of Enoch and Durisdeer.**

By R. C. REID of Mouswald Place.

In common with most of the old feudal lands in Scotland, the Baronies of Enoch and Durisdeer have but little early history. The destruction of the National Records of Scotland has overwhelmed the charters and muniments which related to them, and until the fifteenth and sixteenth centuries only a few fragmentary notices have survived.

But from such scanty material it is possible to piece together a consecutive account of the transmission of the baronies through the hands of the several families which owned them.

**The Barony of Durisdeer.**

When the barony of Durisdeer first emerges into history, it belonged to Sir William de Lindesay of the Scottish House of Lamberton. This great territorial magnate succeeded his father, Walter de Lindesay of Kendal, in Westmorland, in 1271 (*Bain*, I., 2636), and no doubt increased his domains by his marriage in 1266/7 with Ada, eldest surviving sister of King John de Baliol (*ibid.*). From his grandmother, Alice, sister and co-heiress of William de Lancaster, Lord of Kendal, he inherited vast estates in Lancashire, Yorkshire, and Westmorland (*Lives of the Lindesays*, I., 30); but it is not clear whether Durisdeer was part of his patrimony or brought to him by his wife.

Sir William was killed in Wales on 6th November, 1283, being survived by his widow, Ada, who in 1284 set out for Scotland to look after her estates (*Bain*, I., 263). He left an only daughter and heiress, Christina de Lindesay, who prior to 1283 was married, by her cousin King Alexander III., to Sir Ingleram de Gynes, second son of Arnold III, Count of Guignes and Namur and Sieur de Coucy, in right of his mother, Alice de Coucy (*Lives of the Lindesays*, I., 32, quoting Duchesne *Hist. de la Maison de Guines*, p. 253 and 451). Thus were the great English and Scottish estates of the Lindesays amalgamated with the French territories of the de Coucys. Sir Ingleram de Gynes was a well-known figure at the English Court. To Sir Ingleram his Scottish lands, held in right of his wife (*Bain* I., 239), could not have been of much importance, though their extent was considerable. Apart from the farm of Moreholm, and other lands in Lancashire (*Bain* II., 838), and half the Barony of Kendal, the chief manor of which was on the island of Holme in Windermere (*ibid.*, III., 837), he held the farms and castle of Durisdeer, which, prior to 1303/4, he leased for 12 years to Sir John de

Soules, who had transferred the lease to Sir William de Connigsburghe (*Bain*, II., 1452). He also held *in capite* Westerker in Eskdale, though Soules held the fee of it from him (*ibid.*, 239, etc.).

Sir William de Connigsburghe cannot have had a very peaceful tenancy of the Castle of Durisdeer, for when Bruce assassinated Comyn he set to work to capture and demolish all the castles in Nithsdale and Annandale. Dumfries was demolished, but for some reason Durisdeer, though captured, was spared. Steps were at once taken by Edward I. to recapture the Castles of Durisdeer and Tibbers (*Bain*, IV., p. 393). Durisdeer was munitioned and left in charge of Robert Bell (*ibid.*, p. 391).

Sir Ingleram de Gynes was naturally a devoted adherent of Edward. He succeeded to the Siererie de Coucy in 1311, and spent the rest of his life in France, dying there in 1321 (*Lives*, p. 32). Christina, now a widow, returned to England, and on 4 July, 1324, obtained a safe conduct to go to Scotland to look after her affairs; and well she might, for in her absence in France, Bannockburn had been fought, and her estates divided up amongst the victorious adherents of Bruce. Escorted by a retinue of 40 horse and accompanied by a French Knight, Sir Ingleram de Coucy, who may be identified with her second son, she set forth (*Bain*, III., 842). But she found that Durisdeer, now divided into the baronies of Durisdeer and Enoch, was in the possession of the powerful Stewart and Menzies families, and there can be little doubt that she failed in her errand. She was dead by 1335, but may have just lived to see Durisdeer again in English hands, for in 1335/6, on Edward III. overrunning Scotland, the barony of Durisdeer was in his hands owing to Christina's death, no steps having been taken by the heir to establish his right or take possession (*Bain*, III., p. 318). The heir was her eldest son William Sieur de Coucy who lived in France. It was hardly to be expected that he would take a deep personal interest in his somewhat problematical Scottish estates and indeed he at once decided to rid himself of them, giving in 1335 a charter of the manor and castle of Doredeer

and many other lands, including the advowsons of Durisdeer and Torthorwald, to his second son, William de Coucy, junior (*Bain*, III., 1159). But owing to the fluctuating fortunes of those stirring times, this charter can never have been operative.

Immediately after Bannockburn King Robert I., now secure upon his throne, seized and forfeited all the lands of the English adherents, and gave them to his own followers. To Sir Alexander de Meyners and his wife he granted the whole of the barony of Durisdeer.<sup>1</sup> The date of the grant is not recorded, but it must have been 1315-21, and probably near to the former date. This family of Menzies was already established at Redehall, near Edinburgh, and at Weems, in Perthshire, so their Dumfriesshire barony, though no doubt of value, was, owing to its remoteness, not of great consequence to them. There is indeed no evidence to show that they ever resided there. It is therefore not surprising to find that a few years later, certainly before 1326, Sir Alexander de Meyners resigned "the whole barony of Durisdeer" into the hands of the King, who granted it to Sir James Stewart and Agnes, his wife, with reversion to Sir Alexander should they die without heirs.<sup>2</sup> The new owner was a younger son (probably the fourth son) of James, fifth High Stewart of Scotland, by Egidia, sister of Richard de Burgh, Earl of Ulster.<sup>3</sup> He is known to history as Sir James Stewart of Durisdeer, but beyond his name and existence nothing seems to be known of him, nor is the name of his wife's family recorded, though it is possible that she was a Menzies, which would explain the resignation. He is believed to have died without issue. This is borne out by the subsequent history of the barony, for the reversion became operative, and by 1374 the barony was once more in the Menzies family.

<sup>1</sup> *R.M.S.*, 1306/1424, quarto edition, App. II., 146.

<sup>2</sup> *R.M.S.*, 1306/1424, quarto edition, p. 530; another version of the grant is that it consisted of "the lands of Durisdeer and the barony of Enache."

<sup>3</sup> James, fifth High Stewart, died in 1309, and was succeeded by his son, Walter, sixth High Stewart, who died in 1326 (*Heraldry of the Stewarts*, p. 13).

Meanwhile the Menzies family seem to have leased or feued out the lands of the barony, for on 24th February, 1369/70, there is recorded an instrument of resignation of the lands of Castlehill of Durisdeer by William Fotheringae in favour of Neill (should be Nigel) Cunninghame, ancestor of the Earls of Glencairn.<sup>4</sup> But in 1374 the Menzies family finally parted with the barony, and on 6th April of that year the Crown granted the whole of the barony, which had been resigned by Sir Alexander de Meyners of Redhalle, to Sir Robert Stewart of Innermeath, Schanbothy and Craigie.<sup>5</sup> Sir Robert<sup>6</sup> died about 1386, leaving two sons<sup>7</sup>—Sir John Stewart, who succeeded to the family estates; and Robert Stewart, who married Janet of Argyl, daughter and heiress of John of Argyl, Lord of Lorn. With her he acquired the Lorn estates in Argyllshire. But he does not appear to have retained them long, for in 1388 he effected an exchange of properties with his elder brother, Sir John Stewart of Innermeath, who resigned Durisdeer, Schanbothy, and Craigie in his favour and took over the Lorn estate in their stead. The details of this exchange have never been clearly known. Duncan Stewart in his *History of the Stewarts*, followed by the *Stewarts of Appin* (p. 52 *et. sequa*), states that Sir Robert surrendered Lorn to his brother in exchange for Durisdeer by

<sup>4</sup> *Yester Writs*, 29a.

<sup>5</sup> *R.M.S.*, 1306/1424, quarto edition, 457. He was the third son and heir of Sir James Stewart of Pierston and Warwickhill, and therefore grandson of Sir John Stewart of Bonkyl (*Heraldry of the Stewarts*, p. 54).

<sup>6</sup> Schanbothy was acquired from Thomas Murray Lord Bothwell, the charter being confirmed by David II. (Steuarts of Appin). On 23rd March, 1362, Sir Robert obtained from David II. a charter of Motherwell and Dalzell forfeited from Sir Robert de Val (*ibid.*), but he soon parted with the lands to Sir Durcan Walays and his spouse Dame Eleanor Bruce for £200 cash, which received Royal confirmation on 4th March, 1367/8 (*Douglas Book*, III., 395).

<sup>7</sup> *Scots Peerage*, V., p. 1. A daughter of Sir Robert, Elizabeth, is supposed to have married William Douglas, first of Drumlanrig, but this is open to question (*ibid.*, VII., 114).

# STEWART OF ROSSYTH AND DURISDEER.

Sir Robert Stewart of Innermeath, Schanbothy, and Craigie

Sir John Stewart of Innermeath and Lorn <i>a quo</i> Lords Lorn and Stewart of Appin	Robert Stewart, of Durisdeer Schanbothy and Craigie = Janet of Ergadia, heiress of Lorn, killed 1403	Katherine = John Bethune of Balfour (Duncan Stewart, p. 169) • (Reg. de Dunfermlyn, p. 301)	Sir David Stewart of Hertschaw, 1400 • (Reg. de Dunfermlyn, p. 301)
Sir David Stewart of Schanbothy and Durisdeer, acquired Braidwood 1423, purchased Rossyth, d. 1444 = Margaret Dundas	William Stewart of Kirkandrews, in 1396 = (1) Michael Mercer (2) Sir Wm. Douglas of Drumlanrig	Isabel Stewart = Robert Bruce 1st of Clackmannan	
Henry Stewart of Rossyth and Durisdeer, heir 1445 = Mariota Ogilvie	Robert Stewart = Janet de Fenton of Bakie	Elizabeth Stewart = John Bruce, 4th of Clackmannan	Janet = Alexander Bruce of Earishall
Sir David Stewart of Rossyth and Durisdeer = Marion Herries	Elizabeth Stewart = John Bruce, 4th of Clackmannan	Janet = Alexander Bruce of Earishall	John Stewart of Craghall, obtained Charter of Craghall (Fife) 1474, granted barony of Braidwood to his son 1482 Alexander Stewart resigned barony of Braidwood 1497
Sir David Stewart Christian of Rossyth and = Edward Bruce Durisdeer, d.s.p. of Kinnaird = Margaret Douglas	Janet = H. Steven = Henry Dudding- Auchmuty stone of Sandford	Elizabeth = Robert Stewart (Hist. of Inverkeithing, 185)	
Sir David Stewart of Rossyth and Durisdeer, burgess of Dunfermline 18 Dec., 1511 (Records of Dunfermline 183), d. 1520. = Christiane Erskine, eldest dau. of Alexander, Lord Erskine	Adam Stewart of Briery- hill, alive 1538, burgess of Dunfermline = Elizabeth (Carkettill Reg. de Dunfermlyn p. 390)	Robert (1529) (R.M.S.) 1513/46, 842 <i>a quo</i> Stewarts of Overgrange	William, procurator for his father, 1502, a natural son (Records of Dunfermline 124), lived in Edinburgh, and by his 2nd wife had (Duncan Stewart)
Henry Stewart of Rossyth and Durisdeer, d. by 1561 = (1) Margaret Ogilvie 1514 (R.M.S., 1513/46, 20) (2) Margaret Douglas 1516 (R.M.S. 1513/46, 93), only dau. of Sir Robert D. of Lochleven (Scottish Antiquary quoting Douglas's Peerage)	Helen Stewart, infet in Brieryhill, 1539 = David Lundy	Thomas, burgess of Dunfermline. 1551 (Records of D. 251). (R.M.S. 1513/46, 2140), legitimated 1540	William Stewart, clerk in Edin. = Margaret Bellenden Sir Lewis Stewart of Kirkhill
Robert Stewart of Rossyth and Durisdeer, heir 1561, d. by 1582 = in 1550 Euphame 2nd dau. of William Murray of Tullibardine (Scots Peerage V. 114), afterwards wife of Robert Pitcairn, Commandador of Dunfermline (R.M.S. 1580/93, 401)	Robert Stewart, 1529 (R.M.S. 1513/46, 842)	John Stewart, 1529 (R.M.S. 1513/46, 842)	Patrick Stewart, 1542 (R.M.S. 1513/46, 2639) probably "of Baith."
James, d. by 1565 George Stewart of Rossyth and Durisdeer, d.s.p. in 1582 = in 1576 Rachel, dau. of Sir James McGill of Rankelour-Nether, as her first husband (Scots Peerage VI. 591)	Henry Stewart of Rossyth and Durisdeer, heir to his nephew (George 1583 = Margaret, dau. of Jas. Lindsay of Dowhill. Entailed Estates 1593 (R.M.S. 1580/93, 2330)	Lawrence Stewart, d. by 1631 Isabella Stewart, heir gen. 1631	Margaret = Robert Wardlaw of Kilbaberton Agnes = Mr Henry Lauder of St. Germans
James Stewart of Rossyth and Durisdeer, heir 1622 = in 1606 Margaret Napier, dau. of John N. of Merchiston, the Inventor (Scots Peerage VI. 421)	Henry Stewart, 1593 Laurence	John Stewart, 1593 Elizabeth	
James Stewart of Rossyth and Durisdeer, heir 1641, d. 1660 = (1) in 1642 Mary Innes, dau. of the Laird of Innes = (2) Agnes, dau. of George Buchanan of that Ilk	Archibald Stewart, 1639 (Duncan Stewart)	Alexander Stewart, Test. 1682 = Katherine Drummond James Stewart, in Inverkeithing, Test. 1682/7	Anne, 1639 = Mr William Ged, fiar of Balbridge, Gen. Reg. Sas. Margaret = Patrick Winton of Strickmartin Inchderry Jean = John Aiton of Inchderry
Grizel Stewart = George Hutcheson of Scotstoun, son of Archibald Stewart (2nd son of Sir Archibald Stewart of Blackhall), by his wife Margaret H., whose name he took, Heir gen. to her brother James, 1697	David Stewart of Rossyth, d. 1664, s.p.	Margaret, bapt. 6 Feb., 1644	James Stewart of Rossyth and Durisdeer, heir to Durisdeer 1675. Commissioner of Supply for Fife, 1678, 85, and 86. A malignant whose estate was plundered and sequestrated, d.s.p. 1683 = Marion, dau. of Sir George Maxwell of Pollock (Duncan Stewart)
William Stewart of Rossyth, d. at Rossyth 1694, having disposed his estate to his friend David Drummond of Invermay in 1688			

charter dated 13th April, 1388. A. H. Millar's *Fife Pictorial and Historical* (II., p. 189), asserts that Sir Robert was "moved by compassion for the poverty of his elder brother," of which there is no evidence. Donald Gregory (*History of the Western Highlands*, p. 28), quoting an Inventory of Argyll Writs, says that Sir Robert sold Lorn to his brother, but gives no date. *The Scots Peerage* states that Lorn was exchanged for Durisdeer, an arrangement which received Royal Confirmation on 13th April, 1388. *Origines Parochiales* II., i., p. 110, affirms that Lorn was resigned by Sir Robert and his wife in favour of Sir John, and the Argyll charters quoted as authority. In order to clear up this conflicting evidence application was made to the Duke of Argyll, who, on referring to the Inventory, found in Vol. I., p. 365, an entry which justified a search amongst his charters. The Deed of Excambion has not come to light, though it may be amongst Lord Breadalbane's papers, but the original charter of confirmation has been found by the Duke, who has made the following transcript, and kindly permitted its publication here. If the Excambion should ever be found, it may be found to be dated 13th April.

1388, April 29.

Robertus dei gracia Rex Scottorum Omnibus probis hominibus tocius terre sue clericis et layeis Salutem Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto consanguineo nostro Johanni Senescallo de Innermeth militi terras illas de lorne de benechir de loch (sic) et de apthane ac de lesmore cum pertinentiis infra Vicecomitatum de Perth que fuerunt dilecti consanguinei nostri Roberti Senescalli militis fratris sui et Jonete sponse eiusdem Roberti, et quas ipsi Robertus et Joneta non vi aut metu ducti nec errore lapsi sed sua mera et spontanea voluntate nobis per fustum et baculum per litteras suas resignacionis in pleno consilio nostro tente apud Edynburgh die confectionis presentium sursum reddiderunt, pureque et simpliciter resignaverunt ac totum jus et clameum que in dictis terris cum pertinentibus habuerunt vel habere potuerunt pro se et heredibus suis omnino quietum clamauerunt imperpetuum; Tenendas et Habendas eidem Johanni et heredibus suis de nobis et heredibus nostris in feodo et hereditate per omnes rectas metas et diuisas suas cum omnibus et singulis libertatibus, commoditatibus, aysiametis et iustis pertinentiis quibus cumque ad dictas terras cum pertinentiis spectantibus seu quoquo modo iuste

spectare valentibus in futurum, adeo libere et quiete plenarie, integre, et honorifice in omnibus et per omnia sicut dicti Robertus et Joneta dictas terras cum pertinenciis iuste plenius tenuerunt vel possiderunt ante resignacionem huius modi nobis factam. Testibus venerabilibus in Christo patribus Waltero et Johanne Cancellario nostro, sancti andree et Dunkeldensis ecclesiarum Episcopis, Johanne primogenito nostro de Carrick Senescallo Scocie, Roberto de flyf et de menteth, Jacobo de douglas filiis nostris dilectis, Archebald de Douglas et Thoma de Erskyne consanguineis nostris militibus. Apud Edynburgh Vicesimo nono die Aprilis Anno Regni nostri octo decimo.

Dorso "Carta de lorn, de benechir de loch et de apthan ac de lasmor" in same hand as the charter, and in a fifteenth century hand is added, "gewin be King robert to Johne Stuart 29 April & 18th year of the Kings reigne."

A portion of the Great Seal of King Robert II. remains on the tag. The charter is not mentioned in the *Hist. MSS. Com. Report*, nor is it recorded in the *Register of the Great Seal*.

A few years before this arrangement was carried out Sir Robert Stewart had received from his elder brother a gift of an annual rent of £20 from the barony of Dorysdere, which received Royal confirmation on 20th April, 1385 (*The Douglas Book*, III., 31). Perhaps this annuity terminated with the excambion.

Sir Robert, like many Scottish knights of the period, followed the profession of arms on the continent and elsewhere. In 1388, with the Black Douglas, he invaded Ireland and burnt Carlingford (Duncan Stewart, *Hist. of Stewarts*). Next year he accompanied Sir William Douglas of Nithsdale, the most famous warrior of his day, with other Scottish knights to Dantzic in 1389. Whilst there he received an acknowledgment of a debt from Sir James Douglas, who promised that if he failed to repay the debt he would not wear the armour of a knight without his creditor's permission—characteristic of the chivalrous age in which they lived (*Hist. MSS. Com.*, 11th Report, Pt. VI., 210-11). On the murder of his leader in Dantzic, Sir Robert Stewart appears to have returned home, for on 7th July, 1394, he had a safe-conduct to proceed to London (*Stewarts of Appin*, p. 54).

On the 10th March, 1397, Hugh Wallace of Cragy quit all claims of the lands of Inglistoun, in the barony of Duris-



deer, to Sir Robert Stewart (Duncan Stewart's *Hist. of Stewarts*). An annual rent of 8 merks out of these lands had been resigned by Sir John Lindesay of Cragy in favour of Sir John Wallace in 1371-2 (*R.M.S.*, 1306/1423, quarto, 420 and 547). The following year Sir Robert granted Inglistoun and adjoining lands to James de Dalrymple, whose descendant, John Dalrymple of Laich, just a century later, resigned them into the hands of his superior, William Stewart of Rosyth and Durisdeer, in favour of Archibald Napier of Merchistoun, from whose family in 1573 the lands passed to the Douglasses of Coshogle (*Ramage*, p. 76-7).

In 1402 Sir Robert was taken prisoner at the battle of Homildon, but must have been released or ransomed almost at once, for he was slain at the battle of Shrewsbury on 21st July, 1403, whither he and other Scottish nobles had gone to assist Harry Hotspur in his rebellion against Henry IV. (*Stewarts of Appin*).

He left four recorded children—two sons and two daughters, Elizabeth, who married in 1396 Michael Mercer, son and heir of Sir Andrew Mercer, first of Aldie, and after his death is believed to have married, secondly, Sir William Douglas of Drumlanrig; and Isabel, who married Robert Bruce, first of Clackmanan (*Bruces and Comyns*; see also *Scots Peerage*, III., 468); but it is much more likely that Isabel was a daughter, and not a grand-daughter of Sir Robert Stewart of Innermeath and Durisdeer, in view of the fact that she was a widow in 1389. Of his two sons, the younger, William Stewart, received a charter on 6th December, 1431, from Archibald, Earl of Douglas, of the whole of the barony of Kirkandrews, in Eskdale, failing whose heirs the barony was to revert to his elder brother, Sir David Stewart (*Douglas Book*, III., 64). This is the only reference that has been found relating to William. He probably died without issue, for in 1590, in the hopes of pacifying the Borders and restoring order in the debateable land, the Crown passed an Ordinance calling on all occupants of lands in that district to exhibit their charters. Amongst them was Harry Stewart of Rosyth and Durisdeer, who claimed the lands and barony

of Kirkandrews (*R.P.C.*, 1st series, IV., 709).

Sir Robert Stewart was succeeded by his eldest son, Sir David Stewart, in the baronies of Schanbothy and Durisdeer. The new baron was at first known as David Stewart of Hertschaw (in Clackmannan), and for a number of years (1414-22) seems to have inherited his father's annuity of 20 merks from the customs of Inverkeithing (*Ex. R.*, IV., 246 *et sequa*), an amount which in 1416 was increased to £26 13s 4d. He was knighted on 21st May, 1424, at the Coronation of James I. (Duncan Stewart's *History of Stewarts*)<sup>7a</sup> having the previous year, as Lord of Durisdeer, received a charter of the lands of Leuchat in Fife from Sir William Lindesay of Rossy (*Hist MSS. Com. 12th Report*, 158). He had previously had a charter of the lands of Braidwood, in Lanark, on 11th May, 1423 (*The Bruces and the Comyns*, where it is stated that the charter is in the hands of Lockhart of Lee), which barony was resigned in 1497 by Alexander Stewart of Braidwode, perhaps Sir David's grandson, into the King's hands in favour of Archibald, Earl of Angus (*Douglas Book*, III., 164). About the same time Sir David must have acquired the lands of Rossyth from various owners, including the family of William Marshall of Rossyth, who was dead by 1429 (*Ex. R.*, IV., 484). At any rate, on 24th August, 1428, Sir David resigned the barony of Rossyth for a new infestment (*R.M.S.*, 1424/1513, 115). The next year he figures as assisting the King in some restoration work to the monastery of Dunfermline, receiving 5s 4d for certain timber boards which he supplied (*Ex. R.*, IV., 482). In 1437 he was appointed an auditor of the accounts of certain works at Linlithgow (*Ex. R.*, V., 10), and obtained a grant of the lands of Clunyis from the Abbot of Dunfermline (*Reg. de Dunfermlyn*, 286). In 1439

<sup>7a</sup> If this statement of Duncan Stewart is correct, Sir David may have had an hitherto unrecorded uncle of the same name, for on 15th September, 1400, Sir David Stewart of Hertschaw acted as procurator for Sir Patrick Lyon of Glamis (*Reg. de Dunfermlyn*, p. 301). If this is the case, the uncle must have died without issue, for it is stated on the authority of the Rossyth writs that Sir David of Rossyth inherited Hertschaw from his father (*Hist. of Inverkeithing and Rossyth*, p. 184).

he served as a Leslie retour (*Hist. MSS. Com. 4th Report*, 503). He died in 1444. He married Margaret Dundas (*Bruces and the Comyns*), and had issue :—

(1) Henry Stewart, of whom hereafter

(2) Robert Stewart, married to Jonet de Fenton of Bakie, one of the heirs of Walter de Fenton of Bakie. Robert was dead by 1448, when his widow re-married William Haket (*R.M.S.*, 1424/1513, 618), second son of David Haket of Pitfirnan (*Scottish Antiquary*, p. 77). Jonet married thirdly Sir James Douglas of Ralston. Both were implicated in the Douglas Rising and fled to England. Their lands were forfeited and granted to Sir David Stewart of Rossyth in 1459 (*R.M.S.*, 1424/1513, 735).

(3) Elizabeth, married to John Bruce of Clackmannan, son and heir of Sir David Bruce (*Scots Peerage*, III., 470).

(4) Another daughter, Janet, is stated to have married Alexander Bruce of Earlsall (*Millar's Fife*).

(5) Probably John Stewart of Craghall or Cragyhall (Fife) was another son. This would account for his being in possession of the barony of Braidwood, which he resigned in 1482 in favour of his son, Alexander (*R.M.S.*, 1424/1513, 1181). This branch of the family must not be confused with the Stewarts of Craigiehall and Cardonald.

Henry Stewart was served heir to his father in Schanbothy by precept dated 10th April, 1444 (*Douglas Book*, III., 74). He does not figure often in the records. He married Mariota Ogilvie, third daughter of Sir John Ogilvie of Lintrathen (*Scottish Antiquary*, p. 4, n. 8), who survived him, being alive apparently in 1491 (*Acta Dom. Con.*, I., 210). But he was alive in 1458/9, when he resigned the barony of Rossyth in favour of his eldest son, reserving liferent to himself and his wife (*R.M.S.*, 1424/1513, 658). By his wife he had, in addition to his eldest son David, William Stewart of Brieryhill and three daughters. Of his daughters, Jonet married John de Menteith, being infeft in half of the dominical lands of Schanbothy (*R.M.S.*, 1424/1513, 1205). Another daughter, Elizabeth, resigned half the Mains of Schanbothy

in favour of her niece, Christian Stewart, and her husband (*R.S.S.*, I., 406). The remaining daughter, Margaret, is mentioned in 1482.

The eldest son, Sir David Stewart of Rossyth, etc., then designated Sir David Stewart of Hardshaw, was an arbiter in a dispute relating to the lands of Dunberny in 1456 (*Ex. R.*, VI., 246). As related above, he was infeft in the barony of Rossyth in his father's lifetime. In 1462 he received a three years' grant of £20 from the Queen out of the customs of Inverkeithing (*Ex. R.*, VII., 153). It was during his lifetime that the King and Queen of England took refuge in Scotland, stopping at Durisdeer and Lanark on their way north. It is pleasant to think that the old Castle of Durisdeer may have given them a night's shelter, for it is known that £51 7s was spent on entertaining them at those two places in the year 1461 (*Ex. R.*, VII., 60). Sir David married Mariota or Marion Hereis, probably a daughter of Robert Hereis of Terrauchty (*Scottish Antiquary*, p. 4, n. 4), though a later writer says she was a daughter of John Herries of Terregles (*Hist. of Inverkeithing*, p. 185). In 1491 he was involved in a lawsuit with James Douglas of Drumlanrig, who took action against certain parties whom he alleged were in wrongful possession of lands in Durisdere. The case was heard at length, Douglas claiming under a lease from Sir David Stewart, who seems to have been guilty of sharp practice. Edward Menzies of Dalvene was the principal defender, and he successfully produced a sasine of the lands of Castlehill in the barony of Durisdeer, and a tak of the office of baron bailie from Sir David of prior date to that produced by Douglas. The other defenders were John Wilson and John Brown, who held the  $2\frac{1}{2}$  merkland of Merecleuch and Coterhouses on license from Menzies, who had a tak thereof from Marjory Ogilvie, lady of terce and mother of Sir David Stewart. Sir David was ordered to give other lands of equal value in tak to Douglas (*A.D.C.*, p. 210). The remaining defender was John of Dalzell, who was in occupation of the 20s lands of Murehouse.

Sir David Stewart was survived for many years by his

widow, who had terce from the lands of Castlehill in Durisdeer. But in 1494 she excambed her terce of Castlehill for Craigtoun in Clackmannan, where her second husband, David Brus of Clackmannan, lived, and had to take steps in 1498 to establish her rights against her brother-in-law, William Stewart, then Lord of Rossyth (*A.D.C.*, 1486/1501, 308). She outlived her second husband, being infeft in 1502 in a tene-ment in Dunfermline (*Records of Dunfermline*, p. 301).

There is no need to follow here the fortunes of the Stewart family.<sup>7b</sup> Their headquarters was at Rossyth, and they seem to have had little actual contact with their Dumfriesshire barony. They retained the superiority of Durisdeer till 8th November, 1675, when it was disposed to William, Earl of Queensberry and his heirs tail (*Drumlanrig Inventory*). The barony itself was feued out at an early date, the family of Menzies of Castlehill of Durisdeer being the principal feuars, whilst the Douglasses of Dalvene also held land in the barony.

The accompanying chart gives further details of the family.

#### The Barony of Enoch.

Let us turn now to the Barony of Enoch.<sup>7b\*</sup> Even less is known of Enoch than of Durisdeer prior to the War of

<sup>7b</sup> In 1592 the Laird of Rossyth entailed the estates on his sons and heirs male, whom failing on Patrick Stewart of Baith, whom failing on Walter Stewart of Cardonal. Patrick Stewart of Baith may be indentified with a son of David Stewart of Rossyth. He witnessed a charter in 1542, was a cautioner in 1590 (*R.P.C.*, 1st ser., iv., 511), and was served heir general to a number of Lindsays in 1608. He must have been succeeded by Henry Stewart of Baith, whose son, Patrick Stewart of Baith, was served his heir in lands in the parish of Dunfermline in 1650 (*Fife, Inquis. Spec.*). They must not be confused with the Stewarts of Beith (or Baith), Lords Avondale. The property of Baith (Fife) had formerly been conventual land of Dunfermline Abbey (*R.M.S.*, 1546/80, 1476).

<sup>7b\*</sup> It would appear that Enoch was a separate parish, for the 12th century grant of Edgar, son of Dovenald, to Holyrood Abbey of the church of Dalgarno is witnessed by G., parson of the perpetual vicarage of Enoch (*Reg. of Holyrood*, p. 44). As this notice is already in type, it is regretted that it is not possible to hold it up long enough to make the necessary research to explain this reference.

Independence. But around a single surviving reference some conjecture may be spun. As soon as Edward I. crossed the Border to avenge the murder of Comyn, he seized the lands of all the supporters of Bruce. Quite a scramble seems to have taken place amongst the English courtiers for grants of these lands, and many were the petitions humbly presented to Edward. Amongst them is one from John Daniel for the forfeited lands of Monsieur Hugh Lovel, which lay in the valley of Nith, valued at 23 merks and lying in the villis of Enauth (Enoch) and Drumcroy (*Palgrave*, 312).

Now, it is difficult to identify this Monsieur Hugh Lovel. The Lovels were a Norman family who came over at the Conquest and received an extensive grant of land in Somerset, where their chief seat was the Lordship of Castle Carey.

The first of the family was Robert Perceval, Lord of Ivery, whose son on account of his ferocity was known as Lupus or the Wolf. The latter's grandson, who died in 1159, was nicknamed Ralph Lupellus or the Little Wolf, a name which, Anglicised to Lovel, was adopted by his brother, Henry Lovel, who succeeded him. This Henry, or an immediate forbear, came north with other Normans in their peaceful penetration of Scotland, and was given a grant of the barony of Hawick. At any rate his descendant, Sir Richard Lovel, is recorded in 1347 as having held, in conjunction with his ancestors, that barony past memory of man (*Bain*, III., 1506). Sir Richard also held lands in Eskdale and Ewesdale, of which Sir John de Soules probably held the fee (*Reg. Hon. Morton*, II., p. 43, quoted by Bruce Armstrong).<sup>7c</sup>

It seems, therefore, probable that the Monsieur Hugh Lovel who forfeited Enoch may have been a brother of Sir Richard. He must have been a supporter of Bruce, and may be identified with the Sir Hugh Lovel who was held prisoner by Edward I. at Gloucester in 1307-11 (*Bain*, III., 160, 314).

Hugh Lovel of Enoch disappears thereafter from record. It is not likely that John Daniel, who appears to have obtained an English grant of Enoch, as already narrated, can have retained it long. The Scottish Borderers would see

<sup>7c</sup> See Appendix I.

to that. To Daniel, Enoch must have proved a lion's den, and the next record relating to it showed it to be in the hands of the Menzies family.

The family of Menzies is one of the oldest feudal families in Scotland. When King Alexander III. succeeded to the Crown in 1249, Sir Robert de Meygners (the earliest form of the name) was made Great Chamberlain of Scotland, an office which he held till 1253. Fordun states that he died in 1266. His son, Sir Alexander, opposed the pretensions of Edward I., and was imprisoned in England in 1296, but survived to enjoy the favours of King Robert the Bruce. About the year 1296 he obtained from John, Earl of Athol, a charter of the lands of Weem and Aberfeldy in Athol, from which the family for long took its territorial designation. In addition to these lands, the family also held from an early period the baronies of Durisdeer and Enoch in Dumfriesshire, Sir Alexander and his wife, Giles Stewart, daughter of James, High Steward of Scotland, obtaining from King Robert the Bruce a charter of the "barony of Dorisder" prior to 1329.<sup>8</sup>

Sir Alexander was alive as late as 1335/6, when during the invasion of Scotland by Edward III. he forfeited the barony of Redhall, valued at £22 13s 4d per annum, as well as the lands of Colmanston (*Bain*, III., p. 333). He also forfeited the terce of part of the lands of Locharwarde and the lands of Benalyn (Edinburgh). His son, Robert, too, forfeited the lands of Wogryn (Wogrie). The family's sacrifice in the Scottish cause was completed by the forfeiture of the land of Annabilia de Meyners, though her relationship is not established (*Ibid.*, p. 333-4).

Sir Alexander was succeeded by his son, Sir Robert Menzies, who prior to 1326 obtained from Robert the Bruce,<sup>9</sup>

<sup>8</sup> A former wife of Sir Alexander was Alicia, . . . who in 1296 petitioned Edward I. for her sustentation, one merk being allowed. Sir Alexander had been captured at Dunbar (*Stevenson*, II., 94). As Sir Alexander had some claims to the terce of Locharwode, Alicia was probably a Hay.

<sup>9</sup> Brother of King David (*Hist. MSS. Com.*, 6th Report, p. 690).

Lord of Ledilisdale, the lands of Fornauhti and others in Perthshire. In 1332 a charter is recorded in which are mentioned the first Sir Robert, with his son, Alexander, and his grandson, Sir Robert, and apparently his great-grandson, Alexander de Meygners, Lord of Forthirgill.<sup>10</sup> Sir Robert, the second of that name, was alive about 1350,<sup>10a</sup> and seems to have been succeeded by John Menzies, who prior to 1385 had resigned the lands of Cultir in Lanarkshire into the King's hands, the lands being granted to his son, Robert Meygners, by King Robert II. in that year.<sup>11</sup> Of John little is known, though his wife's name, Christian de M—, is given by Nisbet, but to his son, Robert Menzies, there are numerous references. In 1376 he obtained from the Crown a grant of the barony of Enach (or Enoch), resigned by his father. Between 1374 and 1390, probably in 1376, he received a charter of Weem and other lands resigned by his father, who retained the life-rent.<sup>12</sup> The next laird seems to have been Sir David Menzies, who in 1428 resigned the lands of Vogry, near Edinburgh, in exchange for some Perthshire lands.<sup>13</sup> Two years later Sir David resigned Morynche and other lands in favour of his son, John Menzies.<sup>14</sup> On the same date the barony of Enoch was resigned by Sir David in favour of his son, reserving life-rent.<sup>15</sup> Sir David having thus rid himself of his landed responsibilities, retired into conventual life, becoming a monk of Melrose, though there is nothing to show, as has been suggested by an imaginative writer, that he was canonised. In 1440 he similarly resigned the lands of Weem.<sup>16</sup> He was alive in 1450. His son, John Menzies, who seems to have been called "of Enach," under that

<sup>10</sup> *Ibid.*, p. 690.

<sup>10a</sup> Nisbet, p. 246, says that Sir Robert married Margaret de Ouyoth, daughter and heir portioner of Sir David de Ouyoth or de Eviot, by whom he was survived.

<sup>11</sup> *Hist. MSS. Comm.*, 6th Report., p. 691.

<sup>12</sup> *Ibid.*, p. 691.

<sup>13</sup> *R.M.S.*, 1424/1513, 108 n.; also *Menzies Papers*, p. 691. The barony of Wogry had been owned by the family from an early date.

<sup>14</sup> *R.M.S.*, 1424/1513, 170.

<sup>15</sup> *Ibid.*, 171; also *Menzies Papers*, p. 691.

<sup>16</sup> *R.M.S.*, 1424/1513, 260.



designation resigned Enoch, Weem, and his other Perthshire lands into the hands of the Crown in 1451, receiving a fresh grant of them, all erected into the free and entire barony of Weem.<sup>17</sup> In 1463/4 John Menzies of Weem received from the Earl of Athol the right of presentation to the church of Weem, which he had previously alienated to the Earl.<sup>18</sup> John Menzies may have died by 1473, for in that year a John Menzies had sasine of Emath (sic).<sup>20</sup> The latter may be identified with the John Menzies of Enach, who served on an inquest on 5th March, 1471/2.<sup>21</sup>

The elder John Menzies showed the same strain of religion as his father, Sir David, who had become a monk, and founded in the parish church of Durisdeer a chapel in honour of God and the Blessed Virgin Mary, where, as will be seen, many of the family were buried. On 20th April, 1472, he gave a charter of Drumcruil and Auchinsell to his son, Cuthbert, subject to an annual rent paid by the grantee and his heirs towards the maintenance of the chaplainry (*R.M.S.*, 1590/1608, 1821). In the event of the failure of Cuthbert's heirs, the lands were to revert to the heirs of the granter's eldest son. For some unknown reason the charter did not receive Royal confirmation till 1607, probably to strengthen the titles of the new owners of Enoch at that date.

John Menzies, the elder and the founder of the chapel, is stated to have married Jonet Carruthers of Holmains, so it is very likely that till his father, Sir David's, death he lived at Enoch Castle. As far as is known, he had four children :—(1) Mr John Menzies, of whom hereafter; (2) Cuthbert Menzies of Auchinsell, for whom see the account of that family; (3) George Menzies, who married about 1450 Elizabeth Duncanson of Straven and d.s.p. (Nisbet); (4) Elizabeth, wife of Thomas Fergusson of Craigdarroch (*D. and G. N. H. and A. Soc.*, 1916-18, 188).

<sup>17</sup> *R.M.S.*, 1424/1513, 376.

<sup>18</sup> *Menzies Papers*, p. 692.

<sup>19</sup> *Ibid.*, p. 692, and *R.M.S.*, 1424/1513, 783.

<sup>20</sup> *Ex.R.*, IX., 675.

<sup>21</sup> *Drumlanrig Papers*, p. 36.

John Menzies, who succeeded to the estates about 1473, seems to have had a University degree, for he is described as "Mr John" in a charter of 1472 (*R.M.S.*, 1590/1608, 184). He does not seem to have long enjoyed the family estates, and may have died in the lifetime of his father. He was certainly dead by 1474 (*A.D.C.*, fol. vol., 79). He married Marion of Crechtoun, who in 1478 as a widow was successful in some litigation with her husband's brother, Cuthbert Menzies of Auchinsell. Her litigiousness had brought her into contact with her own son in 1474 concerning her terce (*A.D.C.*, folio vol., 40). The terce was from the lands of Crannich (Perthshire), and her rights were challenged by Elizabeth Patrickson, spouse of Duncan Campbell. Elizabeth brought the action against Robert Menzies, son of Marion, basing her claim on a contract between John Menzies, Robert's father, and the late Neil Brek, first husband of Elizabeth, wherein Menzies has warranted Elizabeth free of 18 merks now claimed by his widow, Marion Crichton (*ibid.*).

John Menzies and Marion Crichton had only two recorded sons—Robert, the heir, and John, for whom in 1500/1 his brother was surety not to harm Neil Stewart of Fothergill (*A.D.C.*, quarto vol., 498). This John may have been ancestor of Culterallers, of which Nisbet says he had a grant in 1510.

Robert Menzies of Weem and Enoch was a minor when he succeeded, and his ward and marriage was granted to William, Bishop of Aberdeen, for whom William of Ruthven was surety (*A.D.C.*, fol. vol., 90). He married prior to 1480 a lady named Isabel, whose family name has not survived (*A.D.C.*, fol. vol., 90). He was not retoured heir to his father till 1487 (Nisbet's *Heraldry*, 248), and the following year secured from Duncan Campbell of Glenurchy a bond of manrent (*Hist. MSS. Com.*, 6th Report). With this branch of the Campbell clan his family was at constant feud during the greater part of the next century.

The year 1503 was a black one in the annals of the family, for in it there came to a head an old feud with the Stewarts of Fothergill relating to the lands of Fothergill, which had of

old belonged to the Menzies. Perhaps the Menzies may have tried to enforce their claims. At any rate the Stewarts raided their lands, destroying with fire the mansion-house of Weem. In the conflagration were consumed the ancient family writs, including those relating to Durisdeer. The Laird of Weem, who by this time had been knighted, at once obtained a decreet of the Lords of Council against Neil Stewart of Fothergill, but it is doubtful if he ever obtained redress, for the damage was still unpaid exactly fifty years later (*Hist. MSS. Com.*, 6th Report, p. 689 and 706). The damage was assessed at 3000 merks, and a detailed valuation of all the goods destroyed still exists, containing such items as “£30 for beddin of the said place and certane clathis.” Sir Robert at once set himself to rebuild the mansion-house, which he rechristened Castle Menzies.

On 31st October, 1511, Sir Robert gave a grant of the lands of Kynnaldy, Morynche, and Baltoquhane, in the barony of Weem or Menzies, to his eldest son, Sir Robert Menzies, probably on his marriage to Cristine Gordon (*R.M.S.*, 1424/1513, 3768), numerous members of the family witnessing the document.

Sir Robert Menzies of Weem and Enoch married secondly Margaret Lindsay, daughter of Sir David Lindsay of Edzell, and had issue :—

- (1) Sir Robert Menzies of Kynnaldy, of whom hereafter.
- (2) William Menzies of Roro, ancestor of Shean (Nisbet's *Heraldry*, p. 248). Prior to 1521 he married Jonet Campbell (*The Clan Campbell*, VI., p. 13).
- (3) Alexander Menzies, who left a son, John (Nisbet).
- (4) Margaret, who married William Robertson of Struan (*ibid.*).

Sir Robert Menzies of Weem and Enoch is stated to have been retoured heir to his father<sup>22</sup> in 1520 (Nisbet), and as Sir Robert Menzies of Kynnaldy, perhaps his territorial designation during his father's lifetime, was infeft in 1523 in the barony of Weem, including Enoch, and in half the barony of

<sup>22</sup> The *Black and White Book of Menzies* states that Sir Robert, husband of Margaret Lindsay, died on 12th August, 1523.

Culter (*Ex. R.*, XV., 611). He married in 1503 Christina Gordon, eldest daughter of Alexander, Earl of Huntley (Nisbet's *Heraldry*, p. 248; but Macfarlane's *Genealogical Collection*, II., 418, says she was fourth daughter). She died on 15th February, 1525 (*Black and White Book of Menzies*, p. 164), and he married secondly in 1528 Marion Campbell, daughter of Archibald, Earl of Argyle, by whom he had no issue.

On 10th November, 1528, Sir Robert Menzies received a Crown grant of the 10 merklands of Dalpeddar and Glenmyn and the 2 merklands of Dawgonare (Dalgonar), appraised for the sum of 3300 merks, from James Douglas of Drumlanrig, who held them of the Crown (*R.M.S.*, 1513/46, 703). The lands were not redeemed by Douglas till 1540 (*Ramage*, 372). During his lifetime he seems to have made an effort to collect some of the damages done to his father's property by Neil Stewart of Fothergill, now dead. Neil's son at once transferred Fothergill to John, Earl of Athole, thus raising a serious legal obstacle to Sir Robert Menzies. Menzies at once raised a summons of reduction against the Earl, on the ground that the transfer was solely to prejudice his claims and to fraudulently prevent his appraising Fothergill (*Hist MSS. Com. 6th Report*, p. 706). How the proceedings ended is not recorded.

Sir Robert Menzies was dead by 1557, and was succeeded by his eldest son by his first marriage, Alexander Menzies of Weem and Enoch, who was infeft in those baronies in 1557/8 (*Ex. R.*, XIX., 417.)

Whilst quite a young man, Alexander had appeared in Parliament in 1526 and complained that Thomas Douglas, with the assistance of Drumlanrig, had seized and held "the house of Enoch" (*S.A.P.*, II., 311). This lends corroboration to Nisbet's statement that the eldest sons of Menzies of that Ilk were possessors of Enoch. Alexander was also described as of Rannoch, figuring as such in 1536 in a bond of manrent by John Campbell, brother of James Campbell of Lawers. His difficulties with the lawless clan of Macgregor, who were his tenants in Rannoch, were continuous, and much light is thrown on this subject by such family papers as sur-

vive. In February, 1557, he received a letter from the Queen Regent exempting him from finding caution for the Macgregors (*Hist. MSS. Com. 6th Report*, p. 692).

He married firstly Janet Campbell, daughter of Sir James Campbell of Lawers, and secondly Katherine M'Ghie. He was dead by 8th December, 1564, when his testament, now lost, was recorded (*Edin. Tests*), leaving issue :—(1) James Menzies, who succeeded, a son of the first wife; (2) George, who, with his brothers, was a son of the second wife; (3) Mr James Menzies, ancestor of Culdares; (4) Thomas (Nisbet's *Heraldry*, p. 248).

James Menzies of Ween and Enoch was infeft in those baronies as well as half the barony of Culter in 1564 (*Ex. R.*, xix., 522), and had sasine as heir to his father in the lands of Wolfclyde, in Culter, Lanark, in 1565 (*Laing Charters*, 789). He witnessed a covenant at Perth on 27th January, 1579 (*Macfarlane's Genealogical Collection*, i., 242). He seems to have been a chronic invalid, for in March 1578, he received a Royal license to eat flesh in Lent, "being subject to seikness and dyverss diseasis of bodie." In another license of 17th June, 1584, he is described as "vexit almaist continewally with ane number of panefull diseasis and infirmities" (*Hist. MSS. Com. 6th Report*, p. 693). He died the following year, and in his testament, dated 5th September, 1585, he appointed the Earl of Huntley as tutor to his eldest son. He married Barbara Stewart, eldest daughter of John Earl of Athole, who survived him, dying in January, 1592/3, when her testament was recorded. By her he had issue :—(1) Alexander Menzies, of whom hereafter; (2) Duncan Menzies of Cumrie, ancestor of that family (Nisbet, 248). He appears to have been also known as Duncan Menzies of Roras in 1603 (*The Clan Campbell*, vi., p. 81), and also as Duncan Menzies of Enoch, for in 1601 he is described as such in the charter to him by his brother Alexander of the 14 merkland of Rorow (*R.M.S.*, 1620/33, 355); (3) Helen, married to James Beaton of Melgrum; (4) Grizel, married to Mr James Grant of Ardmallie (Nesbit).

Alexander Menzies of that Ilk was retoured heir in 1588

(Nisbet). He was three times married, firstly to Margaret, daughter of Sir Duncan Campbell of Glenurchy, the contract being dated 10th December, 1588. Under its terms Alexander undertook to be retoured heir to his father, whilst Campbell transferred to him his gift of the marriage of Alexander's brothers and sisters (*The Clan Campbell*, vi., p. 52). By his first wife Alexander had no children. Secondly, in 1598, Elizabeth Forrester, sister of Sir James Forrester of Carden, and daughter of Jean Erskine (*The Clan Campbell*, vi., p. 73), by whom he had two sons, John, who died without issue, and Duncan, who succeeded to the Menzies estate, being father of the first baronet. Thirdly, in 1604, Marjory Campbell, daughter of Alexander Bishop of Brechin, by Helen Clepen, his wife (*The Clan Campbell*, vi., p. 103), by whom he had seven sons and four daughters, whose names are given by Nisbet, p. 249. There is no necessity to pursue here in detail the family of Menzies of Ween, the line of which is given in the accompanying chart.

It was this Alexander Menzies of Weem and Enoch or of that Ilk, who parted with Enoch. For some reason he had alienated without Crown license the greater part of the barony, together with half the barony of Culter, in Lanark, which he held direct of the Crown. The lands were therefore forfeited and granted by the Crown to Adam Menzies of Baltoquhane. It has not yet been possible to fix the relationship existing between Alexander Menzies of that Ilk and Adam Menzies, the new proprietor, but the latter can be identified with Adam Menzies, lawful son of James Menzies of Furde, by Isobel Sinclair, his wife, who in 1588 entered into a contract with the Campbells of Glenurquhay relating to some lands in Perthshire which had been assigned to him by the late James Menzies of that Ilk (*The Clan Campbell*, vi., pp. 57 and 58). If that is the case, he was probably a cousin of the Alexander Menzies who forfeited Enoch.

A couple of documents throw some light on the acquisition of Enoch by Adam Menzies :—

1605, July 29.—Registration of contract, dated at Edinburgh  
22 July, 1605, between Alexander Menzies of that Ilk

and Duncan Menzies of Combrie, his brother german on the one part, and Adam Menzies of Bowquhane on the other part, narrating that Adam obtained a gift from his Majesty of the £10 lands of the £20 lands of the barony of Enoch in Dumfriesshire, which pertained to Alexander and fell to the Crown by recognition; and now for certain sums paid to him, Alexander renounces his interest in the said lands in favour of Adam and Margaret Lindsay, his spouse, but Adam is to grant a letter of reversion of the same in favour of John Menzies, eldest son and heir of Alexander, and his heirs male, excluding assignees, for 8000 merks: witnessed by Alexander Menzies of Culterallers, and David Menzies in Culter. (*Register of Deeds*, vol. 110).

1633, Feb. 28.—Registration of a discharge, dated at Ballinbreich, 1 Nov. 1632, by Duncan Menzies, fiar of that Ilk, brother and heir male of the deceased John Menzies, who was eldest son of Sir Alexander Menzies of that Ilk, narrating the above contract with the variation that the lands consisted of the barony of Enoch, in the parish of Durisdeer, and that the reversion included a tack of the lands for 19 years after redemption. Now James Menzies, now of Enoch, son and heir of the deceased Adam Menzies, procreated between him and Margaret Lindsay has paid to Duncan, as heir aforesaid, certain sums of money for which Duncan discharges the reversion, and grants the lands to be held by James Menzies irredeemably. (*Register of Deeds*, vol. 460.)

So it is clear that Adam did not get, nor Alexander part with, the lands for nothing. The lands of Baltoquhane, in Perthshire, had long belonged to the Menzies family. James Menzies, grandson of Sir Robert, obtaining in 1557, a confirming charter of these lands on his marriage with Barbara Stewart, sister of the Earl of Athol (*Reg. Sig. Sec.*, xxviii., f. 77). It is not known when Adam acquired Baltoquhane, but in a bond dated 4th November, 1587, he is described as "cousin" of Mr James Menzies, brother of the Laird of Weem (*Reg. of Deeds*, vol. 38), and he is known to have been

son of James Menzies of Furd, who may have been an unrecorded brother of Alexander Menzies of Weem, who died about 1564. By his wife, Isobel, daughter of Oliver Sinclair of Pitcairnes (*Reg. of Deeds*, vol. 228, 22nd November, 1614), James Menzies of Furd had at least two sons, Adam the younger, and John Menzies of Cullemaynes, the elder, who acquired from Duncan Menzies of Enoch for the sum of 3000 merks the lands of Carlinglipps in 1599 (*Reg. of Deeds*, vol. 242, 21st November, 1615). In 1601 John Menzies, now described as of Carlinglipps, and Jean Young, his wife, sold the Mains of Culter to Richard Brown (*Reg. of Deeds*, vol. 95, 28th July, 1603).

Adam Menzies, the younger son, first obtained Baltoquhane under redemption, as the following bond indicates :—

1607, January 19th.—Registration of bond of Alexander Menzies of that Ilk to James Batoun of Melgund, his brother-in-law, that for the latter's consent to the contract, Alexander Menzies will bestow the sum of 16,000 merks due by the Laird of Glenorchy to him upon the redemption of the lands of Annoche from the granter's brother, Duncan, and upon the redemption of the lands of Baltoquhane and Glassie from Adam Menzies, and that he will not forego demanding payment of the debt from Glenorchy. At Perth, 12th November, 1603 (*Reg. of Deeds*, vol. 128).

It must be concluded that Baltoquhane was redeemed, and Adam thereupon acquired Enoch in the circumstances stated.

Adam now held the superiority, and he at once took up residence at Enoch. That June he acted as surety for Duncan Menzies of Enoch, and the following year acted in a similar capacity for James M'Math, son of John M'Math of Castle Gilmour (*R.P.C.*, 1st Series, VII., 564). His acquisition of the barony may have aroused the hostility of other members of the Menzies family, for in the amusing, if tragic, episode of the Durisdeer corpse they were all arrayed against him. The incident was typical of the times.

The episode arose out of a family bereavement. In



December, 1606, Adam's son, a bairn named William, died and was buried in the family aisle of the Kirk of Durisdeer, in the presence of a great number of parishioners and well-affected gentlemen. This aisle was called the Menzies Ile, and lay outside the body of the kirk or "queir." Its foundation has already been noted, and it had been "uphalden thir ten aigeis bigane upon the said Adam and his predices-souris onlie chairgeis." Apart from his title deeds, there was a further testimony of his title in the names, arms, and "ditoun ar" engraved on a little door and on four other different parts of the aisle which was maintained by the Menzies family, and not repaired by the common tack of the parish. The aisle was solely used for the hearing of God's Word and the burial of the dead of the house of Enoch "in all eigeis bigane." Whether or not Adam was familiar with law and kirk regulations as to burials is not known, but he took the precaution of consulting the minister of the parish, Mr Robert Henderson, who had advised him to repair the aisle *for himself and for his family burials*. Adam's position was accordingly as strong as his titles were good, and he no doubt buried his son in unsuspecting confidence.

But within a month his peace of mind received a shock. For on 30th January, 1607, Sir James Douglas of Drumlanrig, armed with the authority of a warrant from the Presbytery of Dumfries, and accompanied by a number of friends and neighbours, proceeded, without notice to Adam, to exhume the corpse, which had lain in the earth over 40 days, removed it to the kirkyard, and in haste dug another grave a foot deep, in which they deposited the corpse, "quhillk mycht not defend the corpis frae the injurie of the ravenous foulis of the air." Such an action Adam subsequently denounced a "a grite offence and dishonour to God and expres againis all cristiane dewtie observit in all weill reformat cuntreysis and evill example to everie particulair persone." The exhumation Adam rightly ascribed to the "intysement" of Mr Robert Henderson, and asserted, and proved, that no warrant from the Presbytery was ever shown to or citation served on him.

As soon as Adam learnt what had happened, "grevit in hairt and mued with reuth and pitie towardis his awne bowellis," with the aid of his servitors, Patrick Hairper and John Roy, he lifted the corpse from its new resting place and again buried it in the Menzies Aisle. But matters were not allowed to rest there. The next day was Sunday, 1st February, and the congregation at the kirk must have been surprised to see Drumlanrig and his sons with a body of horse and foot arrive. It must have been a formidable gathering, and Adam was wise to remain at home. For round the kirk was gathered John, Earl of Wigton; Drumlanrig and his sons, the Dalzells of that Ilk, Hugh Douglas of Morton, James M'Math, several Carlyles, and others, including his own family connections, John Menzies of Castlehill, James Menzies of Auchinsell, and Archibald Menzies, bailie of Enoch (*R.P.C.*, 2nd Series, VIII., 272-3). A messenger was despatched to Adam, desiring him to subscribe, under hard monetary conditions, a band, the contents of which are not recorded, or to dig up and remove the corpse himself from the aisle. Failing that, they threatened to slay him.

This Adam refused to comply with. So the following day Mr Robert Henderson in person presented himself at Enoch and asked Adam to subscribe the band, and on Adam's refusal, "grippit the complenairis bodie, pat violent handis on him," and, in the presence of witnesses, provoked him to single combat. Adam, however, restrained his temper, and to the menaces of the minister gave a calm refusal. Henderson then retired baffled, crying out in a loud voice, "Lairds of Drumlanrig, come to me with all speed."

Whereupon the whole company proceeded to dig up the corpse once more and carried it off to some unknown destination. Adam at once had recourse to the Privy Council, both parties appearing on 10th February at Edinburgh. The ruling of the Lords of the Privy Council was entirely in Adam's favour. They found that the minister and his abettors had committed a great offence, and that if Adam had violated any Act of the kirk—they did not find that he

had—the minister should have summoned him before the judge ordinary, “and sould not haif punscheit the corps of the deid for the offens of the father.” Adam further was given leave to rebury his son in the Aisle (*R.P.C.*, 1st Series, VII., 315-317), though this permission would seem somewhat satirical, as Adam apparently did not know what had become of the corpse. Adam at once supplicated that his enemies should find lawburrows, and on 13th February it was granted—Drumlanrig in 4000 merks, the Dalzells in 2000 merks, the Lairds of Castlehill, Auchinsell, and Morton, and all the rest in 1000 merks each (*R.P.C.*, 2nd Series, VIII., 272-3).

So far, then, Adam had successfully worsted his enemies. But they did not allow it to end there. The Presbytery of Dumfries were not likely to leave Adam unmolested in possession of the field. The Moderator, Mr Robert Henderson, convoked a meeting, at which were present Mr Thomas Ramsay (Dumfries), Mr George Hereat (Kirkmahoe), Mr James Brown (Irongray), Mr William Oisteane (Penpont), and John Douglas (Morton). The Presbytery called on the Laird of Enoch to answer under pain of excommunication for raising the corpse from the kirkyard and burying it again in the Aisle. Whatever Adam did with the corpse, the Presbytery were determined to find ground for prosecuting him. Supplementary charges were also brought against him. His orthodoxy was called in question, and he was charged by the Presbytery to make confession of faith in the Kirk at Dumfries in presence of the Presbytery. He was also called on to answer the charge of injuring Mr David Rodger, minister of Carlaverock, and he was further accused of “allegeit reasoning aganis religioun, not resorting to kirk, and riding in time of preaching.” To what extent these charges were well founded is not known, but everything was done to make Adam feel uncomfortable.

But Adam Menzies was quite equal to looking after himself, and countered the move of the Presbytery by again appealing to the Privy Council on the 19th March, pleading that the question of the burial had already been decided by the Council, and that he dare not go to Dumfries to answer

the charges of the Presbytery owing to the threatening attitude of Drumlanrig, for which "he dar not repair fra his awne house bot upoun the heasard and perrell of his lyff." In proof of his orthodoxy he offered to find caution for himself and his wife, to make confession of faith before the Presbytery of Edinburgh, where at least they would be safe and get fair play. His appeal was once more quite successful, and the baffled Presbytery of Dumfries were ordered by the Privy Council not to proceed further in the matter. The first Tuesday in May was ordained for Adam and his wife to make confession in Edinburgh. Accordingly on 4th March Adam found caution in 1000 merks in the person of James Betoun of Melgolme (*R.P.C.*, 1st Series, VII., 668). Adam's wife and family, who appear to have remained at Enoch whilst he was in Edinburgh, were ordered to attend Durisdeer Kirk every Sunday to hear the Word of God (*ibid.*, 337-8). Nothing further of the episode or corpse is recorded. But forty-seven years later an echo of the episode is heard, when Adam's son, James Menzies, petitioned the General Assembly against a sentence of excommunication by the Presbytery. The question of burial in the Kirk had come to the front again, and he had been excommunicated for his action. His petition is not recorded, nor is his line of action known. But the Assembly wisely recommended Menzies to divide his aisle and enclose a portion as a burial place, leaving the rest for service of the Kirk, and that he should not bury there till this had been done. The Presbytery was recommended to agree to this and suspend the sentence of excommunication. (*Gen. Assembly Records*, ii., 407. Scot. Hist. Soc.)

With two other neighbours Adam Menzies of Enoch also had differences. In 1608 he compelled the Fergussons of Craigdarroch to find caution not to disturb him, though, according to the record, it was the Fergussons who suffered from his molestations (*R.P.C.*, 1st Series, VIII., 178 and 193). His other trouble seems to have arisen out of the conduct of his tenant, John Lorimer, miller at Enoch Mill. In August, 1606, Archibald Douglas of Carronhill and his

# MENZIES OF THAT ILK, OF WEEM, AND OF ENOCH.

Sir Robert Menzies, Great Chamberlain of Scotland, d. 1266

Sir Alexander Menzies, Charter of Durisdeer, pre. 1329

= (1) Alicia..... 1296  
= (2) Giles Stewart

Sir Robert Menzies, 1332, alive c. 1350

= Margaret de Eviot

John Menzies of Weem      Alexander Menzies of Fothergill  
= Christina de M.....

Robert Menzies of Weem, infeft in Enoch 1376

Sir David Menzies of Weem and Enoch, resigned Lands 1440  
= (1) Marjory Sinclair, sister of Henry, Earl of Orkney  
= (2) Helen .....

Robert Menzies  
Katherine 1428

Catherine  
= Alan of Erskine

John Menzies of Weem and Enoch 1450, 1463  
= Janet Carruthers of Holmains, founded Chapel of B.V.M. at Durisdeer

Marjory  
= Cuthbert Murray of Cockpool

Mr John Menzies, Sasine of Enoch 1473, d. by 1478  
= Marion of Crechtoun

Cuthbert Menzies of Auchinsell, 1472  
*a quo* family of Auchinsell

George  
= Elizabeth Duncanson

Elizabeth  
= Thomas Fergusson of Craigdarroch

Sir Robert Menzies of Weem and Enoch, 1484, alive Oct. 1511  
= (1) Isabel.....  
= (2) Margaret, dau. of Sir David Lindsay of Edzel

John Menzies, charter of Culterallers, 1510, reputed ancestor of Culterallers (Nisbet)

Sir Robert Menzies of Weem and Enoch, infeft 1523, d. 1557, charter of Kinnaldy and Baltoquhane 1511  
= (1) in 1503 Christine Gordon eldest dau. of Alexander, Earl of Huntly, she d. 15 Feb, 1525  
= (2) Marion Campbell, dau. of Archibald, Earl of Argyll

William Menzies of Roro, 1521, ancestor of Shean  
= Janet Campbell

Alexander (Nisbet 248)  
John

Margaret  
= William Robertson of Struan

Alexander Menzies of Weem and Enoch, infeft 1557-8, d. by 1564  
= (1) Janet, dau. of Sir James Campbell of Lawers  
= (2) Katherine M'Ghie

James Menzies of Fuir, d. by 1597  
= Isobel, dau. of Oliver Sinclair of Pitcairnes

James Menzies of Weem and Enoch, infeft 1564, in Woolfelyde 1565, d. 1585  
= Barbara Stewart

Mr James Menzies, ancestor of Culdares

George

Thomas (Nisbet)

John Menzies, 1597, of Cultermaynes, 1599, of Carlinglippiis, 1601  
= Jean Young

Adam Menzies of Baltoquhane and of Enoch  
= Margaret Lindsay, afterwards wife of Duncan Hunter of Ballagane

Alexander Menzies of Weem and Enoch  
= (1) Margaret Campbell, no issue  
= (2) Elizabeth Forrester  
= (3) Marjory Campbell

Duncan Menzies of Carlinglippiis, 1598, of Enoch, 1601, of Roras, 1601, of Comrie, 1609

Helen  
= James Betoun of Melgrum  
Grissel  
= Mr James Grant of Ardmellie

James Menzies of Enoch  
= (1) Anna Dalzell  
= (2) .....

John    Robert    Janet    Elizabeth

John Menzies, d.v.p., et. s.p.

Duncan Menzies of Weem, succeeded 1624  
= Jean Leslie, dau. of James, Master of Ross, by whom he had, with others, Sir Alexander Menzies, 1st Bart. of that ilk

And others given by Nisbet

Robert Menzies, Fiar of Enoch 1658

James Menzies of Enoch, heir 1667  
= Katherine Douglas; sold Enoch 1703-4

Alexander

brother John, with other accomplices, went fully armed to the mill of Enoch, and finding there Peter Porter, servant to the miller, they menaced him and afterwards felled and beat him with "ane greit and lang raick till the samyn brack in peaces be thair force and violence." Perhaps Peter had refused to disclose the hiding place of the miller. In December following John Douglas again went to the mill in search of the miller, who fled and took refuge in his house. Perhaps the miller had not been dealing fairly with the multures. At any rate, owing to the disturbance, Adam Menzies applied to the Privy Council for a summons against the Douglasses on 2nd January, 1607, for their "maisterfull oppressiones." This was granted (*R.P.C.*, 1st Series, XIV., 440). Nothing more is heard of the affair.

Adam Menzies of Baltoquhane and Enoch married, prior to July, 1604, Margaret, daughter of Sir Walter Lindsay of Balgaiveis by his wife, Margaret Campbell (*Scots Peerage*, I., 512, and *R.P.C.*, 1st Series, VII., 500), and was dead by 1610, when his son, James, was retoured heir-general to him. But it was not till 1627 that the son was retoured heir-special in the barony of Enoch with the advocation of the altar in the church of Durisdeer and in half of the lands and mill of Culter (*Dumfries and Lanark Retours*).

Two other documents throw some posthumous light on Adam and his family.

1619, March 12th.—Action at the instance of Hew Campbell of Dalmarnock against Isabel (sic) Lindsay, widow of Adam Menzies of Enoch; [Duncan] Hunter of Ballogane, her spouse; John, Robert, and Elizabeth, children and executors, for production and registration of a bond by the said Adam to the pursuer for 100 merks. There was produced the testament testamentar of the defunct given up by his widow on 29th October, 1612, appointing his said children his executors, and also the bond alleged by the defenders to have been satisfied, because the pursuers promised during the said Adam's lifetime to accept £80 from Alexander Menzies, indweller in Dunkeld, in place of the above sum and interest thereon (*Reg. of Acts and Decrees*, vol. 331).

1622, June 19th.—Registration of discharge of John, Robert, Janet, and Elizabeth Menzies, children and executors of the deceased Adam Menzies of Enoche, with consent of Thomas Hunter of Baitfurd, Andrew Hunter of Auchentanzie, and Duncan Hunter of Ballaggane, their tutors dative, for the sum of £800 Scots paid to them by William, now Viscount of Ayr, Lord Crichton of Sanguhar, which was due by him to Adam. At Ballaggane, 5th June, 1622 (*Reg. of Deeds*, vol. 318).

James Menzies of Enoch is mentioned in 1617 in a list of Border Lairds who renewed a band of good conduct (*R.P.C.*, 1st Series, XI., 226). In 1621 he was surety for Sir Robert Dalzell of that Ilk (*Pitcairn*, III., 501). In 1640 he resigned half of the lands and mill of Culter, which the Crown granted to Alexander Menzies of Culterawis (*R.M.S.*, 1634/57, 2098). Twenty-five years later Culterawis secured the other half of that barony from Sir William Bailie (*R.M.S.*, 1660/68, 801). Like his father, James Menzies of Enoch was troubled by the Laird of Drumlanrig, who, in pursuance of the family policy, was rapidly acquiring lands in the neighbourhood of the barony of Drumlanrig. Perhaps his covetous eye was already fixed on Enoch. At any rate in 1661 William, Lord Drumlanrig, had to find caution not to molest James Menzies of Enoch and his brother, William Menzies (*R.P.C.*, 3rd Series, III., 681).

James Menzies was twice married. His first wife was Anna Dalzell, perhaps a daughter of Sir Robert of that Ilk. By her he had Robert Menzies, fiar of Enoch, to whom the estate was provided by his father's marriage contract. Anna Dalzell died, and James Menzies married again, a lady whose name has not been recorded, but to whom he gave a life-rent of Enoch. This was, of course, an infraction of the first marriage contract, and friction between father and son resulted. This was settled by an agreement in 1658, whereby the second wife was to get the life-rent, whilst Robert was to receive 400 merks yearly.

But James Menzies of Enoch had no intention of adhering to the settlement, and did not pay the annuity to his

son, who, after vainly taking action in the Sheriff Court, brought the matter to the notice of Parliament. Letters of horning to enforce the payment were thereupon issued (*S.A.P.*, VII., 324).<sup>22a</sup>

Robert Menzies cannot have lived to succeed his father, for in 1667 James Menzies, perhaps a son of the second marriage, was served heir to his father, James Menzies of Enoch, in the barony of Enoch and the advocacy of the family altar (*Retours, Spec.*).

The new laird married Katherine, daughter of Colonel William Douglas of Kelhead, second son of the first Earl of Queensberry (*Ramage*, 93). In 1672 he obtained an Act of Parliament ratifying a charter of the previous year, wherein it is stated that the lands of Enoch had been disunited from the barony of Menzies (or Weem), re-erected into the separate barony of Enoch in favour of James Menzies of Enoch and his heirs, whom failing, his brother, Alexander Menzies, reserving life-rent to Katharine Douglas (*S.A.P.*, VIII., 156).

James Menzies of Enoch was on the Committee of Supply for Dumfriesshire in 1678 and 1685. By his wife, Katharine Douglas, he had six children—Captain James Menzies, fiar of Enoch, his heir; Thomas, Abigail, Agnes, Katharine, and Grizzel (*Ramage*, p. 93). In 1703-4 he sold, with his heir's consent, the barony to James, second Duke of Queensberry, at twenty-four years' purchase. In addition to the price, the Duke made a handsome allowance to old Enoch and his wife (*ibid.*, p. 376). Captain James Menzies after the sale of Enoch bought the small estate of Stenhouse.

Thus did the barony of Enoch pass into the hands of the Queensberrys.

#### **Menzies of Castlehill.**

Another branch of the Menzies family may be mentioned here. The family of Menzies of Castlehill is probably of

<sup>22a</sup> Robert Menzies, younger of Enoch, was dead by 17th October, 1664, when there is mention of Elizabeth Clelland, his relict (*Gen. Reg. of Sas.* of date). Within three years she had married again Andrew M'Dowall of Lesnoll, merchant in Edinburgh (*ibid.*, 5th Sept., 1667).



earlier derivation from Menzies of Weem than the family of Auchinsell, for in a charter dated 1511, in which a large number of Menzieses are mentioned, the name of John Menzies of Castlehill occurs in priority to that of Cuthbert Menzies of Auchinsell. But Castlehill was not the original designation of this branch of the family. According to Ramage (p. 92), John Menzies received a charter of Upper Dalveen from [ ] Stewart of Rossyth on 15th July, 1461. In 1463 as "of Dalveen" his name occurs as a witness (*R.M.S.*, 1424/1513, 765), and the following year he figured in the same capacity as "of Balveny," clearly an error for Dalveen, as is indicated in the index (*ibid.*, 815). He must have been succeeded by his son, Edward Menzies of Dalveen, who obtained a charter of the Castlehill of Durisdeer on 8th September, 1489 (*Ramage*, p. 92). It was not long before his right to Castlehill was challenged by James Douglas of Drumlanrig, but in the action which followed in 1491 Edward was held to have been duly infeft (*A.D.C.*, 1478-95, 210). He left a widow, in the person of Margaret Preston (*ibid.*, 362). The following year (26th October) his son and heir, John Menzies, was infeft in Castlehill and Upper Dalveen (*Ramage*, p. 92). The dispute seems to have been settled the next year, when both John Menzies and Douglas of Dalveen resigned the lands, and Menzies obtained a charter of Castlehill, Muircleuch, and Upper Dalveen in favour of himself and his son William (*ibid.*, p. 92). In the *Black and White Book of Menzies*, p. 162, John Menzies is comically described as a "chieftain," though he is never known to have claimed, and certainly could never have substantiated, such a claim. In 1494 John Menzies of Dalveen brought an action against his mother, Margaret Preston, perhaps in connection with her terce (*A.D.C.*, i., 362). In 1507 he is believed to have received a charter of the lands of Muircleuch and Pennyland (*Ramage*, p. 92). In February, 1516/17, he was appointed sheriff-depute to administer justice to Drumlanrig and his people, in place of Lord Crichton, with whom the Douglasses had a feud (*D. and G. N. H. and A. Soc.*, 1916-18, 208). In 1510 he obtained a Crown grant of lands

in Lanarkshire apprised from John Jardine of Applegirth and sold to him (*R.M.S.*, 1424/1513, 3492). On 4th November, 1529, he received at Dumfries a protection from the Crown for himself, Elizabeth Focart, his wife, and Edward Menzies, their son (*Reg. Sig. Soc.*, vol. viii). John Menzies of Castlehill had another son, David, killed at Flodden, who left a widow, Margaret Jardin, who later married John Gledstanes of that ilk.<sup>21a</sup>

On 13th July, 1532, Margaret brought an action against James Crichton, son of the deceased John Crichton of Carco, for payment of an annual rent due to her from lands in the burgh of Sanquhar for the previous 17 years, since the death of her first husband (*Acta Dom. Con. et Sess.*). John Menzies of Castlehill must have died soon after, for in 1542 Edward Menzies of Castlehill was a witness to the induction of John Douglas to the Rectory of Kirkbryde (*D. and G. N. H. and A. Soc.*, 1913-14, 191). He may have married Margaret Gordon, sister of George Gordon of Hardlands, who in 1539 sold, with consent of her husband, Edward Menzies, the 5 merklands of Hardlands in Balmaclellane to Gordon of Lochinvar (*R.M.S.*, 1513/46, 1993). In 1554 he received the grant of the escheat of Duncan Hunter of Ballagane and William Douglas of Halskar, for which he had to pay a composition of £200 (*Ac. L.H.T.*, x., 223).

Over thirty years elapse before another reference to the family is met with, and it is not clear whether a generation

<sup>21a</sup> She was clearly a daughter of Jardine of Applegarth, and it is probable that the apprisement in 1510 of the lands of Birnok and Cawod Chapel in the barony of Hartside (Lanark), already referred to, may have had some association with the marriage contract. The Applegarth Charter Chest contains five documents bearing on the later story of these lands. On 24th January, 1537/8, Thomas Menzies of Sourlands (in the barony of Enoch) sold Birnok and Cawod Chapel back to John Jardine, grandson (reprs.) and heir of the late Sir Alexander Jardine of Applegarth, granting Sourlands and also the 2 merkland of Fluris in the barony of Eklis, in warranty. Thomas may have been a son of John Menzies of Castlehill.

or more has been omitted.<sup>22</sup> For in 1587 John Menzies, younger of Castlehill witnessed a Drumlanrig bond (*Raehills Papers*, p. 32). If this John was son of Edward, then the latter must have lived to a great age, for John's daughter, Jean, married in 1590/1 Hugh Douglas of Dalveen, during apparently her grandfather's lifetime (Adams, *Appendix A*, No. 45). He must, however, have been dead by 1592, when John Menzies of Castlehill obtained for himself for life and for William, his son and heir apparent in fee, a crown feu of the lands of Folkertoun in Lanarkshire, formerly belonging to the monastery of Kelsø (*R.M.S.*, 1580/93, 2205). Three years later John Menzies acted as surety for Alexander Menzies of that Ilk, that he would keep the peace (*R.P.C.*, 1st series, v., 737 and 747). On 14th January, 1595, he entered into a contract with Walter Stewart, commendator of Blantyre, and Harry Stewart of Rossyth, his superior, whereby certain undated letters of reversion granted by his forebears to his superiors were sold to him and his son, William, for a new Crown grant to him irredeemably of the lands of Castlehill (*Reg. of Deeds*, vol. 235, 29th March, 1615). In 1607 he participated in the affair of the Durisdeer corpse, supporting Drumlanrig against his kinsman, Adam Menzies of Enoch (*R.P.C.*, 3rd series, viii., 272). He is known to have had a brother, William Menzies (Adams, *Appendix A*, No. 45), and another named Archibald, who in 1606 was a Border fugitive (*R.P.C.*, 1st series, vii., 724).<sup>23</sup> John Menzies was called as a witness in 1605 (*ibid.*, 146),

<sup>22</sup> cf. *Reg. of Deeds*, vol. 235, 29th March, 1615, where another John Menzies is referred to as son of Edward and father of John. A note in the Drumlanrig Inventory, giving William as father of the younger John, adds further confusion.

<sup>23</sup> It is possible that Mr Archibald Menzies, vicar of Morton, prebendary of Lincluden, and Rural Dean of Nithsdale, was a member of this family. He was also Preceptor of Trailtrow and Commissary of Dumfries (*R.M.S.*, 1548/80, 2311), and therefore a man of standing and local importance in his day. He was deprived of his office of Commissary after 36 years' service, in favour of Mr Homer Maxwell, and his petition to the Privy Council in 1578/9 seems to have had no effect, being referred to the Lords of Council and Session (*R.P.C.*, 1st series, iii., 72).

and must have died soon after. At least he was alive on 24th June, 1607, when he and his wife, Jean M'Kie, acquired from John, Lord Hereis, under reversion, the £3 lands of Little Broch and the £3 lands of Cullochtengrange for 4000 merks (*Reg. of Deeds*, vol. 212, 22nd July, 1613). His daughter, Jean, as already narrated, married into the Dalveen family, her tocher being 1300 merks, and her husband infesting her father and eldest brother in half the £5 land of Over Dalveen. In addition to his eldest son, William, John Menzies had two other sons, John<sup>24</sup> and Andrew, both implicated in the murder of Patrick, son of Hugh Douglas of Morton (*Pitcairn*, iii., 442), as well as a fourth named Robert, mentioned in his sister-in-law's testament, and apparently a fifth son, David, who witnessed a discharge by his father in June, 1607 (*Reg. of Deeds*, vol. 132). The eldest son, William, succeeded as William Menzies of Castlehill, having as early as 1592/3 acted as surety for Alexander Johnstone of Gubhill, under the designation of "younger of Castlehill" (*R.P.C.*, 1st series, v., 579). In 1604 he obtained from John Menzies, parson of Weems, a tack for five periods of 19 years of the 40s lands of Fureland, in the barony of Enoch, for £1000 Scots, witnessed by Adam Menzies of Whitbank and William Menzies of Glenteuch (*Reg. of Deeds*, vol. 141). In 1608 he is referred to as "fiar of Castlehill" (*R.P.C.*, 1st series, viii., 640), indicating that his father was still alive. He was appointed a Justice of the Peace for Dumfriesshire in 1623 (*R.P.C.*, 1st series, xiii., 343), having already served in that capacity in 1612 and 1613 (*R.P.C.*, 1st series, ix., 419, and x., 73), and he accepted the Sheriffship of Dumfries in 1625 (*R.P.C.*, 2nd series, i., 120). The same year he was appointed with others to a special commission to try Malie Hyslop for burning the barn of James Brown in Humbie and attempted suicide in the Nith (*ibid.*, 192). He was dead by 1628. William Menzies of Castlehill married Jane Douglas, who died in August, 1602, leaving two sons, John, who succeeded, and James (Adams, *Douglas*

<sup>24</sup> See also *R.P.C.*, 1st series, xii., 237, where Castlemilk is a clerical error for Castlehill.

of *Morton Castle*).<sup>25</sup> That valuable record of the Douglas family, just quoted, omits the marriage contract of William Menzies. Its abstract is as follows:—

1612, June 6th.—Registration of contract of marriage, dated at Cashogill. 17th November, 1593, between William Menzies, son and apparent heir of John Menzies of Castlehill and Jean Douglas, widow of Archibald Douglas of Dalveen. with consent of Robert Douglas of Cashogill, her father: amongst the witnesses being Archibald Menzies, bailie of Enoch, and William Douglas, son and apparent heir of the said Robert (*Reg. of Deeds*, vol. 195).

John Menzies of Castlehill was served heir special to his father, William, in the lands of Folkertoun in 1628, and was one of the principal creditors of Sir William Douglas of Coshogle in 1634, when he had to part with his estates (*R.P.C.*, 2nd series, v., 344). He married Elizabeth Douglas, sister of William, Earl of Queensberry, and died in October, 1639, leaving three children, William, who succeeded, Mary and Margaret (Adams, *Appendix B*, 50). His widow married again prior to April, 1642, Robert Menzies of Auchinsell.

William Menzies of Castlehill was served heir general to his father, John, in 1641, but not till 1650 in the lands of Folkertoun. If the evidence of the *Retours* can be relied on, it was not till 1677 that William Menzies was finally infeft (1) as heir to his great-great-grandfather, Edward, in the lands of Castlehill, parish of Durisdeer, and (2) as heir to his grandfather, William, in Castlehill, Muircleuch, and Over Dalveen (*Dumfries Retours*). The year after this Retour (1678) William Menzies disposed Castlehill, Muircleuch, Upper Dalveen, and the mill of Durisdeer to the Queensberrys (*Drumlanrig Inventory*). This William Menzies of Castlehill subscribed to the Test in 1683 (*R.P.C.*, 3rd series, viii., 658), and was Commissioner for Supply for Lanarkshire in 1685 (*S.A.P.*, viii., 465). He married Mary

<sup>25</sup> He had apparently another son, William Menzies of Raw (*Lanark Retours*).

Kennedy, who had a sasine on 17th December, 1677 (*Gen. Reg. Sas.*), and he was dead by 1688, when his son, William Menzies, was retoured his heir (*Lanark Retours*). The latter was William Menzies of Raw<sup>25a</sup> of Folkerton, who was admitted a Writer to the Signet on 6th August, 1675. He was joint Fiscal for Lanarkshire in 1702-3 (*History of Writers to the Signet*). He died on 2nd September, 1721, and in his testament is described as a residenter in the Canongait, Edinburgh. His executor appears to have obtained a decree of cognition against John, Katherine, and Mary Menzies, children of the defunct.

**Menzies of Auchinsell.**

Another branch of the Menzies family was settled in the barony of Enoch as feuars, holding from the main stem as superiors the lands of Auchinsell, Drumcrule, Muirhill, and Blackmyre. Not much is recorded of the family. Their ancestor was Cuthbert Menzies of Auchinsell, a younger son of John Menzies of Weem by his wife, Janet Carruthers. On 20th April, 1472, he received from his father a charter of the lands of Drumcrule and Auchinsell, in the barony of Enoch, and the lands of Apnadull, in Perthshire, subject to a payment of an annual rent to sustain the family chaplainry in Durisdeer Church, with entail in favour of his heirs, whom failing to the heirs of his brother, John (*R.M.S.*, 1530/1603, 1821). As the lands did not revert to the main stem of the family, it is clear that Cuthbert left descendants, though their pedigree has not been established. He seems to have had some rights to the lands of Gaitslakkis, in the barony of Durisdeer, which he assigned to Robert Charteris, son of Robert Charteris of Amisfield. The lands were also claimed by Cuthbert's sister-in-law, Marion Crichton, doubtless as terce, as she was by then married to James of Twedy. Charteris took action against Marion Crichton in 1478 for wrongful possession (*Acta Dom. Audit*, 79), but does not appear to have been successful, for Marion was still in pos-

<sup>25a</sup> Jean Colt, spouse of William Menzies of Raw, is mentioned in 1664 (*Gen. Reg. of Sas.*, 9th Sept.), but it is not clear if this is the same individual.

session twenty years later, when the superior of the lands, William Stewart of Rossyth, took action against her and other occupiers of the 6 merkland of Gaitslakkis. The other defenders were in possession of "Pennyland, otherwise called Merecleuch," in the barony of Durisdeer (*Acta Dom. Con.*, 1496/1501, 271). In 1489 Marion's son, Robert Menzies of Weem, brought an action against Cuthbert Menzies to make him warrant and acquit him of the lands of Drumcrule and Auchinsell. Cuthbert had to produce his charters to prove his rights (*Acta Dom. Con.*, i., 133). He was still alive in October, 1511, when he witnessed a Menzies charter. Amongst the other witnesses to the same charter was John Menzies of Drumcrile (Drumcrule), who may well have been his son and heir (*R.M.S.*, 1424/1513, 3768).

A considerable hiatus in the family history follows, the next reference being to Robert Menzies of Auchinsell, who is recorded as a grandson and heir of Cuthbert, in 1562 (*Reg. of Deeds*, vol. v., 271). In 1564 Robert Menzies served as an assize (*Pitcairn*, I., 456\*). In 1559 there is mention of his brother John as a witness (*Reg. of Deeds*, v., 271). In 1566, owing to his charters having been lost, he entered a contract with his Chief to regularise his feudal position. It runs as follows:—

1566, January 16.—Anent letters at the instance of James Menzies of that Ilk, heir and successor to umqle Robert Menzies of that Ilk, Kt., his "guidschir," against Robert Menzies of Auchinsell, mentioning that where the said umqle Robert infet Cuthbert Menzies, in the lands of Duntrule, Auchinsell, and Dalrawar, lying in the Barony of Menzies in the Shire of Dumfries & Perth, respectively, to be held of the said umqle Robert, & his heirs, for certain service to be done by the said Cuthbert & his heirs; and now the said James is lawfully seased in the said lands, it is unknown, what service the said Cuthbert, should render, therefore he defers & omitted to do any service to the said James, and therefore it is necessary that the said James have an authentic copy of the said infetment, which along with a charter, the

Lords decern to be produced, which was done and both parties asked instruments. The charter is narrated and is to the effect following, viz. :—Robert Menzies of that Ilk, Kt., Lord of the Barony of Menzies, in favour of Cuthbert Menzies of Auchinsell, & his heirs male, of the lands of Auchinsell & Duntrule, with their pertinents, lying in the barony of Enoch, which one part is cutwith the barony of Menzies, and by annexation thereof in the Shire of Dumfries, also the lands of Dalrawar, with pertinents, lying in “ my barony ” of Menzies, formerly Weme, and Shire of Perth, conform to an old Charter, in which the said Cuthbert freely resigned in the hands of the Lord Superior thereof. Holding of the granter and rendering therefor one silver penny scots. Dated at, &c. (Not given). (*Reg. of Acts and Decrets*, vol. 38, f. 300.)

In 1573 he witnessed the testament of John Maitland of Auchingassil (Adams, *Appendix B*, No. 8). In 1579/80 he witnessed a grant of some of the church lands of Durisdeer to Janet Menzies, mother of Peter Broun in Durisdeer, who was obviously some relative (*R.M.S.*, 1546/80, 2994). He was dead by 1584, when his son John Menzies of Auchinsell married Helen, daughter of Patrick Douglas, bailie of Morton (Adams, *Appendix C*, 293). John Menzies could have had but a short enjoyment of Auchinsell, for in 1588 Hew Douglas of Morton was appointed by the Crown intromittor dative to his nephew James Menzies, apparent of Auchinsell (*Reg. of Deeds*, xxxii., p. 88). Little is known of James Menzies of Auchinsell. He figures in a list of Border Lairds who in 1617 renewed a bond of good conduct (*R.P.C.*, 1st ser., vi., 226), and was alive in 1636, when his eldest son Robert gave a charter of Auchinsell, Muirhill, and Blackmyre, under reversion to James Douglas of Morton (Adams, p. 81). Little else relating to the family need be recorded here. A John Menzies of Auchinsell signed the Covenant in 1638 (*D. and G. N. H. and A. Soc.*, 1912-13, p. 361), but it is not clear who he was. In 1653 occurs mention of Robert Menzies, eldest son of the deceased James Menzies of Auchinsell.



This Robert, who had married, 1639-42, Elizabeth Douglas, sister of the Earl of Queensberry, and widow of John Menzies of Castlehill, had in April, 1636, wadset Auchinsell, Murehill, and Blackmyre to James Douglas of Morton, and seems never to have redeemed it, for in 1671 James Menzies of Enoch, as superior, gave sasine to Archibald Douglas in Auchinsell and Murehill. In 1673 William Douglas of Morton transferred the property to the 1st Duke of Queensberry (Ramage, p. 375).

## APPENDIX.

<sup>7c</sup> The prefix "Monsieur" clearly indicates that he was a knight (c.f., a list of persons known to have been knights bearing this prefix given by Palgrave, 302 and 305). It remains to conjecture his identity. As will be seen from the adjoined pedigree chart, Henry Lovel, a younger son of the "Wolf," in pursuit of his fortune, came to Scotland probably in the retinue of King David I. (1124-1153), who had been brought up at the English Court. Henry's first appearance in Scotland was as a witness to the 1166 charter by William the Lion conferring the Valley of Annan to Robert de Brus (*Bain*, I., 105), and later as a witness to a charter confirming to the monks of Kelso the church of Morton granted them by Hugh "handles" (*sine manichis*). The date of this later confirmation must be placed between 1165 and 1178 (*Reg. de Kelso*, pp. 13 and 16). A Hugh Lovel, perhaps a brother, later appears as a witness to a charter by Florence, elect of Glasgow (1202-7), to the monks of Melrose of a house and toft in Glasgow (*Reg. de Melrose*, I., 37). Henry had already been granted by the Crown an extensive estate, including Cavers and Branksholme, and comprising the barony of Hawick. In view of the fact that he witnessed the confirmation of the Morton grant, and that Patrick, son of Earl Gospatrick, who owned extensive lands near Morton, was another witness, it is possible that Henry Lovel was also granted Enoch, in the next parish to Morton. He was dead by 1207 (*Bain*, I., 407), having married a lady named Alice (Collinson's *Somerset*). He had already succeeded his elder brother, who had d.s.p. He left two sons, Ralph, who d.s.p. (*ibid.*), leaving in 1207 a widow, Matilda, dowered in the Manor of Honeywick, Somerset (*Bain*, I., 407). She afterwards married Ralph Le Butelier (*Somerset Feet. of Fines*, I., p. 33). Henry Lovel succeeded Ralph, and granted to the monks of St. Andrews some land in Branksholme, which was exchanged by his son Richard for lands in Wauchope (*Reg. St. Andrews*, 261-2). This Henry Lovel II. was dead by 1218/19 (Collinson), leaving a widow, Christina, who later married

Richard Cotel in Somerset. There arose considerable dispute after his death as to his properties ending in an agreement between his widow, Christina, and his sister-in-law, Matilda, and his son, Richard, in which the widows' respective dowers were settled, they withdrawing any claim they had on Richard's Scottish lands, including the advowson of Cavers (*Somerset Feet. of Fines*, p. 33). By his wife Christina, Henry Lovel II. had a son Richard, who in 1236/7 came to an agreement with the Prior of Bath relating to the advowson of Castle Cary, which had been granted to the Priory by his father, Henry (*Somerset Feet. of Fines*, p. 101). Richard died in 1242 (Collinson), and was succeeded, according to the same authority, by his son Henry, who was gathered to his fathers in 1263 (Collinson), leaving perhaps a widow named Lady Eva. He was succeeded by his son, Richard Lovel, who had sasine in his father's English lands by inquisition dated 21st September, 1263 (*Bain*, I., 2350), who d.s.p. in 1264, when Hugh of Abernethy accounted for his relief in 100 merks. He was dead by Michaelmas (*Compota Cameraria*, I., 45\*), leaving a widow, Cecilia (*Bain*, I., 2502), and being succeeded by his brother, Hugh Lovel, who was found heir by inquisition dated 18th October, 1264, the barony of Castle Cary being held as worth £150, subject to the dower of Lady Eva, presumably his mother (*Bain*, I., 2368). In December following action was brought against Hugh Lovel by his sister Alicia, who, with her sister Christina, had been infeft by their father in the manor and advowson of Storketon, Somerset, for which they had done homage to the late Richard, his heir. Christina had then died, followed by Richard, who had been succeeded by his brother Hugh, who had ejected Alicia's tenants. The assize found that she should recover seizin (*Bain*, I., 2374). This was not the only lawsuit Hugh had brought against him. In 1268 he was distrained on for diverting a water course at Castle Cary, which Richard Lovel, his grandfather, erected (*ibid.*, 2484). The same year a suit was brought against him by Cecilia, widow of his brother Richard, who had been dowered in the manor of Wyntanton, Somerset (*Bain*, I., 2502). Collinson states that Richard was succeeded by his brother Henry, but this is clearly an error. The same authority states that Henry died in 1280, leaving a son, Hugh, Lord Lovel, and a daughter, Olivia, wife of John, Lord Gournay. It is possible that there is some confusion, and that there was no Henry Lovel, and only one Hugh, who died in 1291, as stated by Collinson. Hugh, Lord Lovel, left a widow in the person of Eleanor or Alianore, who gave security to Edward I., on 24th September, 1291, that she would not re-marry without license (*Bain*, II., 534). The heir, Richard Lovel, was then a minor, and two-thirds of the goods and lands of the deceased Hugh were granted to Sir John de Soules during the minority (*ibid.*), including the advowson of Storketon, Somerset (*ibid.*, 564). By 7th November, 1294, Soules' grant was increased by the death of Eva, who can

hardly be Eleanor, and may be identified with the Lady Eva of 1264 (*ibid.*, 703). It is, of course, possible that the lands of Enoch may have belonged to the Soulis family, and acquired by the minor, Richard Lovel, when he married Muriel de Soulis, heiress of Sir John. But in view of the Morton grant already referred to, it seems more likely that Enoch belonged originally to the Lovels. It is possible that Richard Lovel's father, Hugh, may have had three other sons—Hugh, William, and John—who were in the English allegiance in 1300 (*Palgrave*, 213, 217, 220). If so, this Hugh Lovel may well have been Sir Hugh Lovel of Enoch. The obit of a John Lovel is recorded in August, 1300 (*Hist. MSS. Com.*, Wells Charters). Richard must have come of age about 1297, in which year he swore fealty to Edward I. (*Rot. Scot.*, I., 41b). The same year he swore to serve against France (*Bain*, II., 891). Shortly after he must have returned to England and taken service against the Scots. He was taken prisoner by them, and on 21st November, 1314, his father-in-law, Sir John de Soules, was granted a safe conduct to obtain deliverance of Richard Lovel and John de Penebrugge, prisoners of the Scots (*Rot. Scot.*, I., 134b). He married Muriel de Soulis (*Bain*, III., 189), and not Muriel de Douglas, as stated by Collinson and some peerage writers. With her he acquired the Eskdale and Ewesdale lands of Soules. With estates in England and Scotland, Richard was in an awkward predicament in the War of Independence. He seems to have transferred his Scottish estates to his son, James, and retained the English estates himself. He died in 1353 (Collinson). His son James was at first a true Scot, but as his father became aged and he himself came nearer his English inheritance, his Scottish allegiance must have wavered, for on 22nd September, 1343, David II. granted to Sir William Douglas all the lands in Eskdale and Ewesdale forfeited from Sir James Lovele, Kt., excepting only the lands granted to the Moffats (Armstrong's *Eskdale*, p. 151, quoting *Reg. Hon. Morton*, II., p. 43). Four years later the tide of war had turned again, and the Scottish Borders were in English hands. Sir James's father at once claimed the barony of Hawick and half the barony of Westerker. Such were the results of the battle of Durham. Restitution was ordered by the English Crown (*Rot. Scot.*, II., 697 and 699). Sir James does not seem to have held Hawick, for Robert the Bruce granted to Sir Harry de Baliol the lands of Branksome in the barony of Hawick, which once were the Lovels (*Reg. Mag. Sig.*). Sir James died v.p., having married Isabel (Collinson), by whom he had a son, Richard, who died young, and a daughter, Muriel, his heiress, married to Lord St. Maur, who obtained an English grant of the Hawick estates in 1351/2 (*Rot. Scot.*, II., 747), including the presentation to the Rectory of Hawick (*ibid.*, 777b). Sir James had two sisters, of whom Collinson tells us something. Though the main line of the family ended thus in Scotland, the name was still to be met with. In 1404

# LOVEL OF CASTLE CARY AND CAVERS.

Robert Perceval, Lord of Ivery, etc., Normandy, granted Castle Kary. Alive 1083.

Ascelin, surnamed "Lupus," d. 1120, had 10 sons and 1 dau. = Isabel de Bretteville.	Gouel.	William.
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Robert, Lord of Ivery, <i>d.s.p.</i> 1121.	William Gouel de Perceval, surnamed Lupellus, succeeded to English Estates, built Castle at Cary, d. 1155, = Auberie de Bello Monte	Roger.	John de Harptree, took name of Gournay.
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Walleran, Lord of Ivery, <i>a quo</i> the Norman family.	Ralph, Baron Lovel of Kary, <i>d.s.p.</i> 1159. = Maud de Newmarch.	Henry Lovel, Baron of Kary, 1166. = Alice .....	William, Lord Lovel of Titchmarsh.	Richard Perceval, ancestor of the Earls of Egmont.	Hugh (1202-7)
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Ralph Lovel, *d.s.p.* by 1207.  
= Matilda (or Maud) of Honeywick.

Henry Lovel, baron of Castle Cary, d. by 1218.  
= Christina .....

Richard Lovel, Baron of Castle Cary, d. 1242.

Henry Lovel, Baron of Castle Cary, d. 1263.  
= Lady Eva .....

Richard Lovel, infeft in Castle Cary 21 Sept., 1263. <i>d.s.p.</i> 1264 = Cecilia .....	Hugh Lovel of Castle Cary, heir 18 Oct., 1264, d. by 1291. = Eleanor .....	Alicia.	Christina d. by 1263.	Olivia.
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Sir Richard Lovel of Castle Cary, d. 1353. = Muriel, dau. of Sir John de Soules.	Sir Hugh Lovel of Enoch.	William, 1300.	John, 1300.
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Sir James Lovel of Eskdale and Ewesdale, 1343, <i>d.v.p.</i> = Isabel .....	Joan. = John de Moels.	Eleanor. = Sir Roger Ruhaut.
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Richard Lovel, died in his grandfather's lifetime. = Elizabeth ... (Bain III. 977).	Muriel, heiress of Castle Cary. = Nicholas, Lord St. Maur.
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Richard of Lovell is mentioned, the ancestor of the Ballcomby family (Spalding Club, *Shires of Aberdeen and Banff*, IV., 267). Between 1427 and 1431 a John Lovell, Esquire of Scotland, obtained frequent safe conducts to pass to England (*Rot. Scot.*, II., 262a, *et sequa*). In 1589 a Henry Lovell figured in a sordid intrigue at St. Andrews (*Kirk Sess. Rec. of St. Andrews*, II., 640)—all of which illustrates the record of the terce of the widowed Eva Lovel from lands in Aberdeen, Roxburgh, and Forfar (*Rot. Scot.*, I., 26b).

### Douglas of Castle-Douglas.

By Mr R. C. REID of Mouswald Place.

It was in the year 1801 that William Douglas was created a Baronet. A Galloway man from the Moss of Cree, he started life in humble circumstances as a pedlar, and terminated his career in 1809 as a successful merchant prince of London, whose partner was the Lord Mayor. His ancestry is not easy to trace, and tradition—an unreliable guide—does not carry the quest much further. A short account of him is given by Alexander Trotter in *East Galloway Sketches*, where it is stated that his reputed great-grandfather was Gilbert Douglas in Glenrassie, Penninghame, who was taken prisoner at Bothwell Brig (1679). Nothing has yet come to light to substantiate this, though a careful search of the Sheriff Court Records of Wigtown might be productive. Of this Gilbert only one other definite record survives. Trotter says he was ruined by fines imposed for rebellion. At any rate he was still tenant in Glenrassie in 1684, when the parish rolls of Wigtownshire were made up (*Scots Record Soc.*, 1916). In these lists his wife, Margaret M'Iloy, is recorded, and their son, Peter Douglas, who was living with his parents at Glenrassie. Peter must then have been over the age of 12.<sup>1</sup> If William was a son of Gilbert, he could not well have been living at home in 1684, else he also would have figured in the Parish Rolls. Another tradition mentioned in a note in the Lyon Office asserts that the family is descended from a

<sup>1</sup> A Peter Douglas in Nether Blackquarter witnessed a tack of Barfado (Kirkcowane) on 27th April, 1695, by William Gordon of Culvennan to James Douglas in Oldrick (Greenlaw writs).

William Douglas, who had a grant of the lands of Garnestock in the Moss of Cree from Archibald, Lord Douglas, about 1400. The same source further alleges that a complete pedigree of the family was taken to America by the Rev. William Douglas, who apparently was Sir William's uncle. If it ever existed, this pedigree would be of interest. But in the absence of such evidence, the pedigree chart given here must commence with Sir William's grandfather, the first forbear of whom anything is definitely known. This William Douglas married Grizzel M'Keand, who probably belonged to a family of that name who for long were tenants in Balsalloch, Pilwhilly, and Aikerside.<sup>1a</sup>

<sup>1a</sup> There was a James M'Keand in Balsalloch whose testament was recorded in 1702. There is mention of his son, Alexander, and daughter, Janet, John M'Keand in Balsalloch, probably a brother or son, being cautioner. In 1734 the testament of William M'Keand in Pilwhilly, who died in January, 1729, is recorded, leaving three children—Alexander, Janet, and Mary—who were represented by their nearest relations—Alexander M'Keand, late in Pilwhilly, now in Nether Glenhapple, and John M'Keand in Barvennan. The farm plenishings of the deceased were valued by William Douglas in Barsalloch, who may be identified with Sir William's ancestor. Yet another John M'Keand, late in Barsalloch, now in Pilwhilly, was cautioner. In March, 1728, Thomas M'Keand in Pilwhilly died (test. recorded 16th August, 1737), his brother, Alexander M'Keand in Pilwhilly, witnessing the testament. To his widow, Mary M'Clelland, he left 1000 merks. His eldest son was John, two others, Alexander and Samuel in Pilwhilly, are mentioned. John's son, Alexander, was a legatee. His eldest daughter, Janet M'Keand, spouse of — M'Naught, is mentioned, and her daughter, Janet. 600 merks Scots was left to the testator's youngest daughter, Grizzel M'Keand, who cannot, however, be Sir William Douglas's grandmother, as her elder brother, Alexander, was to be her overseer. In 1751 the testament of Thomas M'Keand in Balsalloch was given up by his son, John, who may perhaps be the John M'Keand in Aikerside whose testament was given up in 1790 by Thomas M'Keand in Barsalloch. Aikerside is described as "on the farm of Barsalloch and in the Moss of Cree." He left, amongst other legacies, £1 to Mary Keand in Grange, relict of John Kevand (sic.), late in Balsalloch. Lastly, there is notice of Samuel M'Keand in Kirhobble, whose testament, recorded in 1794, was given up by his son, Alexander, purser in his Majesty's Navy, now in London. Perhaps this Samuel may be identified with the Samuel in Pilwhilly already mentioned.

William Douglas<sup>2</sup> and Grizzel M'Keand had seven children. The eldest, John, continued the family tenancy in Balsalloch, and was father of Sir William. The second son, James Douglas in Kilsture, whose testament was recorded in 1762, left a widow, Mary Martin, who survived him till about 1791, when her testament was recorded: two sons—William Douglas in Petersburg, U.S.A., and James Douglas in Norfolk, Virginia—and three daughters (1) Elizabeth, wife of Andrew M'Kearlie in Palmallet, by whom she had a son, James; (2) Mary, relict (in 1791) of George Black, cartwright in Sorbie, by whom she had a son, James Black, at Sorbie Church; and (3) Janet, married to William Black, gardener in Newton-Stewart, by whom she had a son, James; and (4) Margaret, spouse of Peter Broadfoot in Whitehills, by whom she had a son, James. Robert M'Keand, sheriff clerk, drew the testament, which mentioned that the testatrix had been in receipt of an annuity from the Earl of Selkirk.<sup>3</sup>

Much of the evidence for this pedigree is derived from a letter, dated 6th March, 1831, from Mrs Susan B. Terrell<sup>4</sup> to Harriet Douglas, third daughter of George Douglas of New York, the brother of Sir William Douglas :—

MY DEAR HARRIET,

I most sincerely regret that your letter of 21st September, 1826, was never answered. It grew entirely out

<sup>2</sup> There may have been some relationship existing between the ancestors of Sir William Douglas and a family of that name for long tenants in Barskeoch (Kirkeowan). In 1684 John Douglas was in Fell, along with Janet Giffert, perhaps his wife (*Parish Lists*). Fell adjoined Barskeoch. In 1736 the testament of John Douglas in Barskeoch was recorded, given up by Thomas Douglas in Fell of Craighlaw and John Douglas in Barskeoch, nearest of kin. In 1760 the testament of John Douglas in Barskeoch was given up by his relict, Janet Gordon, his property amounting to £10 only. In 1800 the testament dative of Thomas Douglas in Barskeoch was given up for record by his four daughters, Janet, spouse of Alexander Dougan in Challochmore, and Jean, Agnes, and Helen Douglas in Barskeoch, £20 was owing to the defunct by the executors of William Douglas in Lochbauchlet under his testament (1794).

<sup>4</sup> Wife of William Terrell, only son of Margaret Douglas.

<sup>3</sup> See Mary Martin's testament at Register House.

of my not having any certain data to go upon; also waiting to receive a letter written by Parson Douglas,<sup>5</sup> which your letter stated had been sent to me, and which your sister Margaret said should be sent by private conveyance, which letter I never received. . . . Since 22nd December, 1830, I have been much engaged in looking over old books. I have a distinct recollection of having seen written in the margin of some old book, by my husband's grandfather,<sup>6</sup> wherein something was said about the Duke of Douglas that "he is my noble relation," also that he "visited the Duke of Hamilton the last time he was in Scotland," and writes in like manner of him. Now, my dear Harriet, your uncle's<sup>7</sup> library was a very extensive one, and has been divided in seven parts, scattered in various directions. . . . I have, however, extracted for you from the old records what you will find on the first part of the enclosed sheet, and should certainly send the *Douglas History*<sup>8</sup> if I thought it would reach you in time to be of service to you. . . . Mr Terrell and myself will be very happy to see you at Music Hall on your return to America. I assure you Mr Terrell is interested and much attached to his cousin Harriet, and would do much to serve her. We regret and deeply sympathise with you in your late bereavement. With kind remembrance to Margaret.<sup>9</sup>

I remain, sincerely yours,

SUSAN B. TERRELL.

[*Enclosure referred to.*]

I, William Douglas, was born in the Moss of Cree, August 3, 1708, shire of Galloway, parish of Penninghame,

<sup>5</sup> The Rev. William Douglas, second son of George Douglas, and nephew of Sir William.

<sup>6</sup> The Rev. William Douglas, of Virginia, U.S.A., born 3rd August, 1708, uncle of Sir William Douglas. "My husband" was Mr Terrell, son of Margaret Douglas, by her second marriage.

<sup>7</sup> Probably Sir William Douglas.

<sup>8</sup> *History of House and Race of Douglas*, by David Hume of Godscroft.

<sup>9</sup> Harriet's elder sister.



Scotland; mother's name, Grishild M'Keand.<sup>10</sup> Nicholas Hunter, my excellent wife, was born September, 1715, in Nithsdale, Glencairn parish. We were married November 27, 1735, and came to Virginia 5th October, 1750. My only child, Margaret Douglas, was born 2nd September, 1737; married 31st September, 1760, to Nicolas Meriweather. My father, William Douglas, died aged 77. My mother, Grishild M'Keand, died aged 70. My sister, Mary Douglas, died aged 21, married. My sister, Janet Douglas, died aged 20, unmarried, 10th November, 1761. My brother, John, died aged 64, left six children—five boys and one girl. My twin brother, James Douglas, died aged 52, and left six children—two sons and four girls. My sister, Elizabeth, died 47½, the wife of Heron. My sister, Margaret Douglas, was born 1703, and died May, 1786. My brother-in-law, George M'Crea, died 1780, aged 82—1775.<sup>11</sup> My niece, Margaret Lawrie,<sup>12</sup> was married to M'Millan of Barwhinnock, worth £300 a year, 1782. My niece, Mary Lawrie, was married to the Rev. M'Whay of St. Quibbox<sup>13</sup> in December, 1784. George Douglas<sup>14</sup> in New York and Margaret Corre, aged 21, were married 12th December, 1788.

This history of my predecessors I give to my grandson<sup>15</sup> to be taken special care of, as being his ancestors by his mother. My design is to rouse his ambition to be a brave and good man, and I hope God will bless him.

P.S.—I mean Billie,<sup>15</sup> the head of the family. Read, my son, and be virtuous.

WILL DOUGLAS.

<sup>10</sup> There is some inconclusive evidence that he also married Mariame Shaw, though Trotter makes this lady out to be mother of Mary Heron.

<sup>11</sup> The meaning of this is not clear. Probably it is the date of the marriage between Margaret M'Crae and . . . . Lawrie, and that M'Millan's valuation was in 1782.

<sup>12</sup> She was really a grand-niece.

<sup>13</sup> Should be M'Quhae, minister of St. Quirox, Ayrshire.

<sup>14</sup> Fourth son of John Douglas in Balsalloch.

<sup>15</sup> William (Billie) Terrell.

<sup>16</sup> March 1st, 1758.—The Duke of Douglas was married to Miss Peggie Douglas of Mains. July 26, 1761—The Duke died, aged 67. October 22, 1774—The Duchess died. November 21, 1753—His sister, Lady Jane, died.

These two volumes of *Douglas History* I this day give to my nephew, Will Douglas, my brother James, his son,<sup>17</sup> now in Frederickburgh. Let him have it as his, given to him by me, in testimony whereof I have subscribed this note, 9th September, 1790.

WILLIAM DOUGLAS.

It is perhaps not unnatural that a successful man like Sir William Douglas should lay claim to an ancient and distinguished lineage. Trotter says that he claimed connection with the Douglasses of Drumlanrig, and one curious item may perhaps point in this direction. The pedigree chart shows that James Douglas of Orchardton married Elizabeth, daughter of William Douglas of Worcester, the authority being Burke. Now only one Douglas family is known in Worcestershire—that of Douglas of Salwarpe. These Douglasses were direct descendants of the Douglasses of Morton (Dumfriesshire), whose forbear was Patrick Douglas, bailie of Morton, natural son of a sixteenth century Laird of Drumlanrig. In 1794 the Rev. Robert Douglas, son of Lieut.-General Archibald Douglas, M.P. for Dumfriesshire, and grandson of William Douglas of Fingland, was presented to the Rectory of Salwarpe (Worcester). His son, Robert A. Douglas, obtained Salwarpe by settlement in 1825 from Philip Gresley, and assumed the name of Douglas-Gresley. There is no trace of this Orchardton marriage in the Salwarpe pedigree. But it is conceivable that the bride was an unrecorded daughter of William Douglas of Fingland, who for some time was a Commissioner of Supply for Dumfriesshire. Some support for this suggestion may be found in a statement by Trotter that Samuel Douglas of Netherlaw, brother

<sup>16</sup> The following notes are taken from the first blank page of *Douglas History*, in the handwriting of William Douglas.

<sup>17</sup> His twin brother James had two sons. Probably William was the elder.

of the bridegroom, once asked after Commissioner Douglas of Dalry and his son, Archibald (afterwards M.P.), who had been at school in Edinburgh with William Douglas of Almorness. So there may have been some marital connection to justify the claim of Sir William to kinship with Drumlanrig.

From the will<sup>18</sup> of Sir William Douglas a good deal more can be gathered concerning his relations, and some sidelight thrown on the testator himself. He appointed James Douglas of Orchardton, George Douglas of New York, Samuel Douglas, merchant in London (all his brothers), as executors. He left a life annuity of £150 to his sister, Mrs M'Haffie; to Sarah Hoster, his housekeeper, an annuity of £20; to the two daughters of Mrs M'Haffie, £2500 each; £2500 to William Douglas, son of his brother James; £2000 to any son of his brothers George and Samuel who might be named William; to his partner, James Shaw, £300; to John Heron of Ingleston, £100; to his cousin, William Douglas, merchant in Virginia, £100; to James Douglas, also there, £100; £100 to James Gregory, merchant in Charleston, South Carolina; £20 to every captain of his firm's ships and to every clerk; £10 to every servant; to Miss Cecilia Douglas, daughter of John Douglas, merchant in Glasgow, half of his £50 share in the Tontine Tavern there; £200 for the poor of Penninghame; £200 for education of poor children in Newton-Stewart, and like sums for Kelton and Carlingwark; £1000 to his poorest relations; and 100 guineas for mourning rings for friends. He bequeathed £200 to beautify the proposed new church of Penninghame, but revoked this by codicil. A similar bequest to Kelton was also revoked. A bequest of £300 to erect a tomb to him at Penninghame and £500 for a marble monument to his parents at Penninghame or Kelton was revoked in favour of a bequest of £50 for a "decent monument" at Penninghame to his parents and brothers who died before him. He left £300 for a steeple

<sup>18</sup> Prerogative Court of Canterbury, Register Collingwood, 537. Proved 26th November, 1810, and dated 23rd August, 1790.

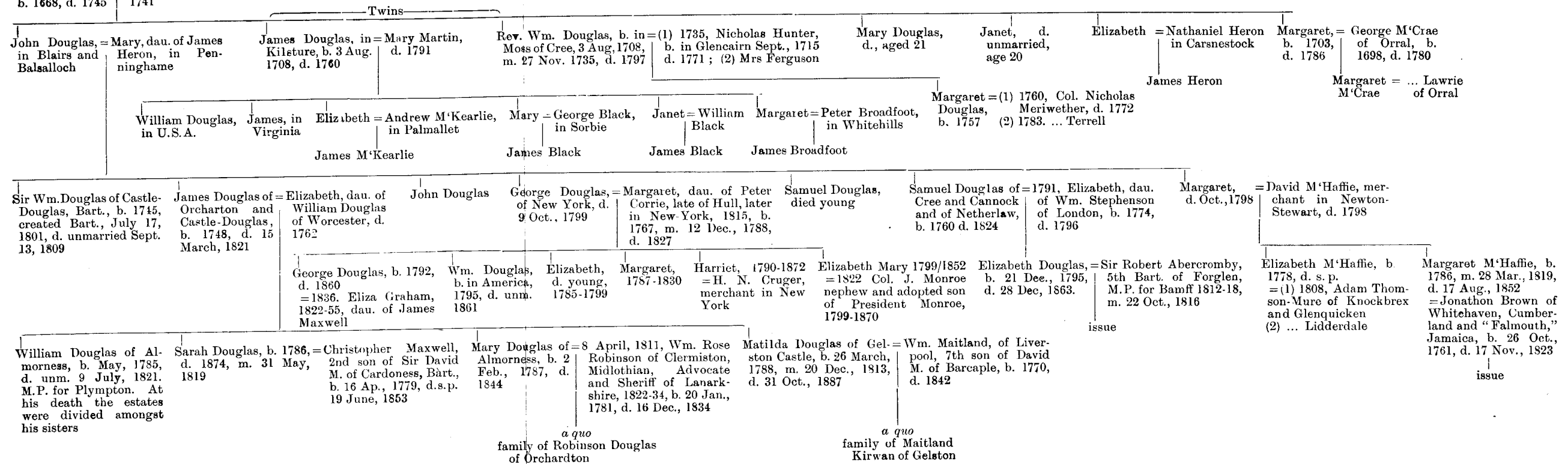
#### DOUGLAS OF CASTLE-DOUGLAS.

to the proposed new church in Queen Street, Castle-Douglas, if it became a parish church; otherwise only £100 for beautifying it. He directed his body to be buried near the east end of that church, and left £1000 for a marble tomb there for himself. Finally, by codicil, he left £1000 to his partner, Shaw; £100 to his relation, John Heron of Ingleston, and his wife, Elizabeth Affleck; and £100 to each of their four children. To the parish schools of Milton, Buittle, and Crossmichael, £50 each; and to Miss Margaret Affleck, sister of Mrs Heron, £100. To Castle-Douglas he left the Market and Town House, the dues to be used for the good of the town, provided the magistrates got a new charter and changed the market day from Thursday to Monday. A similar bequest was made to Newton-Stewart. His real property is set out at length in the will, and comprised the Baronies of Castle-Douglas, lately Castle-Stewart, and all the burgh and Barony of Newton-Stewart as described in a charter under the Great Seal, dated 1st July, 1677, in favour of the late William Stewart of Castle-Stewart; the Barony of Gelston, as described in a Great Seal charter, dated 17th December, 1647, in favour of William Glendinning, Provost of Kirkcudbright; the 12 merkland of Ingleston, Newark in Kirkpatrick-Irongray, and others, described in a Great Seal charter, dated 22nd May, 1770, in favour of Patrick Heron of Heron, together with other lands disposed to the same grantee by Andrew Heron in Muirtad (sic.) in 1757, and registered in the Burgh Court Book of Edinburgh, 24th December, 1760, all of which had been erected into the barony of Heron by Great Seal charter, dated 1st March, 1698, in favour of Patrick Heron, elder of Heron, grandfather of Patrick Heron, last of Heron, and which had been in the hands of David Russel, accountant in Edinburgh, and trustee for the said Patrick Heron, who had disposed them to the testator in September, 1789, subject to a life annuity to Mrs Elizabeth Mounsey, wife of Major Basil Heron;<sup>19</sup> the lands of Carlingwark, and the baronies of Caerlaverock,

<sup>19</sup> Younger son of Patrick Heron, younger, of Heron and Kirouchtrie, who predeceased his father by three weeks.

# DOUGLAS OF CASTLE-DOUGLAS.

William Douglas, = Grissel M'Keand,  
in Moss of Cree, b. 1670, d. Oct.,  
b. 1668, d. 1745 1741



Lochwood, and Terregles, and half the barony of Urr, together with lands in Crossmichael acquired by the testator from Alexander Gordon of Culvennan and Mrs Grace Dalrymple, his wife, in 1789, reserving the lands of Greenlaw to the granter for 15 years and parts of Calsay purchased from David Thompson<sup>20</sup> of Ingleston and not conveyed to the testator.

The accompanying pedigree chart, which gives further details relating to this family, is the handiwork of Lieut.-Colonel L. D. B. Syngé Hutchinson, who claims descent through the M'Haffie connection, and has most kindly placed all his materials at the disposal of this Society. The arms of Sir William Douglas of Castle-Douglas were recorded at the Lyon Office in 1802 (*Heraldry of the Douglasses*, by G. Harvey Johnston), and his portrait and that of his brother James of Orchardton is given by Trotter in *East Galloway Sketches*, pp. 132 and 135.

<sup>20</sup> Perhaps father of Adam Thomson-Mure, first husband of Elizabeth M'Haffie, Sir William's niece.



# RAINFALL RECORDS FOR THE SOUTHERN COUNTIES. 193

KIRKCUDBRIGHT.											
	Jan.	Feb.	Mar.	Apr.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.
Cally	6.71	1.34	5.53	2.78	1.45	4.31	.82	4.19	3.90	2.77	2.73
Oreotown, Cassenary	4.04	1.25	4.79	2.55	.97	2.27	.76	2.56	2.41	1.85	2.73
Fairure, Bargaly	4.98	.93	4.59	3.59	1.57	4.22	1.34	4.23	3.18	2.31	2.81
Little Ross Lighthouse	3.07	1.07	2.89	1.39	1.01	1.97	.38	2.37	1.92	1.65	3.78
Kirkcudbright, Balmoe	4.62	1.20	3.32	2.23	.63	2.23	.43	3.50	2.50	2.18	1.70
New-Galloway, Glenlee Park	5.48	.83	6.19	2.59	.86	4.46	.97	3.95	4.50	1.74	1.10
Dairy, Glendarroch	5.42	.97	5.19	2.56	.97	4.40	.78	3.69	3.77	2.05	3.62
" Garroch	6.03	1.03	4.70	3.18	.98	6.10	1.10	4.34	5.41	.00	4.55
Carsphairn, Shiel	7.11	1.08	6.81	4.29	1.44	7.04	1.50	5.20	5.70	1.47	5.74
Auchencrain, Knockgray	4.85	.96	4.27	3.40	1.37	2.89	1.11	3.44	3.41	1.64	4.24
Dalbeattie, Kirkennan	4.54	1.33	4.62	2.75	1.21	2.44	1.02	3.85	4.73	2.26	2.94
" Southwick	3.93	.96	4.89	2.71	1.10	2.39	.93	3.83	3.31	1.76	2.93
Kirkpatrick-Durham, Glenlair	3.88	1.07	3.94	2.95	1.18	1.91	.97	3.50	3.46	1.67	2.89
Corscock, Monyhuie	5.49	1.10	4.79	2.62	1.32	2.25	.66	3.84	3.45	2.24	3.29
Dumfries, Oargen	1.67	.38	2.04	1.36	.36	1.86	.57	2.78	3.52	1.84	3.96
" Carruchan	4.01	1.28	4.83	2.20	1.00	1.93	1.36	3.45	3.60	1.51	2.30
Lochrutton, Dumfries, W.W.	3.16	1.12	4.52	2.10	.89	1.97	1.12	3.28	3.52	1.30	3.61
Dumfries, Lincluden House	4.05	1.11	3.95	2.36	1.03	1.98	1.30	3.54	4.12	1.64	3.40
" Jardington	3.08	.99	3.90	1.96	.79	2.30	1.05	3.23	3.51	1.41	3.39
" "	3.09	.94	3.65	1.91	.76	1.62	.93	3.21	3.55	1.29	3.33
WIGTOWN.											
Lech Ryan Lighthouse	1.70	.93	2.76	1.57	1.20	3.40	.78	1.73	2.00	1.36	1.52
Mail of Galloway	3.30	.74	2.62	1.14	1.48	2.14	.43	1.87	3.11	1.23	1.96
Logan House	4.45	.97	3.35	2.25	1.50	4.03	.57	2.97	2.91	2.51	3.82
Killantrigan	7.98	2.25	7.73	2.35	2.35	6.00	.85	4.30	4.53	2.40	2.55
Corsewall	2.91	.24	4.88	2.39	.85	5.97	.64	2.05	3.10	1.96	3.63
Arduell House	4.53	.93	3.49	2.08	1.46	3.00	.52	2.87	2.84	2.10	3.47
Crews	3.77	1.13	3.92	2.11	1.29	2.95	2.10	2.15	2.64	1.86	2.93
Whithorn, Cutroach	4.00	.88	3.78	1.68	.92	2.87	.60	3.69	2.56	2.44	2.61
Glasserton	6.63	1.76	5.76	3.62	1.33	4.66	.94	4.45	3.23	3.37	3.32
Galloway House	3.54	.83	3.09	1.28	2.07	1.79	.39	2.40	2.16	.87	2.04

WIGTOWN.



## Rainfall Records for the South-Western Counties for the Year 1920,

from BRITISH RAINFALL ORGANISATION, 62 Camden Square, N.W.

	Jan.	Feb.	Mar.	Apr.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	TOTAL
<b>DUMFRIES</b>													
Comlongon Castle	4.74	5.43	3.88	2.32	4.30	1.99	4.08	3.24	2.02	1.93	2.72	4.51	39.21
Orichton Royal Inst.	5.36	3.24	7.28	2.45	4.35	1.53	3.67	3.11	1.99	2.48	2.68	4.36	38.90
Glenorch	8.43	5.25	4.76	3.73	6.53	2.09	4.82	4.47	3.68	4.21	3.62	5.79	59.90
Maxwell House	6.22	3.67	4.77	3.06	4.96	1.73	4.87	3.95	3.53	3.35	3.33	4.73	48.72
Waulkmill	7.27	4.65	5.27	2.64	4.90	2.37	3.82	3.79	3.99	2.50	2.45	3.45	47.13
Dunluing Gdns.	7.90	4.84	5.68	2.83	5.17	2.02	3.78	3.58	4.09	2.66	3.32	4.74	50.91
Whiterock	5.80	3.84	4.68	3.23	4.83	2.64	5.37	4.32	2.75	1.86	2.32	4.71	46.69
Hoddon Castle	5.24	3.70	4.69	3.01	5.07	2.44	4.60	4.44	2.30	1.67	2.70	(4.75)	(44.61)
Hoddon Schoolhouse	4.57	3.49	3.73	3.09	4.43	1.82	6.91	3.99	2.92	2.06	2.50	4.36	43.87
Kirkwood	5.80	4.51	4.92	4.18	5.68	3.15	9.29	5.21	2.90	2.62	3.27	5.03	56.56
Castle Milk	4.87	3.54	4.16	2.93	5.52	1.93	4.25	4.21	1.95	2.05	2.92	4.85	43.18
Keshwaite	5.40	3.23	4.61	3.00	5.41	1.69	4.45	4.30	2.31	2.21	2.68	4.55	43.90
Glenae	5.62	3.28	4.30	3.05	4.00	2.60	3.72	3.38	2.56	2.21	1.95	4.61	41.28
Craiglands	8.52	6.30	6.06	3.95	6.52	1.56	5.07	5.43	2.30	2.00	4.05	5.67	57.63
Byreburnfoot	6.50	10.33	4.25	3.50	5.50	2.10	4.37	3.75	2.50	1.90	2.75	5.25	51.75
Irvine House	6.26	5.13	4.84	3.62	5.88	2.66	5.58	4.46	2.48	1.40	3.09	5.41	50.86
Langholm, Broomholm	9.23	5.66	4.89	3.81	6.35	2.35	6.28	4.80	2.34	1.49	3.33	5.52	53.60
Drove Road	7.07	6.04	5.92	4.16	5.35	2.16	5.71	4.18	2.55	1.92	3.79	5.73	54.68
Craig	7.75	6.05	6.34	3.84	6.55	2.39	5.36	3.53	2.22	1.79	3.58	5.40	54.80
Ewes	7.06	5.45	6.41	3.71	6.26	2.08	6.60	3.33	2.80	2.54	4.20	6.41	56.85
Eskdalemuir Observatory	8.40	6.75	7.41	4.24	7.88	2.80	6.01	5.97	3.02	2.12	4.19	6.20	64.99

Hoddon Castle—Dec. estimated.

	Jan.	Feb.	Mar.	Apr.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	TOTAL
<b>KIRKCUDBRIGHT.</b>													
Creetown, Cassenary	6.59	3.55	5.00	2.99	3.76	2.86	4.48	3.08	3.20	4.37	3.26	4.56	47.80
Bargaly	6.25	4.52	5.36	4.24	5.42	3.87	5.22	4.06	4.20	5.31	4.27	5.52	58.44
Little Ross Lighthouse	3.85	1.40	2.18	2.68	4.42	2.15	2.04	1.51	1.55	2.50	1.57	3.38	29.23
Glennie Park	8.31	6.97	7.22	3.45	7.34	2.22	4.26	3.58	2.68	4.81	4.91	7.08	62.33
Glendaroch	7.85	6.84	7.21	3.55	6.71	2.22	4.02	3.58	3.21	4.83	4.47	6.63	61.14
Garroch	8.85	7.73	9.84	4.59	8.23	2.88	4.21	4.27	3.31	4.83	5.61	8.08	72.43
Shiel	11.52	7.84	8.33	5.00	9.14	2.85	6.71	5.31	4.14	5.27	6.31	7.33	80.25
Knockgray	8.08	5.08	6.28	3.17	6.82	2.49	3.74	4.30	3.39	5.36	4.65	7.28	60.64
Torr House	6.47	3.87	5.70	3.38	6.07	2.57	5.12	3.99	3.67	5.25	3.97	4.99	52.75
Kirkennan	6.28	3.79	5.44	3.16	6.08	2.02	4.23	3.79	3.26	5.21	3.14	5.55	48.95
Richorn Wood	5.54	3.47	4.91	3.09	5.45	2.19	4.11	3.41	3.26	4.40	3.05	5.65	46.53
Southwick	6.37	4.32	6.14	3.95	4.50	2.91	4.81	3.12	2.73	4.22	3.42	5.54	50.03
Moneybute	2.58	1.07	2.64	1.68	2.66	1.38	3.29	.78	3.47	2.88	2.43	2.88	28.74
Glenlair	6.85	4.44	5.58	2.94	5.04	2.00	4.43	3.90	3.70	3.48	3.79	6.30	52.40
Cargen	7.23	4.38	6.11	3.32	5.62	1.73	4.87	4.02	2.62	3.29	2.78	6.15	52.12
Carruchan	6.43	3.98	5.08	2.91	5.40	1.54	4.45	3.40	2.29	3.18	2.58	5.22	46.41
Dumfries W. W.	7.06	4.55	5.51	3.73	5.66	1.69	5.61	3.54	2.62	3.38	3.05	5.64	52.04
Lincluden House	5.67	4.06	4.52	2.69	4.83	2.03	4.42	3.65	2.38	2.98	2.62	4.60	44.45
Jardington	5.84	3.75	4.57	2.75	4.81	2.07	4.49	3.49	2.29	2.99	2.95	4.46	44.46
Dumfries, Newton	5.17	3.04	3.90	3.02	3.40	1.70	3.86	3.59	2.26	2.62	2.57	3.96	39.09
<b>WIGTOWN.</b>													
Loch Ryan Lighthouse	3.83	1.68	2.58	2.32	3.17	2.24	4.31	3.93	2.19	3.94	3.74	4.59	38.52
Mull of Galloway	2.32	.58	1.18	1.86	2.58	1.22	3.47	2.37	1.97	3.18	1.96	2.90	25.59
Logan House	5.03	2.46	3.67	2.92	3.95	4.23	3.60	3.27	3.25	4.80	3.01	4.72	44.91
Killantingan	7.74	3.15	6.04	4.10	6.33	4.40	4.55	5.30	3.08	6.95	4.24	7.90	63.78
Corsewall	8.40	1.72	4.66	5.63	3.19	2.68	7.09	3.39	3.59	4.31	4.37	6.05	54.39
Stoneykirk, Ardwell House	5.02	2.58	3.49	2.95	4.32	3.60	3.91	3.40	3.43	5.12	3.02	4.68	45.52
Glenluce, Crews	5.21	4.14	3.24	4.51	3.50	4.19	4.58	3.35	3.68	4.26	3.40	7.58	51.64
Cutroch	4.54	1.97	3.27	3.87	3.78	2.64	3.85	2.92	3.52	3.52	2.98	3.32	39.67
Kirkcowan, Craighlaw	6.26	4.30	4.57	3.66	4.37	3.87	3.15	3.02	3.33	5.40	2.93	5.04	49.95

## Meteorological Observations taken at JARDINGTON, 1920.

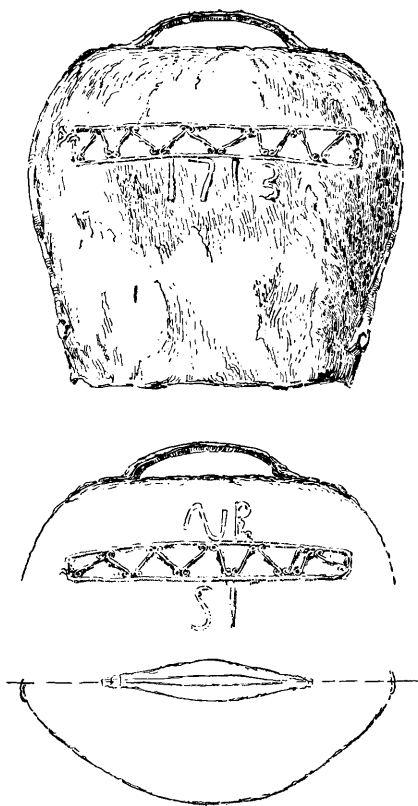
By J. RUTHERFORD of JARDINGTON.

## METEOROLOGICAL OBSERVATIONS TAKEN AT JARDINGTON, NEAR DUMFRIES, IN 1920.

Lat., 55° 4' N. ; Long., 3° 36' W. ; Elevation, about 50 feet above sea level.

SELF. R. THERMOMETERS. IN SCREEN, 4 FEET ABOVE GRASS.											
MAXIMUM.						MINIMUM.					
Highest in the Month.	Lowest in the Month.	Daily Mean.	Highest in the Month.	Lowest in the Month.	Daily Mean.	Highest in the Month.	Lowest in the Month.	Daily Mean.	Number of Days at or below 32 deg. in the shade.	Number of Days at or below 32 deg. on the grass.	Lowest Temperature on the Grass.
Deg.	Deg.	Deg.	Deg.	Deg.	Deg.	Deg.	Deg.	Deg.	Days.	Days.	Deg.
Jan. 53	37	44.52	48	24	32.77	41.14	22	22	11	23	22
Feb. 55	38	47.14	45	23	35.52	41.33	18	25	6	18	25
Mar. 58	42	49.39	45	24	36.39	42.59	16	19	7	16	19
April 61	44	52.79	45	28	37.7	45.24	10	23	6	10	23
May 76	50	59.29	56	31	44.19	51.79	3	30	1	3	30
June 89	60	67.67	57	38	48.40	58.03	..	35	..	..	35
July 67	61	63.71	58	40	51.20	57.45	..	38	..	..	38
Aug. 74	57	64.90	57	39	48.19	56.54	..	39	..	..	39
Sept. 69	55	62.47	56	34	45.90	55.19	..	34	..	..	34
Oct. 68	52	53.81	55	25	39.55	49.18	9	26	9	9	26
Nov. 58	43	50.33	53	20	38.87	44.00	5	18	5	8	18
Dec. 53	30	43.44	47	19	31.68	37.56	17	18	20	20	18
									62	107	44.46
									240		

44.46 in. of Rain is 5.01 in. above the Mean recorded here during the last 27 years.



HAND-BELL  
 found at Nunfield, Dumfries.  
 (Drawn by W. J. SMITH, Architect).

See page 197.

## PRESENTATIONS.

15th October, 1920.—Rev. Robert Gillies, China Inland Mission—Pamphlet, *Plan of Proposed Union for Prayer*; T. Halliday, Dumfries,—1841.

Mrs Kidd, Edinburgh (late of Moniaive)—Case of Miscellaneous Birds.

Mr James Davidson—*Handbook to the Coinage of Scotland*, by J. D. Robertson, 1878.

Mr R. C. Reid—(1) *History of the Border Counties (Roxburgh, Selkirk, Peebles)*, by Sir George Douglas, 1898. (2) *House of Lords Manuscripts*, Vol. VI., N.S., 1704-6. (3) Copies of Letters by James Taylor (from the Patent Office).

Mrs Symons, Dumfries—(1) One Guinea Bank Note, Dumfries Commercial Bank (Gracie's Bank), 1805. (2) One Guinea Bank Note, Dumfries Banking Co., 1802.

Mr J. C. McGeorge, Nunfield—A Bell recently found at Nunfield under about three feet of soil (exact site, the field on the west side of "Uplands," Edinburgh Road). The Bell, which is of the shape of a Swiss Cow-bell, measures  $7\frac{1}{2}$  inches (without handle) in height, the handle giving another inch; is  $8\frac{1}{2}$  inches long at greatest part (at mouth it is  $6\frac{1}{2}$  inches), and  $5\frac{1}{4}$  inches broad at widest part (at mouth it is  $2\frac{3}{4}$  inches). Both sides are decorated with a scroll pattern in relief between lines and rather irregularly worked. On the one side above scroll are letters rudely like V.R., and below S.I., while on the other side below the scroll is 1713. The tongue is still in the bell, which has a handle at top 4 inches long.

Mr Wauchope Jardine—Three Stone Implements from South Africa.

Miss Paterson, Drungans of Goldielea, Lochanhead—Holed Stone from low ground at Drungans of Goldielea, 1 inch thick,  $3\frac{1}{4}$  inches long,  $2\frac{3}{4}$  inches broad, the hole being  $\frac{3}{8}$  inch diameter, possibly a net sinker.

12th November, 1920.—Mr D. Urquhart, Dumfries—A Pestle Stone from Irongray Parish.

Mr H. C. Constable Maxwell Stewart—Four Pieces of Woodwork from Lincluden Abbey, one being a carved post or buttress-pilaster, the others flat oaken boarding showing paintings. These are accompanied by a wash drawing by the late James Barbour,

F.S.A. (Scot.), of the painting on the two larger boards, which fit together, being that of a crowned female figure. With reference to the Stalls now in the old Quier of Terregles Church, which originally belonged to Lincluden Abbey, and of which these pieces are a part, The Historical Monuments (Scotland) Commission *Report on the Stewartry* (p. 250) says:—"These stalls are of a special interest, seeing that mediæval church furniture in Scotland is exceedingly rare; but another feature of still greater rarity is a fragment of mediæval painting upon two of the boards which formed part of the infilling of the upper framework. The painting, which is much faded, has represented a figure of the Blessed Virgin Mary crowned, and clad in a robe, of which the upper part is blue, while the turnover at the hand is brown. The crown and bordering of the dress is yellow." The woodwork was removed during the general clearance of the College in 1882, and the drawing by Mr James Barbour (which we reproduce) must have been made shortly afterwards. There is, possibly, a nimbus round the head of the figure. Mr Barbour suggested that it is a representation of Princess Margaret.

The third board, which is half the length of the others, having been broken in two, has also been painted, but the design is not clearly recognisable. About the centre there appear lines which seem to represent two arches, the roadway, and parapets of a bridge, and in the foreground, on the right hand side, the steep and overhanging roof of a building. Figures have been discerned by some under the bridge arches. The purpose of other lines, clear in themselves, cannot be determined.

10th December, 1920.—Mr Robert Maxwell, solicitor, Dumfries—Wood's Plan of Dumfries, 1819.

Mr W. A. Aitken, Dumfries—Staff with silver top and band, the former inscribed "Ex dono David Douglas & Will Stourgeon," and the latter "Ex dono Jacobi Robertson, 1790." David Douglas was a wigmaker, who died May, 1766, aged 59. James Robertson, son of Andrew Robertson, wigmaker (died 24th October, 1765, aged 69), was also a wigmaker, and died 28th March, 1795, aged 52. His wife was Margaret Douglas, probably a daughter of David Douglas (M'Dowall's *Memorials of St. Michael's*). This may have been the ceremonial staff of the Wigmakers of Dumfries.

# Abstract of Accounts

For Year ending 30th September, 1921.

## I.—ON ACCOUNT OF CAPITAL.

1. Sum Invested at close of Account	..	..	..	£278	17	6
2. Donations towards Publications	..	..	..	£111	12	0

## II.—ON ACCOUNT OF REVENUE.

### CHARGE.

Annual Subscriptions	..	..	..	..	..	£122	17	6
Interests	..	..	..	..	..	14	0	0
Transactions Sold	..	..	..	..	..	1	18	6
Donations	..	..	..	..	..	3	15	0
						£142	11	0

### DISCHARGE.

Balance from last Account	—	..	..	£4	1	1	
Rent and Insurance	..	..	..	13	6	0	
Books Bought	..	..	..	4	4	0	
Stationery and Advertising	..	..	..	13	3	3	
Miscellaneous	..	..	..	8	9	4	
Transferred to Publication Account			..	3	15	0	
							46 19 2
Sum on hand at close of year	..	..	..	£95	11	10	

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