

DUMFRIESSHIRE AND GALLOWAY
NATURAL HISTORY & ANTIQUARIAN
SOCIETY.

FOUNDED 20th NOVEMBER, 1862.

TRANSACTIONS
AND
JOURNAL OF PROCEEDINGS
1936-38.

THIRD SERIES, VOLUME XXI.

EDITOR
MRS E. SHIRLEY.

DUMFRIES:
Published by the Council of the Society
1939

To

The Right Hon. The
Provoost, Scheyliss. And Remanent members
of the Conscell of the Burgh of Drumfries

The Supplisatious of your fervent John
Newall, Under teacher in your Schools of the
S. Burgh.

Humbly
sheweth

THAT your said it is not unknown to your hon. wisdoms
That I your petitioner had no farming or benefite any manner of way
But that which the Town allows me of Collary. And as for my part
of the Quarter wages, its but only agreed in the quarter. And very ill
payment is made thereof. As is notably known to some of the present
magistrats. Neither have I the benefite & priviledges of noit my self some
in my Employment had formerly, nor will I had. It would wish
to the childrens profite, nor my Credit, for it is my work and
findis to discharge my duty (under God). So far as I am able, In that
Employment to which I was called. So that I am not assitute to
Supplisate

And

Therefore please your
hon. wisdoms to take the primise to your Consideration
And Grant your suppliant what you shall think Convo-
niant for ~~me~~ to pay my house Rent. So that I
your servant may be the better In reward god to
do more my duty in your Schools in tyme coming. And
your servant shall stay your way

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EDITORIAL

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

The Editor does not hold herself responsible for the accuracy of scientific, historical, or personal information. Each contributor has seen a proof of his own paper.

Exchanges, Presentations, and Exhibits should be sent to the Hon. Secretary, Mr J. B. M'Gowan, Solicitor, Irish Street, Dumfries.

Enquiries regarding purchases of copies of *Transactions* and payment of subscriptions (10s per annum) should be made to Mr W. Dickson, C.A., 97 Irish Street, Dumfries.

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

SESSION 1936—37.

30th October, 1936.

Annual General Meeting.

Chairman—Mr R. C. REID, President.

The Annual General Meeting was held on the above date.

The President explained that at present, owing to the departure of Mr T. L. Taylor for another part of the country, they were without an Hon. Secretary, and with the approval of the meeting he would ask Mr Shirley to take the minutes. This was agreed to.

Apologies for absence were submitted from Miss Rafferty, Miss Gordon, and Mr T. L. Taylor.

The minutes of last Annual General Meeting were read and approved.

Mr Taylor's resignation was accepted.

Mr Reid moved, seconded by Mr Shirley, that a letter of thanks for their services be sent to Miss Rafferty, Mr Egarr, and Mr T. L. Taylor, the first as Hon. Treasurer, the latter as Hon. Secretaries, who had also prepared the Syllabus for the forthcoming session, and this was unanimously approved.

On behalf of the Council the following names were submitted to the meeting for approval as forming the Office-

Bearers and Council, viz.: President—R. C. Reid, Esq., Cleuchbrae, Ruthwell. Hon. Vice-Presidents — F. Miller, Esq.; Rev. J. King Hewison, D.D.; Sir Jas. Crichton Browne; Hugh S. Gladstone, Esq.; Walter Duncan, Esq.; A. Cameron Smith, Esq.; Adam Birrell, Esq.; M. H. M'Kerrow, Esq.; J. Taylor, Esq. Vice-Presidents—T. A. Halliday, Esq.; J. M'Burnie, Esq., O.B.E.; Robt. Maxwell, Esq. Hon. Secretary—Not appointed. Hon. Treasurer—Mr W. Dickson, C.A. Hon. Editor of *Transactions*—Mrs E. Shirley. Hon. Departmental Curators—Antiquities—Mr James Flett. Herbarium—Dr. Semple. Photographic Section—Mr J. P. Milligan. Members of Council—Miss A. J. Gordon, Mr Thos. Henderson, Dr. T. R. Burnett, Mr W. Dinwiddie, Mr B. M'Gowan, Mr James Reid, Mr J. Wightman, Dr. Robertson, Mr E. W. Paterson, Mrs E. Shirley.

The President formally moved approval of these, and this was agreed to unanimously.

The Treasurer's accounts were submitted by Mr Dickson for Miss Rafferty. These showed on the current account income of £111 11s 4d, including members' subscriptions, £89 10s; interest, £10 4s 10d; donations for Publications, £7; sale of *Transactions*, £4 1s 6d; balance from Excursions, 15s; Expenditure, £42 0s 1d; leaving a balance of £69 11s 3d.

The capital account showed: Invested, £353 16s 8d; Publications, £105 8s 6d; Excursions, £10; Balance at Bank, £69 11s 3d.

The accounts were approved. (A Balance Sheet will be found appended at the end of the present volume.)

The President then gave his Presidential Address, "The Barony of Urr and its Mote." This will be found on Page 11. He was cordially thanked on the motion of Mr G. W. Shirley.

This was all the business.

The Mote of Urr.

By R. C. REID.

At the beginning of the 12th century the inhabitants of Galloway — and of Scotland — still preserved a primitive social order, somewhat akin to the communal. They lived in camps or forts of various forms, of which the circular was the commonest. Beneath a somewhat shadowy and distant king must have been various grades of local chieftains. These chieftains lived amongst their own people and shared the common lot. They were a single community within their entrenched fort. And if the habitation of a chief could be in any way distinguished from those of his followers it could only have been, as far as we are aware, by the increased diameter of his hut circle. He lived amongst his people and was one of his people. That was the social structure of the days of Fergus of Galloway. Then came the Normans—or more correctly the Anglo-Normans—and gradually at first, but surely, that primitive structure was destroyed and a new social order took its place. Of that new order the Mote of Urr is the still living symbol.

Just glance at it and see what it tells us. Most of our early camps and forts are small, yet there are a few local examples as big as this site. But their entrenchments are small and insignificant compared with these mighty earthworks. The local forts denote a militant nation; but this site betokens a military power—a power that was known and feared throughout the whole of Christendom. Within these earthworks on the flat crest of the hillock was the bailey, where the followers of the Anglo-Norman resided. On the top of the mote hill, itself of artificial construction, surrounded by a palisade, stood the timber tower of the Anglo-Norman Lord. Access to the summit was by means of a ladder that could be raised and lowered, and the mote hill itself is surrounded and completely cut off from the rest of the site by a further deep ditch. Up there in the timber tower resided the Anglo-Norman Lord and his family, with perhaps a serving woman and maybe a priest. There was

no room up there for armed followers, nor were they desired. Now contrast that Anglo-Norman Lord perched aloft in solitude and—obviously—suspicion, with the local chieftain in his fort living amongst his followers and sharing their lot, their lives, their interests, and perhaps their fate, and you will recognise the great and fundamental change in the social order. A new social structure was in being, powerful, oppressive, grim. A new chapter of Scottish history was opening. The Mote of Urr is an emblem of that new order which we know as feudalism.

No one can visit this site without asking, “When was it erected? Who constructed it?” I think that answers to both these questions can be given with some confidence.

In the first place let us see what the design of this Mote can tell us. Much work remains to be done before approximate dates can be ascribed to Motes, but I think that one deduction can be made with some certainty. The mote with a bailey court attached is the earliest type. To that type belongs the Mote of Urr. The first Robert de Brus of Skelton had a charter of Annandale from David I., circa 1124. Annan was the *caput* of the Lordship. Robert erected there a mote of the bailey type, and we may be sure it was the first thing he did on taking possession of the Lordship. He is the first known Anglo-Norman in this district. At a *later* date the Bruces constructed a large Mote at Lochmaben *without* a bailey court. That is the evidence whereby priority of type can be established. We must therefore accept the inference that the Mote of Urr is an early example of a Galloway Mote.

But we cannot assume that the Normans settled in Galloway as early as 1124. Though Fergus (1136-1161) was the literal founder of several abbeys and assisted in establishing in 1154 the first Bishop in Galloway, we have no reason for thinking that he introduced Anglo-Norman settlers in any numbers. His son, Uchtred (1161-1174), married a daughter of Waldeve, Lord of Allerdale, of Anglian and not Norman stock, was, like his father, a benefactor of the Church, and took the first opportunity to slay without mercy all the

foreigners in Galloway.¹ He is not known to have inhabited a mote, and when he was murdered at the instigation of his brother Gilbert, it is recorded that the murderers beset the Isle of [], where Uchtred dwelt (Benedictus Abbas). Tradition says the isle was Loch Fergus, but, wherever it was, it was an island, not a mote. Gilbert died in 1185, and at once Roland, son of the murdered Uchtred, who had been living at the Scottish Court and was shortly to marry the heiress of Richard de Moreville, Constable of Scotland, "collected to his aid a numerous host of horse and foot and invaded the land of Gilbert (i.e., Galloway), slew all who opposed him, and reduced all that land to himself. Moreover, he slew all the most powerful and the richest men in all Galloway and occupied their lands. And in them he built castles and very many fortresses, establishing his kingdom" (Benedict Abbas). So wrote a contemporary.

This host of horse and foot collected in the Scottish Court circles of William the Lion must have consisted mainly of Anglo-Norman adventurers, many of whom were no doubt already firmly established elsewhere in Scotland. With their aid Roland had regained Galloway. He had at once to reward them, and that reward could only be given at the expense of the leading inhabitants of Galloway. Hence the chronicler says that he slew the most powerful and richest men in Galloway. That was a necessary prelude to the rewards he was due to his Anglo-Norman followers. The lands thus obtained he granted to his followers. Past experience showed that Galloway could not be held save by putting strangers in posts of dignity and authority. In the lands thus expropriated the chronicler tells us that Roland erected castles and very many fortresses. That does not mean that Roland built them himself, but that each grant to his followers contained a condition that on the land granted must be erected a strong place—or mote. So, says the chronicler, "he established his kingdom." And in doing so in the space of a twelvemonth or so he created an entirely new structure of society. He feudalised Galloway.

¹ In 1174 (*Benedictus Abbas*, I., p. 67).

If further proof of this be demanded, it will be found in an examination of the surviving documents and charters of the period. When a grant of land either to the church or to an individual was made it was the custom in those days for it to be witnessed by the leading men of the vicinity. Identification of a witness was just as important as to-day and far more difficult in those days than in our own. It was therefore desirable that witnesses should be personalities well known to everyone and not just some scrivener's clerk, such as fulfil that function to-day. Now, if the charters of Uchtred be examined it will be found that, apart from churchmen, the names of the witnesses are preponderatingly Celtic. The witnesses to Roland's charters, on the other hand, are unmistakably Norman, indicative of the new society. One example will suffice.

Uchtred granted to Holyrood Abbey the church of Colmanele and the chapel of St. Constantine, together with a carucate of land, the tithes of his "can" and court pleas and hunting rights from the River Urr to the Nith and Cluden. His witnesses included men of undoubted prominence, and were all of Celtic stock—MacMares, judex (judge, an office shortly to develop into that of sheriff); Gillecatfar, foster-brother of Uchtred; Gillecrist Mac-Gillewinin, Mactheuel, and Daniel, son of Erlenuine (Charters of Holyrood, p. 19).²

Amongst the Norman knights who helped Roland to regain Galloway must have been one foremost in court circles, Walter de Berkeley, Great Chamberlain of Scotland, and, though there is little direct documentary evidence, the reward for his services must have included a large tract of land to-day represented by the parish of Urr, for the barony of Urr can be traced through a long and confusing line of his descendants for a century and a half. To him we can ascribe the building of this Mote.

² Compare with this list of witnesses the names of the witnesses to Roland's charter to St. Bees of a saltpan in Preston, close to Southwick, where not a Celtic name appears (*Reg. of St. Bees*, p. 93).

Walter de Berkeley occupied the high position of Great Chamberlain for the long period of about 25 years. The office first appears in the reign of David I., and till 1165 seems to have been held by churchmen (see Introduction, Vol. II., Exchequer Rolls). In that year Nicolas, the Chamberlain, was appointed Chancellor, and Walter de Berkeley became Chamberlain (but see Miscellany of Scots Historical Society, IV., 329). Unfortunately during his tenure of that office his description as chamberlain is often omitted, which prevents more exact limitation. Walter was lord of the extensive manor of Inverkeilour (Forfar), and his headquarters were at Redcastle in Forfarshire.^{2a} These lands of Inverkeilour had previously belonged to the Thanes of Inverkeilour (Reg. de Arbroth, I., p. 38). He also received

^{2a} Dr W. Douglas Simpson of Aberdeen University has most kindly visited the site of Redcastle, and communicated the following report: "The site is a very commanding one with steep smooth slopes with the Bay on one side, whilst it is isolated on the other sides by natural ravines. It is an eminently suitable site for a Mote, indeed the mount is practically a natural Mote, but there is nothing that can be confidently claimed as Norman earthwork or as artificial alteration of the contours. Its main interest is its great curtain wall—quite distinctly 13th century masonry, and one of the best specimens of its kind that I have seen. In *Registrum Vetus de Arbrothoc*, No. 58, is an undated charter whereby Ingelram de Baliol confirms a grant by his predecessor, Walter de Berkeley, to the Abbey of Arbroath of Inverkeilour Church, the parish church of the Barons of Redcastle. Amongst those in his entourage who witnessed the confirmation are Master Robert, the mason of Forfar, and his son William. I think it extremely likely that these masons were then employed at Redcastle, and that the curtain wall is their handiwork. The name Redcastle is obviously due to the colour of the masonry, and as the Castle is so called (*Rubrum Castrum*) in a deed of 1283, it is a fair inference that the curtain was in existence by that time. It is thus an exceptionally well-authenticated piece of pre-War of Independence castle building. The Tower of Redcastle is later work, *circa* 1400." From this it is clear that the mason work at Redcastle is of Baliol and not Berkeley period, but it may well have been superimposed on the Berkeley site. It is significant of the Berkeley association that within the parish of Urr is a small estate named Redcastle.

from William the Lion the lands of Newton, whose locality is not recorded (*ibid.*, 329). Several de Berkeleys figure in Scotland at this period, but Walter was the most prominent and perhaps the eldest.³ They were members of a family originating in Gloucestershire, which has not received the attention of genealogists that it deserves. The Chamberlain was present at the siege of Carlisle in 1174 by William the Lion (Lawrie's Annals, p. 162), and the following year went to England as a hostage for his king under the Treaty of Falaise (*ibid.*, 195). In 1178-80 he granted to Arbroath Abbey the church of Inverkeilour (Arbroath Chart., I., 37). He married a lady named Eva, who as the widow of Robert de Quinci granted 25 acres to Melrose Abbey (Melrose Chart., I., p. 40), and left an only daughter, unnamed, married to Ingleram de Baliol.

That Walter de Berkeley was the feudal owner of the lands of Urr is proved by an entry in the Chartulary of Holm Cultram. That English house of Scottish foundation was enriched by a grant of Uchtred to the Abbey of the vill of Kirkgunzeon, which has been shown to be co-extensive with the parish of that name (D. & G., 3rd series, XIV., 201). No sooner had Roland established himself as master of Galloway than he confirmed to the Abbey his father's grant (Register of Holm, No. 121). Further, Walter, the Chamberlain, followed Roland's example and granted to Holm Cultram a part of his lands of Urr, a mere strip, it is true, but the land lay outside the vill and parish of Kirkgunzeon and definitely within the bounds of Urr (Reg. of Holm, Nos. 122 and 123). It is

³ A Roger and a Robert de Berkeley witness charters along with Walter, and may have been his brothers. A Humphrey de Berkeley granted to Arbroath the lands of Balfeir or Belphe (*ibid.*, 6), married a lady named Agatha, and had a daughter and heiress, Richenda, married to Robert, son of Warnebald (*ibid.*, 198). Roger had a son, Walter, who granted an oxgate of land in his manor of Forgand (modern parish of Forgandenny) to Lindores, c. 1230 (*Chart. of Lindores*, pp. 74-5). Roger married a lady named Margaret, and his three sons figure as witnesses—Hugh, Dovenald, and Walter.

therefore obvious that the Chamberlain owned the lands of Urr. That no Anglo-Norman preceded him as owner of Urr is established by the fact that the murdered Uchtred before his death granted to Holyrood Abbey two churches and a chapel within the bounds of Urr, namely, the church of St. Brigit of Blacket and the church of St. Colmanele with the chapel of St. Constantine of Edingham (Holyrood Charters, p. 41-2, and "The Logan Charter" on p. 54 of Vol. IV. of *Archæological Collections of Ayr and Wigtown*).⁴ Clearly Uchtred was in actual possession of Urr just before his death, and till Roland's recovery of Galloway no Anglo-Norman can have had any status there.

On the death without male issue of Walter de Berkeley his lands passed to his unnamed daughter, the wife of Ingelram de Baliol, Lord of Tours-en-Vimeu.^{4a} According to the regular ecclesiastical practice the monks of Holm asked and received from Ingelram a confirmation of the grant by Walter de Berkeley of the strip of the lands of Urr (Reg.

⁴ Sir Herbert Maxwell in this short note on one of the few surviving charters of Uchtred erroneously identifies the church of St. Brigit of Blacket with Kirkbride in Kirkmaiden. The church of St. Colmanel must not be confused with St. Colmanel of Botile (Buittle), which on 16th July, 1381, was granted to Sweetheart Abbey by Thomas de Rossy, Bishop of Galloway.

^{4a} When Mr J. Pelham Maitland of the Baliol Research Committee, Oxford, author of a valuable paper on the "Homes of the Baliols" (these *Transactions*, 1931-33, p. 235), learnt of this identification of Tours-en-Vimeu with the Baliols, he took over a survey party twice in 1937, and successfully identified the shaken-down remains of a Mote, now only a few feet high, some 800 metres east of the 15th century church of Tours-en-Vimeu, and close to the Café de la Reunion, in a field known as Champ de la Motte. Curiously enough, the lay-out of the Mote is similar to Urr. Hard by it is the site of a late mediæval castle, coeval with the church, on the edge of which are modern farm buildings. Mr Maitland's earliest reference to the place is in 1138. The Lordship of Tours was feudally subject to that of Bailleul-en-Vimeu, but prior to the 14th century nothing is known of its owners and devolution. Hugh Quieret, Admiral of France, 1320-40, is the earliest owner of Tours that is recorded in France.

of Holm, No. 124), whilst about the same date the monks of Arbroath secured from him a confirmation of the church of Inverkeilour (Chart. of Arbroath, p. 39). So it is clear that Walter de Berkeley had an only daughter who carried the whole of his estates to the Baliol family.

Ingelram de Baliol was a younger son of the second Bernard de Baliol, son of the reputed founder of Barnard Castle,⁵ and this is the first record of a Baliol in Galloway, the association of that family with the province having been considered hitherto to commence with John Baliol's marriage with Devorgilla in 1233. Ingelram was a member of a Scottish Commission sent in July, 1215, to treat with King John (*Bain* I., 111), and was alive as late as 4th March, 1239, when he witnessed a charter by King Alexander II. to Arbroath confirming the church of Inverkeithing to that abbey (Chart. of Arbroath, p. 86). His known issue was a son named Eustace,⁶ and a daughter Elen, married to William de Percy, 6th Baron of Percy (Percy Chartulary).

Eustace de Baliol, like his father, confirmed to Holm Cultram in 1244 the gift of Walter de Berkeley (Reg. de Holm, No. 147). The Abbey of Holyrood, to whom a century before Uchtred had gifted the church of Colmanele and the chapel of St. Constantine, ever regardful of its legal titles, procured from Eustace a comprehensive confirmation not only of Uchtred's gift but also of Ingelram de Baliol's confirmation of Kirkcostintyn and Kirkbride of Blaket (Holyrood Chart., p. 69). In his confirmation Eustace describes himself as *Dominus de Turribus* and son of Ingelram. Now this Latin designation when turned into modern English can be expressed as "Lord of Towers," a place

⁵ An authoritative pedigree of the Baliols has yet to be produced. This affiliation follows Surtees' *Durham*, Vol. 4, p. 57, which seems to carry the support of some entries in the *Chartulary of Whitby*, I., p. 54 n.

⁶ Dugdale states that Ingelram died without issue, which must be wrong. Crawford (*Officers of State*, pp. 253, 260) affirms that Henry de Baliol, Chamberlain of Scotland, was son of Ingelram, which is likely, but when he asserts that Ingelram was great-grandfather of King John Baliol he is clearly in error

name that cannot be identified in Scottish or Border topography, and were it not for the researches of Mr Cameron Smith on the Mowbray Family (D. & G., 3rd series, XI., 59) few would ever have thought of identifying it with Tours-en-Vimeu, some 12 miles south-west of Abbeville on the Somme. So Eustace de Baliol had inherited part of the ancient estates of the Baliols in France, which is not altogether surprising, as we know that 32 castles were feudally dependent upon the castle of Bailleul-en-Vimeu, six miles south of Abbeville, the cradle of the family and the castle of Guy de Bailleul, its first recorded Lord (D. & G., 1931/3, 236-7). Eustace de Baliol, Lord of Urr and of Tours-en-Vimeu, married Agnes de Percy, daughter of William de Percy, 6th Baron de Percy,⁷ receiving with her from her father 17 virgates of land in Foston, or Foxton, Leicestershire (Percy Chart., p. 432).

It is not known when Eustace died,^{7a} but he was succeeded by his son, Sir Ingelram de Baliol. Both are mentioned in a suit with the Master of the Hospital of the Holy Spirit at Saundon, Leicestershire, concerning a tenement in Foxton in 1270. The Master alleged that Ingelram had disseized him. Ingelram's bailiff said that the tenement did not belong to Ingelram but to his father, Eustace. Nevertheless judgment was given in favour of the Master (*Bain I.*, 2573). In 1275 Ingelram received from his mother,

⁷ If this is correct, we must assume that Agnes was a daughter of William de Percy's second wife, Joan de Briwere. The first wife being a sister of Eustace de Baliol, any daughter of hers would be within the prohibited degrees of matrimony.

^{7a} As Eustace de Turribus he witnessed in 1262 a charter by King Alexander to William, Earl of Mar (*Antiquities of Aberdeen and Banff*, IV., 698). This is the last notice of him that has been found. It is possible that the Scottish family of Towers or Touris may have some affiliation to Eustace. In 1359/60 King David confirmed a charter by William, Earl of Douglas to John de Turribus (Towers) of the lands and ferme of Rutherglen (*Holyrood Charters*, 129 and 145). John may have been the Sir John de Turribus, Knight, who was killed at Otterburn in 1388 (*Antiquities of Aberdeen and Banff*, IV., 728).

Agnes de Baliol (de Percy), a grant of her lands of Foxton for five years, which was confirmed by the English Crown (*Bain II.*, 72). In 1284 Ingelram de Baliol figured as one of the Magnates of Scotland who gave bond to receive Margaret of Norway as their Queen (*Reg. de Panmure II.*, 214), and in 1286 served on an Assize relating to the pasturage of Panmure (*Reg. de Arbroath*, p. 332). Sir Ingelram seems to have spent most of his time in France. He had omitted to render homage to Edward I. for his manor of Foston, so it was escheated, but in 1291 at the request of the King of France he was granted respite for his omission and the manor was restored (*Bain II.*, 479). He was dead by 1298/9 (*Bain II.*, 1060). During his life we have no direct evidence that he retained any connection with Urr, but from proceedings that arose after his death it is clear that he owned both Urr and Inverkeilour.

On 20th February, 1298/9, the English Crown granted to Henry de Percy, 8th Baron de Percy and 1st Lord of Alnwick, all the lands in England and Scotland which formerly belonged to the deceased Ingelram de Baliol and now devolved by hereditary right on Ingelram de Umfraville, the King's enemy and rebel (*Bain II.*, 1060, and *Percy Chart.*, p. 453).⁸ This King Edward could do with impunity, for King John Baliol's brief occupation of the throne of Scotland had terminated two years before, and the second interregnum was to last till 1306. An inquisition post-mortem followed in 1299, which found that Henry de Percy, aged 26, was kinsman and heir of Ingelram de Baliol (*Percy Chart.*, p. 454), and letters of attorney were issued to one Robert Owen to give him sasine in the manors of Urr and Redcastle (Inverkeilour).

From these references it would appear that Ingelram de Baliol died without male issue and that various relatives claimed succession. Yet he was married, for on 28th January, 1307/8 his widow, Isabella, "who remains in

⁸ His English lands included Chastrefield (Chesterfield), Dronefelda, and Leghes (*Stevenson, II.*, 367 n.).

France," was granted license to appoint attorneys in the English Courts (*Bain* III., 34).

Henry de Percy was now in possession of Urr, which in 1299 is for the first time described as a barony, whilst Redcastle in Forfarshire is called a manor (Percy Chart., p. 454, No. 1080). He at once rendered homage for the lands in the County of Leicester (i.e., Foston) that belonged to his deceased cousin, Ingelram de Baliol of Tours (*Bain* II., 1102). But there were two Scottish claimants, whose rights are by no means clear, who never got possession of Urr, but one of whom at least became possessed of Inverkeilour and Redcastle after Bannockburn. A Henry de Baliol had some unspecified right. Crawford in his *Officers of State* affirms that Henry was son of Ingelram and therefore brother to Eustace, but wrongly makes him Chamberlain of Scotland.^{8a} There can be little doubt that Henry was younger brother of Eustace. Henry must have predeceased his nephew, Sir Ingelram, or he would have been heir male to Redcastle and Urr. His daughter was, however, a Scottish heir female. But in so far as Urr was concerned her claim could be of little use during an English occupation of Galloway. So on 3rd June, 1331, Henry Fishburn (Fysseburn), as son and heir of Constance Baliol, daughter and heir of Henry

^{8a} Henry has been erroneously identified with Henry de Baliol, Chamberlain of Scotland (*Reg. de Panmure*, I., xix.). But the Chamberlain cannot have been Lord of Redcastle. He was apparently a younger son of Eustace de Baliol of Barnard Castle, and married Lora de Vallonis, daughter of Philip de Vallonis, Chamberlain, 1180-1215, and sister of William de Vallonis, Chamberlain, 1215-19. On William's death in 1219 (*Chronicle of Melrose*, p. 135), he was succeeded as Chamberlain by his brother-in-law, Henry de Baliol, who was dead by October, 1246 (*Bain*, I., 1697). Lora was not the Chamberlain's first wife, for in 1215 he had a wife called Rosanna, and a son named Henry (*Bain*, I., 632), though it is possible that Rosanna was wife of the younger Henry. By his wife Lora the Chamberlain had two sons, Alexander and Guy (Gydo), the latter of whom was dead by 1272 (*Reg. de Panmure*, II., 144).

Baliol (Balliof), granted to his overlord, Henry de Percy, all his right to the manor of Urr in Galloway and the manor of Redcastle (Rubio Castro) in Angus, and all the lands which Henry de Percy or his father has or holds in Scotland (Percy Chart., p. 454). Fishburn was an Englishman, apparently son of William de Fisheburn (*ibid.*, p. 133). This disposed of the last Baliol claims.

The other claimant was Sir Ingelram de Umfrayville, who may have derived his rights through marriage. It is not at present possible to explain what they were. Sir Ingelram in his day must have been a very important figure on the Borders. Of his antecedents we only know that he was son of an English knight, Sir Robert de Umfrayville, who must have stood high in the regard of the Scottish Crown.⁹ In 1279 King Alexander II. begged Edward I. to show favour to Sir Ingelram, who was petitioning the English Crown for his father's lands in England (*Bain II.*, 155 and 156). From 1287-94 he was in receipt of a yearly fee from Scotland varying from 20 merks sterling to £40 "silver" (*ibid.*, 325, 328, 594). He was important enough to attest King John's homage (*ibid.*, 660), and in 1296 he himself rendered homage for lands in Ayrshire (*Bain II.*, p. 199) and surrendered Dumbarton Castle to Sir James Stewart to hold for England (*ibid.*, 853). In 1287 he was warned to obey the injunctions of Hugh of Cressingham, the English Treasurer of Scotland, during the King's absence overseas (*ibid.*, 884). He must have failed to comply, for next year he was an enemy and rebel to England, and in consequence forfeited his rights to the lands

⁹ Sir Ingelram was a younger son of Sir Robert de Umfrayville of Chollerton, whose widow, Eva, c. 1274, married William de Percy. He was therefore nephew of Gilbert de Umfrayville, (English) Earl of Angus. He is said to have married an unnamed daughter and heiress of Sir Ingelram de Baliol, whose arms he assumed (*History of Northumberland*, XII., p. 100, quoting *Genealogist*, N.S., V., 24-25, and Foster's *Some Feudal Coats of Arms*, 248-9). In view of the further data collected in the text of this article, such marriage may be regarded as a certainty.

of Ingelram de Baliol which were granted to Percy (*ibid.*, 1060). In 1299 he was one of the leaders of a Scottish raid into Selkirk Forest with the object of attacking Roxburgh, and was made Sheriff of Roxburgh (*Bain* II., 1978). In September, 1301, with Sir John Soulis and a large force of Scots, he attacked Lochmaben Castle, but was beaten off (*ibid.*, 1220). Two years later he was sent as Ambassador to France (*ibid.*, 1363).

Whilst he was away in France Edward overran Scotland for a second time, and on his return Umfrayville submitted and came to Edward's peace (*ibid.*, 1574), and in 1305 had his lands in Scotland restored to him on rendering homage, except those lands once Ingelram de Baliol's, presently possessed by Henry de Percy, to which Umfrayville asserted hereditary right. He was, however, given leave to establish that right by process of law (*Bain* II., 1696). Apparently Umfrayville never made the attempt, else we would be in possession of a good deal more historical and genealogical light on the parish of Urr in the late 13th century. Thereafter Sir Ingelram de Umfrayville remained a loyal supporter of Edward. In 1307 he was at Cumnok Castle, and in receipt of a tonel of wine from Edward himself (*ibid.*, 1930 and 1958). Later in that year he was in Ayr under orders to guard that town. The following year, after the death of the Hammer of the Scots, Edward II. thanked him for his faithful service to his father (*Bain* III., 43). In 1308 he was appointed with Sir John Mowbray, joint English Warden of Galloway, Annandale, and Carrick (*ibid.*, 47). In 1309 he was called in to the Council of England, and in 1310 and 1311 was English Constable of Caerlaverock Castle (*ibid.*, 95 and 121 and 235). Early in 1313 he attended the English Parliament on Scottish affairs (*ibid.*, 303). He fought on the losing side at Bannockburn, and was at first reported killed, but was taken prisoner near Carlisle (*ibid.*, 373, 374). Later, in 1314, efforts

were made to ransom him, a William de Umfrayville going to France for that purpose (*ibid.*, 374). But the ransom cannot have been arranged, and he remained a prisoner in Scotland till 1320, when he escaped. On reaching the Border he applied for and received a safe conduct to go through England, and was welcomed with gifts from Edward II. (*Bain* III., 694, 721, p. 435) to help him over the seas, apparently to France, and as he had never left the English allegiance his lands of Elvedon in Northumberland were restored to him (*ibid.*, 721). His knighthood was seemingly a Scottish one (*ibid.*, p. 435). Later he seems to have made his peace with the Scottish Crown, for about 1325 he came to some arrangement with it. The evidence is very meagre, but the results are quite clear. He was to be allowed to return to Scotland and receive one half of his lands, whilst the other half was retained by the Crown. Accordingly Bernard, Abbot of Arbroath, Chancellor of Scotland, made the division, and Sir Ingelram secured possession of one half of the Barony of Redcastle, whilst King Robert I. granted to Sir Donald Campbell¹⁰ the other half (*R.M.S.*, 1306/1424, App. I., 76, and App. II., 451). The charter states that Redcastle had been forfeited by the late Henry Percy, which, of course, was the direct result of Bannockburn.

The rest of the history of Redcastle can be told in a few sentences. Sir Ingelram de Umfrayville must have left an only daughter, Eva, married to Sir Philip Mowbray, who was killed at Dundalk in 1318. Their son was Sir John Mowbray, Lord of Tours-en-Vimeu, formerly the possession of Eustache and Ingelram de Baliol (*D. & G.*, 3rd series, XI., pedigree facing p. 62). So it is evident that on the death of Sir Ingelram de Baliol in 1298 his French property passed to Sir Ingelram de Umfrayville, and from him to the Mowbrays. So, too, but for the Anglo-

¹⁰ Father of Sir Duncan Campbell, first of Loudoun.

Scottish wars, would have passed in all probability the baronies of Redcastle and of Urr. At some unknown date, but after 1341, Eva and her son Sir John Mowbray forfeited their half of Redcastle which was granted by the Crown to Wm. Douglas, younger (R.M.S., 1306/1424-1127). The other half of the barony of Redcastle that had been retained in 1325 in the hands of the Crown was granted, as already narrated, to the Campbells who in 1367/8 resigned it in favour of Robert Stewart of Schanbothy (R.M.S., 1306/1424-273).

We have left the barony of Urr in the English hands of Henry de Percy. As long as Edward I. was alive Percy's possession of Urr was secure. But at his death Galloway was overrun, and Buittle, Dalswinton and Caerlaverock Castles destroyed, but Galloway does not seem to have been occupied. Not till after the battle of Biland, in October, 1322, did the Scottish Crown attempt permanent occupation. In 1324 Sir James Douglas, Lord of Douglas, was granted the barony of Buittle (Reg. Hon. Morton II., 23-4). At about the same time, though the year is unknown, the Scottish Crown granted one half of the barony of Urr to Thomas Randolph, Earl of Moray, on the forfeiture of Henry Percy (R.M.S., 1306/1424, App. II., 211). Moray died in July, 1332, and within a month Edward Baliol, with English support, defeated the Guardians of Scotland at Dupplin and was crowned King of Scotland. Percy must at once have resumed possession of Urr, having just settled with Fishburn for such rights as he might claim to Urr as representing the deceased Henry Baliol. Till the death of Edward Baliol in 1363, Galloway seems to have been under English influence, and though the Percys may never have been seen in person within the parish, it is very doubtful if Urr ever rendered aught to the Scottish Crown (D. & G., 1923/4-202). It is true that David II., shortly after his return from France in 1341, made a grant of half the

lands of Urr to Sir Andrew Buttergask of that Ilk, a doughty Perthshire Knight who was Sheriff of that county in 1344 (R.M.S., 1306/1424, App. II., 840), but that may merely have been offered as an inducement to him to try and oust the Percys. We have no knowledge that the Sheriff ever made the attempt. But a few years later Archibald Douglas the Grim regained Galloway to the Scottish Crown and was created Lord of Galloway in 1369. History and record alike are thereafter silent as to what happened. Not till the forfeiture of the Douglases in 1456 does the curtain rise again and show us another picture. True to its settlement with Sir Ingelram de Umfrayville in 1325, of which we have evidence at Redcastle, half of Urr had been resumed by the Crown, and the other half was rendered available to Umfrayville. Umfrayville may have taken possession in 1324 till 1332, or his death, when his right to his half of the barony passed to Eva and Sir John Mowbray. They forfeited their half about 1341, and the Herries family must have had a grant of it, for in 1458 half of the barony of Urr was the property of John Herries of Terregles (R.M.S., 1424/1513, 668). The Crown's half of the barony was not granted to anyone at first; but was rented to various parties in small parcels for short leases. Thus in 1456 the Mote of Urr was let for a rent of 3/- (Ex. R. vi., 193), and its tenants down to 1520 were Andrew Law, Adam M'Milmuk, William Gordon, William Rerik and Patrick Sinclair of Spottes (see Ex. Rolls). Gradually the Maxwell family secured the Crown's half barony, ultimately consolidating it with the Herries half which came to them by marriage.

Hugo of Urr.

There remains one problem that has not been dealt with. When Scottish landowners rendered homage to Edward I., they were called on to append their seals to what is known as Ragman Roll, which is a long list of names. In the Galloway section occurs the name of Hugo of Urr.

Now Hugo must have had some connection with the parish. His name implies that. It has been assumed, quite naturally, that he owned the parish. But he cannot be fitted at present into the picture I have attempted to draw. It is possible, but improbable, that though he took his name from the parish, he owned land in another parish. The problem he presents has to be faced, and I would venture on a tentative suggestion. By the close of the 13th century, surnames generally had been stabilised. But I can recall one or two exceptions, even as late as Ragman Roll. I suggest that Hugo's surname had not been stabilised and that he was a member of the Baliol family. Hugo was a common Christian name in the family of Baliol of Barnard Castle. It appears in most generations. I suggest that his real name may have been Hugo de Baliol and that he may have owned Urr for only a brief period and died without issue, thus in no way interfering with the transmission of the barony which I have attempted to depict.

27th November, 1936.

Chairman—Mr R. C. REID.

Some Local Bird Problems.

By A. DUNCAN, Esq., of Gilchristland, Closeburn.

Mr Duncan spoke interestingly and informatively on problems of bird-watching, ringing, etc., and on many features of migration and bird-song, also on secondary sexual characteristics and protective colouring. Mr Duncan submitted for publication in the Society's *Transactions* "A Survey of the Heronries of Dumfriesshire and the Stewartry," compiled by himself and his brother, and this will be found on the following page.

**List of Heronries in Dumfriesshire and
Kirkcudbrightshire in 1928,**

AND SOME ACCOUNT OF THE EXTINCT
HERONRIES THERE.

By WALTER DUNCAN, M.A., M.B.O.U., F.Z.S., and
ARTHUR B. DUNCAN, B.A., M.B.O.U., F.Z.S.

Introductory Remarks.

The list of heronries that follows was made, with the assistance of many correspondents, in 1928 as part of the "British Birds" heron census. Unfortunately many counties in Scotland were not covered by the enquiry and so the Report did not include Scottish data. One of the peculiarities of the heron in this area, in fact in Scotland generally, is its habit of sporadic nesting, a trait not generally noticed in England where the birds appear much more thirled to their ancestral nesting sites.

We have thought it best to print this paper as written in 1928 and have not incorporated any data received dealing with the heronries since 1928.

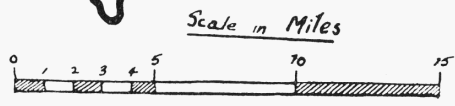
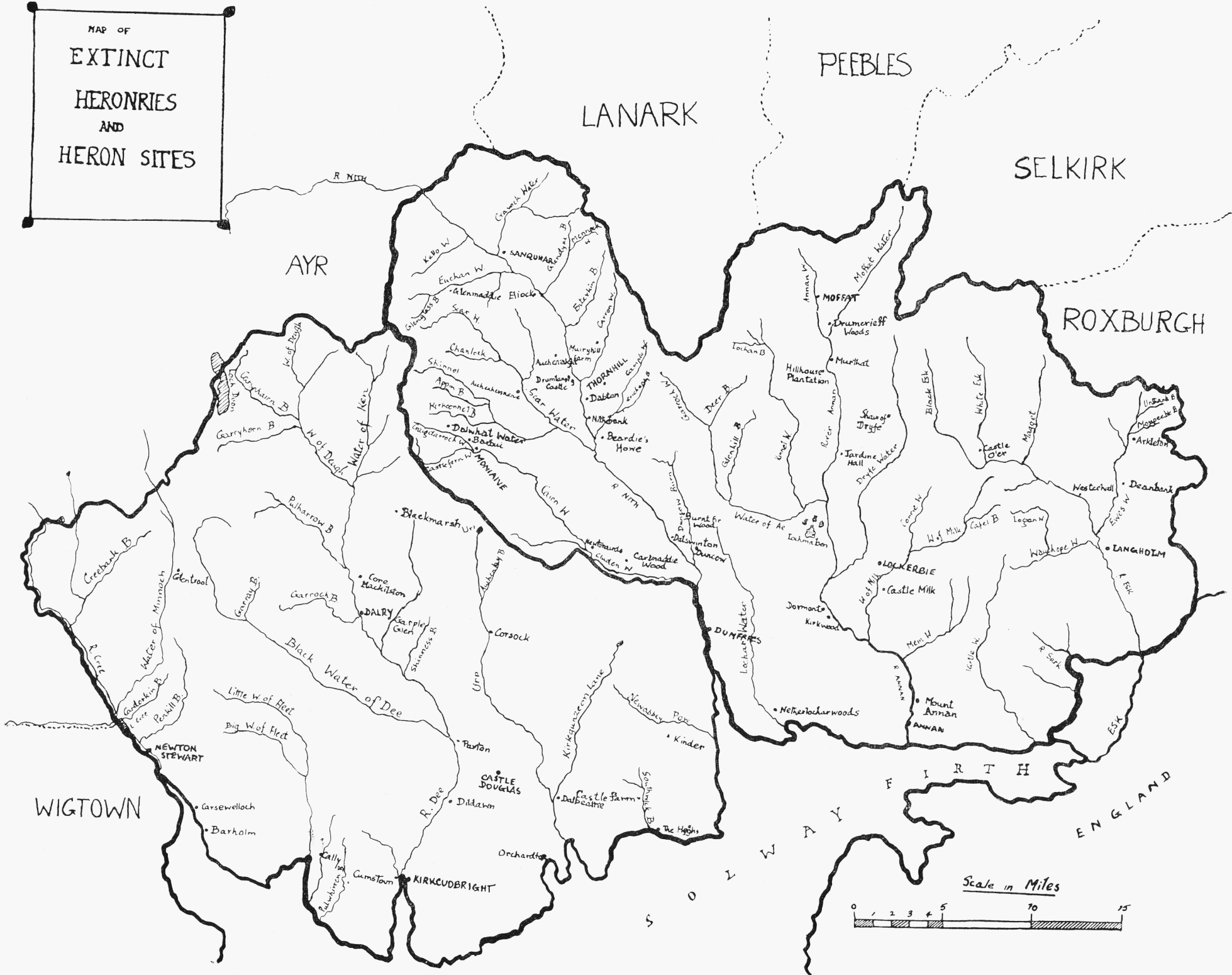
We would take this opportunity of thanking again our many correspondents for their much valued assistance.

Where the initials H.S.G. occur in brackets after a record it refers to a record taken either from *The Birds of Dumfriesshire*, 1910, or *Notes on the Birds of Dumfriesshire*, 1923, by H. S. Gladstone. To Mr Gladstone himself we are always indebted for setting our feet on the primrose path of the study of birds and constant help and advice.

(A) A LIST OF THE HERONRIES OF DUMFRIESSHIRE.

Woodcockair, Annan	...	...	...	14 nests.
Crawfordton, Glencairn	...	...	...	13 nests.
Glengaber Wood, Holywood	...	...	...	3 nests
Blackwood, Keir	...	...	...	1 nest.
Libry Wood, Kirkconnel	...	...	...	3 nests.
The Barony, Kirkmichael	...	...	...	12 nests.
Hollee Wood, Kirkpatrick-Fleming	...	...	...	1 nest.

MAP OF
EXTINCT
HERONRIES
AND
HERON SITES



Halleaths, Lochmaben	35 nests.
Crannelholm, Langholm	2 nests.
Barnhill, Moffat	4 nests.
Roundstonefoot, Moffat... ..	2 nests.

NOTES.

Woodcockair, Annan.

1908. On silver firs, four nests in 1907, usually one or two. (H.S.G., auct., W. Thorburn.)

1923. Six nests. (H.S.G.)

1928. " This heronry has been in existence since about 1908 at least; varying from two to twenty nests. They feed in the River Annan and tributaries, about one hundred yards from the heronry and two miles up and down the river. They use the same feeding places during the breeding season, and I should think that about half the number of birds are not breeding birds, but cannot say. In this district they mostly feed on fish, but it is very seldom that any herons are shot." Ian Earsman, head keeper on the Hoddom and Kinmount Estate, *in litt.*, 15.3.28.)

13th April, 1928. We visited this heronry accompanied by James Stewart, the keeper on the Woodcockair beat, and found fourteen nests, eleven on the tops of inaccessible oaks and three on beeches, to one of which A. climbed and found two young, ringed, 105516 and 105502. The heronry was obviously augmented when the herons deserted Mount Annan, when the woods were cut down during the war.

Crawfordton, Glencairn.

This heronry is situated round a pond at the back of Crawfordton House, just south of Moniaive on the left bank of the river Cairn.

This heronry seems to have existed for many years; this year there are " thirteen nests, just about the same as usual." (Miss MacMillan, *in litt.*)

The nests are built in high fir trees, and the birds feed in the river Cairn and in the wet meadows near the Cairn.

Glengaber, Holywood.

Glengaber wood is on a farm adjoining Newtonairds, about eight miles up the river Cluden from Dumfries.

1928. Three nests, usually there are only two nests, but these have been regular for many years. (N. E. Douglas Menzies, *in loq.*)

The birds feed up and down the Cluden or Cairn, which runs close to their nesting place.

Blackwood, Keir.

There has been one nest here for the last three years alternately in a beech and an oak; this year it was in the beech and entirely inaccessible. The nest is in a wood on the west side of the Nith at Auldgirth, about nine miles from Dumfries.

Libry Wood, Kirkconnel.

I visited this heronry accompanied by Mr Bone and Mr T. K. Craven, and, as I understand that they are reporting fully on it, merely mention it for the sake of completeness. (W.D.)

The Barony, Kirkmichael.

The herons nest in two woods about a mile apart, one near the east lodge of the Barony, nests being found on both sides of the Lochmaben road; and the other in a wood on the Dalfibble Flow. The birds were first noticed in 1923, when there were two nests. They increased in numbers yearly, and in 1927 there were at least twelve pairs, some of the young being in the nests as late as August. (J. Shields, *in loq.*)

13th April, 1928. We first visited the wood near the east lodge, and found two nests, in the wood on the west side of the road, in high spruces and made of spruce twigs, as are all the nests in the heronry. The first nest contained three young (105501, 105503, and 105510), and the second one in the neighbouring tree four, one of which was too small to ring (105507, 105506, and 105513).

Crossing the road we found another nest, which had not yet hatched and contained three eggs.

We then went to the wood on the Dalfibble Flow and found seven nests, two of which were in the same tree. One nest to which we climbed contained three young, which could not be reached, and the two on one tree contained respectively two young and two bad eggs, and three young. Four more nests were located, but we had not time to climb. This gives the total number of nests as ten, but there may be more.

“ There are still some young about the nests ; they have had a bad season.” (J. Shiells, gamekeeper, *in litt.*, 18th August.)

Halleaths, Lochmaben.

This heronry is situated round Halleaths Loch, one of the nine lochs of Lochmaben, on the right bank of the river Annan and about three miles north-west of Lockerbie. The proprietor, Mr John Johnstone, affords these birds the strictest protection.

1835. “ Breeds in great numbers.” (H.S.G., New Stat. Acc. Scot.)

1872. “ 15 to 20 nests on Scots firs.” (H.S.G., auct., Harting Zool.)

1908. “ 27 nests, all on high old Scots firs.” (H.S.G., auct., W. J. Halliday.)

1923. “ 20 nests.” (H.S.G.)

1928. 35 nests. (R. Grierson, gamekeeper.)

Lochmaben being the centre of a small but perfect lacustrine area, these birds have no lack of fishing ground. They also feed largely in the river Annan and its tributaries. It is a pleasure to be able to record that here the birds seem to be on the increase.

Hollee Wood, Kirkpatrick-Fleming.

1908. On rather low oak trees. In existence since about 1900; usually two nests. (H.S.G., auct., W. F. Graham.)

1923. 4 nests. (H.S.G.)

1928. 1 nest. Hollee wood is situated about five miles east of Annan. The same tree has been used for nesting in for over twenty years, and is a Scotch fir; the nest being

built of sticks of fir. The birds feed in a stream about half a mile from the nest and use the same feeding ground throughout the whole year. (W. F. Graham.)

Cranellholm, Langholm.

“ This heronry is situated on the right bank of the Esk about two miles south of Langholm. I have seen two nests, and there may have been another, but the trees are so tall and thick that it is difficult to see.” (J. H. Milne-Home, *in litt.*)

The birds feed chiefly in the Esk near the heronry. The nesting trees are spruces.

Barnhill, Moffat.

24th April, 1928. I visited this heronry accompanied by the tenant of Barnhill — Mr Little. The heronry is situated in a small wood on the right bank of the river Annan, about a mile south of Moffat. This year there were four nests, all on high Scotch pines and quite inaccessible. The heronry started at the time when the woods on the opposite bank of the river were cut down — about 1916; and then there were about six nests. The herons are harried by rooks and their eggs taken by them; they feed in the river Annan.

Roundstonefoot, Moffat.

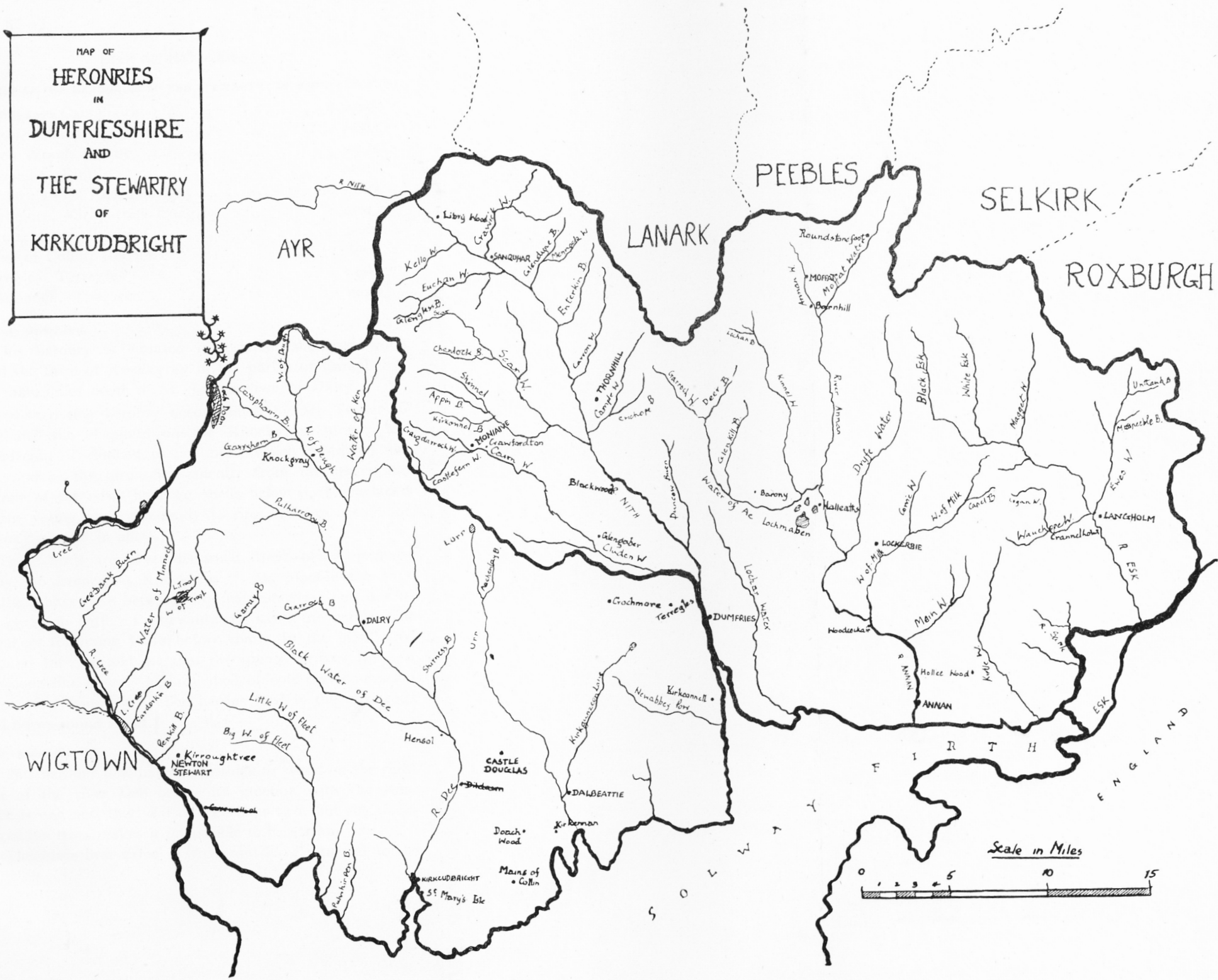
This heronry is situated in a plantation on the hillside about five miles up the Moffat Water on the left hand side of the road, going from Moffat.

1928. 2 nests. This is a decrease on last year, when there were four nests; herons have nested here since 1920, probably longer.

20th March, 1928. I climbed to a bulky nest on the top of a larch tree, on which a bird sat until I was almost at the top. The nest was empty. I visited it again on April 24th; it contained three young and one egg.

Both nests, which were on larch trees, have reared their broods successfully. The birds feed on the Moffat Water, quite close to their nests.

MAP OF
HERONRIES
 IN
DUMFRIESSHIRE
 AND
THE STEWARTRY
 OF
KIRKCUDBRIGHT



(B) A LIST OF THE HERONRIES OF THE STEWARTRY OF KIRKCUDBRIGHT

Knockgray, Carsphairn	8 nests.
Hensol, Balmaghie	2 nests.
Doach Wood, Buittle	3 nests.
Kirkennan, Buittle	1 nest.
St. Mary's Isle, Kirkcudbright	15 nests.
Crochmore, Kirkpatrick-Irongray	1 nest.
Kirroughtree, Minnigaff... ..	6 nests.
Mains of Collin, Rerrick	3 nests.
Terregles, Terregles	1 nest.
Kirkconnell, Troqueer	12 nests.

Knockgray, Carsphairn.

This heronry is situated in a small sheltered wood behind the farm of Knockgray in the parish of Carsphairn, about nine miles north of St. John's town of Dalry.

I visited this heronry accompanied by Mr Turner of Dalry and the shepherd on the Knockgray hirsell, Mr Macfadzean. I climbed to one nest, which contained five eggs, and as the birds flew silently from the others and only one of the nests had egg shells below it, I concluded that the young were not ready to ring. There are [8 or perhaps] 9 nests in all.

These birds are never disturbed, there being, perhaps luckily, no keeper on Knockgray. Mr Macfadzean says that there have been between 8 or 10 nests since he came to Knockgray in 1918. Presumably, he says, the herons had been there for many years before that. In the months of May and June he told me that the young "raked through the woods like sheep." Many died of cold and starvation—even at midsummer. The herons feed in the numerous small burns round about.

Hensol, Balmaghie.

This heronry is situated in a thick fir wood on the right bank of the river Dee before its junction with the Ken. There is one nest this year and perhaps two, but the thickness of the trees makes it impossible to be certain.

The birds first came in 1922 and have returned to the

same nest every year since. They probably came from Parton, which is just across the river. The birds feed in the river Dee and Loch Ken. (Mrs H. E. Cunninghame.)

Doach Wood, Buittle.

This heronry is on the right hand side of the road from Castle-Douglas to Auchencairn, and about a mile south of Gelston Castle, to which estate it belongs. In 1919 some birds shifted here from the other side of the road out of a wood belonging to Orchardton (q.v.). I visited this heronry on May 6th, accompanied by Mr Hopkins, the head keeper at Gelston Castle. The nests were difficult to find, as they were scattered very far apart throughout the large wood. We succeeded in finding three occupied nests, all in tall larches and all inaccessible. These birds have decreased owing to local persecution, but this has now ceased, I hope, not merely temporarily.

Kirkennan, Buittle.

Kirkennan is about two miles south of the town of Dalbeattie. Herons have had one or two nests here for about thirty years, but not quite continuously; in 1921 there was a nest about half a mile from the present one, and then there were no nests where the present one is. The present site is the one most often occupied. (Wellwood Maxwell, Esq., *in litt.*)

I visited a heron's nest here on April 30th, 1928, accompanied by Mr Wellwood Maxwell; the nest was on the very top of a high Douglas fir, beyond the Upper-garden of Kirkennan policies, that is to say, within half a mile of the Dalbeattie-Kirkcudbright main road. It contained one large young bird which I ringed, and two eggs; the youngster was evidently the sole survivor of the first brood, and the eggs (which appeared fresh) belonged to a second clutch. On the 9th of April there was one young bird and one rotten egg in it. (Auct. Wellwood Maxwell, Esq., *in loq.*)

Mr Maxwell says that he never remembers more than one pair, and cannot say definitely how long herons have been there. His nephew, Captain Kirwan, says that a pair

were there when he was a boy; this must have been in the 'nineties.

St. Mary's Isle, Kirkcudbright.

This heronry is situated on the extreme point of the isle on some tall beeches, where herons have nested since the memory of man. In 1907 there were 30 nests but in 1927 only 14 nests. (T. Hepworth Williams.)

On April 20th I visited the heronry accompanied by Sir Charles Hope-Dunbar. It was extremely difficult to count the nests but there were about fifteen; there were certainly not less than 13 nor more than 17 nests. The birds are strictly protected, but their numbers have decreased rather than increased. They feed up and down the river Dee; but in the breeding season chiefly on the rocky tidal estuary opposite, i.e., in the parish of Bogue.

Last year (1927) one heron killed a large number of Lady Hope-Dunbar's goldfish from an ornamental pond, and laid them out on the grass but did not eat them.

Crochmore, Kirkpatrick-Irongray.

1928. There is a single nest this year on the farm of Crochmore, a mile north of Shawhead village and about six miles east of Dumfries.

We have not visited the nest, but Rev. James Stewart of Terregles was told of it by Mr Hamilton, the tenant of Crochmore.

Kirroughtree, Minnigaff.

1927. 6 nests.

This heronry is in the policies of Kirroughtree House, only half a mile east of Newton-Stewart.

1928. "All the herons are back again, but the keeper has instructions to shoot some of them every year." (A. MacFarlane.)

Mains of Collin, Rerrick.

Mr Murray, head keeper at Orchardton, told us that before the war there were at least 40 pairs of herons nesting on the Orchardton estate in various woods. When the big

trees were cut down they shifted into plantations, where the trees could be easily climbed by mischievous boys, and most of the nests were "harried." Some half dozen pairs found temporary shelter in a wood on the left hand side of the Castle-Douglas-Auchencairn road. (See under Doach wood.) Others remained in Chapelcroft wood, where in 1926 there were two nests, which unfortunately did not escape the attentions of poachers. The remnant of the Orchardton herons, now only three pairs strong, are nesting this year (1928) at the Mains of Collin. I have not visited the site, but am informed that the nests are in larch trees quite close to the grave of the late Capt. Maitland Kirwan of Gelston Caste.

This part of the Solway coast is most suitable for herons, and the proprietor of Orchardton, Mr W. Herries Maxwell, gives them every encouragement.

Terregles, Terregles.

The estate of Terregles, in the parish of the same name, about two miles west of the town of Dumfries, had formerly two large heronries; the estate has now been broken up into small holdings, and the herons have this year been reduced to one nesting pair.

"In 1903 there were about 15 nests round Terregles House; the following year the birds went to augment the smaller heronry which had already been in existence for many years in the Barnhill wood; the birds, however, must have been already on the decrease as, when this wood was cut down in 1907, there were only 10 nests. Since then nesting has been sporadic; two or three pairs used to nest on Friar's island up till 1923, when the trees were felled. Another pair usually nest in Hynds Cluny wood, but they did not do so this year. Up till 1925 another pair nested in Killarney wood, and it is supposed that this pair transferred to the present site, which is in a small spinney round Kirkland pond, and where there has been a nest for the last three years. Four birds have been seen about Aikiebush this year but no nest was found."

“ The birds seem, for the first time in my experience, to have forsaken their feeding ground in the manse burn. One could formerly see them there every day; but I only see a stray bird now and then flying high, evidently making for the ponds round Terregles House.” (Reverend James Stewart, *in loq. et in litt.*)

Although we have had occasion to deplore the treatment meted out to herons by some of the less well-informed lairds in the Stewartry of Kirkcudbright, their plight on the Board of Agriculture's small holdings is hardly less pitiful. I am informed that these crofters suspect herons of eating their chickens and eggs and that “ consequently accidents happen.” This is deplorable.

Kirkconnell, Troqueer.

This heronry is situated in two woods on the estate of Kirkconnell, in the parish of Troqueer, about five miles south of the town of Dumfries and within two miles of the right bank of the tidal Nith estuary.

“ Herons have bred here since 1860, but have shifted their quarters three times owing to felling of timber. They have now bred for at least 12 years in the wood by the Carlin Loch in the centre of Kirkconnell moss, and this year, for the first time, four pairs have built in the Gibbonhill plantation at the south end of the moss.” (Colonel J. Maxwell Witham, *in loq.*)

28th April, 1928. I visited this heronry accompanied by Colonel Maxwell Witham of Kirkconnell and two intelligent lads, Jimmy and Willie Thomson, to help me climb the trees. We first went to Gibbonhill plantation. I climbed to a nest which contained three fully-fledged young. They vomited fish on me, but I succeeded in capturing and ringing them. Willie Thomson climbed to another nest which contained four eggs, and from this vantage point could see into two other nests; one with four young, newly hatched, another with three eggs. We then proceeded over the moss to the wood surrounding the Carlin loch—an artificial loch for duck fighting. The loch is now filled up very much. It certainly

could not afford a fishing ground for the herons, which feed largely on the estuary of the Nith. Here we counted eight occupied nests—the majority inaccessible, Willie Thomson climbed to two nests. One contained four eggs; the other, three full-grown young which I ringed. All the nests are on the tops of high Scots pines, and are composed of pine twigs.

Number of nests in 1928 :

At Gibbonhill plantation	...	...	...	...	4
At Carlin Loch wood	...	...	...	...	8
					—
Total	...	...	...	...	12

(III.a) SOME ACCOUNT OF THE EXTINCT HERONRIES AND HERON SITES IN DUMFRIESSHIRE.

Beardie's Howe, Shawsmuir, Closeburn.

“ They built on two old silver firs, but left when these were cut down in 1896 or 1892.” (H.S.G., auct., T. M. Brown.)

Drumlanrig Castle, Durisdeer.

1908. “ At the summit of some very tall silver firs; at one time there were six nests, now there are none. I have known this heronry for twenty years, but latterly it has been deserted.” (H.S.G., auct., J. Bell.)

Muiryhill Farm, Durisdeer.

1928. A heronry existed near the loch at Muiryhill Farm, Durisdeer, a number of years ago. The wood was cut down. I understand that the birds are not popular with the keepers, as they are apt to spoil grouse drives. (T. Harper, B.D., *in litt.*)

Dean Bank, Ewes.

1908. “ Formerly two nests on larch and fir, now deserted.” (H.S.G., auct., W. Laidlaw.)

Arkleton, Ewes.

1908. “ At one time 20 nests on firs and larches, now deserted.” (H.S.G., auct., W. Laidlaw.)

Dalwhat Water, Glencairn.

1872. "About twelve nests on firs." (H.S.G., Harting.)

1901. "Dr. Martin states that they formerly bred at the head of Glencairn, but, the trees having been cut down, they do so no longer." (H.S.G.)

Barbuie, Glencairn.

1908. "There was a single nest in a young plantation here some years ago, but none now." (H.S.G., auct., J. Corrie.)

Burnt Fir Wood, Kirkmahoe.

1876. "A solitary pair have bred for some years." (H.S.G., auct., *Dumfries Courier*, 12.9.76.)

"None since 1896, when there were four nests, one in Scots fir, three in beech trees." (H.S.G., auct., T. Maxwell.)

Dalswinton, Kirkmahoe.

"Situated on the island on the loch.

About 1822 only a few, but they increased greatly. As many as 150 birds have been counted at one time." (H.S.G., auct., Thomas Maxwell, October 17th, 1862.)

"In 1853, 49 nests; two on birch, three on silver fir, four on ash, four on oak, four on larch, seven on spruce, twenty-five on elm trees. Nests all placed if not on the very summit of the trees, at least as high as may be. Before the herons established themselves they had a series of severe battles with rooks." (H.S.G., auct., *Naturalist*, 1853.)

1862. "They are less numerous than they were." (H.S.G., auct., T. Maxwell, 1862.)

1874. "Thirty-two nests, mostly on ash and larch trees." (H.S.G., auct., D. Tait.)

1908. "Fourteen or fifteen nests, mostly in high old elms; some on low Scots firs fifteen to twenty feet from the ground; believed to be decreasing." (H.S.G., auct., T. Ranken, 1909.)

1909. "Only three nests." (H.S.G., auct., T. Ranken, 1909.)

1910. "Only three nests, and it is sad to have to confess that they are subjected to much persecution locally." (H.S.G.)

"Birds deserted when loch was drained." (D. Landale, *in litt.*)

1928. "I am afraid that we have rather discouraged the return of the herons on account of the trout that we put in the loch, but now I think that there are plenty of fish for everybody and we do not bother about them." (D. Landale, *in litt.*, 1928.)

Duncow, Kirkmahoe.

1908. "On high firs only a few. Have been there at least 20 years." (H.S.G., auct., Rev. W. M'Dowall, 4.6.08.)

"Left as one of their favourite trees was blown down." (J. Crabbe, *in litt.*, 17.2.28.) "They were not persecuted beyond that I occasionally climbed and took an egg or two." (J. Crabbe, *in loq.*)

Murthat, Kirkpatrick-Juxta.

1907. "Three nests for at least 80 years, left this year when the trees were cut down." (H.S.G., auct., J. Bartholomew.)

Hillhouse Plantation, Kirkpatrick-Juxta.

1908. "On tallest trees in wood; never more than two nests, usually one; they shift annually." (H.S.G., auct., J. T. Johnstone.)

1916. "The wood was cut down, previous to which there had been four to six nests." (John Henderson, *in litt.*)

(They seem to have moved to Barnhill farm.)

Dumerieff Woods, Moffat.

1872. "A number of nests." (H.S.G., Harting.)

1908. "In the tallest trees in the woods; never more than two, usually one." (H.S.G., auct., J. T. Johnstone.)

1928. "One nest about 1898, which was robbed, and another in about 1908." (W. H. A. MacDonnell, *in litt.*)

Nithbank, Morthoh.

1883. "Seven or eight nests." (H.S.G.)

1884. "Trees blown down." (H.S.G., auct., Tom Crosbie.)

Dabton, Morton.

1908. "A tall tree here was regularly resorted to, but the nest being robbed was abandoned." (H.S.G., auct., R. Armstrong.)

Auchenaicht, Penpont.

1909. "One or two pairs that used to come here to nest have of recent years been absent." (H.S.G., auct., C. Hyslop.)

Nether Lochar Wood, Ruthwell.

1908. "Three nests since 1905; on Scots firs." (H.S.G., auct., J. Harkness.)

1928. "I should not think that they nest here now." (A. E. Yates, *in litt.*)

Ellock, Sanquhar.

1888. "Heron nested here until this date, when the trees were blown down." (H.S.G., auct., W. J. Laidlaw.)

Castle Milk, St. Mungo.

1872 Appears in Harting's list.

1868. "Mr C. Sanderson, who has been keeper there since this date, never knew of this heronry." (H.S.G., 1909.)

1908. Appeared in Boyd Watt's list (!!!).

1928. No heronries in the parish of St. Mungo. (Rev. J. D. Beattie.)

Carmadale Wood, Holywood.

1926. One nest. (N. E. Douglas Menzies, *in litt.*, 27.3.28.)

Newtonalrds, Holywood.

One pair for two years about 1913 and 1914. (N. E. Douglas Menzies, *in litt.*, 27.3.28.)

Mount Annan, Annan.

1908. "Since the memory of man; sometimes as many as three nests, usually one nest in a Scots fir. From 1900 to 1902 no nests, but birds returned in 1903." (H.S.G., auct., P. A. Pasley Dirom.)

1928. Left when the woods were cut down during the war of 1914-1918. (Auct. James Stewart, *in loq.*)

Auchenhearn, Tynron.

1908. "In some years six nests; three in 1908. Have nested here about forty years, but not continuously. On very tall spruces." (H.S.G., auct., J. Currie.)

1928. The herons left when the trees were cut down during the war.

Glenmaddie, Sanquhar.

1908. Two nests, Scots firs, about thirty feet from the ground. Came in 1903. (H.S.G., auct., Thos. Ballantyne.)

1920. The herons left as the trees were cut down. (R. Dalglish, Jun., *in litt.*)

Flaskwood, Langholm.

1908. "Twelve nests; top of very high spruces. Sometimes they nest further up the Ewes, but mostly here. Have been known for the last thirty years." (H.S.G., auct., W. Haining.)

1923. "Now deserted." (H.S.G.)

Castle O'er, Eskdalemuir.

1908. "On tall spruces. Three pairs were only known to nest, say, fifty-five years ago. Nests robbed, but since then a few pairs in woods. This year, 1908, they have all congregated in one wood and have twelve nests." (H.S.G., auct., Reverend R. Bell.)

1923. "Six nests. Would appear to be a decrease although the species is zealously protected." (H.S.G.)

1928. "Mr Bell informs us that the birds ceased to breed about six years ago—1923. The cause of disappear-

ance is the ruthless shooting by neighbouring keepers, when he was absent in the East, and also to the woods becoming thinner. The nests were all in spruce trees, and consisted of spruce twigs. There was a rookery quite near the heronry but there was no squabbling. The birds fed in the River Esk chiefly on trout and frogs, but during the vole plague of 1890-93 the stomach of one shot contained a large quantity of field voles." (W. A. Bell, *in litt.*)

Westerhall, Eskdalemuir.

Sporadic occurrences. Three in the last fifteen years. Nested on the tops of broken spruces. They feed commonly on the Esk and up the larger burns. Also on the ploughed lands in winter, where they probably pick up worms and grubs. (F. Berkley Matthews, *in litt.*)

Shaw of Dryfe, Hutton and Corrie.

At Shaw of Dryfe it is recorded in 1794 that "there is a heronry where some hundreds of birds are bred yearly, and have been so, past all account of the place. The numbers of breeders do not seem to have increased in the memory of man, though they are rather protected than otherwise. They bring fish for their young, a pound weight, from the lakes at Lochmaben, eight or ten miles distant." (Stat. Acc. Scot., Vol. 12, p. 580. H.S.G.)

"The wood where the herons nested came to be called Heronbank. They ceased to nest there about 1825; and it is believed locally that they were ousted by rooks." (H.S.G., auct., Colonel W. L. Rogerson.)

Kirkwood, Dalton.

1908. "One or two nests annually ever since I can remember, and in 1908 four; three in larches, one in Scots fir." (H.S.G., auct., A. J. Steel.)

1928. The trees were blown down a few years ago, and they have not bred since then. (Colonel F. J. Carruthers, *in litt.*)

Dormont, Dalton.

1865. "I remember seeing their nests as a boy in 1865." (H.S.G., auct., R. Service.)

1926. A pair nested in a broken topped Douglas on one of the islands in the lake, and in 1927 there was probably a nest on an island in the River Annan. (Colonel F. J. Carruthers, *in litt.*)

Jardine Hall, Applegarth.

"There was a heronry at Jardine Hall in 1870, but not a large one. Mr Andrew Chapman informs me that a pair nest there annually now." (H.S.G., 1923.)

I have not seen them since 1925, and am not certain that they nested then. (Mrs Cunningham-Jardine, *in litt.*)

(III.b) SOME ACCOUNT OF THE EXTINCT HERONRIES AND HERON SITES IN THE STEWARTRY OF KIRKCUDBRIGHT.

Garpie Glen, Balmaclellan.

1927. "A solitary hen built on an old hawk's nest and sat, but did not hatch." (W. Turner, *in litt.*)

Blackmarsh, Dalry.

1926. Two nests. (W. Turner.)

1928. 18th April I visited this site, in a small wood on the farm of Blackmark between Carsphairn and Moniaive. I saw several large nests which might have been herons'. They looked old and were certainly unoccupied. Mr Turner, who accompanied me, said that keepers visiting the wood to destroy carrion crows had probably turned their attention on the herons.

Core Mackilston, Dalry.

This heronry, which is of long standing, is probably the one meant by Harting under "Dalry." (Zoologist, 1872.) Our father's butler, James Clement, tells me that he remembers this heronry as a lad, and that there were at least twenty nests. This must have been at the end of last century. The large trees were blown down and misguided zeal on the part of gamekeepers finished the rest of the herons.

The Heughs, Colvend.

1872. Harting says that a large number of herons breed along the wooded cliffs of Colvend. This must refer to the Heughs.

Mr Armistead tells me that he cannot find any tradition of heronries in this district, which he has known intimately for the last forty years.

Cally, Girthon.

1926. "Heron nested at Cally." (W. Turner, *in litt.*)

1927. "One nest at Cally." (T. Hepworth Williams, *in litt.*)

1928. "I am not aware of any herons nesting at Cally this year." (T. MacKenzie, factor, *in litt.*)

Dilidawn, Kelton.

1926. "A couple of herons suddenly made up their nest on a strip near the river Dee, where it was very quiet. They eventually reared two young ones, but I never knew the number of eggs that were in the nest, as I forbade anyone to go near. Last year (1927) I looked forward to their return, but they never came near me again nor have they done so this year." (C. Phillips, *in litt.*, 2.4.28.)

Carsewelloch, Kirkmabreck.

"Three or four pairs nested at Carsewelloch up till 1917." (Adam Birrell, *in litt.*)

Barholm, Kirkmabreck.

"There was a large heronry here in the time of my grandfather; he died in 1857." (Captain F. Wickham Weekes, *in litt.*)

"Up till 1917 three or four pairs nested in Knockdoon wood, Barholm; the herons fed principally on Cassencary ford, usually eight in number. A large rookery existed at Barholm. The rooks lived on good terms with the herons. Birds fed chiefly on small herrings and black-backed flounders. I have often examined their vomit when captured in salmon stake nets." (Adam Birrell, *in litt.*)

Corsock, Kirkpatrick-Durham.

"Till about 1918 there were a few nests at Corsock. These were destroyed as a protective measure for the fishing. (Rev. W. M. Campbell, *in litt.*)

Glen Trool, Minnigaff.

Harting gives this heronry in his list of 1872, and Mr J. G. Gordon of Corsemalzie confirms the fact that it used to exist. I have been unable to find out when it became extinct.

Kindar Loch, New Abbey.

General Brown tells us that a pair nested for some years on the island in Kindar Loch; but ceased to nest in 1925.

Parton, Parton.

"On 18th April, 1918, I saw three occupied nests in the tops of half-grown spruce, on a little wooded point on the Dee between Crossmichael and Parton on Parton House land." (J. G. Gordon, *in litt.*)

"Heron used to nest every year on this estate up till 1925, when they probably shifted to Hensol. None nest here now, but a goodly number were on the Dee this spring." (Robert Welsh, *in litt.*)

Orchardton, Rerrick.

We have given some account of this formerly very large heronry under "Mains of Collin" in our account of the existing heronries.

Castle Farm, Southwick.

"There were always about two pairs of herons nesting in spruce trees round Castle farm when I was a boy." (C. S. M'Kerrow, *in loq.*)

This must have been in the 'eighties.

Cumstoun, Twynholm.

This heronry appears in Harting and Boyd Watt's lists. Mr T. Hepworth informs us that there has been no heronry here for a considerable number of years.

NOTE ON THE LOCAL DESTRUCTION OF HERONS.

The district under consideration is heavily keptered, and in many cases, where the lairds are quite willing to offer protection to Kestrels, Owls, and Herons, the keepers in an excess of zeal destroy these birds.

There are three reasons why these birds are destroyed—owing to disturbing grouse during grouse drives, owing to damage to fish, and owing to damage to young wildfowl.

As herons habitually eat frogs, rats, mice, voles, and such small deer, it is not to be wondered at that they take their toll of young wildfowl—such as Teal and Mallard—and the keepers therefore shoot them whenever opportunity offers.

When herons fly across a grouse moor while grouse driving is in progress they frighten off the grouse in the same way as an eagle. It is for this "sin" they have been exterminated at Blackmarsh, in the parish of Dalry.

That herons do a certain amount of damage to the trout fishery nobody will deny; but at the same time it must be borne in mind that they consume large quantities of eels, which are very mischievous where young trout are concerned. Added to this that in this district the trout are small it seems both senseless and selfish to destroy these decorative birds which feed chiefly on the seldom fished burns.

The keepers would be better employed in preventing the poaching which decimates the fishing in this area. But, then, one may shoot herons with the hope of impunity, whereas it is held to be illegal to shoot poachers.

It is pleasing, however, to be able to record that at the larger heronries in the area the birds receive strict protection and appear to be on the increase.

11th December, 1936.

Chairman—Dr. W. SEMPLE.

The Maxwells of Hazelfield.

By Rev. E. W. J. M'CONNEL.

The Ring and the Tablecloth.

The following story is given in Nicholson's *History of Galloway*: "On May 15, 1568, Mary Queen of Scots arrived at Hazelfield, which belonged to a gentleman of the name of Maxwell, one of the family of Maxwell of Dundrennan. Here she partook of the evening repast, and remained during the night. In the family she observed a fine little boy, who attracted her attention to such a degree that she requested he might be allowed to sleep with her during the night. . . . Before departing for the creek from which she embarked, she acknowledged her sense of the kindness received by leaving behind her a valuable ring and rich damask tablecloth, which formed part of her slender luggage, both of which bore the royal arms. These relics were gifted by the grandmother of Mrs Anderson of Stroquhan to a house of distinction in the county."

In Strickland's *Queens of Scotland* the ring is described as a ruby one.

Mackenzie, the author of Nicholson's *History*, said he had conversed with some of the descendants of the family who had seen the ring and the tablecloth.

The occasion is well known. On May 13, 1568, the Queen, guided by John Maxwell of Terregles, called "Lord Herries," her most faithful supporter, fled after the Battle of Langside. According to the Herries Memoirs, she left Sanquhar, rested a few days at Terregles, and then sailed from a creek near Dundrennan, accompanied by Lord Herries, after which her long captivity in England began.

Another tradition, mentioned by Sir Herbert Maxwell, says that she stayed during her last night in Scotland at Dundrennan Abbey.

In a play lately running in London, the last scene showed her in a humble cottage by Solway side.

The house where she stayed is said locally to be the old two-storey farmhouse now serving as a stable in Hazelfield farmyard, on the road between Kirkcudbright and Auchencairn.

It is not known where the ring and tablecloth now are. The late Miss Jane Kirkpatrick, a granddaughter of Mrs Anderson of Stroquhan, and a depository of family traditions, thought that the ring had been given to the Maxwells either of Springkell or Terregles, and the tablecloth elsewhere.

In this paper I trace back the families in whose keeping these relics were, and also give a few details of interest about some families with whom they inter-married.

These histories, as Hugh Walpole shows, are a mirror of human life. They show the differences of political and religious opinion within families, the national love of litigation, especially among relatives, the value put upon ladies of property as possible wives, and many other characteristics of the human race in all ages.

Lucia Maxwell.

The Mrs Anderson mentioned in Nicholson's *History* is the one described by Thomas Carlyle as "one of the most estimable Scottish ladies and mothers I have ever seen."¹ She was the granddaughter of Lucia Maxwell, heiress of Hazelfield. Lucia had three sisters—one married to James M'Gowan, shoemaker, the last inhabitant of Maclellan's Castle at Kirkcudbright; a second to John Cannon of Barlochan; and a third to Robert Fergusson of Hallhill, whose daughter married Robert Welsh of Craigenputtock.

Lucia, like other heiresses in our story, was married twice. Her first husband was Roger Aitken of Auchenhay (Colvend). I found in Colvend Churchyard, hidden under moss, the gravestone of John Aitken of Auchenhay, who was fined £360 Scots for non-conformity, and died in 1662.²

¹ For Maxwells of Orchardton, see Fraser's *Book of Caerlaverock*; Johnstone's *Historical Families of Dumfriesshire*, 206.

² Woodrow's *Hist.*, I., 278.

Under his name were the letters C.A.M. and another. I thought at first that this stood for "Cujus animae misereatur Deus," a strange prayer for a Covenanter, but on looking closer the last letter appears to be an R. It stands, no doubt, for Catherine Murray, who was married to John's son, Roger. She was the daughter of Charles Murray of Barnhourie, who married the heiress of Cowhill, and afterwards took the name of Maxwell. Enriched, no doubt, by this marriage, the Aitkens became owners of Fairgirth and Ryes.³ Roger, having married into a non-Covenanting family, thought well to make the submission to the Government which his father had refused. In 1684, therefore, he took the test at Kirkcudbright. Kneeling with hands uplifted, he repeated the appointed words after the officer of the court.⁴ Lucia's mother-in-law was a daughter of James Glendonyng of Mochrum, and, I suppose, granddaughter of William of Mochrum, provost of Kirkcudbright, who, Nicholson tells us, was M.P. for the Kirkcudbright burghs, and Commissioner for Scotland to treat with Charles II. in 1649, but was arrested by Cromwell at Gravesend when on the point of sailing for Holland, great-granddaughter also of Roger, who, as a young gallant in scarlet and silver lace, new come home from his travels, was bidden by Mr Welsh, minister of Kirkcudbright, to change his garb and way of life, and betake himself to the study of the Scriptures, so as to be his successor in the ministry of Kirkcudbright, which came to pass in 1602. In 1633 he was imprisoned for persisting in preaching after deposition. He was then 79 years of age.⁵

But to return to Lucia. She had a daughter, Lucy, who married James Finnan, minister first of Colvend and then of Irongray. Their daughter, Jane, married Robert Anderson of Stroquhan. Lucia also had another daughter (though

³ *Gen. Reg. Sasines*, 1685, 1710-1719; R. Glendonyng's *Protocol Book*, 1670; M'Kerlie (Fairgirth, etc.).

⁴ *Privy Council Reg.*, 1684.

⁵ Nicholson's *War Committee Minute Book*, 28; Maxwell's *Hist. of D. and G.*, 243.

perhaps a niece), Jeannie Aitken, who married Thomas Stothert of Cargen, and became ancestress of Eugenie, Empress of the French, and of the Dukes of Alva.

After Roger's death Lucia married Dr. Alex. M'Kie of Jamaica, sometime surgeon in Kirkcudbright, by whom she had a daughter who went through the form of marriage with an officer in the Dumfries militia, but found afterwards to her horror that he was already a married man.

Lucia died in 1790. Hazelfield became the property of Thomas Cairns.

Three Robert Maxwells.

Lucia's father was Robert Maxwell of Hazelfield. In 1715 Wm. Macmyn, smith in Auchencairn, complained that certain persons rifled his house by night and threatened to burn him and his children; they made several attacks on his house in the night time; they came into his forge, took away his smith's hammer and tongs, and cut his bellows, rendering them useless; then they went into his garden and plucked up all his onions, kail, and herbs, whereby and by threatening of further ruin he was in great hazard of his life, and his family of starvation. He said that Robert Maxwell, baillie of the Earl of Nithsdale for the barony of Dundrennan, was the spring of all his troubles. Nevertheless the said Robert was still steward substitute in 1716. I think I have heard that he bought and re-sold Orchardton to convenience the laird in his family difficulties.⁶

Lucia's mother was Isobel, daughter of Richard Corsane of Culdoach, provost of Kirkcudbright in 1700, against whom his son-in-law took proceedings with regard to the marriage contract. Isobel had inherited some property in Kirkcudbright from, as I suppose, an uncle.⁷

No doubt many here know all about that wealthy mercantile family, who fill so large a space in the history of

⁶ *Book of Caerlaverock; Reg. Deeds, 1706; Dumfries Sasines, II., 332; Nicholson's Hist. of G., II., 316.*

⁷ *Dumfries Sasines, VII., 61; Kirkcudbright Reg. Deeds, 1695.*

Dumfries and Kirkcudbright. I will not discuss whether they were or were not of Corsini or Italian origin. They certainly were an old Galloway family, as the prefix before their name, properly A'Corsane, shows.

Isobel was descended from Andrew Corsane of Balmangan in Senwick, husband of Janet Brown, one of the Bagbie family, who had suffered so much (they were Roman Catholics) at the hands of the Covenanters.⁸ Andrew was no doubt a son of that Andrew whose curious tombstone, removed, they say, from Greyfriars', is in St. Cuthbert's Churchyard, Kirkcudbright.

I now return to the Maxwells. Robert, the steward substitute, died in 1749. He was the son of another Robert, who died heavily in debt. This older Robert married Ann, daughter of Roger Gordon of Troquhain, by his wife Janet, daughter of Sir John Laurie of Maxwelton and his wife, Agnes Grierson.⁹ Roger Gordon was commissioner of taxes, and for raising the militia in 1662, a man of property and much engaged in litigation. The Gordons were a branch of the Lochinvar family, and had obtained Troquhain in 1466 through marriage with a Maclellan heiress. Robert Maxwell's daughter, Elizabeth, married Robert Maxwell of Blackbelly, whose grandson was the rightful heir to the Orchardton baronetcy. He was serving as a soldier in Canada when the previous baronet died, and apparently never claimed the title.

This elder Robert Maxwell of Hazelfield was the son of yet another of the same name—Captain Robert Maxwell, called in 1656 "of Balmangan," a farm in Rerrick parish, formerly part of the lands of Dundrennan Abbey, adjoining Hazelfield. In 1665 he was commissioner of excise and for raising the militia, the latter a position of delicacy and importance in so disturbed a district. The militia had long been

⁸ *War Com. Min. Book*, 8, 65, 85, 110, 155, 169; *R. G.'s Protocol Book*, 15, 22, 66, 127; *Dumfries Sasines*, VII., 61; *K. Commissory Ct. Reg.*, XXXV.; Woodrow, I., 278.

⁹ *Adam's Douglas of Morton; Nicholson's H.*, II., 14; *K. Stewartry Ct. Reg.*, 1679.

a legal body, but it was only now that it was called into use. This was on account of the movement which produced the Pentland rising in 1666. Robert Maxwell became owner of or had some interest in a great number of neighbouring lands, partly no doubt through marriage, partly through the public offices he held. He was twice married. His first wife was Katharine, daughter of Sir John Charteris, third Knight of Amisfield.¹⁰

By his first wife he had a daughter, Henrietta, who was married to John Somerville, writer in Dumfries; probably the same who was described in 1640 as "expectant minister," a title of honour reminding one of the "failed B.A." of Indian notoriety. He served the cure of Buittle for three months, but his ministrations were evidently not appreciated, for the parishioners refused to pay him any remuneration until he complained to the War Committee, who allowed him 200 merks. He never seems to have wagged his paw in his ain pulpit, but put his hand to the quill instead.¹¹

Robert Maxwell's second wife was obviously a desirable match. She was his cousin, Marie, daughter of Sir Robert Maxwell of Spottes, Hazelfield, and Orchardton. Her sister, Anne, married John, third Lord Kirkcudbright. In 1666, after the marriage, her brother, Sir Robert the younger, with his father's consent, disposed Over Hazelfield to Robert of Balmangan; and he in 1668, "for the love that he bore her," made it his wife's for her lifetime.¹² Henceforth, although the Orchardton family retained some interest in the land, he is called "of Hazelfield." Hazelfield had been part of the Abbey lands until 1560, when they were annexed to the Crown. In 1589 Hazelfield was granted to the Herries

¹⁰ *Privy C. Reg.*, 1631-1665; *Reg. of Deeds*, 1663-1666; M^rKerlie (Balmangan, Senwick, etc.); *K. Calendar of Deeds*, 1665-1674.

¹¹ *K. Sheriff Ct. Reg.*, 1694; *K. Commissory Ct. Reg.*, 1695; *War Com. Min. Book*, 57.

¹² *Reg. Gen. Sasines*, 1666-1668; *Reg. of Deeds*, 1668; *K. Sheriff Ct. Reg.*, 1698.

family, and in 1606 the whole barony of Dundrennan passed into the hands of the Murrays. In 1612 John Murray, Earl of Annandale, gave a charter, confirmed by Parliament in 1645, granting Over Hazelfield to Sir Robert Maxwell of Orchardton.

In 1674 Sir Robert gave "his brother" a tack of Dundrennan Abbey teinds.¹³ Captain Robert was in 1630 tutor to Robert Maclellan of Nunton, who was marked as an anti-Covenanter in 1647.

Captain Robert died in 1679, leaving by his second wife a young son, Robert, and two daughters, one of whom married Gilbert Brown, portioner of Nunton, and the other the Rev. Robert Moir, an Episcopalian who held cures at Girthon, Balmaclellan, and Kirkbean. At Balmaclellan Moir came into bad repute among the Covenanters for persecuting William M'Millan. At Kirkbean he was the sufferer, for in 1688 Robert Morin and others went to his house pretending to search for popish books and arms, and took away one new hat for which he had paid fourteen days before four rex dollars, a pair of new mixed stockings worth 80/- Scots, and one night cap worth 14/-.¹⁴

After Captain Robert's death, Marie Maxwell married another cousin, Samuel Maxwell of Newlaw, by whom she had three more children. Young Robert went forth of the kingdom for his education. Meanwhile the stepfather and Henrietta, the half-sister, took advantage of him. The stepfather made the boy take an oath not to revoke a bond he had entered into. Henrietta in 1695 raised letters of horning against Samuel, and also went to law with the Hazelfield tenants, as Mrs Moir, the half-sister, did also, so family affairs were not too happy.

Young Robert was, however, allowed to live at Hazelfield during his mother's life tenure, she being then, I suppose, at Newlaw.¹⁵

¹³ *K. Calendar of Deeds*, 1674.

¹⁴ *K. Calendar of Deeds*, 1679-1697; *K. Sheriff Ct. Reg.*, 1685-1688; *Gen. Reg. of Sasines*, 1679; Woodrow, IV., 122.

¹⁵ *K. Inhibitions*, III., 731.

The Forebears of Marie Maxwell.

I said that Marie was the daughter of Sir Robert Maxwell of Spottes, who was created a baronet in 1663. Sir Robert seems to have been married twice, for an interesting tombstone, now in St. Cuthbert's Churchyard, Kirkcudbright, but said to have been originally in Greyfriars', records the death in 1627 of an infant child of Robert Maxwell of Hazelfield and his wife, Isobel Corsane. Marie was, however, probably the daughter of his second wife, whom he married before 1639. She was Marion Maclellan, daughter of Robert, first Lord Kirkcudbright, whose father, Sir Thomas of Bombie, built the castle at Kirkcudbright, and is commemorated by a curious monument in the sanctuary of Greyfriars' Church. Robert Maclellan was made a peer by Charles I. in 1633, in the vain hope of thereby attaching the family to the Crown.

Sir Robert Maxwell, Marie's father, was the son of another Sir Robert of Spottes, who died in 1615, and was the "sweet Robert of Orchardton" mentioned in the ballad, "Lord Maxwell's Goodnight." He had been present when Lord Maxwell murdered the laird of Johnstone in 1608. He was twice married. One wife was Elizabeth, daughter of Sir John Gordon of Auchenreoch, and widow of Alex. Maclellan of Gelston, and the other a sister of the murdered laird of Johnstone.

He acquired Spottes in 1573, and Hazelfield, as I said above, in 1612. A curious effigy of the knight and his wife, Dame Elizabeth Gordon, is in Terregles Queir.

His father was John, Lord Herries, under whose care Queen Mary spent her last days in Scotland.

The ring and tablecloth may then possibly have been handed down by Marie's forebears; and if so, it was, I suppose, with Robert, son of Lord Herries, that Mary stayed at Hazelfield, and the fine little boy, who shared her bed, was perhaps Robert, his son, the first baronet.

The Forebears of Captain Robert Maxwell.

But there is another, and, I think, a more likely possibility. Captain Robert Maxwell was the son of Edward

Maxwell of Meikle Balmangan. By the way, Robert had an elder brother, Major Alexander, also called of Balmangan, who was readmitted as a burghess of Kirkcudbright along with a number of other loyalists in 1661. Edward's wife was Margaret Gordon. Burke says she was the daughter of John Gordon of Earlston, and therefore a descendant of the famous patriarch, Alexander Gordon of Airds, called Sandy Rough, the Protestant pioneer.¹⁶

She was the widow of John M'Naught of Kilquhanity, who died in 1612, and mother of Marion M'Naught, with whom the famous Samuel Rutherford corresponded as "loving and dear sister" and on whose name John Fullarton, whom she married, wrote a religious acrostic.

Edward Maxwell was the son of Edward Maxwell, commendator of Dundrennan, from whom he inherited the Abbey farm of Balmangan.¹⁷ His mother was Margaret, heiress of Sir Wm. Baillie of Lamington, said to have been descended from Sir William Wallace. After her husband's death Margaret was married again to Sir Wm. Livingstone, a son of Lord Livingstone, who, though a Protestant, was a loyal supporter of Queen Mary, and had accompanied her from Langside to Dundrennan. Sir William's tombstone is to be seen in the ruins of the Abbey.

Of the younger Edward's brothers, William took the name of Baillie. He acted as cautioner for Edward in 1631. John, father of Samuel, who married Marie, was of Newlaw, and Hew, called, perhaps in derision, "of Lamington," was, says Burke, a highwayman. He assaulted various people in 1615 and 1617. Possibly Edward is the Edward "of Balmagachan" who was proceeded against as a usurer in 1617. They were not, one may think, a very high-principled family.¹⁸

¹⁶ *Gen. Reg. Sasines*, 1668; *War Com. Min. Book*, 226; *K. Burgh Records*, 1661; *K. Stewartry Ct. Reg.*, 1623-1670; *Privy C. Reg.*, 1643.

¹⁷ *Privy C. Reg.*, 1617-1630; *K. Stewartry Ct. Reg.*, IV., 10, 1623; "son of Lady Lamington" (?), 1609.

¹⁸ *Privy C. Reg.*, 1617-1618; *K. Stewartry Ct. Reg.*, 1679.

Sir John Maxwell of Terregles, Lord Herries,
= Agnes Lady Herries.

MAXWELL OF HAZELFIELD.

William
5th Lord Herries.

Sir Robert Maxwell of Spottes (1573),
of Hazelfield (1612) and
Orchardton, d. 1615
= (1) Elizabeth Gordon Lady Gelston.
(2) Sarah Johnston.

Edward Maxwell,
Commandator of Dundrennan,
d. 1598 = Margaret Baillie of
Lamington who m. 2nd
Sir William Livingston.

Other issue.

Sir Robert Maxwell 1st Bart.,
created 1663, d. 1681
= (1) Isabel Corsane, with issue
Isabel, d. y. 1627.
(2) Marion McClellan.

Sir William Baillie.

John Maxwell
of Newlaw
Issue.

Edward Maxwell
of Balmangane
= Margaret Gordon.

Hew Maxwell
"of Lamington."

Frederick
1596

David.

Sir Robert M.
2nd Bt.
= Janet Gordon.

Thomas M.
of Gelston
= Elizabeth
Glendonnyng.

Hew M.
of Cuill,
= Anna Boyd.
Thomas M.
of Cuill, d. 1721
= (1) Jean Hamilton.
(2) 1720 Isabel Neilson.

Anne
= John Lord
Kirkcudbright.

Marie (1) = (2) Capt. Robert M. (1) = Katharine
= (2) Samuel of Hazelfield,
Maxwell of Charteris
Newlaw. d. 1678. Henrietta = John
Somerville.

Major Alex. M.
of Balmangane.

William.

Capt. Hew.

James.

Sir George M.
3rd Bart., d. 1720.
No issue.

Robert Maxwell of Hazelfield
= Ann Gordon. Mary = Gilbert Brown
of Nuntoun. Marion = Rev. R. Moir.

Sir Robert M.
4th Bt., d. 1729
= (1) Barbara Maxwell.
(2) Anna Lindsay.

Sir George M.
5th Bt.
of Glensinnoch.

Robert Maxwell = Elizabeth Maxwell.
of Blackbells

Robert Maxwell of Hazelfield,
d. 1749 = Isabella Corsane.

Sir Thomas M.
6th Bt., d. 1761. Sir Robert M.
7th Bt., d. 1786. William.

Robert.

Anna, d. 1777
= James McGowan.

Henrietta
= John Cannon.

Helen, d. 1773
= Robert Fergusson.

Lucia, d. 1790
= (1) Roger Aitken.
(2) Dr Alex. McKie.

Edward's father, also called Edward, was, I am afraid, not unlike his children. He was the son of John, Lord Herries, and brother of the first Sir Robert Maxwell of Spottes. Here is his record, taken largely from Dr. Christie's *History of Dundrennan Abbey*. In the middle of the 16th century the monasteries in Scotland were in a bad way. Persons not in holy orders had been appointed as lay "abbots" or commendators in order that they might draw the very considerable revenues. Preferment by intrigue, and the holding of pluralities, had brought the religious orders into contempt. At Dundrennan, as elsewhere, the number of monks had decreased until only a handful were left. In 1560 the survival of the monasteries under any form seemed doubtful, and the Chapters were glad to get, as their nominal abbot, any local gentleman who, on consideration of drawing the revenues, might be likely to shelter the poor remnant by his influence. Who was more likely to be useful in this way than a member of the loyal, religious, powerful Maxwell family, the son of the Warden of the Western Marches, and himself already rich as the son of one heiress and the wife of another?

The appointment of the Abbots of Dundrennan was vested (so says Nicholson) in the Crown. So in 1566 Edward was appointed by Queen Mary Abbot of the Cistercian monastery founded, they say, by his pious forefather, King David, in 1142. He was the last to take that title. One imagines the dispirited group of brethren in a corner of the echoing Chapter house—the anxious consultation—the whispered "This is the best that can be done." Then the door opens and in strides the prosperous Laird of Lamington in trunk hose, riding boots, and sword. They humbly rise and beg him to be their friend and patron. With protestations of piety, but movements of contempt, he takes his seat in the Abbot's empty chair. . . .

He was not long in getting to work. In 1567, with the consent of the Chapter, he handed over a great part of the Abbey lands, including Balmangan, to his brother James.

From James they passed to John, an illegitimate brother, and then back to Edward.

He also seems, after the death of certain monks, to have appropriated to himself even the small sums allowed for their maintenance. For this he got into trouble with the Crown. Being ordered to enter into ward at Blackness, he refused, and was put to the horn, but with what result we know not. He went to law with his sister-in-law Elizabeth over certain lands. He died in 1598 and was buried in Terregles queir, where his effigy may be seen by candle-light with the hand piously pointing towards the sacred letters I.H.S. Yet perhaps he saw that the case of the monasteries was hopeless, and that he might as well reap the spoil as strangers.

Although his actions as regards church property were unsatisfactory, he was, at any rate, loyal to the Queen, and like his father, signed the bond to defend her after her escape from Lochleven.

It would seem natural then that the Queen, coming by Dundrennan, under the escort of Lord Herries, should take refuge for the night with his son, the Commendator.

If Edward resided in the district his home would not be in the monastic building but in some suitable house belonging to the Abbey and not far away from it.

I incline to think, then, that Hazelfield was at that time the Abbot's private residence, and that the Queen spent there her last night in Scotland. There, too, probably Herries tried to persuade her not to cross to England. There, in her loneliness, she shared her bed with the little boy, and left behind the ring and tablecloth as a mark of her gratitude. She set sail for England on the afternoon of the 16th, and her next night was spent with the Curwens at Workington.

A Few Border Castles and Towers.

By Miss ISOBEL BEATTIE.

(Illustrated by Lantern Slides).

The Castle and Tower are the most characteristic structures of the Middle Ages. They made their place in the social and political order, which distinguishes mediæval civilisation, and with the passing of that order have become relics of the past.

The novelty of the castle and tower lies in its nature as a private residence equipped for defence.

The earliest type were timber structures upon earthworks, and down to the War of Independence most of the Scottish gentry were housed in castles of timber.

Towards the eighteenth century we find structures of clay or "brick-earths" mixed with straw, a survival of a much older time. The existence of such structures further explains the description of "a strong pele" belonging to William Armstrong of Kinmount, which "couth not be byrnt né destroyed unto it was cut down with axes."

Each castle and tower has its similarities and its differences in proportion, design and detail, and the number of vaulted apartments is no definite indication of the period. Taking a general and wide survey we may look for similar and distinctive characteristics, and interesting features in each, or, one of the following castles and towers: Castles—Closeburn, Comlongon. Towers—Lochhouse, Hollows, Fourmerkland, Repentance, Stapleton, Bonshaw, Spedlin's, Elshieshields, and Amisfield. The simplest form of plan is oblong with the ground floor apartment vaulted, lighted by narrow slits or gunloops, and used for storage.—Lochhouse. The entrance as a rule was on the ground floor, an exceptional case being Closeburn Castle, entered originally from the first floor, for protection, with an unlighted basement, accessible from the first floor. A stone staircase usually adjoins the entrance, spiral or "turnpike," and at Closeburn we find this stair contained in a ten foot wall; in less massive walls the projection is seen inside the apartments. At Amisfield we find the lowest flight of stairs straight from

the entrance to the first floor, with a turnpike leading to the upper floors, terminating in a small chamber or cap-house.

In larger castles a small room near the entrance served as a porter lodge or postern, and in some of the large towers we find a small recess, as at Amisfield.

Windows are fewest in the older buildings, and generally formed of long narrow slits to the outside, with a wide inward expansion or splay providing stone seats in the windows in upper floors.—Hollows Towers. The sanitary provision was ordinarily at the angles where the tower joined the curtain walls, or spiral tower, and sometimes small closets are to be found off a window recess as at Elshieshields and Bonshaw. In the latter a ventilation flue is carried inside the wall above parapet level with an outlet in the gable to the north.

The "pit" or prison was invariably a feature of a baronial establishment. It was entered by means of a ladder, and after means of access had been removed exit was then impossible. At Bonshaw the prison is contained in the ground floor vaulted chamber, and is ventilated by a shaft leading to parapet level.

Such places were usually provided with a ventilating shaft, but no light. They were long and narrow, and at Spedlin's Tower we find a dual prison, one being seven feet by two feet six inches wide and eleven feet high. An exceptionally generous and "attractive" example is found at "Hailes" in East Lothian, which is approximately fourteen feet by six feet wide, having a window and narrow stone benches along the walls.

Mural towers and turrets projecting from the walls are common, providing a flanking defence of the "curtain" walls.

Battlements do not last well and survivals are few and much broken, parapets divided into solids or merlons and voids known as crenelles are common. The parapet walk or "allure" was usually reached from the tower and laid with overlapping flagstones, the water being drained to spouts and thrown clear of the walls.

Originally the battlemented parapet rose flush with the walls, but for protection a projecting platform described as a "bretasche" was formed. Spaces were left open between the supporting struts through which missiles might be dropped—stones, quick-lime, and molten lead. Later the ornamental quality of a machicolated parapet became an architectural feature except in a few cases where the simple type is found, as at Stapleton, where there are two small machicolations in the solid corbel table above the entrance door. At Amisfield we find a less common example of a single machicolation in the sill of the dormer window over the entrance.

The entrance to the castle or tower was usually the weakest place, and while the portcullis was a usual defensive feature in the larger castles, its place was taken by an even more formidable obstacle, an "Iron Yett," examples of which are to be found at Closeburn and Comlongon.

The towers situated nearest the Border were subjected to cattle raiding, and were originally enclosed by a "barmykin" or pele (peel) of stone or wood, but few traces remain.

A unique example of "wache toure," known as Repentance, was fitted with a beacon and bell, and we read, "the Beaken in the firepan be kepted and never fail burn- ing so long as the Englishmen remain in Scotland." A singular type of beacon is found in the claw-like feature at the apex of the south gable in Hollows Tower, and at Elshields over the cap-house is another example.

Finally, of primary importance, comes the hall. The hall was the centre of mediæval domestic life, and in its original state served all necessities. It was situated on the first floor, a large and spacious apartment, with private apartments at one end and kitchen and stores at the other end.

The private end was occupied by the "dais," a low carpeted platform, raising the lord and his family above the other members who reclined on bracken and leaves. Everything—cooking, eating, living, and sleeping—was done

in the hall in the earlier buildings. Food was eaten with knives and hands, washing accommodation rare, and amusement was provided by the strolling minstrels. As time passed more comfort was desired and other rooms were added to the hall.

Occasionally at the dais end of the hall we find remains of traceried windows, providing a decorative feature, while at the opposite end was usually a screen in wood or stone sometimes used as a minstrels' gallery, as well as isolating the kitchen premises.

The heating of the hall was done by fireplaces in the thickness of the walls. A stone-built projecting hood carried on corbels was a feature so constructed to catch the peat and wood smoke; sometimes we find in one jamb a salt recess. The earlier examples of fireplaces are very plain and massive, but towards the fifteenth and sixteenth centuries we find carved and moulded lintels with carved and fluted shafts and ornate capitals. Examples are to be seen in Spedlin's Tower, Comlongon, and Caerlaverock.

The cooking ovens were usually vaulted, heated by whin, brooms and bracken. When the flags were hot the ashes were raked out and the bread put into the hot flags. "The grass of the field to-day is grown, to-morrow is dried by the sun and cast into the oven" (St. Matthew).

A more uncommon feature is to be found (as at Borthwick Castle)—a stone canopied wash basin providing ritual of washing before and after meals.

Finally, in surveying widely the survivals of mediæval life in the castle and tower, they are at best faint reflections of the energetic life of the period. These old dwellings are often desolate and dreary ruins, wind and weather have for centuries done their worst, and the hand of man has assisted in their destruction. The less fortunate house pigs, cows, or hens in their vaulted ground floor apartments, with rooks, ravens, and owls in more elevated quarters.

Others have fallen into the possession of sympathetic and interested owners, and retain much of their original personality.

Tapestries, woodwork, and wall paintings have vanished, and all traces of artistic habitation. It is difficult to visualise the pomp of heraldry except for a few fragments of patterned plaster, coloured frieze, and carved door, such as were found in Comlongon and Amisfield.

Round these old dwellings is an irresistible charm. The occupants were not neglectful of comfort, and when not engaged in warfare much time was spent on their preservation, and later in decorative detail.

Of the towers mentioned the most picturesque is Amisfield. In proportion and detail it incorporates most of the features previously noted. It begins with a square plan, a vaulted basement with gunloops for defence, a square tower breaks into round and rectangular turrets, there is no parapet, but the whole terminates in a beautiful and ingeniously constructed cap-house; and here heraldic panels and ornamental finishings to chimneys, windows, and gables show signs of the defensive castle and tower gradually becoming more comfortable and homely.

A series of slides made from measured drawings illustrated in plan, section, and elevation the castles and towers mentioned.

January, 1937.

[This meeting was cancelled owing to an epidemic of influenza.]

19th February, 1937.

Chairman—Mr R. C. REID.

Thomas Watling: Dumfries Painter and Convict.

By H. S. GLADSTONE.

[This paper appeared in previous volume.]

Nesting of Goosander and Willow Titmouse in Dumfriesshire.

BY O. J. PULLEN.

In this paper, with the kind permission of Mr H. S. Gladstone of Capenoch, I propose to report to the Society the record made this summer of the nesting of the Goosander (*Mergus merganser merganser*) in Dumfriesshire, although it has already been reported in the Ornithological and Natural History Magazines (see *British Birds Magazine*, No. 3, Vol. 30, pp. 88-90). It has probably nested in the county before, but this is the only well authenticated instance, and it was made through a very young pupil of Wallace Hall Academy, who brought a duckling for exhibition at the fortnightly summer meeting of the Biological Society of that school. Little did we realise how important that duckling would be when we first saw it, although I knew that all young saw-billed ducks were of interest because of the chance they presented of proving the nesting of the Goosander in Dumfriesshire.

There are two closely related saw-billed ducks which may be frequently seen diving for fish in the Nith and other rivers of Dumfriesshire, but, until the twenties of this century, they could only be seen in the autumn, spring and winter months, for they had never been known to breed in this county. They are the Goosander, *Mergus merganser merganser*, and the Red-breasted Merganser, *Mergus serrator*, and they breed in Northern Europe and Asia and come south to spend the winter, the Merganser reaching as far south as Northern Africa, the Goosander appearing commonly along the west of Scotland and Northern England. The former, however, generally haunts the seashore and the estuaries, whereas the latter is seen far up our chief rivers and even in their smaller tributaries.

“Saw-bills,” they are commonly called, and they are well-named, for their long, narrow, blood-red bills have serrated edges, a feature rare in the bird world, but obviously an adaptation which enables them to catch and hold securely the slippery fish which form the greater part of their diet.

The Goosander is the larger bird—distinctly larger than Mallard, while the Merganser is smaller than Mallard. This, however, is not a character by which they can be distinguished in the field unless Mallard are swimming with them, but the drakes in full plumage have quite distinctive markings. Both have heads which are glossy bottle-green in colour, but the peculiar crests on the necks are quite different, the Goosander having crest feathers which gradually increase in length down the neck, while the Red-breasted Merganser has long feathers at the head end of the crest, short ones in the middle, and long ones further down the neck. This gives its crest a ragged appearance when it is erected.

As Goosanders float on the waters of rivers they have characteristic upper parts with white sides formed by the white wings and white under-parts, while Mergansers have a conspicuous black and white patch on their shoulders as well as the characteristic red breast from which they get their name. Both birds swim powerfully either with the rounded back of their cigar-shaped bodies above water, or, when disturbed, with it submerged and with only their long necks standing out like periscopes above the water.

They dive easily and may remain under for as long as a minute while catching and sometimes swallowing their victims. The females in the two species are very difficult to distinguish in the field, for they have similar colouration with brown heads, grey backs, and pale under parts.

A beautiful rosy "blush" suffuses the breast plumage of Goosander drakes when living, but this soon fades when they are shot.

There is one feature on the adult birds by which they can always be distinguished in the hand—the nostrils are at about the middle of the bill of the Goosander, while, in the Red-breasted Merganser, they are near the base of the bill.

Now a note on the history of the species in the county.

In his *Birds of Dumfriesshire*, Mr Gladstone records how he made enquiries into a supposed case of the Goosander breeding in Dumfriesshire as early as 1894. The nesting

was reported in the *Dumfries Standard*, May 15th, 1895, but the two men concerned in the report differed by seven years in the dates they gave, as well as in the colour of the eggs, one saying they were bright blue and the other that they were buff. Mr Gladstone points out that both Goosander and Sheld-duck are often called "Stockannets" in Dumfriesshire and this may have been the cause of the confusion, so this early record could not be authenticated.

Then, in the *Scottish Naturalist*, 1926, p. 140, Mr Gladstone writes that a gamekeeper in Ruthwell parish frequently saw two pairs of Goosanders on the river Annan in April and May of 1926, and a female with six young ones and another female with 10 young ones later in the year. He obtained a young bird for identification in September and had no hesitation in identifying it as a young male Goosander of the year.

In *British Birds Magazine*, 23, pp. 132-133, a note by Mr E. Blezard appeared, and in it he recorded having seen Red-breasted Mergansers on the river Annan in a similar locality in 1926, and that, in 1928, he flushed a female from a typical Merganser nest with eight incubated eggs in the same part of the river. This is the first record of Mergansers nesting in Dumfriesshire, and the note contains the veiled insinuation that the Goosanders seen by the gamekeeper were, in reality, Red-breasted Mergansers.

In 1930, however, there came a very safe record of Goosanders nesting, not in Dumfriesshire, but just over the boundary in Selkirkshire. This record appears in a note in *Scottish Naturalist*, 1930, pp. 87-88, by Mr R. G. Millar, who found a nest in a hole in a tree $7\frac{1}{2}$ feet from the ground on river Ettrick above Ettrick Bridge End. Such a site is typical of Goosanders, Mergansers preferring to nest in dense undergrowth. There were three or four pairs in the district, and the editors of the *Scottish Naturalist*, who made a thorough investigation, found another nest, the eggs and down of which are now in the Royal Scottish Museum. It was in a hole three feet up an old oak immediately above Ettrick Bridge End. This, they point out, "is the first recorded occasion on which a nest of this

duck has been found south of the Forth," and they go on to show that it lends support to Mr Gladstone's 1926 record, for the duck would probably nest first on the river Annan and spread over the watershed and into Ettrickdale, just as Dr Harvie Brown found it spreading downstream and to the south and east in Perthshire. (*A Fauna of the Tay Basin and Strathmore*.—Harvie Brown.) "It is more than probable," they conclude, "that history on this occasion is repeating itself."

After this we have two interesting records. "Saw-billed ducks" bred at Cowhill on river Nith in the summer of 1930 and were identified for Mr Gladstone as Red-breasted Mergansers (*Scottish Naturalist*, 1931)—since then they have been fairly common as a breeding species—and, also recorded in *Scottish Naturalist*, 1931, we have a note by Mr Jos. Davidson, Langholm, who for a week or two in April of that year saw the male and female Goosander frequenting the river Esk at Langholm. "A gamekeeper," he writes, "told me he thought that they nested some miles farther up, but I could get no proof of this."

It was on June 18th, 1936, that the duckling was brought to me, and, attracted by its serrated beak and by the fact that the site seemed a peculiar one for a Red-breasted Merganser, I sent it to Mr Gladstone, who at once forwarded it to London to Mr H. F. Witherby. Both Mr Witherby and the Museum authorities pronounced it to be a young Goosander.

The child's guardian found the nest in the hollow at the base of a rowan tree beside the Capel Burn at Mitchellsacks in the parish of Closeburn, and, thinking the eggs to be those of a farmyard duck—there were several feeding in the river nearby—he took them home and incubated them under a hen. Several ducklings hatched, but soon died, and it was one of these which was sent to me.

I visited the site, photographed it, and sent down and feathers to Mr Gladstone, who forwarded them to London, and they were identified as undoubtedly belonging to a Goosander. Duckling and down are now deposited in the British Museum.

With this new material the ornithologists have been able to show (*British Birds Magazine*, 30, pp. 89-90) that the late Miss Meinhertzhagen was wrong when, in *A Practical Handbook of British Birds*, she stated that the nestlings of Goosander and Red-breasted Merganser were alike, for, in spite of a good deal of individual variation, there is a clearly marked brown streak below the eye on the head of the young Goosander, whereas the streak in the Merganser is shorter and fades into the general rufous colour of the sides of the head. Like the adults, too, the young ducklings may be known by the position of the nostrils on the bill, for they are just about half-way along the bill of the Goosander and are nearer the base in the Red-breasted Merganser.

Until quite recently the Willow Titmouse, *Parus atricapillus Kleinschmidti*, was called the Marsh Titmouse in Scotland, but, whereas both birds are found in England, the Marsh Tit, *Parus palustris Dresseri*, is now known to be rare in Scotland—there are no breeding records for Dumfriesshire—and all previous records of Marsh Tits must now be applied to the Willow Titmouse.

Mr Gladstone, in his *Birds of Dumfriesshire*, gives it as a "very scarce and local resident," and says that it is "undoubtedly an uncommon bird, though it may possibly often be overlooked."

In the summer of 1936 I found three nests in quite a small area of land near my house at Closeburn, and believe that if a search were made this bird would be found to be not uncommon. This is borne out by the experience of Mr Tom Johnstone in north and north-west Cumberland, for, in a note published in *British Birds Magazine*, 29, pp. 378-380, he writes that he finds a gradual increase in numbers with an extended breeding range.

Three species of Titmouse are becoming increasingly familiar to the general public, because they will come in considerable numbers to bird feeding contrivances in country and even town gardens. Two of them also find the nesting boxes commonly fixed in gardens suitable places for build-

ing their homes. The Blue Titmouse is small and has the well-known cobalt blue bonnet of feathers on its head, while the Great Titmouse is nearly as large as a house sparrow and has a black cap on its head and conspicuous white cheeks. For this reason it is often called "black-cap" locally, with resulting confusion in the records of the occurrence of the true Blackcap, which is a warbler.

The other Titmouse which is becoming generally familiar is a shier bird, and is more at home in the trees and on the floor of the woodlands than in our gardens. It is the Coal Titmouse, and is not unlike the Great Tit in appearance, for it has a black cap and white cheeks. It is smaller, however, and has a browner tinge to its body plumage and a very conspicuous white spot on the nape of its neck.

Last winter I became familiar with Willow Tits, for at that season they wander with bands of other tits through hedgerows and tree tops far from their breeding haunts. My attention was drawn to them by the very characteristic call-note they utter repeatedly—a penetrating, thrice-repeated "chaay." It is a long drawn out, somewhat harsh note which, once heard, is never forgotten. The bird is as small as a Coal Tit and brownish in general colour. Its cap has a well-groomed appearance, its straight edge passing right through the eye to well down the neck, and there is no white nape spot, so the black area is very large.

In summer I soon found the birds nesting. In fact, in my first expedition to a marshy wood near my house I found a hole in an old pine stump and, thinking it might lead to an old nest, I demolished the rotten stump and, with feelings a mixture of pleasure and remorse, found that it contained a typical Willow Tit's nest with eggs. The nest, made entirely of rabbit fur, on the recommendation of Mr Gladstone, I sent to the Rev. Jourdain, who at once pronounced it to be a Willow Tit's nest. A few days later I watched a pair excavating a nesting hole in a decaying stump in a hedgerow near my front door, but the light-coloured chips formed such a conspicuous litter at the base

of the stump that it soon fell a victim to roving nest-hunting hooligans. However, 100 yards further off, in a more secluded spot, the birds—they may have been the same pair—found another suitable stump and although the litter of chips was again conspicuous, they succeeded in bringing off a family, and I sawed off the stump to have it for exhibition to-night. (Stump with a door cut in front to expose the excavated tunnel and nest is now in the Dumfries Burgh Museum, together with another Willow Tit's nest and egg.)

It is evidently well worth while looking out for the nests of this bird, for definite evidence would then be available as to its actual status in the county. The dainty birds, too, are worth watching, and there is the additional attraction of their interesting habit of excavating their own nesting cavity in a rotten stump or branch. There is the possibility, too, of finding the Marsh Titmouse, which is similar in plumage and similar in habits, but uses a little moss in the rabbit fur of its nest. In the hand the Marsh Titmouse can be distinguished from the Willow Tit by the fact that the black feathers of its cap are glossy black instead of dull brownish-black and, as I have already pointed out, it has not been found nesting in Dumfriesshire.

Historical Relations Between Dumfriesshire and Cumberland

By W. T. M'INTIRE, F.S.A., F.S.A.Scot.

No one who examines a map of North-Western England can fail to notice the fact that the district now comprised within the boundaries of Cumberland and North Westmorland is almost completely cut off from the lands around by ranges of hills. On the east rises the wall of the Pennines; on the west the barrier of the Lake Mountains; while to the south, uniting these two bulwarks and closing up the entrance between them, is a high ridge, which, though traversed by the gorge of Tebay, Shapfell Pass, the Kirkstone Pass, and Dunmail Raise, nevertheless proves a formidable obstacle to intercourse. Invaders of Cumberland

in the past from the south or the east were compelled, as were the Romans, to make use of the difficult passes of the southern ridge, or, like the Angles, to force their way by the "corridor" up the valley of the Tyne and down that of the Irthing, or, like the Danes, make their way across the Pennines into the Eden valley over the desolate heights of Stainmore.

At one point only is there an easy entrance into Cumberland, and that is to the north, where the low-lying lands at the head of the Solway interpose no serious obstacle to communication between Cumberland and Dumfriesshire. The little River Sark, which since 1552 has been taken as the dividing line between England and Scotland, is a purely artificial boundary, and even further to the west from time immemorial the three ancient fords across the broad waters of the Solway—the Sulewath, the Stone Wath, and the Sand Wath¹—have served as an easy, if sometimes dangerous, route between the two districts.

It is only natural, therefore, that in early times there should be constant intercourse between the peoples who lived on opposite sides of what eventually was to become the Border. The Selgovae of Dumfriesshire and the Brigantes of Cumberland were alike of the Celtic race, and a relic of the intimate relations maintained between the two tribes is the existence of an old British track, which, coming from Scotland by a ford across the Esk, crossed the Eden by Etterby Wath—a ford for ever famous as that by which Kinmont Willie and his rescuers escaped after their daring exploit at Carlisle Castle. The track then turned to pass beneath the hill on which Carlisle stands, along the route now occupied by the railway, but is still to be traced on its way southwards by the line of the modern Collier's Lane.

Though the Roman occupation of the north-west of Britain and the construction of Hadrian's Wall may be said, perhaps, to have been the first beginning of Border warfare, it must be remembered that, after all, the conquering

¹ For the history of the Solway fords, see Dr G. Neilson, *Annals of the Solway*.

race established forts in Dumfriesshire. The road which united Stanwix with the forts at Netherby and Birrens, and which was continued up into Eskdale to Castle O'er, may have been intended for purely military purposes, but it seems not unreasonable to suggest that it formed a trading route for the British tribesmen, even if many of their transactions partook of the nature of smuggling. At all events it was a connecting link between the tribes.

During the obscure period after the departure of the Romans at the end of the fourth century, there were many causes which contributed to the breaking down of any racial distinctions between the peoples inhabiting the opposite coasts of the Solway and to uniting them in the pursuit of common objects.

In the first place, they had to face common enemies. Under the warrior Ryderch the Magnificent they shared in 573 in the victory of Arderydd, renowned in song by Welsh bards, where they triumphed together over the heathen King Gwendoleu. Together they opposed the invasions of the Picts and the encroachments of the Scots from Ireland. It was their joint power which fell before the invading Northumbrian Angles at the battle of Degsastan or Dawstane Burn in 605, and in alliance with the Picts and Viking adventurers they suffered in 937 at the hands of the English king, Athelstan, the disastrous defeat of Brunanburgh, the site of which battle is a matter of dispute, though Birranswark, near Ecclefechan, has been suggested, not without plausible arguments.

Secondly, both north and south of the Solway, the Celtic inhabitants were members of one political combination, the kingdom of Strathclyde, a confederation of tribes under the leadership of their Guletic (modern Welsh *Gwledig*), who in a way was the successor of the Roman Dux Britanniarum, and who derived his origin from Romano-British stock. The *Historia Britonum* gives a not very reliable pedigree of these Cumbro-British or "Caesarian" Guletics from Ceretic in the fifth century to Dunnagual or Dunmail who died in the tenth century.

The extent of this kingdom of Strathclyde varied at different times, extending in the hey-day of its power from the Clyde to the Mersey. Its capital was at first Carlisle, but after the victory of Arderydd was transferred by Ryderch to Alclud or Dumbarton. During a later recrudescence of its power in the late ninth and early tenth centuries there are indications that its last kings ruled from Penrith, where the well-known "Giant's Grave" in the churchyard seems to be a relic of its former greatness, before it finally fell before the English king, Edmund, in 945.²

A third bond between the two peoples was that of a common religious organisation. Though the account we possess of the late sixth century missionary labours of St. Kentigern and of the establishment of his bishopric at Hoddam dates from no earlier than the twelfth century, when the Saint's life was written by the monk Jocelyn of Furness, and though Bede in his *Ecclesiastical History* is silent with regard to him, the existence of a body of Christians in the neighbourhood to which the latter writer refers cannot be explained without the influence of some such teacher as Kentigern. The remains, moreover, of a monastic establishment, from which numerous cross fragments, some as early as the beginning of the ninth century, survive, shows the presence there of an important centre of culture.³ It is of significance as showing the strength of the tradition connecting Hoddam with St. Kentigern, that in the twelfth century one of the claims put forward by Bishop John of Glasgow, that Carlisle should belong to his see, was that Cumberland had been evangelised in the sixth century by St. Kentigern from Hoddam.

From the arguments set forth briefly above it would appear that up to the middle of the tenth century there was no bar of nationality to the intercourse of the peoples inhabiting the districts now known respectively as Dumfriesshire

² See article on "The Giant's Thumb" at Penrith by W. G. Collingwood in *Cumberland and Westmorland Arch. Society's Transactions*, N.S., XX., 53-65.

³ See W. G. Collingwood in *C. and W. Trans.*, N.S., XXIX., 322-324.

and Cumberland. They united together for common defence; were members of the same political combination and were bound together by religious ties.

Still closer must this connection have become when, in 945, Edmund, the English king, alarmed by the policy pursued by the leaders of Strathclyde and by their alliance with the Norse vikings—an alliance which King Athelstan had forbidden a few years before, when he met Eugenius, king of Cumbria, and Constantine, king of Scots, at Dacre in Cumberland—marched north, and after defeating Dunmail, the last Cumbrian king, granted Cumberland to Malcolm, king of Scots, on condition that he should be his ally on land and sea.⁴

Though this donation of Cumbria to Malcolm was eventually to prove a fruitful source of discord between the inhabitants of the two opposite sides of the Border, for the time, before there was any strong feeling of nationality, it must have exerted a unifying influence. It is doubtful how far the Scottish kings were able to exert their authority in England during the next hundred years. Probably they were too much occupied with the invasions and settlements of the Norse vikings during this period to make any attempt to organise the government of their new domains. At all events, when in 1092, William Rufus came north, he found Carlisle a place which had never recovered from its sack and destruction by Halfdene and his Danish host in 876—held by Dolfin, the son of Gospatric. That is to say, Carlisle was held for the Scots, for Gospatric, the powerful English Earl of Northumbria, had quarrelled with William the Conqueror and betaken himself to the court of Malcolm Canmore, king of Scotland, who gave him the Earldom of Dunbar and probably appointed his son Dolfin to the command of Carlisle.

Rufus annexed to England Carlisle and the land previously held by the Scots, but this action does not appear to have raised any impassable barrier between the inhabitants of this part of the borderland. When in the reign of Henry

⁴ *Anglo-Saxon Chronicle*, under the year 945.

I. Ranulf le Meschyn, the organiser of the newly acquired territory of the "land of Carlisle," commenced the formation of the various baronies into which that territory was divided, he appointed Turgis Brandos, baron of Liddel. The new lord's domains never extended beyond the Liddel and Esk, and were hemmed in, on the north by the land of Liddisdale belonging to Ranulf de Soulis, and on the north-west by the land of Eskdale, including Canobie and Kirkandrews-on-Eden (then part of Scotland), belonging to Turgis de Rossedale. Both these lords came from England, being among the number of the Normans whom David, Earl of Northumberland, afterwards King David I. of Scotland, had brought into his domain to aid him in the organisation of his government. It is evident that all these three land-owners must have possessed common interests.

In the newly formed barony of Allerdale, too, the Scots had influence, for William de Meschyn, its first baron, granted to Waldeve, second son of Gospatric, Earl of Dunbar, all the land between Cocker and Derwent. It is to be remembered also that it was perhaps only the untimely death of William de Meschyn's grandson in the waters of the Strid, which prevented the house of the barons of Egremont from ascending the Scottish throne; for the boy's father was William fitz Duncan, Earl of Murray, nephew to King David I.

Gospatric, moreover, recovered influence in Cumberland. There exists at Lowther a most interesting charter in Anglo-Saxon, granted by him to a certain Thorfynn MacThore, "to be in all things that are mine in Alnerdale as any man may be, either I or any of my servants, in regard to open land, forest and enclosed land and with all things that are there found on the earth or under as far as Shank and Waver and Wampool and on the open land at Caldbeck. And I will that the men that remain with Thorfynn at Cardew and Cumdivock be as free together with him as Melmor and Thore and Sygolf were in Eadrid's days, etc."⁵

⁵ See text and translation of this charter in *C. and W. Trans.*, N.S., XVII., 207-209.

The two districts became still more closely associated when in 1136 King David I. of Scotland seized Carlisle, retaining possession of that city and the surrounding country until his death in 1153.

This close connection is illustrated, firstly, by the history of the religious houses of Cumberland. Holm Cultram Abbey was founded by Alan fitz Waldeve, lord of Egremont, whose father, as we have already seen, had Scottish connections. In 1150 the charter was confirmed by Prince Henry, son of David I., who granted the abbey the remaining two-thirds of the Holm, the other third having been already granted by Alan fitz Waldeve. The abbey was first "colonised" by monks from Melrose, and maintained cordial relations with its mother house for long afterwards.

It became possessed, moreover, of many lands and other properties in Dumfriesshire and Galloway. From Huctred fitz Fergus, Lord of Galloway, it received an early lease of Kilwinny, now in the parish of Kirkgunzeon, and from his son Roland a saltwork at Southernness and a fishery at Southwick. Robert and Euphemia de Brus granted the monks the fishery at Tordiff on the Solway and wayleaves, probably to enable them to obtain access to the land granted them at Conheath and Caerlaverock in Dumfriesshire, land which they were afterwards forced to relinquish owing to the objections raised by Dundrennan Abbey.

Moreover, we find Holm Cultram's first abbot, Everard, witnessing a charter of Huctred fitz Fergus, Lord of Galloway, granting land in Troqueer, near Dumfries,⁶ and in the list of his fellow-witnesses occur also the names of his prior, Robert, and his cellarer, William. He was, moreover, a witness of William the Lion's grant to Jedburgh at Peebles.⁷

The register of Holm Cultram contains repeated references to the Dumfriesshire and Galloway possessions of that house, and there must have been frequent comings and

⁶ See Edgar's *Dumfries*, edit. R. C. Reid, 218 f.

⁷ *Register of Holm Cultram*, 121.

goings between Cumberland and Dumfriesshire, as, for instance, when somewhere between the years 1174 and 1186 Abbot Everard went to beat the bounds of Kirkwinny with Christian, Bishop of Candida Casa, and Huctred fitz Fergus.⁸

Traces of a similar connection with Dumfriesshire are to be found in the register of Wetheral priory.

For instance, as Earl of Northumbria, David, at some date between 1107 and 1124, granted to the priory the following charter: "To all who see or hear these letters Earl David Salvation. Know that I have granted to God and to Holy Mary and the Abbey of York in pure alms the vill which is called Karkarevill and the church of the same vill which Robert de Brus gave to the same abbey for my own and my wife's salvation and for that of the souls of my father and mother and of all faithful departed. Farewell."⁹

Karkarevill, a place which it seems impossible to identify, was probably in Annandale. There was a Kirkonevill in Galloway.

Among the names of witnesses to charters of this period in the register are the names of many Dumfriesshire men; for instance, those of Odard of Hodelm (Hoddam), and of John, Richard, and William de Heriz.

In another charter David, as King of Scotland, grants the priory one mark of silver yearly out of the rent of his mill in Scotby, near Carlisle, and the tithes of the vill of Scotby.

William de Heriz, one of the witnesses of Prince Henry's charter to Holm Cultram, was also a benefactor of Wetheral, to which he granted land in Cumwhinton.

It is much to be regretted that the transcript of the Lanercost register has not yet been printed. It must surely contain much valuable information upon the subject of the present paper.

As it is, the fact that at the foundation of the priory

⁸ *Register of Holm Cultram*, 49.

⁹ *Register of Wetheral*, edit. Prescott, Charter No. 106.

in 1169, during the troublous times in the Carlisle diocese after the death of Adelulf, the first bishop, the consecration of the church was performed by Christian, Bishop of Candida Casa, is illustrative of the close relations existing between Cumberland and Scotland.

Nicolson and Burn, moreover, in their *History of Cumberland*,¹⁰ tell us that William de Ireby granted common of pasture to the priory upon the mountains belonging to the townships of Gamelsby and Glassonby, and that this grant was confirmed by Robert de Brus, Lord of Annandale, a proof that the Bruces possessed property in the heart of Cumberland.

The same writers state that Lanercost priory "had divers lands in Scotland, given by several benefactors."

We can imagine, too, that the priory of St. Martin at Canonbie, about which, unfortunately, we know so little, and which was claimed for England by Henry VIII., must have been in its early years an agency for bringing together the peoples of Dumfriesshire and Cumberland.

Besides the religious bond between the two peoples during the twelfth and thirteenth centuries was that created by the policy of David I. of granting lands to Anglo-Norman followers. These new-comers into Dumfriesshire had interests also in England, sometimes in Cumberland itself.

An instance of such a two-fold interest is the career of Thomas of Workington, a descendant of the Englishman Ketel, whose "motte" castle is still to be seen at Kendal in Westmorland. Ketel's son, Orm, married a daughter of Gospatric, Earl of Northumbria, and his son was named Gospatric after his grandfather. This Gospatric, who surrendered in his old age Appleby Castle to William the Lion, when the latter invaded England in 1174, was the father of the Thomas referred to above.

Thomas of Workington was one of the strangers brought to Scotland by King David, who rewarded him for

¹⁰ Vol. II., p. 498.

his services with the gift of the land of the heirs of Culwen (Colvend on the Solway), and on his subsequent return to England Thomas assumed the name of de Culwen, afterwards modified to Curwen. Thus originated the family of Curwen, who reigned at Workington Hall for over 700 years.

One might mention also Hugh de Morvill, who became an important servant of the Scottish king and the founder of Dryburgh Abbey. When William the Lion invaded England he met with but little resistance from Hugh de Morvill, the first-named Hugh de Morvill's grandson, who evidently sympathised with the Scottish rule in the "land of Carlisle," which had been swept away by the English king, Henry II. It was for his failure to offer a more strenuous resistance to the Scottish king, and not for his share in the murder of Thomas Becket, that de Morvill was deprived of his sheriffdom of Westmorland and other honours.

Something has already been mentioned with regard to the Bruces of Annandale and their benefactions to the religious houses of Cumberland. It must be remembered that both the grandfather and the father of Robert Bruce, the patriot king, were sheriffs of Cumberland, and that his father was buried in Holm Cultram Abbey, where one of the surviving monuments is conjectured to be his.

The de Heriz family, as has been already recorded, were benefactors of Wetheral Priory and were interested in the affairs of Cumberland, while the Baliols of Barnard Castle had many connections with England. It is almost needless to remind the reader of the great part played by Devorgilla Baliol, the foundress of Sweetheart Abbey, in the history both of Cumberland and Dumfriesshire. Eustace de Baliol in the thirteenth century was sheriff of Cumberland, married Helwisa, the daughter of Ranulph, lord of the Cumberland barony of Levington, and owned considerable property in Cumberland. Edward Baliol, the "Usurper," also had lands in Cumberland. Another family who had connections with Cumberland was that of the Carlyles, who rose to the peerage of Torthorwald and to a marriage alliance with the

royal house of Bruce. Other families of Dumfriesshire whose members founded branches in Cumberland at an early date were those of Carruthers, Fleming, Kirkpatrick, and Maxwell.

It is interesting, too, to remember some of the lands in Cumberland and Westmorland which till well into the thirteenth century were under Scottish control. Thus the Veteriponts held their lands in Tindal and around Alston of the king of Scotland. When an ancient boundary stone on Hartside was raised in 1929, beneath it was found a silver penny of Alexander III.¹¹

Another instance of Scottish influence in Cumberland is shown in a charter of 1347, preserved at Lowther, granted by Edward Baliol to John de Denton. In this charter the king grants and confirms to "our beloved servant John de Denton for his good and praiseworthy service, given and to be given, the forest of Garnery which with all its belongings was possessed by William, bishop of Glasgow, an enemy and rebel against us, and which by forfeiture of the same bishop came into our hands, etc."¹²

Yet another proof of the extent of the lands in Cumberland and Westmorland which owed Scottish allegiance is a charter of Alan, son of Roland, Lord of Galloway, in which he grants to John de Newbigging "the whole of the three parts of all the land which is between the Troutbeck and the boundaries of Sowerby and between the King's highway to Carlisle and the Eden together with the tofts and crofts which are between Whelp's Castle and the mill and one toft and croft on the other side of the road, to be held as one carucate of land: and the easement rights of common of Kirkby Thore." This charter, which dates from some year between 1199 and 1225, is also at Lowther. It is interesting as showing that there was a Galloway lordship in North Westmorland.

It is not proposed in this short article to deal in detail

¹¹ Mr R. E. Porter and Dr Goodchild in *C. and W. Trans.*, XXX., 211.

¹² See *C. and W. Trans.*, XVII., 226-7.

with the long and abortive disputes between England and Scotland over the possession of the lands of Cumberland and Westmorland granted by King Edmund to Malcolm, King of Scots, annexed to England by William Rufus in 1092, re-occupied by David I. for Scotland in 1135, and finally wrested out of the hands of his grandson, Malcolm "the child," by Henry II. in 1158.

The Chronicles of the Picts and Scots, a thirteenth century manuscript of which exists at Cambridge, thus defines the extent of the territory in dispute: "Edmund, freir Athelstan duna a cesti Donald, roy Descoce, tout Combirland, pour quoi lez Escoces ount fait clayme tanque al Reir croiz de Staynmore; mais cel doune ad este souent conquis purcedy et relese en maint peise fesant"¹³ This Norman-French passage might be translated: "Edmond, brother of Athelstan, gave to this Donald, King of Scotland, all Cumberland, upon which the Scots laid claim as far as the Rey-Cross on Stainmore, but this donation was often conquered since then and released in making oftentimes peace." The tradition is that the old viking cross on Stainmore marked the boundary of the land held by Scotland which would thus comprise the whole area of the ancient diocese of Carlisle, and in the years between 1136 and 1158 most of this territory must have been readily accessible from Dumfriesshire. Even after the latter date the Scottish kings maintained their claim, and during the temporary settlement of that claim, resulting from the negotiations of 1242 between Alexander II. of Scotland and Henry III. of England, they held the Cumberland manors of Penrith, Sowerby, Langwathby, Salkeld, Carlatten, and Scotby—a fact which must have led to a certain amount of traffic between Dumfriesshire and Cumberland.

In these early centuries, moreover, the line of division between the two countries was variable and ill-defined,¹⁴ and

¹³ See *Chronicles of the Picts and Scots*, ed. W. F. Skene, p. 204.

¹⁴ For an excellent account of the history of the boundary between England and Scotland, see James Logan Mack's *The Border Line from the Solway Firth to the North Sea*.

inhabitants of the Border must at times have been doubtful as to the realm to which they owed allegiance. Not to mention the doubtful status of the Threpe or Debatable Land, we find curious anomalies with regard to the possession of the Border fortresses. Thus in 1174 Ranulf de Soulis, a Scot and brother of William the Lion, was holding Liddel Strength, the caput or chief centre of the Cumberland barony of Liddel, while at Bewcastle the existence of a stone bearing the Strivelin arms reminds us of the fact that an important Scottish family held for many years that Cumberland stronghold. Even in the fourteenth century, after the stern policy of Edward I. had swept away the agreement of 1242 and inaugurated the centuries of bitter warfare which followed, there seem still to have existed enclaves of Scottish territory in Cumberland, or rather tracts of land still under the lordship of Scottish owners. In the wild country, for instance, beneath Christenbury Crag, the Bruces evidently claimed lands which now belong to Cumberland. An "Inspeximus" of Robert Bruce, "earl of Carrick and lord of Annandale," dated November 9th, 1304, confirms the charter of his ancestor, William de Rossedale, who granted his land of Cresope (Kershope Burn) by these bounds: "The fosse of the Galwegians and the rivulus running from thence to Lydel and on the other side of the fosse straight to the high moor, and so by the watershed of the moor as far as the old way of Roxburgh."¹⁵

The fosse of the Galwegians referred to above may be the great trench, still to be seen in the neighbourhood, which might well have been made to mark the boundary of land claimed by Scotland.

That friendly intercourse did not altogether cease between the two counties during these calamitous years is to be gathered from many passages in the *Chronicle of Lanercost*. Though the worthy canons who compiled this interesting record most frequently relate deeds of bloodshed and express pious horror at the alleged atrocities perpetrated by the enemy, we occasionally meet with statements which show

¹⁵ Bain, *Calendar*, II., 423.

that there were exchanges of visits between the inhabitants of the two countries, while there are at times interpolated stories which show a certain familiarity with the local gossip of Dumfriesshire. Thus we have stories, true or apocryphal, of the visit of a bishop to Annan and of the execution of a prisoner by the Bruce against the prelate's express command; of the woeful torments inflicted by Satan and his imps upon an unfortunate niggard who refused to give alms to two monks of Dumfries; of a mad priest in Annandale who tried to induce his flock to indulge in a Priapic orgy; and numerous details as to the doings of prominent people in Dumfriesshire. One at least of the priors of Lanercost was a Scotchman—Sir John of Galloway—who after resigning his office with a pension in 1283 died in 1289.

Days of truce and the meetings of the Wardens of the Western March must have provided also opportunities of intercourse. From daybreak, we are told, crowds would assemble at such meetings at the Lochmabenstane or Kershope Foot, and something like a fair would be set up to minister to their needs. Though such assemblages led only too frequently to broils and even to bloodshed, yet there is no reason to suppose that they did not sometimes foster international friendships and lead to mutual understandings.

Again, both Cumberland and Dumfriesshire folk used one another's markets. In later years the constantly renewed attempts to prohibit the Armstrongs from attending the Carlisle markets in order to punish them for raids prove how highly the privilege of trading there was esteemed by the Borderers.

Allusion has already been made to the lack of a clearly defined Border line in early times, and even after the commissioners of the two realms had in 1552, assisted by the French Ambassador to Scotland as arbitrator, defined the border between the counties as a line running up the Sark and across by the newly constructed Scots Dyke to the Esk, there seems still to have been some question as to the ownership of certain parts of the parishes of Kirkandrews and

Half-Morton, the share of the Debatable Land allotted to Cumberland.

Kirkandrews especially seems to have been always a place of doubtful nationality. Described in the *Ragman Roll* of 1296 as "Kircandres del Counte de Dumfres," two years later the sheriff of Cumberland gave orders for possession to be taken of certain lands, including those of Gilbert de Sothaic, "in the vill of Kirkandres," forfeited by "Scottishmen." We have evidence that it was a meeting place of the Wardens of the Western March in 1398, when it was directed that the men of Eskdale, Liddesdale, Tyne-dale, and Redesdale were to meet the Wardens at Kirkandrews.¹⁶

Even after the delimitation of the Borders in 1552, referred to above, there were evidently rival claims put forward to Kirkandrews by the Maxwells and Grahams; for in 1592 Lord Maxwell complained that for the last thirty years the Grahams had occupied "the haille landes of the Parishe of Kirkanders" and taken up "the males, profyttes and dewties there together with the said holle landes within the said parishe perteyning to me and my predecessors as taxmen thereto, sett to us by the Abbot of Gedbroughe, the valew and profyttes of the said landes estymaite yearly to two thousand pound sterling."¹⁷

Certain Dumfriesshire families, moreover, held lands in Cumberland in Tudor times. A remarkable instance of this kind of ownership is the acquisition of lands in Gilcrux by Alexander Armstrong, father of the notorious Border reiver, Kinmont Willie. As a note on the Pedigree of the Grames of Esk in the *Calendar of Border Papers* informs us: "In the wars with Scotland, Alexander Armstrong, father of this Will of Kynmont, with eight others of his sons, were pensioners to King Henry VIII., who for good service done, gave them lands in Cumberland called Guilcrookes, which his grandchild yet possesseth."¹⁸

¹⁶ Bain, *Calendar*, II., No. 1042.

¹⁷ J. L. Mack, *The Border Line*, 99-100.

¹⁸ *Cal. Border Papers*, II., p. 826.

These lands in Gilcrux were the forfeited possession of Calder Abbey, and included 24 messuages and tenements and water miln with appurtenances, with a free rent there of 22d and other yearly rents and profits of the yearly value of £14 15s 10d. The grant was renewed by Philip and Mary to the said Alexander and his heirs on condition of finding and maintaining five horsemen ready and well furnished, whenever the king and queen and the successors of the said queen should summon them within the county of Cumberland.¹⁹

In 1565 Alexander Armstrong and Herbert Armstrong conveyed by fine to William Armstrong, son of the said Herbert and Katherine Dalston, and the heirs of the said William, the manor of Gilcrux. This William had a dispute with his tenants with regard to his claim that the latter were to pay arbitrable fines upon every change of a lord, "even if the change took place by the lord's own will and that daily."

The case led to a chancery decision against Armstrong, who seems shortly afterwards to have conveyed the manor to another lord.

Another link between the inhabitants of Dumfriesshire and Cumberland was the illicit trade in horses. The correspondence of Lord Scrope, the English Warden, with Cecil is full of complaints of infringements of the law forbidding this traffic. In a memorandum of *Notes as to the Borders* of July, 1583, is suggested as "a remedy againste cariege of horses into Scotland" that "proclomacion maie be made out of hande for the inhibitinge of the sale of horses in Scotlande and that suche as buy horses in Yorckshier shall present these horses to the wardens and be bounde in the wardens coverte for the keepinge of the said horses."²⁰

These precautions appear to have been useless, and it seems to have been as difficult to prevent the Borderers from horse dealing as it was subsequently in the eighteenth and early nineteenth centuries to prevent their descendants from

¹⁹ *Nicolson and Burn*, II., 115.

²⁰ *Cal. Border Papers*, I., 106.

smuggling whisky into England. Kinmont Willie and Bothwell, "the firebrand of the Borders," were notorious offenders against the law forbidding Border horse dealing.

The Borderers of the two counties used also to meet in football matches at such places as Bewcastle, though it is to be feared that these games sometimes ended in blows, and sometimes even in murders.

For instance, Henry Woodrington, writing to Sir Robert Carey, thus relates the death of Mr Ridley: "Mr Rydley knowing the continual haunt and receipt of great thieves and arch murderers of Scotland, especially them of Whythaugh, had with the captain of Bewcastle went about by some means to catch them upon English ground, to avoid offence by entering Scotland: and hearing that there was a football playing and after that a drynking hard at Bewcastle house betwixt 6 of those Armstrongs and 6 of Bewcastle, he assembled his friends and lay in wait for them. But the Scots, having secret intelligence, suddenly came on them, and have cut Mr Rydley and Mr Nychol Welton's throats, slain one Robson tenant of her Majesty's and taken 30 prisoners, mostly her tenants except Francis Whytfeild—and many sore hurt, especially John Whytfeild, whose bowells came out but are sowed up again, and is thought shall hardly escape, but as yet liveth."²¹

Perhaps, however, the most interesting link between the two counties during the period which immediately preceded the union of the two crowns of England and Scotland was the number of marriage alliances between the principal families dwelling on opposite sides of the border line. These inter-marriages between the various clans and the alliances and feuds to which they gave rise were a constant source of trouble to the authorities responsible for the government of the Western March.

Fortunately we possess a valuable document which gives copious details with regard to these marriage alliances in a report made to Lord Burghley in 1583 by

²¹ *Cal. Border Papers*, II., 605.

Thomas Musgrave, deputy-captain of Bewcastle. Thomas Musgrave, who was son of Simon Musgrave, a captain of Bewcastle, possessed an intimate knowledge of the locality of which he wrote. He had unfortunately slain a Graham, and the whole clan were consequently at deadly feud with him. He had, in fact, been compelled to relinquish his office and take up residence in a safer neighbourhood. His report on *The Border Riders* provides a vivid picture of the state of the Borders between Cumberland and Dumfriesshire at the close of the sixteenth century, and forms an indispensable adjunct to all Border histories.²²

After describing the home of the Elliots of Liddisdale and informing Burghley that "fewe of them are marryed with Englishe women," he goes on to mention the "Lord of Mangerton and his friends and their allyances with England."

Among these marriages are those between "Seme Armstronge of Mangerton and the daughter of John Forster of Kyrsope Foot"; John Armstrong, who married Ritchie Graham of Medhope's sister, "and hath two sonnes ryders in England"; Jock Armstrong, who married a Foster; Tom Armstrong of "Hyghe Morgarton, marryed with England"; Rowe Armstrong, who marryed Oulde Archer Grayme's daughter; "Seme Armstrong the younger Mangerton Flates who marryed a Foster"; Thom Armstronge, "called Sim's Thom who dwelleth in the Demayne Holme by Lendall Syde and marryed Wat Storyes daughter of Eske"; Joke Armstrong of the Bygams "who marryed Will of Carlilles daughter."

Of the Armstrongs of Whithaugh, Musgrave tells us that Hobbe Armstrong married a daughter of James Foster of Stanergarthside; while of the Armstrongs of Harlaw, Hector Armstrong married Fergus Graham of the Moat's daughter. The Armstrongs of "Melyonton," he tells us, had many alliances by marriage with the Fosters and Grahams; while of the Armstrongs of Langholm, John Arm-

²² *Cal. Border Papers*, I., 120-127.

strong of Hollows married the sister of Walter Graham of Netherby. Of the Armstrongs "that came of the offspring of Ill Will Sandy," we are informed that Will Armstrong, his eldest son, dwelleth in England, i.e., at Gilcrux; Wille Armstrong or Kynmont "marrýed Hotcham Grame's daughter"; Dave Armstrong, called Dave of Canonbie, married "Patyes, Gorthes Grams daughter"; Gorth Armstrong of Rowanburn "marrýed Jeme Taylors daughter of Harper Hill." Of the Irvings, the Lord of Graitney married Fergus Graham's daughter; Mungo Urwen married William Graham of Leven's daughter; Will Urwen of Sark Bridge married "Littell" Thome Graham's daughter; Edward Urwen of Bonshaw married "Reche the Grames daughter of Netherby." Of the Fosters of Kershope and Liddel, Francis Foster of Kershopefoot married a daughter of Martin Elliot of Bradley; Rowe Foster, Sandes Creste Armstrong's daughter; John Foster, an Armstrong of Whithaugh. "These Fosters," Musgrave adds, "dwell all just agaynst the Armstronges and deare neighbours." The Routledges, he tells us, have few Scottish alliances, "for they are every man's praye"; nor does he mention Scottish marriages in dealing with the Taylors, Nobles, and Nixons.

After giving an account of the settlement of the Grahams in England and relating how they profited by the alleged treachery of the Storys, Musgrave proceeds to detail their numerous Scottish marriage alliances, some which have been mentioned above. Among the others referred to might be mentioned the marriages of Will Graham of Netherby with the Laird of Mangerton's daughter, and, after her death, with Robin Elliot's sister; Gorth Graham, son of old Rich Graham of Netherby, with one of the Hamiltons (Musgrave adds that he "did become Scottissh and dwelleth at the Red kyrke in Scotland"); Arthur Graham of the Mote with the Laird of Newbie's daughter; Gorth Graham, his brother, with Johke Bell's daughter; Andrew Graham with Dave

Johnstone's daughter in Annandale; Will Graham of the Fald with Hector Armstrong of Harelaw's daughter; and Robbe Graham of the Fald with "the larde of Hawmans his daughter."

The writer of the report also mentions the marriage of Thomas Carleton, land serjeant of Gilsland, with a daughter of Gorth Graham and Kinmont Willie's sister, and plaintively adds that "he seketh all the despyte against me."

These references, selected from Thomas Musgrave's report to marriages between the Border families of the two counties, will give the reader some idea of the complexity of the problem of settling the nationality of the various branches of the clans, and one can sympathise with Thomas Musgrave when he writes in conclusion: "Thus your lordship maye see the vewe of our lawles people, who are growne to suche strengthe as almost non dare offende them, they are a people that wilbe Scottishe when they will, and Englishe at their pleasure; they kepe gentlemen of the country in feare, care not what evill accions they take in hand, and by their allyances her Majesties horses that should serve the realme are transported into Scotland, the poore are oppressed."

In these rather gloomy strains must end this brief summary of some of the principal facts connected with the historical relationship between Cumberland and Dumfriesshire up to the Union of the Crowns of England and Scotland. It is a vast subject and one which offers unlimited opportunities for research in its many different departments. All that is attempted here is briefly to indicate some of the paths along which such researches might be made and to remind the reader that the history of our Borderland is not confined to a record of bitter and indecisive struggle between rival nationalities, but that the peoples of our two counties, separated only by the narrow streamlet of the Sark, had many common aims and sympathies, the study of which, though it may lack the glamour of poetry and romance which surrounds the story of our raids and battles, is none the less worthy of the interest of the historian.

19th March, 1938.

Chairman—Mr T. A. HALLIDAY.

The Plague in Dumfries.

By JOHN RITCHIE, M.B., Ch.B., M.R.C.P.E., D.P.H.

In order to make my subject comprehensible, I must trouble you with a few preliminary remarks about the nature of "plague." As you know, the word is popularly applied to many different things, varying from minor nuisances, such as a "plague" of midges, to major catastrophes like the "plagues" of Egypt. In medicine, however, it has a definite and restricted meaning. "The Plague," sometimes "Oriental Plague" or "Bubonic Plague," though the latter term applies to only one of its manifestations—is an extremely fatal infective disease, affecting man and also many of the lower animals. The mortality of the human disease is very high; in some types it is practically 100 per cent. It is only within recent years that the way in which the infection of plague is spread has been fully investigated. I need not trouble you with details, let it suffice to say that it generally begins as a disease of rats, which are specially susceptible to infection. When the rat dies, the fleas, which infested him during life, seek a new host, and if opportunity permits, attack man, transferring to him the poison which they have sucked from the rat's blood. It is easy to understand, therefore, that the infection spreads most freely when the standard of life is low, where sanitation is neglected, where dirt and overcrowding are common and the camaraderie between human beings and rats is unduly intimate. It follows, also, that protection of communities from plague must depend largely on preventing transference of infection from rats to man.

This, however, is recent knowledge, and was not available to our ancestors during the three centuries—1350 to 1648—during which plague was endemic in Scotland. To them, the plague was a poisonous state of the atmosphere, resulting, maybe, from some malignant combination of the stars, from poisonous vapours generated in the bowels of the

earth, or arising from some local source of putrefaction, such as stagnant water, marshes, or unburied carrion. But, as a matter of common experience, they knew that the plague was highly infectious, and the practical measures which they adopted in hope of checking it were mainly directed to limiting the spread of infection. So far as they went, those measures were eminently sensible. It is entirely wrong to suppose that social reactions to the menace of the plague in the 16th and 17th centuries were conditioned only by panic and superstition. On the contrary, the more one studies the chronicles of the times the more one is impressed by the commonsense and pluck exhibited by small communities, with slender resources and inaccurate information, when faced by recurring outbreaks of one of the most terrifying diseases that can affect mankind.

The good neighbours of Dumfries, like all their contemporaries, had to work under many disadvantages. There was, of course, no permanent public health service—that service had to be improvised when an epidemic threatened, sometimes not till after it was well established. There was no permanent legislation regarding plague, and new regulations had to be made for each fresh outbreak. While numerous authorities—the King, Parliament, the Privy Council, Town Councils, and Kirk Sessions—took part in making such regulations, there was no sufficient administrative machinery to ensure their being generally enforced. Further, there was, at least during the earlier years, no real co-operation between different municipalities, and it was only after plague had persisted in Scotland well over two centuries that we find any indication of its being recognised as a national rather than a local problem.

The great pandemic of plague known to history as "The Black Death" began in the Crimea in 1346, and spread steadily over Europe, killing, at a conservative estimate, a third of the population. It reached the Scots border about the beginning of 1350. There is no contemporary Scots chronicle, and no details of the pestilence are available. We cannot say whether Dumfries was affected,

though, in view of its position, it is almost certain that it must have suffered. It may very probably have been attacked again in 1361, when the "pestis secunda" was raging in south Scotland, and David II., with most of his court, fled to the north to avoid infection.¹ But it is not until 1439 that we find Dumfries specially mentioned in connection with the plague. "And that samen year," says the chronicle, "the pestilence came in Scotland, and began at Dumfries, and it was callit the *Pestilence but Mercy*, for there took it nane that ever recoverit, but they died within twenty-four hours."² Plague had been very severe both in England and France during 1439, and the outbreak at Dumfries evidently marked the beginning of its invasion of Scotland.

Then comes a gap of more than a century, not, we may suppose, due to the burgh's being unaffected by the disease during that time, but to the lack of records. In or about 1549, a time when the plague was raging in many parts of Scotland, the Town Council made regulations regarding it. Those were included by Mr Shirley in the notes to his *Topography of Dumfries*, published in the Transactions of this Society for 1914-15. They are along the same lines as the regulations which were being made by many other Scots towns, and give us an idea of the attempts made to limit the ravages of plague in the sixteenth century.

The first regulation runs: "Item, it is statuit and ordanit that quhar ony persone or personis chanceis to fall seik in tyme of pest quhat sumewyr seikness it be that the saidis seik folkis sall advertteis aldyrman or bailleis ane or maa quhilkis sall pass wt the officiaris and vesy the saidis personis and geif it beis fundin the pest infectine seikness to be put to muyr wtout delay." It is noteworthy that in time of plague all forms of sickness had to be notified to the authorities—a much more stringent regulation than any we possess to-day. It was evidently intended to prevent

¹ Fordoun: *Scotichronicon*, Lib. XIV., cap. XXIV.

² *Ane Addicioun of Scottis Cronicklis and Deidis*; quoted Chambers, *Domestic Annals of Scotland*, I., 57.

concealment by persons who wished to avoid visitation and interference by the authority. This short-sighted form of selfishness was common, and in many places elaborate precautions were taken to circumvent it. The decision as to whether the disease were plague or not was left to the aldermen or bailies, who, in those days, had to undertake many duties which now would be carried out by officials. No doubt they would have medical advice, if available, to direct them. Larger towns, like Edinburgh or Glasgow, sometimes used to appoint one of the town's surgeons to act as medical officer during the period of the epidemic.

If the case were finally diagnosed as plague the patient was sent at once to an isolation camp on the muir. The accommodation in those camps was generally very crude, the only shelter provided being rough huts of planks and turf. There was, of course, no proper nursing. Unless some devoted relative accompanied the sick man he had to depend on the attentions of persons known as the "foul clengers," who did all the work of the plague camp and acted as grave-diggers, and who were also responsible for seeing that none of the patients escaped. Those "foul clengers" were apparently generally drawn from the lowest classes, and were entirely unsuitable as attendants on the sick. It must be remembered, of course, that the primary object of sending patients to the muir was to remove a source of infection from the town—the welfare of the unhappy sick man was quite a secondary consideration. But even the earliest Scots law on the subject—the *Rule of the Pestilence* of 1456—shows some tincture of human feeling, while some of the early continental ordinances are brutally callous. Gradually the condition of the Scots plague camps was improved, and by the middle of the seventeenth century we find, at least in the larger towns, arrangements for supervision, medical treatment, care of the sick and regular distribution of provisions.

³ See, for example, the *Ordinances* of Barnabo Visconti, Duke of Milan, 17th January, 1374. (Dict. Encyclop. des Scien. Med., *art.* Quarantine.)

The regulations further provide that "suspect personis"—that is those who had been exposed to infection and who might be developing the disease—should be kept in their houses for fifteen days, then "clenget" or cleansed, and isolated for a further fifteen days. If they had any dealings with "clean persons" during that time it was at peril of their lives. Their goods and gear had also to be "clenget" before they could be released from isolation.

This business of cleansing or disinfecting was a very important part of the anti-plague campaign. The "clengers" were officers appointed generally for the period of the epidemic. On account of the dangerous nature of their work they had to be paid high wages—Edinburgh in 1499 gave them twelve pence per day, and in addition allowed them to exact fees from the householders whose goods they "clenget."⁴ As noted above, they were generally of the lowest or roughest type, and there are many references to their bad discipline and attempts at extortion. Stirling, in 1645, had to lay it down clearly in their regulations that the clengers must not ask more than the proper fees, nor demand money for drink. Women, as well as men, acted as clengers. In many places they wore a distinctive uniform, and carried wands "with a hupe of quhyte iron at the end," so that they might be easily recognised. Apart from the risk of infection they seem to have been exposed, on occasion, to the danger of physical violence by citizens whom their conduct annoyed. In 1606 George Angus, a notary, who surely ought to have known better, was charged before the Privy Council for having attacked the clengers at Ayr while they were disinfecting houses, he being armed with a sword, gauntlet and a long hagbut!⁵

Some clengers appear to have acquired a reputation for efficiency, and were lent, on occasion, by one municipality to another. Thus we find in 1600 the Town Council of Elgin sending to Dundee to ask for the services of "Bell the Cleinger."⁶ A few years later a party of gentlemen

⁴ Extracts Burgh Rec., Edin., 1403-1528. 27th Nov., 1499.

⁵ Reg. Privy Council, Scot., 10th Jan., 1609.

⁶ Kirk Session Minutes, *Records of Elgin*, II., 85.

living in Deeside entered into a bond to be responsible for payment to clengers, also from Dundee, who were sent to disinfect houses in Aberdeenshire.⁷ Glasgow sent their clengers to work at Ayr, and on another occasion borrowed help of this sort from Paisley. The payment to clengers was a heavy item in the budget of plague-affected towns. The townsfolk of St. Andrews, for example, were much exercised over this in 1586. They complained that the Town Council were paying "the fift penny of the guidis of all personis deceist to the clengearis and sic utheris as thai pleis, by and attour the soume of forty punds money appointit be thame to be payit munthlie to the saidis clean-gearis, with ane mark of ilk deid body, quhillk charge the said citie is not able to beir."⁸ Stirling in 1607 had to borrow a number of clengers from Edinburgh, Linlithgow and Leith, and had to impose a "stent" of 2000 marks in order to raise money to pay them.⁹

Unfortunately, we have no very detailed information as to the methods adopted by the clengers at their work. The Edinburgh burgh records for 1500 require that houses and goods shall be cleansed "be watter and fyre as has been usit in tyme bygane"—an example of legislation by reference very irritating to the historical student, who would willingly have details as to how those two elements were employed. The instruction of 1506 that houses should be "singit and fyrit with hather" is rather more explicit, and incidentally may explain why the "clenging" of a house at Kelso in 1645 led to a fire which destroyed the town!¹⁰ Aromatic substances were burned to cleanse the air. Their precise nature does not seem to have been important, so long as they produced a good hearty smell. Even the national peat-reek was held to be an efficient fumigant; the burgh accounts of Peebles for 1646 note a payment for "ane laid of peitis to clenge the schoole."¹¹

⁷ Quoted Chambers, *op. cit.*, I., 399.

⁸ Reg. Privy Council, Scot., 22nd Jan., 1586.

⁹ Extracts Rec. Burgh of Stirling, 1519-1666, 118.

¹⁰ Hope's *Diary*, quoted Chambers, *op. cit.*, II., 163.

¹¹ Extracts Rec. Burgh of Peebles, 421.

This matter of house disinfection was regarded as one of great importance. During the epidemic of 1585 the Town Council of Edinburgh decreed that if any owner of an infected house neglected his duty in this respect, the house should be forcibly opened by the town's officers, and cleansed at the owner's expense.

In any case, the final stage of disinfection was prolonged airing and ventilation, and the whole interior was often limewashed.

Clothing was boiled. There are many references in various burgh records to the provision of cauldrons, kilns and kettles for this purpose, and sometimes gowns were provided at the public expense for the use of poor people whose clothing was being disinfected.

Other goods were exposed to light and air for varying periods. Frosty air was considered specially efficacious. Small articles might be well scrubbed. Hence the sad fate of the " seal of cause " of the mason's and wright's crafts at Lanark in 1645. It was kept in the house of a man who died of plague, and was disinfected so vigorously that, being on parchment, it became quite illegible, and a new seal had to be granted by the Town Council in 1674.

Before leaving this matter of disinfection I may refer to an interesting practice known as " takin' the sey " (assay or trial). If a person claimed that his goods were free from infection he might be shut up with them and compelled to " handle " them daily under supervision of the town's officers. This ensured that the goods were freely exposed to light and air, and also that if anyone were infected by them it would be the owner, who presumably was responsible for their being infected.

The remainder of the Dumfries regulations of 1549 deal with penalties for disregarding them.

The next mention of the burgh in regard to plague is in 1564. One precaution against infection which the Scots towns always adopted was to appoint a guard to check the incoming and outgoings of travellers, and to admit none to the town unless he brought a " testimonial " from the magistrates of his own town to the effect that he had not

been exposed to infection and might be allowed to enter without risk. A rumour that plague had appeared on the ships at Leith became current in Edinburgh in July, 1564. It seems to have been a false alarm, but the authorities took elaborate precautions to prevent an outbreak. On 25th August, Edward Johnston, a burghess of Edinburgh, applied to the Town Council for a "testimonial" to allow him to trade throughout Scotland. This was granted, and on 28th August, three days later, he presented it to the Magistrates of Dumfries, who had it copied into the Burgh Court Book, thus preserving an interesting example of early public health administration for the benefit of posterity. It runs as follows :

"To all and sundry quhom it offeris to quhais knowlege thir pnt sall cum and in speciall to or nycbowris the ryt honorable prövests and ballies of Striueling, haddingtoun, dumfres, jedburt and all utheris placeis neidfull The provost and ballies of the burt of Edinr wiss pece mercye and grace from god the fader of our lord Jesu cryist wittis your honoris that upon the brute of the peste Juget to be in the schippes quhilkis laitlie com to our raid of leyt we causit the merchantis and merinereis thereof of quhais newmer this berar or nycbour and fre burghess enduerd Johnston was ane to pnt thair guddis on land at or newhaven qr thair remanit be the space of twenty dayes in (eppreiving?) handling and dressyng of thair said guds, And thairefter gaif thaim licence to bryng the samyn to this our toun qr thair (appreivt?) sauld and disponit the maist pairt thereof And prysit be god na danger truble nor skayt cuming thairof ony maner of way And be caus the said eduard is of mynd to trawell amangis yow and in zor bounds wt sum of his lynt hes willit ws to certifye zou of the premissis and that him self and his said lynt is cleine wtout all suspection or danger quhilk we can not refuss to do knowing nathing in the contrare And heirfor requeistis zow our saidis nycbors to tak na vthir Judgment but that bayth he and his saids guds ar cleine void of all danger and to treit him as ze will we do zowris quhen it sall happin tham to cum here for

prysit be god as said is not onlie (the) berer bot alsua the haile inhabitants of our said toun and cuntre hail about ar cleine of all pest or ony suspicion therof quhilk we testife be thir pnts subscriuit be or common clerk at or command as use is at Edinr the XXV day of August the zerr of god Jajve thre scoir and four zeris."¹²

It is interesting to note that Edward Johnston and his fellow-merchants had to "tak the sey" of their goods in the way I have described before the Magistrates of Edinburgh would certify them free from infection.

Plague broke out on the Borders in 1597, and by the end of the next year Dumfries seems to have been in a bad state. Trade was dislocated by the presence of the epidemic, and food was running short. This was a common accompaniment of plague outbreaks. Two men, James Sharpe and John Mertine, went to Wigtownshire to buy cattle for the use of the townsfolk. Returning with 38 beasts, they were stopped at Monygaff by Patrick Ahannay, Provost of Wigtown, Jno. Edgar, and Archibald Tailfer, baillies, and a large armed party.¹³ The cattle were finally ransomed for 100 merks, and Dumfries complained to the Privy Council. Whether the Wigtown men's action was intended to recover some debts or dues to which they considered themselves entitled, or was merely brigandage, is not clear. In any case, Dumfries was so hard hit by the plague on this occasion that we find her in 1600 appealing, with some other towns, to the Convention of Burghs for a contribution to help her recover from her losses. Whereby she got little advantage, being granted no assistance, save a recommendation to "the cheritabill supporte of all godlie persounis in euerie burgh, as God sall mowe thair hertis."¹⁴

Thereafter, although the disease continued to be prevalent throughout Scotland until 1608, there is no mention

¹² Ritchie, John: *Caledonian Med. Jour.*, 1932, XV., 94.

¹³ Reg. Privy Council, Scot., 21st Dec., 1598.

¹⁴ The Convention of Royal Burghs of Scotland. Pagan; Glasgow, 1926. 68.

of its affecting Dumfries. It is not until 1625 that the burgh is referred to again. In that year infection was widespread in England, and the Privy Council, observing that the plague is "violent and raging throw sindrie pairtis of that kingdom," prohibited the holding of a fair at Dumfries, lest infection should be introduced from the south.

In 1637 the plague was again severe in England, and Scotland made what was really a national effort to keep the disease out of her borders. A commission was appointed to operate in the southern counties, with wide powers. There is no special reference to Dumfries, but Moffat fair claimed the attention of the Commissioners, who remitted to James Johnston of Corheid to decide whether it should be prohibited or not. The Commissioners seem to have carried out their duties with a good deal of energy. They met weekly at Ancrum Bridge and other places, discussed the movements of the plague in England, and devised fresh safeguards against it. What was equally important, they apparently were able to see that their orders were obeyed. There are records of several magistrates of Border towns who had to "dree their weird" in their respective tolbooths, regretting, no doubt, that they had miscalculated their own importance in comparison with that of the Earl of Roxburgh and his fellow-Commissioners. A few cases of plague did occur in 1637 and the following year, but there seems to have been no wide dissemination of infection. This Commission represented the first concerted national attempt to keep the plague out of Scotland by means of administrative machinery specially devised to that end, and it appears to have entirely justified itself.¹⁵

The country was less fortunate when the trouble next came upon it. By 1644 the Civil War was in progress, and on the 9th day of October in that year Newcastle surrendered to the Scots Army. The plague had been violent in the city and in various neighbouring towns; it broke out among the victorious troops, and was soon carried back to Scotland, where it spread rapidly over the whole country, con-

¹⁵ Reg. Privy Council, Scot., 10th June, 1637, *et seq.*

stituting, until its final disappearance in 1648, the last and one of the severest epidemics in the nation's history.

I owe to the kindness of Mr Shirley a number of extracts, hitherto unpublished, from the Town Council Register of Dumfries, dealing with the plague at this time. The first is dated 25th February, 1645. It deals with the formation of the "watche"—a guard of citizens who had to keep the gates day and night in order to see that no one entered the burgh unless his credentials were in order and no suspicion of infection attached to him. Every inhabitant, except the Provost, Magistrates, and Town Clerk, had to serve on the watch, under penalty of five marks if they failed. If absent from the town, a "sufficient man" must be provided as a substitute. This duty was probably rather irksome, and there are many references in the Scots records to the punishment of citizens who shirked it, or sent useless or unreliable people in their stead. The Council of Dumfries also required on this occasion that all men should at once barricade their "yaird fittis," which would otherwise give easy access to those anxious to avoid the watch at the town gates—"utherweyes the toun will pnt to workmen to mak them up on thir charges." Persons who received strangers or "Runaway sojers" without reporting to the Magistrates were to be deprived of their status as freemen of the burgh, and, moreover, forbidden to brew any more. The runaway soldiers themselves—they apparently were of both sexes—as well as all "extraniell beggeris" (a noble phrase!) were to remove from the burgh immediately, on pain of flogging. All trade with Edinburgh and the eastern Borders was to be stopped at once.

The next entry dealing with plague is 24th May, 1645. The Magistrates ordered a "bank" of drums to be beaten through the town, warning the inhabitants that no merchant from Edinburgh may be received without "ane sure testimoniall" approved by the Magistrates. They repeat the regulations about serving on the watch, personally and with arms. Between these two items there is, rather curiously, a prohibition on hucksters buying lime before 2 p.m. It is not quite clear why this should be included with regulations anent the plague. As I noted above, lime washing

of houses after disinfection was a common practice, and it may be that the Magistrates wished to prevent speculators making a "corner" in lime in anticipation of an epidemic.

On 1st July the regulations about the watch are repeated. Two men were to be posted at each gate, serving twelve hours each. The frequency of those references to the duty of serving on the watch show the difficulty in having the Magistrates' orders obeyed.

There is no evidence that plague had actually invaded the town at this time, but some people had evidently been under suspicion of suffering from the disease and had been isolated until the nature of their sickness should be determined. An entry dated 16th August, 1645, runs: "The qlk day the provest, baillies, and counsell considering yat James Corbett, Ionat Poole and hir mayr and daughteris was inclosit wtin ye hous of Mr Tho. Ramsay (*minister in Dumfries*) for suspitione of the infectiōne of ye sd James and finding no hazard for the pnt praised be god they permit them to be enlarged to-morrow morning."

The same day, however, four citizens, who had been absent from the town for a long time, and had now returned, were ordered to go to their own houses with all their goods, and to remain there without mixing with other townsfolk until the Council's permission was obtained.

On 22nd November the Council considered a petition by John Johnstone, a bailie, and three other men, who wished to bring a quantity of lint into the town. They were permitted to do so on condition that the lint was stored in barns and "handled" there by men who must remain with it for twenty-one days. This was a case of "takin' the sey," to which I have already referred.

So far, the precautions taken seem to have protected the town from invasion by plague, but it is evident that the duty of keeping constant watch was becoming rather irritating. On 6th December we find that the Council are worried by "the slackness of keeping the watche in yis burghes now in such dangerous tymes," especially as the disease had appeared in various places near the town. They therefore appoint several men to assist the quartermasters in seeing that

the watch is properly kept, and to report to the Magistrates those who failed to appear at the proper time. It must be remembered that the plague was raging meantime in Edinburgh, Leith, Peebles, Aberdeenshire, Perth, Glasgow, Paisley, Falkirk, Stirling, Lanark, and many other places, so that the anxiety of the Magistrates is more easily understood than the slackness of the townsfolk, who apparently were inclined to neglect obvious measures for their own protection.

Four days later the danger was nearer. "The qlk day"—(10th December, 1645)—"Thair is ane bank ordayned to be beatin dischargeing all inhabitants under ye water of Lochar cum to yis toun and m'cat in respect of ye pestilence qlk is in divers prshes (*parishes*) in Annandale."

We must assume that the watch was brought up to a proper state of efficiency, or else that the town was specially lucky, for there is no other reference to plague for a considerable time. Certain resolutions regarding visitation of the sick people in the town were made in August, 1646, but there is nothing to indicate that this was more than a precautionary measure. In November of the same year John Irving, son of the former Provost, gave an undertaking that he would not enter the house of the "umqll Jeane Scott" during the period of its "enclosure." This woman had presumably died of some undiagnosed sickness, and the Magistrates were taking no risks.

There is no reference to plague in the burgh records for 1647, though the disease was still prevalent, especially about Glasgow, St. Andrews, and the north-east. It was customary about this time for the Kirk to ordain a period of solemn fasting and humiliation, to avert the wrath of the Almighty, of which the plague was obviously the result. The burgh of Ayr in this year went rather further, and arranged a general confession of sins throughout the whole town.¹⁶ First the Kirk Session confessed, and thereafter the various trades and crafts. The confessions were read from the pulpit, and thereafter engrossed in the Session

¹⁶ *Annals of Ayr*, Pagan; Ayr, 1898.

Books, which must have provided interesting reading for some years thereafter. Despite this pious example, Dumfries seems to have contented herself with her watch and other secular precautions.

The last Dumfries reference to the plague is on 1st September, 1648. The Council received letters from the Provost, who had been sent to attend the Convention of Burghs at Burntisland, and who wrote home in alarming terms about "the grit feir and incris of the plague of pestilence in the burghes of Edinr., Glasgow, Dundee, and otheris pairts." As a matter of fact this was a false alarm; the epidemic was already on the wane. The Council, however, could not know this, and very properly postponed the Rood Fair, and stiffened their regulations regarding the watch. Before the end of the year the last outbreak of plague in Scotland was obviously coming to an end. Glasgow was paying off the "clengers" that she had hired from Paisley, arranging compensation for those who had lost the dues to which they were entitled on account of the pestilence, and—it is a pleasant touch—"Appoynts the thesaurer to give to Agnes Miller, of chiritie, for her lost drink on the muir, aucht pundis money." Edinburgh had already been free from infection for some time. Aberdeen, where "the grass was in the streets, and not a smoake in both townes, but one in old Doctor Dun's chamber,"¹⁷ saw the shadow pass away from her, and, almost exactly three hundred years after the coming of the Black Death, Scotland was finally free from the plague. Since that time the disease has never appeared in epidemic form within our borders.

How far were the precautions taken by the old Scots municipalities of use in limiting the spread of plague? I think there can be no doubt that they were of real value. Notification of cases of the disease, isolation of the sick, quarantine of contacts and disinfection of houses and goods are all measures which we still consider of primary importance in dealing with the more severe infectious diseases. The institution of the watch, and the veto on strangers entering towns was probably a real safeguard. Experience

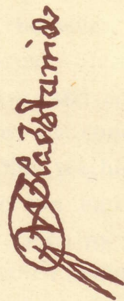
¹⁷ Wardlaw MS.

has shown that a community which succeeded in completely isolating itself might escape infection, even though the pestilence were raging around it. During the Great Plague of London in 1665 Charterhouse effectively kept the disease out of the school by strict isolation. The Royal Foundling Hospital in Moscow succeeded in protecting itself in the same way in a severe epidemic in 1771. But it is doubtful whether a town of any size could protect itself in this manner for any length of time, because it was evidently almost impossible to have the regulations strictly carried out.

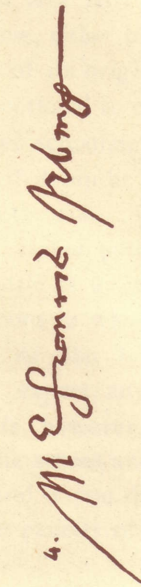
That seems to have been the real weakness of all early anti-plague measures. However carefully they were devised, however excellent they might be in theory, they frequently broke down because no sufficient administrative machinery was available to ensure their being enforced. Moreover, though they might be effective in keeping the disease out of a district, they could be of little avail after it had once gained a footing, because they ignored the important role played by the rat and his attendant fleas. That, however, was not suspected at the time, and it would be absurd to blame our ancestors for disregarding what they could not possibly have known.

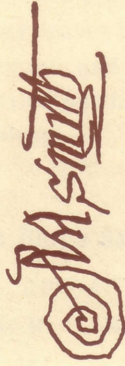
The regulations made by the town of Dumfries do not give a complete picture of the Scottish anti-plague campaign, but they are sufficient to indicate the problem by which the authorities were faced, and the way in which they attempted to meet it. I regret that in a short paper such as this it has been impossible to touch on more than a few of the more important aspects of the subject. It must be remembered that over a period of three centuries the social evolution of Scotland—indeed of all Western Europe—was constantly influenced by the presence of plague, sometimes as an urgent matter of life or death, always as a lurking danger, no more to be ignored than is the threat of war to-day. Primarily it affected the development of our social services, especially in regard to public health and poor law, but it was not without influence on our political history—who can say what might have resulted if Montrose, fresh

1. J Mayne Mimsane Golfell
Wf any handz 2 all

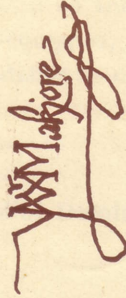
2.  Dalzell

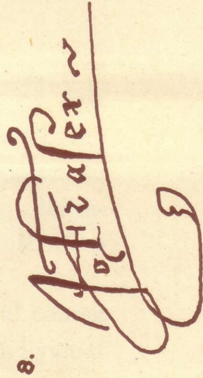
3.  Moore to my Lord

4.  M Fenton

5.  J M Smith

6.  W S Moore

7.  J M Moore

8.  J Fraser

1. NICHAN DALZELL. 1558-1587.
2. HERBERT GLESTRAINE. 1601-1617.
3. JAMES M^r JORE. 1629-1630.
4. FRANCIS IIVING. 1640-1642.

5. ALEXANDER SMYTH 1645-1647.
6. JOHN MOORE. 1647-1652.
7. WILLIAM M^r JORE. 1652-1663.
8. JOHN FRASER. 1667-1697.

from the victory of Kilsyth, had not been prevented from occupying Edinburgh by the fact that plague was raging in the capital? Above all, it brought out, time and again, qualities of courage and steadfastness in quite ordinary men, and a study of its history leaves us with an enhanced respect for those who, ignorant and ill-equipped, stood bravely to their posts, and carried on their duties as citizens under the shadow of the pestilence.

Fragmentary Notices of the Burgh School of Dumfries.

By G. W. SHIRLEY.

Chairman—Mr R. C. REID.

I. To 1652.

Schooling in Dumfries viewed in the long perspective of centuries develops as elsewhere in Scotland. At first wholly an affair of the church, then largely under church influence, it passes gradually to a secular authority, parochial at first, then autonomous, and now part of county administration, it yet has not, even now, either in its administration or its curriculum lost the bias of its origin.

But although it is not exceptional to our national course and reflects its history Dumfries schooling has its individual story, one not without interest if it can be told with sufficient intimacy. There, however, is the rub. The records are so infrequent and casual—for the earlier period being no more than a name or two and so little is discoverable about the work actually done, the conditions in which it was done, the personalities of the teachers or the attainments of the scholars, that one can hardly expect any save antiquaries to be interested. Such as it is, however, I propose to lay what has been gleaned about the school and the persons who had charge of it before you, and if you deem some of it to be not strictly relevant let the paucity of material serve as excuse.

Pre-Reformation.

The earliest reference is an isolated one. On the 7th of March, 1330, at Berwick, the account of the Provost of Dromfres was paid into the Exchequer by "Magistrum Johannam, rectorem ecclesie scholarum."¹

The exact significance of the designation "rector of the Schools" does not appear to be ascertainable. It is to be found in other towns,² and may indicate not only the existence of a school for clerics but of one for laymen or, at least, one in which sufficient was taught to enable boys to assist with the service, a "Sang School."

The next reference is also isolated and a century and a half later. One of the witnesses to a Sasine of Robert Lord Maxwell, in a tenement in Dumfries, dated 1481, was "Master John Turnbull, Rector of the School of Dumfries."³

The prefix "Master" in both the above cases indicates that the Rector held the degree of Master of Arts.

There elapses forty more years before the occurrence of the next reference. It is from the Dumfries Burgh Court Book, and as it illustrates an activity to which a school-master of that time might be called is given in full, the contractions being extended.

19th February, 1521-2.

The quhilk daye Shr Archibald nycht vicar of trail-flatt on the ta pert and harbert walker on the tother pert faithfully compromittit [thaim] in Jughamit be thair greit aithis suorn in Jughment for to stand and abyd unrevocable at the ordinance decreit consale & deliverance of thir Jugis arbitratoris vnder writtin that is to saye Shr John turnour cheppellane and sculemaister and david neilson for the pert of the said Shr Archibald on the ta pert and thomas cunygham and robert edzar for the pert of the said harbert walkare on the tothir pert ourismen commonly chosin betuix the saidis perteis anentis all questionis actionis queraelis claimis controversis p[resen]t (?) and debatis movit betuix thaim of all tymes bygane to the daye of the daitt of this present compromisis the quhilk Jugis arbitratoris and ourismen sall meit in the freir Kirk of Drumfress the instant daye efter none to be suorn to deliver decreit geiff furth thair

¹ *Exchequer Rolls I.*, p. 303.

² Grant. *History of the Burgh Schools of Scotland*, 1876. pp. 4-12.

³ *Inventory of the Maxwell Muniments at Terregles*, by Wm. B. D. D. Turnbull, 1861. p. 8. The other witnesses were "Robert McBrayr, Provost of Dumfries, Herbert Gledstanis of that ilk, Nicholas McBrayr, son and heir apparent of the Provost, Herbert Gledstanis, Master of Arts, Master William Hannay, perpetual Vicar of the Parish Church of Trilflat."

deliverance decret and sentence arbitrale efter gud faith and concience betuix the saidis perteis wyt in viij dayis efter the dait heirof wyt continuation of dayis be consent of pertijs of the saidis Jugis and pertiis and the saidis Jugis and pertiis sall meit this instant daye in the freir Kirk of Drumfreis efter none and to deliver thair decreit wyt in viij dayis nixt thair eftir and als thair sall convene and meit quhen and quhair and elss efter as it sall thaim pleass in the meyn tym but fraud or gyll.

We find from this appointment as an arbitrator that the schoolmaster is not a Master of Arts. A Sir John Turnour, presumably the same man, though nowhere else is he designated schoolmaster, appears at various dates between 1503 and 1545 as chaplain,⁴ notary public,⁵ presbyter of Glasgow,⁶ and pensionary of Kirkgunzeon, the last in the year of our quotation, 1522.⁷ The protocol book of "vmqle Shr Johne Turnor" is referred to on 13th July, 1575, by which date he, probably, had been many years dead.⁸

These constitute all the references to hand, except one, of pre-Reformation Schoolmasters. They are sufficient to demonstrate that a school existed in Dumfries, perhaps continuously, from the 14th century and prior to the memorable Act of James IV. in 1496, which charged all barons and freeholders with the duty of sending their eldest sons and heirs to school "fra thair be aucht or nyne zeires of age," there to remain "quhill they be competentlie foundit and have perfite Latyne," after which they were to remain three years at the schools of art and "jure" to qualify them to administer law and justice in the places to which they belonged.

The Schoolhouse.

It is likely that the earliest accommodation for a school would be in, or contiguous to, the Kirk. The earliest reference to the existence of a special building in the burgh is in 1548, when it appears in a Rental as follows :

Valtyr gowrlawis tenement at Schuillhouss gawill xijd
 Nichel lorimeris tenement nixt Schwillhouss Yett vjd

⁴ Fraser. *Book of Caerlaverock*, II. 416.

⁵ R.M.S. 14 Nov. 1505, 4 Dec. 1506, 6 Nov 1529; Edgar. *Introduction to the History of Dumfries*, ed. Reid. pp. 230, 231, 233, 241.

⁶ *Book of Caerlaverock*, II. 473.

⁷ Historical Manuscripts Commission Report. pp. 71-3.

⁸ Dumfries Burgh Court Books.

A gap in the Burgh Records of twenty-three years over the Reformation⁹ probably robs us of information about the erection of this building which, as afterwards appears, was burgh property and kept in repair at the Town's cost

Built some time between 1537 and 1548 on what doubtless would be undeveloped ground, its position can be defined from references in the Burgh Records¹⁰ as on the north side of Chapel Street¹¹ immediately beyond the property, which was "twenty ane foot broad from the forestreet backward,"¹² occupying the corner of High Street and Chapel Street.

There it stood for a couple of centuries. Complaining, characteristically, of the expense incurred by the "administrators" of the burgh in the erection of a new schoolhouse, *circa* 1741, on the west of the entry to the New Kirk,¹³ Robert Edgar says "the old Schoolhouse, which hath been the Town Schoolhouse for nigh 200 years in Chappelhill, lay at a distance from the streets and [was convenient for the] diversion of the boys [who broke the windows and spoilt the doors at the new schoolhouse by throwing stones, and was] capacious for all or more scholars than have been at the School for fifty years past, and the School-Mr and Usher paying their own rents; The raising of the roof of this or putting on a new roof, being not above 36 feet [in length], and raising the side walls 4 or 5 feet for a second storie, with two chimneys would have been sufficient for a School-Mr & Usher."¹⁴

Edgar's querulousness gives us some idea of the old school. A single storey building, doubtless of rubble and puddled clay, some 36 feet in length, it probably stood a

9 From 1537-1561.

10 Burgh Court Books, 23 April, 1577.

11 *Vide* these *Trans.*, 1914-15. pp. 182-3.

12 Charter of Tenements, 1700-1. The corner property is described as "A tenement lying wthin the sd burgh at ye School brae yrof bounded by ye houses of ye heirs of James Robsone, mercht, on ye north, the high street on ye west, ye Rottenraw on ye south, and ye high school of ye said burgh on ye east parts." This corner tenement was disposed under the "waist and ruinous tenements act" by the Burgh to John Irving, the Convener of the Trades, who in March, 1722, intimated that the Seven Trades "were resolvd to build ane meeting hous therein for there own use."

13 The site is now occupied by Castle Street.

14 Edgar. *Introduction to the History of Dumfries*, ed. Reid. p. 57.

little distance back from the street, to which, from the reference above to its "Zett," it may have presented a gable end. It had a back as well as a front door¹⁵ and was thatched.¹⁶ It had 12 seats of fir for "the scoole maister, doctor & bairns," specially made, in 1642,¹⁷ as well as "binks" for the other children. The windows, in the earlier period at least, were not glazed, but had wooden shutters, and prior to 1646 there was no division between the older and younger pupils.¹⁸

The floor would be of beaten earth, with perhaps strewn straw, and on a space paved with cobbles in the centre of the room a peat fire would send its smoke to find its way out at a large "lum" of bramble and straw directly above it, in which process rafters and deals would be coloured so that they "glittered like polished ebony."¹⁹

As we proceed we shall note what we can about the Schoolhouse.

Dumfries had not the fortune of various other Scottish towns to possess any endowment for its school or teachers during the 16th or 17th centuries. Two provisions, both of which, however, proved abortive, stand to be recorded, in the 'seventies of the 16th century.

On the 24th of February, 1572, Charles Hume, Warden of the Cordelier Friars of Dumfries, for not appearing at the Tolbooth of Edinburgh to answer certain charges of treason and lese majesty, was put to the horn and the escheit of all his "guidis movabill and unmovabill, dettis, takkis, stedingis, actis, contractis, obligatiounis, reversiounis, liferentis, sowmes of money, gold, sylver cunzeit and uncunzeit and utheris guidis and geir quahatsomevir" was gifted to the provost, bailies, council and community of Dumfries.

This gift of escheit was signed by James the Regent Morton, and below as an afterthought was added the words

¹⁵ Burgh Court Books. June, 1629.

¹⁶ Treasurer's Accounts, 1639.

¹⁷ Burgh Treasurer's Accounts.

¹⁸ Town Council Minutes, penult. May, 1646.

¹⁹ Robinson, Samuel. *Reminiscences of Wigtonshire*, 1872, p. 20, describes such a school as representative of Wigtonshire in 1790.

“Ordaines this gift of escheat to be employed to the grammar scule of Drumfreis.”²⁰ Unhappily for the school Hume put matters right with the Crown and retained his property, an important part of which was an annuity of £20 per annum.²¹

The second provision which might have resulted in an educational endowment was made on 12th May, 1574, and is much less direct than the foregoing. The properties forming the endowment of the chapel of St. Andrew the Apostle in the parish church had been acquired by a John Halliday from the Wallace family, by one of whom, Adam, the chapel had been founded in the early years of the 16th century,²² and which had been served by his son and heir, Sir David, as chaplain. This transaction, which was probably one of the kind described by the reformers, as “chaiping and changing of benefices, and selling of the same, dimminishing of the rentall in defraud of the Kirk,”²³ was, we are told, “adjudged repugnant to the Acts of Parliament and Divine Law.”²⁴ A royal charter of 13th May, 1574, however, ratified the alienation with the proviso that when the chaplainry became vacant, the patrons should confer the endowment on students at the universities or schools.²⁵ This has had as much effect as if the chaplainry were not yet vacant, for the matter has been as conveniently overlooked as the endowment of a hospital for the poor out of the properties of the Grey Friars which were gifted to the Burgh for that purpose by the Crown in 1569.²⁶ These well intentioned efforts were in harmony with the educational policy of the Reformers who, as is well known, intended that their scheme of national education should be financed out of the patrimony of the old church²⁷ which they wished to nationalise.

The Reformation appears to have been accepted rather

20 These *Trans.* 1912-13, p. 321. The document is on exhibition in the Burgh Museum.

21 Approximating to some £600 current value.

22 *Protocol Book* (1531-1561). Sir Marc Carruthers, Rector of Mouswald, 24 June, 1543.

23 *Booke of the Universall Kirk* (1839). p. 112.

24 Edgar. *Intro. to the History of Dumfries*, ed. Reid, 183, 245.

25 R.M.S. 1546-80, 2246.

26 These *Trans.* 1912-13. 320.

27 *Booke of the Universall Kirk* (1839). 266.

than promoted or opposed in Dumfries. Those who had been in the ministry of the "Paip's Kirk" and were "good and well conditioned persons"—that is, presumably, those who conformed to the new order—lived, though denounced enviously by Knox as "idle bellies," on the thirds of the benefices reserved to them or "upon the alms of the Kirk with the number of the Poore."²⁸ In Dumfries the change was even less considerable. There the former Curate of Dumfries became its first Presbyterian minister and one of the former Chaplains²⁹ its first Reader, while the late Wardan of the Grey Friars was appointed to keep the knock and bell³⁰ of the convent and hold morning prayers. The first minister was a member of the family which had endowed St. Andrew's Altar. Sir Patrick Wallace, son of John Wallace and Mariota Forestar and brother of Sir William Wallace, chaplain, appears in 1543 merely as chaplain but between 1545 and 1559 as Curate of Dumfries.³¹ On 21st January, 1561-2, as "minister of Drumfres," he appears at the Burgh Court of Dumfries and makes it "noterle knavin" that he had officiated at a marriage between certain persons.³² As this is the sole reference to him in this capacity it is not to be wondered at that hitherto it has escaped notice.

The qlk daye Shr patrik Vallace, present in Jugement minister of Drumfres and tuk [sic]³³ maid it noterle knavin yt he on ye xx day of Januarii instant compleit matrimony betuix thomas myll & jonet mcilrewe sister of hele mcilrewe & vsit tham as yrto order reqerit yr vpon Jon rawlyng present for his interest as sometyme souerte to yt effect reqeret noitt & act protestyng yt he myt be dischargeit of his band maid ye vj day of merche adoLX according to justice and offerit. . . .

The pre-Reformation Schoolmaster of Dumfries also retained his office under the new dispensation. His appointment took place in 1558, only two years before the change,

²⁸ *Booke of the Universall Kirk* (1839). p. 3.

²⁹ Sir John Sinclair, chaplain of St. Ninian's altar, became "reidar at the Kirk of Drumfries." (*Sheriff Court Book*, 4th June, 1582.) See also R.P.C. III., 95.

³⁰ *These Trans.* 1912-13. p. 318.

³¹ *Protocol Book* (1531-1561) of Sir Marc Carruthers, Rector of Mouswald, 26 April, 1545; 11 Dec., 1549; 3rd Feb., 1559.

³² *Dumfries Burgh Court Book*. 21 Jan. 1561/2.

³³ The word "oath" has been either intentionally or unintentionally omitted.

and he was then probably a young man but lately possessed of his Master of Arts degree. We have the document recording his appointment. Its survival is remarkable for the Burrow Court minutes for that period, of which it is an extract, have disappeared.

[8 Nov^r 1558]

The burrow court of the burcht of Drumfreis haldyn in the tolbuyt of the Samyn be Jhone m^cbrair proueist Amer maxwell Dawid cunynghame and Jamis Rig bailzeis of the said burcht the viij day of nouember the zeir of or lord Jajve Lvij zeris & the quhilk day the proueist bailzeis and consall of Drumfreis personalie congregat in the tolbuyt of the samyn presentit Maistir niniane Dalzell to the office of teiching and gouerment of the grammar schole w^t commodities therof and y^t w^t express consent and assent of maister Williame turnor thair present for his interes for all the dayis and termes of the said maistir ninianeis lifytyme sua y^t he w^t dew diligence waik on the teching of the said schole vsand na vther cuir nor office quhilkis may be preiudiciall or hynder the instruking or dew waikyng on the said schole w^tout aduce consent and spetiall lecence of the proueist bailzeis and consill y^t salbe for the tyme for the qlk teching gouerning dew instruking and exhertation to be maid induring his lyfe tyme the foir namit proueist and bailzeis obliiss tham and ther successoris to pay zeirliche to the said maistir niniane the sowme of ten merkis at tua vsuale termis in the zeir mertynemes in vinter and vitsonday be equale portionis w^t the quarter feis of the bairnis to gidder w^t the fyrst [altarage] vacand in the peroch kyrk at the proueist and bailzeis gyft as commone vse of altraige happynis for the tyme of his remanyng in thir premissis. Alsua that na other grammer schole salbe vsit nor techit wⁱⁿ this burcht indurand the said maistir ninianeis tyme. In vitness of thyr premissis the said proueist and bailzeis hes subscriit thir presentis w^t ther handis. And in signe and taikin of the said maister niniane . . . ying* he hes subscriit ther presentis as efter followis befoir St Jon brice vicar of Drumfreis Jon cunyngham Jon amiligane paule heslope thom m^cmyneis mertin edzar w^t vtheris diueress.

I Maister Niniane Dalzell
w^t my hand ytc ytc.

[* The letters of this word appear to be "raring":
? ratifying.]

From this interesting document it will be seen that the School was officially designated the "grammar school," and the Town Council of Dumfries had by this date secured to itself the appointment of its schoolmaster, yet it was careful to obtain the consent of the church. Master Williame

Turnor, it is probable, was acting as the representative of the Archbishop of Glasgow, although search for confirmation of this has been in vain.

In June, 1563, the General Assembly of the Kirk had decreed :

“ That the Instruction of Youth be committed to none within this Realme nather Universities nor without the same, bot to them that professe Christ's trew Religion, now publiclie preached; and that sick as now occupie the places not professing as said is, be removed frae the samen, and to remember that some ordour be made for the sustentatioun of poore Scholars.³⁴

We may take it that Mr Ninian Dalzell duly conformed. His name appears first in the Burgh Records on 18th November, 1562, and frequently thereafter as schoolmaster, minister, and notary. In Scott's *Fasti* he is entered as minister of Dumfries in 1567 with a stipend of £40. It is clear that he held both offices, Minister and Schoolmaster, conjointly.

On 3rd January, 1573, the following incident was recorded :

[3rd January, 1573] mem eod. Herbert ranying elder personally present befoir maister ninian Dalzell minister at Drumfres in poupett for for [sic] the shawing of the verd of god & devine servece & thair wt oppen voce exonit that his dochter vas — [sic] away & tane his gudis wt hir protesting solemptlie for remeid of law & order of the Kirk as resson and godle order requirit thervpon requirit noitt in form of instrument this don the hor of xj afore none present Archibald McBrair provest Jon Richardson baillee Wm mckynnell Wm Pater-son John Thomson David Rawling thomas makbrair patrik newall nichell newall with the rist of the congrega-tion in tyme present wt utheris dyvers.³⁵

On 15th January, 1573, Mr Herbert Cunningham in his Protocol Book records another incident, and here Dalzell appears as the holder of both offices :

Maxwell et Maxwell

The samin day efter the derection of the counsale of Drumfres be ther convention haldin in the tolbuyt of Drumfres the v day of Januarii instant John Maxwell patrikson & andro maxwell david sone comperit in presens of maister Niniane Dalzell minister and sewilmaister of Drumfres in poupett the hail congrega-tion ther present

³⁴ *Booke of the Universall Kirk* (1839). p. 16.

³⁵ Sheriff Court Book (Herbert Cunyngham)

in the peroch kirk for the tyme & obedientle satt done on thair keneis in presens of the hail congregacion confessit thai had faltit to god o' soverane lord the Kingis maieste his maiestie regent provost & balleis throw thair dissobediace done & vsit aganis the foirsadis in the mone^t of november last by past & therfor askit god mercye & the saidis Jugeis forgeunes promissed nevir to do siclyk offenceis & thervpon oblist tham & ilk ane of tham vnder the heast paine & chirge that efter myt follow of the premisses requirat act. Ita est Herbartus Cunnynghame notarius manu propria.

The economic aspect of the Reformation could hardly be better revealed than this replacement by one man of all those who had served during the old régime the spiritual, educational, and charitable requirements of the burgh, including the Vicar & Curate of Dumfries, the chaplains of the chapels of Our Lady of the Willies, of Our Lady of the Castledykes, of St. Christopher or the Chrystal Chapel and of the eight altars in St. Michael's Church, St. Ninian's, St. Christopher's, St. Gregory's, St. Andrew's, St. George's, St. Anna's, the Cruce or Holy Cross & Our Lady Piety, one of whom had probably officiated as schoolmaster; and the Wardan and four brethren of the Grey Friars Convent. It was long ere a new middle class, professional and cultural, arose instead of those so displaced.

Mr Ninian Dalzell encountered trouble in 1579. In that year Mr Peter Watson, now the superintendent of the Kirk for this district, was accused at the General Assembly on 7th July for not having made trial regarding the rumour that Mr Ninian Dalzell had "intised the people within these bounds to papistrie." Spotswood says "he did read to his Scholars the *Romane Catechisme*."^{35a} Mr Ninian was called before the Assembly "and was accused that he had privilie professed papistrie and had corrupted the youth with erroneous doctrine in sundrie points; and namely, that he had alledged, that the sacrament cannot be ministered but be a priest, had affirmed the reality of the sacrament, the visibility and succession of the Kirk and other like heads: He answered, That he had never affirmed such heads, and craved only reasoning and conference upon the visibility and

^{35a} *History of the Church of Scotland*. 1653. p. 308.

succession of the Kirk: As to the rest he doubted not.”
The Assembly

[“ Anent the apostacie and defection of Mr. Ninian Dalzell, Master of the Grammar School of Dumfries, from the true religion of Jesus Christ professed be him before, and corrupting the youth of his school with papistrie, confessed in presence of this Assemblie:] The Assemblie [after good deliberation and] weyand the apostacie of Mr. Niniane Dalzell, Master of the Grammar School of Dumfries, deposit him simpliciter from the functioun of the Ministrie in tyme comeing, and suspends him from teaching the schoole and youth, quhill as good experience be had of them of his good lyfe and behaviour as they have of his defectioun [and apostacie;] and in the meane tyme, ordaines ane of the Doctouris in the School of Dumfreis if he be sound in religioun, to teach the School of Dumfreis [during that tyme] and farder ordaines him publicklye, in face of the hail Assemblie, to confesse his offence and thereafter to passe to the town of Dumfreis, and uther parts of the countrey quher he hes abused the simple peiple; and lykewayes publicklye in presence of the Commissioner confesse the same, revokeand the saids errours, and professeand the contrair, craving God and his Kirk pardon theirfoir, and that immediatlye after his and the Commissioners hame passing, under the paine of excommunication.”

Perhaps Mr Ninian, thus humiliated and discharged, called up all the resources at his disposal to put things right, for before the Assembly dispersed we are informed he

“ produceit to the Assemblie his opinion concerning the heids of the religioun quhilk are in controversie, subscrivit with his hand, aggrieing in all points with the opinion and judgement of the Kirk; protestand befor God that for no favour nor feare of flesche he affirmed the doctrine conteinit therein, bot is alwayes myndid to die and live in the same.”

Doubtless Mr Ninian made due obedience on his return to Dumfries, for nothing further is heard of the matter. The reference to the “ Doctouris in the Schoole ” shows that even thus early there was more than one teacher. The term Doctor, or School Doctor, which is occasionally used into the 18th century, was, in these unsophisticated days, a teacher of doctrine.³⁶ The rudiments, the catechism and psalms, were his curriculum, and he is sometimes called,

³⁶ “ The ecclesiasticall function is only distinct offices, of teaching, the Doctor that interprets the Scriptures, and the Minister, to preach and apply the same.” *Booke of the Universall Kirk* (1839). p. 143.

harking back to Pre-Reformation times, the teacher of the Sang School, but, more generally, the under-teacher.

The *Fasti* states that Mr Ninian removed to the charge of Caerlaverock—Torthorwald, Tynwald, and Trailflat being also in his care—before 1574, with a stipend of £46 13s 4d, but there appears no reference to this in local records, and it was as “ Schoolmaster of Drumfress ” that he described himself in his “ Latterwill ”³⁷ written a year and a month, to the day, before his death on 21st April, 1587.

His Testament reveals that he was a man of considerable substance. He had £100 of ready money and his “ chalmer geir and habiliments of body and back ” amounted to 20 merks in value. His income had been augmented by several “ annuals ” and “ mails,” including rent for some crofts. His total estate was inventoried at £563 15s, and his only debt was 25s for his current “ chalmer maill.” He had lent money to a number of friends, and, considerably, relieved several of them by legacies. Some half-dozen ex-priests, old friends, were beneficiaries and his books he left to the Abbot of Newabbey—Mr Gilbert Brown. Mr Ninian may have carried out his duties as a Protestant Schoolmaster faithfully enough, but it is easy to see where his sympathies lay. It is pleasing to note among the other legacies “ to Gelston the creilman that servit me xs and my auld blew hose.” No one of his own name appears in the will, his executors being Robert French of Frenchland and Robert his son.

From an entry among the debts due to Mr Ninian, “ Item, be the toun of Drumfreis for the defunctis fie the last mertymes term 1586 v lib,” it would appear that he had continued as schoolmaster until the winter of 1586-7.

His property, “ a tenement between the common way called the ‘ Freeter gate ’ on the east and the way going from the ‘ Stinkand Vennel ’ to the Milburne on the west,” went to Thomas Frensch in Quatcleuch of Kirkbrydrig, as heir of provision.³⁸

³⁷ Edinburgh Register of Testaments.

³⁸ Laing *Charters*, 997, 30th March, 1580, seisin 20 Novr. 1587. The Stinkand Vennel was, later, Bank Street.

Dalzell must have been the teacher of the once famous Mr John Welsh of Ayr—not a happy experience. Welsh, born about 1570, son of the laird of Collieston, was “ a most hopeless extravagant boy. It was not enough to him frequently when he was a young stripling to run away from school and play the truant, but after he had passed his grammar and was come to be a youth he left the school and his father’s house and joined himself to the thieves on the English Border,” an avenue of escape from pedagogy of which our Dumfries youths long have been deprived.

Who the recipient was of the “ xx merkis ” recorded in the “ Compt of the common guid of the burgh of Drumfreis ” for 1590-1 as given “ to the scholemaster ”⁴⁰ is unknown. It is not likely to have been, as will subsequently emerge, the next known occupant of that position, Mr Herbert Gledstains, who appears as such in 1601. There must be a missing name between 1587 and 1601. On December 24th “ Mr Herbert Gledstains, schoolmaister,” was called with others before the Privy Council as a witness against certain burgesses of Dumfries accused of “ resetting ” or harbouring Mr Gilbert Brown, sometime abbot of Newabbey, and Mr John Hamiltoun, a Jesuit, who were alleged to have said mass, baptised bairns and enticed the people of the town to papistrie.⁴¹

On 4th May, 1608, he appears in a sasine as “ Magistrum Herbartus Gledstanis ludi magistrum schole Drumfreis ” and “ Jonatem Cunzham ” as his wife ”;⁴² she was a daughter of Cuthbert Cunyngham of Conheath,⁴³ Town Clerk of Dumfries and a member of the wealthy family which had entertained James IV. in their Painted Hall.

In 1611 he is described as “ notary and schoolmaister ” at Dumfries.⁴⁴ In the “ compt ” of 1612-13 the salary is given as twenty-four pounds and also the sum of forty pounds is paid “ To the redare and master of the

40 Edgar. *Intro. to the History of Dumfries*, ed. Reid. p. 256.

41 R.P.C. VI., 326.

42 Dumfries Particular Register of Sasines. 4 May, 1608.

43 Edgar's *Intro. to History of Dumfries—Cunyngham Genealogy*.

44 R.P.C. IX., 680.

Sangscholme."⁴⁵ On 4th October, 1615, he is retained as schoolmaster at a meeting of the Burrow Court, and in the same records a much perished entry, dated 2nd October, 1617, reads :

It is concludit be the saids provest baillies [and counsell] that Mr. Herbert Gledstanes Schole^{mr} have . . . to helpe him to teich the bairnes in the school . . . thomasoun q^{ll} michallmes nixttocum . . . that Mr. herbert sall have his stipend . . . the soume of 16 li q^{lk} will mak . . . soume of 40 punds q^{ll} michallmes . . . to ony bairne sall pey quarterlie the s . . .

On 10th March, 1618, the Register of Baptisms bears the record, "John Thomson doctor of the skuill ane lawful son callit Johne." On 9th September of the same year is the record, "Patrik, lawful sone to John Eltein, school^{mr}." He appears again as a witness to a Bond, June 8, 1630, "John Altem, Schoolmaster in Drumfreis," but, as frequently occurs in documents,⁴⁶ he does not adhibit his signature. His position is doubtful. He may have been an under-teacher or have had a private school of his own.

Mr Herbert Gledstains came of a landed family which had long held clerkly offices in the district. He is named as a residuary legatee to George Gladstone, Archbishop of St. Andrews,⁴⁷ though his exact relationship to the Gladstones of Over Kelwood and to the Archbishop has not emerged.

Contemporary with him a Mr Herbert Gledstanes appears in local records and elsewhere as minister, successively, of Caerlaverock and Troqueer. There was nothing to confirm speculation as to identity until it appeared, and that from a solitary record, that the wife of each was Janet Cunyngham. The presumption is strong, therefore, that we have not two men of the same name but one man holding dual office, and becomes a certainty when two children of each are found to have the same names.⁴⁸ From the *Fasti*

⁴⁵ Edgar, *Intro. to the History of Dumfries*, ed. Reid, p. 257.

⁴⁶ Dumfries Calendered Deeds.

⁴⁷ R.M.S. 11 July, 1606.

⁴⁸ The baptisms of several children are on record. George, 10th March, 1608; Nans, 20th July, 1609; Janet, 16th February, 1613; Grissel, 19th March, 1617; William, 16th June, 1618. On each of these occasions he is described as schoolmaster except on 16th February, 1613, when the designation is "Minister of Troqueer." John Gledstanes, merchant, appears as witness on that occasion and in 1608.

we learn that Mr Herbert (or as he is styled there, Halbert) Gledstainis was laureated A.M. at the University of Glasgow in 1590, and appears as minister of Caerlaverock about 1611. He was transferred to Troqueer in 1613, being presented to the Vicarage of Troqueer by James VI. in 1615. He gave £10 towards the building of the library of the College of Glasgow in 1638 and died 8th October, 1652, aged about 83. He left issue George and William.

It is possible that he became schoolmaster in 1590; after the appointment of his assistant he does not again appear as such, and it may have been that Thomeson succeeded shortly after his appointment. The most interesting feature that emerges is that the office of Schoolmaster of the burgh was held conjointly with that of Minister for nearly sixty years subsequent to the Reformation. The holding of the double office occurred elsewhere but not at so late a date.⁴⁹ Perhaps the Act of the Privy Council in 1616 ordaining that a school should be established in every parish had effected some change. This Act was ratified in 1633 and again in 1643, the two latter providing that the heritors must stent themselves to maintain the school and giving power to Presbyteries to nominate " twelve honest men " to see it done.

In 1620 we come on the second named under-teacher, John McKynnell, appearing as witness to a Bond dated 20th December, being designated " under teacher in ye school of Drumfreis."⁵⁰ He appears to have become a notary.⁵¹

In the following year, as witness to another Bond, appears one of the pupils, " John Richardson, Student in the shole of Drumfreis."⁵²

Brief was the tenure of office of Gledstanes' successor. " John Thomesone, Schoolmr of Drumfreis " died on 29th July, 1624, leaving his wife Agnes Douglas and two children,

⁴⁹ At Haddington in 1576—Grant. *History of the Burgh Schools of Scotland.* p. 95.

⁵⁰ Dumfries Calendered Deeds.

⁵¹ Op. cit. 20th March, 1629.

⁵² Dumfries Calendered Deeds, 13 July, 1621.

John and Barbara. The sum of the inventory of his estate was £185 6s 8d.⁵³

Five years elapse before the tale is picked up again, but this is the last hiatus we are to encounter in the record of the schoolmasters of the Burgh. The "Compt of the Common geir and casualties" for 1627-8 gives three score pounds as paid "To the schoolemaister for his fiall and chalmer mail," the increase doubtless being due to the addition of the rent to the salary. Four score pounds is paid "To the reidar and maister of the Sangschole."⁵⁴

We may take it that the former was the emolument of James MacJore whom we discover troubled about the condition of his back door.

[— June, 1629.]

The qlk day Thomas Greir in Rattenraw being conveint and persewit [be] James Makiore, schoolmeisr for laying out of his fuillzie and middin on the bak of the schoole and usurping the privilege of ane bak duir The provest baillies and counsell ordains the sd Thomas to remove his fuillzie And ordains him to lay no fuillzie thair in tyme to cum bot that the bak dur of the [schoole] tenement be [clensit] wⁱⁿ ten deis under the pain of xx lib [vsuall] money and qll he produce his wryttns berand the libertie and privilege forsd.⁵⁵

James McJore was perhaps the son of that name of John McJoir recorded as being baptised on 20th June, 1613; or he may have been the grandson, for a James McJoir, merchant burgess of Dumfries, appears frequently between 1640 and 1650. The name McJore would seem to have perished in this locality, but actually it has many representatives disguised for the past 200 years as McGeorge.

"The Compt of the common geir and casualeties"⁵⁶ for 1633-4 gives

To the schoolemaister for his fiall and chalmer
 mail iij^{xx} libs
 To the reader and master of the Sangschole iij^{xx} libs

And in 1634 he is in receipt of £40 and "Wm Edgar, Doctor" of £5.⁵⁷ Considerable repairs or alterations

53 Dumfries Register of Testaments, 15th December, 1624.

54 Edgar. *Intro. to History of Dumfries*, ed. Reid. p. 158.

55 Dumfries Burrow Court Book.

56 Edgar. *Intro. to the History of Dumfries*, ed. R. C. Reid. p. 260.

57 Dumfries Treasurer's Accounts, 1634.

appear to have been carried out on the school that year, the Burgh Treasurer's Accounts showing :

It ^m for leiding turffs to the scoole ...	3 lib 8 sh
It ^m for proping of the scoole	16 sh
Item for leiding of Lyme and sand to the schoole	16 sh
It ^m for George Greir for 42 draught of stanes to the schoole	6 lib 8 sh
It ^m to tua men for dighting of the schoole	13 sh 4d
It ^m to Jon Kennedy for 59 dissones of thak, pryce of the dissones 7 sh ...	20 lib 13 sh
It ^m to Thomas greir for leiding of thak fra the gallowrig	2 lib
It ^m to him for 6 dayes leiding of stanes and clay	3 lib 12 sh
It ^m for beiring of burne to be mortar	12 sh
It ^m to James Douglas for theiking of the scoole	2 lib 16 sh
It ^m to the meassouns and workmen at the scoole and pledghous for the space of 20 dayes ilk day for their morning drinks	8 lib

The Burgh Treasurer's Accounts for 1635 give :

It ^m to James McJore scoolemaister for his fie	80 lib
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It will be noticed that at no time is James McJore designated "Mr," and apparently he had no degree. In that respect he and his predecessor, John Thomson, are exceptions in the roll of the post-Reformation Burgh Schoolmasters. Little emerges about James McJore, but an exciting passage occurs about his wife, Marion Gledstanes, who may have been a daughter of Mr Herbert. So much of its savour would be lost in condensation that the whole entry in the *Register of the Privy Council* must be quoted to do it justice.

23rd December, 1635. Forsameikle as the Lords of Secreit Counsall ar informed that upon the day of last Nicolas Johnestoun, spous to Mr Francis Irving, commissar clerk of Drumfreis being going from her mother's hous to the Ladie Cokpooles hous in Drumfreis she rancountered in the way with Marion Gledstanes, spous to the schoolemaister off Drumfreis, who after manie protestations of love and kyndness invited the said Nicolas to her hous to drinke with her, whereunto she, having at lenth condescended, and being in a quyet rouse of the hous in companie with the said Marion and her woman servant, there wes a mutchkin of white wyne filled whairof the said Marion dranke out the first

copfull to the said Nicolas her husbands good health, and whereas the said Nicolas was looking to the hingings of ane bed in the hous the said Marion filled the cop again and the said Nicolas looking about, perceaved her tottering the cop in her hand as if she had the perrillis, whilk she gave to the said Nicolas to drinke, wherein as appeared ther wer some brazed nutmegs, whair of she, having tane a little drink and offered the rest to the said Marion, she, pretending that it wes the said Nicolas her husbands health, urged her at three drinks to drink the same out; and thereafter the said Marion tooke the cop and sett it doun saying the last that dranke out of that cop loved wyne the better of the nutmegs and with that changed her countenance and grew reid. Quherupon the said Nicolas, fearing some harme and yitt not suspecting anie poyson to be in the cop, the said Marion tooke ane cleane lynning and said "I thinke yee love not nutmegs," rubbed the cop cleane, filled in drinke of wyne, dranke thair of and her servant also. Thereafter the said Nicolas went to the Ladie Cokpooles hous, bot in the way there came a great thirst upon her so as she was forced to call for drinke and could skarse be slokened. Thereafter she came to her mothers hous and being troubled with the like thirst, dranke weake aill and gott little rest all the night. Upon the morne her stomak, bellie, thighes and legges wer all swelled, and the day thereafter frome the papes downward her haill bodie wes so swelled as she was like a monster and kepted her chamber twentie dayes till she grew a little better; but shortlie thereafter she was forced to take bed againe and lay in great hazard of her lyfe untill she received an antidote from Doctour Hamilton, wherethrow she recovered her health in a part bot not fullie. Quhilk being a mater of ane wicked and evill example and the saids Lords being carefull to have the same narrowlie examined and tryed, thairfore they have given and grantit and be the tenor hei of gives and grants full power and commission be thir presents to Robert Earle of Nithsdail, William Erle of Dumfries and Sir Robert Greirson of Lag or anie twa of thame to conveene the said Marion Gledstanes and her servant and the said Nicolas Johnnestoun and such others persons by whom this mater may be cleered, before thame at such times and places as they sall thinke convenient and to try and examine thame anent this mater apon such interrogators, circumstances and evidences as they sall thinke fitting, and if they find frequent presumptions aganis the said Marion, with power to thame to committ her forder tryell and punishment and to sett doun the deposition in writt and to report the same to the saids Lords with convenient diligence to the effect such forder order and direction may be given heere anent as the merite of the caus requires.

What light the Earl of Nithsdale, known as the Philosopher, whose heart must have delighted in investigating these curious manifestations, and his colleagues were able

to throw upon this colourful matter has not come down to us. Gratefully one acknowledges the degree the story brightens this narrative. Doubtless discipline suffered at the school but James McJore continues as schoolmaster. Indeed for 1637-8-9 we have the annual ceremony of resignation and reappointment at the beginning of each October more exactly described than usual: "James McJore [with other officials] resignit and gave up yr offices Be delyverance of yr wands as use is."⁵⁸ The Treasurer's Accounts for 1637-8 also show that wine drinking did not cease in his household:

Item upon the samyn day when Mr Harbert Gledstanes was elected in James McJore his house for wine	£2 11 6
Item for leiding of dales to the schoole	1 4 0
Item to Mr Harbert Gledstanes	£106 13 4

To what office Mr Gledstanes was elected and why he received so considerable a sum remain unknown.

Repairs again occur in 1639-40:

Item for nailles to the skool doore	£3 6 0
Item for casting and leiding of 300 turvis to the skoole	1 9 0
Item for ane new key to the skoolhouse doore	0 10 0
Item for riging and theiking the Scoole bak and fir	1 16 0
Item for thak to the scoole	15 0 0
Item for stobis	0 10 0
Item to Marion Mcburnie for bands and nails to the Scole windows	2 0 0
Item for the theiking of the backside of the scoole	4 16 9
Item to the Scool ^{mr}	80 0 0

Something occurred in 1640 which terminated James McJore's officiate. One is tempted, in view of the following record of an appearance before the Burgh Court, to suggest that he had refused to sign the National Covenant, rendered compulsory by the Privy Council in the previous year, and renounce Episcopacy, but the indefinite terms will not warrant a positive statement:

7th March, 1640. Decerns James McJore, school^{mr} and Marion Gledstanes spouse and W^m Maxwell and Robert Coupland nynescore punds sex shillingis in respect of yair contumacie conforme to the lybell.

Two days prior⁵⁹ to that the Magistrates and Council had allotted to McJoir "for his services done in the schoole"⁶⁰ the sum of £100 pounds Scots, but he was still schoolmaster on 26th July. It is interesting to note that the Council did not pay this sum but gave him only an extract of their Act. James, for previous favours received, assigned it to his brother, Mr William McJore, Minister at Caerlaverock, the document being witnessed by Mr Herbert Gledstaines, minister at Troqueer. In July, 1655, Mr William assigned it to Harbert Morisone, merchant burges of Drumfreis (James being designate therein "deceast"), who in December passed it on to Johne Fergusone in Mabie,⁶¹ who obtained payment with interest from the Burgh on 20th February, 1656,⁶² fifteen years after it was contracted. This illustrates the common usage at the time of bonds as currency.

It would add a piquant touch to the story of the inflating poison were I able to say that James McJore was succeeded in his office by the husband of the victim. I think he was, for his successor bore the name of Mr Francis Irving. There is no record, however, that his wife was Nicolas Johnstone; he had a wife, Margaret Morrison, who died 14th November, 1686, leaving three daughters. It is, of course, possible that Nicolas had preceded her as his spouse. One of that designation was a son of Mr Francis Irving, Provost of Dumfries, 1621, 1626, 1629.

The Treasurer's Accounts for 1640-1 contain items of exceptional interest.

To Mr. Francis Irving school ^{mr}	...	iiij lib		
To the twa underdoctors	...	£iij lib	vj sh	viiid
Item for ane key and mending of the schoolhous loke	...	...	8 sh	
Item to Jonet Burnet at her first coming to beir hir charges	...	6 lib		
Item to Johne Jacksone for goeing to Lanerick about the woman to learne the bairnes	...	...	20 lib	

59 Assignment Mr Wm McJore to Harbert Morisone, 30th Novr., 1655.

60 Assignment James McJore to Mr William McJore, 26th July, 1640.

61 Assignment Harbert Morisone to Johne Fergusone. 22 December, 1655.

62 Discharge Johne Fergusone to James Muirhead, Toun Treasurer.

In the 1639-40 Accounts there is apparently a double charge for thatching the back of the School, but the above makes things a little clearer. With that year we enter, in fact, a period of extended provision for schooling, for not only were two under-teachers employed but a school-mistress was established in a separate school for the elementary pupils.

The following petition clarifies the latter :

Unto yow my Lord proveist baillies and counsell of Drumfreis humblie meaneth your shervitour Alex^r Douglas writer to his majesties signet That q^r in the zeir of god Jajvj and ffourtie zeiris Agnes Lawrie my spous haveing sett at yet desyre of the magistratis of the bur^t for the tyme to Jonat burnet burnet [sic] scollmistres in the burgh ane laigh dwelling hous pertaining to my said spous for the zeirle mail off scotis money conforme to qlk set and conditione the said Janot posesit the said hous diverse zeires And thair is zit restand awand of the foirsaid mail the sowme off ffourtie merkis as is notor to the lait magistratis and manie of the presentt counsell and groff they oft and divers tymes promist me payment In respect groff and that I am to Returne within twa or thrie dayes to Edgr I humblie crave that your w/ wald give warrand to your presentt Thesaurer to mak payment groff and your ansher I crave.

[Reverse]

At Drumfreis the last of Apryle Jajvj fourtie nyne zeiris. The Counsell considering the affectioun of the supplicant to this bur^t oftymes exprest be him Ordaynes the present thesaurer to mak him paymentt of the sowmes within writin qlk sal be allowit in his compts.

Ja: Cunynghame.

This is further elucidated in a human manner by the Treasurer's Accounts for 1641-2.

Item spendit with M ^r James Hamiltoun, Ro ^t Richertson and Jon Wamsone [?] at the taking of ane hous fra Agnes Laurie to be ane scoole to the bairnes	10 sh
Item to Janet burnat, teacher of the bairnes	15 sh
Item to Mareon Rig for ane yearis rent of ane hous possest be Jonet burnit	26 lb 13 sh 4d

We have Mr Francis Irving's discharge for his salary to Candlemass, 1642.

I M^r Francis Irving schol^{mr} of Drumfrese grant me to hawe resawit from Johane Coupland thesaurer the

sowme of fourtie libs and that [for] the harvest quarter 1641 and winter quarter till candlemese 1642 grof I hald me content and discharges the said Johne therof be this my acquaintance subt wt my hand att Drumfresse 25 Novr 1641.

Mr francis Irving.

Mr Francis Irving demitted office in the following year on his being licensed by the Presbytery and ordained to the charge of Trailflatt and Dungree. He had been laureated at the University of Edinburgh as far back as 25th July, 1624, and it is not improbable that his first office was that of Commissary Clerk. He was translated to Kirkmahoe in 1645, and had an adventurous career, being deprived of his charge and confined to his parish on the restoration of Episcopacy. He refused indulgence in 1672, was denounced rebel and "driven into the wilderness" with 38 others in 1674 for keeping conventicles, imprisoned for several years in the tolbooths of Dumfries and Edinburgh and in the Bass in 1679. Liberated on binding himself not to attend conventicles, he went to Holland, but returned in 1687 and preached in a meeting house in Dumfries. On the restoration he was given his old charge of Kirkmahoe. He died 8th December, 1695, in his 85th year.

His successor as schoolmaster was Mr John Harper, but except that he came from Tynron there is little information about him. We have now entered on the period when the schoolmasters are aspirants for the ministry, successful or otherwise, which could hardly have been good for the school, the former making for short terms of office and the latter for disappointed ones.

The following items of varied interest are from the Treasurer's Accounts for 1641-2 :

Item for taking ane letter to Mr John harper in tinrone	12 sh
Item debursit and spendit with Mr Jon harper at his first cumyng to the toun	6 sh 8d
Item peyit for tua horss that brought Mr Jon harper and his guides [goods] to Drumfresis	2 lib
Item to Agnes Coupland at the visitation of the scoole q ⁿ Mr Jon harper was resautit	1 lib 5 sh 8d
Item peyit to Mr Jon harper for the rent of his hous from Januar to August	6 lib 13 sh 4d

Item to Mr Francis Irving and Mr Jon Harper	80 lib	
Item for tuelf beukis to the Kirk for the scollers bynks [benches]	12 lib	
Item to Roger Kirkpatrick for ane kie to the Kirk doore of the bairnes enter in		6 sh
Item for window bands and nailles to the scoole windows	10 sh	8d
Item to Thomas Andersone for mending of the scoole windows and doore ...	10 sh	
Item peyit to Thomas Andersone and Jon corsbie wryghtis for making of the fir seats to the scoole maister, doctor and bairnes	8 lib	
Item for plenshir nailles and doore nailles	1 lib	7 sh
Item at the provest's comands in drink silver		8 sh
Item to the saids Thomas for building of the other six seatis	8 lib	
Item in Drink money		4 sh
Mair peyit to the provost for fyve fir dales	5 lib	
Item peyit to W ^m McKitrick for ane fetter-lock to the scooles use ...	1 lib	

These entries tempt to speculation. The children were provided with benches and books in the loft of St. Michael's, which was reached by a side door; the provision of the dozen seats in the school may be exceptional so far as the scholars are concerned, for even in 1677 Thomas Kirk, who travelled from Yorkshire to Scotland, noted with surprise at Burntisland the children sitting "on the earthen floor in a litter of heather and straw with which the ground was strewn," "like pigs," he says, "in a sty"; the windows were probably unglazed and closed with a wooden shutter hung on bands. The frequent repairs to doors and windows may be incident to some unusually fierce "barring-out" occasions. The purchase of a fetter-lock savours of durance vile for the unruly.

In 1643-4 Accounts we have :

Item to Mr Jon harper	£80	0	0
Mair to Mr John harper his hous maill ...	£13	6	8
Mair to Janet burnet	£50	0	0
Mair to hir hous maill	£26	13	4

and the name of one of the under-teachers.

Mair to Mr hatewele the English maister ten dollars is	£27	0	0
---	-----	---	---

On 3rd August, 1644, two of the scholars witnessed a bond. They were "Herbert Taite son to the late James Taite burgess, Adam Corbet son to James Corbet, burgess, studentis in the schole of Drumfreis.⁶³ The bond was written by Andro Lorimer, who in a disposition of March 5 and 14th, 1645, is described as "under-teacher in Drumfreis."⁶⁴ This method of adding to his meagre income we shall later find complained about by a less favoured teacher.

In November, 1645, Mr John Harper demitted office, and his place was taken by Mr Alexander Smyth, who had graduated at Edinburgh University, 22nd July, 1637, and was then schoolmaster at Penpont.

Nov 10	Item givin to Johne Elliot to goe to Penpont to fetch the schoolemaister	00	18	00
Nov 15	Item given to Mr Johne harper for halfe ane yeiris stipend for the schoole	40	00	00
	Item for his hous maill peyit to William grier	06	13	04
Nov 24	Item for fourtie loades of peites to Mr Alex ^r Smyth	08	00	00
[No date]	Item to Mr Alex ^r Smyth for his fiall for half ane yeir and the maill of his chamber	80	00	00
	Item to the said Mr Alex ^r for his sumers quarter for his fiall	16	13	04

Other entries in the Accounts for 1645-6 are :

	Item for ane lock to the schoolhous doore ...	04	04	00
	Item for three dailles bocht frae Johne Coupland for the use of the Schoole at fourteine shelingis the piece	02	02	00
	Item for nailles to the sd work and sexpair of bandes to the windowes and the mens wages and drink	05	10	00
	Item to Thomas Andersone for cutting rashes to the Schoole	00	06	00
	Item to Johne Rae for theiking and rigging yroff	03	10	00
	Item for sex carrfulls of straw to it	03	00	00

In February, 1646, Mr Alexander Smyth married Helen Newall of Dumfries, and on the "penult" day of May

63 Bond: William Maxwell callit of Palmerland, gluver, and Jonet Maxwell, spouses, to William Craik, Merchant, burgess. (Dumfries Calendered Deeds.)

64 Disposition: Robert Dykes burgess to Martin Parker (Dumfries Calendered Deeds). Described as "doctor in the School" Lorimer was a witness to the Testament of John Tailzour, deacon of the wrights of Dumfries, dated 9 December, 1642, confirmed 29 May, 1649. On 18th February, 1658, "James Lorymer sone to wmgle Andrew Lorymer sometyme doctor in the Schoole being about to be bund to ane maister his supplication for charritie" is referred by the Kirk Session to the magistrates, deacons and Kirk treasurer.

secured the following important concession from the Town Council :

The said day the provest baillies and Counsall considering ye necessity of ane weill keipit school w^{thin} yis burgh therefore they have mortifeid and allowit to ye m^{rs} of ye schoole in tyme cuming Tua hundreth merks scotts money yierly in tyme cumyng And that ane wall of fir dailles be set vp betuix the Latineris and yese who Lairins bot english. Item yat all Lands go to the high schoole: And yat yr be xvij pence for ilk landwart barne in the q^{rt}er to ye maister and vj pence to ye doctor q^{rt}erly in tyme cuming at Leist. And that no wemen keip schooles bot such as ar approvyn be ye magistrates minister and Counsall.⁶⁵

Considering the "dangerous times," as the Council Minutes describe them, which had fallen upon the inhabitants, the above resolution compels respect. The Civil War had drawn levies from the town and the arms which had been bought for its defence had been captured by Montrose when he took it without a fight on 15th April, 1644, to retreat two days later before the Covenanting army under Lord Callender. For his part in this loss the Provost, Mr John Corsane, was imprisoned in Edinburgh Tolbooth till July, 1645, and heavily fined. A number of the local lairds were similarly incarcerated, and one, William Maxwell of Munches, was executed. Soldiers were billeted on the inhabitants, extra taxes were imposed. Pestilence swept over the country after the siege of Newcastle, and in the four quarters of the town watch was kept day and night for many months to prevent all ingress. Trade was completely suspended. The agreement, too, was secured in the nick of time, for the long struggle between Episcopalian and Presbyterian which had begun was to impoverish the land and not only prevent expansion but to contract all educational and cultural activities.

On June 22nd, 1646, not only the schoolmaster but his brothers were admitted free burgesses of the burgh :

The qlk day Jon Smithe merchand in preston pans
Mr Alex^r Smithe schoolm^r and W^m Smithe sailler y^r
brother ar admitted burgesses gratis⁶⁶

65 Town Council Minutes.

66 Town Council Minutes.

On 19th July, 1647, he was admitted Minister of Garrel and Dungree and resigned his position in the school. He was to prove a bold adherent to the Covenant, and much of his life was spent in prison or exile. He was translated to Colvend 25th December, 1651, and was deprived of his charge by Act of Parliament 11th June, and by the Privy Council 1st October, 1662. Cited before the Privy Council 24th March, 1663, with others, he promised to obey the Acts of Parliament and Council and remove from his manse and desist from preaching. On 22nd February, 1664, on the complaint of the minister, the Town Council of Dumfries, considering he was a person incapacitated by the law to reside within any Royal Burgh and that he had not kept his promise given long ago to leave the town, ordained him to remove himself, his wife, children and family before the 26th of February, any who reset him to be fined £100 Scots.⁶⁷ He went to Leith, where, having preached in a private house, he was charged in July with keeping conventicles, and appeared before Archbishop Sharp, whom he addressed, not as "your grace" but as "sir." The Earl of Rothes demanded if he knew who the President was. "Yes, my lord," he replied, "I speak to James Sharp, once a fellow minister with myself." For this Rothes ordered the hangman to put him in irons in "The Thieves Hole" in Edinburgh Tolbooth, where he continued three days until the kindness of the citizens made the archbishop ashamed. In January, 1666, being in "hevie seickness in a cold rowme qr yr can be no fyre," Rothes conceded to a petition on his behalf and ordered his removal to "any vyr convenient roume."⁶⁸ On 23rd March he was "relieved furth of ward" by being banished by the Court of High Commission to an uninhabited island in Shetland, where barley was his only food and wreck and seaweed his only fuel. He was brought thence in 1668 and confined for fourteen days in Edinburgh Tolbooth and then transferred to the island of North Ronaldshay. After four years there he returned to

67 Town Council Minutes.

68 Edinburgh Old Tolbooth Records.

Edinburgh, and died at the Castle hill on 21st February, 1673.

He was succeeded as schoolmaster by Mr John Moire. The Treasurer's Accounts for 1647-8 give us the last payment to him and the first to his successor :

Item to Mr. Alexr Smyth	...	...	5 lib
Item for Mr. John mor for his halainds	...	...	...
quarter wege	...	...	33 lib 6 sh 8d

Moir's second, third and last quarter payment of the same sum follow, and then :

Item to Mr Jon more by order from the	...	...	...	...	3 lib 6 sh 8d
provost	...	...	...	...	...

and :

Item to Jon mcgill at the counsell's order	6 lib 13 sh 4d
--	----------------

Before accepting office Moir had bargained for terms, and sought, and, on 5th November obtained, the following ratification :

The qlk day anent the petitioun givin in be Mr Johne more schoolemaster Craving and desyring ratification of ane conditioun past betuixt Provost [John] Johnstoun and him viz To have twa hundredth merks yeirlie To be peyit in the beginning of everie terme And twentie pounds zeirlie for ane hous maill And sicklyk Twentie Loads of peites zeirlie Qlk the saids provest baillies and Counsell having takin to yr serious and mature deliberatione ffynd the same most Just and reasonable And therfor they all in ane voyce ratifie allow and approve to the said Mr Johne durante vita vell ad culpam.⁶⁹

In this year we come upon the first mention of aid being given to a bursar :

12th April, 1648. Also they [the provest, baillies and counsell] have ordayned That Mr Harbert ffareis sall have satisfactioun for his sone as ane burser for Twenty ane pounds qroff he hath receavit Three pounds so yr restis auchteine poundes.⁷⁰

All the foregoing payments have been given in Scots money, but for the year 1649-50 they are presented in sterling. The contrast is illuminating, the quarter wage of £33 6s 8d Scots becoming £2 15s 6d sterling, or a twelfth.

Item to Maister John Moare scollmaister for	...	...	...	...	...	£3 3 11
his first quarters pension [and house	...	...	...	...	...	...
maill]	...	...	...	...	...	...

⁶⁹ Town Council Minutes.

⁷⁰ Op. cit.

Item to Mr John More for his Second quarters pension and his hous maill	3	3	11
Peyed to him ffortie merkis allowed to him be the counsellis authorisation	2	4	5
Item peyed to him wch was allowed be the Counsell to by twentie laid of peats ⁷¹ ...	0	10	0
Item to Jon mcgill Doketer wch was allowed to him be the counsell	1	2	3
Item peyed to Mr John More for his thrid quarter wages peyed by David raling to him	2	15	6
Item peyed to Mr Jon More ffor his last quarter wages payed be David raling and Thos. Kirkpatrick	2	15	6
Item peyed to Mr John More att the Coun- sell's directioun	1	2	3
Item to the Doctor Jon mcgille be ther order also	0	16	8

This last concession was the result of the following appeal by the harassed under-teacher :

Unto your wisdomes humblie meaneth I your /W/
shervitor John mcgill underteacher That quhair I have
remained in your school the space of tuo year and ane
halfe or thairby, and hath hade small benefite for my
attendance, But have beine forcit wpon necessitie to
spend most part of my awne, And I may trewly say that
since candelsmes last I have not hade tuo ss scots in the
day. Now I trust your /W/ will be pleased to helpe my
present neid, ffor the schoole is gone downe alredie and
we have lost our quarter waiges for this present quarter,
And I trust your /W/ knawes that this hath beane ane
deare year for them that hath hade small meanes to
leave wpon Trusting your /W/ will taik this my sup-
plicatioun to your consideratioun and your wisdomes
ansher I humblie desire

your wisdomes humble shervitor

John Makgill.

His trust in their wisdoms was not misplaced, for on
the reverse is :

21 sep^r 1649

Ordainis the th^r to give to this supplicant the sowme of
Ten pounds Scots money

Tho: m^eburnie

Ro^t Richardstone⁷²

Two small doles were included by the Treasurer in his
Accounts :

Item peyed to Maister Jon More his wyfe att the Counsellis direction	00	06	00
Item peyed to the Docters wyfe accordingle	00	04	00

⁷¹ His receipt for that perquisite is for £c. (Dumfries Calendered Deeds,
22 March, 1649.)

⁷² Burgh Papers.

but these items were cancelled and not allowed him at his "compting."

In the next year (1650-1) there is nothing of interest except an "oqmentation" of £2 4s 6d sterling to Mr More's salary and John McGill's disappearance to pastures new and his replacement by "James Grier Dokter" who received an allowance of 16/8 and was destined to remain twenty-four years at his post.

Mr John More died a day or two before 6th December, on which date at their Monday meeting the Kirk Session instructed Mr Hew Henrison, the parish minister, to speak to the Presbytery "anent settling of the schoole by ane able Schoolm^r through the decease of the late Mr Jon Moire." At their meeting on the following Thursday afternoon—the Session met twice a week "for discipline"—

"the minister in reference to the Report of his diligence anent the vacancie of the Schoolm^rship hath imparted to the Sessione the mynd of the presbyterie, That this day eight davis the 16 of this Instant, ane visita^{one} of the breithrein is to be maid for the Said matter and in the interim the presbitrie have thought fitt That Mr William McJore fill the Rowme for the present, and oure see it, he alwayes giving sufficient tryell of his qualifica^{ns}, which is referred to the resentment of the visitors."

Mr William McJore was, in all probability, a son of James McJore and Marion Gledstaines.

Mr More could not have left much, as the following petition demonstrates :

Unto the proveist Baillies and Toun
Counsall off the Burgh of Drumfreis
The supplicatioun of Saraw Kirk-
patrik Relict of wmqle Mr Johne
More humblie sheweth

That Qras the sd Mr Johne Moire befoir his decease served in the schooll this last winter Quarter in learning of the childreene And therefoire he ought to have had the pensioun and wages that was dew to him ffor his sd service yet notwithstanding there is restand owand to the supplicant his Relict of the sd last Quarters fies the sowme of Twentie ffoure pundis sex shilling eight pennies scotts money Qlk sowme your /W/ promised to have payit to the supplicant Heirfore it is humblie desyred That your /W/ wold be pleased to give order to any your /W/ thinkes ffitting for payment thereof to the said supplicant his Relict and childreene who stands in very

great necessitie thereof and they sall ever pray ffor yowr
/W/ weilfaire and rests ffor ane ansher heiroff Qlk they
humblic crave

Sara Kirpatrick

The reverse reads :

14 Marche 1653

The counsall ordaynes Harbert burges to pey ye suppli-
cant xx merkis

Ja: Cunynghame

Tho: m'burnie

and in the succeeding November the Kirk Session took up a collection for " the distress of vmlqle Mr John More's childriene " which realised £28 4s Scots.

On 8th January, 1657, Jeane More, daughter of the late Mr John More, was given a testimonial by the Session that " it kens no publict scandall to her."

The clerk to the Kirk Session from 1654 to 1661 was James Blaik. On 8th April, 1652, the following appears in the Kirk Session minutes :

" Anent th bill given in to the Sessione be James Blaiks wyff, q'in shee desyres to have Libertie from the towne and Sessione of ane Schoole for training vp of female children in sundrie passages of her professione. The fores^d members of the sessione considering that such a woman so well gifted, is verie requisite for educating of children have y^rfore Ordained the towne thesaurer to anshir her in the sowme of ane hundreth merks at mairtingmes next. With this proviso that her behavior be christian and modest such as shee gives her selff out to be of, iff vtherwyse shee is not [to] be anshred at all, And theirvpon decerned act."

It is unfortunate that neither the lady's name nor her " professione " are not more particularly condescended upon. The word had not then the modern meaning; it was, rather, a declaration,⁷³ and doubtless refers to her asservation of Christian behaviour. She probably was appointed, as was Janet Burnet, to teach the young girls. More significant is the fact of the instruction being given by the Kirk Session to the Burgh Treasurer. At this period provost, baillies, and councillors were elders and members of the Session, and reference from the Session to the Council in matters of discipline were necessary only because of its more

⁷³ Thus Helen Thomsone in a quarrel with Agnes forsyth " prayed an ill sicht to her without any provocation and kest up her profession to her saying for all her prayers she was going to hell." Kirk Session Minutes, 27th August, 1657.

limited powers. In this instance it appears as if the distinction had been forgotten. It is the only reference we have to the appointment.

A petition submitted by the under-teacher throws light upon the general school conditions of the district and marks the highest point yet reached in educational facilities, and one which was not to be equalled for nearly a century. Its date, by inference, was 1651.

To the honoble The Provist baillizes
and Counsell of the brughe of Drum-
frees The humble petitioun of James
greirsone
Sheweth

That gras yo^r supplicant had obtaint ane act of counsall for payment to me of my zeirlie pensioun from the Toun ther^r [treasurer] for my service in the Schoole of Drum-frees which pensioun I receivit from Patrick Young, Late ther^r. And now haveing gotten nothing since Lama^s was ane zeare And also being destitute of the most part of my former benefit that I had within the Schoole partlie be reasone of remoweing the Lasses to ane vther schoole by yo^r wisdomes toleratioune as also be the counterie gentlemens taking y^r childreine from us, they not being able to keppe them at the schoole in this burghe by severall reasones partlie by publict burdeinis and vyther impositiounes for y^r is now ane schole holden at everie rurall Church of the kingdome I most humblie y^rfor for the favor of the Lord desyre yo^r wisdomes to consider the premisses and to give orders to one of those quho Collects anie of the Imposte of the toune to pey me this last zeaeres pensioune for my service or vther wayes I am not able to subsis and wait vpon the charge the benefite being so little I haveing no vther calling or trade q^{by} to Intertaine my familie and my self And zor servants ans^r humblie I expect.

Reverse :

The farmers of the mylne ar apointed to pay to the petitioner 40 mark vpon sicht heiroff.

Tho: m^cburnie
in name of the Counsall
Robert Graham, Ja: Newlandis.

This petition lends support to the assertion, generally received with incredulity, of Mr James Kirkton in his *The Secret and True History of the Church of Scotland* that at the return of Charles the Second in 1660 "every parochie hade a minister, every village hade a school, every family almost had a Bible, yea, in most of the countrey all the

children of age could read the Scriptures, and were provided of Bibles, either by the parents or their ministers."

Grearson's petition is better evidence than Kirkton's. It was addressed to contemporaries as well informed as himself and exaggeration would have discounted it. Yet it is clear that he exaggerated. From other sources we can glean items of evidence as to education in this locality.

The Kirk Session of Dumfries in addition to the regular Sunday searchings for dishaunters of public worship frequently undertook house-to-house visitations throughout the town and parish, two elders being deputed to each quarter or district. Among the "Regulations anent Family Visitations" drawn up for their instruction and recorded on 5th July, 1654, the following subjects of enquiry were laid down:

(1) How the maister of the ffamily behaves himself, iff his wyff walk orderlie, iff childrene and servants are obedient (2) Iff childrene be trained vp in their Learning and honest trade (4) Iff the Litle catechism be in every ffamilie and exactlie Learned (5) Iff there be ffamilie worship and the word red therein and iff in each ffamilie there be a bible, and exhort to privat worship.

In August the following year when preparations were being made for the holding of a Sacrament the elders were to certify masters of families "that whoever sall not worship God in their familyes and in Secret and have not the word of God read and psalms sung sall be debarred from the Sacrament."⁷⁴

More direct is the evidence of a minute of 30th August, 1655:

Mr Hew Henrisone our minister declaires that the Landwart people ar content to have thrie schools amongst them, to witt, one at Dalscone, one at Burnskeith and the thrid at Kelwood, they are to use meanes for a maintenance to thrie boys to teach them.

It is doubtful if this ambitious scheme was ever carried out, for on 14th November, 1657:

The Sessioun have recommended it wnto the Landwart Elders to provyd twa Landward schooles in their bounds,

⁷⁴ Kirk Session Minutes, August 23, 1655.

And on 11th March, 1658 :

The Sessioun considering that the Landward parish receaves great skaith and prejudice throw want of schools for trayning of their young ones doe therefoire exhort the Landward Elders to take paines to try out for some young lads to teach twa schools amongst them and that they lay out a way for their mainteinance.

The Act of the Scottish Parliament of 2nd February, 1646, was the first compulsory educational measure which embodied provisions " by advice of the Presbytery " for the establishment of schools and maintenance of schoolmasters in each parish. Should the heritors refuse to meet and fix an assessment upon " every ones rent of stock and teind in the parish proportionally," the Presbytery was empowered to nominate twelve honest men to do so, and, should payment not be forthcoming, the schoolmaster, whose stipend was to be not less than 100, or more than 200 merks per annum, was authorised to raise " Letters of Horning and all other Executorials necessary " for the double of the proportions and " any suspension to pass against him without consignation " was discharged. This was a fundamental improvement upon the powers conferred on Bishops in 1616 " to deall and travell with parishioners to condescend and agree upon some certane solide and sure course " for maintaining a school " where convenient means may be had," and which were ratified and improved in method in 1633 when " the Bishops in their severall visitations should have power, with consent of the heritors and most part of the parishioners, to set down and stent upon every plough land or husband land, according to the worth, for maintaining of said schools." It is curious, therefore, to note that no move appears to have been made by the Presbytery of Dumfries until 1657, eleven years after the passing of the Act. Once begun, however, it steadily persevered to its objective, as the following excerpts show :

27 January, 1657 In Answer to ane Supplicatioun given in by the Kirk Session of Troqueir ffor planting of ane Schooll amongst them The presbytery fynding that the heritors having beene wryttin wnto severall tymes and Refwiseing to conveene for that effect therefore the presbytry Ordaines that (according to the act

of parliament) twelve honest men within the presbytry be chosen for that effect.

March last, 1657 Anent ane supplicatioune given in by Andrew Greir, school^{mr} in the parish of Dunscoire wherin he compleans that the parish will not allow him meaintenance to wyt wpon the Schoole and desyre that he may aither be provyded or loused from the samyn In Regaird that the samyn is havylie Regrated be Mr Robert Archbald, minister y^r and declaired to be of truth, Therefore the presbytry give advyse and ordaine that they advertise the heritors to meit and stent the parish for a steepend to the schoolemaister conforme to the act of parliament and if they refuse to conveyn and stent themselves that the presbytry will appoynt twelve men to meit and lay it on conforme to the act in all poynts and that Mr Robert mak Repoirt the nixt day.

28th April, 1657 The presbytry doe ordaine that the Minister and Kirk Sessioun of Dunscoire setle ane menteinnance for their schoolmaister conforme to the act of parliament.

The above clearly demonstrate the procedure in particular cases.

The following minute is the first general ordinance passed by the Presbytry, and it is succeeded by others, which indicate the progress made :

Nov 3rd 1657. The presbytry considering how prejudicall the want of schools in every parish hath beene, and how wsefull and profitable the samyn may be, Doe therefore statute, and ordaine, That every Brother within the presbitry set presentlie about the erecting and establishing of schooles in their severall congregatiouns, conforme to the act of parliament, and make repoint of their dilligence wnto the Presbitry.

Dec 22, 1657 The presbitry fynding that nothing is done anent the setling of schooles in their severall congregatiouns, Doe yet ordaine that dilligence may be wsed, and for this purpose that every Brother correspond one with Another for incourageing otheris and helping forward of the work, and that Letters be writtin wnto the heritors, to meit to set down a stent for the manteinnance of the scholemaister with certification to them, if they refuse to meit, the presbitry will appoynte twelve men to lay onn the stents conforme to the act of parliament.

Mar 9, 1658 The Breither of the presbitry being Interrogate by the moderator anent what dilligence is done by them for setling of schooles in their congregatiouns, and fynding that nothing of the work is set forward, the presbitry doe seriouslie recommend this wnto the synod, that they pass their act wnder some certificatioune that every Brother (where schooles are not setled and ane sufficient manteinnance provydit for a Schoolemaister) Give all dilligence to setle and provyde the fairsaids Schooles conforme to the act of parliament,

And that their Act be recommendit to the Comitty, and to the severall presbitryes for putting them to their deuty.

Sept. 14, 1658 The presbitry Considering that there is Little done Anent settling of Schooles, Have resolved That every kirk sessioun who have not schooles settled sall indevore their wtmost power and dilligence, betwixt and martinmas next to setle a manteinnance.

Dec 7, 1658. The presbitry think fit that this day aught dayes be appoynted to meit for laying out some way for setling of schooles in every parish, and therfoire ordains yr all the Breither meit th s^d day for that purpose.

Dec 21, 1658. The moderator having interrogate every Brother particularly what dilligence they had done anent settling of schooles in their parishes it was answered by Mr Francis Irving [Kirkmahoe] Mr W^m Hay [Holywood] Mr John Blakader [Troqueer] Mr George Jonston [Lochrutton] that they have written to the heritors to convey y^mselves and setle a manteinnance for the schoolemaister.

The presbitry doe ordane that every Brother who have not alreddy ane settled manteinnance for yr schoolmaister, sall give dilligence and raise Letters and provide the schoolemaisters with a manteinnance and that betwixt and the nixt Synod.

The union of the parishes of Colvend and Southwick provides an example of accommodation on the part of the Presbytery even at this date. Unfortunately the circumstances are not explained. The heritors saved £33 6s 8d.

Dec 21, 1658. In answer wnto ane supplicatioun given in by the heritors of Colwen and Suthwick anent their schooles, q^uin they desyer that the manteinnance which is 200 merks for twa schooles within the sd parish might be reduced to 40 lib the peece, The presbitry considering yr there is Letters of horning alreddy raised for the sd 200 Merks besyde the quarter wages yet the presbitry for reassounis knowin to them doe ordaine by vertue of yr power That the twa schoolemaisters viz Jon dowglas and William Greinlaw schoolmaisters in Colwen and Suthwick be content with ane hundreth pund betwixt them viz 50 lib for ilk schoolemaister and that this is besyde the quarter wages providing alwise that the schoolemaisters have power conforme to their Letters to charge for payment of the full tua hundreth merks, and that the heritors purchase the schoolemaisters discharges for payment of bygones betwixt and witsunday.

Mar 22 1659 The Breither that had not done dilligence Anent Setlin of Schooles being interrogate did declaire they are wseing dilligence.

May 24, 1659 The presbiterie ordain yt Letters be raised conforme to the Act of parliament for ane manteinnance to yr Schoolmaisters also that Breither give dilligence to bring in Schoolemaisters where they are not yet planted.

Sept 20, 1659 The presbiterie recomends it to the Synod that they wold take pains anent planting of Schooles in everie congregetion conforme to the act of parliament.

The above is the last entry on the matter in the Presbytery minutes. There are incidental references to James Corbet, schoolmaster at Tynwald, and his wife, Janet Herries (22 March, 1659), and to Mr Hugh ffisher, schoolmaster at Newabbey (16 June, 1659), but though one can, on the evidence produced, say that most of the parishes in the Presbytery had schools by 1660, it is clear that some had not. It is obvious that considerable obstruction had to be overcome. The meritorious efforts, achieving undoubtedly a certain measure of success, were brought to a standstill by the Act Recissory of 1661 which repealed all legislation subsequent to 1633. The Education Act of that year was reverted to, and, with some slight modifications in 1662, the permissive features being retained, continued in force until after the revolution.

II. 1652—1697.

A Covenanted Master.

We have more information about Mr William McJore than any other of the early schoolmasters but still not much about the school or its curriculum. Proof that he was the son of James McJore, schoolmaster from 1628 to 1640, and his wife Marion Gledstanes has not come to my knowledge but it is very probable, for his son, William McGeorge,¹ who was minister at Pennycook, 1695-1745, was declared executor dative as nearest of kin² to William McGeorge of

¹ "One of the most able men in the post-Revolution Church. He was called to the Moderator's chair in the General Assembly no less than five times, a record never surpassed. *John Hepburn and the Hebronites*, by Dr William McMillan, p. 87.

² Dumfries Testaments. 30th October, 1719.

Ingleston,³ the son of Mr William McJore, minister at Caerlaverock, who, as we have seen, was a brother of James McJore. He was probably fresh from the College of St. Andrews at the time of his appointment in 1652 as successor to the late Mr John More. On 3rd March, 1653, the Treasurer's Accounts run :

Item to the scollmaister thriescoir pund which will be dew to him at candlemes last.

The uncertainty of tense in that entry characterises the settlements of salary, and recourse was had frequently to moneys just or even yet to be procured :

25th Nov^r 1654. The said day the counsall hes ordaynit Mr W^m mcJore, scollmaister, to be peyit of the byganes of his pension of the first of the burgess fynes. The said day the counsall hes admitted and ressavit Jon Wilsone mer^t burgis and frieman ffor peyment of 40 merks whilk wes assignet to the schoolmaister.

The salaries are given succinctly in sterling in 1655-6 :

peyed to the scoull master for his yeirs						
pentione	...	...	...	...	13	6 8
peyed to the doctore for his yeirs pentione						
40 marks	...	...	...	...	2	4 5½

That does not sound so imposing as the same amount in Scots money in the following year, 1656-7 :

given to Mr William majore scollmaster						
for his pensioun for ane yeir	...	160	lib			
given to James greir for ane yeirs						
pensioun	...	26	lib	13 sh.	4d	

³ Dumfries Burgh Court Books, 2nd February, 1669. "Wm. Mcjore only lawful son to umgle Mr William mcjore lait minister at Caerlaverock 'raised privilege of curatory against' Mr John Corsane lait provost of Drumfries, John Coupland lait bailly thair, and Mr Wm mcjore lait schoolmr personnes neirest of kin to him on his fathers syd, and Robert Johnstoun in tounheid of bank-end, and John Maxwell only lawful sone to umql Edward Maxwell of Tounheid, persons neirest of kin on his mothers syd." He was a minor, "past the age of tutorie and within the aige of curatory" and the above with "Thomas Gledstanes, wryter in Edinburgh," were appointed. He appears as a witness in 1672 (circa 30th June), designated "writter in Edinburgh, aged 22 years or thereby" (R.P.C., 3rd Ser. v. 111, p. 709) and became a notary in Dumfries, clerk and keeper of the Register of Sasines, and Clerk to the Seven Trades (29 Aug., 1678, to 5 Jan., 1681, when he refused the Test and was incapacitated, being re-admitted Aug., 1698, and continuing till 3 Dec., 1701). As "William M'Geor of Inglestoune" he took the test, however, in 1684 (Reg. Privy Council v.x., 3rd Ser., p. 227). He married 19th June, 1672, Barbara Graham (Dumfries Register of Marriages), second lawful daughter of Robert Graham of Inglestoun, late Provost of Dumfries (Mar. Cont. 4th May, 1672, reg. 8th August, 1679), and by her became proprietor of Ingleston. Died without issue. The "Fasti" confuses him with the schoolmaster.

The school was re-thatched and some repairs made in that year :

Ap ^l 29	peyed for thak to the scoull	...	...	6	8
June 5	peyed to Jon Wright for theking the scoull				
	and stobs to it	...	...	3	4
	mair for fyve load of lyme to the scolehouse	...		45	sh.
June 5	given to the masones for ther work				
	and to herrie blount and ane las				
	carring water and the massones				
	wages for the school-house	...	...	5	5 4
June 26	given to John affleck for repairing				
	the toubes	...	...	4	sh.

The tubs were, of course, the sanitary provision of the period. Typical of frequent entries are the following :

1658-9	Dec. 24	Itt. to W ^m tait for nails			
		and brods to the scool windows	...	lib 0	17 0
		Itt. for 3 pair of bands to y ^m		1	9 0

In 1657, on 16th March, the schoolmaster was admitted a burghess and freeman of the burgh gratis, and on 1st September, 1659, the following appears in the minute book of the Incorporation of Glovers and Dyers :

1st Sept^r 1659 [The qlk day in presence of James Newlands, deacon, James Calland, treasurer, Robert Stewart, John Shortrig elder, James lawson, John Shortrig, younger, w^t the hail body of the glover trade within the burgh of Drumfreis] The qlk day in presence of James Newlands deacon w^t the treasurer masters and hail body of the trade above named Mr William McJoir, school^{mr} of Drumfreis was admitted frie man with the glover trade within the s^d burgh and that gratis with libertie to him to exerce the liberties of the s^d trade he always obeying all the ordinances of the s^d trade that are lawfull Qlk admission the s^d deacon with Treasurer and hail body of the trade desyre to be insert in the trades book and y^r vpon the s^d Mr. W^m. McJoir requyred act
R. Bartane clerk.

It is possible that Mr McJore had become an expert in the course of his profession in the manipulation of leather. In any case the acceptance of the freedom might, in the event of a trade being required for a son, be of monetary value.

The first—except for the inclusion of the provision in the contract in 1558 with Mr Ninian Dalzell—of what was to be a long series of acts against private, or, as they came to be called, adventure schools appears in 1659. Private

schools would reduce, of course, the status and lessen the income of the masters of the Burgh School, and were therefore jealously suppressed, but a chief motive also was to prevent what was deemed subversive religious teaching. This age-long suppression of the private school in favour of those supported by burghs and parishes has differentiated Scottish from English schooling so clearly that the name Public School signifies the exact opposite in the two countries.

On 22nd March, 1659, the Presbytery ordained "that the Schoole of Drumfreis be visite after the Synod," and on the 7th fixed the date 14 days after. The page of the minute book which might have contained the report is, however, unfortunately, missing.

12 day of March, 1660—The qlk day the Counsall considering the prejudice the towne sustaines be the inhabitants of this brughe y^r detenning of y^r children from the grammar schoole of this burgh and be putting of y^r children to other pettie schooles wthin this brughe or hard by in the landward does y^rfore be y^r presents inact that all the inhabitants in this brughe put y^r children especially lads to the high schoole of this brughe and y^t betwix the dait of thir presents and the first day of May nixt to come and y^t under the penaltie of fyve merkes to be peyit be ilk persone faillyear for ilk manchild they sall abstract the s^d schoole and y^t under the aforesaid penaltie any that hes children come to aige and will not put y^r children to the high schoole having meanes to maintain them and y^t any other schoole keepers y^t sall resave any child come to aige sall pay the s^d penaltie toties quoties.

On 29th March the Kirk Session :

Anent ane supplication given in before the Session by Mr William Mejore Schoolmaister wherein he complainis that severalls the inhabitants of this burgh have takin away y^r childrein from the schoole and put them to ane schoole at brigend and that many of them are going idle from all employment The Session therefore doe ordain that the parents of these childring be summoned to the Sessioun and also the session recommends it wnto the counsall.

There is no improvement on 24th November, however, "many of the childrein are put beyond the bridge to ane uther Schoole and others going abroad lyke vagabonds," the schoolmaster is instructed "to give in a list of their

names that their parents may be summond," and on 1st December :

The session considering that yr are many of the childrein of this burgh keiped bak from the publict schoole so yt learning is lyk to goe down and the schoole castin louse doe therefore referr this mater wnto the presbyterie that they may visite the s^d schoole with the first conveniencie

Satisfied with his conduct, on the same date as the foregoing minute the Council at his request increased Mr McJore's salary :

1st Dec., 1660. The qlk day the counsall hes addit unto Mr. W^m Majore his fiall and pensionne ffourtie pundis Scottis yearlie being w^t his former pensionne in haill Twa hundred pundis. This is to indure dureing the counsalls pleasor and to begin at candlemes nixt and as to his uther desyre anent ane Latyne Doctor the counsall hes recommendit the cair yr of to the provost and ministeris for faunding out ane man abill for yt purpose and qualified to present in the Kirk.

Ten days later they re-enacted their order against rival schools, children " if they be in any uther Schoole presently they be brought from any uther schooles and put to the grammar schoole."

The Kirk Session was evidently prepared to assist in cases of necessity, and it is surprising that only two instances arise at this period: Robert Waker, " a poore schooler," was granted on 26th September, 1659, " ane sute of new gray clothes," and on 20th December, 1660, " a doublet, breiks, stockings and shows," while on March 8th, 1660, Jon Jonston and Agnes Patersone desire the Session " to take nottice of yr soun who is goeing w^tout schoole or trade and they ordain James Calland yr thesaurer to furnish the lad books and yt he pay for his schoole wages."

The Kirk Session minutes reveal the presence of another teacher, apparently one of their own appointment, for no mention of him is made in the Town Council minutes. He was to teach music and arithmetic, and perhaps his function derived from the pre-Reformation sang-school. The entry is as follows :

Oct 18, 1660. The sessione ordains yr thesaurer James Calland to delyver the sowme of eighteen pund Scotts wnto James Bartrum (besyd qt he received formerly) and yt for teaching of musick and arithmetick within the burgh.

The highest salary ever paid had now been granted to the Schoolmaster; he was to get a qualified assistant, and he and his office were obviously favourably looked upon by the Town Council. There was to be a swift change. In 1661 the notorious "Drunken" Parliament met, restored the absolute sovereignty of the Crown over church and state; and all magistrates, councillors and other holders of positions of trust were required to take the oath of allegiance. By a General Recissory Act the proceedings of every Parliament since 1633 were declared null and void, the Education Act of 1642 among them.

The first effect locally was a minor one; on February 18th, 1662, the Council decided that the Schoolmaster should "no more be peyit quarterly," but that his stipend should run from Martinmas to Martinmas, but important ones followed which were to prevent the realisation of Mr McJore's desires anent a Latin doctor for 35 years. James Grierson, the unlearned but faithful, carried on, his wretched income being eked out by occasional odd jobs such as the following :

2 July 1655	Itm given to James greir for wryting the orders to the paioches and for paper	... ..	£1 5 00
March 9 1659	Itt to James grier for wryghting warnings to the fishers	... ..	£0 6 0

Parliament continued the disillusioning of their fellow countrymen as to what the Restoration implied. In 1662 the bishops were given their authority once again, and all ministers had to receive their presentations from their lawful patrons and collation from the bishops or demit their cures.

It is well known that about a third of the ministers chose the second alternative, but how many of the laity gave up office and resigned dignities and emoluments rather than take the oath will never be computed. Several Dumfries bailies and town-councillors retired; Mr Hugh Henderson,

the parish minister, and his colleague, Mr George Campbell, with all but two ministers of the Presbytery of Dumfries surrendered their charges; the humbler inhabitants showed their resentment by "most contemptuously absenting themselves from the kirk in time of divine service," and "carried their children to be baptised in the country meerly out of contempt of the present minister and his ministry." William Edgar, one of the Burgh Officers, was one of these. The Town Council imposed severe fines and, under penalties for absence, mustered the inhabitants on the Upper Sandbeds to proceed *en masse* to St. Michael's. Two women gave voice to widespread sentiment. One, Bessie Harper, was met by two men from the country who were coming in to the service. She stopped them, saying, "it seems the word of God which they have hard formerlie had taken little rivit [root] in yr harts seeing they were going to heir on[e] that preaches against the trew word of God"⁴ and declared later "that tho the magistrats of Drumfries wold hurle her upon a Cairt shoe should never hear ane sermone of this present minister." She was fined "20 pundis scottis and to ly in pressone qll she payt yrof, and if she sall rather choyce to remove and to enact herselff not to be sein yrin heirefter shoe to be frie of this fyne." Another, "Barbara Maxwell, servitrix to the goodwyf of Carswaday did upon the hie streit of the brugh Pray the curse of God light on this toun and the curse of God will light on this toun."⁵ She was condemned to be "set upon the cokstool and dischairgit from receiding within this brugh." Such were the opening incidents of "the killing times."

Mr William McJore becomes something more than a name to us through the survival of two volumes in his handwriting. The first is a small quarto book⁶ of 358 pages bound in contemporary leather. There are some notes in shorthand on the flyleaf and then follows a title-page with the beginning of a preface.

⁴ Town Council Minutes, 10th October, 1662.

⁵ Town Council Minutes, 17th November, 1662.

⁶ In the possession of the Ewart Public Library, Dumfries.

ANNOTATIONS
Vpon the shorter Catechisme
BY
Mr William Makjore, school-m^r
IN
DRUMFREIS

“ The Preface, To the reader ” begins:

Gentle reader when first I began to explaine (the shorter Catechisme, agreed vpon by the assembly of divines at Westminster, and approved by the Generall assembly of the Kirk of Scotland) to my schollars, I did not wryt any thing thereof but afterwards I took a conceit, to commit my explanation to wryting: And resolving to be short and brieffe, I took a paper book, bund in whyt parshmen, marked on the out syde, thus W [fleur de lys] M wherein I had wryttin (when I was a student at Sante Andreus, some annotations of medicine to the 59 page of the book, and the 60 page thereof I began abruptly to wryt resolving to be short.

He then describes his method and tells us that he had proceeded to the fourth point of the sixth section in the other book, and concludes :

Beloved Reader, I have not studied learned exactnes, in that which I have already delivered to the childrene, nather doe I purpose to study any such thing, in that which I am (w^t the leave of God) to delyver and that because 1. I have not a heade for these things. 2. suppose I were able (as I am not) my present station, being full of distractions (as you may gesse) does not permit. 3. my auditory, being childrene, does not so much require learned exactnes; as downright plainnesse, wherefore, I am very indifferent, whether thou be at the pains to read it or not, for truly my end in comitting it to wryting, was not so much anything as my oun private instruction, and that in subordination to the instruction of my scholares. fare well says thine in the Lord. Will: Makjore, Schoole-m^r

This curiously varying explanation we may take to be exact. He noted down his exposition for his own and his pupils' benefit yet could not resist dallying, though doubtful of his powers, with the idea that he might have readers and so addressed himself to them. Here then is actually a specimen of teaching in the Burgh School of Dumfries in the 17th century, though one could wish the specimen had been something more malleable than the Shorter Catechism.

He is at “ Section VI Of sin; Poynt V. Of actuall sin ”

and after inserting the relevant questions and answers following "Into what estate did the fall bring mankind?" proceeds:

The part or section of the Catechisme wherypon nou we are is that which teacheth vs, the miserable estate whereinto all mankind was brogth through the fall. I have allready spokin to the rest of the questions of this section, nou I am to explaine these three, which do declare to vs the bad effects that folloued vpon the fall of man. To wit, sin and misery. The one effect then, is sin, which we divide (as of before) in sin originall, and sin actuall. I have spokin to originall sin allready and nou I am to speake somewhat to actuall sin. And thereafter I shall speake somewhat to the other effect of the fall, viz. misery, which will be in the sixt poynt (of this section) of the punishment of sin.

In this poynt I shall first give a description of actuall sin, secondly I shall give som divisions of it. As to the description: Actuall sin is any want of conformity vnto or transgression of any law of God, whither this want be inwardly in the mind or outwardly in the word, gesture or deed. Thus I give the description, because of these, who can hardly be persuaded that sins of the mind or thought, are actuall sins, but we must know, that sins merely spirituall, never coming forth in the bodily practise, are real sins in the sight of God who is a spirit but of thir before in the beginning of the second poynt of this section, where having spoken of the description of sin, I shall nou forbear to speak to the description of actuall, seeing what is there spokin might be applied fitly to actual sin.

That is perhaps more than sufficient to demonstrate to you Mr McJore's method which he pursues relentlessly on this "poynt V" alone for 27 pages. "Sins in the gesture," he writes, "are such as light behaviour, wanton light farran vaine looks, streeched out necks, wobleting wt the head, making of the lips, tripping in goeing which the prophet Isaias calls in the 3 c 16 v tinkling as they goe," and it is clear that he could not be accused of any of these nor, however he might resolve to, could never be short and brief.

Mr McJore continued his argumentative process through the Shorter Catechism until he reached "Section VIII. Of the Redeemer, Point VI. Of Christ's humiliation" which he concluded on page 92. On page 93 instead of, as he had promised, "Section VIII. Of Christ's exaltation," he wrote:

The reasons of breaking off this work of noting upon the shorter catechisme are two, first. The author being School-m^r of Drumfries, was put from his charge for non-conformity with prelacy, in the moneth of January 1663. The magistrats for the time were John Irving Proviest; Stephan Irveing, John Coupland youngar, and James Kennan baillives; Wm. McKitterick Dean, and John Ewart Treasurer. The second reason was, the discovery of self insufficiency, &c.

Any that would see further thorrow the assemblies Shorter Catechisme, let them search for purchase and peruse Vincent his Explanatory catechism, and Durham his exposition of the ten commandments.

Except for 50 blank pages the rest of the volume is filled with sermons and lectures.

The Council minutes supply us with the attitude of the magistrates, and it is pleasing to note that it is one of men doing an unpleasant duty without animus :

16th November, 1662 "The counsall appoynts the provost, bailie Kennan and the Conveiner [of the Seven Trades, Thomas McKinnell] to speak wt Mr. W^m McJore present scoollmaister and to try if he will doe these things appointed by act of parl^t anent M^r of scools in reference to y^r approbation and submission to the present government of kirk and Stait as is now established by law qch if he refuse they are also appoynted in name of the counsall to desyre M^r James Chalmers [the new minister] to wryt and use means for procureing an able scoolemaister.

On page 94 of this manuscript book McJore referred to "some scheduls bound in white parshment Intituled Meditations Mr W : M." This volume also has come down to us.⁷ It is somewhat more varied than the other in its contents. The 37 Schedules include one entitled "Meditationes, Mr Gulielmi Makgeore, Ludimagistri Drumfrisiani, In Perseverantiam." This he had sent to his former pupils who aim at what is good and honourable, and who are now studying philosophy at Glasgow. It is in Latin and dated 6 January, 1659. Another item is a "Copie of Epistle Mr Wm Megeorge. School Master To Mr George Campbell⁸ minister after they were both put from their respective

⁷ In the possession of Broughton House Library, Kirkcudbright.

⁸ Mr George Campbell settled as colleague and successor to Mr Hew Henrison, Sept. 16th, 1658, returned to his charge in Dumfries during the indulgence, 1687, and was afterwards called to be Professor of Divinity at Edinburgh University.

stations within the brugh of Drumfries by the prelati-
cal party." I imagine this must have been something of a show
piece. It is in Latin, interspersed with Greek and Hebrew.
He laments he cannot visit him in his house now he is away
from his pulpit, recalls his goodwill to him and his family,
says he is in good circumstances and health and passing
his time in leisure, guilty leisure; so he is forced to sing
praises to the Lord who has supplied him with food and
clothes during the whole of his life, for he is the most
unworthy of all men. He grieves that "our mother,"
doubtless an allusion to the Kirk of Scotland, is weighed
down with troubles abroad and especially burdened with
feebleness within. "Alas for the loyalty of men! Where
is there true faith?" Then, characteristically he retracts:
"Would that it might be said of me that I rashly bore false
witness. I cease speaking: I scarcely dare say more."⁹
"The date was forgot to be insert in the reserved copie."
The guarded nature of the epistle was doubtless wise at that
period. Another paper gives the "Reasons for a fast by
the godly in Drumfries in the year 1667." Another is a copy
of a pamphlet printed in London in the same year, entitled
"Gods Terrible Voice in the City," which moralises on the
plague of 1665 and the Great Fire of 1667. The rest of the
book consists of sermons, dreadfully doctrinal. Only once
is he moved by an event to speak, except by allusion, of
current affairs, "Schedule 28 Psal. 4. 9 compared with
hebr ij," begins:

I could not have freedom to think upon or deliver a
discourse only upon account of that worthie woman
Marion m'burnie¹⁰ for these Reasons. 1. from a scun-
nering I have at the way of the English anent funeral
sermons. 2 from a detestation at the popish way of
canonzeing saints, qch began by the too too affectionate
way of remembring the saints departed. It was not for
naught that God hid the body of Moses. . . .

He then proceeds to question

"What can be in this dispensation that is lately
fallen out in this place? One eminent for opposing

⁹ I am indebted for the translation to Mrs Thornton L. Taylor.

¹⁰ The testament of Marion M'Burnie, relict of George Irving, merchant in
Dumfries, is of date 5th September, 1678. That of George Irving, 18th
May, 1638. See reference this paper, accounts 1639-40.

Gods truth and wayes died: and another a great friend to godliness yea eminent in that died shortlie thereafter."

And among his reasons is :

(3) That God might (in taking away this evill man and this good woman) teach this generation by a sensible sign the different state and case of the eminentlie wicked and eminentlie [godly] in life and death: for you know how the wicked man lived in atheisme excesse of riote and persecuting the power, yea, the very forme of godlinesse with hand and tongue to the outmost of his power, and he died so, yea in the very act of these sins wherein he lived. The worthie woman again lived believinglie soberlie piouslie defending and propagating godliness both in forme and power by hand and tongue and she died so even in the very act of these. I notice this to affright you from the bad exemple of the wicked, and to encourage you to follow the good exemple of the godlie. . . .

These remarks could not have been delivered from an authorised pulpit. It was at some secret illegal gathering of "the godly," and these two books have the interest of being genuine records of such occasions.

The "white parchment" volume McJore has elaborately indexed by the subjects treated in the discourses and on the final pages is a declaration of faith. It follows the lines of the conventional Scots Presbyterian doctrine of the time and closes thus :

And knowing the Holy Ghost to be the Great Good comprehending all good things I ask the father through the Son that He may dwell in me as a Temple to help my infirmities, and to work in me to will and to do of His good pleasure, that I may be filled with the fullnesse of God. In testimony of my desire and assurance to be heard, I subscribe myself the servant of the most high God, kneeling

Mr W. Makgeore

Be it unto thy servant as thou hast said!

Then he comments upon the foregoing :

This foregoing transaction, betwixt the Sovereigne God and the foresaid poor sinner called Mr W^m m'geore, was done first in heart speach and behaviour in his own chamber at Drumfries the 24 of december, 1676. It being the Sabbath day at night.

And upon the Monday at night next thereafter being the 25 of december 1676 it was renewed and confirmed by writt and subscription.

Advert. no respect was had to the popish superstitious observation of the 25th of december, but rather on the contrare, I was thinking to have delayed it till the

next Sabbath: But considering with my self, that as with God there is no respect of persons, so neither of times or places, and not being certane what might fall out betwixt and the next Sabbath, I was affrayed to think upon delaying.

When I had done, I sang the 121 psal.

Reader

These things are not written for gloriation but to keep me in minde of my engadgement to be the Lords: And that thou may admire the freedome and sovereignty of his Grace, and that thou may follow exemple in giving all diligence to make thy calling & election sure.

The wrath to come is terrible to think upon.

I have no doubt that Mr McJore regarded this occasion as one of the most solemn in his life. One might have been exercised about making it public had he not himself placed it on record for that purpose which after two and a half centuries of neglect there is a certain satisfaction in realising for him.

The extracts reveal something of the character of the man who was schoolmaster of Dumfries for ten years, and the books themselves show his industriousness, his exact and methodical sub-dividing mind, his unhumorous, limited imagination. He was fond of divagations into philological exposition :

Devill. This is one of the names of the prince of the evill angells, which fell from their first estate and left their habitation. it is a Saxonick word signifying to do evill or to die evill because that evill angel is the first propagator and conseiver of all evill. But the greek word signifies a calumniator, obcreator, and false accuser. (S 3. p 4)

His similies are those of the rubric of the Authorised Version except on one occasion when he, "playing a little upon allegorie," finds the sorts of ministers, evangelists and false teachers comparable to stars, planets and comets, and once only does he indulge in natural history.¹¹ He was not

11 "O generation of Vipers. They are called Vipers. The learned say Vi parit or Vi perit, i.e., it breaketh forth in the birth violently: for it neither waiteth upon the ordinarie time of bringing forth from the womb, nor doeth it come out at the ordinaire door of the womb, as other creatures, but eateth itself out at the broadside of the belly to the death of the dame, so that destruction accompanyeth its production. The naturalists say likeways that the male is destroyed by the female in the copulation, by knawing off his head, through violent detestation. They say likeways that the viper is a most crafty serpent, but the most malicious of all other serpents. . . . O! what a wonder it is to see the Saints living among a whein (yea, a generation of) vipers."

introspective, his sense of inferiority being the product of the religious tenets of his time and country. Painstaking and conscientious he troubled over his pupils even when they had passed on to the university, and he exhorted and expounded faithfully the unlovely theology of his day to his fellow-believers in secret. Prelacy made no accommodation with non-conformists as a century before Presbyterianism had provided for those who clung to the Old Church. The test was subtler, for the non-conformists' own act condemned them, and sharper for they deprived themselves of their livelihood. McJore accepted that. His further history can be but briefly recounted, but it was after many years to hold recompense. In 1684 he was brought before Mr James Alexander, sheriff-depute, and imprisoned. With "upwards of 80 others, men, women and some children"¹² he was forced on November 22nd on the terrible march by Moffat, where they were crowded overnight in the cold church, and thence by Peebles to Leith, from the effects of which Bailie James Muirhead died after their arrival at the Tolbooth. He was liberated upon bond of 1000 merks only in the following April "to speak with the Lord Archbishop of Glasgow conforme to his Grace's desire."¹³ Then came the flight of James II., and, being in the vicinity, he was present at the first meeting of the Presbytery of Dalkeith in 1687. So he came to be admitted Minister of Heriot on 11th December, 1689. He had married Katherine Coupland, daughter of Bailie John Coupland, elder, of Dumfries,¹⁴ and had at least two sons, Robert, dying 17th December, 1680,¹⁵ and William, who became minister at Pennycook. A daughter married John Robson, merchant, Dumfries. He died in May, 1693.

Any burgh, any school, might well be proud of having upon its roll of schoolmasters the names of three such notable Covenanters as Mr Francis Irving, Mr Alexander

¹² Wodrow: *History of the Church of Scotland*, 1832, IV., 123.

¹³ R.P.C., Vol. X., 3rd Ser., p. 184.

¹⁴ Index of Register of Sasines. Dumfries, Kirkeudbright and Wigtown, 1659. If this is correct the John Coupland, younger, who was a bailie at the time of M'Jore's dismissal from office and who became Provost 1680-1, 1682-3, was his brother-in-law.

¹⁵ Dumfries Register of Deaths.

Smyth, and Mr William McJore had it not as in Dumfries for the past two hundred years completely forgotten it.

The Prelatic Party.

The next 34 years was to be the interregnum of Presbyterianism in Dumfries Grammar School. The period was filled by three men, two with short terms and one with a long period of office.

Mr James Chalmers had, I think, been prepared to recommend a successor to Mr McJore for some time. At any rate on 7th October, 1662, a "Matt. Richmond, schoolemr" appeared before the Town Council and signed the oath of allegiance, so it is no surprise to find that on 20th January, 1663,

the Councill admitted Mr. Matthew Richmond to be schoolmaster of this burgh and precentor of the church and clerk to the Session, during their pleasure, who is to have from the towne one hundred pounds Scots money of pensioun yearly and to have the benefit of quarter wages as was peyed to Mr. William McJore and to have the benefit of proclamations, baptisms, and burials, and Candlemas nixt to be his entrie to the said offices.

The drop to half the former salary is consistent with the relief from rating Middleton's Parliament had given to the heritors. A week later a more severe act was made against private schools :

27 Jan. 1663. The Councill has enacted that thair be no scooll within this burgh for education of maill childrein bot one and y^rfir Discharges the scools for education of both childrein maill and famell except such as sall present y^mselvis befir the Councill the nixt counsall day and get their approbatioun for taking upe of the saidis scooles, and in the meane tyme dischairges the scooll kepit by W^m Edgar and his wyff from this day furth, certifieing thame if they transgress this act that they ar to pay for the first falt ten pundis scotts and the nixt twentie pund and so to be doubled toties quoties and ordanes intimation their off by touk of drum.

Mr Richmond did not stay long. What occurred is not known to me but it was such as compelled the magistrates to dismiss him. We discover that and the appointment of his successor in the next two entries of the same date :

27th June, 1664. The qlk day the counsall hes ordeant that the day of the entrie of Johne Gillespie to

the scoole be recordit qlk was upon fryday the twenty-first day of June instant from the qlk time until martymes nixt he is by agrement to have of sellerie Threttie seven punds ten shillings and is only to have for all that tyme frome the scollars on[e] quarter fie."

The qlk day the counsell haveing taken to consideration the petitioun of Mr. Mathew Ritchmont they appoynt the thesaurer to give unto him as a gratuity seing he is now put from the scooll and is to remove from this place the soume of Twenty fyve punds Scotts the the[saurer] taking a dischaarge from him off all he can ask of the toun.

Mr John Gillespie's term was also brief. The quality of the " curates " who were then filling the pulpits has often been adversely commented upon, and there seems reason for similar conclusions regarding the conforming schoolmasters. The people also were no more willing to send their children to be taught by them than to sit themselves under a " curate."

1 August 1664. The qlk day the counsall having takin to y^r consideratⁿ the suplicatioune of Jon Gillespie schoolmaster shewing that the most pairt of the inhabitants of this brugh do put y^r children to se[ver]all schooles wⁱⁿ the same qlk ar not tollerat by the counsall y^t tothers doe send y^r children alongst the bridge to educat y^r children at schooll y^r and does altogether slight the comon schooll qlk will shortlie tend to the ruine y^{off} unless it be prevent. Thairfore the counsall ordaines and comandes all the inhabitants of this brugh who have children readie to be educat at the schooll that they forthwith enter y^r children to the comone schooll of this brugh to be educat and taught y^r and y^t they put y^r children heirefter to no uther schooll and that under the pain of fyve merk for ilk quarter for everie chyld they shall so put away from the comon school toties quoties And ordaines intima^{tn} yeirof to be maid by touk of drum.

In April, 1667, the Council received a letter from a Mr John Fraser and invited him to come " for a tryall of his parts for a scoolemaister and a reider in the Kirk." On the 15th of that month they

" finding him qualified to performe these dewties q^{unto} Mr Jon Gillespie serves have agried with him upon the same termes and conditiounes they haif Mr Johne Gillespie upon beginning his entry at Lambes nixt and to continew during the counsalls pleisor."

On 29th July they sent the drummer round with fresh threats to the parents who withheld their children " and the contemners to be punished at the counsells pleisor."

On 20th August they call " Mr Jon ffreizer yr scoolmr Judicially before ym Requiring him to tak the oath of alledgance which accordingly he did in respect of the whol scoll." Mr John Gillespie is heard of no more. On 14th October

the councell considering that the Scooll is not so frequent of childerein as the samyn hes bein formerly so that the Scoolmaister his benefice will be small for the first yeir Thairfoir the counsall have augmented his cellary to fyftie merks quarterly fra Lambes last to Lambes nixt and thairefter ordeanes that the said cellary to be the soume of twenty-fyve pundis quarterly as formerly.

and further empowered the schoolmaster to " exact quarter fies off the parents of such childerein as ar at privat scools And ordeanes the officer to poynd therfoir."

In the following year we hear the first of a school bell :

15th June 1668 The qlk day the counsell appoynted William McKitterick baillie and Stephane Irving to caus put up the scoll bell for convening the scollars in such maner as they sall think maist convenient and to imploy workmen thairfir.

and further " considdering the dilligence and cair of Mr Johne ffraizer scoolmaister and to the effect he may be incurradged to continew " they augmented his salary by ten merks quarterly, " Qch maks fourty pundis ilk quarter being fyftie merks formerly " and that during the rest of his tenure of office. There are numerous receipts showing that the salary remained at that figure of £160 Scots until 1688. On the 9th of November, 1672, he was admitted a burgess gratis of the town, and on the 2nd of December mention is made of another school also in the Rattenraw.

The counsell considdering that the cunzie of the hous now belonging to John Gordone glover is in grit hazard of falling and qch being at the entrie of the scoll keepit by Kathiren Scot in the rattonraw So therefoir dangerous for the childerein who ar at the s^d scooll Doe therfoir ordaine the s^d Kathiren to remove from the s^d hous with all expeditione and to keip hir scooll about the midst of the toun as being most convenient for the childerein in all quarters of the toun otherwayes they dischaarge hir of keeping any scooll.

By inference the Council sanctioned this school, which was probably for very young children, but it went further than that in 1674 and 1675.

18th May 1674. The s^d day the counsall hes agried with George Ward Englisheman to teache childrein in the airt of wryting and arithmettick within this burgh for q^{ch} they have allowit to him twenty four pundis Scots for tuo moneths cellary and sex shillings weikly for evry chyld within 16 yeirs of aige frae burgesses and with liberty to him to tak q^t he can agrie for from scollars above the aige of 16 and country scollars.

Be it noted that the age above which the Council took no responsibility in 1674 was sixteen.

On August 12th the council approved the baillies giving a burges ticket to "george waird wryting maister." A few months later, George Ward departing, a still more interesting appointment is made, that of a music teacher. It is the first occurrence since that of James Bartrum by the Kirk Session in 1660.

2nd November, 1674. The qlk day the counsall hes agried with Mr Williame Japhray for teaching musick vocall and instrumentall wryting and arathmetik within thus brugh fra Martymes nixt to Whitsonday nixt y^eefftir being half a zeir for q^{ch} he is to be payit ffourty pundis cellary by the toun the[sure]r the s^d terme of Whitsonday by and attour ane chamber¹⁶ for aine scooll q^{ch} the counsall is to furnishe him and twelve shillings scots for ilk scollar of the brugh quarterly who ar at the gramar scooll and sua cannot keip this scooll the haill day and auchtein pence quarterly from uthers whom he shall teache the haill day. But prejudice to the said W^m to exact from the country scollars q^t he can have at his best advantage.

This arrangement lasted at least a couple of years, for on 26th April, 1675, Jaffray signed an enactment to remain in the burgh for the space of a year after the 4th of June next to come

"and that he sall performe all dewty and attendance yⁿin as becometh vnder the paine of fiftie pounds Scotts ffor the qlk the counsall allows him of cellary by and attour his scollars fies Twenty five pundis Scotts money quarterly."

These engagements in supplement of the regular teachers may have been due partly to the failing health of the under-teacher, James Grier or Grierson, who died in

¹⁶ 3rd Jan., 1676, the treasurer was ordained to pay ten merks for the half-year's rent of this room to "Bessie M'Kittrick relict of Stephane Irving, lait baillie."

1675.¹⁷ Certainly, except for one of another music teacher, they do not recur after the appointment of his successor. On 13th March, 1671, the Council had appointed two of their number to speak with James Willson, scoollmaster Carlaverock, to come to the town and teach the children to write and to be an under Doctor for teaching Latin, and now they approached him again. His appointment was made on 20th September, 1675, he undertaking "to perform to the outmost of his power" and engaging to enter "the chairge preceisly at michaelmes nixt."

On 5th November another act against private schools was passed, in which occur the curious distinctions of "boys and lads" and "men children or boys," and the burgh school is called "the high scooll." And this time prosecution did follow, for on:

24th January, 1676. The qlk day the counsall hes appoynted the officer to imprissone Janet greir geyley paine george m'burnie Margaret Johnstoun margaret neillsone Barbary Kirkpatrick till they satisfie and pay ilk ane of ym the soume of ten merks for keiping of scoolls contrarie to the counsalls ordore.

Shortly afterwards two of these signed an enactment, of which the following is the official extract:

Compeared within the Tollbuith of Drumfries Monday Eleventh of June javcj & seventy seven yeares William Craik provist William Fingas Baillie John Dicksone Conveener John Mairtine Theasarer William Neillsone Thomas Bell James Gordone Robert Rogersone Thomas McKinnell Robert Adamsone Rob: McAdam and John Corsbie Deacons.

The whilk day Jannet Grier in frier-vennell and Margaret Johnstoune Spouse to Edward Edgar in this burgh becomes acted not to teach any male children beyond the Catechism after Lambas next in all tyme coming vnder the pain of twentie merks Scots money to be payed to the theasurer Incaice of faillzie And to be banished the toune besyde. Extract furth of the Council book be me.
Sic subs^r W^m Makgeorge cls.

In 1679 another under-teacher replaces James Wilson.

¹⁷ His wife was Jannot Douglas (Dumfries Burgh Court Books, 14th August, 1675), and he had a son, John, admitted burges gratis 7th November, 1667. He was sufficiently well off in 1674 to have a house in the Kirkgait and another in "the close called Little Jon Rayning's Close," and a bond of 100 merks. Burrow Court Books, 14th August, 1674.

This time the approach was made by the candidate, the first of several petitions he was to make :

24 Novr. 1679. The councill conforme to a suplicatione given in be Jon newall scolem^r in Carlaverock to them desyring that he might be admittit to be under-teacher to the high schole of yr burgh they have admitted and receavit him to the s^d office for a half year and the s^d Jon comes in will for his cellarie.

The salary we gather from receipts recording payments for the " winter " (preceding Candlemas) " ware " (preceding 1st May), " summer " (preceding 1st August) and " harvest " (preceding Hallowmas) quarters was £40 Scots per annum. He had fees from each child as well, but, as the following shows, they were not always readily forthcoming. In 1680 he handed in the following petition :

To the right Hon^{ll} The Provost Baillies And remanent members of the Counsell of Drum-freis The Humble petitione of Johne Newall vnderteacher in your schooll.

Humbly Sheweth

THAT wheras It was your Wisdomes pleasure To admit me your servant as under teacher in your schooll at Martinmess last, and so to continwe dureing your pleasure BUT truely it is greatly to be Lamented by those who desyres learning to be advanced THAT SO CHARITABLE a worke Should be thus neglected and slighted by too too many persones now in these tymes Especially by the parents of the childreine who are into the schooll, That now when I your servant hes *Given all his diligente attendance* dureing my service That is possible to be given by any man. As is known to many within this burgh Yet (when I have taken all the paines that lyes in My power to do) I am verie ungratefully rewarded for the same By these people who hes their childreine in the schooll, For their is many of them that hes no will to pay anything for the teaching AND INSTRUCTING of their young ones (By which I should be maintained and encouradged to discharge the dwetie which is required of me) *But utterly frustrats* me of their quarters wadges for I shall make it appear by a lest of those persones names who is deficient (which for respect of some I shall not at present make publict) That (preceding Lambes since my entrie) I want the sum of 29^{lib} 08^s: 00^d—Scots money which far exceeds that which I have gotten of all them who hes payed. So that without you be pleased to provyde some speedy way wherby these persones who ar deficient (as s^d is) may be Constrained to pey that which Ilk of them is dwe, I cannot waite upon your schooll and ther younge ones, except ther be enlowed upon me that which I may honestly and soberly live upon. That therby

I may be the better encouraged to take sufficient paines and give diligent attendance upon your schooll in future (if it be your pleasures that I should be continwed in that sta^one wherinto for the present I am,) for I do protest ffor my pairt all that I get of the quarters wages (if I gether it never so narrowly together) will not maintaine me in honest and ordinary apparell throwout the year.

Therefore desyres your wisdomes to take ther the premisses into your Consideratione and your Answer I humbly expect.

The response, dated 11th of October, 1680, is :

The councill appoynts Balive ffinngas to call for a list of thes persons y^t are deficient in peyment of the quarter wages, and ordeanes him to take all speedy course ag^t the deficientes for peyment of the same.

He also received incidental ekes to his income in 1682, 1683, 1684, and 1685 to help to pay his "house and yeard maill." The following is the most ornately penned of his petitions :

To The Right Hon^{ll} The Provost, Baillies And Remanent members of the Counsell of the Burgh of Drumfreis The supplicatione of your servitor John Newall under teacher in your Schooll of the s^d Burgh.

HUMBLY

sheweth

That q^r: as it is not unknown To your hon^{ll} wisdomes That I your petitioner Hes no Incoming or Benefite any maner of way But that which the Toune allows me of Cellary, And as for my pairt of the Quarters wages, Its but agroat in the quarter, And very ill peyment is made thereof, As is notarily known to some of the present magistrats, Neither have I the benefite and priviledge of writing (as some in my Employment had formerly) which if I had, It would neither tend to the childrens profite, nor my Credit, ffor it is my work and studie to discharge my duety (under God) So far as I am able, In that Employment to which I was Called, So that I am necessitate to supplicate

MAY It therfore please your hon^{ll} wisdomes to Take the premisses to your Consideratione And Grant your supplicant what you shall think convenient for to pay my house Rent, so that I your servant may be the Better Incouraged to exerce my office in your Schooll in tyme coming and your servant shall ever pray etc. etc. etc.

The response on 26th May, 1684, was a grant of £10 Scots. On 12th August, 1686, he was given the sum of

three pounds scots "and yt for his expenses and paines in making of an sun dyall and setting up the same at the sd schooll for the use thereof," and on 24th October, 1687, Newall, "in consideratione that [he] hes since his entrie to the said office bene verie painfull and dilligent" was admitted burgess and freeman gratis. That was apparently on his resignation, for on 1st November his successor, John Caird, was appointed at the same salary.

The second music teacher on record took up office on 1st July, 1682 or 1683. We have only his petition for continuance of his services.

Unto the right honorable provest baillies and remament members of the town counsell of the brugh of Drumfreis the petition of George Clark musician

Humble sheweth

That q^r your Wysdoms by ane former act did allow your petitioner to sett up ane musick schooll within the brugh and allow to him the soume of Twentie merks scots quarterlie True it is that conforme your petitioner Dilligentlie attended and educat and taught all who came to him since the first of July last and did sufficientlie instruct any who were his scholars dureing that tyme q^{ro}f they can give ane sufficient proof for so short ane tyme yf they were put to ane tryall therof and your petitioner is willing to attend and educat any who shall deseyre to be taught by him yf your Wysdoms will allow him his cellarie and quarter waiges as formerlie with what mair your Wysdoms thinks fitt for payment of his Chamber mail for the last quarter cum mertymes.

May it . . . [etc]

Without recording any reason for doing so, on 8th May, 1688, the Town Council "allowed Mr John fraser scooll master ane hundreth pounds of cellary for this year and in tyme comeing dureing his service as scoollmaster To which he is heirby restricted in caice he have had any more formerly" and "to the effect that he might pretend no ignorance yrof" they placed on record that two bailies had intimated the change to him.

On 20th July, John Caird's place is recorded as being filled by John Maxwell, who was to be paid from the middle of June. We have Caird's extremely neatly written receipts for his winter, ware, and half summer quarter's salary to 15th June, 1688.

Shortly afterwards (1688) we have the inevitable petition with, however, a fresh note :

Unto the right Hon. The provist and Baillies and Councillers of the Burgh of Drumfries The petition of John Maxwell son Lawfull to vmq^{ll} Richard Maxwell Late Dean of your said Burgh.

Humble Sheweth

That whereas I your petitioner at the desire of Baillie Newall and Baillie Roome has officiate in your School as vnderteacher from the middle of June last And now seeing I am willing to continue in the said Service And to use all ordinar means for the proficiency of the Children who are Learning English and to writ in your School and alsoe am willing to do every thing incumbent to me in the said office according to the outmost of my power And Resolves to take no other thing in hand which may impd or divert me therefrom if it should please your ho[nor]s by ane act of your counsell to continue me therein

May it therefore please your Ho:/ to take the premises to serious consideration so that your petitioner who is come of honest parents w^{tin} your Burgh and Resolves to be ane dutifull servant in my station may Get ane favourable answer which I humble expect.

John Maxwell of Barncleuch, erstwhile town clerk of Dumfries, since enstated Provost, by order of the Privy Council, who had secured the increase of the Provost's allowance from 100 to 500 merks, with a tierce of French wine, and had stocked the vaults of Lincluden with arms and powder, fled, with the idea doubtless of following James VII. overseas, in his shirt on horseback, with a cloak bag of papers, on the night of 19th of December, 1688, but was caught at the Brigend and sent, Grierson of Lag being one of those instructed to do so, a prisoner to Edinburgh. A new Council replaced the old and presbytery and democracy came to rule again. It was the Glorious Revolution of 1688. At first there is no change in the school, except more generous treatment of the masters and pupils.

25 Novr 1689. The said day the Magistrats and Counsall takeing to their consideration that John maxwell under-teacher in the grammar schooll is ane burges bairn comit of verie creditable parents and hes ane great charge of a poor familie They thairfoir for suplying his present neid vut of gratuitie alloues him ten punds scots . . .

And on 2nd December following, Master John Fraser petitions to be allowed his former salary of £40 scots quarterly, and that the former acts against private schools be ratified. This latter they do unanimously, "except such private schools as teaches male children no further than the psalm book . . . to the effect the said school may flourish. And the said Master John and John Maxwell, under-teacher in the said school may be encouraged" and by "plurality of votes" give him £25 scots for the first day of May, 1688, till the term of Mertymes 1689, and his former salary thereafter.

The Kirk Session in October, 1689, also bestirred itself :

Oct. 17, 1689 for as much as some poor people have petitioned the session for supply to themselves and to help to get their children educated at school, it is laid upon . . . James Shortrig and deacon Bartan to recommend this to the magistrates y^t they may take care y^t children of such as are poor be educated in the public school gratis

Oct. 24, 1689. The magistrates were acquainted y^t the children of the poor should be educated at the school gratis, who appointed James Shortrig to speak to Mr John Fraser schoolmaster to receive the children of the poor into his school and to teach them gratis.

and it also gave some practical assistance :

10 July, 1690. John Turner an orphan in Thos: Trustees house allowed to help him to go to school	... ..	01 08 00
8th Oct. 1696. The Treasurer is allowed to pay to George Coupland, a poor scholar to buy him a coat and breeches	... ..	03 16 00

Here, also, dated 1690, is a Petition in which an anxious mother makes an ingenious suggestion to the Town Council :

Unto the R . . . [torn] . . the Provist, Baillies and Conveener and the Remanent members of the town Council of Drumfries
The Supplication of Agnes Morray spouse to the deceist William Henderson

Humbly sheweth

That where your poor petitioner hath three small children And I not being able to Gett them maintain'd by reason of the dearness of victuall whereupon I have put one of them to the high school to Gett his Learning (for Gods sake) but am not able to gett him maintained. Therefore may it please your ho/ to give him Liberty to gett his meat with each scholar about and your poor petitioner shall ever pray for your ho/ so long as I live.

I regret to have noted from the Kirk Session Minutes that on the 19th of June, 1690, Mary Coupland, spouse to John Maxwell, schooldoctor, was delated for tipling with other women on the Lord's Day in time of sermon.

The Town Council received another petition in 1690 against private schools, which is exceptional only in that it is a joint one of Mr John Fraser and John Maxwell. Its concluding representation is that

Gentlemen who hes taken away their childrein and put them to other Schooles, and others who hes withdrawn there childrein, vpon the permissione of severall privat schooles within your burgh, May be moved to enter them again to your Schoole who is now much depopulate and weakened notwithstanding our diligent attendance.

In 1681 a practice is mentioned in the Council minutes which seemingly caused some trouble, for it reappears in 1690 and 1691. The first entry is somewhat cryptic, the later are more explicit :

11th Apryll, 1681. The councill discharges the Scholmr of this burgh to give the pley to the schollars [? out] of the ordinar play dayes qch is Tuesday, Thursday and Saturday.

22 Sept^r, 1690. The said day the magistrats and counsill considering how prejudiciall it is to the childrein of the grammar schooll for them to impetrat the vaccancie zeirlie long befoir the rudfares which occasions both loss off their tyme and abuseing of themselves through that latitude They thairfore for preventing therof or anie abuse that may happen thairthrough enacts and statutes that whosoever of the saids childrein shall either suplicat for the vaccancie in tyme coming or absent themselves fra the schooll without libertie till the first day of September yeirlie shall be imprisoned and utherwayes punished as the counsall shall think fitt.

28 December, 1691. The said day the counsall considering the great trouble the magistrats are put to be several persones thair impetaiting the play to the scollars in the hie schooll they thairfoir unanimouslie rescinds the act of councill daited — prohibiting Mr John fraser to give the childrein the play without consent of the magistrats and allowes the said Mr John to doe therin be himself as he will be ansrable to the counsall in tyme coming.

A document for an extract of which I am indebted to Mr R. C. Reid applies to this year, and sheds a welcome light on the conditions for accommodating boarders from a

distance. How, in view of his numerous progeny, Mr John Fraser found room in his house for such is not forthcoming :

Claim and scroll decreit at instance of Mr John Fraser "teacher of the gramer Schoole of Drumfries" against John Maxwell of Cars for £18 Scots "as ane quarter of years tabling of George Maxwell his eldest son imediately preceeding 18th June, 1690, being the last quarter he was tabled with me" £6 Scots years wage for teaching him in the grammar school with 4/- Scots to the underteacher of the school for that time; £2.14 Scots debursed by Fraser for buying books, paper and other necessaries at the desire of Carse; £10 scots as the price of two stone of wool promised to Fraser, being a stone each year "and that over and above the £18 scots quarterly for his bed clothes as other tablers peyed to me formerly"¹⁸

Mr John Fraser had been Session Clerk for many years and, required to do so by the Kirk Session (November 28, 1689), on 16th December, 1689, delivered up to the Town Council two session books extending from October, 1608, to 28th September, 1623, written by Mr William Ramsay, and from August, 1668, to December, 1688, "wryten be himself." In 1693 an effort was made to get Mr Fraser re-appointed Precentor and Session Clerk, but it was not successful. The failure is significant.

Taking advantage of the indulgence passed by James VII., three of the former ministers of Dumfries Presbytery, Mr Francis Irving, Mr George Campbell, and Mr Robert Paton, elder, met on 9th November, 1687, and re-established the Presbytery. They set themselves to fill the vacant parishes, calling back those still able to occupy their former charges and bringing new ministers for others. By 1690 they found themselves able to take an interest in education.

On October 29th they responded to the appeal of a James Maxwell who craved some "outgate wherin he may be helped in his Studies at the Colledge which he is very anxious to goe to," by recommending their Commissioners, then at Edinburgh, to do what they could for him by speaking to the Professors. Maxwell had already sent the following appeal to the Town Council :

¹⁸ Kirkcudbright Stewart Court; Processes, bundle 1695.

Unto the right Honorable the Provist Baillies
Convener and Remanent members of the Town
Councill of the Brugh of Drumfreis.

The petition of James Maxwell

Humbly sheweth

That whereas your petitioner hath a great desire to
goe to the Colledge and hath not a Competency to main-
tain him at it therefore he is necessitated to make his
Application to your wisdomes that yow wold out of your
bounty allow him something whereby he may be helped
and furthered in his studies at the Colledge.

May it therefore please your wisdomes to take
the premises to your serious Consideration
your wisdomes answer is humbly craved.

In response to his appeal the Council, on 13th October,
1690, allowed him thirtie shillings sterling, and a year later
(14th October) the Presbytery appointed " every minister
within their bounds to bring in Half-a-crown again the next
presbytery for the use of James Maxwell student at the
Colledge of Edinburgh."

On 18th February, 1691, a letter from Mr Gabriel
Semple, who had been translated from Kirkpatrick-Durham
to Jedburgh, was read, in which he stated " he was resolved
to bestow the 2 years stipend of the parioch of Kilpatrick
Durham to the value of two thousand merks dew to him
for the mantenance of a burser at the Colledge," and on
April 15th they desired Mr Campbell to

" try at some of the members of ther Majestie's Privie
Councill whether or no anything may be allowed off
vacand stipends within the bounds for the supply and
Encouragment of probationers or Expectants who come
into the Countrey and also for the Encouraging of
Schoolmrs in Lannard Congregations and for Reparation
of Ruinous Kirks and Manses."

On the 16th of June following it was

laid upon Mr Geo. Campbell, Mr Robt Patoun and Mr
Somervail to visite and examine the Grammar School of
Drumfreis this day fourtnight and make report to the
nixt presbytrie

but we hear nothing more of the matter.

We have, however, another petition from John Maxwell :

Unto the Right honorable the provist baillies
and toun counsell of Drumfries the petition
of John Maxwell underteacher in the grammer
school there.

Sheweth

That quhair it is very welle knawn not only to your Hy: bot to the most parte of the inhabitants of this burgh that the petitioner is comit of very creditable parents whoe were of very good repute dureing thair lifetyme Likeas since his entrie to the office as schooll doctor he hes served very faithfully and honestly and hes given soe punctuall attendance (as in dutie he is obleist to doe) That he blesses God for it that the childrein under his trust hath bene very good proficiently in learning to the great satisfasfaction of thair parents and others concernd with them As also your Hy: for the petitioners encouragement hes out of your goodnes and kyndnes to him especially considering the charge he hes of a great familie bene pleasit to allow him yearlie also much as pays his house rent And now thair being a years rent of the petitioners dwelling house resting preceeding Mertymes last by past. Be plesit in consideraon of the premiss to allou the petitioner the sd yeirs rent and draw precept upon your treasurer theirfoir and he sall ever pray &c.

The Council, 5th Jan., 1691, granted him £10 Scots "provyding allways this allowance be noe preparative in tyme coming."

M'Dowall¹⁹ notes, evidently from the Burgh Treasurer's Accounts, that a charge is made against the Council in 1693 of £7 5s Scots "for 10 pr. deals at 14s 6d each for a stage to the scholars when they acted 'Bellum Gramatical.'" This piece was in favour in Scottish schools in the 17th and 18th centuries for displaying the accomplishments of the "Latiners." It was of Italian origin, and had been represented at Oxford and before Queen Elizabeth.²⁰ An edition published in 1658²¹ was the work of a Dumfriesshire man, Christopher Irvine, M.D. (fl. 1638-1686), younger son of Christopher Irvine of Robgill, and it was probably the one used on this occasion. A "tragico-comœdia," "perfected by the choicest intellects of Italy and Britain," it was in five acts and in verse and narrated a war of the nouns and the verbs.

In 1694, on November 6, the Presbytery passed an "Act anent Bursars."

¹⁹ *History of Dumfries*, 3rd ed., 1906, p. 550.

²⁰ London edition, 1635, printed at the expense of John Spencer.

²¹ *Bellum Grammaticale ad exemplar Magistri Alexandri Hume . . . editum*, 8vo, 1658 and 1698.

The presbyteries taking into their serious consideration²² the laudable custom of presbyteries in former times in allocating of funds within their bounds for maintaining of Bursars according to the Acts of the General Assembly of this church thereunto. Therefore the presbytrie does hereby appoint 100 pounds Scots yearly for this present year and in time coming to be paid yearly and termly as the presbytrie shall think fit by the saids [Kirk] sessions of the presbytrie according to their several proportions agreed upon which is as follows viz. Drumfries 8 pounds Scots quarterly Traquair one pound money fores^d Kirkbein one pound money fores^d Carlaverock one pound ten shillings money fores^d Airngray 18 sh money fores^d Dunscore one pound 10 sh money fores^d Newabbey one pound money fores^d Lochrutton 12 sh money fores^d Cowen 10 sh money fores^d Kirkmahoe—Hollywood—Tinwall—Torthorwall—Kirkgunzeon—Orr—Kirkpatrick Durham—And because the fores^d funds mentioned out of the foresaid parishes does not make up the 100 pound Scots money fores^d appointed therefor the brethren does unanimously agree to make up the same themselves and ordains it to be so for the future ilk soume of 100 lb they order to be equally devydit Among the persons after mentioned viz John Martein sone to John Mortein, mercht in Drumfries Christopher Wright sone to umq^{ll} John Wright in Airngray Adam Edgar sone to Adam Edgar school^{mr} in Lochrutton.

These voluntary contributions from their own resources are solid evidence of the interest taken in education, and it also forms one of the "Reasons for the Transportation of Mr William Vetch from the pastroll charge of Peebles to that of Drumfries" (October, 1692).

Thirdly because of a great number of people within the Incorporation and Paroch of Drumfries together with a conspicuous School of Learning whose necessities requires the constant inspection of a faithful and Learned Minister in that place seeing that the Nobility and Gentry do ordinarily send their children to that Seminary for their education.

There is no indication why Mr Fraser made the next move.

²² A minute of the Presbytery of Dumfries dated 5th April, 1647, reads: "In respect it was enacted by the general assembly, that such presbyteries as did not amount to the number of twell brothers sould have some supplie from the next adjacent presbyterie for completing of the number of twell, for the intertaining of ane bursar in divinitie, quhairas therefore the presbyterie of the penpont for the present did not exceed the number of ten, therefore til the intended divisione of Clossburn and Dalgairnoch be accomplished, the presbyterie of Drumfries ordeines that the parish of Dunscore and Hollywood sal contribute their proportione for the intertaining of the student of that presbyterie, and that quhen the divisione be perfected, ane of these kirkes sal retorne to the presbyterie of Drumfries for paying of their proportione to the bursare of the said presbyterie." On 7th March, 1648, the proportion calculated to provide £100 yearly for the bursar was 2½ merks from each hundred communicants throughout the Presbytery, apart from Dunscore and Hollywood.

27th June, 1695. This day Mr. John Fraser, School-master of Drumfries supplicats for a visit of the school which the presbytrie grants but in regard of Mr. Veitch's absence delays the nomination of a Committee and fixing the tyme for that effect till the next presbytery.

The committee appointed was Veitch of Dumfries, Hugh Clannie of Kirkbean, Robert Paton of Carlaverock, William Somervail of Troqueer, and Alexr. Guthrie of Keir, and they made report

that some of them were well satisfied with those Boyes whom they examined of their proficiencie in learning, and others found the rest not so answerable to their desire; And in regard the Representatives of Drumfries have not yet been heard as to what they have to say for or against Mr John Fraser the schoolmaster Therefore they are appointed to give in their mind the nixt presb^{rie} day, that the presb^{rie} may be more capable to give their Judgement in the affair.

The conclusion is reached on 15th October.

Mr John Fraser schoolmaster of Drumfries being absent and report being made that the Representatives of Drumfries have nothing to object against him, The Presbytery Judges it meet y^t he continue in his office.

This comes as something of a shock, for no hint of anything astray, far less so serious a matter as to endanger Mr Fraser's position, had appeared.

John Maxwell having perhaps exhausted the charity of the Town Council petitioned the Kirk Session of Dumfries, and on 16th March, 1695, the Session "finding that he is in great necessitie by a family of small children" granted him 16s Scots monthly from the 1st of March. On 12th April the Session's "Committee on seats enacted that a Loft for the schollars be put up [in St. Michael's] above the Common Loft at the Towns expence." Incidentally the Committee found John Maxwell's right to a seat, which he alleged his father had erected in 1638, was proved.

Early in 1696 the Scottish Parliament restored the Education Act of 1642, empowering the assessment of heritors for the support of parish schools and giving authority to Presbyteries over the appointment of teachers. The Synod of Dumfries on 15th April that year passed an Act urging on the several presbyteries the need of schools and enjoined

upon the parish ministers to use their interest with the heritors to have them settled.

A month later (19th May) the Presbytery of Dumfries responded to the appeal of Richard Wilson, late schoolmaster in Kirkmahoe, "for some charitable assistance that he may acquire more knowledge in the Latin tongue" by appointing every Brother to bring some competent proportion a fortnight later for his supply. On 11th August, 1696, the ministers and schoolmaster of Dumfries reporting that Mr James Hume, the displaced Episcopal minister at Kirkmahoe, "was keeping a private school in his own house contrary to the 23 Act of the 4th session of this current parliament and the Acts of the Corporation," recommended to the Magistrates rigorous execution of the foresaid Acts.

On 17th November the Presbytery

Taking into their consideration the case of the School of Drumfries which haveing been formerly in a flourishing condition is att present under a palpable decay, through suspicion of the Masters Insufficiency as the Ministers of the place represent They Appoint M^{rs} Patoun Inglish Guthrie and Henderson to visite the s^d schoolmaster sometime betwixt and the next bresbytrie day at qch time they are to bring in their report.

On 30th December "Mrs Paton Guthrie and Henderson having had no time to discourse Mr John fraser" he is to be advertised to be present the next day "to give some specimen of his faculty and abilitie in teaching to the Brethren of the Presbytrie." He duly appeared,

and some of the Brethren discoursing with him in Latine They found his style very mean, and wholly unsuitable to a schoolmaster of his standing and in such a post And offering him some Latine Authors to Interpret, he refused and said he would adhere to his advocacy, qch he had obtained from the Lords, against the Town Council of Drumfries, The presbytrie considering his unreasonable and Contumacious Carriage contrary to the seall Acts of parliament especially the 23 Act of the 4th Session of this current parliament whereby it is expressly declared That all Schoolmasters, teachers of youth in Schools are and shall be lyable to the Tryall, Judgment and Censure of the Presbytrie of the bounds for their Abilities Qualities and Deportment in that office; yet to manifest all tenderness towards him they appointed Mr Patoun and M^r Guthrie to call him to one of their chambers to take tryall of him there, and report to the next presbytrie.

On January 14th, 1697,

Mr fraser being sent for by the presbytrie he refused to come upon qch they proceeded to determine anent him as followeth:

This day the presbytrie takeing into their Consideration the Representation made be the Min^{rs} of Drumfreis Anent the palpable decay of the School of the s^d burgh because of the suspected insufficiency of the Schoolmasters, Upon the account grof many have withdrawn their children these years past and sent them to other schools, to the great Detriment and discredit of the place and of the country round about: And that the presbytrie according to y^r desire did appoint M^r John fraser the s^d schoolmaster to attend the next diet That they conforme to the Acts of Parliament might take tryall of his qualifications, abilities and aptness to performe that office, who qⁿ he was called and they discourseing with him in Latine found his stile very mean and wholly unsuitable to a schoolmaster of his standing and in such a post; As also y^t qⁿ they offered him severall authors to Interpret for trying his abilities he refused to do it and went away in a supercilious manner and therefore the presby^{rie} out of Tenderness towards him having appointed two of their number to call him to y^r Chamber to try him there and give in their Report to the presb^{rie} He utterly refused to subject himself to tryall: The presbytery likewise Considering his disobedience to the Citation given him to appear before them this day; And being well and ripely advised anent the whole premises Do (according to the power committed to them by the Acts of parliat especially the 23 Act of the 4 Sess. of this Current parliament) Judge him unfitt to exerce that office any longer both upon the account of his Contumacie and presumed insufficiency. *And therefore do hereby depose the said Mr John fraser schoolmaster of Drumfries from that office And appoints this their Act and sentence to be publickly read in the Church of Drumfreis upon Sabbath next immediately after the forenoon sermon; And recommends to the Magistrats to put the samin in Execition according to the Acts of Parliament thereanent.*

Three months later Mr Fraser might have celebrated the thirtieth anniversary of his appointment. In the succeeding two centuries, to this day, no headmaster of the Burgh School, and, as we have seen none before him, was to exceed his length of service, to which this was a sorry end. Had his dismissal taken place when the Episcopalian incumbents were being rabbled out it would not have been so surprising or so distressing. It might then have been ascribed more to mob passion than to personal shortcomings,

but the Presbytery had accepted his services for eight years. The endorsement of his dismissal without protest by the Town Council compels the reflection that the private schools, the subjects of so many petitions, would never have arisen had the Burgh School had a worthier head. On the other hand the dismissal cannot be disassociated from the passing of the Act of 1696 which gave the Presbytery full authority. As the Church grew in strength many a long-remembered score was to be repaid.

On 8th February, 1697, the Town Council in effect, but not directly, endorsed the action of the Presbytery :

The sd day the magystrats and counsell considering the totall decay of the gramour schoole of this burgh and towards helping the same by a fitt and qualified M^r to the said schoole recomend to the magystrats to draw ane certificat y^ranent and signe the same in y^r name.

It was hardly to be expected that Mr Fraser would take his deposition quietly, but his first impulsive move only brought more trouble upon him :

9th Feb. 1697. Called and compeared M^r John fraser late schoolmaster of Drumfreis and the Mod[erato]r shewing him y^t he was called to answer for his offensive carriage and behaviour the Lords day when his sentence was publickly read by Mr. Vetch, and speaking in the time he was pronouncing the Blessing. He desired a lybell might be given him in write, that he might give in his Answers. The Mod^r told him y^t it was not the forme of Church Discipline (as he himself knew) to give a written Libell to every scandalous person and y^t in his case it was wholly unnecessary; And the Moderator requiring him to answer for himself now, by confessing his offence of Disturbing M^r Vetch and the Congregation of Drumfreis on the Lords day (qch was all the Libell they Judged fit to be given him) or whether he denied the same, that they might cite witnesses to prove it; He refused to answer simpliciter Protesting ag^t them because he got not a formal Libell, wherupon the Mod^r having summoned him *apud acta* to compear the next presb^{rie} day he laid down a bad six pence and went away. The presb^{rie} appointed witnesses to be cited against him, to appear at y^r next Sederunt.

On his next appearance (18th Feb.) he gave in a paper which he called an "Answer to a Lybell," and the Presbytery, considering "his Carriage towards them was only made of shifts and subterfuges," called him and the witnesses to the next session. Then (2nd March), being asked if he

objected to any of the witnesses, said, "Why did they so trouble hm? And since they designed to proceed against him, he gave in a paper qch he called an Appeal to the next ensuing Synod and took Instruments y'upon." The Presbytery also shifted the matter to the Synod. Following it there we find Mr Fraser present on 13th April. And:

The Synod having duely considered the whole affair Judge the s^d Mr fraser censurable for his Interrupting the Minister and disturbing the congregation. . . . But upon his humblie acknowledgment of his offence and appearing sensible thereof, They thought fitt that he should only be rebuked by the Moderator before them . . . and the s^d Presbytery & Mr fraser being called He was rebuked accordingly.

Fraser must have been aware of what was likely to happen, for prior to 22nd December, 1696, he had raised an advocation against the Burgh anent his office, and this legal action probably made the burgh authorities exceedingly cautious in their procedure,²³ and was responsible doubtless for the delay in vacating the school and the formal appointment of his successor. The latter the Presbytery proceeded with at once.

28th January, 1697. The Min^{rs} of Drumfries Representing to the Presbr^{ie} that the Magistrats of this burgh and they had their eye fixed on Mr. Alexander Ker present Schoolmaster of penpont for being their Schoolmaster in this Town. The presbr^{ie} appoints Mr. Paton and Mr. Guthrie to examine him as to his ability and aptness to teach and make report ag^t the next presbr^{ie} day qch is to be on the ninth of ffebruary next.

On that date they reported that

"having made proof of his abilities and aptness to teach as likewise his principles anent the Government, they were very weel satisfied with him whereupon the presbytery did grant their Concurrence with the Town for his being admitted their Schoolmaster.

Mr Alexander Ker left Penpont before the 3rd of February without informing the Presbytery of Penpont, but he was not appointed Schoolmaster of Dumfries until 1st November. And Mr Fraser did not vacate the school until 5th July, as he tells in the following petition (of date (?) 1701):

²³ Town Council Minutes, 22nd and 25th December, 1696.

To the honourable The Proveist Bailzies,
 Conveinner and Remanent Counsellers of
 the brugh of Drumfreis
 The petitione of Mr John Fraser, Lait Schoole-
 master in your brugh

Humbillie Sheweth

That whereas It is evidentlie knowen That I was obser-
 vant of my dewtie, during my officiating as Schoolemaster
 in your said brugh, As many both in this toun and else
 whaire, who were then vnder my chearg successive, And
 ar sufficientlie qualified as to there Literature can
 Testifie. Notwithstandeing It was the Magistrates and
 Counsellis pleasure then to permitt me to be Thrust owt
 of your Schoole the fyft day of July Nyntie siven On
 which day the Kie of the schoolehous doore was by order
 etc delivered up to Mr Patane minister by me. Since
 qch tyme I your s^d petitioner hes received No pey^t of my
 Salary from the first of November Nyntie six to the s^d
 fyft of Julij Nyntie siven, being (Excepting some few
 dayes) three quarters of ane year extendeing to ane
 hundreth and twentie pounds Scots money, at 40^{ll} money
 forsd per quarter Nather have I received any pey^t or
 Satisfacione for the Candlemes offereing anno 97 being
 five pounds sterleing or thereby and tuo Staines of Candle
 which did in all equitie belong to, and was received
 from the greatest pairt of my Schollars who abowt tuo
 dayes befor the said terme of Candlemes were drawn
 away from my Schoole almost by compulsione and
 threats. So that there were onlie but a few who con-
 tinewed with me in the s^d Schoole hous To my Loss at
 the tyme pro tanto, besyds the Loss of the quarter wages
 dew to me vntill my giveing up of the s^d Kie of the
 scholehou doore abowmentioned And now seeing I (not
 desyreing to be hard in publict with your Honours) am
 willing to accept of what money is trewlie indew me as
 is particulare abov narrated. from your Honours whom
 I expect to deall justlie with me, who hes given a great
 Testimony of my Diligence and paines in your said
 Schoole

May it therefore please your Honors, To take
 the premisses to serious Consideracione so that
 I may [be] peyed and satisfied as to the
 particulare sowmes abow mentioned with[out]
 further delay dew vnto me, To the effect that
 I may not have occasione to give any offence
 to yow, or put myself to further trouble in
 perseweing for the same by Law, qch will be
 a little contrarie to my inclinacione As my
 delayeing vntill this tyme to seek after the
 same may testifie your Honors ansher I
 humbillie expect.

This petition was not attended to until the 10th of
 August, 1702, when from the minute of the 24th it can be
 gathered that Fraser had raised a decret and diligence

against the Council. A Committee was then appointed to meet him and try to settle for "sex pounds sterling in full of the subject matter, But yt the supplicant would have Twenty shillings more." The Council agreed to pay £6 10s. In their contract with Mr Alexander Kerr the Council safeguarded themselves against a recurrence of their difficulty.

Mr John Fraser had been thrice married, first 22 April, 1674, to Helen Young, daughter of Patrick Young of Auchenskeoch.²⁴ She died in 1679, leaving Janet (b. 11 Sept., 1677), who married James Rorison of Calside (Dumfries Index to Sasines), and Helen (b. 28 December, 1678, d. 1 Feb., 1699). At the time of her death the spouses were possessed of "nine young sheep being hoggs at twentie shillings the piece," and the plenishing of their house was estimated at £40.²⁵ He married, secondly, on December 31, 1683, Barbara Fergusson in the parish of Kirkmahoe. She died 25th May, 1698, and on 12th March, 1702,²⁶ he married Margaret Grierson, eldest lawful daughter of the deceased James Grierson of Larglanglie.²⁷ By now, however, he has become a laird, designated Mr John Fraser of Laggan or Nether Laggan. Nether Laggan is a property in Dunscore. He may have come into it through his third wife. He was a figure about the town for many years, becoming himself a town councillor, and died 17th January, 1726, surviving his immediate successor in the school and the departure of the next. He is buried in St. Michael's, where his age is given as 84. I have counted 10 children; his son Hugh, born 7th May, 1691, was Commissary Clerk, succeeded to Laggan, and died 20th May, 1728.

A temporarily successful effort to displace John Maxwell was made not long after the dismissal of his old master. In 1697 he petitions the Town Council again for relief "your supplicants familie increassing And he not without his Industry for their sustenance yet the Indigent caice and condition he for present labors under doth necessitate him

²⁴ Dumfries Register of Marriages.

²⁵ Dumfries Testaments, 20th June, 1680.

²⁶ Dumfries Marriage and Death Registers.

²⁷ Dumfries Register of Marriages, 21st February, 1702.

to flee unto your wisdoms," and they on 29th March "considering the povertie of the suplicant, the increase of his famely, and the dearth and scarcitie of victuall" allow him ten pounds Scots. He signs receipts for his £40 Scots salary up to 1st May, 1699, and then we have another petition:

Unto the Right Honorable the Provost Baillies
Conveener and Remanent members of the
Toune Council of Drumfries.

The humble supplication of John Maxwell
indweller in the s^d Burgh

Humble sheweth

That where your poor suplicant having nothing to Live upon so that he and his poor small family is in a very bad Condition and hes been ever since he was put out of schooll for all things being at such a great dearth so that it is utterlie impossible for him to get himself or family maintaind without your wisdomes Grant him out of your goodness and clemency some supply for any schoollars that he hes in teaching there is many of them thats gone from him now in tyme of harvest neither expects he thankfull payment from severalls of them.

May it therefoir please your wisdoms In consideration of the premisses aforesd that you would be pleased to allow him what supply your wisdomes thinks fitt and I shall ever pray q^d I am

Jo: Maxwell.

No endorsement announcing aid decorates the reverse of this document nor of one most carefully written (the ruling for the writing being still visible), in which "he is Almost in a Starving Condition ever since he was put out of schooll And hath laid in pleadge severall things to honest people to get himself and family maintained . . . all things being at such a dearth that it has put many beyond his Capacity to a great nonplus . . . And true it is your petitioner is owing an years rent of his dwelling-hous."

The Kirk Session it is that relieves him, on 7th September, 1699, allowing him twelve shillings Scots weekly. The reason for his dismissal has not come before me, but on 3rd May, 1698, the town council had authorised payment "to Jannet Andersone for ane quarters dyet furnished be hir to Richard Wilson Schoole doctor the soume of sex pounds scots money," and on 18th May they

appointed William Scot, son of James Scot of Johnstoun, "under teacher of the Latine tongue in the grammar schoole of this burgh."

We have a receipt by William Scott for payment of his salary to 23rd August, 1699. He must have left in the following year, for in a petition to the Town Council made by Mr Alexander Ker prior to July, 1700, he states, "yt being destitute of an underteacher since the last vacance I made my nephew Thomas Gilchrist serve in yt office more yn a quarter and half and tabled [boarded] him for that end allanerly."

After a visitation of the school in the autumn of 1698 it was reported (20th December) to the Presbytery "that yt School is so numerous, a Schoolmaster alone without the help of a Doctor to assist him in that work cannot be able sufficiently to teach (many of the children being inevitably neglected)," and appointed representatives to address the magistrates of Dumfries "in order to yr settling a fond for maintaining a Doctor in that School," and in 1701 (10th October) the Synod "being informed of the great decay of the School of Drumfries through the want (as is alleged) of a Latine Doctor, Recommends it to the Magistrates of the sd Burgh to endeavour to settle a good ffond for maintaining of one." On the 10th of November a committee of the Presbytery called the Magistrates before them "to inquire at the Magistrates of Drumfries what they had done for suppressing of vice and immoralitie in the place and to hear what was proposed by the sds magistrates anent a doctor for the publick school." The magistrates replied that they had appointed two constables for each quarter for the former purpose and for the second "that they desired the Inglish doctor who had served sometime in the publick school befor might be allowed to enter to it again, untill they were provided of one capable to teach Latin." To this the Committee retorted :

that since the school was already upon the decaying hand, as they themselves had alleadged, what they had proposed was the ready way to make it further decrease, and therefor could not yeeld unto it, But for the schools

advantage recommended it to them w^t all possible speed and convenience to provide a sufficient fond, for encouradgeing a young man capable to be assisting to the master in teaching the Latin tongue, and that with their min^{rs} lay out themselves to get a fit person for that office, and present him to the Presb^{rie} w^t the first opportunitie that he may be approved and admitted.

John Maxwell, nonetheless, and despite the indignation of the Presbytery (2nd December, 1701), was readmitted. In September, 1703, he submits another petition :

That where your supplicants family is all of them Lying under the afflicting hand of God and being for present in Great strait he therefore Beseches your wisdoms to allow him for his half Quarters sallary . . .

and it is conceded on the 13th inst. Maxwell remained until 11th October, 1703, as appears from another petition for the residue of his salary. He was still submitting petitions in 1707, but in 1726 it is his relict, Mary Coupland, who is petitioning for benefit from John Raining's mortification. Maxwell's successor, Richard Wilson, schoolmaster in Torthorwald, recommended by the Presbytery, which had assisted him in his studies, and who had temporarily served as under-teacher in 1698, was appointed by the Town Council on the day of his demission.

The Episcopalian interlude was over. Although in future the school might suffer vicissitudes, be now prosperous under a vigorous head or decline under a dull one, it was never to undergo such oscillations from state polity as would throw anyone from office.

Alexander Kerr's appointment is the beginning of steady development. The desperately required fund for a school doctor is established and soon will be augmented by endowments which will allow of three schools instead of one.

During the century and a half passed under review it can be said that the Burgh Schoolmaster was of a strata of society and occupied a position relatively equal or, if anything, superior to that of the Rector of Dumfries Academy to-day. They were of equal status with the ministry, were relatives of Provosts when Provosts were drawn only from the wealthiest or most powerful families in the town and

they contracted marriages with the daughters of lairds. For the under-teachers no such claim can be made. They were exploited deplorably by the community.

SCHOOLMASTERS OF THE BURGH SCHOOL AND RECTORS OF THE ACADEMY OF DUMFRIES, 1330-1938.

1330	Magister Johannes.	1747-1750	Mr Robert Trotter	} jointly
1481	Master John Turnbull.		Mr George Chapman	
1522	Sir John Turnour.	1750-1774	Mr George Chapman.	
1558-1587	Mr Ninian Dalzell.	1774-1794	Mr James Wait.	
1601-1617	Mr Herbert Gledstains.	1794-1801	Mr James Gray.	
1617-1624	John Thomsons.	1801-1806	Mr Aglionby Ross Carson.	
1629-1640	James McJore.	1806-1820	Mr George Munro.	
1640-1642	Mr Francis Irving.	1820-1830	Mr Alexander Harkness.	
1642-1645	Mr John Harper.	1831-1837	Mr John McMillan.	
1645-1647	Mr Alexander Smyth.	1837-1844	Mr Robert McMillan.	
1647-1652	Mr John More.	1844-1860	Mr Charles Maxwell.	
1652-1663	Mr William McJore.	1860-1872	Mr William H. Cairns.	
1663-1664	Mr Matthew Richmond.	1872-1879	Mr James Cranstoun.	
1664-1667	Mr John Gillespie.	1879-1897	Mr E. J. Chinnoek, LL.D.	
1667-1697	Mr John Fraser.	1897-1902	Mr James Clark.	
1697-1718	Mr Alexander Ker.	1902-1931	Mr J. W. Critchley.	
1719-1724	Mr William McCornok.	1931-	Mr Alfred Lodge.	
1724-1747	Mr Robert Trotter.			

From 1558-1931, 373 years, less 18 years unaccounted=355 years there have been 29 schoolmasters, an average period of office for each of 12.24 years.

Rectors Chapman, Carson, and Cranstoun were accorded honorary degrees, subsequent, however, to their officiates at Dumfries.

UNDER-TEACHERS, &c., TO 1716.

1617	John Thomsons.	1674	George Waird, writing master
1618-1630	John Eltein.	1674-6	Mr William Japhray, music, writing, and arithmetic teacher.
1620	John McKynnell.		
1634-5	William Edgar.	1675-9	James Wilson.
1641-9	Janet Burnet.	1679-87	John Newall.
1643	Mr Hatewell, the English maister.	1682	George Clark, music teacher.
1642-5	Andro Lorimer.	1687-8	John Caird.
1648-50	John McGill.	1688-98	John Maxwell.
1650-75	James Grierson.	1698	Richard Wilson.
1652	James Blaik's wyff.	1698-1700	William Scot.
1660	James Bartrum, music and arithmetic teacher.	1700	Thomas Gilchrist.
		1700-1716	Richard Wilson.

2nd April, 1937.

Chairman—Mr R. C. REID.

**The Two Castles of Caerlaverock: A Reconsideration
of Their Problems.**

By W. DOUGLAS SIMPSON, M.A., D.Litt., F.S.A.Scot.

The thirteenth and fourteenth centuries in north-western Europe saw the climax of medieval civilisation in its characteristic expression, feudalism. Of feudalism the outward and visible sign was the Castle. It embodied the architectural manifestation of three main purposes: (1) The desire for domestic accommodation suitable to the lord and his household; (2) the need for defence; and (3) the material expression of the pride and pomp of a ruling class. Properly considered, therefore, the medieval Castle is far more than merely "military architecture." It is the characteristic product of a political organisation and a social system, both now extinct, that flourished in a particular area of Europe at a definite stage in its development. In a sense it is an architecture militant rather than military, because it represents the *format* given to their abodes by the taste and necessities of a high spirited and martial aristocracy. But the abode remains the essence of the Castle, and its defensive features were superimposed by the needs and spirit of the time. In this respect the Castle, as a private, fortified, manorial residence, differs radically from the public defence works of the Roman Empire or of modern states, where the end is national and the function purely military, without the admixture of any domestic element.

As feudalism reached its climax during the period under review, so also the feudal Castle then achieved its highest development and splendour. Feudalism as we know it originated in France, and was introduced into Britain by the Norman Conquest. With feudalism the Castle appeared upon our soil, but once planted here it proceeded to develop along somewhat different lines. In both countries the earliest Castles consisted of earthen mounds crowned with a timber tower, and having (as a rule) an attached courtyard defended by a ditched and palisaded bank, which sheltered

wooden domestic buildings. Later, a stone tower superseded the mound with its wooden superstructure, and the fenced bank was replaced by a stone curtain. Thus was evolved the characteristic Castle of *enceinte* of the thirteenth century, with its high and massive curtain walls, defended by flanking towers, of which one is larger and stronger than the rest and forms the donjon or keep, while other two are set on either hand of the gatehouse.

So far, English and French development proceeds upon parallel lines; but from about the middle of the century a divergence occurs. The French engineers continued to regard the donjon as the most important part of the Castle. In their hands it was developed more and more until in the fourteenth century it assumed enormous and sometimes very complex forms, as in such Castles as Pierrefonds or Vincennes or Beaucaire. But proud and splendid as is the aspect of such donjons, and greatly though we must admire the ingenuity manifested in their construction, in the last analysis they stand for a gospel of "defeatism." They are an admission by the defence that in the long run the attack will prevail, and that the time will come when, with the curtain breached or mined or scaled, or the gatehouse rushed, the garrison will have to withdraw themselves, *if they can*, into the purely passive defence of the donjon, wherein, sooner or later, they will be starved into surrender.

The English engineers refused to accept this postulate, and took higher ground. For the reasons stated, the keep is given up, and from about the middle of the thirteenth century it becomes an obsolescent feature in an English Castle. Instead, the engineers of the great fortresses erected in the newly conquered territory of Wales during the reign of Edward I. began to devote more and more attention to the gatehouse. For the entrance was always the weak spot in a Castle. However carefully it might be protected, the chances of battering it in were greater than the chances of overthrowing the thick and lofty curtain walls. Recognition of this fact led to an extraordinary development of the gatehouse in these Edwardian Castles. Instead of a mere portal between the towers, the entry now takes the form of

a long trance pierced through an imposing building with two great frontal towers, between which the portal is deeply recessed. This trance is defended by one or more portcullises and pairs of folding gates, as well as by holes in the vaulting through which missiles and burning materials can be hurled down. On the upper floors of the gatehouse building are important and spacious halls and private rooms, often including a chapel. These rooms provide living apartments for the lord or governor and his family and their personal suite, as distinct from the quarters of the general household and retainers, who were accommodated in the great hall and its attendant buildings that lay along one or more sides of the courtyard. Thus the gatehouse succeeds the keep as the most important single building in the Castle. Like the old keeps, also, it is planned as a single defensive unit, in which the lord could live in isolation in time of peace, and which in case of siege might be held independently of whatever fate overtook the rest of the Castle. Sometimes there are two such gatehouses : one in front and one in rear of the main enclosure.

Along with this new type of gatehouse, the Edwardian Castles show for the first time recognition of the possibilities of systematically planned concentric lines of defence. There are now not one but two, sometimes even three, successive envelopes, so arranged that the inner is always more lofty and commands the outer. Hence even if the latter be captured it is difficult for the besieging host to convert it into a new parallel against the defence. For the same reason, in the outer or subordinate envelope the towers are open at the gorge, so that after this envelope has fallen the defenders can shoot into their interiors and make them untenable by the attack. This arrangement is in marked contrast to the older Castles, where each tower was considered as a separate post and is closed against the courtyard, so that the towers may continue to resist even after the courtyard has been occupied by the assailants. Experience had shown that this multiplication of obstacles, by impeding the free movement of the garrison from point to point, was apt to become a danger rather than an advantage,

and exposed the defenders to be trapped and cut off in detail. Hence in the Edwardian Castles the utmost accessibility is usually provided along the parapet walks and sometimes also by mural galleries all round the Castle, so that the defenders could move freely about the *enceinte* and concentrate themselves rapidly upon whatever point might be threatened. It was thus possible to reduce the numbers of soldiers; and instead of large miscellaneous garrisons of half-trained and ill-equipped feudal levies, whose cohesion and fighting value were doubtful, and whose numbers soon consumed the resources of the place, defence was now conducted by small bodies of expert men, each of whom knew his own special job, while all were disciplined and trained to co-operate in the common task. And the fact that in an Edwardian Castle the inner envelope overlooked the outer, enabled both to be in action against the assailants at once. A combined rather than a successive resistance was offered, and so the whole force of the garrison was brought into simultaneous play.

This change in the character of the garrisons employed in the defence of Castles is part of a general transformation that was coming over the whole art of war in the later Middle Ages. Warfare was now becoming a highly specialised and scientific thing, in which the old tumultuary feudal levies, bound only to serve for short periods at a time, were little use. More and more, therefore, the Kings in their national quarrels, and the great Barons in their incessant private feuds with each other, came to rely upon mercenary soldiers whom they held in their pay.¹ Quarters for these professionals had to be available, and this meant standing garrisons in each Castle. Whereas in former days the Castle, during times of peace, would contain only the lord's *familia* or household, it must now provide accommodation for a compact body of mercenary troops. The neighbourhood of these hard-boiled *lanzknechts* would always be inconvenient and often dangerous, as they did not owe the

¹ So at the siege of Caerlaverock we hear of troops from Brittany and Lorraine.

natural allegiance of vassals, and were at all times liable to be tampered with by their employers' enemies. Hence, for reasons both of privacy and safety, the great lords of the fourteenth and fifteenth centuries took care to provide their Castles with self-contained residences for their families and personal retainers.

In France, where the principle of the donjon was still maintained, it was this part of the Castle which was extended and transformed in order to meet the new need. So, in such a masterpiece as Pierrefonds, what is there called the donjon has become a great complex of massive building, forming a complete and carefully isolated dwelling for the lord, while the retainers or mercenary garrison have separate quarters elsewhere. In the words of Viollet-le-Duc:²

“ Le donjon du château peut être complètement isolé des autres défenses. . . . Le donjon était l'habitation spécialement réservée au seigneur et comprenant tous les services nécessaires: caves, cuisines, offices, chambres, garderobes, salons et salles de réception.”

In England, where the donjon idea had been given up, and where attention was now being focussed on the gate-house, it was the latter building which was converted into the lord's or governor's residence. The dwelling-house, so to speak, is concentrated over the entry, and the task of warding it is entrusted to the retainers of his own household rather than to the mercenaries who were lodged in the other towers.

From England the feudal Castle spread northwards into Scotland, as part of the process of Anglo-Norman infiltration sponsored by the Kings of the Canmore dynasty. The earthwork Castle spread fairly rapidly in those parts of the country where Norman civilisation was established, but the stone Castles were slower in following and fewer—doubtless owing to the relative poverty of the land. During the struggle for independence the policy of systematic

² *Description du Château de Pierrefonds*, 4th ed., p. 15; *Dictionnaire d'Architecture*, Vol. III., p. 153.

destruction carried out by the Scottish leaders still further reduced their numbers: but sufficient examples remain to show that the older type of thirteenth century Castle, with its single envelope and donjon, was well established north of the Tweed before the war. Most of these Castles are simply planned, roughly built, and, in fact, home-grown things; but in a few cases, and notably at Dirleton, Kildrummy, and Bothwell, they approach, alike in architectural distinction and in finish of masonry, the finer contemporary Castles in England and France. In the south-west of Scotland there is one good example of this thirteenth century type, at Kirkcudbright.

The Plantagenet conquest led naturally to the introduction of the Edwardian type of Castle, and there is documentary evidence that to some extent the administrative and technical staffs employed by Edward I. in his building operations in Wales were transferred to Scotland.³ But the elaborate keepless and concentric Castles do not appear to have been reproduced north of the Tweed. Perhaps this was due to the morass of debt in which the King became ever more deeply bogged during the later period of his reign. So far as documentary record goes, Edward's fortifications in Scotland, like his famous "peel" at Lintlithgow, were mostly palisaded earthworks, at best with gatehouses in stone. Yet in a few cases stone and lime Castles, more or less after the keepless and concentric pattern, were introduced into Scotland during the English occupation—albeit without the scale, elaboration and grandeur of their Welsh prototypes. Thus Tibbers Castle,⁴ which we know to have been under construction in 1298 by Sir Richard Siward, a Scottish knight in the English service, is a genuine (though small and simple) Edwardian Castle, keepless and with a gatehouse. The outer ward does not overlap the inner, but owing to the site the latter is accessible only through the former. Hence to that extent the con-

³ See my paper on "James de Sancto Georgio, Master of Works to King Edward I. in Wales and Scotland," in *Trans. Anglesey Antiquarian Society and Field Club*, 1928, pp. 31-9.

⁴ *Anc. Mon. Com., Report on Dumfriesshire*, pp. 63-5:

centric principle is maintained. The building of Tibbers was subsidised by Edward, so that it partook of a public character, just like such a Welsh private Castle as Denbigh, on which the royal master-masons were employed. So also Auchencass Castle⁵, first inferentially on record in 1306, is a structure of the same type as Tibbers, but fully concentric: the outer ward was of earthwork, doubtless palisaded. Buittle Castle,⁶ though its ruins are very fragmentary, seems to be a third example. The island fortress of Lochindorb,⁷ first mentioned in 1300, is a simple keepless Castle of enceinte, to which—apparently soon after the original construction, or while work was still in progress—an outer envelope was added, converting it, as far as the site allowed, into a very ill-contrived concentric Castle. A concentric lay-out is also found in the southern Castle at Caerlaverock.

But in none of these buildings do we find a great gatehouse of the characteristic Welsh type. Of such gatehouses only one example has survived in Scotland, at Kildrummy,⁸ which is not a concentric Castle, but a building of the older fashion, with a great donjon and a single envelope.

So much may be permitted by way of a general introduction to the ideas that governed the art of Castle building in the thirteenth and fourteenth centuries. Our study of Caerlaverock must begin with the detailed description of the place which has been preserved in the contemporary French rhyming account of its famous siege by Edward I. on 10th-11th July, 1300.⁹

⁵ *Ibid.*, pp. 131-3; see also *Trans. Dumfriesshire and Galloway Nat. Hist. and Antiq. Soc.*, 1925-6, pp. 104-23.

⁶ *Anc. Mon. Com., Report on Kirkeudbright*, pp. 53-5.

⁷ See my paper in *Trans. London Morayshire Club*, Vol. IV., pp. 33-42.

⁸ See my papers in *Proc. Soc. Ant. Scot.*, Vol. LXII., pp. 36-80; *Trans. Banffshire Field Club*, Dec., 1933, pp. 1-13.

⁹ *The Siege of Caerlaverock*, ed. Sir Nicolas Harris Nicolas, pp. 61-3. The translation has been kindly revised for me by Dr Brian Woledge, of the French Department, University of Aberdeen.

CAERLAVEROCK CASTLE

HISTORICAL GROUND PLAN

H. Douglas Simpson, 1937.

SUGGESTED CHRONOLOGY

- PROBABLY 13TH CENT.
- ▨ LATE 14TH CENT.
- ▩ CIRCA 1400
- ▧ LATE 15TH CENT.
- ▦ CIRCA 1500
- ▤ CIRCA 1593
- ▥ CIRCA 1638

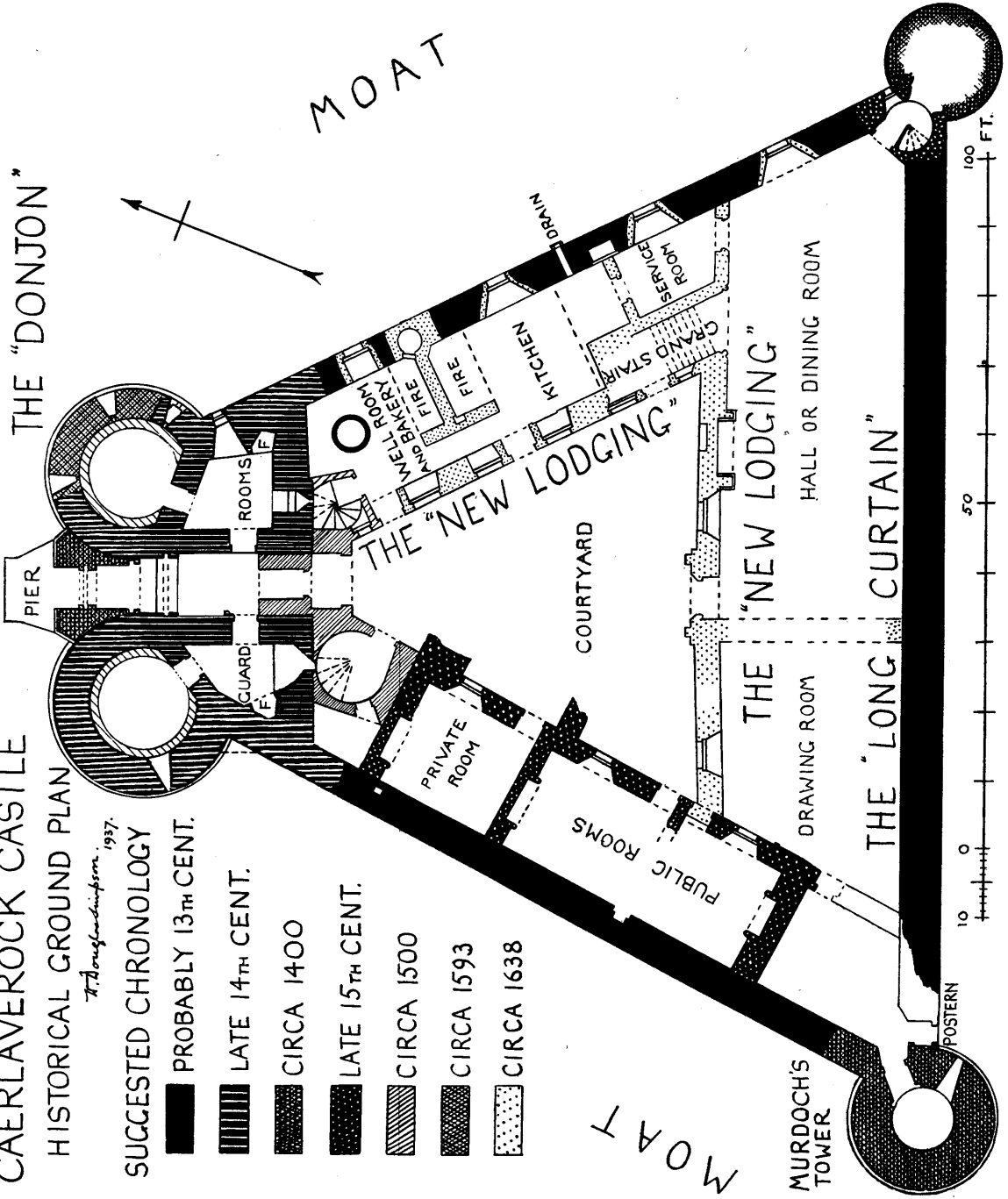


Fig. 1.—Caerlaverock Castle: Historical Ground Plan.

“Caerlaverock was so strong a Castle that it feared no siege before the King came there, for it would never have had to surrender, provided that it was well supplied, when the need arose, with men, engines and provisions. In shape it was like a shield, for it had but three sides round it, with a tower at each corner, but one of them was a double one, so high, so long and so wide, that the gate was underneath it, well made and strong, with a drawbridge and a sufficiency of other defences. And it had good walls, and good ditches filled right up to the brim with water. And I think you will never see a more finely situated Castle, for on the one side can be seen the Irish Sea, towards the west, and to the north the fair moorland, surrounded by an arm of the sea, so that no creature born can approach it on two sides, without putting himself in danger of the sea. On the south side it is not easy, for there are many places difficult to get through because of woods and marshes and ditches hollowed out by the sea where it meets the river.”

The grand puzzle of Caerlaverock is that, while the foregoing description exactly suits the present Castle (see plan, fig. 1)—which is triangular on plan, having a round tower on each basal angle, and at the apex a double round tower with the entrance—there exist, in the marsh about two hundred yards south-east of it, the foundations of another Castle, about equal in size but lozenge-shaped. The Castle captured by Edward I. was not destroyed, but continued to house an English garrison (with one small interruption when it was seized by Bruce in 1306) until 1313, in which year it was recaptured by the Scots and, in accordance with King Robert's usual policy, was forthwith dismantled. Such destructions were generally radical enough, and the language used in a grant of compensation to the owner, *pro fractione et pro prostratione Castri de Caerlaverock ad terram*,¹⁰ on the face of it certainly implies pretty drastic treatment. But during the Second War of Independence, when Edward III.

¹⁰ *Reg. Magni Sigilli, 1306-1424* (ed. 1912), p. 456, No. 56.

carried out very important building operations in Scotland, Caerlaverock emerges again as a going concern. It was seized by the English, or rather by their creature Edward Balliol, after the battle of Neville's Cross (1346); and for ten years it remained in southern hands, until in 1356 it was retaken by Sir Roger de Kirkpatrick, and once again we are assured that it was "thrown to the ground."¹¹ There is no further record of building until the fifteenth century, when we are told by a family historian (writing, however, two hundred years later), that Robert, second Lord Maxwell (1452-88), "completed the bartisan of Caerlaverock."¹²

At this stage it may not be unprofitable to put down the opinions of previous writers who have considered the problem. Pennant¹³ in 1772 thought that the present ruin is the Castle of 1300. A dozen years later Adam de Cardonnel¹⁴ knows nothing about the foundations in the marsh. Grose¹⁵ in 1789 regards the latter as the original Castle: he thinks the present building was erected after the final destruction of its predecessor in 1355, and before 1425, in which year Murdoch, Duke of Albany, is said to have been confined in the south-western tower, which still bears his name. Hill Burton, who wrote the letter-press for Billings¹⁶ (1845-50), pronounces, though with some hesitation, in favour of the present Castle. Sir William Fraser,¹⁷ writing in 1873, narrows down the building of the present Castle to the period between 1373 and 1413. In the same year, William M'Dowall,¹⁸ the able historian of Dumfries, is satisfied that, as the foundation in the marsh is quadrilateral, whereas the

¹¹ *Forduni Scotichronicon*, ed. W. Goodal, Vol. II., p. 356.

¹² Sir W. Fraser, *Book of Caerlaverock*, Vol. I., p. 56; *Minutes of Evidence in the Herries Peerage Case*, p. 296.

¹³ *Tour in Scotland*, ed. 1790, Vol. II., p. 110.

¹⁴ *Picturesque Antiquities of Scotland*, article "Caerlaverock."

¹⁵ *Antiquities of Scotland*, Vol. I., p. 160.

¹⁶ *Baronial and Ecclesiastical Antiquities of Scotland*, Vol. I., article "Caerlaverock."

¹⁷ *Book of Caerlaverock*, Vol. I., pp. 55, 120.

¹⁸ *History of the Burgh of Dumfries*, p. 74.

present Castle corresponds in outline to the poet's description, therefore the present Castle must represent the stronghold captured by Edward in 1300. The same view is held by Messrs MacGibbon and Ross (1887)¹⁹ and by Dr. Ross himself in the *National Art Survey of Scotland*.²⁰ Dr Mackay Mackenzie in his Rhind Lectures²¹ says nothing about the other site, but seems to accept the present Castle as occupying the stance of the one besieged in 1300. Mr G. P. H. Watson avoids taking sides.²²

Here indeed is a strife of tongues. At all events each voice is consistent with itself. Unhappily this cannot be said about the account of the Castle contained in the Dumfriesshire Report of the Royal Commission on the Ancient and Historical Monuments of Scotland.²³ Their technical description is altogether admirable, but on the problem of the two sites they have involved themselves in a bog as perilous as the marshes that guard the two Castles of Caerlaverock. To begin with, their general plan begs the whole question by labelling the main ruin "later Castle," and the foundations to the south of it as "earlier Castle"; while the latter structure is dealt with under the heading "Old Caerlaverock." I know of no authority, local or otherwise, for this designation. So also in their Introduction (p. lx.) they commit themselves to speak of the "first" and the "earlier" Caerlaverock, meaning apparently the southern site. The ruin in the marsh is introduced to us as the "older site" and as the "predecessor" of the present Castle; while the latter, in the opening sentence of their description, becomes "the later stronghold, hereafter called by its usual appellation, Caerlaverock Castle." With greater boldness, in the detailed description of the southern site, we are assured that "the masonry exposed in the north

¹⁹ *Castellated and Domestic Architecture of Scotland*, Vol. I., p. 128.

²⁰ Vol. II. (1923).

²¹ *The Mediæval Castle in Scotland* (1927), pp. 50-1.

²² *Proc. Soc. Ant. Scot.*, Vol. LVII., p. 46.

²³ pp. 10-24.

tower and the whole arrangement of the Castle indicate its erection in the early thirteenth century." But there is nothing typical in the character of this masonry, nor does the "whole arrangement of the Castle" justify any such categorical assumption of date. Moreover, the Commissioners themselves in their Introduction (p. lx.), after correctly describing Tibbers and Auchencass as "following the contemporary form of English late thirteenth century Castle," proceed to say that what they again assume to be the "earlier Caerlaverock" "belongs to the same class." If in their Introduction it belongs to a "late thirteenth century class," how then in the body of their work can its "whole arrangement indicate its erection in the early thirteenth century"? A still more cryptic remark is found at p. 23, where it is said that the poet's description "quite suits the present building, but that may have been constructed on the lines of the older one, the site of which is lozenge-shaped." But how can a triangular Castle be said to have been constructed on the lines of a lozenge-shaped one? Surely the Royal Commissioners have left the question in the oddest confusion!

It is obvious that the necessary prelude to a settlement of the problem must be the thorough scientific exploration of the southern Castle. The howking conducted in the sixties of last century has left the place sadly disturbed and encumbered, and no plan or description of what exactly was found seems to have been preserved. Yet it is not certain that even excavation would provide us with data adequate to solve the question. Accordingly it seems worth while, in the light of all the information at present available, to consider the various possibilities afresh.

To me it has always seemed impossible to get away from the fundamental fact that the poet's description suits exactly the present Castle, and does not at all suit the Castle on the southern site. Furthermore, the latter Castle stands on a defective foundation of clay, necessitating a substructure of piles; and it is difficult to imagine how the engineers who designed the original Castle at Caerlaverock could have selected such a position, when the rock outcrop on which

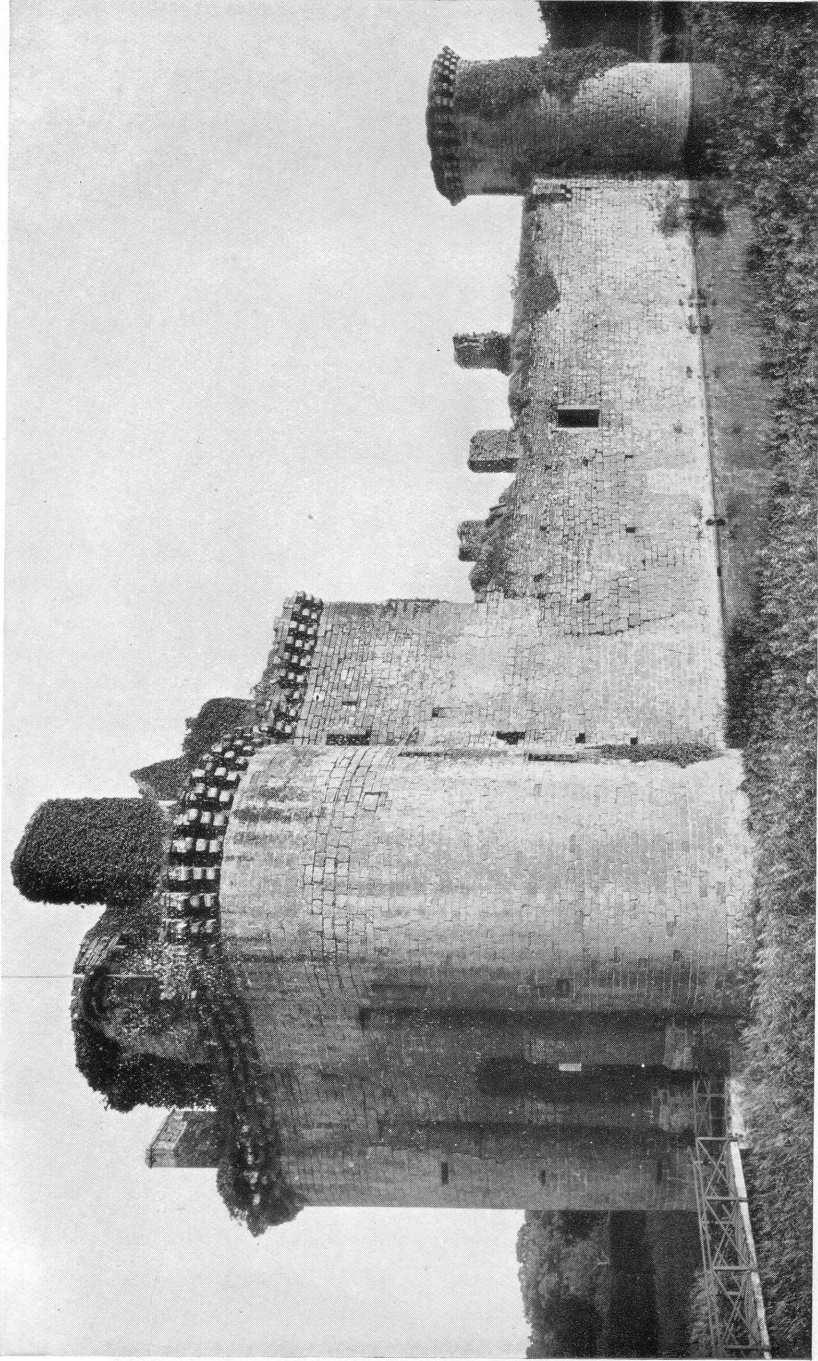
the present Castle stands was available a few yards away. These circumstances strongly suggest that the Castle besieged in 1300 was on the site of the present building, which corresponds in plan precisely to the description of the old rhymsster. The present (late fourteenth century) Castle would naturally be constructed on the lines of its thirteenth century predecessor; and may still, as MacGibbon and Ross considered, embody masonry of that period in its curtain walls.

At this stage, therefore, the question of masonry becomes of critical importance in our inquiry. Naturally, the subject does not admit of an exact classification, for building styles, even in the same period, vary greatly in different districts owing to the material available, the conventions or whim of the craftsmen, and many other considerations. In default of architectural detail, rubble masonry is often extremely hard to date, but ashlar work affords a more secure basis. Broadly speaking, we may say that Norman ashlar is typically cubical in form, with very wide joints. In the thirteenth century this cubical tradition persists, but the joints become close, as may be seen in the oldest portions at the Castles of Dirleton, Hailes and Rothesay. Later in the century the stones tend to become long and low in the course; this technique may be well studied in the primary work at Bothwell Castle. But in the fourteenth and fifteenth centuries this evolution repeats itself. In the former century we again find ashlar work high in the course and with open joints, as may be seen, in a dated example, in the walling beside the original portal of David's Tower, Edinburgh Castle, built between 1367 and 1378; while in the next century the jointing once more becomes fine, and gives us the close-textured, square-faced ashlar of Aberdeen Cathedral (1424-40), Ravenscraig Castle (1460-3), and many other buildings of about the same period. But alongside this we also find, towards the end of the fourteenth century, much fine ashlar work that is long and low and tightly jointed, and sometimes polished. Examples may be noted at Tantallon, in the Douglas Tower at Bothwell, and in the gatehouse of Caerlaverock itself.

From these few particulars, generalised as they are, it will be seen how full of pitfalls is this subject of masonry. Yet I believe that at Caerlaverock there are indications which will permit us to draw certain tentative conclusions.

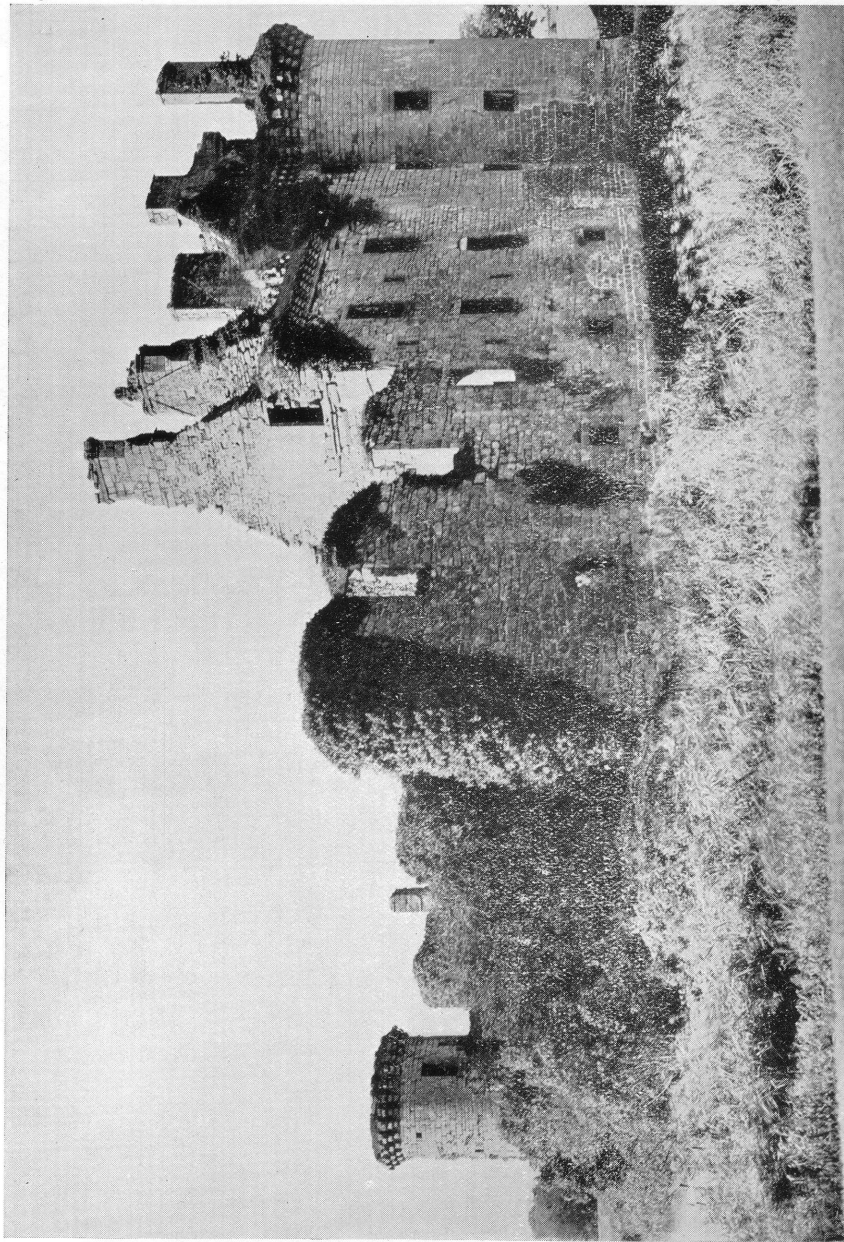
In the Ancient Monuments Commission account, the west curtain is stated to be "of excellent ashlar work, at least contemporaneous with the towers." I do not know whether this phrase indicates the possibility, in the mind of the Commissioners, that this masonry may be older than that in the towers. But in their description of this curtain, and in their plans at basement and first floor level, no account is taken of the vertical constructional joint visible throughout the curtain's height about three feet north of Murdoch's Tower, nor of the very obvious "splicing"—to borrow Mr Watson's phrase—between the north end of the curtain and the wing wall of the gatehouse.²⁴ This splicing (see fig. 2) is decidedly a junction between masonry of two distinct types and periods. The gatehouse masonry is on the whole of long stones, low in the course, and closely jointed. That of the curtain is composed of cubical blocks, very much larger in size, but also closely jointed. Also the latter stone is of a ruddier tint than the stone used in the gatehouse. It is perfectly evident that we have to do with two separate structures and building periods. As to the way in which the splicing is managed, it is the curtain wall that is incorporated with the gatehouse, into which its masonry extends irregularly northward for a distance of some five feet. Clearly, of the two the curtain is the older. Had the gatehouse been first built, its wing wall would surely have been completed with a finished quoin, and tusks provided to engage the curtain. The evidence seems decisive that the broken end of an older curtain has been worked into the wing wall of the gatehouse afterwards erected against it. A corresponding history is revealed at the opposite end of the curtain (fig. 2). Here the masonry of

²⁴ In the National Art Survey drawings these features are clearly shown.



[Photo. Valentine.

Fig. 2—Caerlaverock Castle: View of Gatehouse, West Curtain and Murdoch's Tower.



[Photo. Valentine.

Fig. 3—Caerlaverock Castle: View of East Curtain.

Murdoch's Tower, and of the walling as far as the vertical joint already referred to, is similar to that of the gatehouse and quite different from that of the curtain. Therefore it is evident that Murdoch's Tower and the gatehouse both are later than the curtain wall between them. On the inside of the curtain wall, in its southern half, both the early and the later masonry are well distinguished.

Both in Murdoch's Tower and in the gatehouse are found, among the ashlar which is low in the course, a certain number of cubical blocks. For example, there are three conspicuous rows in the west gatehouse tower at about a quarter of its height below the corbelling (see figs. 2, 5). These will be old blocks re-used.

The east curtain wall (fig. 3) has undergone extensive alterations and partial reconstruction at more than one period. But a good deal of square-faced work still remains, the whole lower part of the wall being composed of almost undisturbed masonry of this kind. Also there is evidence, on this side as on the other, that the curtain wall has been spliced into the later gatehouse. On its inside the early masonry, apparently *in situ*, is seen in the service room and the kitchen.

The south curtain is nearly all destroyed, and what remains is obscured by ivy; yet, so far as exposed, it shows, both inside and outside, a certain amount of similar grey cubical work, as well as the later long red ashlar.

Thus it seems certain that considerable remnants of older curtains are embodied in the present triangular framework with its gatehouse and angle towers. Now the date of the gatehouse and of Murdoch's Tower is not in doubt; they are a work of the later fourteenth and early fifteenth centuries, and must represent the reconstruction of the Castle taken in hand after its second and final demolition in the Wars of Independence—namely, that which took place in 1356. But if the curtain walls are older than that date, it still does not follow that they are a survival from the Castle of 1300; for that had been destroyed in 1313. Yet

although it cannot categorically be stated that the cubical masonry belongs to the thirteenth century, it certainly resembles most closely the thirteenth century ashlar work still *in situ* at Dirleton, Hailes, and Rothsay. And when we remember that the plan of the present Caerlaverock Castle is exactly that described in the siege of 1300, it becomes extremely difficult to escape the conclusion that this cubical ashlar work in the curtains may indeed be a remnant of the Castle which Edward captured. I cannot help feeling that, were it not for the difficulty of accounting for the southern Castle site, no one would have questioned a thirteenth century ascription for this masonry.

Upon this assumption, the damage caused to the original Castle by its destruction in 1313 consisted in the demolition of the three towers—the jumellated gatehouse at the apex, and the two towers at the basal angles. Given the design as described in the old poem, this would be a suitable method of rendering the Castle untenable with as little expenditure of time and labour as possible.

If, therefore, the Caerlaverock of 1300 stood on the site of the present Castle, what was the building whose foundations and earthworks remain to the south-east?

Three possibilities present themselves :

(1) It may be the remains of the earliest Castle projected (somewhere in the thirteenth century) at Caerlaverock, but never completed, or abandoned before 1300 in favour of a Castle on the present site owing to the insecure foundations. This idea was suggested to me by the late Dr Thomas Ross, in the course of many conversations which we had about Caerlaverock. Undoubtedly it is the easiest way of getting round the difficulty. Had the remains on the southern site been those merely of an earthwork, we might indeed believe that they represented a primary Castle erected during the Anglo-Norman penetration in the twelfth century. But the earthworks are not in the least Norman in character, and they enclose a Castle of masonry, and finished masonry at that. And we still cannot well avoid the stumbling block which I have mentioned already,

namely, that it is hard to believe how the first builders of a solid stone Castle here should not have used the rock outcrop *ab initio*.

(2) It might have been, as M'Dowall thought, "an outwork to defend the dam of the fortress." But the necessity for such an outwork, on such a scale, is hardly apparent; nor is it clear how the structure could have fulfilled such a purpose. It is altogether too large, the design and defences are too elaborate, and the masonry is too finished, for so subordinate a function. To whatever period it belongs, the southern construction was evidently designed as a serious, independent defensive work, a Castle in itself.

(3) May not the southern construction be the remains of the *second* Caerlaverock Castle—the one built after the demolition of the first Castle in 1313, and itself destroyed in 1356? After the destruction in 1313 the site of the older Castle on the rock may have been left in such an encumbered state that the engineers of the second Castle, in Edward III.'s time, abandoned it for the less suitable site to the south, where piling was necessary. This second Castle being in its turn cast down in 1356, Sir Robert Maxwell, in commencing the third Castle, about the end of the fourteenth century, reverted to the original, northern, rocky site; and his Castle there reproduced the plan, and embodied some masonry remnants of the earliest Caerlaverock, the one besieged by Edward in 1300 and dismantled by the Scots in 1313. It may be noted that while the northern Castle is a single envelope enclosed in a moat retained by a counterscarp, the southern Castle with its double system of ditches seems much more like a concentric fortress of Edwardian type. But it would be most unwise to stress this point. In any case, even if it were a Castle of this type, that would, of course (apart from the difficulty about the poem, to which one always comes back, sooner or later), by no means preclude its having been the stronghold captured in 1300.

All this is pure hypothesis, and to be judged as such. I merely claim that it represents a possibility to be con-

sidered. In the meantime we have not got evidence enough to decide the matter. The chief need, as I have already said, is that the spade should be called to our assistance in a systematic exploration of the southern site. But in expressing the hope that some day this will be done, I should like to add that, if any funds become available from any source for Caerlaverock, they should be applied first of all to the existing ruins, for these are right sorely in want of conservation.

From the fourteenth century onwards the architectural history of our Castle is in its main outlines tolerably clear. As reconstructed towards the end of that century (see plans, fig. 4). Caerlaverock is an excellent example of the type of Castle which was evolved in the later Middle Ages, when the lords were depending no longer on their own vassals, but on armed retainers enlisted for pay. The gatehouse is more than a well-defended entry, it forms a complete self-contained residence for the lord and his household, while the retainers would be accommodated in the buildings that preceded the present domestic apartments round the court. Its builders would unquestionably have called the gatehouse the *donjon*: indeed this name is applied to it so late as the last siege of Caerlaverock in 1640. In the basement it contains vaulted storage, there is a spacious hall (later subdivided) on the first floor, above the hall is the solar, and private accommodation is provided in the round towers. The way in which the entrance lies underneath the lord's dwelling, and therefore is completely in his own control, is very characteristic of the time. To quote Scottish parallels only, it is seen in the three contemporary Castles of Doune, Tantallon, and Sanquhar. It is noteworthy that internal communication between the basement and upper floors is lacking, and that the hall was originally reached from the courtyard only by an external wooden stair. The long loophole with a shovel-shaped and plunged lower end, which opens from the portcullis room and is now

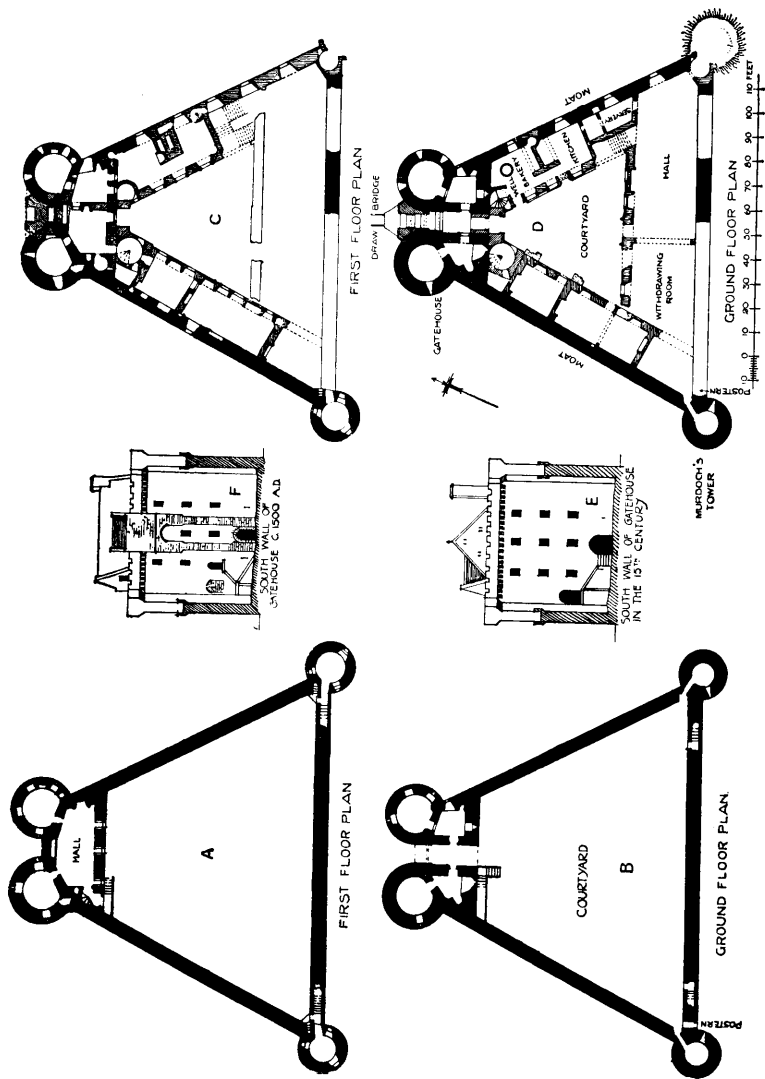


Fig. 4 - Caerlaverock Castle: A. B.—Plans of Castle as originally built; C. D.—Plans showing additions; E. F.—Elevations of South Wall of Gatehouse.



[Photo. Valentine.]

Fig. 5—Caerlaverock Castle: View of Gatehouse.

masked by later work, belongs to a good fourteenth century type; and Mr Watson has well remarked that other detail in the gatehouse recalls that at David's Tower, Edinburgh Castle, built between 1367 and 1378.²⁵

Before we leave the gatehouse there is one final problem that must be faced. Between its two towers (see fig. 5) are certain differences which make me suspect that, as we now have them, they are not of one date. The east tower is smaller, and its walls are thinner, than the western tower (see plan, fig 1). The basal batter of the east tower is more abrupt, and is at a higher level than that of the west tower. In the latter the second floor has a comely ribbed vault, with centre boss carrying a shield, whereas at this level the east tower has merely a crudely-formed dome. Also, the west tower had groined vaulting in the basement before the later dome vault was substituted. Internally this tower is built of distinctly better masonry than the east tower. In the west tower special masonry provision is made at the outer re-entrant for the garderobes, and these are good-sized and well-formed mural closets, as usual in medieval work. The east tower has no such provision, and instead we find mere half-circular alcoves, sufficient to contain a "stool of ease" or chamber-pot behind an arras, such as are usual enough in sixteenth century houses. Moreover, in each of these alcoves is a circular pistol-hole. The east tower has tiers of gunloops which are obviously original, whereas in the west tower is only one gunloop formed in an older slit, the upper part of which has been

²⁵ Curiously enough, no previous writer on Caerlaverock has thought it worth while to notice one of the finest minor pieces of architectural detail in the Castle. It is a recess in the south wall of the gatehouse, on the first floor. In its original form this recess was 4 feet 7 inches wide. It has filleted edge-rolls resting on high semi-octagonal bases, and having bell capitals with bold neckings and abaci. The recess is spanned by an elliptic arch, springing a little above the abaci, and having the same mouldings as the jambs. The detail belongs to about 1500. Afterwards this recess was converted into a door to the spiral stair of Nithsdale's wing.

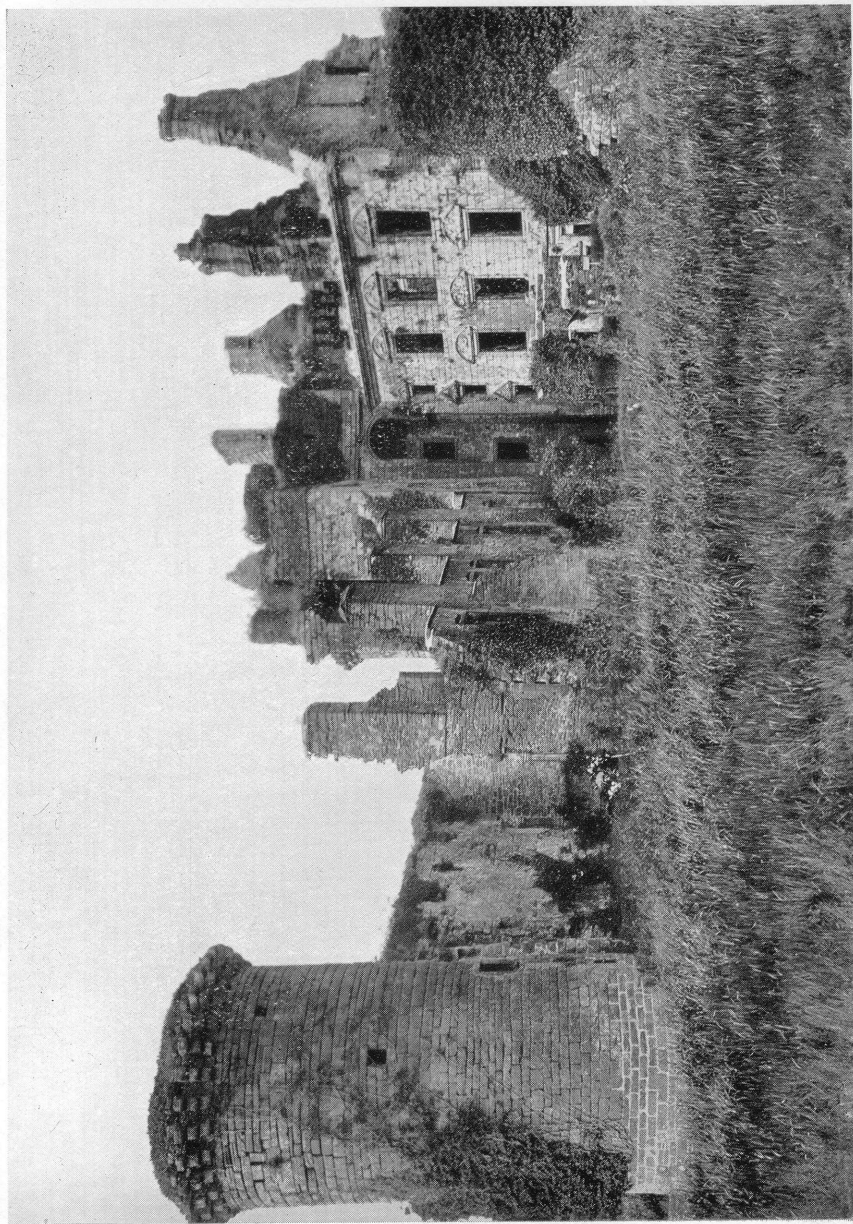
left as a sighting aperture.²⁶ This gunloop exhibits a profile different from those in the other tower, having a broad chamfered margin to its outer splay. Near its north re-entrant the east tower exhibits a vertical joint reaching practically from top to bottom. That this joint is not a fracture is clearly shown by the broken bonding: three courses of stone on one side corresponding, in more than one place, to two courses on the other. The stone on the inner side of the joint is red, on the other side it is grey.²⁷ At the east re-entrant (see fig. 3) the breach in the tower is equally clear, and beside it in the original remnant is a gunloop inserted in an older slit, just as in the other tower. Throughout the gatehouse the masonry is uniform enough, but an attentive eye will notice that the east tower is somewhat inferior in construction, the coursing being neither quite so regular nor the jointing quite so fine as in the western tower. Moreover in the east tower the stones for the most part are distinctly larger.

All these evidences seem to make it clear that the east tower has, at some period after the introduction of firearms, been carefully rebuilt, mostly out of its own materials. Now we know that in 1570 the Castle was captured and dismantled by the English under the Earl of Sussex. Two Scots writers describe it as being on that occasion "demoleist, and destroyit with gunpoulder," and "brint and cast down";²⁸ while the Earl himself reports that he

²⁶ Some of the loopholes in the thirteenth century *enceinte* at Aigues Mortes have been adapted for firearms in exactly the same way. See C. H. Bothamley in *Archæological Journal*, Vol. LXXIII., pp. 283-4.

²⁷ Red and grey stones intermingle in the other tower, having been used just as they came to the builder's hand. But the fact that all the stones on one side of the joint in the east tower are red, and all those on the other side grey, surely indicates work of two different periods coming into contact. The middle work between the towers is all in red stone, the lower or forework portion being less uniformly built than the upper or bartisan part. This forework, as has long been recognised, was a later insertion.

²⁸ *Historie of King James the Sext* (Bannatyne Club), p. 60; *Diurnall of Occurrents* (Ban. Club), p. 184.



[Photo. Valentine.

Fig. 6—Caerlaverock Castle: View of interior of Courtyard, showing Murdoch's Tower on left, Rear-arch of Gatehouse in middle, and Nithsdale's "dainty fabrick" on the right.

“threw the Castle down.”²⁹ All this language must imply serious military destruction. Apparently the Castle lay waste for some score of years, for in 1593 we are told that Lord Maxwell “makes great fortification and has many men working at his house five miles from Dumfries.”³⁰ Mr Watson thinks that the building then done was an east wing, now superseded by Nithsdale’s beautiful Renaissance house of 1638—described very truly as “that dainty fabrick off his new lodging” in the narrative of the last siege, two years later. But it is hardly likely that a range of building erected as late as 1593 would be pulled down and replaced by a new one in 1638; and the word “fortification” surely indicates that at the former date the defences of the Castle were in some way being rebuilt or repaired. I cannot help suspecting that the eastern gate-tower had sustained damage at English hands in 1570, and then twenty-three years later it was partly rebuilt, and equipped for firearm defence, as we now see it. The high central cap house, with its corbelled turrets, seems also to belong to about this time.

Murdoch’s Tower (figs. 2 and 6) obviously falls into the same general building effort as the gatehouse, but it is inferior in finish and appears to be a trifle later, probably about 1400. The work of building went on over a prolonged period, as we gather from the statement, quoted already, that the “bartisan” or battlementing was completed by the second Lord Maxwell (1452-88). Murdoch’s Tower may be compared with the more or less contemporary Douglas Tower at Bothwell—though the latter is a much finer work. This is noticeable alike in masonry and in moulded detail, but most of all in the corbelling, which on the Douglas Tower is linked by a series of dainty archlets, a French mannerism.

I may now gather up the results of our inquiry and tabulate them in a sequence of propositions, as follows (see plan, fig. 1):

²⁹ *Cal. Scottish Papers*, Vol. III., p. 327.

³⁰ *Cal. Border Papers*, Vol. I., p. 470.

1. The earliest Castle, as described in the poetic account of the siege in 1300, probably stood upon the present site, and appears to have left considerable fragments of itself in the existing curtain walls.

2. After the demolition of this first Castle in 1313, a new Castle was built, it would seem on the southern site, during the second English occupation, about 1335. This second Castle was in its turn destroyed in 1356.

3. Towards the end of the fourteenth century a third Castle, the present one, was begun on the original site. To this great building period belong the donjon or gatehouse, the curtain walls embodying fragments of the thirteenth century *enceinte*, and the two basal towers.

4. The first addition, probably soon after the completion of the original work, was the forebuilding between the gate-towers.

5. The present west range was erected about the end of the fifteenth century; also, I think, the lowest portion of the staircase in the gorge wall of the now demolished south-east tower.

6. The main stair between this west range and the donjon, with the constriction of the inner portal and the high portcullised rear arch overhead, were erected soon after 1500. The sub-dividing of the hall and the solar in the donjon is also work of about this period.

7. The east gate-tower probably was rebuilt *circa* 1593, when also the caphouse seems to have been erected.

8. The present east and south ranges were built by the first Earl of Nithsdale, *circa* 1638. He also doubtless enclosed the precinct, with the outer arched gate on the north.

It is curious that, of the various sieges of Caerlaverock, we possess detailed accounts only of the first and of the last. Perhaps it is worth looking into these for a moment, if only to note the changes that had come over warfare between 1300 and 1640.

The siege of 1300 was essentially a matter of " thrusts

of lances and engines raised and poised,"³¹ as the old rhymer briskly puts it. Marching from Carlisle in brilliant summer weather, Edward's army approached the Castle along the shores of the Solway, and pitched their camp on its eastern side. Apparently a long resistance was expected, for we are told how the soldiery cut down the trees around in order to make themselves huts, the floors of which they strewed with "leaves, herbs and flowers gathered in the woods." The knights, of course, had their brightly hued pavilions. Ere long the fleet arrived, bringing siege engines, which must have been landed in the estuary of the Nith. Among the engines mentioned are battering rams; a "cat" or penthouse to cover the sappers; a "berefry" or "belfry," namely, a high wooden tower which, after the moat had been filled with fascines, was wheeled against the curtain, so as to enable the attackers to gain the parapets; and sundry kinds of artillery, or high-trajectory stone throwing engines, including a "robinet" and a "multo." These engines came variously from Carlisle, Lochmaben, Roxburgh, Jedburgh, and one by sea from Skinburness, in a vessel with a crew of ten. Smiths and carpenters were called up to work them, and the necessary stocks of ammunition were accumulated.³² The first assault (10th July, 1300) was made by the infantry, who after an hour's hard fighting were repulsed with much loss. Then the men-at-arms and the knights took a hand in the fray. The defenders also had their "espringalls," or light catapults, mounted on the wall, and with these and with their bows and crossbows they gave a good account of themselves. Undaunted, the assailants fought their way to the edge of the ditch, then to the bridge, and finally assaulted the gate itself, which they vainly tried to beat in, under a torrent of stones and other missiles from above. At another point the moat seems to have been filled up, and a mining attack was

³¹ For illustrations of such a siege, see Viollet-le-Duc, *Dictionnaire d'Architecture*, Vol. I., pp. 363, 365.

³² See the Wardrobe accounts printed in Nicolas, *op. cit.*, p. xv.

developed against the curtain. The defenders appear to have been most worried by the robinet, which hurled great stones with pitiless persistency throughout the whole day and the light summer night. At one stage there must have been a *sortie*, or at least a fight at the barriers, for an English knight nearly lost his horse through one of the garrison stabbing it from beneath with an arrow. Meantime upon the opposite side of the Castle three heavy battering rams were being mounted. The brave garrison soon realised that the game was up, and at nine o'clock on the morning of the 11th they surrendered. We are told that the first man who hung out the white flag from the battlements was shot through the hand into his face. To the great astonishment of the English the survivors of the garrison proved to be no more than sixty men all told. The poet, who invests the whole story with a fine romantic glow of chivalry, assures us that Edward spared their lives, and gave each a new garment: but the Lanercost Chronicler, perhaps with more truth, reports that many were hanged. Edward celebrated his triumph by an offering of seven shillings to St. Thomas of Canterbury, made at the altar of his own field chapel before Caerlaverock.

By contrast, the siege of 1640 was an affair of low-trajectory guns firing solid shot, against which the defenders strove to protect the base of the Castle walls by constructing counter-batteries with casemates on the "rampar" or outer bank of the ditch.³³ Of these counter-batteries the semi-circular expansions upon the flanks and base of the counter-scarp are evidently the remains. The two lower storeys of the "dungeon" or gatehouse were thus fully blanketed, and the defenders reckoned that, as its massive walls were proof against shot up to 20 lb. weight, they could safely count on resisting the attacking batteries mounted on the rising ground which fronts the Castle on the north. Traces of the siege works here are still evident: but their fire must

³³ This method of attack and defence of an out-of-date *enceinte* is illustrated by Viollet-le-Duc, *Dictionnaire*, Vol. I., p. 424.

have been directed mainly against the "rampar," as the gatehouse buildings have not been damaged. The greatest danger, however, was apprehended from the opposite quarter. In the words of a Royalist eye witness:³⁴

"That which is most to be feared is, iff they make a high platforme in the woode (which yett they cannot doe without assured loss off very many men, both from the corner towers and works vpon the rampar), and from thence batter the long courtin betwixt the 2 towers vpon the south syde, which being beatn downe—a thing mightilye to be feared, by reason of the suspected vnsufficiencie off the work—both that dainty fabrick off his new lodging would be defaced, and the inner court would lye open, bott yett all the vtter works and rampar would be safe, the parapett whereof (as I am assured) being well fenced with a pallassade without, wes 4 or 5 feet thick att the beginning of the seege, and I beleeeve since they have nott bin idle within."

Strangely enough, although cannon are regarded as having sounded the death knell of the feudal Castle as an institution, it was in this, the last of all its sieges, that Caerlaverock offered its most protracted resistance. Doubtless this was due to the efficient counter-battery work of the defenders. For thirteen long weeks, throughout the late summer of 1640, amid wet and stormy weather—"great glustes off rayne"—the garrison, 200 strong at the beginning of the siege, held grimly out, and it was with all the honours of war that Lord Nithsdale on 26th September surrendered his ancestral Castle to Colonel Home, the Covenanting commander. Its "slighting" thereafter, by order of the Committee of Estates, the Earl regarded as a violation of the articles of capitulation. Evidently the means employed to render the Castle untenable was the blowing-up of the south-east tower and most of the long curtain. The rest of the place was pillaged and its woodwork and fitments

³⁴ See the most interesting letter in Fraser, *op. cit.*, Vol. II., pp. 134-7.

stripped out. Save for the slow but sure disintegration which is being effected by wind and rain and frost and the ivy's fell caress, Caerlaverock Castle remains to-day as the spoilers of the Covenant left it.

NOTE.

The plan at Fig. 1 is adapted from D. MacGibbon and T. Ross, *The Castellated and Domestic Architecture of Scotland*, Vol. I., p. 128, Fig 102. The block for Fig. 4 is kindly lent by the Council of the Society of Antiquaries of Scotland. I have to acknowledge that this paper has been prepared under a scheme of research supported by a grant from the Carnegie Trust for the Universities of Scotland.

9th April, 1937.

Chairman—Mr R. C. REID.

Recent Excavations at Birrens Roman Station.

(Illustrated by Lantern Slides.)

By ERIC BIRLEY, F.S.A.

Mr Birley's notes on this subject will be found in the second part of this volume.

Rainfall Records for the South-Western Counties for the Year 1936.

SUPPLIED BY THE METEOROLOGICAL OFFICE, EDINBURGH.

	Jan.	Feb.	Mar.	Apr.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	TOTAL
DUMFRIESHIRE.													
Ruthwell (Comlongon Castle)	4.01	2.08	2.04	.82	.91	3.22	4.65	2.13	5.10	3.44	3.66	3.89	35.95
Dumfries (Crichton Royal Inst.)	5.21	2.13	2.67	.65	1.35	2.68	4.23	1.51	5.28	3.36	3.83	5.12	38.02
Blackwood	6.03	2.74	3.07	1.13	1.38	2.65	4.95	2.22	5.46	4.66	4.85	6.87	46.21
Moniaive (Glencrosh)	7.53	2.96	4.74	1.46	1.27	2.62	5.79	2.87	5.37	6.04	6.29	7.66	54.60
Maxwelton House	6.36	2.76	4.17	1.23	1.79	2.05	4.97	2.52	5.59	4.86	6.12	6.83	49.25
Durisdale (Drumlanrig)	6.93	2.58	3.14	1.20	1.64	2.94	4.46	3.26	5.06	5.32	6.11	7.96	50.70
Dalton (Whitcroft)	4.14	2.41	2.59	1.07	.63	4.20	5.53	2.68	5.95	4.31	4.16	4.73	42.38
Moffat (Kirkcaldy)	5.41	2.59	3.38	1.00	.61	3.27	5.36	3.06	5.98	4.05	4.28	4.38	43.35
Moffat (Huntly Lodge)	6.32	2.90	3.15	1.25	.73	3.49	5.91	2.93	4.40	6.00	4.12	7.50	47.71
Evan Water Schott	6.28	2.72	2.77	1.43	1.00	2.34	6.22	2.69	4.57	6.69	5.83	7.84	50.38
Eaglesfield (Springkell Gardens)	5.28	2.59	3.44	.99	.45	4.14	5.24	3.48	5.96	4.37	4.13	3.88	44.16
Canohie (Luss House)	5.77	3.06	3.07	1.21	.48	3.32	4.73	3.04	4.95	4.58	3.67	4.98	42.85
Lanholm (Eves)	7.12	3.02	3.96	1.46	.32	3.07	6.57	3.13	6.10	6.10	4.90	7.60	53.23
Eastdaenir (Observatory)	8.13	3.30	4.58	1.47	.61	2.88	6.87	3.22	5.59	6.85	5.35	9.46	58.45
Eastriggs (Dornock House)	3.82	1.84	2.13	.47	.30	1.32	3.31	2.16	6.09	3.70	4.43	3.09	32.71

(These data should be taken as provisional)

206 RAINFALL RECORDS FOR THE SOUTHERN COUNTIES.

	Jan.	Feb.	Mar.	Apr.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	TOTAL
KIRKCUDBRIGHTSHIRE.													
Bigg of Millmore	7.13	3.49	5.21	1.61	2.69	3.49	9.73	6.62	5.43	10.18	8.14	11.31	75.03
Borgue (Corseyard)	4.30	1.98	2.12	1.21	1.98	3.55	5.82	2.03	4.45	2.84	4.46	3.31	38.05
Threave	6.27	2.47	4.03	.92	1.52	3.73	7.07	3.64	5.48	4.74	6.09	7.30	53.26
Mossdale (Hensol)	7.11	2.90	3.64	1.25	1.58	4.01	6.82	3.55	5.86	4.95	6.32	7.38	55.67
Dairy (Garroch)	6.70	3.19	4.30	1.00	2.00	4.17	6.81	3.67	6.01	5.04	6.76	7.76	57.40
" (Forrest Lodge)	8.67	3.47	4.22	1.28	2.29	2.82	7.66	3.74	6.84	8.05	6.53	9.25	64.82
" (Glendarroch)	7.75	3.03	3.79	1.04	1.86	2.40	6.10	2.97	6.18	5.94	5.93	6.66	53.65
" (Forrest Lodge)	10.54	3.88	4.17	1.50	2.59	5.10	12.11	3.94	7.20	10.31	7.67	8.91	78.52
Carsphairn (Shiel)	6.83	4.03	5.24	1.97	2.34	2.95	8.79	3.86	6.57	9.47	6.64	7.93	55.17
" (Knockgray)	6.90	3.00	3.78	1.53	2.19	2.40	5.80	3.75	5.58	6.20	5.93	6.23	48.54
Auchencarm (Torr House)	5.45	2.30	3.22	.92	1.45	3.96	4.54	3.38	6.63	4.66	5.75	6.07	46.88
Dalbeattie (Drumstinchall)	4.40	2.45	3.34	1.65	1.89	3.79	4.46	3.88	5.66	3.75	5.54	6.32	46.93
Chipperkyle	5.28	2.30	3.02	.96	1.36	4.33	5.11	3.24	5.41	4.66	4.94	6.73	46.42
Lochrutton	5.57	2.44	3.31	.90	1.84	3.43	4.67	2.76	5.09	4.34	5.34	6.73	46.42
Carruchan	5.55	2.00	2.96	.82	1.68	2.89	4.67	1.94	5.46	3.96	4.82	6.05	42.80
WIGTOWNSHIRE.													
Castle Kennedy	5.73	2.34	2.63	.95	3.24	4.93	7.56	3.97	5.29	4.29	5.03	4.80	50.76
Logan House	5.08	2.41	2.23	1.01	2.56	3.37	5.36	3.01	5.10	3.36	3.87	4.59	42.95
Corsewall	4.65	1.96	3.02	.90	2.84	2.94	5.55	3.46	4.02	2.91	4.24	3.58	40.10
Whithorn (Physgill)	4.88	2.16	2.29	.78	3.28	3.50	4.54	2.47	4.51	2.95	4.15	4.20	39.63
Port William (Monreith)	4.81	1.94	2.18	.83	3.23	3.52	4.93	2.74	4.92	3.09	4.30	4.49	41.81
Stoneykirk (Ardwell House)	5.16	2.15	2.10	.86	3.59	2.96	5.92	2.81	4.91	2.95	3.44	4.70	40.40
New Luce	5.00	2.63	2.61	.90	3.56	3.21	5.73	3.20	5.17	3.33	4.33	4.40	44.04
Garlston (Galloway House)	5.51	2.63	2.61	.70	4.14	3.94	6.81	4.29	5.38	4.96	5.30	5.36	52.14
New Luce	5.40	2.46	2.63	.83	3.19	3.42	6.18	2.57	5.05	4.20	3.98	4.50	45.51
Garlston (Galloway House)	5.21	2.29	2.68	.83	3.19	3.79	6.80	2.84	5.26	3.66	4.46	5.25	45.98
Kirkcowan (Craiglaw)	5.04	2.41	2.68	.77	3.71	3.32	6.52	2.84	5.73	5.17	5.24	6.03	51.97
Newton-Stewart (Lalbie Barnard)	4.86	1.96	2.73	.77	3.33	3.45	5.90	3.62	3.70	4.60	4.73	5.46	47.32
" (Duncree)	4.64	1.83	2.81	.84	3.69	3.34	6.16	3.43	4.74	4.78	4.76	5.50	46.54

(These data should be taken as provisional).

Field Meetings.

The first Field Meeting of the season was held in the beginning of June, when members visited the parish of Terregles, where they had an opportunity of inspecting the ancient Queir, now part of the Parish Church. A paper, giving some notes on the history and architecture of the Queir, was read by Mr R. D. Maxwell, Dumfries, who thereafter acted as guide while the party inspected the building and the vault below. A vote of thanks to Mr Maxwell was heartily accorded on the motion of Mr G. W. Shirley.

The next place of call was the garden at Woodhouse, by kind invitation of Miss Dickson who met them and acted as cicerone, explaining the various interesting experiments that were being carried on in the acclimatising of certain plants and the raising of others from seed, etc. As the natural history side of the Society's activities is very seldom touched on in these Field Meetings, a visit such as this proved most acceptable, and the thanks of the company were conveyed to Miss Dickson on the motion of Dr. Semple.

A halt was made at Thornhill for tea, after which the members visited the site and the little that remains of Tibbers Castle. Mr Reid's paper on the Castle, together with those mentioned above, will be found printed below. A vote of thanks to him was proposed by Mr Shirley and cordially carried. A start for home was then made, and Dumfries was reached about 8 p.m.

Notes on the History of the Quier at Terregles.

By ROBERT MAXWELL.

The Quier is a small chapel attached but not at present communicating with the Parish Church at Terregles. There is a date, 1585, on a stone over the door which is pretty well agreed to be the date of its erection. Accounts state

that the Quier was built by John, 4th Lord Herries, who died in 1582-3. The probability would seem to be that though Lord Herries may have commenced the building it was finished after his death. Both he and his wife, Agnes Herries, Baroness Herries in her own right, are said to have been buried there, but no monument is now existing. The building has for a long time been called the Quier or choir. My own opinion is that it never was a choir appertaining to the Parish Church. There is no record that I know of of its being a part of the church, which it would have been had it been a choir. I think it unlikely that in 1585, when the Reformation was in full blast, such an essentially Catholic building as a choir would have been built. A choir also was usually part of a large church, being the part in front of the altar and often separated from the body of the church by a screen. I think that the story that it was built as a place of sepulture is probably correct, and it certainly has been used for that purpose. According to the Ancient Monuments people the style is late Gothic, though, as often happens, other styles make their appearance, for example, the door way. In the early days of the 19th century the Quier had fallen into disrepair and had become the haunt of bats and owls. This is not surprising, as the Maxwell family at Terregles were Jacobite and Catholic, and in the 18th century times for such were somewhat troubled. The place was used as a convenient passage way to the church by a door in the east wall of the church. This door was eventually closed up by the heritors with consent of the Presbytery at the request of Mr Marmaduke Maxwell of Terregles, who undertook as a *quid pro quo* to build a small vestry, which was done. The building was entirely restored in 1875 by Captain Alfred Constable Maxwell of Terregles, who formed the vault, and the bodies buried in the floor of the chapel were disinterred and buried in the vault. An interesting tombstone is that of Edward Maxwell of Lamington, son of John, 4th Lord Herries, who married the heiress of Lamington, and was Commendator of Dundrennan Abbey, and possibly was present when his father conducted

Mary Queen of Scots from Langside via Terregles to Dundrennan on her ill-fated journey to England. The stone has an effigy of Edward Maxwell roughly carved in the red sandstone. There is a curious mistake in date, as the stone records that he died on 29th September, 1568. As he was born *circa* 1555, even allowing for the precocity of the times, he could hardly have had a family of four sons and died about the age of 13! The proper date is 29th September, 1598. This shows one of the many pitfalls that await the archæologist. Another and more imposing tombstone is that on the right of the doorway of Sir Robert Maxwell of Spottes, an elder brother of Edward. At the foot of the steps down to the vault are buried many members of the Maxwell and Herries families of whom no record on tombstones exists, among them, no doubt, the 4th Lord Herries and his wife. Among them also are the remains of a stout old gentleman, John Maxwell of Breconside, who was first buried in Buittle Churchyard. He was, however, not destined to be allowed to rest there. In the family records of the Maxwells of Breoch there is a story of a laird of Breoch who used to send his daughter up Caigton Hill to see whether "they had raised old Breconside again," and on hearing that they had he buckled on his sword and collected his friends and re-interred him. Apparently this happened continually. The perpetrators were the "Whigs of Urr," who indulged in this pleasing habit of digging up the poor man's coffin and setting it head downwards against the wall of the churchyard. At last the remains were taken to the Quier and buried there, where he was allowed to lie in peace.

The most important relic in the Quier is undoubtedly the portion of the old oak stalls which were formerly in Lincluden Abbey. Formerly the backs of the stalls were panelled and painted. Some years ago another portion of a stall, including one of the panels with a dim painting thereon, was presented to the Antiquarian Society on behalf of Mr Maxwell Stuart of Terregles. A colour wash drawing by Mr James Barbour showing the painting was also presented at the same time. These can be seen in the Museum.

At the restoration buttresses were added to the building, window mullions repaired and renewed, and the roof was entirely renewed. There is also a good deal of new work inside the chapel. The statue of the Angel came from Italy, and is modern. A further point of interest is the step at the door, which is part of a grave slab and has incised a cross shaft on a stepped base.

It is somewhat unfortunate that records regarding the Quier are so scanty, but possibly a thorough search among the Presbytery records might unearth something. A photograph of a pencil drawing of the Quier as it was in 1783 accompanies, and is interesting also as showing the old Parish Church before its re-erection in 1794 or thereabouts.

Tibbers Castle.

By R. C. REID.

Some 200 years ago an ancestor of mine attempted to put the site of Tibbers on the archæological map. He was a minister with a charge in Upper Nithsdale, a man of high intelligence, inventive genius, and in many senses far in advance of his day in cultural equipment. The Rev. Peter Rae, just as his descendant to-day, took an interest in the then nascent study of Roman Britain. He knew all about Birrens and Burnswark. Netherby he seems to have visited, so he ought to have had some idea of what a Roman camp or fort should look like. But at that date the study of the subject was rudimentary and the use of the spade was unknown. Most of the science was guesswork, and it was inevitable that many mistakes should be made and more assumptions prove untenable.

In 1727 Alexander Gordon published his book, *Itinerarium Septentrionale* or "a journey over part of Scotland." It is the first rational attempt to deal with the Romans in Scotland. Compared with the then current literature on the subject, it was a remarkable book, illustrated with blocks of Roman inscriptions, altars, and coins. Gordon even essayed to give plans of some of the forts. Both

Birrens and Burnswark are so illustrated, and it is obvious from them that Gordon assumed a good deal more than he actually saw. It is not clear to what extent Gordon depended on plans made by himself and plans built up from information supplied by his friends. One of his most active friends was Baron Clerk of Pennicuik, who owned Drumcrieff, near Moffat. It is clear that the Baron knew the Rev. Peter Rae, who has left it on record that they corresponded on Roman remains. Indeed Peter Rae was in actual contact with Gordon: "I happened, he writes, to be at Pennicook where Mr Gordon the Roman historian then was; and Baron Clerk having asked me if I knew of any Roman camps I told him of that at Middleby (Birrens) which I described pretty fully. Mr Gordon took a little note of it in his pocket book and in his return from London made a very accurate draught of it which he showed me at Kirkbryde." But in his enthusiasm Rae did not stop at Birrens. He assumed, what we may now regard as a probability, that a Roman road ran up Nithsdale and boldly brings it to this site. "The chiefest monument of antiquity in this parish, he declares, is the Roman camp at Tibbers," and he suggests that it was called after its commander, Tiberius, whom with scholarly caution he differentiates from Tiberius Cæsar. The Roman road he continues past Durisdeer Kirk and up the Wellpath and thence to Crawford Muir and Biggar. All this information he must have communicated to Alexander Gordon, who thereupon visited Tibbers. "Near Drumlanrig I saw another square fort called Tibbers Castle, which I am convinced was originally a Roman Castellum but afterwards made a place of defence in the wars between English and Scots in the time of Edward I., and part of it reedified with a stone and lime wall, and, as tradition goes, was surprised by a stratagem in the time of the famous Wallace." Gordon further adopts Rae's theory of a Roman road up the Wellpath.

Since the publication of Gordon's book I am not aware that anyone has seriously criticised his views on Tibbers. But in this year of grace we are even more Roman-minded

than was Peter Rac two hundred years ago. We have, however, this advantage. Roman archæology, based on the spade, is now a science, still groping towards a completer knowledge, yet with an immense amount of experience and acquired knowledge behind it. Though theories are still being expounded and discarded or exploded we are now able to generalise with some certainty, whilst detailed dating is an exact science in such departments as pottery.

The first main obstacle to the acceptance of Rae's theory is the evidence of the spade. The Rev. King Hewison, in his notes on the Peter Rac MS. published in December, 1926, *et sequa* in the *Courier and Herald*, affirms that Tibbers was excavated 50 years before that date. No record of that excavation is known to have been preserved, but it is clear that the excavators contented themselves with clearing out the existing ruin and establishing its lay-out. That ruin is mediæval, and if it is constructed on the top of a Roman site it is not likely that the excavators would find any Roman evidence. They would have to go beneath the mediæval occupation layer if they sought Roman remains. According to Dr. Hewison no evidence was found. But that alone is not conclusive. When, however, this site is compared with known Roman sites, we must entertain doubts as to Rae's identification. It is situated at the end of a ridge overlooking and overhanging what may have been water in Roman times. Birrens, Netherby, Raeburnfoot, Lynn in Peeblesshire, are all of this type. It was a common Roman practice, and we can probably add Kirkmahoe to the list. All these camps, however, were far larger than Tibbers.

But Tibbers does not conform in type to a Roman fort. When they dug out the surrounding fosse or ditch the Romans did not just throw out the earth on one or either side. They lifted it out in baskets and dumped it 10 to 20 feet back from the inner side of the fosse, leaving a flat space known as the berm between the fosse and the rampart. The object was to prevent the rampart in heavy rain "rushing" into the fosse. It is the presence of this berm at Kirkmahoe that is the main reason for ascribing that fort

to the Romans. One can look for a berm at Tibbers in vain.

Roman forts almost always had four entrances, though the exigences of Border warfare often caused one or more to be built up. At Tibbers there can, one would think, have never been more than one entrance. The Romans never fought in their forts save as a last resort. When the enemy came in sight they deployed forth of the camp and fought in the open. This site is far too cramped and small for that purpose. It is built solely for defence and not as a cantonment.

We must, therefore, I think, hold that Rae's thesis is not proven, and I doubt if it ever will be proved.

And yet I cannot help feeling that he may have been right in his general thesis. Till last year we thought that the Roman occupation of Dumfriesshire was confined on the westward to the Roman road up Annandale, from Birrens to Kirkpatrick-Juxta, thence following the railway to Little Clyde. Kirkmahoe has, however, raised a fresh problem. It postulates a road from near Birrens through Kirkmahoe. Now Roman roads had a definite objective, and it is scarcely likely that one would terminate, as it were, in the air at Kirkmahoe. That road must have continued to some unknown destination. Whither did it lead? There are no Roman vestiges in Galloway, so it can hardly have traversed that country. It may well, however, have continued up Nithsdale as postulated by Rae and Gordon. If so, we must look for a chain of forts or rest camps up that valley at intervals roughly of 25 miles apart. If, therefore, a Roman road ran up Nithsdale, we would expect a camp or fort somewhere just north of Thornhill. But I think we must look for it elsewhere than at Tibbers.

Now let us turn to this site as it is to-day. The remains of the stone castle are late 13th century, but it was not the first defensive structure on the site. Its precursor was a mote and bailey castle of wood, which may have been a century earlier. Where we stand was a mote hill cut off from the rest of the ridge by a deep gash partly or wholly artificial.

up and through which we came when we ascended to this spot. The summit was surrounded by another trench, within which was the timber stockade. On the other side of the deep gash lay a roomy and extensive bailey court, also cut off at its southern end from the rest of the ridge by a ditch and rampart of considerable proportions. Access was obtained from bailey to mote hill by a wooden bridge. In due course the timber structure gave place to a stone castle, and in August, 1298, we know that Sir Richard Siward, a Scot serving Edward I., was actually building "his home of Tibbers," elsewhere described as the Mote of Tibbers or the Castell Mote of Tibberis.

It is not known who Siward was or how long he or his forebears had owned the site. But he was clearly in the position of most Scots landholders, and must have owned land in England as well, for he was attached to that interest and lost his Scottish estate. On the 3rd September, 1298, Edward I., returning from his victory at Falkirk, stayed at Tibbers, and in 1302 granted Siward £100 for the repair of the castle. At that time Siward was Sheriff of the County. In February, 1305/6 Bruce slew Comyn in Dumfries and seized Dumfries Castle. Siward was made prisoner, and Bruce on his way northwards captured Tibbers and placed John de Seton in charge of it. But the tables were soon turned. The English recaptured Tibbers and hanged Seton and garrisoned it with 11 esquires and 50 archers under the command of Thomas Bell. A few years later it must have been retaken by Bruce and, conform to his general policy, destroyed. We have no reason for thinking it was ever inhabited again, but almost certainly it has been pillaged for building materials.

Of what little remains to-day it is clear that it was a rectangular building, with circular towers at each corner. Within have been various stone buildings built up against the curtain walls. Its entrance gate has been placed hard up against one of the corner towers and an extra tower built on the other side of it as an additional defence. The Historical Monuments Commission asserts that the gateway

was defended by an outer drawbridge, a portcullis, and an iron gate. The approach from the south was by means of a timber staging which stopped short of the gateway, leaving a space to be spanned by the lowered drawbridge. On the level ground to the south of the ravine and facing the entrance to the castle is a low mound of earth, which seems to suggest the position of the gateway on that side.

After Bannockburn Tibbers became the property of the Dunbars, Earls of March. In 1369 the 10th Earl granted the barony of Tibbers to his nephew, Sir Robert Maitland, ancestor of the Maitlands of Auchingassil, but the castle was reserved by the Earls. When the Earls' estates were forfeited the Crown in 1489 granted the castle to Sir Robert's grandson, Robert Maitland of Auchingassil. In 1606 Tibbers and the rest of the Maitland estates were acquired by the Douglasses of Drumlanrig (Douglas of Morton, p. 66-73).

30th JULY, 1937.

The second Field Meeting was held on the above date, when a company of about 40 travelled to the Waterbeck district to inspect the Merkland Cross there. Mr R. C. Reid, President, gave a succinct account of what is known of the Cross and of some of the families connected with its history. This paper will be found below. A vote of thanks to Mr Reid was accorded on the motion of Mr Gourlay, Kenbank, Dalry.

The next place visited was the site of the Roman Camp at Birrens, where excavations which have revealed much of interest were inspected. Mr Eric Birley and Mr W. Richmond, who are superintending the work there, were introduced by Mr Reid, who also took this opportunity of referring to the kindness of Mr and Mrs Mackie in allowing one of their most valuable fields to be dug up at this season of the year, and also to the assistance given by Mr Hart, County Road Surveyor, and his staff, who had lent wheelbarrows and other implements and who had assisted in many ways in the investigations

Mr Reid explained that these excavations had been made possible by a grant of £50 from the Society of Antiquaries of Scotland, and grants had also been given by the Havrefield Trust of Oxford and by our own Society. A few private subscriptions had also been received. Mr Richmond then gave a most interesting address, illustrated by reference to the work in hand, on the construction of the ramparts, etc. This will be found below. He was followed by Mr Birley, who explained some new points raised by the excavations, undertaken in the interior of the Camp. Mr Birley's paper will be found herewith. A vote of thanks to these two speakers was moved by Mr G. W. Shirley, and cordially assented to by the members.

After tea a start was made for Dumfries, which was reached about 8 p.m. after a most successful and interesting afternoon.

The Merkland Cross.

By R. C. REID.

When last year this Society visited Bonshaw it was told that the early fortunes of the Irving family probably had their origin in a somewhat dubious transaction arising out of the ransom money of an Englishman taken prisoner at the Kirtle fight. To retell the story of that battle on the battlefield itself was one of the objects of this visit to the Merkland Cross.

The Cross itself is described in the Inventory of Monuments as a free standing cross of the 15th century inserted in a modern base. It is 9 feet 9 inches from base to top of the cross head. The shaft is tapered and the arrises chamfered. The design and proportion are excellent and the execution for its period good. A cross head of similar trefoil is preserved at Burythorpe in East Yorkshire. One remarkable feature of the cross is that it appears to be cut out of a single stone.

Now crosses are not erected to be admired as works of art. They have a definitely commemorative purpose,

such as a battle or a death. In this case there is good reason for thinking that the Merkland Cross may commemorate both.

Tradition in this case has been busy with conjectural explanation. Three separate and entirely different versions are preserved. One is to the effect that a bowman, presumably English, wishing to slay one of the Edwards on his victorious march home, "mistook his general for the king." Archæology says this Cross is 15th century and no King Edward was ever near the Kirtle in that century. Another version says that here Lord Crosbie slew an English commander who had plundered his property and burnt his castle in his absence—a fact of which he was first apprised in a dream. As no Lord Crosbie has ever figured in the Scottish Peerage, I think we can safely treat this version as a dream. Lastly, it is recorded in the Terregles MS., the history of the Maxwell family, that John, Master of Maxwell, after the fight against Albany and Douglas on 22nd July, 1484, whilst faint from wounds, was assassinated in revenge for an act of justice as Steward of Annandale. There is unfortunately no limit to the distortion from which traditions have so often to suffer. Yet amidst all these vain imaginings there must be some substratum—some core of historical truth. If it is to be discovered with any certainty it can only be found in a denominator common to all versions, which in this case is that a commander or general was slain here in unusual circumstances. The unusual circumstance varies in each version—mistook his general, apprised in a dream, and revenge—but it is there. Tradition is often a treacherous guide. Since it is only an historical memory its details are soon forgotten and only the central factor of the event is recalled. No one is long satisfied with a central factor. Explanatory guesses soon supply some details which are crowned with others—and so the story grows. Indeed the student of tradition might well study the first of our versions—"someone, wishing to slay one of the Edwards on his victorious march home, mistook his general for the king." That sounds nonsense. Yet it can be shown that

a 15th century English king—Edward IV.—supplied some English forces that reached this spot, a king whose death a few months before had actually precipitated the fight that ended here; and that though the victorious march home was really an unseemly rout, yet a general or rather a Scottish commander was slain here too.

What is known of the battle of the Kirtle, or sometimes as the battle of Lochmaben, is entirely derived from Scottish sources, mainly from Hume of Godscroft's *History of the Douglas Family*. But a few stray documents can throw sidelights on the episode and confirm Hume's narrative.

The principal figure concerned was Alexander, Duke of Albany, younger brother of King James III., an ambitious, scheming and dominating personality. The king, his brother, was a weak, amiable person, tolerant and forgiving even in the face of the grossest treason, yet not incapable of vigorous though spasmodic action at times. It was the age when the Crown was in direct conflict with the nobility and every magnate was struggling for his own aggrandisement. In England similar conditions prevailed, the Wars of the Roses were drawing to their close, and the young Princes were shortly to perish in the Tower. Alexander, Duke of Albany, had been created Lord of Annandale at an early age, and must therefore have been able to draw on a very considerable feudal following from the county. His ambitions seem to have had no limit, and he did not hesitate to conspire with Edward IV. against his own Royal brother. The Earl of Douglas, who since the battle of Arkinholm had been an English prisoner, was in constant touch with him. Albany had been already imprisoned once, but had escaped to England and thence to France, whence in 1482 he returned to England, where he entered into league with Edward IV., whereby for assistance to put him on the throne of Scotland he agreed on 11th June, 1482, to hand over to Edward the castles of Berwick, Roxburgh, and Lochmaben, and to cede Liddesdale, Eskdale, Ewesdale, and Annandale to England (Bain, IV., 1476), and to do homage to Edward. Albany characteristically signed this document "Alexander Rex."

With the Duke of Gloucester he entered Scotland, took Berwick, and burned Dumfries. There was no opposition, as the Scottish forces at Lauder, having hanged the king's favourites over the bridge, had dispersed. Albany failed to secure the Crown, but his vacillating brother restored him to his estates and made him Lieutenant-General. Then his perfidy with England was discovered, and he fled south to seek English aid, which was not forthcoming, for at that juncture Edward IV. died, and his successor, Richard III., Duke of Gloucester, was far too busy to attend to Scottish affairs. Nevertheless Albany and Douglas decided to make one last throw of the dice and secure their return to Scotland. Armed invasion with such English support as was available was decided on. In Dumfriesshire they had accomplices, amongst whom were William, 3rd Lord Crichton, who owned the baronies of Dryfesdale and Carruthers, whilst the family of Corrie were known to sympathise with them. Douglas, too, still had adherents in the county, whilst Albany as Lord of Annandale must have expected that his influence would carry weight with waverers. Lochmaben was the natural centre for a rising, and its castle was an obvious strategic objective. Accordingly it was thither that the invaders went. If supporters were to be called out and a force enlisted, it could best be done when the population and country folk from far and near were gathered there in numbers. Such an opportunity occurred on 22nd July, 1484, when there was held at Lochmaben the annual fair on the Feast of St. Mary Magdalene, the patron saint of the burgh, to whom the church was dedicated. But the Crown authorities in Scotland were on the alert, and steps were taken to meet the invasion. Lord Crichton's dealings with the outlaws must have been known, for he and his brother, Gavin Crichton of Kirkmichael, were forfeited, and a price was placed on the head of the Earl of Douglas. A reward of 100 merks of land and 1000 merks of money was offered to anyone who should kill or take the Earl captive. The exiles must have known of these steps, but decided on the last throw of the gambler.

Accompanied by Douglas, Albany crossed the Border with 500 horse, vowing that they would make their offering on St. Magdalene's Day on the high altar of the church of Lochmaben. Godscroft asserts that they were accompanied as far as Burnswark by a small force of English foot under Musgrave. Here the English halted to cover a retreat, if necessary, whilst Albany and Douglas pushed on to Lochmaben with the mounted force. They are believed to have reached it,¹ though whether they fulfilled their vow is not recorded. According to one modern writer a *mêlée* took place at Lochmaben between Albany's followers and the country folk in Lochmaben,² which continued till the afternoon, when Crichton of Sanquhar and Charteris of Amisfield, with an armed force, arrived and drove the intruders from the town. Another version from a fairly accurate but far more partial source makes them attacked "as they rode towards Lochmaben" by the inhabitants, who had been raised to arms by the Laird of Moushill (*sic*), the Scottish Warden.

The English force at Burnswark, seeing the enemy massing for attack, incontinently fled, leaving the invaders to fight it out with their countrymen. From noon to twilight the fight continued, victory lying ultimately with the Annandale men, "though it cost them much blood." So writes Godscroft. Every Scot likes to think of the English fleeing. But we must remember that the English were infantry. From the heights of Burnswark they could see Albany and the cavalry falling back from Lochmaben. Unless they wanted to be cut off they had no option but to retire. If they fled they yet had to fight, for we know that Musgrave, their commander, and many others were taken prisoners.

For the Scots showed a true strategy. Whilst Charteris and Crichton of Sanquhar were driving Albany south from Lochmaben, John, Master of Maxwell, was hurrying east

¹ Hume of Godscroft implies that they did not.

² Sir Herbert Maxwell's *The House of Douglas*, I, p. 200.

from Caerlaverock to cut off his retreat. Maxwell's way passed Comlongon and on through Ruthwell. At Comlongon he may have been joined by the Laird of Cokpole and his Ruthwell retainers. The Laird of Mouswald, if not at Lochmaben, must have gone with Maxwell. Going straight across country, Maxwell made for Kirkpatrick-Fleming, through which the old Roman Road to Burnswark ran. Down this road the English infantry must have come, their retreat covered by Albany and Douglas, on whose heels followed the victorious Scots. Somewhere near this Merkland Cross Maxwell must have intercepted the invaders and turned their retreat into a rout.

It is not known who fell on the victors' side, but Albany escaped in the dusk. Douglas was not so fortunate, was stricken from his horse and taken prisoner by one Alexander Kirkpatrick, a former retainer of Douglas himself. The recognition was mutual, and Godscroft has preserved the conversation between them—"invented" would perhaps be a more suitable verb. According to that apologist Douglas revealed his identity to Kirkpatrick, which, as Sir Herbert Maxwell has properly pointed out, is, for very good reasons, highly improbable. Douglas is alleged to have surrendered himself, being too aged and sick at heart to continue the struggle, and to have asked Kirkpatrick to deliver him to the king. Kirkpatrick is figured as weeping tears of sorrow over the Earl's plight, and, so far from thinking of the reward promised by the Crown, offered to go with the Earl to England, which was refused by Douglas, who only asked Kirkpatrick to intercede with the King for his life. Hiding the Earl in a poor cottage, Kirkpatrick went to Edinburgh, successfully pleaded for the life of Douglas, and claimed his reward. The Earl's life was spared, and he was interned for the rest of his days in the Abbey of Lindores.

Apart from minor discrepancies, these accounts of the battle of the Kirtle leave some points of difficulty. The "Laird of Moushill" would be Carruthers of Mouswald, though it is by no means clear that he was Warden of the

Marches. Archibald Carruthers of Mouswald died about the date of the battle (22nd July). On 3rd June he received a Crown grant of the 20s land of Raffles (R.M.S., 1424/1513, 1587). He does not appear again on record, but in 1485 there is reference to Simon Carruthers of Mouswald, who in later years is believed to have acted as deputy Warden (J. J. Reid's *Barony of Mouswald*). Perhaps this Simon—afterwards Sir Simon Carruthers—may be the man who raised the neighbourhood against Albany.

Another member of the Carruthers family who figured in connection with the affair was Thomas Carruthers (as yet unidentified), who for services rendered prior to but in connection with Albany's invasion was granted the lands of Corry and all other possessions of George Corry formerly of that Ilk, now an escheated felon for joining Albany and Douglas. The grant was dated the day after the battle, news of which could scarcely have reached Edinburgh the following day.³ The services rendered by Thomas, who is described as "familiari suo" of the king, may have consisted in giving timely information of Lord Crichton's implication.

It is, moreover, obvious that the chronicler of this fight has only recorded its salient features. There are strong reasons for believing that Alexander Kirkpatrick did not receive the tame surrender of Douglas; others claimed the reward. If others helped Kirkpatrick, resistance is implied; and resistance from a Douglas can scarcely have been aught but spirited. The pathetic battlefield conversations preserved by Godscroft—never convincing—must be discarded. The throbbing tears of Kirkpatrick and the broken accents of Douglas must be replaced by the din and turmoil of the fight. Within a few months of the fight Robert Charteris of Amisfield appeared as claimant of a third of the reward. The grounds of the claim are not specified, but his participation in the capture of Douglas does not seem to have been denied. But it is probable that the claim was not based on participation.

³ R.M.S., 1424/1513, 1590.

The Law of Ransom—in so far as it had been developed in practice on the Borders—was based on a feudal conception. If a tenant-in-chief of the Crown captured a prisoner, he was entitled to get what ransom he could. I have not yet found a case of the Crown claiming any share of it. But in the case of a tenant or feuar of a tenant-in-chief, the latter as superior could claim one-third of the ransom even if he took no part in the capture. To be a superior was to be at times a lucrative calling, and it was in his interest to have first-rate fighting men as his tenants and feuars. As late as 1554 a household man of the Cardinal captured an Englishman at Ancrum Moor. The courts held that according to Border usage two-thirds of the ransom should be assigned to the household man and one-third to the Cardinal.⁴

Now Alexander Kirkpatrick had at some previous date given Charteris a bond of man-rent, that is to say he undertook to be Charteris' man in return for his protection. In other words, he recognised the superiority of Charteris, though not necessarily as holding land of Charteris. Kirkpatrick did not deny the man-rent, but pleaded prior letters of man-rent to the Laird of Closeburn and Henry Kirkpatrick. If he was to part with a third of the ransom he would rather it went to his own relatives than to Charteris. But the Lords of Council held that Kirkpatrick was man of Robert Charteris "before all others," and the charge against Kirkpatrick of withholding the third of "his winning quhilk he wan be aventure of wer throw ye taking of Sir James of Douglas, quhilk third extendis to 1000 merks," was adjourned to 23rd March for documentary proof, and four headsmen of each of the three Borders "least suspectit" were summoned to advise the Lords.⁵ Unfortunately no further record has survived, but I fear that Alexander had to disgorge. Nevertheless he did quite well, being granted the £30 lands of Kirkmichael, £22 land of

⁴ *Acts of Lords of Council in Public Affairs*, p. 639.

⁵ *Acta Dominorum*, folio vol., p. 95.*

Dryfeholme, and £40 worth of lands near Duns in Berwickshire.

A kinsman of Alexander, one John Kirkpatrick in Hesilbray, was almost as fortunate, capturing one "William Musgrave, Inglisman," for whom he secured the respectable ransom of 80 gold angel nobles. Such a ransom indicates that William was none other than the Musgrave who commanded the English infantry on Burnswark. Perhaps he may be identified with the youngest son of Thomas Musgrave of Eden Hall.⁶ As you learnt at Bonshaw, William Irving misappropriated the ransom which may have financed the building of Bonshaw Tower. Two other Kirkpatricks had also secured a valuable prisoner, perhaps in conjunction with John Jardine of Applegarth. They were Henry Kirkpatrick (probably of Knok) and Thomas Kirkpatrick, who had taken prisoner John Salkeld, Englishman. His ransom amounted to £20 sterling. Jardine had possession of the prisoner, and appeared also to have appropriated the ransom. At least in 1493, nine years after the battle, the Kirkpatricks brought an action against Jardine for the delivery of both.⁷

Yet another English prisoner who had to linger in duration vile was Christopher Longcastle, though it is not clear whether he was captured on the Kirtle or before the battle.⁸ His captor was Alexander Stewart, son and heir apparent of William Stewart of Castlemilk. Stewart would seem to have handed his prisoner over to the care of his servitor, Matthew Park, in order, we may conjecture, to rejoin the

⁶ Thomas Musgrave, who died in 1469, married Joan Stapleton of Eden Hall. William married Phyllis Colvill of Crookdake-Ireby, and left a long line of descendants "of Crookdake." For the pedigree of the family, see *C. and W. Transactions*, N.S., XXII., p. 193.

⁷ *Acta Dominorum*, folio vol., p. 308.

⁸ He may have been taken when Albany and Gloucester burnt Dumfries in 1482, as the legal process began on 22nd January, 1484. If so, he was on a par with Clement of Skelton, an Englishman, over the third of whose ransom Cuthbert Murray of Cokpule litigated with John Lord Carlile on 3rd July, 1483, though not for the first time (*Acta Auditorum*, p. 112*).

fray himself. Then upon the scene came John of Irvin of Hirdstanemuir or Hardstanemure, who by guile or force appropriated the prisoner, "spulzeit him from Matho Park." The Irvings seemed to be as expert in annexing other people's prisoners as in lifting their cattle. Perhaps for safety's sake Irwin deposited the prisoner with Cuthbert Murray of Cokpule, who was ordered by the Lords of Council to restore him to Castlemilk. For five long years the wretched Christopher Longcastle was detained at Castlemilk, and then in February, 1489, with sublime effrontery, Irwin, claiming that he had captured Longcastle, brought an action against the Stewarts of Castlemilk for withholding the Englishman from him.⁹ The action was continued to be decided at Dumfries.

Of the protagonists on the Scottish side, Cuthbert Murray of Cokpule has been mentioned. If he received any reward it has not been traced. Bishop Leslie asserts that Cokpule and the Laird of Johnston captured Douglas "and gave him to the King," an obvious error (*Scots Peerage* I., 220). It has also been doubted whether the Laird of Johnston was there at all (*ibid.*, 238). He must have been far too old to be present, yet in Robert Riddell's MSS. II., 24, it is stated: "Sir John Johnston made a great figure at the battle of Kirkconnell where with the Laird of Cokpule he had command of the Scottish Army, anno 1484." Robert Charteris of Amisfield certainly was there, and was rewarded for his share in the victory with the lands of Polinre in Galloway. His colleague in the repulse of Albany from Lochmaben, Sir Robert Crichton of Sanquhar, also was rewarded a month after the fight by the ratification to him of the sheriffship of Dumfries and of his barony of Sanquhar (*Scots Peerage* III., 222). His eldest son, Edward Crichton, must also have done doughty deeds, for which he received Royal confirmation of several charters (R.M.S., 1424/1513, 1594).

Of only one more of the *dramatis personae* of this battle is there aught to record. John, Master of Maxwell, appeared

⁹ *Acta Dominorum*, folio vol., pp. 97* and 124.

late in the fight. It may well be that his intervention settled the fate of the day. He must have attempted to cut the line of retreat at the Kirtle. The Terregles MS. says that he was wounded in the fight, and whilst leaning on his sword was struck from behind and slain by one Gass, a compatriot, who had a grudge against him. The Riddell MSS. VI., 29, states that the assassin's name was Macky Gass (probably for Mathew Gass), who lived at the Kirkstyle of Ruthwell, and that his motive was revenge for the hanging by Maxwell of his friend, the Laird of Stanries.

Such is the story of that running fight that began at Lochmaben and ended at Kirtle Water. If its reconstruction seems laboured, it is because Scottish records have been of little assistance, whilst English records are strangely silent. Polydore Vergil, the English chronicler, tells us of the invasion of 1482 by Albany and the Duke of Gloucester, but makes no reference at all to this fight. He makes Albany repent of his authorship of the war (in 1482). "Seeing himself in no reputation amongst the Englishmen," Albany departed to France, where not long after he was killed in a tournament. As for the burning of Dumfries in 1482, we have to rely solely on a letter from a contemporary English merchant dwelling in Calais.

4th SEPTEMBER, 1937.

A company of about 30 left the Ewart Library on the above date, and were joined at intervals by members of the Society from the Stewartry and Wigtownshire.

The first place visited was Glenluce Priory, where members had an opportunity of seeing the great amount of progress made since their last visit in clearing the site and remaining walls, etc., a task undertaken during the last three years by H.M. Office of Works. All grass and trees have been cleared out and the plan of the buildings more plainly shown. A paper, giving the history of the Priory and its changes of ownership, so far as known, was read

by Mr A. S. Morton, Newton-Stewart, and was listened to with keenest attention. Mr Morton also contributed a synopsis of the paper read by Mr J. Richardson of H.M. Office of Works on a recent visit of another Society, and also showed one or two photographs of parts of the site before clearance. A vote of thanks to Mr Morton was proposed by the President and heartily endorsed.

After an interval for lunch the party proceeded to the Rhinns of Galloway, where the objective was Dunskey Castle, on a jutting neck of rock near Portpatrick. Here the President gave an illuminating address on the main facts of the history of the Castle and the various families who have owned it, together with a brief description of the fabric of the building itself. A letter from Sir Herbert Maxwell of Monreith to Mr Reid, concerning an incident at Dunskey, was also read. This will be found printed below. The members afterwards inspected what remains of the Castle and then left for Ardwall House, where they were met by Sir Edward M'Taggart Stewart, who acted as guide to the Mote near the house, and after giving a short history of Motes in general, so many of which are found in the three Southern Counties, told what was known concerning the one in which they stood and also of the original and present houses of Ardwall. Through the kindness of Sir Edward and Lady M'Taggart Stewart, the members were thereafter entertained to tea, and subsequently had an opportunity of inspecting the fine collection of ancient banners in the halls, and also the many pictures, mainly of the late 18th and early 19th Century. A vote of thanks was accorded to Sir Edward and Lady M'Taggart Stewart, on the motion of the President. From this point the journey home started, and Dumfries was reached about 9 p.m. after one of the pleasantest outings in the history of the Society.

Glenluce Abbey.

By A. S. MORTON.

The Abbey of Glenluce was founded in 1190 by Roland, Lord of Galloway, afterwards Constable of Scotland. He was the grandson of Fergus, Lord of Galloway, who had given several religious houses to the province, including Dundrennan Abbey, founded in 1142 for Monks of the Cistercian Order, and colonized, possibly from Revesby of which his friend Ailred was Abbot in that year, but more probably from Rievaulx of which he was Abbot the following year. It was the third Cistercian foundation in Scotland, following Melrose and Newbattle.

Uchtred, son of Fergus, also made many gifts to the church, and founded Lincluden Abbey about 1161. Roland was thus following the example of his father and grandfather when he decided to build another great religious house in the land where he held sway.

The Cistercians lived a severe, ascetic and contemplative life, and, as their Abbeys were never built in towns or cities, the choice of a site must have occasioned careful consideration. Here, however, they found an ideal spot, away from the haunts of man, in a beautiful fertile valley with a river close by, and the sea about two miles distant. It was just such a place as would have been dear to the heart of a follower of St. Bernard; so the buildings arose, extensive and magnificent, and, as their ruins show, covered nearly an acre of ground, while the gardens and orchards extended to 12 Scotch acres and are said to have been one of the sights of the west. This was the second Cistercian Abbey in Galloway, and thus a daughter of Dundrennan, as was also Sweetheart Abbey, the last of the Cistercian foundations in Scotland.

Of the early history of Glenluce Abbey almost nothing is known, as its records are lost, and we get only a few meagre references from outside sources. Some of these suggest that it was like an oasis in a wilderness, for, while it possessed thousands of acres, the whole parish, indeed,

and had plenty of sheep and cattle, game, wildfowl, and fish, it was in its early years often short of cereals to sustain so large a community.

From the records of the English Parliament we learn that in June, 1220, Henry III. commanded Geoffrey de Marisco, Justiciar of Ireland, to allow the Abbot and Monks of Glenluce to buy in Ireland, corn, meal and other necessary victuals for their maintenance for a year after the Feast of St. John the Baptist next. Five years later the same privilege was granted, and again two years afterwards.

Following the death in 1234 of Alan, son of Roland, and the last of his line of the Lords of Galloway, his three daughters succeeded, but his natural son Thomas rose in revolt. The Royal Forces soon defeated Thomas and inflicted severe punishment. In the *Melrose Chronicle* under date 1235 there is this record: "At this time also, even the Scots of the King's Army, when he had gone back, despoiled the lands and churches in Galloway with unheard of cruelty, so much so that a Monk of Glenluce, who was at his last gasp, was left naked, but for his hair shirt, and at Tongland the Prior and Sacristan were slain in the church."

In 1252 it is recorded that leave was given to the Abbot and Monks of Glenluce to buy yearly, for seven years, a shipload of corn in Ireland for the use of their House of Glenluce

We have nothing approaching a complete list of the Abbots of Glenluce.

From the *Chronicle* of Melrose we learn that William was Abbot from 1212 to 1216 at least. Little or nothing is known of him. He wrote a long letter in Latin to the Prior of Melrose, describing a remarkable phenomenon, seen by two Monks of Glenluce, in which castles and soldiers and other strange things appeared in the heavens. The frightened Monks trembled, and asked the Venerable Father if he did not think the Judgment Day had come.

In 1235 Gilbert was Abbot, and demitted office on being appointed Bishop of Galloway. He had been previously

Master of the Novices at Melrose. Robert succeeded, but was shortly afterwards deposed, for what reason we do not know. He was succeeded by Abbot Michael, who in 1243 went to attend a General Chapter of the Order at its headquarters at Cîteaux, but he died on the way home on 29th September, St. Michael's Day. He was succeeded by Alan Musard, of whom nothing is known.

In 1289 the Abbot of Glenluce was at the Convention held near Coldstream with Edward I. to consider the proposed marriage of the Maid of Norway with his eldest son.

In Robertson's *Index of Lost Charters, etc.*, there is a Charter by Robert I. to the "Abbacy of Glenlus . . . to be halden in ane frie barrony cum furca (et) fossa"—that is, with the privilege of pit and gallows; power to punish felons, men by hanging and women by drowning. As there is a hiatus after "Glenlus" we do not know what the barony consisted of.

Another Charter by Robert to the Abbacy confirms their liberties.

There are two Charters by David II. to the Abbacy—one of their whole lands, and the other of two five merk lands. These Charters could not be later than 1370, when David died, and for over 100 years afterwards no mention can be found of the monastery or Abbots of Glenluce.

One may hope that to them during this period the saying was equally applicable: Happy is the country without a history.

In 1487 the Abbot of Glenluce sat in Parliament under the title Vallis Lucis, but that is all that we know about him.

In 1496-7 Michael was Abbot, and on 23rd January of that year he obtained a Charter constituting the Village of Ballinlach, now Glenluce, a Burgh of Barony.

It is very difficult to follow the succession. Cuthbert Baillie, who was Lord High Treasurer, was Commendator and died in 1514. Walter Malynne was Abbot in 1517, sent from France by John, Duke of Albany. On 9th December Albany asks for safe conduct for Walter, Abbot of Glenluce, and twelve of his company to travel to England, and on

30th Bishop Douglas informs Cardinal Wolsey that they have come to London requesting audience of the King.

Abbot Walter was in Parliament in 1525. He apparently had some grievance, for the following year he protests that he should not be prevented by the Bishop of Galloway from going to Rome to prosecute an Appeal.

Meantime discipline in many of the Abbeys had become very lax, and in 1534 the General Chapter of the Order commissioned Walter, Abbot of Glenluce, who was a very cultured and capable man, along with the Abbot of Cupar, to charge Andrew, Abbot of Melrose, to put his house in order, under pain of deposition.

On 12th November, 1543, Walter granted a Commission of Baillery in favour of Gilbert, 3rd Earl of Cassillis, of the whole lands and Barony of Glenluce for five years from Martinmas. This was the first of a series of transactions between the Earls of Cassillis and the Abbots of Glenluce which ended in the Kennedys, after a struggle with the Gordons of Lochinvar, securing the Abbey lands. This Commission soon led to trouble, and in 1545 the Abbot had a long controversy with the Earl before the Lords of Council.

The Earl, as Bailie, proposed to hold a Court upon the lands and lordship of Glenluce, and Andrew Agnew, Sheriff of Wigtown, by virtue of authority given to him, took possession of the place and Abbey to prevent the Court being held. The matter came before the Council on 11th June, 1545, and the Council ordered the Sheriff to remove from the Abbey, and that no manner of persons should remain therein, but the religious men and their daily, necessary servants. The Earl on his part undertook not to hold a Court on the lands and lordship of Glenluce, or to have any intromission with the place or make any innovation until the 8th day of June next. Shortly thereafter the Abbot again complained against the Earl, and against M'Douall of Garthland, Adair of Kinhilt, and M'Douall of Freugh, and the Council ordained the said persons to desist and cease from all invasion of the place and from molesting and troubling the Abbot in the peaceable possession of the same.

Then we find James Gordon of Lochinvar taking a hand in the game, but he was prevailed on in September, 1545, by the Lord Governor and the Council to promise to leave the Abbey and not interfere till the Feast of Yule, and at the same time Gilbert, Earl of Cassillis, bound himself under pain of £10,000 that he would not interfere with the Abbey till Yule, and eight days thereafter. Later the same year the Abbot and Earl became reconciled and the Abbot "remitted the rancour of his heart" to the Lairds of Kinhilt, Freugh and Garthland, and at his homecoming the said gentlemen were to come to the Abbot and he would take them in favour, etc.

Walter seems to have been succeeded by Robert Gordon as Abbot, and then there was a James Gordon who is mentioned in a letter by Francis and Mary, dated

" At Amboise, 23rd March, 1559.

" Francis and Mary, by the grace of God King and Queen of the French and Scots, to the most reverend father in Christ, and Lord Nicholas, Cardinal of Sermoneta, most Worthy Promoter of the affairs of our kingdom of Scotland, greeting; Most Reverend Father, we write urgently to our most Holy Lord the Pope in favour of our familiar Thomas Hay, Elder; and we ask not only to have him preferred as Abbot to the Monastery of Glenluce, otherwise the Valley of Light, of the Cistercian Order, in the diocese of Candida Casa, now vacant by the death of the venerable Father, James, its last Abbot. but also that an annual pension of one hundred pounds, Scots money, be freely granted out of the revenues of that Monastery, to Patrick Vaus, Clerk. . . ."

Both requests were granted by Pope Pius IV. in May, 1560, and the Papal Bull went further, for the Abbey lands were conveyed to Thomas Hay on the proviso that no addition should be made to the Monks of Glenluce. and that when all the existing residents died out he should inherit the lands. This was afterwards ratified by Queen Mary.

Sir John Gordon of Lochinvar, however, had taken possession of the Abbey by virtue of a Charter of Feu farm

granted by Abbot James Gordon on the last day of January, 1557-8, and he refused to give possession to Thomas Hay. Gilbert, 4th Earl of Cassillis, entertained the Abbot and his Monks at the Collegiate Church at Maybole and provided them with whatever they required. But he was not doing this for nothing, for he obtained from the Abbot and the Convent several deeds, rather complicated for a layman to follow, but which ultimately resulted in the Earl getting the Abbey lands extending to thousands of acres. There was also a curious Deed of Remission and Discharge to the Earl for the spoliation of the Abbey by his father and the Lairds of Kinhilt, Garthland and Freugh in May, 1545, during Abbot Walter's time. The spoliation seems to have been pretty thorough judging from the terms of the deed, which refers to the wrongous and masterful intruding of them in the Abbey and the plundering among other things of gold, silver, coined, uncoined, white money, skin, hides, nowt, sheep, ironwork, sheets, blankets, fodderbeds, silver pecis, silver spoons, goblets, silver chelleis, mele, malt, &c., and of "All and Sundry other goods geir and plenishing within the said place or on the lands pertaining to the same."

The dispute between Sir John Gordon and Abbot Hay was submitted to the arbitration of Lord James Stuart, afterwards the Regent Moray, half-brother of Queen Mary, and he decided against Gordon, who accordingly had to surrender possession to Cassillis as Bailie, and to Thomas Hay as Abbot.

The anonymous historian of the Kennedys has a remarkable story of how this 4th Earl of Cassillis got possession of the lands of Glenluce. This writer was always ready to defame the Cassillis side of the Kennedys, and he says:

"This last Gilbertt was ane particular manne, and ane very greidy manne, and cairit nocht how he gat land, sa that he culd cum be the samin, and for that caus he enterit in bloking with ane abbot of Glenluse, concerning the Abacie, to tak the sam in few; but, or he gat the samin performit, the abbot deit. And then he delt with ane monk of the samin Abacie quha culd counterfitt the

Abbottis hand-writ, and all the hail conventtis; and gart him counterfitt thair subscriptions. And quhane he had gottine the samin done, feiring that the monk wald reveill it, he causit ane cairill, quhilk they calt Carnechaine, to stik (him); and thane, for feir that cairill had reveillie, he garit his fader-broder Hew of Bargany asswse this cairil for theft, and hang him in Corsragall. And sa the landis of Glenluse was conquest.''

It is a pity to spoil such a good story, but, as you have heard, there is no foundation for it, although the same Gilbert was quite capable of roasting the Abbot of Crossraguel in the black vault of Dunure till he signed such deeds as the Earl required.

Abbot Hay was a younger son of Hay of Dalgetty, Aberdeenshire, and his son married Janet M'Douall of Garthland and founded the family of Hay of Park. The House of Park, which you see from here, was built in 1590.

Although the Hays have no property in the Abbey they have the privilege of burial here, and this privilege was exercised within quite recent years.

Abbot Thomas Hay was succeeded in 1581 by William, son of Sir James Gordon of Lochinvar. He was followed by Lawrence Gordon as Abbot in 1584. In 1602 he had the Abbey erected into a temporality in his favour, and with him the line of Abbots of Glenluse came to an end after an existence of over 400 years.

John Gordon, Dean of Salisbury, brother of Lawrence, next succeeded to the property, which, however, consisted only of the Monastery, sundry houses, dovecots, orchards and gardens. The Dean of Salisbury gave the Monastery with his only daughter Louise in marriage to Sir Robert Gordon of Gordonston, from whom it was purchased by James VI. to be annexed to the See of Galloway.

Following on the events of the Covenant year 1638 and the advance of the Protestant religion, the precincts and remains of the buildings were granted to the minister of the parish as a manse and glebe, and they continue so to this day, excluding, of course, the Abbey itself. The church is in Glenluse village.

Royal Visits.

During its happy days the Abbey was visited occasionally by Royalty, perhaps oftener than we know. Robert the Bruce spent a night here in March, 1329, when on his way to Whithorn. James IV. made several visits. He was here in November, 1491. He was here again in July, 1505; in April, 1506, when at the Abbey he lost 18/- at a game of bowls, probably ninepins. He was given a grey horse, and the Abbot's man got a gift of 13/-. In July, 1507, he saw the gardens looking their best, and gave the gardener a present of 4/-. In August, 1563, Mary Queen of Scots spent a night here on her way to the Shrine of St. Ninian, the last of our Royal Pilgrims. Soon afterwards pilgrimages were abolished, and in course of time the Abbey also ceased to be used. It fell into decay and became a quarry for the surrounding district. Probably most of the farm houses and steadings in the neighbourhood would at one time be built from its ruins. Only the Chapter House remained in a tolerable state of preservation, and, of course, the vault where Michael Scott imprisoned the plague!

During the last half-century or so praiseworthy work has been done at different times in the way of excavation, etc., but only to a limited extent until now. In 1884 there was discovered outside the doorway of the Chapter House part of a Cross slab about 4 inches thick and 18 inches square. You will see on it an equal armed Cross with the ends of the arms expanded and squared and the angles at the intersections rounded. This Cross is much older than the Abbey, and we can only conjecture how it came to be here.

During excavations in 1899 there was discovered in the north transept a fine monumental slab which was much broken and defaced, but when put together with great care it was found to have an inscription round the edge in raised letters to the memory of Robert Gordon, son of the late James Gordon of Lochinvar, who died 26th April, 1548, and in the centre a shield charged with three boars' heads erased. This is commonly referred to as the tombstone of Robert Gordon of Lochinvar, which is hardly correct. Robert

Gordon was the third son of James Gordon of Lochinvar. He got a grant of the lands of Muirfad on 25th July, 1544, and on his death, unmarried, in 1548, he was succeeded in Muirfad by his nephew, John, son of William Gordon of Penninghame.

Another tombstone is to be seen in the south wall of the choir. It was erected to the memory of his wife by Sir Thomas Hay, first Baronet, great-great-grandson of the Abbot. He was made a Baronet of Nova Scotia in 1662. The stone is very badly weather-worn. The date seems to be 1663 or 1683, the third figure not being clear. The Arms on the left are those of Hay, with the initials T.H. for Thomas Hay, and the Arms on the right are those of Hamilton, with the initials I.H. for Janet Hamilton, his wife. Beneath the shield is an inscription now so illegible that it is impossible to make anything of it. In 1911 the Chapter House was renovated and for some time was used as a place of worship.

During the last four years, as most of you are aware, work of excavation, restoration and preservation has been carried out in a thoroughly systematic manner, latterly under the able direction of Mr James Richardson, His Majesty's Inspector of Ancient Monuments, and already most gratifying results have been achieved. Two months ago, on the occasion of a visit of our Sister Society from Cumberland and Westmorland, Mr Richardson was present and gave a very interesting account of what had been done, and I cannot do better than refer you to what he then said.

Dunskey Castle.

By R. C. REID.

This ruined castle perched on the edge of a cliff, apart from its picturesque strength, presents at least two unusual features. It possesses no kitchen or room that can be identified as such, and its well—so vital to the defence of such a structure—is outside its forbidding walls.

Food and drink are a necessity for all men, and, whilst the absence of culinary equipment may be explained, no adequate explanation has been devised for the situation of the water supply.

The site has probably been a fortified one from the earliest times, occupying a promontory jutting out into the sea and partly cut off from the mainland by a deep ditch or fosse which to some extent may have been natural. In early times the well may have been a spring, and when the castle was built it must have been found impossible to include it within the walls. Nevertheless, we would have expected some covering to it and perhaps a pipe and pump, otherwise there would seem to have been nothing to prevent a besieger on a dark night creeping up and dropping arsenic into it.

The castle is of indeterminate date. The frontal wall stretches right across the neck of the promontory, though I believe it is just possible to scramble past the southern end of the building. Access to the castle is now by an embankment across the fosse which is some 14 yards wide, and which may have replaced some sort of drawbridge giving entrance to the gate — the only opening on ground level on the landward side. The gate was secured by a sliding bar. If we judge by the depth of the bar pole in the southern jamb, the door must have proved a serious obstacle to entry. On entering the gate one passes through a vaulted passage with a guard room on either side, into the courtyard, which, covering the whole promontory, terminated some forty paces seawards in a tower of which only the foundations survive.

The main building is of the L plan, with a northern elongation. The entrance to the building is in the re-entrant angle. The ground floor of the whole building is vaulted and there is evidence of some undateable reconstruction. Within the door is a vestibule beyond which was a flight of stairs of unusual spaciousness and modern design, consisting of three flights with two intermediate plats. Most of the steps are now missing. They only extended to the

first floor, above which access to the upper floors was obtained by a wheel stair. It is difficult to believe that this flight of stairs belongs to the period hitherto assigned to the castle.

On entering, on the left is an opening leading to a long passage giving access to cellars. From this passage a service window opens into the vestibule indicating that at one time there must have been a kitchen in the basement, of which there is no trace now, for none of these cellars has a fireplace. The largest cellar, in the north-east corner of the building, has a private stair in the thickness of the wall leading up to the hall above, but it would not appear to have been a kitchen. The southern cellar, behind the staircase, is divided by two partitions into three long narrow divisions. These partition walls can scarcely be original, having been erected to carry the stairs. This cellar was probably the original kitchen, and the fireplace disappeared in the reconstruction of the stairs. The proximity of the service windows supports this view. After reconstruction the kitchen must have been outwith the building.

The builders of the castle must have had supreme faith in its outward defences. For, once through the gate, an enemy would have found a fairly easy task before him. The door to the staircase is merely an obstacle, in no sense defensive. Beside it is a cellar opening into the courtyard containing what was once a walled off corner, $4\frac{1}{2}$ feet square, partly sunk into the wall, which may have been used as a prison or place of detention, reminiscent of a similar feature at Bonshaw. The Historical Monuments Commission suggests it may have been an oven with a flue (now absent) connecting with the fireplace in the room above. It is not possible to be dogmatic.

On the first floor the whole length of the building is divided into two fine rooms entering the one through the other, the furthest one being 47 feet long by only 10 feet 6 inches wide, the fireplace being at one end, an unusual room but well lighted with three windows to landward, two

to seaward, and one at the far northern end. The other room, the first entered, is the hall, the main room of the castle.

Further description is difficult, as the upper stories are gone and the whole edifice in a very ruinous condition "Every dressed stone has been torn out and removed, leaving a rough and roofless shell without a single detail or ornament anywhere" to assist in dating it.

Let us turn to the family who built and owned it and see what light they can throw on its date.

Tradition says that this castle was long ago the robber's nest of a pirate named Currie, outlawed for his excesses. The Crown promised the castle to whoever brought in his head. A Fitzgerald from Ireland waylaid the robber chief in the Colfin Glen, drove his sword into him up to the hilt, and taking the head to the King was infest in Currie's lands; further erecting a tower at the place of slaughter, he called it suggestively Kilhilt.

"Who dare encounter Currie?" asked the King. "I dare," said Fitzgerald. "Good," said the King, "let that be your name."

We may ignore the tradition which has obviously been constructed to explain place names, but from the earliest times Dunskey has been owned by the family of Adairs of Kinhilt.¹ They had no Irish origin.² Their name was originally Edgear or Edgar, and seventeenth century documents exist in which the same man is promiscuously spelt Edgar and Adair (Hereditary Sheriffs I., 220). About the year 1328 the first Adair appears in Wigtownshire. The early rolls of the Great Seal of Scotland have long been lost, and we are left with two old Indexes, one (a) in Latin and the other (b) in the vernacular. An entry occurs in both: (a) Charter to Thomas Odeir of the lands of Kildonan

¹ In 1296 Thomas de Kithehilt of the County of Wigtown rendered homage to Edward I (Bain, II., p. 205). There are no grounds for suggesting that he was the progenitor of the Adairs.

² In O'Hart's *Irish Pedigrees* the name of Adair is not mentioned.

Dromin (now Dromore) and Portre in Rynes; (b) to Thomas Edzear of the lands of Kildonan in Rynes (R.M.S., 1306/1424, App. II., 681). Through all the troublous times of the Douglas Lordship of Galloway, of which there are no records, the Adairs must have existed till that Lordship was annexed to the Crown in 1455, and thereafter we get occasional sidelights on the Adairs.

Their early pedigree is by no means clear. In 1426 Nigel Adar of Portar (*sic* for Portre) witnessed a Lochnaw charter (R.M.S., 1424/1513, 183). We must assume that it was his son, Roland Adair, who in 1457 had sasine of Gilhilt (*sic*), Crecach, Dunnone (*sic*), Pennyvanach, Kildonane, Carny and Lochbeg (Ex. R. IX., 666). The same year Roland recovered sasine of the lands of Mulanydale in Ayrshire (Ex. R. VI., 342). Kinhilt and these other lands had been in the hands of the Crown for three years, which fixes Nigel's death in 1453 (Ex. R. VI., 194). Roland was dead by 1467, for in 1485 his son William was infeft after the estate had been 18 years in the hands of the Crown, the ward having been granted to Alexander Bruce. The lands consisted of the 22½ merkland of Kilhilt and Portre and the 10 merkland of Kildonane and Drumore (Ex. R. IX., 376-7). Roland's mother would seem to have been a lady named Christian Adair, for in 1455 Gilbert Kennedy, bailie of Carrik, paid 60 merks for the lands of Ochtre Adaire and Kylnnahelt (Ex. R. VI., 74). If Ochtre stands for Portre, then there were once lands called Adair, but it is more likely to be a clerical error and a personal name, Uchtred Adair—in which case Uchtred would be father of Roland, husband of Christian, and perhaps son of Nigel. Christian derived her terce from the lands of Altoun, a Crown lease, and drew her terce as late as 1492 (Ex. R. X., 341), when she was widow of Gilbert Kennedy of Quhilt. In 1494 she had a lawsuit with James Aikenhead, both claiming to be Crown tenant of 5 merkland of Altoun, Christian as liferenter under grant from James III., Aikenhead by Crown lease from James IV. It was decreed that Aikenhead be tenant and Christian his sub-tenant, paying

his males direct to the Crown (A.D.C., 1478/95, 358). She was probably alive in 1498/9 as "the uther lady which has terce from said lands" (A.D.C., 1496/1501, 334). In 1488 William Adair, son of Roland, was in direct conflict with the Sheriff. William, along with Archibald M'Culloch of Ardwell, were due 16 merks, perhaps to the Crown, and the Sheriff, to collect the money, distrained the Place of Ardwell, carrying off 28 oxen, much other stock, and some of the plenishings. He must have taken far more than the value of the debt, for the Lords of Council ordained him to restore them all. He made part restoration, retaining £48 2s 8d worth or some five times the value of the debt. The following year he was ordered to repay that also or alternatively to restore the rest of the goods (A.D.C., 1478/95, 120, and Acta Aud., 118).

In 1496 occurs the first recorded reference to Dunskey. It appears that one midsummer evening in the town of Wigtown one Dionysius of Hamilton was set upon and slain. Common report was that the crime was the work of William Adair of Kinhilt and Archibald M'Culloch of Ardwell. We know nothing about Dionysius, who may have been a retainer of the M'Dowalls, for Uchtred M'Dowall of Garthland and Sir Alex. M'Culloch of Myretoun, without waiting to ascertain the innocence of Adair, with a medley of neighbours besieged and burnt the Place of Dunskey belonging to Adair, doing damage to the structure estimated at £20 and to the furnishings at £40, exclusive of a box of valuables worth £100 lodged there by Eliscus M'Culloch (A.D.C., 1496/1501, 38). So ran the plaint of Adair; but his innocence can be doubted, for a few months later the principal aggressor, Sir Alex. M'Culloch, received a Royal remission *gratis*, whilst two of his comrades, Mr Duncan Makke and John Makke of Myrton, also received remissions on paying 40s and 20s apiece (R.S.S. I., 352, 933, 935). It has been generally assumed that this burning completed the destruction of Dunskey, and William Adair has even been credited with the rebuilding of Dunskey in its present form out of the

finer imposed on his assailants. "A good round sum," writes the author of *Hereditary Sheriffs* I., 304, "must have passed from the pockets of the Lairds of Garthland and Myrtoun into those of Adair, who restored his castle of Dunskey in a style highly creditable to his taste." The fact remains that there was no such transfer, and the structural damage was infinitesimal, seeing that Adair only claimed £20.

William Adair married a lady named Euphemia Stewart (A.D.C., 1496/1501, 334), and fell beside his King on Flodden field (Ex. R. XIV., 486).

In 1499 William had received a remission along with Thomas Adair for forethought felony done upon Andro M'Dowall of Elrig, probably an aftermath of the burning of Dunskey (R.S.S. I., 349), and in 1500 and again in 1512 received a Crown lease of Aultoun for five years (Ex. R. XI., 456, and XIII., 607). In 1513 his son and heir, Ninian Adair, was infeft in his lands, which comprised the 15 merkland of Portre, 7½ merkland of Kinhilt, 10 merkland of Drumore and Kildonane, and 7½ merkland of Mylanedale in Ayrshire (Ex. R. XIV.). Ninian was dead by 1520, when the ward of his lands was granted to Gilbert, Earl of Cassillis, and Lord Maxwell (R.S.S. I., 3159). He had married Janet M'Dowall, who with his son and successor, William Adair, renewed the lease of Altoun in 1523 and again in 1535 (Ex. R. XV., 571, and XVI., 508). This marriage with Janet M'Dowall may have been the means of staunching the feud with Garthland. William was not infeft in Kinhilt, Portre, Kildonane, and Drummore till 1542 (Ex. R. XVII., 773). He married before 1549, probably in 1546/7, when they were conjointly infeft in his Ayrshire lands (R.M.S., 1546/80, 65). Helen, daughter of Gilbert, 6th Earl of Cassillis (Scots Peerage II., 464). In 1550 he acquired from his kinsman, Quintin Edgar, the lands of Creachan (R.M.S., 1546/80, 552), and in 1570 sold to Robert Graham of Knockdolian the lands of Mylanedail in Ayrshire (R.M.S., 1546/80, 2182), infesting his wife in exchange "in the 3 merkland of Marrah and the mill and tower of the

same called Dunskey and its port called Portpatrick" (*ibid* 1935). In 1576/7 he was charged with other Galloway lairds for intronitting with wine, part of a cargo seized piratically at Chester by Leonard Robertson, the famous pirate, stories of whose exploits still survive. The wine had been disposed of in Wigtownshire by Robertson (R.P.C. II., 604).

William Adair, the son of Ninian, inevitably came under the sinister influence of the Kennedy family, into which he had married, a family who was about to build up its fortunes by ruthless and unprincipalled expropriations of Church lands. Their first effort was directed towards the Abbey of Glenluce. They were not successful, because they were premature. They decided to despoil it. But the Sheriff of Wigtownshire got wind of their intentions and occupied the Abbey with a strong force acting on instructions of the Queen. This promptness saved the Abbey and also the Abbot from personal assault (R.P.C. I., 7). A few months later Kinhilt made his peace with the Abbot (*ibid* 52).

William died about 1593, leaving

- (1) Ninian, his heir.
- (2) John Adair, married to Christian, daughter of Wm. Adair in Altoun, and of Janet Dunbar, eldest daughter and co-heir of Andrew Dunbar, last of Loch and Kilconquhar. There was prolonged litigation over Christian's legitimacy, ending in her conveyance of her rights to Ninian in 1583. Another John Adair, son natural of Wm. Adair of Kinhilt, legitimated in 1546 (R.M.S., 1546/80, 74), may belong to an earlier generation.
- (3) Christian, mentioned in a process anent production of false documents (R.P.C. II., 584).

If conjecture is permissible it seems probable that the reconstruction of Dunskey took place in the lifetime of William Adair and Helen Kennedy (1546-93). It is likely that the lower part of the frontal wall is late fifteenth century and survived the burning of 1496. The eastern wing may

also have belonged to this period, but much of the interior and most of the superstructure must have been reconstructed.

Ninian Adair of Kinhilt, who succeeded William, provides us with a final episode at Dunskey. In 1595 he had the clachan of Stranraer erected into a Burgh of Barony and all his estates incorporated into the Barony of Kinhilt with the Castle of Dunskey as its principal messuage. But the Kennedy blood ran in his veins. He had even to find surety in 1590 in 2000 merks not to harm his aged father (R.P.C. IV., 490). But he was under no such restraint in his dealings with an Abbot. Mention has been made of the failure of the Kennedies to intimidate the Abbot of Glenluce. They were more successful with the Abbot of Crossraguel in Ayrshire, whom they compelled to sign away the Abbey lands by torturing him—roasting him over a fire till in agony he consented. Hard by to Castle Kennedy once stood the Abbey of Saulseat, presided over by John Johnston, the last Abbot. Unprotected by any Sheriff, the Abbot was seized by the Kennedies and removed, not to Castle Kennedy, which might have been too public for their ways of darkness, but to Dunskey Castle, and there tortured not by the ordeal of fire but the ordeal of water. The excuse was that the Abbot had sued Ninian Adair for not paying the tack duty of the teinds of Kirkmaiden. At the bottom of the business was the Earl of Cassillis, “*quha maist ungodilie steirrit upt certane of the said Abbots awin freindis with the Laird of Kinhilt and utheris quha tuik the said umqle Abbot and deteinit him in captivitie in the Castle of Dunskey and ilk uther day hangit him owir the wall be the heillis richt abone the sey mark Quhill he was forcit in end to set ane feu of the haill lands and baronie of Saulseat upon sick conditionis as pleissit thame.*” That statement has come down to us from the Abbot’s executors. I do not think that such an outrage could have been effected from any part of the existing buildings. But from the seaward tower, now vanished, it may have been possible at high tide.

Imagine, then, for a moment, what must have occurred.

Head downwards, suspended by his feet at the end of a rope whose length we may be sure was nicely calculated, hung the Abbot of Saulseat. The rope was attached to the end of a long pole thrust forth from the castle. The parapet, or perhaps a window, would make an effective fulcrum. The end of the pole would be held by some delighted retainers. At a given signal they would lever it up and the head of the Abbot would disappear within the waves. Another order and up he would come to hang a dripping object of hilarity a few feet above the waters. Then he would be invited from above to sign away the Abbey lands. If his answer was a half-drowned curse, down he went again. And so the fun went on. It speaks volumes for his resolution that he had to suffer this torment "ilk uther day." In the end, like the Abbot of Crossraguel, the Abbot of Saulseat gave in. The deed was signed.

Ninian Adair of Kinhilt, one of the perpetrators of this outrage, married Elizabeth, daughter of Sir James Gordon of Lochinvar, and was dead by 1608.³ His son, William Adair of Kinhilt, became Commendator of Saulseat Abbey, whilst the Kennedys secured possession of much of its lands. He purchased the Ballymena estate in Antrim from Sir Faithful Fortescue, and about the year 1618 he granted in Ireland, at a place called Refad in Aird, a charter to his brother, Archibald, Dean of Rapho and later Bishop of Waterford and Lismore (R.M.S., 1620/33, 206). In 1620 he sold the lands of Portre and Marok with the Castle of Dunskey and harbour of Portpatrick to Sir Hew Montgomery of Newton (R.M.S., 1609/20, 2127), who within a few years was created Viscount Airds in Ireland. The Viscount was certainly in residence here on 3rd June, 1624 (R.P.C., XIII., 514). In 1648 his son sold Dunskey and Portpatrick to James Blair, minister of Portpatrick, whose descendants, the Hunter-Blairs, Baronets of Dunskey, owned the estate till recently.

³ *Retours*. For an account of his descendants, see a scarce tract by D. Murray Rose, "The Adairs of Kinhilt."

To Sir Herbert Maxwell I am indebted for a curious tradition associated with the castle. According to it the Blairs were in residence in the castle. The eldest boy of the family fell out of a window in the tower and was killed on the rocks below. His mother vowed she could no longer live there, and persuaded her husband to build a new house out of sight of the sea, and he built the present house of Dunskey (recently greatly enlarged). In the course of its erection some material was used from the priest's house in Portpatrick which had been wrecked during the Reformation. A curse, it is said, was uttered in consequence, to the effect that Dunskey should never pass from father to son as long as the minister's beam (some timber taken from the priest's house) remained in the new castle. In 1770 James Hunter, Lord Provost and M.P. for Edinburgh, married Jane Blair, heiress of Dunskey, took the name of Hunter-Blair, and was created a Baronet in 1786. Under entail of his estates of Dunskey and Blairquhan it was provided that the eldest son of Blairquhan should succeed, during his father's life, to Dunskey on coming of age, but it is said that he never did so during his father's life until the present Sir David Hunter-Blair, now an Abbot of the Church of Rome, did so in 1875. Sir Herbert Maxwell well remembers his mother, who died in 1876, saying to him: "Dear me! there's Davy Blair has succeeded his father as Laird of Dunskey: I wonder what has become of the auld priest." Sir David succeeded, but on becoming a Roman Catholic priest he handed over the estate of Dunskey to the Order of St. Benedict of that Church, and so redeemed the curse about the minister's beam. The Benedictine Monks sold the estate, and, according to Lady Augusta Inskip, the new owner made large additions to Dunskey House, and, as if to make doubly sure of the redemption, had the minister's beam removed from the building and returned to Portpatrick Manse, which is built on the site of the former Roman Catholic Church. The minister of Portpatrick, embarrassed by its arrival, broke it up for firewood!

Of the Adairs who so long reigned on this site little

remains to tell. Though in Ireland, they still called themselves of Kinhilt, and for a time owned some land in Galloway, whither they returned in the political troubles of the Covenant for which they fought and suffered. Sir Robert Adair was Commissioner to the Scottish Parliament in 1639, 40-41. He was sent to Parliament again in 1648, but his commission was not sustained. But he sat in 1649 and 1650. His grandson, Colonel Robert Adair of Ballymena, was knighted for valour on the field of the Battle of the Boyne. He sold his last acres in Galloway and lived in Ireland with the reputation of a Bluebeard—

Sir Robert Adair, the Laird of Kinhilt,
Murdered his wife and married a jilt.

The descendant of this gentleman became a Peer. One wonders if Lord Wavenay has ever been back to this the birthplace of his family and amidst these ruins pondered on the mutability of fortune, the things that are gone, and the grim annals of this windswept crag overlooking the Atlantic, to where in dim and distant outline the Mountains of Mourne sweep down to the sea.

Ardwell House and Mote.

By Sir EDWARD MACTAGGART STEWART.

At the outset Sir Edward MacTaggart Stewart said he was grateful to the Rev. R. S. G. Anderson of Inch, Castle-Kennedy, for the notes he had given him. Mr Anderson, as they knew, was an authority on that subject and he would have been with them that day but for the fact that he was from home on holiday.

Proceeding, Sir Edward said the motehills began the definite historical period of defensive construction in Scotland. They were flat-topped mounds, in part natural or wholly artificial, and were generally recognised as the work of Anglo-Normans. In Scotland they were most frequent in Galloway and Dumfries, and belonged probably to the 12th or 13th century. There were a dozen scattered

over the southern part of Wigtownshire. The large number in Galloway was accounted for by the turbulent character of the Celtic inhabitants, and the endeavours of the Scottish crown to subdue them. Many castella and fortifications were erected to overawe them, garrisoned by Anglo-Normans and their followers. After the capture of William the Lion in 1173-74, the men of Galloway seized their opportunity to assault the intruding foreigners. "They drove out of Galloway," said an ancient Chronicle, "all the bailifs and guards whom the King of Scotland had set over them; they slew all the English and French whom they could lay hold of; they besieged, took, and destroyed all the fortifications and castella which the King of Scotland had made in their land, and slew all they found therein." The evacuation was, however, only temporary. The castella were at this date enclosures of earthwork and palisades; and such were the motes.

A contemporary description of a mote and its superstructure in Belgium stated that, "it is customary to heap up a mound of earth as high as they were able, and to dig round it a broad, open, and deep ditch, and to girdle the whole upper end of the mound, instead of a wall with a barrier of wooden planks stoutly fixed together, with numerous turrets set round. Within was constructed a house or rather citadel, commanding the whole, so that the gate of entry could only be approached by a bridge, which, first springing from the counterscarp of the ditch, was gradually raised as it advanced, supported by sets of piers, two or even three, trussed on each side over convenient spans, crossing the ditch with a managed ascent so as to reach the upper level of the mound, landing at its edge on a level at the threshold of the gate."

The tower or citadel on the mote was entirely of timber, but later these gave place to stone in many parts, but the Keep at Myrton at Monreith was the only example of this in Wigtownshire.

In many cases these motes became court hills, seats of judgment, and gathering points of associated territories,

long after their residential character had ceased. A good example of the base court was to be seen at High Drummore. There was only a fragment left at Ardwell. The mote was 12th or 13th century.

After referring to the Kirkmadrine stones, now sheltered in an alcove outside the Ardwell Burial Chapel, Sir Edward drew attention to a large stone in the wood south of the Lodge, with the word " Murder " cut on the surface. The writing was presumed to date before 1551 when the Gordons got possession of the lands of Portcockerie, and the story was that a M'Culloch laid in wait for his rival, the Laird of Castle Clanyard, at this point and killed him.

Sir Godfrey M'Culloch signed his will in the high chamber of the Tower of Ardwell in 1588. He lived in a castle in the neighbourhood and preferred lifting cattle to breeding them. The lands of Ardwell were in the hands of the M'Cullochs, a great Galloway family, from the 15th century. Eventually Edinburgh lawyers foreclosed and it was from these lawyers that Sir Edward's direct ancestor, John MacTaggart, bought the lands of Ardwell which include Auchneight, Cairngaun, Barlochat, Grennan and Blairderry, being seised in the Barony of Ardwell on 10th February, 1798.

The party then proceeded to Ardwell House.

After tea had been partaken of Mr Reid expressed the thanks of the members to Sir Edward and Lady MacTaggart Stewart for all the trouble they had taken and for their kindness to the company that day.

The vote of thanks was very warmly responded to and briefly acknowledged by Sir Edward, who said that he hoped the members had enjoyed their short visit.

Thereafter the company were given the privilege of seeing through Ardwell House, and had pointed out to them by Sir Edward a number of rare and valuable portraits, furniture and mediæval banners, all of which aroused much interest.

The banners, of which there were eight in number, were wonderfully preserved, being encased in net. They

were carried at tourneys in the olden days, and one of them dates back to 1398. Portraits of Lord and Lady Loudon, grandfather and grandmother of Lady Stewart, of Francis, first Marquis of Hastings, the first Governor General of India, and John, Earl of Loudon, Chancellor of Scotland in 1641, were also pointed out, while in the billiard room were seen portraits of the late Sir Mark and Lady MacTaggart Stewart, grandfather and grandmother of Sir Edward. A portrait of King George Fourth, presented to the Loudon family, and a suite of French furniture given by Charles 10th of France to Lady Stewart's family, were also much admired.

Presentations.

October 30th, 1936.—Shaped stone, from Tinwald parish, used for pounding in the making of putty, by Mr T. A. Halliday.

Genealogical tree of the Family of Kirkpatrick of Closeburn, by J. C. Gracie.

December 11th, 1936.—Single hand medal, I. St. Mary's Curling Club, 1865; reverse—David Shearer, 1865; John Wright, 1867; Robert Murray, 1870.

Token, Free Church of Scotland, 1843.

Medal, Dumfries Observatory. S. W. Somerville, 1836.

No. 184. Membership token.

February 19th, 1937.—A wooden wringer, probably made by Henry Dinwiddie, Thornhill, about 1850.

Two pieces Barvas pottery from Outer Hebrides.

Two font holders—smaller from Old Glencairn Kirk, larger from U.P. Kirk at Glencairn.

These were presented by Mr J. M. Corrie, F.S.A.Scot.,
Edinburgh.

Branch containing nest of Willow-Tit, by Mr O. J. Pullen.

March 19th, 1937.—Two communion tokens—(a) South Free Church, Dumfries. (b) Free Church, Auchencairn. By Mr T. A. Halliday.

Exhibits.

February 19th, 1937.—Holed smoothing stone, found by Mr J. G. Robertson, Glenhowan, Victoria Road, Dumfries, on golf course near Maxwelltown Station.

April 2nd, 1937.—Fossil of sea urchin in flint. Stone quern found in garden at Garrel Schoolhouse. By Dr. T. R. Burnett, B.Sc.

New Members, 1936-37.

Morton, Mrs Gladys M., 2 Barnton Loan, Davidson's Mains. Edinburgh	30/10/36
M'Gowan, J. B., 135 Irish Street, Dumfries	30/10/36
Southern, Miss, Kirrouchtrie, Newton-Stewart	30/10/36
Dick, Rev. David, The Manse, Torthorwald, Dumfries...	30/10/36
Carson, Alex., C.A., Edinburgh Road, Dumfries	30/10/36
Bute, The Marquis of	27/11/36
Campbell, John A., The Laurels, Maxwelltown, Dum- fries	11/12/36
Anderson, D. G., Annalea, Maxwelltown, Dumfries ...	11/12/36
Copland, Jas., 5 Norfolk Terrace, Dumfries	19/2/37
Blacklock, E. N., Irish Street, Dumfries	19/2/37
Helm, Lieut.-Commander L. R. D.	19/2/37
Crawley, Mr, Denbie, Dumfriesshire	19/2/37
Dinwiddie, Noel, Newall Terrace, Dumfries	19/2/37
M'Kie, J. H., M.P. for Galloway	2/4/37
Gordon, Rev. Dr., Kirkinner Manse, Wigtownshire	2/4/37
Turner, Dr., County Buildings, Dumfries	2/4/37
Rodger, J., Comlongon Mains, Dumfriesshire	9/4/37
Flett, Mrs, Mid Park, Bankend Road, Dumfries	1/37

Hon. Member.

Paton, Henry, Inchewan, Peebles.

Abstract of Accounts

For Year ending 30th September, 1937.

RECEIPTS.

Balance on hand at beginning of year	£69	11	3
Members' Subscriptions, including Arrears	86	18	0
Interest from Investments	8	1	0
Surpluses from Excursions	3	15	6
	£168	5	9

PAYMENTS.

Rents and Insurances	£13	6	0
Stationery, Printing, and Advertising	16	19	10
Miscellaneous Expenses	3	7	3
	£33	13	1
Balance on hand at end of year—			
In Bank on Current Account	134	12	8
	£168	5	9

PUBLICATIONS ACCOUNT.

RECEIPTS.

Balance on hand at beginning of year	£105	8	6
Sales of "Transactions"	2	6	3
Interests from Investments	3	8	3
Donations	2	10	0
	£113	13	0

PAYMENTS.

Balance on hand at end of year—			
Cons. Stock	£50	0	0
In Savings Bank	32	2	6
In Bank on Current Account	31	10	6
	£113	13	0
	£113	13	0

EXCURSION RESERVE ACCOUNT.

RECEIPTS.

Balance on hand at beginning of year	£10	0	0
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PAYMENTS.

Balance on hand at end of year—			
In Bank on Deposit Receipt	£10	0	0

ABSTRACT OF ACCOUNTS—Continued
CAPITAL ACCOUNT.

RECEIPTS.

Balance on hand at beginning of year	£353	16	8
Savings Bank Interest		5	9 9
		<u>5</u>	<u>9 9</u>
		£359	6 5

PAYMENTS.

Balance on hand at end of year—			
War Stock	£218	10	0
Savings Bank		140	16 5
		<u>140</u>	<u>16 5</u>
		£359	6 5
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The Editor does not hold herself responsible for the accuracy of scientific, historical, or personal information. Each contributor has seen a proof of his own paper.

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

SESSION 1937—38

22nd October, 1937.

Annual General Meeting.

This was held as above, Mr R. C. Reid in the chair. Apologies were intimated from Messrs H. S. Gladstone, A. Cameron Smith, F. Miller, B. M'Gowan and Dr. Burnett.

The minutes of last Annual General Meeting were read and approved.

Secretary's Report: This showed that during the last session six deaths had occurred among members of the Society. One honorary member had been admitted and 12 ordinary members had joined, so that the roll of members remained practically the same. During the session seven Indoor Meetings had been held and three Field Meetings. A note of these and of the papers read will be found appended. The attendance at all meetings was very satisfactory.

Treasurer's Report: This was thereafter submitted, and in connection with it the financial situation was stated to be unsatisfactory in respect that a large number of subscriptions were in arrears. It was suggested that in future when the syllabus was sent out, the arrears applicable to each should be enclosed, and this was agreed to. A statement of the accounts will be found at the end of this volume. Both of these Reports were approved, and the Secretary and Treasurer were thanked on behalf of the Society on the motion of the Chairman.

The following new members were admitted: Mr W. A. Agnew, Acton, London; Mrs J. B. M'Gowan, Ellangowan, Dumfries.

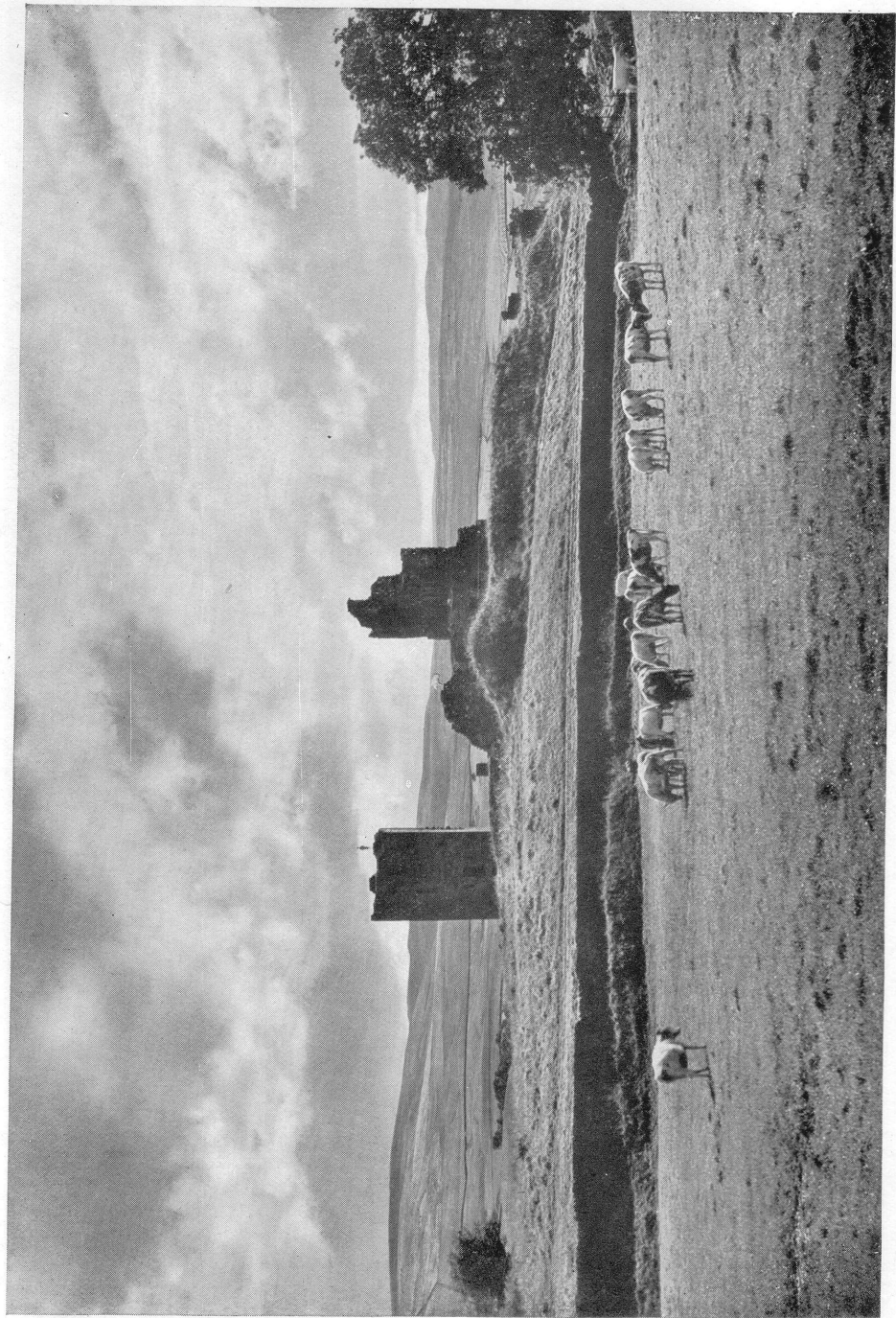
The President referred to the losses the Society had sustained by the deaths of several distinguished members, and further reported that he and Mr Shirley had represented this Society at local meetings with the Cumberland Archæological Society, the Newcastle Antiquarian Society, and the Geological Society of London. He also informed members that in due course a report on the recent excavations at Birrens, towards the cost of which this Society had contributed, would be given later on in the session by Mr Eric Birley, F.S.A.

Dr. W. Douglas Simpson, Librarian of Aberdeen University, then submitted his paper on "Sanquhar Castle." This was illustrated by lantern slides and will be found below. The meeting then terminated with votes of thanks to Dr. Simpson and the President.

Sanquhar Castle.

By W. DOUGLAS SIMPSON, M.A., D.Litt.

The ancient royal burgh of Sanquhar, with its ruined castle, is situated in Upper Nithsdale, on the left bank of the river, and in the north-western corner of Dumfriesshire, at a height of 440 feet above sea level. It occupied a position of considerable strategic importance in the olden time, commanding the watershed passage that led across to the plain of Kyle, to Cumnock, Ayr and Kilmarnock, and thence to the lower reaches of the Clyde. Hill tracks were also available, up the Crawick and Minnock Waters, to Biggar, the strategic centre of the Southern Uplands. The town lies in a beautiful basin of Carboniferous sandstone, faulted down on the east side against Silurian greywacke. This basin is formed by an expansion of the river valley on its left bank, the grassy and heath-clad hills here retiring and sweeping round in a fine semi-circle from Tower Hill (1230 feet) in the north to Dalpeddar (1291 feet) in the south. The chain of heights so formed reaches its summit in Stood Hill (1925



View of Sanguhar Castle.

[By kind permission of Messrs Maclehoose, Glasgow

feet). To the arc of these hills the River Nith is the chord and the town of Sanquhar the centre. On either side of it the upland rim is broken by two lovely ravines, through which on the west the Crawick and on the east the Mennock, brisk and pleasant waters, hurry down to join the Nith. On the opposite side of the latter, the hill rampart, here more closely hemming in the valley, is broken only by the narrow gorge of the romantic Euchar Water, which after a tumultuous descent empties itself into the Nith just opposite Sanquhar Castle. Along the holms that skirt the river, and in the lower reaches of the side glens, there is a fair amount of good kindly arable soil, light and gravelly, well-drained and well-watered, suitable for growing oats, bere and pease. Further back are deep clays, forming admirable grazing soils. On the skirts of the hills were formerly extensive peat mosses, and their middle slopes were thickly wooded with oak, birch and hazel. Both low and high grounds abounded with game, and the Nith and its tributaries yielded an inexhaustible supply of trout, grayling and salmon. Thus the topographical *ensemble* is a remarkable one, and presented all the features that would tempt an early settlement. Proof of this is found in the weapons and tools of the Stone and Bronze Ages that have been picked up in various places; in the numerous forts and in the hut circles and burial cairns, found singly or in groups; and in the Black Loch crannog. One of these forts, *Sean Caer*, "the old fort," on a gravel hillock close north of the town, has given its name to the locality.

In the twelfth century the Anglo-Norman penetration, sponsored by the Canmore dynasty, brought into Nithsdale its characteristic twin concomitants, the manor with its castle and the parish with its church. The earliest known manorial lords of Sanquhar belonged to the family of de Ros, of Helmsley and Wark. In 1191 Robert de Ros married Isobel, an illegitimate daughter of William the Lion, and it was no doubt as a result of this that the family came to settle at Sanquhar. Their timbered earthwork castle, a small affair, was at Ryehill, south-east of the present ruin, where its *motte* may still be seen. During the War of Independence

Robert de Ros was one of those Anglo-Norman barons who, having lands in both kingdoms, contrary to the decision of most of his brethren decided to throw in his lot with the Scottish cause. At Easter, 1296, when Edward I. with his army of invasion encamped at Wark, Robert de Ros withdrew before him and "betook himself to Senewar, a small castle which he had in Scotland, all on account of the love *par amours* which he bore to Christian de Mowbray, who afterwards would not deign to take him."¹ In this same year we learn that Bartholomew de Eggleham, chaplain, was "warden of the New Place of Seneware."² This term suggests that the manorial centre had recently been shifted from the *motte* at Ryehill; and in this connection the name of Newark, still borne by a large farm between Ryehill and the later stone castle, is probably not without significance. Wherever it was, this new place was given by King Edward to William de Beuvayr, of an elder branch of the de Ros family, also descended from the first Robert's marriage with the daughter of William the Lion. According to Blind Harry, Sanquhar was recaptured from de Beuvayr by Sir William de Douglas, by means of one of those daring stratagems that the Minstrel loves to tell. As usual, his account of the affair is as distinct as it is vivid. The castle is described as "fayr and strang": we read of the "wallis," the "closs," the "yet off the gret tour," and a "grece" or turnpike stair within the tower, which led up to a "chawmyr" where "Bewffurd" had sought refuge. No indication is given as to whether Blind Harry imagined these structures to be of stone or any other material; and in any case his account, written so long after the event, can scarcely help us much as to the state of the castle in 1297. In fact one strongly suspects he is thinking of the castle as he knew it in the fifteenth century.³

¹ Sir Thomas Gray, *Scalachronica*, tr. Sir Herbert Maxwell, p. 14.

² J. Bain, *Calendar of Documents Relating to Scotland*, Vol. II., p. 206.

³ Blind Harry's *Wallace*, bk. IX., vv. 1575-1655.

Towards the end of Bruce's reign the Ros line ended in two heiresses, Margaret and Isobel. The elder daughter conveyed to her husband, Sir Richard Edgar, a firm partisan of Bruce, "the chief manor with one half of the whole barony of Seneschar"; the remainder went to the second daughter's husband, William de Crichton.⁴ Before long, however, under an arrangement which is not clear, William and Isobel obtained the entire barony, which their descendants continued to hold through some ten generations. In due course the new family rehoused themselves in grand style in a strong stone castle on a fresh site. Under the shadow of this later castle grew up the town of Sanquhar, which in 1484 received a charter of *novodamus* as a burgh of barony,⁵ and in 1598 was created a royal burgh.⁶ In 1488 Sir Robert Crichton, great-grandson of the de Ros heiress, was created Baron Sanquhar. On 14th May, 1568, the Castle of Sanquhar offered welcome shelter to Queen Mary, then on her headlong flight towards England after the disaster at Langside.⁷ Its owner, Edward, seventh Lord Crichton of Sanquhar, had commanded a troop of horse in the battle. In consequence of his loyalty to the Queen his castle soon afterwards was captured by the Regent Murray. On 31st July, 1617, the ninth Lord lavishly entertained King James VI. at Sanquhar Castle. In 1622 he was created Viscount Ayr and 1633 Earl of Dumfries. But the family fortunes were now on the wane, and in 1637 the lordship was resigned under mortgage to the first Earl of Queensberry. The new owners continued to occupy the castle, which in 1653 became the hospital of the officers and men wounded in the remarkable skirmish at the Tolbooth of Sanquhar, when two Parliamentarian troops, converging on the market place at midnight, attacked each other, each in the belief that the opposing party were Royalists.⁸ The last

⁴ *Registrum Magni Sigilli*, 1306-1424, No. 27; app. I., No. 56.

⁵ *R.M.S.*, 1424-1513, No. 1606.

⁶ J. Brown, *Hist. Sanquhar*, pp. 155-7.

⁷ J. Hill Burton, *Hist. Scotland*, Vol. IV., p. 375.

⁸ *Macfarlane's Geographical Collections*, ed. Sir Arthur Mitchell, Vol. III., pp. 199-200.

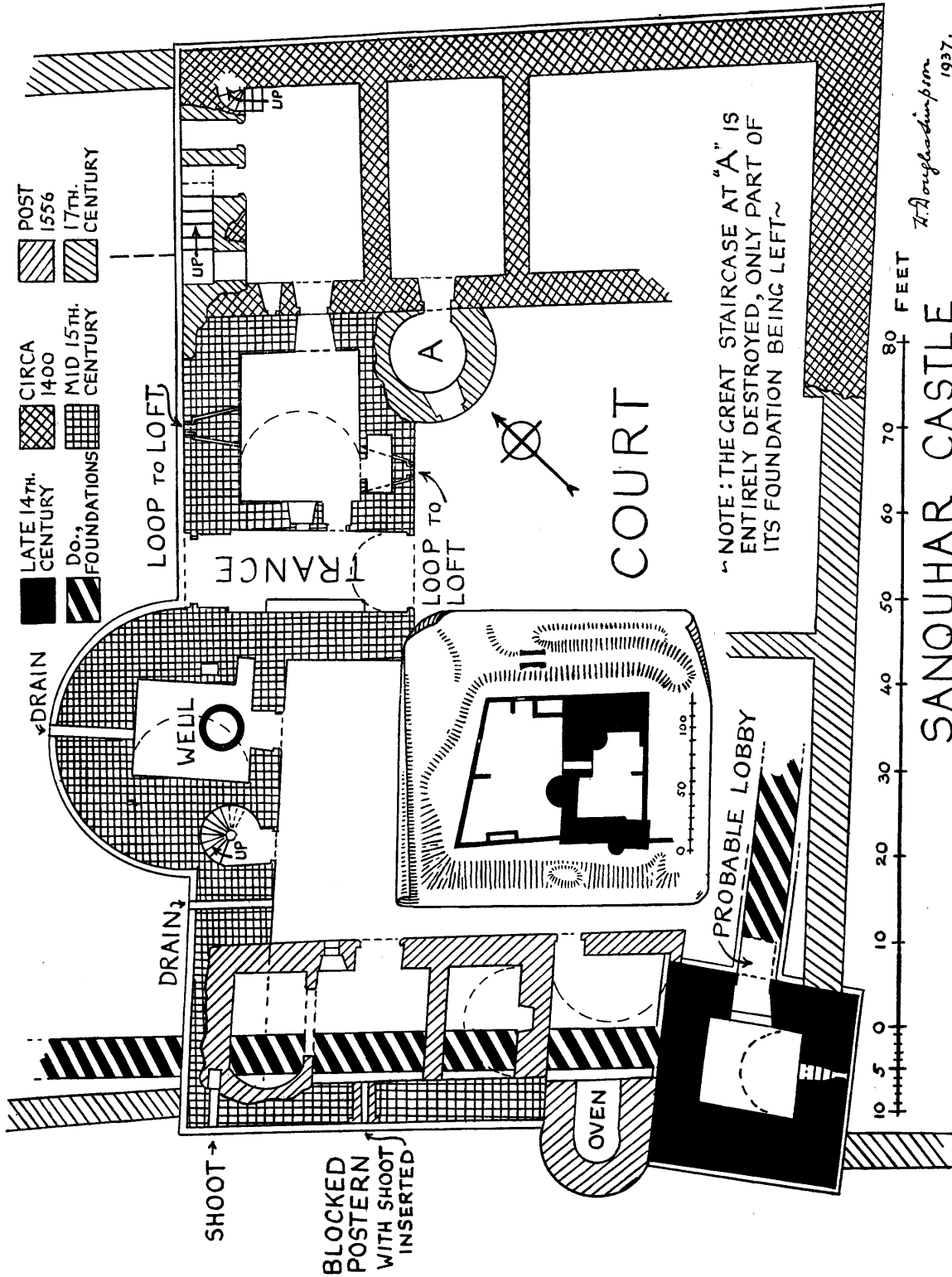
of its lords to inhabit the castle was the first Duke of Queensberry and Buccleugh, who, in spite of the fact that he had built himself Drumlanrig Castle, continued to live at Sanquhar until his death in 1695. Thereafter the castle was abandoned and gradually pulled to pieces by the townsfolk, who found it a quarry too convenient to be neglected.⁹ The extent to which its splendid masonry has been despoiled may be seen by an inspection of various buildings in the burgh (notably the vaults in the Town Hall), and at the farm steadings of Castle Mains, Newark, Greenhead, and Ryehill. In 1894 the castle was purchased by the Marquess of Bute, of the old Crichton line, who excavated and partly restored the ruins. Now again they have fallen into utter neglect, and are fast being kicked to pieces by the unthinking youth of Sanquhar.¹⁰

The castle occupies a fine situation at the south-eastern end of the royal burgh, on the eastern brink of a steep declivity, 50 feet in height, known as the Braeheads, overhanging the left bank of the River Nith, and defined on the north by the narrow ravine of Townfoot Burn.¹¹ Towards the east, where the castle faces level ground, it has been isolated by a formidable ditch. This seems to have been re-excavated at the time of Lord Bute's operations on the castle. As we now see it, the ditch is V-shaped, 40 feet in width and some 15 feet in depth, with a prominent counter scarp mound. Near its north end this ditch was spanned by a stone bridge, of which the massive abutments, 19 feet 6 inches broad, still remain—the western pier showing a bold triple-splayed ashlar basecourse. Between these piers the gap is 10 feet 6 inches in width. The remaining or

⁹ See A. de Cardonnel, *Picturesque Antiquities of Scotland*, 1788, article Sanquhar; F. Grose, *Antiquities of Scotland*, 1789, Vol. I., p. 149.

¹⁰ For the de Ros lords of Sanquhar see A. Cameron Smith in *Trans. Dumfriesshire and Galloway Nat. Hist. and Antiq. Soc.*, 3rd Ser., Vol. XI., pp. 36-48; and for the Crichtons, *Scots Peerage*, Vol. III., pp. 219-38.

¹¹ For convenience in description it is assumed that the Castle fronts north. The actual orientation is shown on plan.



Sanguhar Castle: Historical Ground Plan.

southern side of the castle area was defended by a continuation of the ditch, but here it has been almost filled up.

The ruins of the castle are now exceedingly fragmentary, and have undergone a drastic partial modern restoration—for which, however, there is this to be said, that it has kept the ancient remnants together, while the new work is always clearly distinguished by its masonry, and by bonding courses of red tiles introduced, both horizontally and vertically, at the lines of junction.

Of the existing structure, the oldest portion is the strong square tower that occupies the south-west corner, being out of alignment with the later buildings into which it has been incorporated. This tower measures about 23 feet square, over walls which in the basement are 5 feet 9 inches or 6 feet thick, and it still rises to a height of about 33 feet. The original masonry for the most part is close-set ashlar in 10 inch courses, the stones varying between 1 foot and 1 foot 7 inches in length; there is, however, much rubble patching, and the upper portion is mostly in rubble of a sixteenth century aspect. The quoins and voids have careful dressings, and there is a bold yet delicate triple splayed ashlar basecourse all round. The material is brown freestone. In the basement is a vaulted store, measuring 10 feet 6 inches by 11 feet 6 inches, entered through a plain doorway in the east wall, and lit to the south by a single lancet window with a chamfer-stepped sole. There was no connection between this basement and the upper floors, of which there have been three. The first floor was entered by a door above the one below, and the uppermost floor had doors leading out to the parapet walks of the curtains with which, in the original scheme, this tower was connected. Of those curtains the foundations may still be followed, outwards from the tower, on its east side for a length of some 25 feet, and on its north side for fully 70 feet, or well beyond the present northern front of the castle. In both cases they are off the alignment of the later southern and western ranges. Along each face of the south curtain the splayed basecourse of the tower is returned; therefore in the original scheme

there can have been no internal range on this front. The door into the basement of the tower opens between the two outside bondings of the curtain, in whose thickness it must have been reached by a mural passage.

The tower has been so largely rebuilt that its old arrangements are much obliterated. On the second floor, in the west wall, is a fine tall window, slightly restored, of two transomed lights with ogee heads. The lights are grooved for glass, and the external moulding consists of a quirked half-engaged bowtell set between deep cavettos. Internally the splayed ingoing is covered by a drop-centred pointed scoinsion arch, strengthened with three stout chamfered ribs. On the next floor, in the same wall, is a garderobe, the door of which has a drop-centred pointed arch wrought in two stones, with a broad chamfer. This doorway has a notable resemblance to the original entrance of David's Tower, Edinburgh Castle, built between 1367 and 1374.

One of Grose's drawings, made in 1789, indicates what seems to be a pigeon house on the inside west wall of the tower, at its summit level. Cardonnel, whose views were published the year before, shows that the tower finished with a gable rising flush from the south wall. Doubtless this was a later imposition.

As now reconstituted, the tower has a newel stair in the north-east corner, rising from the first floor level; good windows, including a large three-light transomed one in the south wall on the third floor; and a fireplace in each room, of which the uppermost one is placed across the south-east angle and has moulded jambs and lintel, with a hood having a moulded sconce on its sloping surface. How far these restorations reproduce the original arrangements it is now impossible to say, but part of the lower portion of the staircase well is old.

So far as they are preserved, the original details of this tower and its masonry indicate a date in the latter half of the fourteenth century. Either the castle of this period had come to grief, or else it was deliberately taken down, with the exception of the south-west tower, to make room for the present structure.

This new castle forms a rectangular enclosure, measuring, within the curtains, about 120 feet east and west and 65 feet north and south, which area is partly absorbed by ranges of buildings on all four sides. These are now in an extremely dilapidated state. On the west side the kitchen, with its large fireplace, 10 feet broad and 9 feet deep, having the remains of an oven at its western end, and the bakehouse with its projecting oven, are still in evidence. A fragment of the kitchen fireplace arch, with the unusual feature of a quirked edge roll, not continued on the jamb, still remains. The bakehouse appears to be secondary, as its oven is an obvious extrusion, for which the curtain wall was breached. All the offices in the basement of this range were vaulted. Garderobe shafts at the north-west corner show that there were living rooms above. This range is later than the curtain against which it lies, and in which was a postern gate, 2 feet 3 inches wide, checked for a door opening outwards, but now blocked and containing a slop drain from the kitchen. The roof raggle on the south-west tower shows that above this basement the range contained one full storey and a garret.

On the north side of the enclosure we find a massive building of remarkable design and superb masonry construction. It is on this northern building that the typological interest of the castle centres.

It is a composite structure, consisting of a rectangular tower-house, measuring 44 feet in length, east and west, by 27 feet 9 inches in breadth, over walls 7 feet thick on the outer face, and connected on either flank with curtain walls 7 feet 6 inches and 9 feet 9 inches respectively in thickness, the western or thicker curtain having, next the tower-house, a stout drum tower, 30 feet in diameter, projecting in front. Cardonnel's view from the north-west shows that on this curtain the tall gable of the later west wing was imposed, apparently so as to leave a parapet walk outside. The curtains have a triply splayed basecourse, continued round the drum tower, which flanks the castle entrance in the tower-house. This basecourse is at a lower level in the

eastern sector of the curtain. The entrance is a drop-centred arch, just pointed, 7 feet 3 inches wide and about 10 feet in height, having a plain gible check instead of a moulding. It was defended by an outer wooden door and an inner iron yett, and behind these a vaulted pend, 9 feet 4 inches wide, leads through the tower-house into the courtyard, towards which it was secured by a third door. On the west side of the pend is a stone bench, and on its east side a door opens into the porter's lodge, which occupies the rest of the ground floor of the tower-house. It is vaulted and had a loft, carried on plain filleted corbels, and lit by two haunch windows. The porter's lodge has a garderobe in the south wall and a window observing the pend. On the opposite side a door has been cut through to the adjoining room on the east range.

The upper floors of the tower-house are almost entirely destroyed. But enough of its north wall survives to show that on the first floor there was a large and lofty hall, vaulted at two levels, the western third being higher—no doubt for ventilation, as it evidently contained the kitchen, or rather cooking stance, the slop drain of which still exists in a recess in the north wall. East of this is an aumbry, then a large window, much restored, with seats in the ingoing of its drop-arched bay. Beyond this again are the remains of a mural passage, with a small high loop, leading to a newel stair in the north-east angle. On the top-most portion still remaining of the outer wall, at the north-west corner of the tower-house, are some remnants of another stair. Grose's drawing shows that over the hall was a third full storey, evidently the great chamber or solar. From Cardonnel's view we learn that the outer wall of the tower-house was crowned externally by a heavy machicolated parapet.

The drum tower contains a vaulted well-room below the *terreplein*, entered by a round arched, or just pointed doorway with a plain chamfer on jambs and voussoirs. The well is now filled up, but is 3 feet 10 inches in diameter and 42 feet deep, built of excellent ashlar, resting at the base on

a wooden brander. As this well is very awkwardly placed just inside the door of the drum tower, it no doubt dates from the original castle, in which it would have stood free within the courtyard. From the well chamber a floor drain is carried through the front of the tower. The inner wall of the tower survives to a height of two full storeys, and oversails inwards on two continuous corbel-courses, just below the joist-holes at each level, in a very curious manner.

There is no internal communication between the basements of the drum tower and tower-house and their upper portions; but a newel stair, 3 feet 9 inches wide, in the west re-entrant of the drum tower, opens directly from the courtyard.

The whole front of this northern building is constructed of close-jointed, yellow freestone ashlar, in stones of uncommon size, measuring on the average 1 foot 3 inches in height and often as much as 2 feet 9 inches long. The inner face of the back wall of the drum tower is also of the same finished masonry, but the remainder of the northern building, where not restored, is in good coursed rubble. This ashlar work is very magnificent, and is certainly one of the finest things of its kind in Scotland. The detail of this frontal range suggests a mid-fifteenth century date. To the same building period must belong the west curtain, which also has the triple basecourse and enormous ashlar masonry, but made of the brown not the yellow freestone. As the brown stone has weathered much better, the masonry of this west curtain remains in superb condition—Roman in its mass, its accuracy and its dignity.

Foundations survive of a quadrant-shaped tower, containing a staircase, which was introduced between the tower-house and the east range. The upper part of the staircase well is seen in one of Cardonnel's views, which shows that it mounted to the full height of the frontal building; while Grose shows the staircase door, surmounted by a Renaissance entablature carrying a heater-shaped shield. A portion of the stair casing has fallen outward from a

great height, and now lies upside down on the scarp of the ditch. It shows an old jambstone re-used.

The east wall has a double splayed basecourse, being the only part of the *enceinte* where the triple member is lacking. It is built partly in rubble and partly in ashlar resembling that of the south-west tower, and, like it, carried out in brown stone. Probably this curtain is only a little later than the south-west tower, perhaps about the year 1400. With it the northmost room of the east range is contemporary, and therefore older than the tower-house, the building of which has blocked a loophole lighting this room towards the courtyard.

The south range is so completely destroyed that nothing can be made of it.

It thus appears that there are five building periods still traceable in the castle. First we have the south-west tower, with the original curtain walls adjoining, dating from the later fourteenth century. Then follows the east curtain, with at all events the northmost room inside it, probably about 1400. The great northern consolidation—tower-house, drum tower, and lateral curtains—and the western curtain linking up with the old south-west tower, were built about 1450. Probably the west curtain came first in order of construction, still in the brown stone hitherto used, while a new quarry of yellow stone was opened up for the northern works. The west range of courtyard buildings is work of the sixteenth century, and the courtyard staircase, to judge from Grose's view, can scarcely have been built before 1600. From a document which Mr R. C. Reid has published,¹² it appears that in 1556 the castle was in a state of great neglect and dilapidation, and doubtless its latest buildings will have been erected after that date.

Before the main castle is a large outer court, trapezoidal in shape, measuring about 77 feet in breadth (reckoned from the main gateway) and 118 feet in length across the front. It is enclosed by a rubble built wall which seems mostly late

¹² *Trans. D. and G. Soc.*, 3rd Ser., Vol. XVI., p. 58.

in date, and had minor buildings against it on the west and north sides. On the east side is the entrance, a wide gate of the seventeenth century, of which the north jamb and arch springer alone remain. The moulding is a roll and hollow with a broad external fillet, all wrought on the front instead of on the splay, as in Gothic work. This gate is placed not opposite but a little north of the bridge across the ditch, so as to check a direct rush.¹³ From a building to the south of the entrance a straight stair, excavated in the ashlar of the main castle wall, communicated with its upper floors. In the north wall of the forecourt a small door led out to the deerpark.

The chief interest of this castle centres in the composite frontal building of the inner ward. When entire, this must have formed a complete self-contained structure in itself, affording all necessary accommodation for the lord, his family, and their personal servants, having the entrance under his own control, and also the well in the round tower. As such, this building presents a close analogy, though simpler and on a smaller scale, to the corresponding structure at Doune Castle.¹⁴ Here also we have, in the forefront of the castle, a great complex mass of building, containing on the ground floor the main gate and vaulted pend, guard-rooms, etc., and complete private accommodation for the lord above, with a bold round tower which, as at Sanquhar, serves the double purpose of enclosing the well and flanking the outer portal. As at Sanquhar, the pend is commanded by observation loops in the side walls, and there is no direct communication between the basement and the main floor, which is entered by an outside stair from the courtyard. This great building is entirely segregated from the rest of the castle, in which separate suites are provided for the retainers and for important guests. No doubt at Sanquhar there was the same provision in the original lay-out, before

¹³ There is a similar device at Castle Urquhart.

¹⁴ See description in D. MacGibbon and T. Ross, *Castellated and Domestic Architecture of Scotland*, Vol. I., pp. 418-29; also my paper in *Proc. Soc. Ant. Scot.*, Vol. LXXII., pp. 73-83.

the present courtyard buildings were substituted in the sixteenth century. The side gate in the west curtain is also paralleled at Doune.

Hence on analysis we find that the castles of Doune and Sanquhar belong to a distinct type of building, characteristic of the fifteenth century. This type owes its origin to the new aspect assumed by feudalism in that period, when the great lords were depending no longer on their own vassals but on armed retainers enlisted for pay. All over western Europe, and as far east as the lands which the Teutonic Order had conquered beyond the Vistula, this new development led to a profound change in the art of castle planning. The mercenaries could not be trusted, and so for their own safety, as well as to ensure their privacy, the lords began to segregate themselves in quarters separate and jealously isolated from the main castle fabric. Sometimes they added a great self-contained tower-house so as to provide solar accommodation to an older domestic layout within the *enceinte*. This is what happened in England at Tattershall and Buckden; at Holyrood in Scotland; and, on a very great scale, at Marienburg in East Prussia. In other cases the lords withdrew into a tower-house or donjon wholly separate from the domestic range—often reverting for that purpose to the long-abandoned *motte* of an earlier scheme. That was what led to the building of the great donjons of Dudley and Warkworth, crowning disused *mottes*, and to those at Nunney and Ashby de la Zouch, where no *motte* was available.¹⁵ But at Pierrefonds in France, where the whole castle was built on one plan and at one period, we see the new thesis set forth *ab initio*, logically and completely. Whereas in former days the castle, during times of peace, would contain only the lord's *familia* or household, and in times of war would be defended by calling up his vassals who dwelt around, under the new

¹⁵ See my papers on Tattershall and Buckden in *Journal British Archæol. Association*, New Ser., Vol. XI., pp. 177-92; 3rd Ser., Vol. II., pp. 121-32; on Warkworth Castle in *Archæol. Association*, 4th Ser., Vol. XIV. (forthcoming).

conditions it must provide at all times for a standing garrison of mercenaries, who did not owe the natural allegiance of vassals to their lord, but were at all times liable to be tampered with by his enemies. Against these hirelings, accordingly, the lord must secure his safety and his privacy; and so at Pierrefonds the great structure known as the *donjon* forms a composite mass of building, containing in itself all the accommodation requisite for a seignorial residence of the first rank, and having under its own control the entrance, well guarded by a mighty round tower. Pierrefonds undoubtedly is the prototype of Doune; and Sanquhar, though smaller and less elaborate, very clearly belongs to the same group.

This understood, the *rationale* and affinities of Sanquhar Castle give it an important position in the development of Scottish secular architecture, and its so extensive destruction is therefore much to be regretted. With the other castles which have been mentioned, it is a specialised product of the late medieval practice of "livery and maintenance."

To the north-west of the castle, partly on the Braeheds and partly on the holmlands by the river, was an exceedingly spacious deer park, enclosed by a precinct wall of which the greater portion, though now in ruins, remains. It is made of coursed rubble, dry-built, with extreme neatness and precision, and has a curious cresting in the form of upstanding stones, like a toy battlement, but spanned by flat slabs. This cresting is stepped up the braes in a picturesque manner, the level coursing of the rubble being most carefully maintained. The approach to the castle from the town was by an avenue of ash trees, five of which, venerable remnants, still survive. From this avenue the deer park is entered by a gate 9 feet wide, wrought with a half engaged roll, and set in a flat projection with sloping sides. The Townfoot Burn is carried under the avenue in a well-built culvert. According to Grose, in the lower part of the deer park, under the west front of the castle, were the gardens, and a fishpond with a square island, but all trace of these has now been ploughed away. South of

the castle is another walled enclosure, terraced, and entered at the lower level by a gate on the east side. Here, again according to Grose, was the bowling green. Thus the whole lay-out was a very magnificent one. "Near to the Castle of Sanquhar," we are further told by a writer of about 1700, "there are several parks on both sides of the river, one whereof is well stocked with deer and other animals that are for pleasure, and others for cattle and these that are for profit; both are like to abound further in time."¹⁶ That the deer park, and precincts generally, were kept up even after the castle was deserted, we learn from the Drumlanrig account books, which, so late as 1740-5, record payments to a mason for repairing the deer park walls, the deer house and the dovecot, and also expenses in providing corn for the deer and doves.¹⁷

In a letter written by the Earl of Queensberry, 31st August, 1688, his lordship gives instructions that the chimneys of his own chamber, the drawing-room and the hall at Sanquhar Castle should be "taken in" with tiles, as they were too wide and smoked. The ovens, both in the kitchen and bakehouse, are to be inspected and if need be repaired, and the "bartisans"—i.e., the parapet walks—are to be cleared.¹⁸

Despite the march of modernism, the old royal burgh of Sanquhar, with its long straggling street and its quaint Town House built by William Adam in 1735, still possesses something of the character of a feudal township that has grown up under the shelter of a great lord's castle. There are a few characteristic old houses. One bears the date 1626, with the initials I.G. and E.C., while the other, beside it, has a good T-headed door with bolection mouldings and a heavy entablature. In the Town House is an early sixteenth century fireplace, evidently taken from the castle. On a commanding position at the north end of the town stands the parish church. It was built in 1827, on the site of its predecessor, and was enlarged in 1930. The ancient

¹⁶ *Macfarlane's Geographical Collections*, Vol. III., p. 199.

¹⁷ *Trans. D. and G. Soc.*, 3rd Ser., Vol. XVIII., pp. 91, 95.

¹⁸ J. Brown, *Hist. Sanquhar*, pp. 61-2.

edifice is described by our old topographer as " a considerable and large fabrick consisting of a spacious church a stately quire where are the tombs of several of the Lords Crichton of Sanquhar wrought in freestone, and before them some Lords of the name of Ross." In 1895 the foundations were partly exposed by the late Lord Bute, and are marked out by flagstones in so far as not covered by the present building. They show a heavily buttressed and therefore (no doubt) vaulted choir, with a square east end, and an unbuttressed nave. On the choir was a splayed base. The whole church measured externally 96 feet by 30 feet 6 inches.¹⁹ A very beautiful effigy of a priest, habited in Eucharistic vestments, is preserved in the modern church. It appears to date from about 1400, and, though now much weathered, must have been one of the finest sepulchral monuments of the Middle Ages in Scotland. Outside the church lie a mullion stone and a piece of cusped tracery belonging to the older building. A bell, no longer in use, is inscribed: EX . DONO . CAROLI . DUCIS QUEENSBERRIÆ . AC . DOVERNI . ECCLESIAE . DE SANQVHAR . R.M. FECIT . EDR . 1725. Into the east wall of the churchyard is built a small medieval grave slab. It shows a Maltese cross on a shaft, and beside it a pair of shears. The whole is incised, and enclosed in a shallow moulding. The stone measures 1 foot 2 inches in length and 8 inches in breadth.

The church was a prebend of Glasgow Cathedral, and was dedicated to St. Bride. On the east side of the railway embankment, north-east of *Sean Caer*, was formerly St. Bride's Well, into which on May Day the young girls of Sanquhar used to cast white " chuckie-stanes " in the saint's honour. No doubt the church is a Celtic foundation, which will account for its position beside the old Celtic stronghold, rather than at the opposite end of the town where the medieval manor had its centre.

Three stones from the former market cross, erected in 1680, namely, a pediment finial and two urns, are preserved

¹⁹ See plan and full particulars in MacGibbon and Ross, *Ecclesiastical Architecture of Scotland*, Vol. III., pp. 434-6.

at St. Ninian's Church, at the south end of the burgh.

The names Castle Mains and Gallows Knowe, in the immediate neighbourhood of the Castle, remind us of the appurtenances of the capital messuage. South-east of the Castle was Sanquhar Hospital, dedicated to St. Mary Magdalene, of which nothing now remains, not even the carved stones built into the adjoining farmstead walls, which were still to be seen at the end of the eighteenth century.²⁰ That there was a chapel of some sort, in accordance with the usual Norman fashion, beside the old castle site at Rye-hill, is shown by numerous carved stones, and also by the remarkably fine effigy of a bishop, recently found there. It is stated that this chapel was dedicated to St. Nicholas.²¹

Just below the modern bridge over the Nith (which bears the date 1855), on the western bank of the river, the trilateral rusticated ashlar abutment of a predecessor remains. A number of the stones show a mason's mark, deeply incised, in the form of a saltire within a rectangle. This bridge was erected about the beginning of the nineteenth century, to replace an old structure, dating from 1661. In that year an Act of Parliament was obtained by the burgh ordaining that, as Sanquhar Bridge had become "totallie fallen doun and ruined," and the burgh was unable to rebuild it "throw the calamities of the tyme and great sufferings," a voluntary collection, on behalf of a new bridge, should be made throughout the parishes south of Forth, and permitting the burgh to levy toll at the bridge for a period of twenty-seven years.²² The bridge which had given way in 1661 was doubtless of medieval date. Its successor's foundations, now covered by a rubbish dump, used formerly to be seen on the left bank of the river, a short distance further down.

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²⁰ *Statistical Account of Scotland*, Vol. VI., p. 460, footnote.

²¹ T. Wilson and W. M'Millan, *Annals of Sanquhar*, p. 9.

²² *Act. Parl. Scot.*, Vol. VII., p. 194.

19th November, 1937.

Chairman—Mr R. C. REID.

The Kirkmadrine Inscriptions.¹

By R. G. COLLINGWOOD, V.P.S.A., F.B.A.

As the temporal power of the Roman Empire waned, the spiritual power of the Christian Church increased. By the year 400 the Rome of the Caesars was dying back along its frontiers, like a plant whose frost-bitten branches die back from the ends towards their centre; but the Rome of Christ was launching out into new conquests. In the land of Galloway the writ of the Roman Emperors had never run. There was never, so far as we know, a Roman conquest or a Roman military occupation; there has never come to light any trace of Roman garrisons or Roman civil life. Only a few scattered finds of potsherds, coins, tools, and so forth testify to a trade between Galloway and the Romanized province; such a trade as existed, all round the frontiers of the Empire, between Roman lands and the populations that the Romans called barbarian.²

But in 397, through the activity of the Christian Church, Galloway made its appearance on the stage of history. Ninian, a Briton who had been educated in Rome and had also studied under St. Martin of Tours in Gaul, built the

¹ This paper was read to the Cumberland and Westmorland Antiquarian Society on the occasion of its visit to the site in July, 1937. The writer wishes to thank Mr R. C. Reid and the Dumfriesshire and Galloway Society for the honour done him by their invitation to submit the paper to one of their own meetings and to print it among their own publications.

² See J. Curle's magnificent collection of this and other evidence for Roman trade with Scotland, *Proc. Soc. Ant. Scot.*, lxxvi (1931-2), pp. 277-397. The coin-finds have been collected by Sir George Macdonald in a series of papers in the same *Proceedings*. A useful standard of comparison is provided by Mrs Brogan's article on "Trade between the Roman Empire and Free Germany," in *Journal of Roman Studies*, xxvi (1936), pp. 195-222.

church and monastery of Candida Casa at Whithorn, and settled down to make the Galloway Picts into Christians.³

This event marks the foundation of the Celtic church, of which the Galloway church is, accordingly, the senior branch. It was not until a generation later that the evangelization of Ireland began; St. Patrick was consecrated bishop in 432, that is, 35 years after the foundation of Candida Casa.⁴ The Welsh church was still younger, for its real founder, St. Illtud, belongs more to the early sixth century than to the late fifth, and its patron, St. David, belongs wholly to the sixth. Lastly, the Scottish church beginning with the foundation of Iona in 563 has its great period of expansion quite late in the sixth century. These four branches of the Celtic church, therefore, appear in the following order: Galloway, Ireland, Wales, Iona, at average intervals of about half a century.

In Galloway, accordingly, we may hope to find the very earliest monuments of Celtic Christianity. And it is not unnatural that the sub-Roman⁵ inscriptions of Whithorn and Kirkmadrine should have been classed together in a single group by the scholars who first published them, as coeval relics of the most ancient Christianity in Scotland. The group consists of five stones, which I will briefly describe.

WHITHORN 1. — Rude pillar with flat face bearing the inscription: TE DOMINVS | LAVDAMVS | LATINVS | ANNORVM | XXXV ET | FILIA SVA | ANN(ORVM) IV | IC S[I]NVM | FECERVT | NEPVS | BARROVA | DI. We praise Thee, O Lord. Latinus, aged 35, and his

³ The chief authority for Ninian is Bede, *Hist. Eccl.*, iii, 4. See also Bury, *Life of St. Patrick*, appendix (p. 313).

⁴ I accept what may be called the "orthodox" or "normal" view of St. Patrick's date; not the theory recently put forward, which would place it much earlier.

⁵ The term "sub-Roman" is here used to describe inscriptions (and for that matter other relics as well) dating from after the severance of Britain from the Roman Empire, but executed in a style derived from that of the late Empire. They represent a period when people as yet hardly acquiesced in their separation from Rome, and went on living in a fashion as Roman as they could compass.



Fig. 1.—The Latinus Stone (Whithorn 1).



Fig. 2.—The Petri Apustoli Stone (Whithorn 2).



Fig. 3.—Kirkmadrine 1.



Fig. 4.—Kirkmadrine 2.

daughter, aged 4. This monument was made by the kindred of Barrovadus. See Fig. 1.

WHITHORN 2.—Squared pillar with dowel-hole in the top. Above, +P monogram in a circle; the circle having a handle somewhat like that of a mirror. Below, the inscription [L]OGIT | PETRI APV | STOLI. Line 1: Damage to the stone has carried away the L, whose former existence, however, is attested. The third letter is plainly G and the fourth plainly I, though they have been otherwise read. A sixth letter I has been alleged, but the mark so interpreted is a mere (though deep and heavy) scratch, lacking the chiselled form and the V-shaped serifs of all the genuine letters. It may be an accidental injury; or it may be a later addition by someone not provided with proper tools. That it is no part of the inscription proper is certain. Line 2: The R is a subsequent insertion, but in the same hand and style. Beyond the facts that there is an obvious reference to “the apostle Peter” and that the reading formerly accepted for line 1, *locus sancti*, is plainly impossible, I shall not discuss its interpretation. See Fig. 2.

KIRKMADRINE 1. — Rude pillar with flat face bearing +P monogram in circle above, and crowded into the space above this the formula A ET [O]. Below, the inscription HIC IACENT | SCI ET PRAE | CIPVI SACER | DOTES ID ES[T] | VIVENTIVS | ET MAVORIVS. Line 6: The second name might be MANORIVS. MAIORIVS, proposed as an alternative by some scholars, is not possible. “Here lie the holy and eminent bishops to wit Viventius and Mavorius.” See Fig. 3, a facsimile-drawing from the cast in the National Museum at Edinburgh, by kind permission.

KIRKMADRINE 2. — Rude pillar with flat face bearing +P monogram in circle above, and below it the inscription ///S ET | FLOREN | TIVS. The first name cannot be restored. See Fig. 4, facsimile-drawing as above.

KIRKMADRINE 3. — Rude pillar with flat face bearing +P monogram in circle above, and below it the inscription INITIVM | ET FINIS: “the beginning and the end.” See Fig. 5, photograph by myself.

It is not necessary to recount once more the histories of how these stones were discovered or to summarize the accounts of them previously published. It will be enough to refer to the Royal Commission's volume on Galloway and to Baldwin Brown's *Arts in Early England*, Vol. V., Chapter 1, where the view that these five stones form together a single early group will be found stated by various scholars.

My father, in his important paper on "The Early Crosses of Galloway," communicated to this Society in 1923, and in his *Northumbrian Crosses* of 1927, made a decisive break with this over-simplified view, and showed that the monuments in question, far from being coeval, must be spaced out over a period of centuries. The earliest of them, the "Latinus" tombstone at Whithorn, he assigned to the fifth century; of the Kirkmadrine stones he placed the "sacerdotes" inscription "hardly . . . earlier than the end of the sixth century," and the "initium et finis" inscription "well on [in] the seventh century, though not late in that century."

My father approached these relics from the standpoint of a specialist in Anglo-Saxon decorative art. In that field I cannot either hope or wish to supplement his work. My own study of the early monuments in Galloway begins at a different point, namely, Roman epigraphy; and in reconsidering their date I shall proceed simply as a student of Roman inscriptions who is trying to extend his methods to the sub-Roman period. I may say at once that the conclusions to which this procedure has led me involve only a further change in the same direction, that is, a wider spacing out of these inscriptions on the time-scale of what we call the Dark Ages.

The Latinus stone (Whithorn 1) differs from all the rest in lacking the +P monogram. This so-called chrismon, or monogram representing the name of Christ, exists in two forms: a saltire form, combining the letters XP, and the square form which we have here. The saltire form is found on coins of Constantine the Great, and is

thought to have been first introduced in the issues of A.D. 326.⁶ It occurs on objects other than coins, found in Britain and dating from the latest period of the Roman occupation or not long after its official close. Examples are: A group of tin ingots from the Thames at Battersea, a tessellated pavement in a villa at Frampton in Dorset, and various household goods, such as metal bowls and a lamp. It occurs several times in the Treasure of Traprain, whose date is believed to fall somewhat early in the fifth century. The square form, on the other hand, does not occur in that treasure, nor among the objects found in Britain which date from the Roman occupation; and I think we are entitled to say that it did not reach Britain until after the end of Roman rule. I can find no certain evidence as to the date of its introduction; but all the objects on which it occurs in Britain are objects which, so far as I can suggest a date for them at all, I should date after the close of the fifth century.

There is another point of interest about this monogram. The standing stones of the post-Roman period in Britain, among which I count the great pre-Norman crosses, have a double ancestry. On one side, they are related to the inscribed tombstones of the Roman age; on the other, to the standing stones or menhirs of ancient British paganism. This second element has been pointed out by Baldwin Brown, *The Arts in Early England*, Vol. V. (1921), pp. 41 *seqq.*; remarking that Celtic saints are often reported to have "christened" such menhirs and thus converted them (as one might say) to the true faith; so that the sanctity belonging to them, from being in the service of heathendom, worked henceforth in the service of Christianity. Such christening was done, of course, by using the sign of the cross; and this sign, done originally with the finger, would very naturally be perpetuated by cutting it with tools. Baldwin Brown judiciously remarks of the Galloway stones (p. 47): "There is no evidence that they began as heathen

⁶ Goodacre, *The Bronze Coinage of the Late Roman Empire* (1922), p. 11.

menhirs and were turned from pagan use to Christian, but they received a form and were employed in associations that carry us back to very primitive times." In other words, we might call them Christian menhirs, as distinct from christened menhirs.

If we ask in a quite general way within what limits of time the stones contained in this group might have been erected, the question falls into two parts :

(a) *TERMINUS POST QUEM*.—How early might stones of this kind be? The answer is easy : not before Ninian. But as soon as Ninian's monastery was established, stones of this kind might begin to appear.

(b) *TERMINUS ANTE QUEM*.—How late might they be? My father (*op. cit.*, p. 7) thought not later than the seventh century, and in fact "not late in that century"; meaning that after the Synod of Whitby and the subsequent rise of Anglian sculpture, monuments in the well-known Anglian style, and not in the style of this group, would have been erected. But I am not sure of that. Even at Whithorn there is nothing at all in the earlier Anglian style except a few slabs in St. Ninian's Cave; and at Kirkmadrine we have no trace of Anglian sculptural work except a slab which my father himself dated to the ninth century. Hence, in the absence of proof to the contrary, we must preserve an open mind to the possibility that, although Whithorn underwent a certain amount of influence from Anglian decorative sculpture in the eighth century, the remoter community of Kirkmadrine may have remained untouched by it until a century later. After all, the sister churches of Wales and Cornwall, to judge by their monumental remains, were practically untouched by Anglo-Saxon art until the ninth century; although, as I shall argue in the sequel, both these regions and Galloway itself were affected in a manner not hitherto recognised, namely, by the adoption of Anglo-Saxon fashions in lettering, at an earlier date.

We must therefore give this group a very long possible life : from A.D. 400 to 800 or even later.

I pass to the epigraphic characteristics of our five monuments.

WHITHORN 1.—This is in every detail of lettering and style a late Roman inscription. The forms of the letters, their spacing and division, and the use of ligatures, are all perfectly normal for tombstones of the fourth century. Not a single stylistic detail shows that the lettering was cut after the Romans left Britain. There are a few barbarisms: *ic s(i)num* for *hoc signum*, *fecerut* for *fecerunt*; but these are hardly worse than what the student of late Imperial tombstones is accustomed to; the only thing that betrays a world more Celtic than Roman is the social organization implied in *nepus Barrovadi*. Speaking as a Roman epigraphist, I should say that this stone may perfectly well commemorate one of the original inmates of Ninian's community and date from the first generation of its establishment; and that I do not think it can have been erected later than, say, the first half of the fifth century. Of all the numerous sub-Roman inscriptions in Britain, it is the earliest and the nearest in style to the late Imperial inscriptions from which they are all alike derived. As I am not here setting out to describe the Whithorn stones, I will not argue this point.

WHITHORN 2.—This also is epigraphically a stone of extreme interest. In Gaul, sub-Roman inscriptions with V-shaped serifs are extremely common. According to the French archæologists, this style of lettering begins quite early and has a long life. In Britain, this is the sole example of it. The inference, I think, is obvious. This inscription testifies to a Gaulish connection with Whithorn (a connection which, to judge from the total lack of similar lettering elsewhere, was enjoyed by none of the other Celtic communities which were producing sub-Roman inscriptions) at some time between 400 and 800. It will be remembered that, according to Bede (*Historia Abbatum* §5; Plummer, i., 368), Benedict Biscop brought masons from Gaul in 675, the year after he had founded the abbey of Wearmouth. These masons undoubtedly knew this kind of lettering, and might easily have used it. The probability that either they or (more probably) their pupils cut this Whithorn inscrip-

tion, which in that case would date to the last quarter of the 7th century, is to my mind considerable. At the same time, this is not a Gaulish inscription on British soil. The pillar shape of it and the chrismon which it bears take us back to the early days of the Celtic Church and its memories of a still earlier paganism. It testifies, certainly, to Gaulish influence; but it testifies no less clearly to the tenacity with which the Celtic Church in Britain retained its hold on its own traditions and refused to desert them in favour of newfangled fashions from abroad.

KIRKMADRINE I.—This extraordinary inscription has never been adequately published, let alone commented on. Photographs that show nothing clearly have been printed over and over again; Baldwin Brown (*op. cit.*, p. 34) has a facsimile which shows that the lettering (described in his text as "normal in form") is highly abnormal, but does not show its character: my father's drawing is not satisfactory. The lettering is in fact utterly unlike anything Roman, and also unlike anything of which I know in early Christian Gaul or Spain or Italy. Setting aside certain peculiarities of form, to which I shall turn in a moment, it contrasts with late Roman lettering by its deeply sophisticated character. It is cut in "block capitals," without serifs of any kind, but with the ends of the strokes squared off by a skilful use of the chisel with a deliberate emphasis curiously different from the vague way in which the strokes in an ordinary late Roman inscription tail away to nothing at their ends, as in Whithorn I. The drawing of the letters is plump and almost, one might say, fleshy; notice the S in line 2, the P in line 3, or the O in line 4. Their spacing is decorative and self-conscious in a manner which we do not find in British work either of the late Roman or of the strictly sub-Roman period. In fact, we are no longer in a merely sub-Roman world; we are in a Romanesque one. The men who designed and cut these letters are not clinging to the remains of a vanishing Roman civilization, they have a civilization of their own, boldly and confidently blazoned in their handiwork; a civilization which is none the

less original for basing itself on adaptations of the antique.

Certain individual letters call for attention. The ligatures of NT and in the last line MAV or MAN are part of the standard repertory of Roman inscriptions, and need not detain us. The first interesting form is the A with V-shaped cross-bar. This is a form derived from the Greek alphabet (I shall call it the Greek A) which in the inscriptions of the city of Rome is found sporadically from a very early date. In the fourth century of our era it becomes less rare, and in the fifth century one might call it common. In the provinces I believe it seldom, if ever, appears before the fifth century. From the Roman inscriptions of Britain, even the latest, it is wholly absent. Not only so, but it is absent from all that large class of sub-Roman inscriptions in Britain which in style are closest to their late Imperial originals.

A few statistical observations on the use of the Greek A will make this clearer. I will base them on Hübner's *Inscriptiones Britanniae Christianae* (Berlin, 1876), because, although it is long out of date regarded as a corpus, it is still a fair and extensive sample of the material, and no later collection has appeared.

First, the material must be divided into Anglo-Saxon inscriptions and Romano-Celtic inscriptions. We are primarily concerned only with the latter.

Then the Romano-Celtic inscriptions must be divided into groups. I propose the following division, based on epigraphic details:

GROUP A.—These are strictly sub-Roman; by which I mean that their lettering includes no forms not found in the ordinary *répertoire* of late Imperial inscriptions in this country.

GROUP B.—These are modified sub-Roman: that is to say, their lettering includes un-Roman forms like the horizontal I and the short-tailed or horizontal-tailed R.

GROUP C.—These include minuscules such as d, h, l, m, n, q, r, occurring intrusively in an alphabet of type B.

GROUP D. — These are written wholly or mainly in minuscules.

In Cornwall, Devon, and Dorset, Hübner records 33 inscriptions. Among these, the ordinary or gable-topped Greek A occurs in nine. Two of these (No. 9, St. Clement near Truro; No. 14, Wadebridge) contain the horizontal I and/or the horizontal-tailed R; they thus belong to Group B. All the rest contain minuscules, and belong to Group C. Three others (No. 6, Lanherne; No. 8, Camborne; No. 15, Trigg Minor) have the table-topped Greek A that we know so well from the Ruthwell Cross, and are in other respects also visibly Hiberno-Saxon in style.

In Wales, Hübner records 132 inscriptions. The table-topped Greek A does not occur in any of them; the plain Greek A in eleven. Seven of these also contain minuscules and place themselves in Group C. Of the other four, three (91, Parcau, Carmarthenshire; 144, Gors, Carnarvon; 145, Cefn Amwlch, Carnarvon) have a horizontal I or short-tailed R, and therefore belong to Group B. The other (56, Ystradynglais, Brecknockshire) consists only of a fragment with the words HIC IACIT. The final T, as given in his figure, might almost belong to Group A; but in Westwood's *Lapidarium Walliae*, plate 36, fig. 3, it is decisively a minuscule. The stone therefore belongs to Group C.

It thus appears that the Greek A is wholly absent from Group A; rare in Group B; and common in Group C. In Group D it is, of course, replaced by the minuscule *a*.

At what point of time does Group B supersede Group A? On this head we have evidence (slender, it is true) from Wales. The tombstone in Carmarthen Museum inscribed MEMORIA VOTEPORIGIS PROTICTORIS, with a cross in a circle above and ogams round the edge, belongs to Group A and is supposed to commemorate the King of Demetia or Dyfed, whom Gildas (*De Excidio*, 31) addresses as Vortiporus. If so, it must date from some time not long after the middle of the sixth century. In the same museum is an inscription in barbarous hexameters, belonging to Group A, which commemorates a certain Paulinus, supposed to be the man who is known in connection with the Synod of Llandewi Brefi somewhat earlier than 569. This inscrip-

tion would in that case date within a generation or so after Vortipore's; and indeed its style is somewhat remoter from the original Roman. This pushes the origins of Group B to, at earliest, about the end of the sixth century. And, as the Greek A is still somewhat rare in that group, we should be wise not to place its origin too soon after that. Group A has occupied, if we begin it with Whithorn 1, the whole of the fifth and sixth centuries; Group B, much more numerous than Group A, may very well have covered a longish period of time. It looks as if the Greek A did not begin to appear in Romano-Celtic inscriptions until late in the seventh century.

Let us now turn to the Anglo-Saxon inscriptions. Here the Greek A makes its first appearance in the well-known dedicatory inscription of the church at Jarrow (A.D. 685; Hübner, No. 198), and on St. Cuthbert's coffin (A.D. 699) made eleven years after his death in 688 (Haverfield and Greenwell, *Catalogue . . . Cathedral Library, Durham*, 1899, p. 133). The suggestion I wish to make is that the Greek A was among the new fashions in craftsmanship and style which were introduced into Northumbria from the Continent towards the end of the seventh century, and that by way of Northumbria it reached Galloway. It was also by way of the Anglo-Saxon countries, I suggest, that it reached Wales and the Britons of the south-west.

If this suggestion is right, Kirkmadrine 1 was made about A.D. 700 by masons trained in the new Northumbrian school, but employed at Kirkmadrine to make a monument of the type, traditional in Celtic Christendom, of a Christian menhir serving as tombstone for Christian saints. It is my own belief, as it was my father's (though I know it is not generally accepted), that the tall Anglian cross did not originate quite as early as that.⁷ If so, and if (as I think) that type of cross, when it appeared, was the result of a union between the Celtic idea of a Christian menhir and the new style of decoration derived from the Continent in the late seventh and early eighth centuries, we may perhaps regard Kirkmadrine 1 as in some sense a forerunner of the

⁷ See my article, "The Bewcastle Cross," in *Cumb. and West. Trans.*, xxxv. (1935), 1-29.

tall crosses, a first attempt at combining the same ideas whose completer fusion was afterwards to produce such glorious results.

Another point of contact between Kirkmadrine 1 and the Jarrow inscription is the abbreviation SCI, with a bar over the top, for *Sancti*. This abbreviation never appears elsewhere in the inscriptions of the Celtic church, so far as I know; but it is very familiar in Anglo-Saxon work, and is, of course, derived from the Continent. The similar abbreviations PRB and PRSB for *presbyter* occur in inscriptions of Group B in Carnarvonshire with the Greek Α (Hübner, Nos. 144, 145); the style of these inscriptions has notable affinities with Anglo-Saxon lettering, and must indicate a process in North Wales parallel to that represented in Galloway by Kirkmadrine 1 and Whithorn 2.

Kirkmadrine 1 has also the short-tailed R. I do not know how this form originated. But it never occurs in Group A; and, associated as it is in Group B with the Continental (and in particular the eastern) influences which from about 700 were reaching the Celtic church through Anglo-Saxon channels, I suspect that it may owe something to the tailless R of the Greek alphabet. In this connection it will be remembered that the R's of the Lindisfarne Gospels have a slightly, but definitely, abbreviated tail, and that in time this abbreviation produces the fully-formed Hiberno-Saxon R; and compare the short-tailed R of the chrismon on this same stone.

One last detail. All three Kirkmadrine inscriptions have a peculiar ligature of ET, with the horizontal of the T united to the central horizontal of the E. It occurs, so far as I know, only at Kirkmadrine.⁸ But in principle it does not greatly differ from the ligature of FI which, in Wales, is so common on stones of Groups B and C.

Ligatures, apart from the conventional ones Æ and

⁸ Baldwin Brown's statement (*Arts*, Vol. V., p. 51) that the Kirkmadrine ET ligature occurs on the Group C stone from Roseworthy, Cornwall, Hübner IBC, No. 6, is inaccurate. As anyone can see who refers to Hübner, what is really on that stone is a minuscule &, not unlike examples given by Baldwin Brown himself (*op. cit.*, p. 176, fig. 15, last line).

& (=ET), are not a feature of Anglo-Saxon lettering, whether with the pen or on stone. They therefore represent, at Kirkmadrine, a relic of the ancient Romano-British tradition, not an element of the new foreign style. In other words, the masons of Kirkmadrine 1 were not Continental, or even Anglian, craftsmen brought to Galloway and there employed to make a monument of the old menhir type; for such craftsmen would not have used ligatures. They were Celts of the Romano-British tradition, trained in a new school either directly by Continental masters or by Anglian pupils of those masters; but, for all their readiness to pick up new ideas and use them in a skilful and even sophisticated manner, mindful of their own epigraphic heritage and capable of combining the new style with the old so cleverly that only the most laborious analysis can disentangle them.

KIRKMADRINE 2.—This is a later monument, made by someone who had seen “Kirkmadrine 1” or something like it, and was trying to imitate it without having undergone the necessary training. The chrismon betrays this imitation with remarkable completeness. In No. 1 the arms of the cross taper in a bold and determined manner; at the ends they are slightly swallow-tailed, the slightness of this feature making it an additional source of strength to the design. The firm way in which the crook of the almost tailless R is united to the upright is especially noticeable. In No. 2 the edges of the arms are much more concave; the swallow-tails at their ends much more pronounced; and the whole design in consequence weakened and impoverished by an exaggeration of those features whose reticent and moderate quality gives the original its robustness.

The lettering has undergone a similar change. The firm and regular design and the subtle spacing have disappeared, but the same ET ligature is used, and the same short-tailed R. Notice, however, that the ET ligature is injudiciously employed. The spacing of the line would have been better if the two letters had been cut separately, as in line 2 of No. 1. The cutter of No. 2 has used the ligature merely to show that he knew it. The F and L take us away

from the Anglo-Saxon style of No. 1 back to the Romano-British tradition; though the continuation of the former's upright above the place where it meets the upper cross-bar is a trace of the Continental style already discussed in connection with Whithorn 2 (a different style from that of the Jarrow dedication).

I should sum up these observations by saying that, perhaps about the middle of the eighth century, the Anglo-Saxon influences that had produced No. 1 were dying out, and the Kirkmadrine stonecutters were "going native" or reverting to the sub-Roman style. My father suggested an earlier date for this stone and No. 3 on the ground that, by this time, Kirkmadrine masons would have come under Anglian influence and would be making carved crosses. But I regard the earlier dates which he proposed as impossible; and accordingly I conceive that, even so late as the time when the Ruthwell Cross was being erected a hundred miles (by any reasonable line of travel) to the east, Kirkmadrine was in a backwater where the flood of the fully-developed Anglian style was unfelt.

KIRKMADRINE 3.—No. 2 is still in Group B; with No. 3 we enter Group C. The UM of INITIUM are definite minuscules. Apart from this, however, No. 3 is in a style closely related to No. 2. The chrismon is very like that of No. 2, but it has undergone a further exaggeration which relates it to that of No. 2 very much as that is related to the corresponding design of No. 1. The peculiar Kirkmadrine ligature of ET reappears. The N's are very curious, and I am acquainted with no exact parallel. My father's drawing assimilates them to the common almost H-shaped N's of many Dark Age inscriptions; but this is wrong, as my photograph shows; the second upright does not travel below the point at which it meets the diagonal. It looks like a form that might have originated in penmanship. In any case, it points to Anglo-Saxon connections; for the nearest parallel is a type of N that occurs on the Ruthwell Cross and in the Lindisfarne Gospels. I suppose we must date No. 3 definitely later than No. 2, and

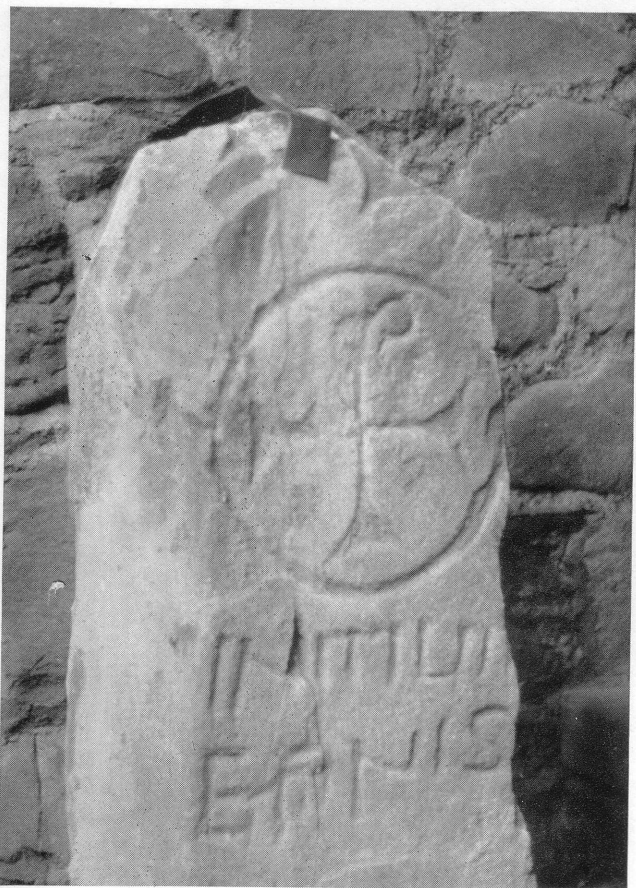


Fig. 5.—Kirkmadrine 3.

assume that between the dates of these two monuments a new impulse from the outer world had reached Kirkmadrine, an impulse derived, this time, not from masons' work but from scribes' work, and conceivably originating not in the fact of craftsmen from Kirkmadrine being trained in schools elsewhere, but in manuscripts from elsewhere, in the Hiberno-Saxon style, reaching Kirkmadrine and influencing the way in which her craftsmen thought of the alphabet.

What these stones tell us about Kirkmadrine is tantalizingly little. Yet that little stands out from the darkness of an almost unknown age with a strange and startling distinctness. We can hardly be wrong in guessing that Kirkmadrine was a daughter house of Whithorn; but when founded we cannot say. Our evidence only reveals it first about the year 700 as a well-established monastic body which had probably come into communion with Rome when the Strathclyde Britons did so, in 688. Before that event local stonemasons were already putting up tombstones in the sub-Roman style of my Group A. When that happened Kirkmadrine sent her craftsmen for training to the centres of Northumbrian religion and art; and they came back having learned much, but not having forgotten what they had known before they went. For a long time after that—perhaps half a century, perhaps a century—their successors went on copying their work with diminishing intelligence and with no new ideas or new discipline to help them except such as came into the monastery with the manuscripts which were now becoming common.

So far as the fragments of later carving preserved at Kirkmadrine have revealed its story, we must suppose that the Anglian style of carving did not arrive there until the ninth century. But from this point I shall not try to continue my story. All I have tried to do is to show what light can be thrown on the history of this one Celtic monastery by the purely epigraphic analysis of its three inscriptions which human destructiveness has spared and human piety has preserved.

Some Processes Relating to Glenluce Abbey.

By R. C. REID.

Whilst recently making researches for a different purpose, I came across the record of several Legal Processes in which this Abbey was involved, and I am indebted to Mr John MacLeod for drawing my attention to others. As they throw some light on the hitherto little known history of the Abbey, abstracts are printed here, as they form a useful addition to the documents from the Cassillis Charters already published by the Ayrshire and Galloway Archæological Society, 1885.

All the processes are of late date, being between 1551 and 1565. The earlier ones relate to Walter, Abbot of Glenluce. According to Brady's *Episcopal Succession*, I., 179. his full name was Walter Malim. Dowden in his *Bishops of Scotland*, p. 388, gives his name as Malynne, and asserts that he had been Albany's secretary and only became Abbot after a contest with Alexander Cunningham, monk of Glenluce, who had been elected Abbot by the Convent. His real name was Walter Malumy, and as Abbot of Glenluce he renounced on 27th October, 1533, a tenement in Edinburgh which he had inherited from his deceased sister, Katharine Malumy (Protocol Book of John Fowler, IV., f. 176). He was a churchman and in no sense a lay Abbot. Monks were not allowed to own property, hence his renunciation, and on 21st March, 1552/3, he witnesses a similar renunciation by William Halkerstoun, monk of Glenluce, who had inherited from the deceased Alexander Halkerstoun, his father, a tenement on the south side of the Cowgate (Protocol Book of Alex. King, IV., f. 30).

Most of these processes relate to the Abbey lands and tenants, and throw light on the origin, rise, or decline of some Wigtownshire families. No. 1 reveals a dispute between the Abbot and an early member of the Baillie family in the days when the family were only tacksmen of the Abbey. Alexander Baillie in Dunragit was a descendant, probably illegitimate, of Mr Cuthbert Baillie, a former Comendator of the Abbey. Nos. 2 and 5 bring to light some

members of the ancient family of Clugston of that Ilk whose barony of Clugston passed by an heiress to the Dunbars of Mochrum. Nos. 3 and 4 introduce the Hamiltons of Broomhill to Wigtownshire, successfully defending their title to a tack of Abbey lands against Abbot Walter, who had to buy them out. Nos. 6 and 7 relate to an action by the Abbot against some inhabitants of Whithorn for wrongful spoliation of a consignment of imported wine, victuals and goods from a house at the Isle of Whithorn belonging to the Vicar of Gelston. The consignment had been imported from abroad by some French merchants for the furnishing of the Abbey, and had been paid for by the Abbot. The men of Whithorn also had wanted to purchase the same, but had failed in bargaining with the Frenchmen. So they decided to help themselves, and looted the Abbot's consignment. Restoration was ordered by the Court. No. 8 follows a similar theme. Such imports were only obtained on Royal licence, and the Abbey licence extended to France, England, Ireland, and the Isle of Man. Under the licence the merchants received a safe conduct. In this case the merchants were obviously Galloway men resident in the Isle of Man. Two of them must have been members of the well-known family of Wigtown burgesses named M'Cristin, who had arrived with a boat load of goods for sale to the Abbey, "at Palybank within Galloway neirby the said Abbey." Their persons, ship, and its contents had been seized and detained at the instigation of Janet Gordon relict of David Crawford in Little Park, and though Janet had been summoned by the Court to appear in Edinburgh she had failed to do so. She was accordingly ordered to restore the ship and goods and set the merchants at liberty or be consigned to durance vile in Dumbarton Castle. No. 9 illustrates the facts that even monks could litigate amongst themselves. John Sanderis, vicar pensioner of Glenluce, had been granted by the Commendator and Convent a pension of £40 for his labours in the parish kirk of Glenluce. They had failed to pay the pension, so both Commendator and monks were threatened with incarceration at Dumbarton.

The last document is a full extract from the Baron Court Books of Glenluce concerning an action by the Abbot against one Janet M'Dowell in Sone-ness, a tenant of the Abbey lands, charged by the Abbot with forfeiture of her lease for disposing it to another without the consent of the Convent. The result of the action is unknown, because Janet, dissatisfied with her chances of success or despairing maybe of justice, applied to the Lords of Council and Session to have the case advocated to Edinburgh for hearing and decision. Every Baron Court litigant had the right of appeal from early times to the Sheriff Court or the Lords of Council. But it has been doubted whether this right was ever exercised in so far as the Sheriff Court was concerned. It is clear, however, from this document, that appeal by means of advocation to the Lords of Council was certainly effective. Advocation, strictly speaking, was not appeal, for appeal implies a previous decision to be reviewed by a higher court. Advocation was the removal of an issue from a lower court where justice was for certain reasons not expected to function freely, to a higher court that was free from local prejudice.

It is probably the very advocation of Janet's case that led to its preservation to us. How the document came to the Register House is not known. But many years ago, in Thomas Thomson's time, the officials of the Register House went through a large number of processes, loose and in bundles, and extracted all deeds, charters, and the like which had been lodged as proofs in the processes, and, without noting whence they came, incorporated them in other collections. In all probability these extracts were removed from the process of advocation, though, in spite of a personal search, that process has not been found.

The Baron Court Books of Glenluce, had they survived to-day, would consist of an imposing number of volumes if every Court was recorded as fully as these extracts. Such Court Books must have been in existence long before 1556, the date of these extracts. Indeed there is preserved in the Register House a minute book for 1603-12, which shows

that within the limits of its jurisdiction the Baron Court heard a great variety of cases.

No Court Book is known to exist; yet perchance forgotten in some lawyer's office or even in the loft of an estate office some records of this Court may survive and ultimately come to light.

The principal interest in these extracts lies in the description of what occurred in Court, the legal devices to score a point, to impede an opponent, to procure delays and avoid an adverse decision. No opportunity is lost of drawing a red herring across the course of justice, and much of the time of the Court is taken up with the formal recording of protests. Indeed the legal ingenuity of 1556 in originality, persistence, and imperturbability can easily eclipse the Court practice of this year of grace.

The Abbey of Glenluce was a barony, and every barony had a "caput" where Courts were held and legal infestments taken. At Glenluce the Abbey must have been the "caput," for the Court was held in the chapel of St. Mary. Gilbert, Earl of Cassillis, was the bailie, having been appointed by the Convent on 12th November, 1543,¹ his fee being the escheats and "unlawis" or fines of the Court, a system of remuneration general at this period. It is unlikely that the Earl ever held a Court at Glenluce in person. A feudal potentate of his status would have other preoccupations. So his place was taken by his Baillie Depute—one George Lennox, of whom nothing is known. But Lennox clearly had some legal training or else relied on the gentle prompting of James Halthorne, notary and clerk of Court. With the Baillie Depute were associated certain colleagues on the bench, though their number and names are not recorded. This was a relic of a very early practice, for an Act of Parliament in 1423 laid down that the Sheriff should always attend a sitting of a Baron Court. In early times this enactment may have been practical and salutary. But with the multiplication of baronies, which were, of course,

¹ *Archæological Collections of Ayrshire and Galloway*, v., 14.

a source of profit to the Crown, it became impossible for the Sheriff to obey the injunction and the Act must have been quite ineffective. At any rate in Scotland there is no known instance of a Sheriff sitting with a Baron or Baron Baillie. These "colleagues" must have been in the nature of assessors. They certainly were not spectators, for when the letters of advocation were produced in Court the Baron Baillie adjourned to consult his "colleagues."

Only the last two days of the cause are definitely dated Friday, 16th October, and the 3rd November. The first day was probably a full month before, 16th October. Baron Courts were held at regular intervals, and 15 days' warning was necessary between the first day and the second day, as the Abbot had been called on to produce and prove the precept of forfeiture. The second day's proceedings were continued to the third after an interval of three days. On the first day the Abbot was represented in Court by Master William M'Gowin and another whose surname has not survived, Jonet M'Dowell being represented by three procurators—Master John Girvane; Archibald Kennedy, an unrecorded brother to the Earl of Cassillis; and her own grandson, Thomas M'Dowell. The first action of the Court was to call on the procurators to prove that they had been duly appointed to represent the parties. Their deeds of appointment had to be exhibited. The procurator for the Abbot at once took exception to two of Jonet's procurators, and was upheld by the Bailie Depute on the ground that it was contrary to the Acts and Statutes of the Barony that anyone dwelling outwith the Barony (and therefore outwith its jurisdiction) should act as procurator for anyone within the jurisdiction. This question of jurisdiction, whether for procurators or parties, seems to have been a thorny one. In the Commissary Court Book of Kirkcudbright for the same period it would appear from several entries that a party living within the jurisdiction of the Sheriffdom of Dumfries could not be a party to a contract registered in Kirkcudbright (and therefore enforceable there) unless he divested himself of the jurisdiction of the Sheriffdom by

deed, or entry in the Commissary Court Book and formally accepted the jurisdiction of the Commissary of Kirkcudbright. A Barony, of course, was a much smaller unit than a Sheriffdom, and this rule of Court at Glenluce may well have operated harshly for some litigants. Unless there was a township within the Barony there was little likelihood of there being more than one or two persons within the jurisdiction capable of conducting a case in Court. The rule, no doubt, had been adopted as a form of professional protection for procurators within the jurisdiction. The fewer there were, the more fees would be available. Lawyers have always been traditionally suspected of paying undue attention to their fees.

So Jonet's two leading procurators, Mr John Girvane and the brother of the Earl, had to hold their peace, and she had to rely on her grandson, Thomas M'Dowell, to state her case. It is perhaps owing to this that certain passages of the record do not possess that clarity which we would expect from a record of Court.

Thomas at once was on his feet, perhaps prompted by his now silenced colleagues, and entered a protest "for his just and lawful defensis," which was solemnly recorded. He then got to business producing letters of advocacy discharging the Baillie Depute from proceeding any further in the cause. These letters of advocacy I have failed to trace, but the Baillie Depute made short work of them, and repelled them on the ground that the letters of advocacy did not apply to the precept of forfeiture against Jonet for disposing her tack to her grandson, but referred to another similar precept for disposing her tack to Male M'Cavet (elsewhere in the record described as Male M'Calve). In other words, Thomas had applied the letters of advocacy to the wrong precept. From this it would appear that Jonet M'Dowell had disposed her tack to two separate parties—her grandson, Thomas, and Male M'Cavet—thus rendering herself liable to a double action at the hands of the Abbot. In the action relating to the disposition to Male, Jonet had secured letters of advocacy removing the case to Edinburgh. These same letters of advocacy were produced by

Thomas in the action relating to the disposition to him. Inexperience or lack of legal training may have led him to this course, but it is clear from subsequent proceedings that he was by no means a simple amateur.

At this stage a diversion was created by Archibald Kennedy, the Earl's brother, who protested on behalf of Male that the Baillie Depute's ruling should not hurt or prejudice Male's title to the lands. Archibald was apparently procurator for Male, and the fact that he was not allowed to appear for Jonet indicates that Male dwelt outwith the jurisdiction.

Jonet had now lost the first two rounds, but there were plenty more to follow. For Thomas now took exception to the Baillie Depute himself, challenging his commission and alleging that he had never been duly appointed. This was brushed aside by the Baillie Depute, who undertook to produce his commission "when tyme and place occurrit." The Depute then called on the officer—one James M'Caw—to prove the execution of the precept of forfeiture, which he did, and even the ingenuity of Thomas was unable to disprove it. The execution of the writ on Jonet was accepted without even a protest. But Thomas attempted to find a flaw in the precept itself. First he claimed it was of no effect, because 40 days of warning in the action had not been given, and quoted an Act of Parliament in support of his contention. The Baillie Depute called for a copy of the Act, and found that it was not worded as represented by Thomas, and therefore repelled his plea. Thomas did not press his point, and even failed to enter the usual protest. He must have known that he was on very thin ice. So he turned to the phraseology of the precept and took objection to its validity on the ground that, whilst the writ in the conclusion ordained Jonet to produce her tack, yet contained no reference to it in the narrative. But the Baillie Depute ruled out the objection, and at once the Abbot's procurator asked for an Act of Court, whilst Thomas demanded a copy of the process of Court and followed it with the inevitable protest—"for remeid of law."

The day must have been now well-nigh spent, and so the Abbot's procurator asked the Depute to assign him a term to prove the contents of the precept, and the next Baron Court was fixed for the first probation. So ended the first day's fight.

The second day opened at the next Baron Court held on Tuesday, October 13th, which must have been after a fortnight's interval. Master William M'Gowin again appeared as procurator for the Abbot, and announced that he had in Court "four famous previs"—that is, four witnesses of good fame, namely, Patrick M'Crekane in Sewchane, Patrick M'Crekane in Clonavy, Patrick M'Calvy, and Thomas Baillie. Before these witnesses could be called Thomas demanded that Patrick M'Crekane in Sewchane should purge himself of "partiall counsale" for reasons which only appeared at a later stage. M'Crekane accordingly purged himself.

The purging completed, the evidence should have been taken. But at this stage the proceedings were interrupted by a newcomer who rose in court. Uchtred M'Dowell of Barjarg² was one of the minor lairds of that well-known Wigtownshire family, and probably a near kinsman of Jonet, and desired to be heard as procurator on her behalf along with Sir Cuthbert Adair, a churchman, and Archibald Kennedy, the Earl's son (or another of that name). But he was no more successful than Jonet's procurators on the first day's hearing. Uchtred M'Dowell and his colleagues were "repellit out of the said Jonet's procuratory" by the Baillie Depute and not allowed to speak for her. Thomas M'Dowell alone was admitted. Uchtred at once protested that the proceedings should in no way be prejudicial to Jonet. So Thomas was once again left alone to do his best for his grandmother. Once again he entered protest "for his just and lawful defensis," and then dramatically walked out of Court to show his disapproval and disgust with the administration of justice in a Baron Court. Whereupon in his

² Burdgerg in the record.

absence the witnesses were sworn and examined, and the Court ordained their depositions to be closed to the next Baron Court on 3rd November.

At this stage Thomas M'Dowell returned to the Court and entered yet another protest against the admittance of the evidence of Patrick M'Crekane in Sewchane. The ground of the protest was that Patrick was at deadly feud with Jonet concerning a tak of the merkland of Barlocart which Patrick was alleged to have taken over her head, apparently from the Earl of Cassillis. This must be the reason for Thomas's insistence on Patrick purging himself of "partiall counsale." The Abbot's procurator, on the other hand, contended that the feud, the existence of which he did not deny, in no way vitiated Patrick's evidence, because there was "na schawing of wappinis nor straikis nor blude drawing"—in other words, a peaceful dispute without bloodshed. This plea of prejudice was also repelled. Thomas then produced the Acts of Parliament and desired that one be read. This, too, was refused by the Baillie Depute because the case had reached probation and evidence had been admitted. He also announced he would continue the case to the following Friday, as the Court had been proclaimed with continuation of days. Before the Court rose, however, Thomas once again demanded that the precept of forfeiture be read, which also was refused by the Baillie Depute on the sound grounds that he had continued the case to Friday. Thomas thereupon protested that he might not appear at the continuation; whereat they all went home.

The third day's hearing was on Friday, 16th October, and at once the Abbot's procurator produced the precept of forfeiture which Thomas had been demanding at both previous hearings, and it was read in Thomas's presence, who contented himself with the stereotyped protest, but he founded no argument on its contents and tacitly dropped that plea. But before he could launch on another Archiebald Kennedy made a further appearance, desiring once again to act as Jonet's procurator, affirming that he was a parishioner

of Glenluce and therefore entitled to act for her. This was again refused. We do not know whether the whole parish was Abbey lands, but, if not, it is possible that Archibald was a parishioner without being in the jurisdiction.

Thomas then for the first time got to grips with the real charge, and denied that Jonet was in any way bound in her tack to pay her rent within 40 days after each term under pain of being called to Court and her tack forfeited, as was stated in the precept. Whereupon the Abbot's procurator offered to prove that she was so bound at the next Baron Court on November 3, with continuation of days. Thomas then seems to have wanted to raise other points of the precept, but George Levenax, the Baillie Depute, cut him short, saying that the precept had already been read twice in the presence of Thomas and the disputed points of the precept referred to probation. This must have inflamed Thomas, who retorted that the Depute had not been appointed at the last head Court by the Baillie nor that Court confirmed in the Baillie's name, and that therefore Lennox was not a lawful Depute. The Abbot's procurator at once requested the Court not to hear Thomas on this point because issue had now been joined and the precept admitted to proof.

Baffled in his challenge of the precept, Thomas turned to its indorsation of execution and demanded its reading and proof. Again the Depute refused on the ground that the indorsation had been read along with the precept on which it was indorsed and that it had been referred to probation. Nevertheless the Court heard the officer prove both execution and indorsation. Thomas can hardly have had cause to complain of his treatment, but before the Court adjourned again he entered a protest that the execution had not been properly proven because it should have been proved after having been read and the reading had been refused.

Unfortunately we have no knowledge what limitations there may have been on procuratorship before the Reformation at any rate in the lower local Courts such as Baron Courts. Sixty years earlier Sir Robert Charteris of Amisfield was in great demand to act as procurator for his neigh-

hours before the Lords of Council, and there is no evidence that he possessed any legal training. In the Church Courts a procurator had definite qualifications, but in a Baron Court it is probable that anyone with education and facility of speech and expression was allowed to function under a deed of procuratory. Thomas was therefore probably in much the same position as a person who to-day conducts his own case in Court. In such an instance the Court invariably extends a sympathetic indulgence to the methods adopted by the amateur advocate.

At Glenluce the Baillie-Depute was certainly long-suffering, having to listen to the same arguments and identical protests day after day, and the record alone is sufficient to establish that the Court was conducted with due regard to parties and in accordance with the general practice of the Law. But Thomas was not so simple as he may have looked. He (or someone else on behalf of Jonet) had pulled off advocacy in one of her causes. All his delays and ingenious devices were directed to one end—to prolong the case in order to obtain time for an application in Edinburgh for second letters of advocacy.

When, therefore, the Court met for the fourth day's hearing on Tuesday, the third of November, it was not Thomas who appeared but Archibald Kennedy, the Earl's brother, not as procurator for Jonet, but as Sheriff *in hac parte* for the Crown acting under letters directed to him, authorising him to charge the Abbot and Baillie Depute to appear in Edinburgh before the Lords of Council on 26th November, requiring the Depute to obey the letters and not to proceed further in the case till the 4th December. This must have been a bombshell for the Abbot and can scarcely have been foreseen by the Depute, for he at once continued the case till the next day to allow him to consult his assessors who were not present in Court. On Wednesday, the 4th November, and the fifth day of hearing, the Baillie Depute announced in Court to Archibald Kennedy that he would obey the letters and continued the process in both precepts till the 4th of December.

And there Jonet and her legal difficulties fade from our ken. Whether she returned from Edinburgh in triumph or as a sadder and poorer woman we may never know. But, after all these intervening years, we have to extend to her distant shade our grateful thanks in that her troubles have preserved to us what is the only legal process known to me in which' all the details of what occurred in a Baron or any other local Court are fully set forth—on the very eve of the Reformation.

1. 1551 February 6 Summons at the instance of Galter, Abbot of Glenluce & Convent of the same, against Alexander Bailzie in Meikle Dunragat, anent production by him of a Tack made to him by the said Abbot & Convent, or by the Abbot alone, of the lands of Meikle Dunragat, to hear & see the same to be decerned to be of no avail. The Lords continue the said Summons to the . . . day of February instant.
—Acts and Decrees, VI., f. 125.
2. 1551 February 6 Summons at the instance of Gualter, Abbot of Glenluce & Convent of the same, against Alexander Clugston, Gilbert Clugston in the Wod, Gilbert Clugston, younger, Jonet McKe relict of Patrick Clugston, Gilbert Bertoun now her spouse & William Young, for wrongous occupation of the merkland of Earnane, &c., as part of the patrimony of the said Abbey. Continued to 25 February next.
—Acts and Decrees, VI., f. 126.
3. 1552 March 6 Anent the Supplication given in by Margaret Sempill relict of David Hamylton of Bromehill and John Quhitefurd, now her spouse, against Galter, Abbot of Glenluce, craving the fulfilment by the said Abbot of the Decreet Arbitral given by John Hamilton of Nelisland, Robert Stewin in Newlistoun, arbiters chosen by the said Margaret and her said spouse and Sir John Campbell of Lundy, Kt., oversman, finding that the said Abbot had set in Tack, the lands of Makilweanstoun alias Drongangour, extending to 4 merklands, to the said David Hamilton of Bromhill and the said Margaret, his then spouse and their bairns, for 19 years. The Lords grant the prayer; with Letters to be direct in four forms and the warding to be in the Castle of Rothesay in case of disobedience.
—Acts and Decrees, VIII., f. 96.
4. 1552 March 16 Registered Contact at Edinburgh 16 March 1552 between Gualter, Abbot of Glenluce, on the one part

and John Quhitfurd of that Ilk, for himself and taking burden on him for Margaret Sempill now his spouse relict of David Hamilton of Bromhill, on the other part, whereby the said John Quhitfurd binds himself to cause the said Margaret Sempill compear before the Commissary of Glasgow and by his consent transfer all right she had in & to the 4 merkland of McYlvanstoun alias Drongang in the Barony of Glenluce & Shire of Wigtoun, for which the said Abbot is to pay 400 merks. James Adamson burges of Edinburgh is cautioner for the said Abbot for fulfilling the said Contract.

—Acts and Decreeets, VII., f. 33.

5. 1553 April 29 Anent the matter advocate to the Lords of Council pursued by Alexander Clugstoun, Alexander Clugstoun, Gilbert Clugstoun, Gilbert Clugstoun, younger, Jonet McGhie and Gilbert Bertoun, now her spouse, against Gilbert McCristie, tenant of Gualter, Abbot of Glenluce and Convent of the same, of Kirkcristmyln, houses, croft, multures &c., before the Sheriff of Wigtoun and his Deputes, anent the violent ejection of the said Jonet and her colleagues, furth of the said myln on 10 June 1552. Continued to 3 June, next.

—Acts and Decreeets, VIII., f. 166.

6. 1553 July 15 Summons at the instance of Gualter, Abbot of Glenluce and Convent thereof, against Neill Adair, Henry Cornetoun, Cuthbert Dalrympill, Robert Lindsay, James Dowglas, Alexander Adair, James Tailliefeir and Andro Dunbar, all inhabitants of the town of Quhiterne, for wrongous spoliation of 32 barrells of bowtit flour, a tun of wine, furth of the house and chalmer of Dein John Mertyne, Vicar of Gelstoun, situate at the Ile and Port of Quhiterne and 340 elns of bertane clayth blecheit & unblecheit, 4 sarks of lyning, 3 pairs of schone, on the 18th November, last. Defenders not compearing, the Lords continue the said Summons to the . . . day of

—Acts and Decreeets, VII., f. 129.

7. 1553 February 3 Summons at the instance of Gualteir, Abbot of Glenluce and Convent thereof, against Alexander Adair, Neill Adair, James Tailliefeir, Henrie Corntoun, Cuthbert Dalrumpill, inhabitants of the Toun of Quhiterne, for violent spoliation of 32 barrells of Boutit flour at 50/- the barrell, a tun of wyne £24, furth of the house and chalmer of Dein John Mertyne, Vicar of Gilstoun, situate at the Ile and Port of Quhiterne and 340 elns of bartane clayth blecheit & unblecheit at 3/- the eln, 4 sarkis of lyning, price 48/-, 3 pair of schone, price 8/-. The said wyne, victuals and goods being bought and received by the said Abbot & Convent from certane Frenchmen, merchants, being in the said Toun & Port

for the time, to the furnishing of the said Abbey; after that the neighbouris of the said Toun, that was at "comoneyng with the saids Frenchmen, merchants, for bying of the saids guids and merchandice culd nocht agrie with thame and refusit to by the samyn of sic maner as wes commonit betuixt thame." The Lords decretis and deliueris that the saids persons has done wrong in the said spoliation and ordains them to restore the samen to the Abbot and Convent.

—Acts and Decrees, X., f. 90.

8. 1555 March 16 Anent our soverane Lady's Letters purchased at the instance of Gaulter Abbot of Glenluce against Jonet Gordon relict of David Crawford in Litill Park, showing he has obtained licence safe conduct & sure passport of the Queen to all merchants and mariners of France, Ingland, Irland, Ile of Man and other parts with their ships, crayaris, boittis and laiding whatsoever to arrive at any port or haven of Galloway and there to discharge the laiding of the said ships crayaris and boittis as they shall think expedient and to receive payment therefor in penny or pennyworths from the said Abbot as he shall think most expedient for the weil of the said Abbey, and so freely to pass and repass with their said ships &c. notwithstanding whatsoever acts and statutes made or to be made in the contrary—By virtue of which safe conduct William McCristyn, Michael McCristin, Wm. McCarrat and William McCarnick indwellers in the Ile of Man, solistit by the said Abbot in the month of February last arrived with ane boit laidin with colis irne & uther gudis necessary for the said Abbay at Palybank within Galloway, neirby the said Abbey to have sold the same to the said Abbot for furnishing of the said Abbey, as other inhabitants of the Isle of Man had divers times arrived within the bounds of Galloway and sold their goods to the lieges of this realm and transported goods furth of the same at their pleasure. Nevertheless the said Jonet has on 18 Febry. last detained the said persons & their ships and will not liberate them except she be compellit—Farties compeared by their procurators—The Lords decern Letters to be direct in the four forms and each form to be execute within two days, & the warding to be in the Castle of Dumbarton in case of disoëdience, charging her to put the saids persons to liberty & restore their boat & goods—Because she was charged before and failed to compear.

—Acts and Decrees, XIII., f. 110.

9. 1565 February 14 Letters purchased at the instance of John Sanderis, Vicar pensioner of Glenluce, against Thomas, Com-mendator of Glenluce, Patrick Bromehill, David Bowok, Alexander Cairnis, monkis of the said Abbey & the remanent

of the said Convent, narrating that in May 1561, the said Commendator & Convent, gave to the said John, a pension of £40 yearly, payable half-yearly, for his service, labours & ministration of the Cure of the said Parish Kirk of Glenluce and exomeration of the Abbot & Convent's charge of the same; craving payment of the said pension for 3½ years past, extending to £140. The Lords decern the said Commendator & Convent to pay the same within 3 days and the warding to be in Dumbarton Castle in case of disobedience.

—Acts and Decrees, XXXVI., f. 213.

10. [EXTRACTS FROM THE BARON COURT BOOK OF GLENLUCE, 1556: PROCESS — THE ABBOT OF GLENLUCE *contra* JONET MacDOWALL.]

Curia baronie Vallislucis tenta in capella sa[n]cte Marie . . .] Julii anno domini jm vc Lvi per Georgium Levynnax [ballivum deputatum] et suos collegos coniunctim et divisim nobilis et potent[is] domini Gilberti] Comitis de Cassillis ballivi principalis. Sectis voca[tis Curia confirmata] absentes amerciat etc.

The quhilk day Maistir William McGowin and Gilbert and forspekaris for ane venerabill fader in god Gualter [Abbot of Glenluce] and convent of the samyn pursewit Jonet MakDowell in Sonenes eftir the tennour of the libellit precept direct be the said venerabill fader and convent upoun the said Jonet, be the quhilk precept the said Jonet was summond to compeir this day in the court of Glenluce to geif answer to the samyn wyth intimatioun And comperit in jugement Maistir Johne Gyrvane quha producit ane procuratory that quhair Jonet McDowell in Sonenes had constitute and ordanit Archebald Kennedy, the said Maistir Johne, and Thomas McDowell hir oy, hir procuratouris to ansuer for hir in this court undir the signe and subscription manuale of the said Maistir Johne notar publict And the Juge becaus it is contrair the actis and statutis of the barony that ony owt tounis man suld procure for ane intunis man hes repellit the saidis Archiebold and Maistir Johne becaus thai ar na barony men And admittit the said Thom McDowell to procure becaus he is haldin as zeit ane of the barony men, and is constitute and actit ane of the saidis Jonetis procuratouris of befor in the court buik and nocht dischargit etc.

The quhilk day Maistir William McGowin procuratour foir-said protestit that quhair the Juge repellit Archiebold Kennedy and Maistir Johne Gyrvane owt of the procuratory and refusit thame to have place to procure for the said Jonet McDowell.

The quhilk day Thom McDowell procuratour for the said Jonet protestit for his just and lauchful defensis etc.

The quhilk day the said Thom McDowell producit in judgement ane act quhair the action of forfaltering movit be the abbot of Glenluce aganis the said Jonet McDowell for disponyng of hir rycht and kindnes of the landis of Sonenes and uthiris landis contenit in hir takis maid to Thom McDowell was advocat befor the Lordis and dischargit the bailze of Glenluce and his deputis to procede ony ferthar in the caus, as at mair lynth is contenit in the said act And the said bailze depute repellit the said act, becaus it twechis nocht this action and caus, for this precept was direct upoun the said Jonet for disponyng of hir rycht and kyndnes of the saidis landis maid to Male McCavet and dischargit the rycht that sche had maid of befor to Thom McDowell. Apone the [quhilk the said Thom McDowell] desyrit ane act.

The quhilk day Archibald Kennedy protestit in name and behalf of [Male] McCavet that quhat beis done this day suld nocht hurt the said Male nor titill of the saidis landis nor turn the samyn to na prejudice etc.

[The] quhilk day Thom McDowell allegit that George Levynnax was nocht creat heid court eftir Michaelmes last was and desyrit his creatioun And the said George said he wald ansuer thairfor and produce tioun quhen tyme and place occurrit.

[The qu]hilk day James McCaw officiar previt in judgement the executioun precept dewly execute and indorsate and na man said in the [contrair].

The quhilk day the said Thom McDowell allegit that the said Jonet McDowell suld be summond upoun xl dayis warnyng in the actioun of forfaltering eftir the tennour of ane act of parliament And the juge desyrit the said act of parliament to be sene, quha had nocht the samyn to be schawin And thairfor the juge repellit that allegiance.

The quhilk [day] the said Thom McDowell allegit that the conclusion of the precept differit fra the narratyve becaus it ordanis hir to produce ane tak in the conclusion, quhilk is nocht contenit in the narration And thairfor the precept is informale. And the juge haldis the precept formaill and admittis the samyn nochtwythstanding of the said objectioun And referris the sammyn to the said Maister William probatioun And thairapone the said Maister William McGowin desyrit ane act, and the said Thom McDowell protestit for remeid of law and copy of the process of court.

The quhilk day the said Maister William McGowin procuratour foirsaid desyrit the juge to assigne hym ane terme for producing of witnes to preif the contentis of the precept

Quha assignit hym the nyxt baroun court for the first probatioun, parteis and procuraturis warnit apud acta. Extractum de Libro actorum curie baronie Vallislucis per me Dominum Jacobum Halthorne notarium publicum ac scribam curie etc.

Ita est Jacobus Halthorne notarius
publicus ac scriba curie manu propria
J. [signum] H.
etc.

Curia baronie Vallislucis tenta in capella Sancte [Marie] anno domini jm vc Lvi per Georgium Levynnax ballivum [deputatum et suos] collegos conjunctim et divisim nobilis et potentis domini Gilberti [Comitis de Cassillis] ballivi principalis. Sectis vocatis curia confirmata [absentes amerciat etc.].

The quhilk day anent the terme assignit to Maister William [McGowin] for the abbot and convent of Glenluce for preving of the libellit precept persewit be the said abbot and his pro[curaturis] in Sonenes in the last baroun court at this court as the first Quha producit fowr famus previs suorne in jugement in presens of Thom McDowell procuratour for the said Jonet quha admittit the samyn viz. Patrik McCrekine in Sewchane, Paty McCrekane in Clonavy, Patrik McCalvy and Thom Bailze. The said Thom McDowell desyrit the said Patrik McCrekane in Sewchane to purge hym of partiall counsale, quha purgit hym of the samyn.

The quhilk day comperit in jugement Uchred McDowell of Burdgerg quha protestit in name and behalf of Jonet McDowell in Sonenes, that quhat beis done this day aganis the said Jonet suld nocht be prejudiciall to hir becaus the said Uchred, Archibald Kennedy and sir Cuthbert Adair was repellit owt of the said Jonetis procuratory and nocht admittit to speik for hyr, bot allanerly Thom McDowell admittit to speik for hir.

The quhilk day Thom McDowell procuratour for the said Jonet protestit for his just and lauchfull defensis.

The quhilk day the said procuratour for the abbot and convent of Glenluce producit certane ma witnes for preving of the contentis contenit in the said precept in absens of the said Thom McDowell, quha past furth of court and wald nocht compeir to heir thaim suorne The quhilk Thom was oftymes callit and comperit nocht And thairfor the juge resavit the saidis witnes and causit thaim be sworne and exemptit And hes ordanit thair depositionis wyth the depositionis aboun writtin to be closit to the nyxt baroun court as to the second for producing of ma wytnes quhilk court salbe haldin one

Tuesday viz. 3^o Novembris nyxt tocum parteis and procuratouris warnit apud acta.

The quhilk day Thom McDowell comperit in jugement and protestit that quhair the juge admittit Patrik McCrekane in Sewchane to be ane preif aganis Jonet McDowell the said Thom allegand that he was undir deidly feid wyth the said Jonet McDowell anentis the taking of the merkland of Barlocart owr hir heid as is allegit, the differenc of the quhilk merkland is in my Lord of Cassillis handis and ungevyn up as zeit.

The quhilk day Maistir William McGowin procuratour for the said abbot and convent protestit that the said exception was repellit be ane interlocutry, becaus ther was na schawing of wappinis nor straikis betuix the said Patrik and Jonet nor blude drawing bot [allenary] the said Patrik obtenand ane tak of the place of Glenluce for the payment of the said as his kindly steding And thaireftir the said Thom McDowell causit hym of partiall counsell for the tyme.

[The quhilk d]ay Thom McDowell protestit that he producit the actis of parliament . . . [de]fensis and desyrit the juge to caus ane of the saidis actis be red [de]fensis Quha refusit the saidis actis to be red be caus the mater probation and certane wytnes producit and admittit be the in jugement And be that caus the effect of the said act had na place nor auctht nocht be red in jugement.

The quhilk day the juge hes continuit the precept of forfaltering direct and execut apone Jonet McDowell in Sonenes for nocht paying of hir Wytsonday maill last bygane in the samyn fors and effect to Fryday nyxt tocum Becaus this court was proclamit wyth continuatioun of dayis And als hes continuit all uthir ordour and possess of court, as producing of witness fensis and arrestmentis to the said day parteis and procuratouris warnit apud acta.

The quhilk day Thom McDowell procuratour for the said Jonet McDowell desyrit the said precept of forfaltering to be red quhilk the juge continuit quha refusit to caus the samyn be red be ressoun of his continuatioun And the said Thom protestit he mycht nocht keip the said day to quham the said precept was continuit.

Fryday xvi^o Octobris anno etc. Lvi^o

The quhilk day Maistir William McGowin procuratour for the abbot and convent of Glenluce producit in jugement the libellit precept quhilk was continuit to this day as at mair lynth is contenit in the act of continuatioun maid thairupone one Tuesday last was And the juge causit to reid the samyn

in judgement in presens of the said Jonetis procuratour Thom McDowell And the said Maistir William persewit the said Jonet be hir procuratour Thom McDowell eftir the tennour of the said precept.

The quhilk day eftir the reding of the said precept the said Thom McDowell procuratour for the said Jonet protestit for his just and lauchfull defensis.

The quhilk day Archibald Kennedy protestit that quhair he desyrit place to procure for Jonet McDowell as he that was ane of the parrochianaris of Glenluce as he allegit and the juge refusit hym.

The quhilk day Thom McDowell procuratour foirsaid deniit simpliciter that Jonet McDowell in Sonenes was astrickit in hir takis that sche suld pay hir malis wythin xl dayis nyxt eftir ilk terme and failzeing thair of sche to be callit in court and hir said tak to be foirfaltit as is contenit in the precept And the said Maistir William offerit hym to Jonet is astrictit in hir takis as is contenit in the precept a court and ma courtis quhilk salbe haldin one Tuseday n day viz. 3^o Novembris nyxt tocum The said Jonet and Thom [McDowell] judgement to keip the said day wyth continuatioun of [dayis].

The quhilk day the said Thom desyrit the remanent of pouyntis thairrof.

The quhilk day George Levynnax juge foirsaid protestit quhar he causit reid the precept twyis eftir uthir in presens of the said Thom and the haill effect and body of the precept is quhair the said Jonet hes astrickit hir self in hir tak as is contenit in the samyn and the samyn referit to probatioun be the said Thom.

The quhilk day the said Thom McDowell procuratour foresaid allegit that George Levynnax bailze depute was nocht creat at the last heid court be the principale bailze and the court confirmit in the principall bailzeis name and thairfor is nocht lauchful depute.

The quhilk day Maistir William McGowin procuratour foirsaid allegit that the said acception aucht nocht to be hard in judgement nor admittit (*loco quo*) because litiscontestation maid in the caus and the precept admittit to the preif.

The quhilk day Thom McDowell procuratour foirsaid protestit that quhare he desyrit the indorsation of the precept be red and the execution provin And the juge refusit to caus to reid the indorsation Becaus it was red quhen the precept was red first and als the mater was referit to the probation.

The quhilk day the juge causit James McCaw officair constitut wythin the precept to preif the execution thairrof Quha previt the samyn dewly execute and indorsate.

The quhilk day Thom McDowell protestit that the executioun of the precept was nocht previn quhill the latter actis in the caus was writtin and allegit the executioun suld be previn eftir the reding of it first. Extractum de libro actorum curie baronie Vallislucis per me Dominum Jacobum Halthorne notarium publicum ac scribam curie etc.

Ita est Jacobus Halthorne notarius publicus
ac scriba curie manu propria J. [signum] H.
etc.

[Cur]ia baronie Vallislucis tenta in capella Sancte Marie
3^o Novembris [anno] domini jm vc Lvi per Georgium
Levynnax ballivum deputatum et [suos co]llegos
nobilis et potentis domini Gilberti Comitis de Cassillis
ballivi [principalis]. Sectis vocatis Curia confirmata
absentes ameriat

[The quhilk] day anent the terme assignit to the abbot
of Glenluce and his [procuratour for] preving of the twa
libellit preceptis persewit aganis Jonet Mak[Dowell] . . .
. . . this court as the second for the first precept and
as the first for the last precept And comperit in jugement
Archiebald Kennedy broder germane to my Lord of Cassillis,
quha producit our souerane Ladeis letters direct to the said
Archiebald sheref in that part And chargit the said abbot
and his bailzeis eftir the tennour of the samyn to compeir
at Edinburcht befor the Lordis of Counsalle the xxvii day
of November instant And dischargit the bailze and his
deputis to proceid ony ferthar in the mater to the ferd day of
December nyxt tocum And als requirit the bailze depute
George Levynnax to obey the saidis letters And the said
bailze continuit his ansuer in the said mater to the morn
quhill he advisit wyth his assessouris quha war nocht present
that day And that because the court was proclamit wyth
continuatioun of dayis and promist to geif his answer the
said day.

Wednesday quarto Novembris anno etc. Lvi^o The quhilk
day George Levynnax bailze depute of Glenluce declarit in
jugement to Archiebald Kennedy that he wald obbey our
souerane ladeis letters and continuit the process anentis the
twa libellit preceptis persewit be Gualtere abbot of Glenluce
aganis Jonet McDowell in Sonenes to quarto Decembris nyxt
tocum in the samyn force and effect as thai ar now parteis
and procuratouris warnit apud acta. Extractum de libro
actorum curie baronie Vallislucis per me Dominum Jacobum
Halthorne notarium publicum ac scribam curie etc.

Ita est Jacobus Halthorne notarius publicus
ac scriba curie manu propria J. [signum] H.
etc.

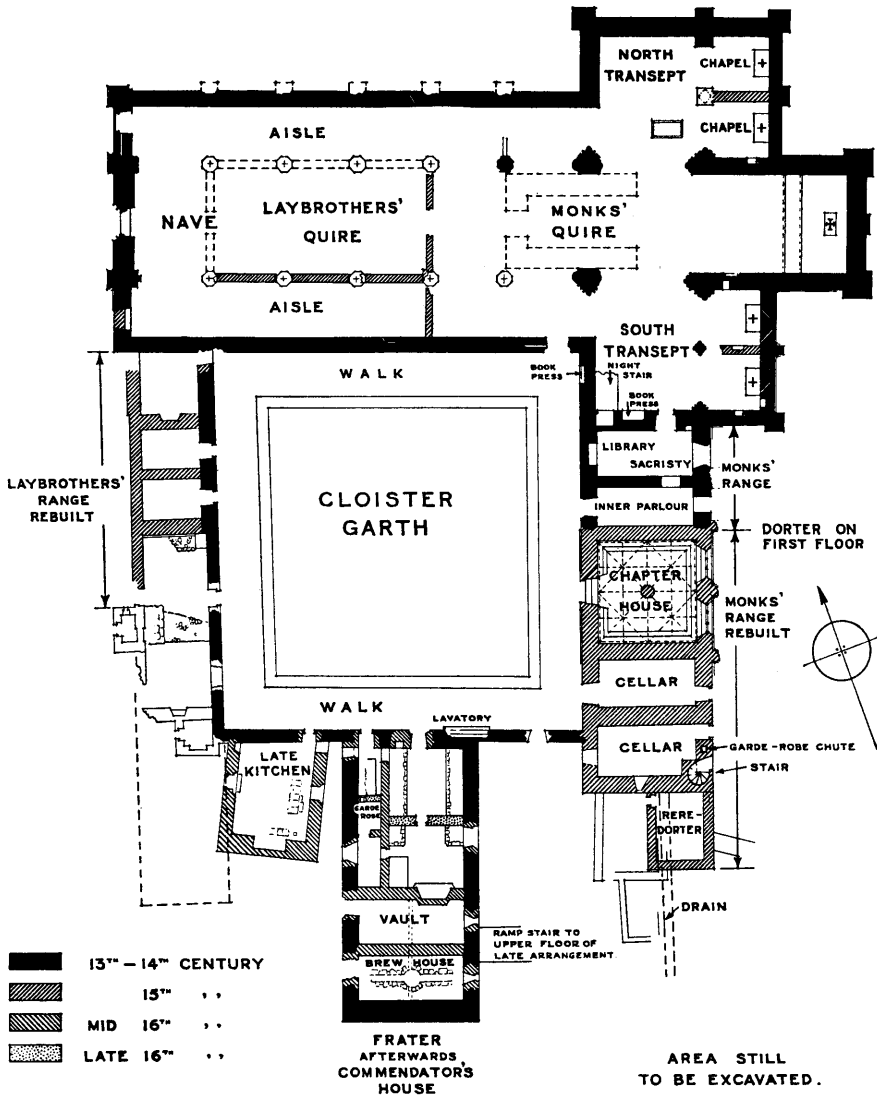
The Abbey of Glenluce.

AN ARCHITECTURAL NOTE.

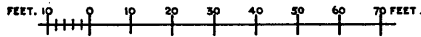
By JAMES RICHARDSON, Inspector of Ancient Monuments.

Glenluce, the seventh Cistercian abbey in Scotland, was founded in 1190, and characteristic architecture of that period may be seen in the kirk. There are traces of the development from the transitional to the first pointed style, but there have also been alterations at a much later date. The latter include the stone partitions between the transept chapels and between the nave and side aisles. At the west end there have been three doorways, an unusual arrangement in Scotland, but the southern one was evidently closed at an early period after the building had suffered by burning. No trace of a narthex has been found. The lay brothers' quire occupied three bays of the nave, while to the east of the cross partition was the monks' quire, occupying the crossing and one bay of the nave. The monks' stalls were of wood and faced inwards, the backs separating the quire from the transepts. An open timber roof covered the main part of the building, but the transept chapels were vaulted in stone. The floor of the kirk was laid with tiles, some being decorated with stamped patterns, and these have a special interest, for, apart from fragmentary remains at Melrose, they are the only mediæval tiles *in situ* in an ecclesiastical building in Scotland. Evidence of the final collapse of the masonry may be noted in the depressed and broken condition of the tile settings, and there are traces in the kirk of a fire which must have taken place at an early period.

Beside the night stair in the south transept are a book press and a door leading into the sacristy. In accordance with Cistercian planning there is only one doorway from the kirk to the cloister, the east processional doorway. Next to the sacristy is the inner parlour, which had a tiled floor and provided a through passage from the cloister to the monastic cemetery situated to the east. Adjoining the parlour is the late 15th century chapter-house, the best preserved



GLENLUCE ABBEY



H.M. OFFICE OF WORKS,
 122 GEORGE STREET,
 EDINBURGH. 1938.

Glencuce Abbey: Historical Ground Plan.

portion of the monastery. The doorway does not seem to have been designed to carry a door. The carving on the doorway of the chapter-house and within is of considerable merit and has a distinctly Scottish flavour. The stone vaulting, carried on a central pillar, displays interesting bosses, including shields bearing the Lion Rampant of Scotland and the Lion of Galloway. A boss over the abbot's seat against the east wall bears the inscription, "Requiescat in pace." On the south side of the chapter-house, and also of later date than the kirk, are two vaulted chambers, one of which has the remains of a small stair and a garderobe chute. Part of the reredorter drain has been exposed during excavations to the south. The dormitory on the first floor of the eastern range had a tiled floor.

The southern claustral range has been very considerably altered by one of the Commendators, and the frater has been divided up into a number of small chambers. In the late Cistercian manner the long axis of the frater lies north and south, and there is evidence of the lavatory on the east side of the entrance. The first room within the frater had a tiled floor and a fireplace, and has been sub-divided by a still later partition. To the south of this were two small vaulted chambers, the southermost apparently a brew-house. The apartment containing a fireplace to the west of the frater was a late kitchen.

On the west side of the cloister was the lay brothers' range, now represented only by a series of low barrel-vaulted cellars, somewhat similar to those at Dundrennan. A small building has been added in post-Reformation times, and the upper part has served as a dovecot. The site has been seriously plundered for building material, and it is possible that some was utilised for the Castle of Park, erected at the end of the 16th century by a son of one of the last Commendators. It is expected that further foundations of the monastic buildings will be exposed as the excavations proceed.

10th December, 1937.

Chairman—Mr A. CAMERON SMITH.

**New Light on the Life and Works of Robert Kerr,
the Urr Poet.**

By JOHN PEACOCK, M.A.

Robert Kerr, who was born in 1811 and died in 1848, did not publish more than three short poems in his lifetime, but after the appearance (1888) of the "Bards of Galloway," in which these pieces again appeared, his merit was recognised, and in 1891 a pretty full edition of his works was published by the late Thomas Fraser of Dalbeattie. The editor was the late Malcolm M'Lellan Harper, banker, Castle-Douglas. Since then, except for a short notice on Kerr in the *Gallovidian*, the very name of the poet seems to have well-nigh fallen into oblivion. Yet it is a great pity that this is so, as he was a true son of the muses, and withal, like Burns, a lover of his kind, this being well exemplified in the subject matter of his poems—"My First Fee," "The Widow's Ae Coo," "Nannie Bell," etc. Circumstances, however, have recently arisen which incline one to the opinion that the time has come when a new and even better and fuller life of Robert Kerr should be written. No doubt Mr Harper did his best with the material then at hand, but in his memoir of Kerr there are many omissions, and probably a few inaccuracies, or at least statements that leave a wrong impression upon the mind of the reader. For example, in Mr Harper's "Memoir" no mention is made of any romance in the life of the young poet. Yet the edition contains several love songs, and there was such a romance. Kerr had a hard upbringing and lived in the time of the "hungry 'forties," yet the economic circumstances of the family are so described by Mr Harper that after reading the "Memoir" the Rev. P. Mearns, editor of the poems of Hyslop, deliberately states that Robert Kerr was not a poor boy. Yet the late Dr. Alexander Trotter, who must have had reliable information, says in *East Galloway Sketches* that the father to begin with was only a farm labourer, and so the son, being the eldest of the family, was

early obliged to work. Those acquainted with the wages of farm labourers in Galloway a hundred years ago will understand these things. An additional reason why a new edition of the poems is necessary may be found in the fact that one poem, "My First Fee," has been so sub-edited by Mr Harper as to spoil much of its merit and beauty. We ourselves possess a MS. copy of this ballad, written down in 1866 by a cousin who was four years at Redcastle, where Kerr died, and the text differs in several respects from that of Mr Harper, though, curiously enough, identical with that to be seen in the first edition of Harper's *Rambles in Galloway* (published 1876). Additional interest was added when we happened to read in Mr Mearns's "Memoir" of Hyslop that there was still a third version. This is given by Mr Mearns, and will be found in Hugh Macdonald's *Days at the Coast*. Mr Mearns alleges that a Mr Rogers of Greenock, who meditated writing a life of Hyslop and had gathered material for the purpose, claimed the authorship of the poem, whose title he gave as "The Five Shilling Fee," for Hyslop. Mr Mearns, however, is unable to substantiate the claim, and somewhat grudgingly relinquishes it in favour of Kerr. But which of the three versions was authentic? Not having the original MS., our only resource was to turn up the files of the *Dumfries Courier* of 1843. This Mr Shirley kindly did, and our own copy proved to be the correct one. It will be found in the *Gallovidian Annual* for 1937. Mr Harper had taken undue liberties with the text. We now proceed to give the salient facts in the poet's life.

From an excerpt of the birth certificate obtained from the Registrar-General of Scotland we learn that he was born at Midtown of Spottes, in the parish of Urr, on 2nd September, 1811, his father being Robert Kerr, a native of Dunscore. The record also states that he was baptised on the 7th September. His mother's name is given as Janet Shannon. This should have been rendered Shennan, however. She was of Kirkpatrick-Durham, a village which boasted of a rhyming chronicler called Robert Shennan, who in 1831 published a volume of poems. Dr. Trotter thinks there may have been a relationship here.

The family consisted of four sons and three (not two as Harper says) daughters. The sons were Robert, James, Samuel, and Thomas, the daughters Jessie, Elizabeth, and Mary. None was long lived, Samuel surviving all the others and dying in 1875 at the no great age of 59. The names may be read on the family tombstone in Urr Churchyard. From the dates carven on the stone we conclude that the father was twenty and the mother twenty-nine years of age at the poet's birth.

The Vale of Urr is quite a fitting background for a poetic life, and the district round Spottes especially so. Wooded slopes and fertile fields, partly in crop, partly covered with flocks and herds, meet the eye to-day as they must have met the eye of young Kerr three generations ago. But most of the cattle in his day, even the cows, were black in colour, and in autumn the crops of oats and barley would be cut with the reaping hook. A certain amount of social life existed. Through the village the stage coach also passed twice a week in each direction. There was the Parish Church, and a U.P. Church in Hardgate. These were not only centres of religious life, but social meeting places. Farmers and ploughmen would forgather before sermons and discuss crops and weather and local news. The parish had strong Covenanting traditions, and the people were liberty-loving. This was evidenced by the existence of the U.P. Church already mentioned. The parish school was situated in Hardgate, and there, under a good teacher named William Allan, young Kerr received a good education. Even during his school days he indulged in verse-making, reciting his pieces to an admiring crowd of schoolmates.

In these days the salaries of the teaching profession are the envy of less favoured mortals, but one hundred years ago the case was quite different. William Allan had at first a salary of 200 marks Scots, equivalent to about £11 in sterling. As far back as 1696, in the old Scots Parliament before the Union of 1707, an Act had been passed setting up a school in every parish, and fixing the minimum and maximum rates of salaries. This law re-

mained unaltered, in spite of repeated memorials to Parliament, until 1804, when the maximum was raised to 300 marks. From Dr. Frew's admirable *History of Urr Parish* we learn that in 1829 Mr Allan's salary had been raised to £22 9s 9d! From the *New Statistical Account of Scotland* we learn that in 1845 there were 80 pupils in Hardgate School. In 1837 there were 259 pupils in the three schools of the parish, besides 227 in private schools, a total of 486, which out of a population of 3096 gives 16 per cent. attending school. In rural Scotland great value was placed on education, in spite of the poor salaries of the parochial schoolmasters, whose services to Scotland, in the opinion of the late Sir Henry Craik, were never adequately rewarded. It is certain that Mr Allan, who taught at Hardgate for 40 years, was worthy of a better salary, and it is equally certain that he had his reward in seeing his former pupils getting on in the world, even becoming famous, as in the case of young Kerr. Robert was not only what has been termed a "lad o' pairts," but he was in a sense ambitious. After leaving school he worked for a time at farm work, but seeing an advertisement in the *Dumfries Courier* in May, 1826, for a packman in Colchester, he applied and was successful. But how was a lad of fifteen in those days to get the length of Colchester? No details are given in the "Memoir" or elsewhere, but we met an old lady (July, 1937) of Dalbeattie who informed us that her grandmother, a Mrs Hume, a neighbour, whose son also was going to the pack, took the lads in the stage coach all the way to London, and saw them nicely settled before returning. Nowadays the "Coronation Scot" does the journey from Glasgow to London in 6½ hours, but in those days the railway was only one year old and did not reach Dalbeattie until 1859. Kerr may never have seen a locomotive.

From an entry in his diary, quoted by Mr Harper, it appears that he left home on the 25th May, 1826. From certain articles by Dr. Maxwell Wood on "Coaching Days in the Olden Times" we learn that in 1826 a stage coach ran between Glasgow and London, a distance of

405 miles, in 65 hours, the fare £4 16s; also that on 31st March, 1826, a new coach started from the King's Arms, Dumfries, via Dalbeattie, going to Kirkcudbright, and returning on 4th April to Dumfries in time to catch the coach for Carlisle and London.

Robert remained in England for nine years. His brother James also became a pedlar, but seems to have traded from Ipswich, where he and two of his sisters died. Mr Harper states that the trade was a hard and uncongenial one for Robert, but we fail to agree that he was not a success at it. Light on his attitude to it may be got by a reading of a very poignant description of one day's experience on his rounds, entitled "The Pedlar and his Pack." Whether he made much money in England may be questioned, but our cousin, who served at Redcastle from 1862 to 1866 and who secured us a copy of the "First Fee," told us that it was through the money the sons made in England that the father was able to take the farm of Redcastle. Knowing the scarcity of money in rural Scotland in those days, and the poor reward for labour, much of it being still in kind—meal, potatoes, cow's grass, etc.—we cannot see how it was otherwise possible for the father, till then a ploughman, to have taken so large a farm. From the researches of Mr Patrick Gifford, factor on the estate, we learn that in 1856 there was a second lease arranged between the trustees and Robert Kerr, then in Redcastle, and as leases were then of 19 years' duration, the entry into the farm must have been some time in 1837. As Robert returned home to Haugh in 1835 it is evident that he looked around and helped his father in taking and afterwards working the farm. He did not return to England, but continued, like Burns, to follow the plough, and at the same time cultivate the muse. The farm which his father leased formed part of the estate of Redcastle. Why so named one cannot say, for there is no trace of any fortified edifice upon it. In the sixteenth century it passed from the Herries family to the Maxwells. William, fourth Lord Herries, left no son but three daughters. The hand of Agnes, the eldest, was sought for his son by Lord Maxwell. But the Regent Arran destined her for

his son. This enraged Maxwell and led to his going over to the English side and making a treaty with Lord Scrope, the English Warden of the West Marches. Maxwell had to give up fifteen of his kinsmen as hostages for his good faith. On Arran later renouncing his claims, Maxwell returned to his allegiance, but it cost the lives of the hostages. Remorse led to the building of Repentance Tower in Annandale. His son John, fifth Lord Maxwell, married Agnes Herries, and so acquired the Redcastle estate. In 1627, we learn from Robertson's account of the parish of Urr, the farm paid a rent of 800 marks, equivalent to £45 sterling. From M'Kerlie's *Lands and their Owners in Galloway* we learn that in the seventeenth century it had come into the possession of Robert Laurie, proprietor of Maxwelton estate, Dumfriesshire, and father of the celebrated Annie Laurie. He was created a Baronet of Nova Scotia in 1685, when Annie was only three years old. The name is given to the only hotel in the Haugh, the "Laurie Arms." The present proprietor, whose son was King's prizeman at Bisley in 1937, is descended from the same family, his mother being a Craig-Laurie.

Whether our young poet knew much of local history we cannot tell. He seems indeed to have been more concerned with the work of the present than with the romance of the past, and to have studied the lives and sympathised with the struggles of his poorer neighbours rather than court the favour of the great. He may be said to have recorded the short but simple annals of the poor, for the subjects of his muse deal mostly with pathetic episodes in the everyday life of his neighbours. Pathos and not humour is his chief characteristic. Regarding his own life, seldom is the veil withdrawn, but Mr Harper, in the memoir, does give us one glimpse, and a very interesting one. In the year 1839, "The Gentle Shepherd," a pastoral play by Alan Ramsay, was acted in the village of Haugh, the stage being erected in a local barn or smiddy, and our poet composed a prologue for the occasion. We are not told who the actors were, but imagination can conjure up the scene

as the company assembled and crowded into the small theatre to enjoy, and no doubt also to criticise, the performance.

There was another event at which Kerr was present and took a leading part in the entertainment. It is not mentioned by Mr Harper, but we have it on good authority, for it was the marriage of an uncle of our own, David Peacock, to Jean Duncan. The bride was nineteen and the bridegroom twenty-one, and the year was 1847. William Haining, the bachelor farmer of Threemerkland, gave the wedding. We attach considerable importance to this event, for we believe that Kerr here met a young lady with whom he afterwards corresponded. This was Agnes Marchbanks, of whom no mention is made in Mr Harper's memoir. The Marchbanks at that time farmed Buittle Mains and were very intimate with their neighbours of Redcastle. There was an affinity of taste between the families, members in each being literary and musical. It cannot be doubted but that the Marchbanks, or some of them, attended the wedding at Threemerkland, at which Kerr sang some of his own songs and was foremost in the dance. He was then thirty-six, and in the best of health. In Whitsunday of next year our poet was installed in a farm near Garliestown, in Wigtownshire. Why leave the paternal roof? Is the explanation not to be found in a love affair? Was it not the desire to find a home for his lady that prompted Kerr to take this farm? We believe this to be the case, though a certain amount of mystery surrounds the affair. But the late John Rae, one of the founders of the *Gallovidian*, once informed us that it was a fact that Agnes Marchbanks, married later to an uncle of his, Tom Rae, who had a farm near Sligo, Ireland, possessed a bundle of letters of Kerr's which she would allow no one to peruse. This corroborates our view that Kerr had a love affair and that his taking the farm in Wigtownshire was meant to precede his marriage to Miss Marchbanks. Two sisters were in England, the remaining one at Redcastle, so it is patent that when the poet took the farm he had a partner in view, and that partner was Agnes Marchbanks.

No doubt the farmer poet, like Burns at Ellisland, was anxiously awaiting the day when the young lady, now twenty-one, would become his help-meet in his new home. But it was not to be. A cold, caught when bathing, developed into consumption, and he returned to Redcastle only to die (30th September). In the *Gallovidian Annual* for 1937 is shown the facsimile of a letter dated 9th August which Kerr wrote from Boghouse, his Wigtownshire farm, to his brother James, which shows plainly that our poet knew that his days were numbered. These are the few but salient facts about the life of Robert Kerr. His character can best be understood from a study of his poetry.

Good poetry reflects the prevailing spirit of the age, and even from the few short pieces that appear in the 1891 edition (by no means complete), the truth of this will be evident. It was the period after Waterloo and before Free Trade had got into its stride. Poverty, unemployment, and consequently political unrest were rife. Hardship had to be endured, for as yet there was no cure, the collections from the parish church proving quite inadequate. Before the passing of the Poor Law of 1845, the number of poor people requiring relief had greatly increased. From Dr. Frew's book we learn that in 1814 thirteen poor were on the roll, and the cost was £52 or £4 per head. In 1833 there were forty, costing annually £120. In 1849, according to the *Statistical Account of Scotland*, there were 185, including eleven orphans, and the sum expended was £973 3s 2½d, or £46 9s 10d over the assessment. Figures, however, only give one a faint idea of the state of the poor in those days, so well designated the "Hungry 'Forties." Keeping these things in mind, we can the better understand and appreciate the titles of Kerr's poems, and picture to ourselves the lives of the country folk, who, in spite of all, showed heroic qualities and a spirit of independence which many think is sadly lacking in these modern days. First in interest comes the ballad, "My First Fee." This gives the story of a young lad, son of a widow, who herded kye for six months, and received for wages a pair of new shoes and the sum of five shillings!

Not only tenant bodies, scant of cash, but lairds themselves were poor in those days. But lairds were a favoured class and could get Government grants, as for drainage, following an Act of Parliament of 1842. In connection with some draining operations in or near Redcastle, an old oak was found in a moss, and suggested some thoughtful lines from Kerr. "The Widow's Ae Coo" and "Nanny Bell" are pictures of honest poverty.

But rural life had its bright side, even in winter. Curling was not only an enjoyable sport, it was one at which laird and tenant, master and man, met on equal terms. In "John Frost," perhaps the best example of word painting in literature, our poet describes the game. The custom of the loser in a game forfeiting a boll of meal or a ton of coals for behoof of the poor was a feature of the game. The last verse, which gives a picture of a spring day after the thaw, is worth quoting for its beauty and trueness to Nature :

"Noo the pleughman is turning the clod o'er again,
 And prood is the gull and the crow;
 The daisy's beginning to peep on the plain,
 And the burns are run aff wi' the snaw.
 The paitrick at e'en is mair sweet in his cry,
 The lavrocks are tuning their notes in the sky,
 And a thousan' young flooers will be here by-and-by,
 Oor thanks to auld General Thaw."

Our poet was not only a lover of his kind, but, like Burns, a lover and keen observer of Nature.

Like Burns, also, he had an eye for the humorous or inconsistent, as may be seen in the lines on the case of the Rev. Andrew Fyfe, colleague of the Rev. Peter Thomson, first minister of St. Mary's, Dumfries. According to Mr Shirley, the facts of the case are these: Mr Fyfe had been minister of the Relief Church since 1807, and in 1835, to free himself from financial troubles, a move was made by him to join the Church of Scotland. Most of his people agreed, and the Dumfries Presbytery, without consulting the Crown or the General Assembly, met on the 4th August and admitted him. "Mr Fyfe, who rose that morning a

Relief minister went to bed a minister of the Church of Scotland," and arrangements were made to form the Relief Church into a new Parish of Dumfries. The minority of the Relief Church then took action, and obtained a warrant from the Sheriff to exclude Fyfe from that Church. He and his followers betook themselves to the Court-House. The Presbytery then set about building a new church—the present St. Mary's—the foundation-stone being laid on 24th May, 1837. It had been agreed that Fyfe should be the minister, but he was now fifty-one years of age, and was not very popular as a preacher. The Rev. Peter Thomson was made first minister, and Fyfe had to accept the subordinate position of colleague at a salary of £30 and the right to preach in the evenings and receive the collections. He was not permitted to dispense the sacrament. The case must have made considerable stir at the time, for the religious atmosphere of Scotland was highly charged, the controversy about the legality of the Veto Act leading ultimately to the Disruption in 1843. Kerr had partaken of the prevailing excitement, and this led to what one might term an ecclesiastical squib. This is it :

“ When Kings said organs should praise God,
 It raised our fathers' bristles,
 Their very life blood dyed the sod
 To keep out kists o' whistles.
 But oh, how changed from it was,
 Our kirk there's so much strife in't,
 Her very clergy's mad because
 They canna place a *fife* in't !

So far the poems we have mentioned, and one omitted, viz., “ Maggie of the Moss ” — the story of a witch — illustrate the social and religious conditions of the South of Scotland in the third and fourth decades of the nineteenth century. They may be likened to the fossils found in certain rock formations or strata. Just as these indicate to the student the relative position and age of the rock, as well as the animal life that prevailed in the sea in that particular period, so the productions of a true poet are not the mere play of his imagination, but a transcript of contemporary

manners, and an index to his own character. In the former class may be included "Maggie of the Moss," "My First Fee," "The Widow's Ae Coo," "Nanny Bell," "The Pedlar and his Pack," and one or two more. In the latter class we have one not yet referred to, viz., "An Autumn Eve." This is modelled on the "Vision" of Burns, where the genius of Scotia appeared and threw her inspiring mantle over the poet, as figured in the sculpture of the Mausoleum in Dumfries. Kerr relates how, after a hard day's work with the reaping hook, then common in the harvest field, he had ascended a wooded height whence he had a magnificent view of the sunset over the Buittle hills. Falling into a reverie he dreams that two goddesses appear. They are tall and beautiful, and of benign aspect. One is the genius of agriculture, the other that of poetry. The latter explains the object of their visit, chiefly one of encouragement for the poet. "'Tis better to be lowly born and range with humble livers in content," for humble circumstances are no bar to happiness or fame. One verse might almost have been written by Burns :

"'Tis not with rich, 'tis not with great,
'Tis not with rulers of a state,
'Tis not with those whose lucky fate
In power excels
That happiness has greatest weight
Or chiefly dwells."

In like strain was the parting advice of her sister, genius of agriculture :

"As parting word—in whate'er land
You choose to roam, make this your plain,
Let nought that would ashame the man
Your theme divide,
But grow aye closer, if you can,
To Virtue's side."

These are not mere words, but express the sentiments of the author.

In the verse immediately preceding that last quoted occur some rather significant words :

“But if again Fate should decree
You leave your native spot and me,
In foreign lands to follow thee
Is past my power.”

These lines seem to suggest that Kerr may at one time have thought of emigrating. Our own father, a few years younger, once told us that he meditated doing so himself, but changed his mind. We know that after the Disruption the Rev. Thomas Burns of Monkton, Ayrshire, nephew of Robert Burns, led a contingent of Scottish emigrants to New Zealand. His statue, not far from that of his uncle, stands in a square in Dunedin. Kerr, however, instead of emigrating, took, as we have said, a farm in Wigtownshire. He entered on occupation at Whitsunday, but returned in autumn of the same year to die at the paternal home at Redcastle (30th September, 1848). He was only thirty-seven years of age.

17th December, 1937.

Chairman—Mr R. C. REID.

The Seashore.

By RICHARD ELMHURST, Millport Marine Biological
Station.

Mr Elmhurst gave a most interesting address on the various creatures that may be met with on an ordinary stretch of Scottish west coast seaboard, showing the difference in marine life on sandy, rocky, and other types of shore, and added a short account of the life history, food, habits, etc., of typical creatures found there, e.g., limpet, mussel, cockle, etc. Admirable lantern slides illustrated his descriptions.

7th January, 1938.

Chairman—Mr R. C. REID.

The Mundells in Tinwald.

By A. CAMERON SMITH.

This paper will appear in next volume.

28th January, 1938.

Chairman—Mr ROBERT MAXWELL.

Tree Sparrows Nesting in Dumfriesshire.

By O. J. PULLEN.

Last year it was my privilege to read you a paper giving a full report of how we had been able to confirm the long suspected breeding of the Goosander in Dumfriesshire. This year I am glad to have the opportunity to report on the breeding of another bird which is new to the county. The Goosander is a large, brightly-coloured duck with remarkable powers of swimming and diving, an attractive bird to describe; but to-night I have to talk about a small, inconspicuous and to some of you, perhaps, uninteresting bird—the Tree Sparrow. Yet, in some ways, the fact that the Tree Sparrow may now be seen in some numbers in Dumfriesshire and that several pairs are nesting successfully, is, to me, a more interesting record than the nesting of the Goosander, for this big diving duck has always visited Dumfriesshire in winter and for some years now a record of its nesting has been expected. The Tree Sparrow, on the other hand, has, as far as I can make out, never been seen before in the counties which naturalists call the Solway Area. Mr Gladstone, for instance, in his *Birds of Dumfriesshire*, wrote: "I have not yet received sufficient evidence to enable me to include it in this avifauna of Dumfriesshire"; and in other bird books and in magazines I can find no record of its appearance in our district.

It is possible, of course, that it has been overlooked in the past, so strong is its resemblance to the House Sparrow,

but we must remember that ornithologists throughout Scotland have found it a bird of very uncertain occurrence, and recently it has disappeared from districts where formerly it nested in considerable numbers, while there are several recent records from new localities. There seems every prospect, therefore, that the little colony now so firmly established at Annan has only been formed in the past few years.

First, then, to describe the bird and to compare it with its near relative so that anyone interested may be in a position to identify the bird and so be able to let us know when colonies become established in other parts of the Solway area.

The Tree Sparrow (*Passer montana montana*) has size, plumage, and general body-build and habits which most people would consider indistinguishable from those of the House Sparrow (*Passer domesticus domesticus*). When we look closer, however, and become familiar with the bird there are many points of difference.

It is slightly smaller with shorter wings, legs, and tail, and its body is less stout and altogether much neater than the House Sparrow's. Both are handsome birds when their plumage is unsoiled—I often admire the markings of the feathers of the common House Sparrows we see in the country—they only become sooty little street-urchins in towns. The hen House Sparrow differs markedly from her mate, for she is just a plain little figure in brown and grey, whereas the hen Tree Sparrow is exactly like her mate. This curious feature is indeed one of the most useful for identifying the Tree Sparrow, for if a pair can be watched going about their domestic affairs and their plumage proves to be identical there can be little doubt of the species. It is, by the way, a feature which stimulates thought, for why should Nature have given cock House Sparrows mates with such different plumage while the hen Tree Sparrows are indistinguishable from their mates? What possible "survival value" could such a feature have in the "struggle for existence"?

The cock House Sparrow has forehead, crown and nape of its head pure French-grey in colour, and this grey patch

is marked off by a chestnut band round the back of the neck which is continuous with chestnut patches at the sides of the neck and chestnut streaks behind the eyes. Cock and hen Tree Sparrows are distinctly different here, for they have the whole crown and back of the neck magenta-chocolate—almost coppery. The mantle and scapular feathers of the House Sparrow are streaked with an elaborate pattern of black, chestnut and buff which merges into the black and brown pattern of the primary feathers of the wings and is matched by the black and brown feathers of the tail. These black and brown mixtures surround the grey patch of the back, rump and upper tail which is so conspicuous when an amorous cock Sparrow squats and pirouettes with slightly spread and fluttering wings in front of his intended mate. In these regions the Tree Sparrow again is different, for, although the feathers of wings and tail are black and brown, the back, rump and mantle feathers are brownish and yellowish-brown.

Both birds have light under-parts, but the House Sparrow always looks dirty underneath because his breast and belly are dull white, whereas the Tree Sparrow looks cleaner because the white of its breast and belly is purer.

The pride of a House Sparrow is the black bib beneath his chin, for in the breeding season the black area extends well down the throat and on to the upper breast and is very glossy and smart—in winter it is less extensive because the feathers when new-grown have whitish fringes and become abraded as time passes, so exposing their full beauty in the early spring. In the Tree Sparrow this black patch is also present but it is only on the throat and does not extend on to the upper breast, so is much smaller and less conspicuous.

The cheeks of the House Sparrow—sides of neck and throat the ornithologists would call them—are greyish-white like the under-parts, but in the Tree Sparrow these cheeks are whiter and in the middle of each cheek is a large patch of black feathers—a very distinctive feature—and there is a thin black line beneath the eye.

The only other differences in plumage are not easily seen

unless the bird is in the hand or, at least, under close observation. They are — two light, buffish-white bars on the wings instead of one as in the House Sparrow and flanks which are smoky-brown in the Tree Sparrow, dull-grey in the House Sparrow.

The “impudent familiarity” of House Sparrows has made us all familiar with their habits. Almost throughout the world the cheeky yet likeable House Sparrow accompanies man, yet bold as Sparrows may seem they are always wary and rarely allow themselves to get on too intimate terms with man upon whom they are so dependent for food and shelter. Their call notes need no description, for all must know the noisy, challenging “chissick-chissick,” or “philip, philip,” the conversational “tchirp” and the “tell-tell” cry by which they express their alarm.

The Tree Sparrow is much more shy and retiring and its notes, though similar to its cousin's, are shriller, less confident, and have something wild about them. Tree Sparrows have the double “philip” note, but utter it less forcefully and their chirp becomes “cheeup” or “chup”—a tchirp without the “r” sound. In flight they often utter a sharp “teck-teck” sound.

The large untidy nests of House Sparrows may be found in almost any kind of hole, sometimes even in holes in trees, but the Tree Sparrows' nests are smaller and are usually in holes of trees or in ivy-covered trees, in haystacks or thatched houses, but sometimes they use holes in walls, quarries, or the burrows of sand martins. Their eggs are smaller and browner in colour, and, whereas House Sparrows breed at almost any time of year, the Tree Sparrows seldom lay their eggs until May or June.

Now a note on Distribution, for this is so peculiar that it gives importance to the new record for Dumfriesshire. Miss Rintoul, the well-known Scottish ornithologist, kindly wrote to me on this subject, and it is upon her letter that I base my remarks. As I have already stated, there is no previous record for Dumfries, Kirkcudbright, or Wigtown—Miss Rintoul confirms this—and the bird has only appeared

irregularly at a few places in Ayrshire. It seems to have nested sporadically in various places in the Clyde area, and it used to breed, for instance, on the Isle of Bute—a colony of about 20 pairs once established itself in the ivy and rock crevices of the cliffs, but in a few years they were all gone. Deserted nesting places like this are common in the east, too, but the bird has increased in the Edinburgh district and several new colonies are well established there. Briefly, in Miss Rintoul's words, its status in Scotland is puzzling, and changes from year to year as it disappears from some favourite haunts and appears and establishes itself in other quite new ones.

It was in April, 1937, that Mr Jack Dickson, of Annan, wrote to tell me that Tree Sparrows were nesting in an old ash tree near the town. I will read from his letter and let his own words tell the story of his discovery. "I have been a keen student of birds all my life," he wrote, "and have seen many thousands of the ordinary House Sparrow, but I never had seen the Tree Sparrow till a little over a year ago. At that time my attention was attracted to two strange birds, firstly by their strange chirp. As time went on and I was seeing them every day, I knew they must be nesting near at hand, but it was when the young birds were nearly ready for flying that I found out where, by watching them carrying food to them, when I was feeding my hens. The nest was in a hole in a branch of an ash tree, and they had two broods last year. I happened to tell my brother about them when I was visiting him last summer, and he told me what they were. He had a bird book which contained some good prints of them and also gave a full description. I have seen a pair of them daily all winter, and several times last week I noticed three together, so I am hoping they nest again in their old site."

On May 23rd, 1937, he wrote to say that they were nesting again in the old site in the ash tree and that both birds—he had noticed that cock and hen were alike in plumage—were carrying food from the hen troughs to their nest, so that the nestlings were already hatched.

The weather was stormy and wet when the young left the nest, and only one nestling survived to come and feed with its parents on the dry-mash Mr Dickson puts down for his hens—both House and Tree Sparrows seem very fond of this food. Soon Mr Dickson saw the two birds mating again. (Note.—The mating of two birds with identical plumage was again evidence—if more evidence was needed—that we were dealing with Tree Sparrows.) The first nestling left the nest on June 2nd; the second lot—three nestlings—on July 4th; and a third brood of two chicks left the nest on August 13th, and on each occasion much of the food was garnered from the troughs of hen food, and the young were brought eventually to be fed and to feed in full view of Mr Dickson's watchful eye.

Then, besides this couple and their offspring, Mr Dickson had visits from another pair, and later, on two occasions, he saw other broods and single birds in other parts of Annan. One day in Autumn, he tells me, before the leaves fell, there was a great gathering of Sparrows in the favourite ash tree, and though they were probably not all Tree Sparrows, a large number were, for he could tell them by their voices, which, as an ex-gamekeeper, he was well-qualified to pick out from the general medley of sound.

When I paid a visit to Annan to see the birds I was soon convinced that the record was a genuine one, and I found Tree Sparrows charming little birds to watch. All the features of plumage I have mentioned could be easily seen, and I was quite surprised to find how different they were from the House Sparrows which were present in large numbers round the nesting site. House Sparrows seem to have a distinct neck between the big head and the stout body, but the Tree Sparrows' heads fit neatly on the slim body with no distinct neck to separate them. In flight, too, the birds seemed to differ markedly from their cousins. House Sparrows are bustling and somewhat clumsy on the wing, but Tree Sparrows bound along on twinkling wings after the manner of goldfinches. I soon became familiar with their call-notes, and one they utter when on the wing seemed

most distinctive. It had a finch-like quality, and I put it down in my notes as a sound which might have been produced by some stringed instrument.

Some naturalists have suggested that the real reason for the scarcity and sporadic occurrence of the Tree Sparrow is the competition with their relatives, but the House Sparrows showed no disposition to bully them, and Mr Dickson only once saw House Sparrows attempt to drive the Tree Sparrows out of their nesting hole. It seemed rather a small hole for House Sparrows, however—it was a hole which had formed by decay at the spot on a big branch where a smaller one had been broken off—and it is possible that any site which would be suitable for House Sparrows would be taken over from the Tree Sparrows, so there may be some competition for nesting sites.

Now, with a new breeding season approaching, it is pleasing to hear that a pair of Sparrows is roosting in and paying regular daily visits to the favourite site in the ash tree and that Mr Dickson often sees as many as four together near the tree. It seems, then, that the colony of Tree Sparrows at Annan shows no sign of decreasing, and that there is every prospect of the birds becoming established as a regular breeding species in that part of the county.

Geology of Annandale.

SUCCESSIONS OF SEDIMENTARY ROCKS.

By MAX LAIDLAW.

River Annan as a History Book.

The River Annan provides a variety of interests. From its source in the Devil's Beef Tub to its mouth at Newbie it cuts sedimentary rocks which have been laid down in successive eras, each eloquent of the geographical conditions of their age. We are living to-day on the result of millions of years of slow change, due doubtless partly to the cooling of the earth with its accompaniment of change in local climatic conditions and partly to terrestrial and subterranean upheaval. Basing our inquiries on the actual evidence

furnished by the rocks, we may follow, step by step, this strange history backwards with almost as much certainty as we trace the progress of the Romans over the ancient world, or the Angles, Saxons, and Jutes in England.

Ice Ages.

At one time a large part of Britain became overlaid with ice. The huge ice-sheet or glacier moved slowly, and in doing so ground away much of the existing rocks. The last ice age modelled the earth into something like its present shape and form.

Devil's Beef Tub Area.

The River Annan rises in that peculiar formation, the Devil's Beef Tub, and from there right down to near Johnstone Church a deep, clear valley is apparent.

An Extensive Table-Land.

The Devil's Beef Tub forms a part of a high Silurian table-land which stretches from Portpatrick across the country to St. Abb's Head. This extensive belt consists almost wholly of massive grits, greywackes (whinstone), flags, and shales. Those rocks are the deposits of a great deep sea which once existed over that part of the country. The Silurian strata, however, having been subjected to extensive lateral pressure, bent, squeezed, inverted, and often cleft, are complicated. There is little evidence of extreme metamorphism. The hills have taken shape mainly through erosion of the valleys, not through any great upheaval, although in certain instances this has been one of the factors in the shaping of the land.

Silurian Rocks Near Moffat.

Around Moffat there is a large zone of black shale, accompanied with deep-sea deposits, with grey shales and yellow shattery clay bands.

The hills which form the Devil's Beef Tub are of Llandovery (Silurian) rocks. The Llandovery series of the Silurian period are the oldest rocks of that period and are next above the last of the Ordovician. The series consists

of sandstone, limestone, and conglomerate and red and green shales. The Wenlock series, which occur further south in the Annan valley, are those that follow the Llandoverly, and so are younger. They consist of limestone, grey shales, and fossiliferous limestone. There is an outcrop of basalt to be found running through the north-eastern hills which form the Devil's Beef Tub basin.

Permian Breccias.

As the valley opens from the Beef Tub Permian breccias are to be found. Those last for about a mile and a half. After that the Llandoverly rocks come close to the river. The valley widens gradually to Moffat. Opposite the site of the old hydro the Permian rocks are again in evidence. Near the river the soil is fresh water alluvium, but bordering the valley the Permian breccias can be seen. At Woodend Church the breccias disappear and the Llandoverly rocks are again to be found near the river banks. They are in evidence for over a mile downstream, and then the river enters a large Permian plain.

A line of basalt cuts the Annan valley below Moffat. Volcanic tuffs of the Permian age are also to be found in this area.

Breccias comprise the Permian rocks in the Annan valley. They are largely made up of fragments of limestone and other older rocks exposed during an earth movement, often screes weathered by frost from the limestone cliffs and consolidated by cement when buried under the succeeding sediments. There are few fossils in the Permian rocks and also few fossils in the lower Triass.

Mid-Annandale.

At Johnstone Mill the river enters a large Permian plain which is in part covered with recent fresh-water alluvium. This plain stretches from Kirkmichael Mill in the west to Johnstone Mill in the north, and from a point north of Lockerbie in the east to near Dormont, south of Hightae, in the south. When the river enters this section it turns and twists in an ever-changing course. Its movement is sluggish,

and in the season of heavy rains it floods easily, bursts its man-made banks and puts under several feet of water acres of land.

Marshes of Templand and Hightae.

The land is too boggy to be of much use for agricultural purposes. Such an example is Hightae Moss and the acres of waste land near Templand village. Where the River Annan itself drains the land good soil is to be found, and some very valuable farms stand on its banks. There is some fine arable country on the alluvial deposits near Hightae.

Igneous Rocks of Dormont.

Between Smallholm and Dormont the Permian rocks disappear, and the Silurian rock, which surrounds the southerly part of the Permian plain, closes in on the river and for about half a mile is cut by it. At this point the Annan ceases to flow north-south and takes a turn to the east. At Dormont it cuts a fault and then flows over hard, igneous rock, marked on the geological map as porphyrite. This igneous rock is of the Carboniferous age. The lava flow is traceable between Tarras and Birrenswark, and sites of volcanic activity are seen in Tarras, Liddel, and Ewes dales. Birrenswark hill is simply a mass of lava standing up through a bed of Upper Old Red Sandstone. The belt runs south-west through Liddesdale and Annandale, and is seen again near Criffel.

Hoddum Parish.

After passing those igneous rocks the river flows over Carboniferous sedimentary rock from about a mile east of Dormont until it very nearly reaches the town of Annan. As it crosses the igneous rock it cuts a deep chasm which seems totally to be due to the action of the present river. It then enters a triangular-shaped valley or what would seem a junction of two valleys. In this valley there is evidence, in the western section of it, of older fresh-water alluvium. The deepness of the valley and wideness between the banks indicate that a much larger river than the present Annan once flowed through it. It is largely a matter of

conjecture where that older river came from, but it is certain that it followed the course of the present river to the point where it now enters the sea. After the River Annan is joined by the Water of Milk there is an abundance of recent fresh-water alluvium, which has been brought and laid down by the Annan and Milk conjointly. The Water of Milk has a wide drainage area. It rises on the eastern side of the watershed near Eskdale, in the parish of Westerkirk, and flows through the Silurian rocks, in the parish of Tundergarth, and is joined by Corrie Water, which rises near Hart Fell. In flood time these two rivers bring down a great amount of alluvium, which, at the junction with the Annan, is deposited and forms fine agricultural land.

St. Kentigern's.

As the river passes the ancient churchyard of St. Kentigern's it crosses again old fresh-water alluvium. This has evidence of being still older than that to be found above the junction of the Water of Milk. There is a steep rise to the south of the river composed of Woodcockair, Hoddom Brae, and Repentance Hill. These are of Carboniferous rock and are thickly wooded.

Ecclefechan stands on the lower Carboniferous rocks, which extend eastwards to the Esk valley, where coals are to be found at Canonbie, and which are bordered on the north by Old Red Sandstone and the andesites.

Warmanbie.

Rounding Woodcockair the river turns and flows south to the Solway. It is joined by Mein Water, near the present Hoddom Manse. The Annan continues to cut the Carboniferous rock past Brydekirk to Warmanbie. The valley in this section is deep, but the banks are not far apart. The soil on either side is very fertile and the country is thickly wooded. At Warmanbie the river again touches Permian rocks. These stretch away to the east to the English border and the River Annan cuts them at their most westerly point. South of Warmanbie, the river banks open to the Solway. Between the town of Annan and Warmanbie the Permian

rocks are to be found in the valley. When the western bank is reached, however, Carboniferous rocks are again in evidence. They stretch westwards through the parish of Cummertrees until they join the Silurian rocks. In those Carboniferous rocks limestones are in evidence at Kelhead.

The Solway Permian Rocks.

The easterly part of the town of Annan and Watchhill are on Permian rocks. Those Permian interbedded red sandstones and shales succeed the Dumfries series along the north side of the Solway.

Annan.

The mouth of the Annan shows two distinct beaches. The main portion of the town of Annan stands on a 50 foot beach. Scotts Street is built on one of those old beaches, and the hill at Annan Manse is evidence of another. To the north of the town the banks are elder river terraces and the soil is fresh-water alluvium. Those terraces can be seen at Addison Place, and a more recent terrace in the gardens of Greenbank and The Moat and in Moat Road. The beaches are of marine alluvium. The fifty-foot beach stretches from near Westerhill inland to the Permian rocks. The 25 foot beach, one of later date, stretches from the 50 foot bank to the present shore. Port Street and the lower parts of the town are on the 25 foot beach.

Nothing can be seen in the Annan valley of rocks older than the Silurian age.

11th March, 1938.

Chairman—Mr R. C. REID.

Excavations at Birrens in 1937.

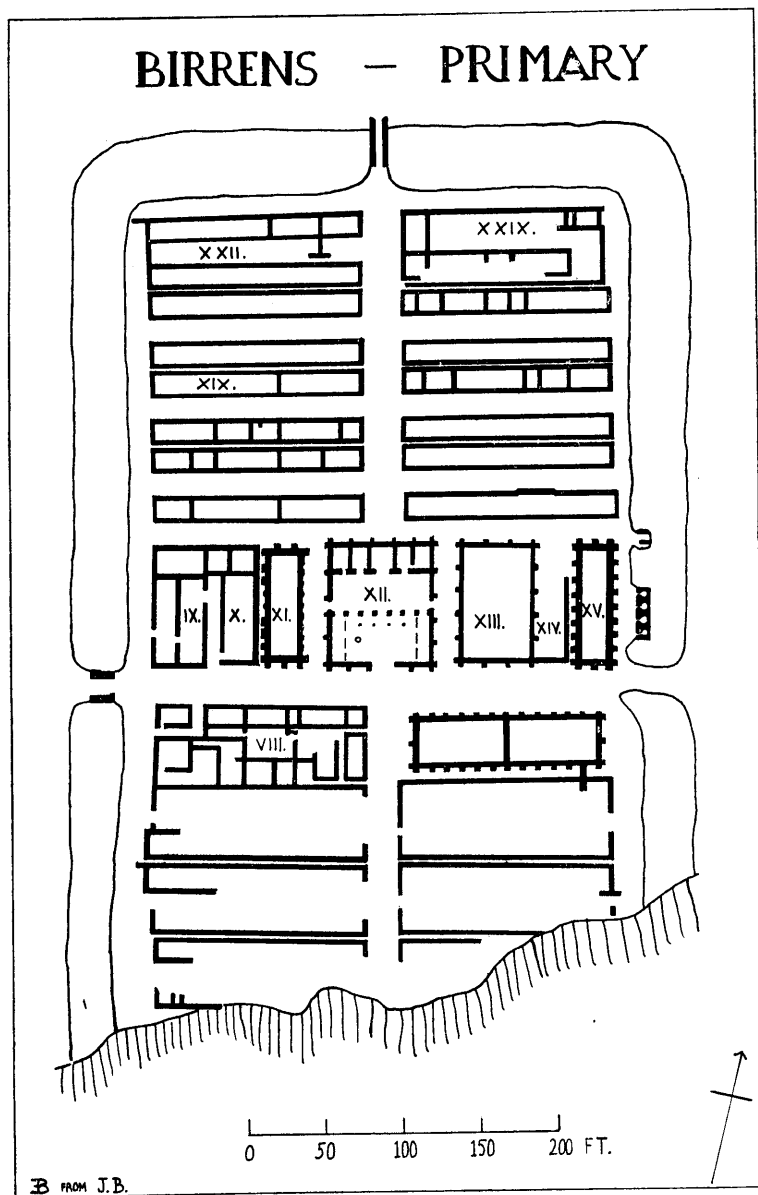
By ERIC BIRLEY, F.S.A.

The trial excavations carried out at Birrens in 1936 had showed that there had been as many as five distinct structural periods of occupation there in Roman times, in place of the two periods which had been noted in 1895, and had

produced sufficient pottery evidence to suggest at least an outline of the historical setting. But the total yield of pottery was comparatively slight, partly because the area chosen for intensive examination proved to have been occupied not by barracks but by stables; and structural complications at the north and west gateways, and in the body of the rampart, invited further attention than it had been possible to give to them in the short time, and with the modest funds, available in 1936. It was decided, therefore, to devote another season to the site, with the twofold object of enlarging the series of stratified pottery, and clearing up the problems presented by what was already known, both from the excavations of 1936 and from their predecessors of 1895, of the rampart structure. We were fortunate in securing the co-operation of Mr I. A. Richmond, F.S.A., whose experience in the interpretation of structural complications was sufficient guarantee that the difficulties at Birrens would be surmounted; welcome grants were made in support of the work, fifty pounds being provided by the Society of Antiquaries of Scotland and twenty-five pounds by the Trustees of the Haverfield Bequest, in addition to further donations received from members of this Society; so that rather more than one hundred pounds in all were available, as against just over thirty pounds in the previous season. Work began on the 12th July, and the filling in of our trenches was completed on the 19th August; seven men were employed, and two students from the University of Durham—Mr W. L. George, B.A., and Mr W. Lawson—shared in the work and the supervision of the excavation. Thanks are once more due to Mr and Mrs James Mackie, the proprietors of Birrens, for the interest and forbearance which allowed us to add so much to the knowledge of the Roman fort, at the price of extensive disturbance to the rich pasture which now covers it; and to our President, Mr R. C. Reid, for the assiduous care with which he supplied us with the funds needed to carry on the work.

It will be remembered that the method adopted, in 1936, to find stratification undisturbed by the work done in 1895,

was to select a place where James Barbour's plan showed that a minimum of digging had been done, and so we had concentrated on the west end of building XIX. ; the scarcity of pottery in that building drove us to turn to building VIII., whose surface indications promised surviving stratification, even though the published plan showed a full series of ascertained walls; and the greater yield of material fully justified the move. In 1937 we decided to take surface indications as our main guide, since it was clear that, where walls had been fully uncovered in 1895, the rooms which they enclosed had usually been left undisturbed; and so we selected building XXII., which offered the additional advantage of lying immediately behind the north rampart, to whose structure we intended to devote particular attention. In the event, it appears that we might have been better advised to concentrate on No. XXIX., or some other building in the eastern half of the fort; for the appearance of greater depth of stratification was misleading: the ground-level had risen more sharply to the north at this point, before the Romans erected their works, than it does to-day, whereas it had fallen towards the east a good deal sooner; so that the difference between the present surface and undisturbed subsoil is greatest just inside the east rampart, and comparatively slight at No. XXII. For all that, a fair amount of pottery was found, and eleven coins (an inconsiderable total compared with those yielded by Corbridge or any of the forts on Hadrian's Wall, but as many as were collected by the excavators at Birrens in 1895), and the relationship of the pottery to successive structures gave us much of the evidence that we had been seeking. But the most striking result was the discovery of evidence for an enlargement of the fort in Roman times, best considered in connection with the structure of the rampart, rather than with the successive buildings with which we are now concerned. There is little to be said about the buildings themselves; they had been extensively robbed, in part after the excavations of 1895; and during their occupation by the Romans, they had been kept as free from rubbish as barracks of the second and third centuries usually were;



“Primary” structures at Birrens; after Barbour.

but there survived two or three deposits, each representing material in use immediately prior to a destruction, which had been securely sealed below the floors or walls of the subsequent rebuilding; and it is through a study of these deposits that the time-table of the fort's vicissitudes can be worked out.

Three sections were cut, one through the east and two through the north rampart; in each case, despite minor variations in detail, the general character of the rampart, as first constructed, was the same: it had outer and inner cheeks of laid turf, built round a massive timber framework, which served to retain a core of turf mingled with upcast from the ditches of the fort; the two turf cheeks rested on a foundation of rough flags. In each section there was evidence for two later modifications of the original rampart, the first involving a considerable addition to its back (and no doubt to its total height), the second more notable for the considerable raising of the internal ground level, and consequent impinging on the back of the rampart. But more striking than the existing evidence was the absence of a feature noted in the section taken through the west rampart of the fort, opposite the south-west corner of building XIX., in 1936. There, below a structure similar to that noted in each 1937 section—outer cheek of turf resting on a flag-foundation, central mass of upcast and turf, and inner cheek—we found the scanty remains of a rampart built of turf alone, without any foundation; resting, that is to say, immediately on the clean red subsoil. Though nothing comparable to this lowest rampart of the western section was found in our cuttings through the north and east ramparts, its exact counterpart turned up below the lowest walls in the southern part of building XXII.; and a little search a few yards to the north soon revealed a ditch, running parallel to the existing north rampart, approximately on the line of the figure XXII. in Fig. 1. This ditch had been filled up with clay and rubble; where we examined it, only a single indeterminate scrap of samian ware and no other pottery was found in it; and overlying it were occupation levels and walls of the existing

building in one or other of its structural phases. There can be no doubt as to the historical setting of the enlargement of the fort that this structural evidence attests, thanks to the associated finds of pottery, in particular a samian dish resting on undisturbed soil just south of the demolished turf rampart, and a small group, including parts of two decorated samian bowls and half a dozen vessels in coarser wares, that came from a little pocket below the flag-foundation of the later north rampart, in the western section. The earlier, turf rampart, must be assigned to the time of Hadrian, and its successor to a time shortly after the middle of the second century or—in view of the building-inscription of A.D. 158 found in 1895—to the rebuilding of Birrens, in that year, by the second cohort of Tungrians under the governor Julius Verus. That leaves the periods beginning with Severus and Constantius Chlorus respectively for the two later modifications in the later north rampart; and a piece of evidence, still to be recorded, provides welcome confirmation for such an assignment.

In the excavations of 1895 traces were found of a structure running parallel to the north rampart, and a short distance inside it, which the excavators took to have formed a kerb, not to the rampart itself, but to some kind of terrace running immediately behind the rampart. Recently Sir George Macdonald has put forward a different interpretation, taking this structure to have been the “heel” or inner edge of the rampart itself. But in the course of examining the north rampart and the northern part of building XXII., we had occasion to uncover parts of the “kerb,” and found that it was really a water channel—or rather, the channel in which a water-pipe had run: a simple structure, whose sides were formed by large flags resting on clean puddled clay, which also formed the bottom of the intervening space; further details will be given presently, but first we must deal with the evidence for dating the channel. At one point, near the north gate, most of it had been removed, and it was found convenient to take away the surviving side-flag, to give access to the underlying deposit; and beneath the

puddled clay on which the flag had rested, we found a small fragment which actually fitted on to a large piece of a mortarium, found in disturbed soil the previous day. The mortarium itself, by rare good fortune, belonged to a characteristic and easily recognisable type, which has turned up two or three times on Hadrian's Wall, each time in a deposit of the end of the third century; and the occurrence of a mortarium of this type at Birrens, underlying the water-channel, is sufficient evidence for assigning the channel itself to the time of Constantius Chlorus; and since the channel can be shown to go with the latest period in the structure of the rampart, and the earliest period has already been shown to belong to the time of Julius Verus, the intermediate stage falls conveniently to the Severan reconstruction, even though direct association with ceramic evidence was not obtained.

We must now return to the character of the water-supply system thus revealed: the channel was not the only feature first discovered in 1895, for in addition the excavators noted, and Mr Barbour illustrated on his plan, "a little square recess, the sides, back, and bottom of which were of single flat slabs, each about 2 feet square," in line with what we now know to have been the water-channel. This "recess" turned out, on examination, to be a miniature replica of the large tanks into which the fresh-water supply at Corbridge periodically discharged,¹ so that people could fill their buckets conveniently; and its discovery made the water-supply system of the fort at once intelligible. It is clear that the water, brought in to the fort along the causeway between the series of ditches to the north (a couple of hours' digging revealed the channel, just below the metalling of the road, still bringing water into the fort—hence the difficulty experienced by the excavators in 1937 as well as in 1895, in deep digging inside the north gate), was first led along the channel just inside the north rampart; from this, the highest part of the interior of the fort, it was

¹ See the full account in *Archæologia Aeliana*, 4th series, XV., 254.

distributed down the hill, southwards, in channels running past the ends of the barracks and stables—channels which Mr Barbour rightly observed to be “ secondary ” or, as we can now say, assignable to the last of the five periods that we have noted at Birrens.

In the foregoing account an attempt has been made to sum up the results of the recent excavations, without going into the minute discussion of the evidence which will be necessary in our full report.² A word is necessary about the future. The two objects of the 1937 excavations have been attained; the historical sequence, and the structure of the rampart, have both been revealed; but the discovery of an earlier north rampart, belonging to a fort smaller than that whose platform can now be seen, was an unlooked-for complication. Some day it will be necessary to return to Birrens, and by excavation nearer to its centre to reveal something of the anatomy of that earlier fort, and of its Agricola predecessor, of which no further evidence came to light in 1937.

25th March, 1938.

Chairman—Mr R. C. REID.

Herries of Maidenpaup.

By DAVID C. HERRIES.

Some years ago I contributed an account of this family to the “ *Miscellanea Genealogica et Heraldica* ” (4th Ser., IV., 219), but since then a certain amount of new material has been found, which I should like to put on record.

I. Roger Herries, the founder of this family, was the youngest brother of Andrew, the 2nd Lord Herries. He is mentioned as such, with two elder brothers, Mungo and John, in a contract between this Andrew and Archibald, Earl

² To appear in the *Proceedings of the Society of Antiquaries of Scotland*, Session 1937-1938.

of Angus, dated the 25th November, 1495.¹ At this time he must have been quite young, for Andrew himself was under age, probably about 18. All these three younger brothers were living in 1510, when on the 18th April they were witnesses to a sasine in favour of their brother Andrew, Lord Herries, Mungo being here called Kentigern.² According to a MS. History of the Maxwell and Herries families, Andrew, Lord Herries, was "slain at Flodden with his 4 [sic] brethren."³ This is true as regards Andrew, and probably as regards Mungo and John. Roger, however, if he was at the battle, survived it to enjoy the tutory of his nephew, the 3rd Lord Herries, to which office his elder brothers would have had a prior right if living. The MS. History, it is true, gives the sons of the 1st Lord Herries in the following order, "Andrew, Roger, Mungo, John," but the order of seniority is no doubt given correctly in the document of 25th November, 1495.

Roger Herries had to find surety in the person of Robert, Lord Maxwell, for the faithful performance of his duties as tutor to his nephew,⁴ but still he was accused of harsh dealings with his pupil and his relations and tenants. The Lords of the Council considered, 26th June, 1517, a supplication of Elizabeth Herries, a half-sister of William, Lord Herries, who complained that her brother, Lord Herries, being of tender age, her "eme," Roger Herries, was his tutor and intromettor with all his lands and goods and that he would never give her a pennyworth thereof to sustain her since her father's death, which was "ryt hevye to hir . . . ane pure damizell fadirles and modirles." Both parties being present, the Lords with Roger's consent decreed that Elizabeth should have the sum of a hundred merks of Lord Herries's land lying upon the water of Milk in Annandale until she should be married or during the time her brother should remain in tutory.⁵ In 1529 the Lords of the Council

¹ *Fraser's Douglas Book*, III., 149.

² *Herries Peerage Case, Minutes*, p. 111.

³ *Ibid.*, p. 301.

⁴ *Ibid.*, p. 396.

⁵ *Ibid.*, p. 112.

heard, the 23rd June, a supplication by William, Lord Herries, against Roger Herries of "Madinpap," to the effect that Roger and his accomplices were daily spoiling and oppressing Lord Herries's tenants and his mother's in the terce of Terregles, putting and holding them in pits and fetters, reiving their goods and laying the ground waste. Both parties being present, the Lords "decernis and ordanis the said Roger to decist and ceis from all molestatioun of the said Lord and his moder."⁶

In 1529, however, Lord Herries must have been out of tutory, which only lasted till the age of 14. It was difficult in those days to transact business in which minors were concerned. On the 28th of July, 1515, a certain Lawrence Grierson, attorney of John Grierson of Lag, appeared before the "castrum de Halis infra quod pro tempore existebat" William, Lord Herries, armed with a letter of authority and a mandate from Chancery addressed to Lord Herries as superior of the lands of Larglanlie. He demanded entrance or the presence of Lord Herries. The constable, James Lermond, after some parley, refused his request. Whereupon he caused the mandate to be read by a notary in the presence of the constable and witnesses, and demanded that Lord Herries should give him sasine of Larglanlie, and declared his readiness to fulfil in respect to the land all that he was bound to do by law. He then fixed a copy of the mandate in the presence of the constable on the outside gate and demanded instruments of the notary.⁷

The owner of Hailes Castle was the Earl of Bothwell, who was, like Lord Herries, a minor under the tutory of an uncle, and this uncle, Patrick Hepburne, Master of Hailes, had married about this time Lord Herries's mother, the widow of the 2nd Lord Herries. The young Lord was no doubt at Hailes under the care of his mother and stepfather, and as he must have been too young in 1515 to transact business it is not surprising that Grierson was not admitted.

In 1526, when he is still called tutor of Lord Herries,

⁶ *Ibid.*, p. 113.

⁷ *Lag Papers.*

Roger Herries was in trouble for deforcing a messenger.⁸ Considering, however, that he started as a youngest son, he was a prosperous man and a buyer of land. He had sasine, 6th August, 1518, of the 20 shilling land of Roundfell, in the lordship of Maidenpaup, following upon a charter of the same by Vedast Neilson,⁹ and a crown charter in his favour of all and singular the lands of Maidenpaup, in the Stewartry of Kirkcudbright, on the resignation of the same Vedast Neilson, is dated 5th June, 1520.¹⁰

Roger Herries probably died in 1536. Whom he married and whether he had any other children, sons or daughters, in addition to his successor has not been discovered. He was succeeded by his son—

II. Archibald Herries, who had sasine of Maidenpaup in 1536.¹¹ He was a very different man from his father, and was a seller instead of being a buyer of land, and even in his charters he whined about his poverty. In 1543 his cousin, the 3rd Lord Herries, died, leaving only daughters. In consequence Archibald became heir-male of the 1st Lord Herries. No document existed indicating the line of descent of the title, and in such cases it was rather a toss up whether it went to the male or female heir, much depended upon which party got possession of the family lands. A portion of these came to Archibald as heir-male. This was the property of Reidcastle, in the parish of Urr, which had been granted by the crown, 28th April, 1543, to William, Lord Herries, and his wife and the heirs-male of their marriage, which failing to Lord Herries's heirs-male whatsoever.¹² Lord Herries's widow had a life interest in the property, and

⁸ *Accounts of the Lord High Treasurer*, V., p. 250.

⁹ *Herries Peerage Case, Minutes*, p. 113. Bartholomew and Florence Herries were witnesses at the sasine, in the instrument thereof Roger Herries is described as brother-german of the late Andrew, Lord Herries, and tutor to William, Lord Herries.

¹⁰ *Ibid.*, p. 114. Roger in the charter is called brother-german of the late Andrew, Lord Herries.

¹¹ *Ibid.*, p. 116.

¹² *Ibid.*, p. 27.

was living as late as 12th May, 1551,¹³ but at last Archibald Herries had sasine of it, 14th March, 1561-2, as heir-male of William, Lord Herries, the son of his uncle ("filiū patruī sui").¹⁴ He only took possession, however, in order to sell it immediately on the following 22nd March to his cousin, Agnes, the eldest daughter of the 3rd Lord Herries, and her husband, Sir John Maxwell, for a certain sum of money paid to him by Maxwell in his great and notorious necessity ("in mea magna et cognita necessitate").¹⁵ With Reidcastle went any chance of the Maidenpaup line succeeding to the title of Herries. Sir John Maxwell bought from his wife's sisters their portions of the Herries lands, and with the addition of Reidcastle he was in a position to claim successfully from the crown the title of Herries for himself as his wife's representative, and ever since it has remained with their descendants. Roger Herries would probably have put up a better fight to keep it in the family, but it is not likely that even he would have prevailed against such an adversary as Sir John Maxwell.

Not only did Archibald Herries sell Reidcastle, but a few years later, on the 28th April, 1567, he sold his own paternal acres of Maidenpaup to his son and apparent heir, George Herries and Janet Gordon, his wife, or the longest liver of them and the heirs of their marriage, whom failing to the heirs whatsoever of the said George, for a certain sum of money paid to him by George in his great, urgent, and notorious necessity ("in mea magna urgentiet cognita necessitate").¹⁶

When Archibald Herries died or whom he married has not been discovered. He had at least three sons—

¹³ *Exch. Rolls*, XVIII., pp. 517-18.

¹⁴ *Herries Peerage Case, Minutes*, p. 116. David Herries in Conneving was a witness at the sasine.

¹⁵ *Ibid.*, p. 39. The Crown charter of confirmation in which Archibald's charter is recited is dated 17th August, 1562.

¹⁶ *Ibid.*, p. 117. The Crown charter of confirmation in which Archibald's charter is recited is dated 1st May, 1567. Archibald directs David Herries in Maidenpaup and his son Thomas to give sasine at Maidenpaup to George Herries.

1. George Herries of Maidenpaup and Terraughtie, of whom presently; No. III.

2. John—George Herries of Maidenpaup, John Herries, his brother, and John Herries, his son, had to find caution that they would not harm Matthew Herries in Larglanglie, 22nd January, 1591-2.¹⁷

3. Roger Walter Herries of Knokinchynnoch was cautioner that Matthew Herries in Lochrutongait would not harm George Herries in Maidenpaup, John and Archibald Herries, his sons, and John and Roger Herries, his brothers, 22nd June, 1593.¹⁸

Archibald Herries may have had other issue. In the latter part of the 16th century there was a Robert Herries in Edinburgh, who was admitted a guild-brother there by right of Mawse Dickson, his wife, eldest daughter of Thomas Dickson, 19th September, 1554. He died 1st February, and his testament was confirmed at Edinburgh, 3rd July, 1604. Among his debtors were: Herries of Mabie, Robert Herries in Crochmoir, Roger Herries, burghess of Dumfries, and his natural son, Alexander, and John Herries, minister of Newbattle. The testator left legacies to his servant, Robert, son to John Herries, his younger brother, to the said John, his youngest brother, to two daughters of Roger Herries, his brother,¹⁹ to Jonet Herries, his sister, to Margaret Herries, his eldest sister, to Margaret Herries, his sister natural, to his spouse, Margaret Dickson,²⁰ and to others.

¹⁷ *P.C. Reg.*, IV., p. 569.

¹⁸ *Ibid.*, V., p. 594.

¹⁹ Roger Herries, burghess of Dumfries, was served heir-special to his brother, Robert Herries, merchant burghess in Edinburgh, "in dimidia parte tenementi in burgo de Edinburgh," 25th February, 1604. (*Edin. Retours*). Clement Sturgeon and Isabella Herries, his spouse, had sasine in half a tenement in Aikman's Close, on the north side of Cowgait, on the resignation of Roger Herries, burghess of Dumfries, 3rd June, 1607 (*Protocol Book of Alexr. Guthrie*, XVI., f. 32).

²⁰ The testament of his widow, who died 23rd January, 1607, was confirmed at Edinburgh, 7th May, 1607. The executor was her brother, "David Dikiesoun, compter wardan of his Majesties cunzehouse" (*Mint*). The only legatee of her husband's name was John Herries, minister of Newbattle.

Were the John and Roger, mentioned as the testator's brothers, identical with the John and Roger, mentioned above as brothers of George Herries of Maidenpaup? Without further evidence it is impossible to decide this question; if they were identical, then Archibald Herries had a large family of sons and daughters, which may account for his poverty.

III. George Herries of Maidenpaup. With him prosperity returned to Maidenpaup and land was being bought again as in the time of his grandfather, Roger. Not only did he buy Maidenpaup from his father in 1567, but on the 30th January, 1583-4, he bought from Michael Carlyle of Torthorwald the lands of Locharthour, in the barony of Lochkindeloch, for £1000, under reversion";²¹ and on the 29th August, 1592, he had sasine of the 40 pound land of Over Terraughtie, in the barony of Drumsleit, following upon a charter of the same in his favour by John Cammock, dated 24th September, 1591.²² After this time he is often styled "of Terraughtie."

He began life early, being probably the "George Herreis of Terrawchtie" who was spared on account of his youth when other hostages of John, Master of Maxwell, were hanged by the English, when he deserted them for the Scottish party, in order to obtain the hand of Agnes Herries, the

²¹ *Edinburgh Commissary Regr. of Deeds*, 1564-1606.

²² Herbert Cunyngham's *Protocol Book* among the Burgh Records of Dumfries. There was an earlier George Herries of Terraughtie in the latter part of the 15th century. He was of the Mabie branch of the family. This tends to make a confusion between these two branches, but there was more than one property of Terraughtie. The Cammock family from which George Herries bought his property seems to have purchased its holdings in Terraughtie from the Provost and Prebendaries of Lincluden in 1568. See Dumfriesshire and Galloway Nat. Hist. and Antiq. Soc. *Transactions*, 3rd Ser., III., pp. 272-274. At George Herries's sasine in 1592 among the witnesses were Robert Herries of Mabie and James Herries, "famulo" of the said George.

eldest co-heir of the 3rd Lord Herries in 1548.²³ George Herries had his share in the raids which were customary in those days. In 1583 Adam Murray, vicar of Troqueer, raised an action against Robert Herries of Mabie, George Herries of Maidenpaup, and others, for the restoration to him of certain lands spuilzied by them.²⁴ Sometimes instead of raiding George Herries was raided, for in 1597 he was awarded compensation for the burning of "Tarauchtrie" by the Goodman of Netherby and others.²⁵

George Herries was living in 1615 and apparently as late as 1624 (as will appear later), when he must have been very old. He had more than one wife: when he bought Maidenpaup from his father in 1567 he had a wife called Janet Gordon; she was probably the mother of the following three sons:

1. John, of whom later. No. IV.

2. Archibald. On 17th April, 1597, George Herries of Maidenpaup, John Herries, his eldest son, and Archibald Herries, also his son, found surety that they would not harm David Herries of Watterheid.²⁶ Archibald Herries had a bad reputation. In 1612 he was denounced rebel for not appearing before the Council to answer a complaint by John Abercromby, servitor to Patrick, Earl of Orkney, who said that on the evening of the 29th October, 1612, when on his way home after supper he passed Archibald, son to George Herries of Terraughtie, whom he neither knew nor yet had ever offended. Archibald let him pass, and then drawing his sword set on him from behind, wounded him, and would have killed him but for his own better defence.²⁷ It was the object of the complainer in such cases to represent himself

²³ "Historical Memoirs," purporting to be an abridgement by one "J. P." of Memoirs composed about 1656 by John, Lord Herries (later Earl of Nithsdale), printed by the Abbotsford Club in 1836, pp. 22, 23. In 1548 George Herries was not yet "of Terraughtie," but that may have been forgotten in 1656.

²⁴ Dumfriesshire and Galloway N. H. and A. Soc. *Transactions*, 3rd Ser., XII., p. 216.

²⁵ *Border Papers*, II., p. 308.

²⁶ *P.C. Reg.*, V., pp. 678-9.

²⁷ *Ibid.*, IX., p. 491.

as an injured innocent who would be shocked at the very idea of taking part in a brawl; probably Archibald's account of the matter would have been a very different one. About this time he was also accused of causing a disastrous fire in Dumfries, in which the town barns full of corn were destroyed.²⁸ Nothing, however, seems to have been proved against him, and in January, 1613, he was supplicating the Council to be set at liberty. On the 21st January he found surety to keep the peace and to appear before the Council on six days' notice to answer anything laid to his charge.²⁹ He married in 1596 Jean Hamilton. The contract, dated 5th July, 1596, and registered 17th July, 1610, was between George Herries of Maidenpaup and Archibald, his lawful son on the one part, and William Hamilton of Mosgavill (with consent of his curators, Hew Campbell of Lowdon, Sheriff of Ayr, and Adam Johnstoun, burgess of Ayr), and Jean Hamilton, his sister-german, on the other part. The main provisions of the contract were as follows: The marriage was to take place before the 1st August, 1596. Archibald and Jean were to have from George Herries various lands in Irongray and Lochmaben parishes—Cornelie, Watterheid, Little Bogrie, Meikle Bogrie, and Denistoun—George Herries was to feed and sustain them till they were in possession of Little Bogrie, which was to remain with Jean, should she survive her husband, till she had possession of Cornelie and Watterheid. Jean was to have 1000 merks of tocher to be laid out in land, of which she and Archibald were to have the life rent, while William Herries, brother-german of Archibald, was to have the heritable fee thereof and also the life rent when Archibald and Jean were in full possession of the above-mentioned lands after the death of George Herries. Archibald and Jean were to grant a discharge to George Herries of 500 merks which by his contract of marriage with Anabill Wallace, then his wife, he was bound to pay to Jean, to help her tocher.³⁰

²⁸ *Edgar's History of Dumfries*, ed. Reid, pp. 212-13.

²⁹ *P.C. Reg.*, IX., pp. 537-8, 544.

³⁰ *Register of Deeds* (Scott), Vol. 175, f. 112. For Archibald and Jean see, too, *Reg. Mag. Sig.*, 1609-1620, No. 1025.

Whether Archibald left children has not been discovered.

3. William, mentioned above as brother-german of Archibald Herries in the latter's marriage contract in 1596.

From Archibald Herries's marriage contract it appears that George Herries of Maidenpaup had in 1596 a wife called Anabill, or Annabell Wallace. She was no doubt the Annabell described as sister of John Wallace of Craigie and spouse of William Hamilton of Sanquhar in some Privy Council proceedings in January, 1579;³¹ and as William Hamilton of Mosgavill, brother of Jean, the wife of Archibald Herries, is called in a crown charter of 9th August, 1598, son and heir of the late William Hamilton of Sanquhar,³² it seems certain that Annabell Wallace was the mother of both William and Jean Hamilton, hence the provision in her marriage contract with George Herries that the latter was to contribute to Jean's tocher.

By George Herries Annabell Wallace had certainly one son—

4. George. From a horning of 30th November, 1619, it appears that there was a contract dated 14th December, 1615, between George Herries of Maidenpaup, and as father and administrator of George Herries, his lawful son, pro-created betwixt him and Annabell Wallace, Lady Mosgyle, his spouse, on the one part, and William Herries, apparent of Maidenpaup, his "oy" on the other part, whereby the said William as principal, and Charles Maxwell, his father-in-law, as cautioner, bound themselves to pay to the said George Herries, younger, during the lifetime of the said George Herries, elder, his father's 300 merks.³³

IV. John Herries, the eldest son of George Herries, married in 1589 Elizabeth Maclellan. His father, by charter dated 29th September, 1604, granted the 6 pound lands of Maidenpaup to his son and apparent heir, John Herries, and his wife, Elizabeth Maclellan, in conjunct fee, and to

³¹ *Reg. P.C.*, 1578-1585, p. 68.

³² *Reg. Mag. Sig.*, 1593-1608, No. 772.

³³ *Particular Register of Inhibitions, Hornings, etc., for Kirkcudbright*, Vol. I.

the heirs-male whatsoever of the said John bearing the surname and arms of Herries, to be held of the granter, whose superior was the King; in completion of a marriage contract made in 1589 (the marriage being solemnised immediately afterwards) between George Herries of Maidenpaup taking upon himself the onus for his son and apparent heir John on the one part, and William Maclellan of Balmangan taking upon himself the onus for his daughter Elizabeth on the other part.³⁴

John Herries died in his father's lifetime before 14th December, 1615, when his son William was "apparent of Maidenpaup." His widow, Elizabeth Maclellan, was remarried to Charles Maxwell of Terraughtie, and died before 6th October, 1619, as appears from a horning of that date at the instance of the said Charles Maxwell.³⁵

John Herries had by Elizabeth Maclellan at least two children—

1. William, of whom later. No. V.

2. Jonet. From a horning of 1st March, 1620, it appears that Jonet, daughter of the deceased John Herries, apparent of Terraughtie, was assignee to him of a contract of 10th May, 1604, betwixt Robert Glendonyng, younger, of Provin, and the said deceased John Herries for himself and Elizabeth Maclellan, his spouse, whereby the said Robert bound himself to infest the said John Herries and his spouse in the 40/- land of Kowgait, in the parish of Parton.³⁶

V. William Herries. As his parents were married in 1589 and as he himself was transacting business in 1615, he was probably born soon after the marriage. His grandfather, George Herries, on the 14th December, 1615, in fulfilment of a contract of the same date betwixt himself

³⁴ *Herries Peerage Case, Minutes*, p. 119. For the Maclellan pedigree see *Scots Peerage*, ed. Sir J. B. Paul, title Kirkcudbright. Elizabeth is not mentioned in the article, but she and her marriage to Herries are mentioned in the corrections in the last volume of that work.

³⁵ *Reg. of Inhibitions, Hornings, etc., for Kirkcudbright*, Vol. I.

³⁶ *Ibid.*

as father and administrator of his son George on the one part and William Herries, apparent of Maidenpaup, his grandson, on the other part, granted the 9 merk lands of Maidenpaup to the said William Herries, his grandson, and to his heirs-male bearing the name and arms of Herries.³⁷ This grant seems to have been irregular, as the consent of the crown thereto had not been obtained. The crown took advantage of this and granted, 26th December, 1615, to Charles Maxwell of Terraughtie the 6 pound lands of Maidenpaup "que fuerunt Georgii Herreis de Tarrauchtie de vege tente per servitium warde et regi devenerunt ratione recognitionis ob alienationem absque regis consensu factum."³⁸ Charles Maxwell was, as has been already related, the second husband of Elizabeth Maclellan, the widow of John Herries, and mother of William Herries. Maxwell is called William's "father-in-law" (i.e., step-father) in 1615 (refer to George, son of George Herries and Annabell Wallace). In his hands Maidenpaup was therefore still "in the family." Another crown charter of 17th February, 1624, however, grants the 9 merk lands of Maidenpaup, resigned by George Herries of Terraughtie, to William Maxwell of Kirkhouse.³⁹

Notwithstanding these last two charters, William Herries, "filius legitimus quondam Joannis Herreis de Madinpape," sold, the 15th May, 1629, to James Neilson, merchant burges of Dumfries, and his heirs the 6 pound lands of Maidenpaup to be held of the vendor and his heirs, whose superiors were the King and his successors.⁴⁰

After this sale but little is recorded of William. He was probably the "William Herres sometime of Terrachtie," who was a witness, 4th July, 1634, to an execution of a charge by James Douglas, macer, against William, Earl of

³⁷ *Herries Peerage Case, Minutes*, p. 120. John Herries in Bracothie and Archibald Herries in Bogrie were witnesses to the grant.

³⁸ *Reg. Mag. Sig.*, under date.

³⁹ *Ibid.*

⁴⁰ *Herries Peerage Case, Minutes*, p. 122.

Queensberry, at the instance of Sir William Douglas of Cashogill.⁴¹

In 1621 "William Hereis of Maidinpage" and Agnes Johnstoun were "proclaimed" and married.⁴²

From a complaint of the Moderator and brethren of the Presbytery of Dumfries, which came before the Privy Council on the 22nd November, 1627, it appears that Agnes Johnstone, wife of William Herries, in company with a numerous band of Herrieses, Maxwells, M'Brairs, Murrays, and others, suspected of papistry, when cited before the Presbytery "contempnandlie misknew and contemned both them and their charges," so "after long patience abyding thair tyme of conversioun" the Presbytery pronounced against them the sentence of excommunication. In January, 1628, a commission under the signet was granted to the Sheriff of Dumfries and his deputes and others to apprehend and present before the Council these people who were at the horn at the instance of the Presbytery of Dumfries. This, however, seems to have produced no result, for on the following 11th March a complaint was received by the Council that these people, rebels at the horn, "most prouddie and contempnandlie" remained at the process of excommunication. Moreover, they were haunting, frequenting, and repairing to all the public parts of the country "as if they were free and lawfull subjects," and they were being "ressett, suppleed and furneist with all things necessar and comfortable unto thame to thair encouragment to continew in thair Popish opiniouns and errours." The Council denounced the resetters and suppliers of these excommunicated rebels. On the 18th December, 1628, these people, with the addition of the Countess of Nithsdale and Lady Herries,

⁴¹ *P.C. Reg.*, 2nd Ser., V., p. 623.

⁴² *Dumfries Marriage Registers*. Miss C. L. Johnstone, in her *History of the Johnstones*, pp. 106-7, says that Agnes was daughter of John Johnstone of Newbie, and that she had been previously married to John Lawrie, but gives no authority for these statements.

still remained "proudlie and contempnandlie" at the process of excommunication.⁴³

Evidently the Church of Rome was still powerful in those regions. In all these proceedings it is always Agnes Johnstone, wife of William Herries of Maidenpaup, who is denounced and not William himself. So possibly he conformed to the new religion.

William Herries had certainly one son—

John; in 1620 the Dumfries Burial Registers record the burial of Jon, sone to William Hereis of Taerachtre, who was presumably an infant if his mother was Agnes Johnstone.

In the above account nothing has been advanced that does not rest on documentary evidence.

It is of course possible, even probable, that such younger sons as are here recorded and perhaps others, who have so far escaped record, may have left families. It has been shown that Archibald Herries, younger son of George, the 3rd laird of Maidenpaup, was married and that he and his wife were to have lands in Mickle and Little Bogrie; now there were Herrieses connected with Bogrie both before and after Archibald's time,⁴⁴ but if they were cadets of Maidenpaup no evidence has been found showing their place on the family tree.

In 1921 Major H. Herries-Crosbie published a pamphlet entitled "The story and pedigree of the Lords Herries of Herries in the male line." The only part of this work that concerns me here is a theory put forward that William, the last Herries laird of Maidenpaup, was father of a certain Robert Herries, whose tombstone in Urr Kirkyard records his death on 3rd April, 1695, at the age of 67, and that this Robert was father of another Robert Herries "in Barclosh," who, according to his gravestone in the same place, died

⁴³ *Reg. P.C.*, 2nd Ser., II., pp 128, 202, 263-4, 535.

⁴⁴ See *Miscellanea Genealogica et Heraldica*, 4th Ser., V., p. 362.

the 17th August, 1716, at the age of 63. There seems to be good evidence that this last Robert of 1716 was ancestor of a line of Herrieses of Barnbarroch, or Upper Barnbarroch, which continued to hold that property till well within the 19th century.

The weak link in the chain connecting the Maidenpaup and Barnbarroch families is the Robert Herries who died in 1695. Was he the son of William Herries of Maidenpaup and was he the father of Robert Herries in Barclosh who died in 1716? It may be granted that he died at about the time that a son of William Herries might be expected to die, and if the Maidenpaup family had been the only one of the name in those parts it would be natural to suppose that he was a cadet of that house. In the 17th century, however, there were many families of Herries in Dumfriesshire and Galloway. Besides those at Maidenpaup and Mabie and an older race at Barnbarroch, there were Herrieses of Armanoch, of Auchensheen, of Castlefairn, of Crochmoir, of Hartwood, of Halldykes, of Lawson, of Little Culloch, of Little Milntoun, of Knockshinnoch, of Over Hesslefield, etc., etc.⁴⁵ Thus there is a wide choice of families to which a stray 17th century Herries might be affiliated.

Major Herries-Crosbie admits that there is no documentary evidence that the Robert Herries who died in 1695 was a son of William, the last Herries laird of Mabie, but then he says that it would be unreasonable to expect to find such evidence in connection with William Herries, for he and his wife as catholics "were 'pariahs' hunted from pillar to post," and their object would be to avoid anything in the nature of records which might have "betrayed their whereabouts"; and as he and his ancestors for some time had been "on the verge of bankruptcy and beggary," no retours or wills or the like should be expected in connection with them. In the first place, however, it was not William Herries but his wife who was a suspected papist, and she

⁴⁵ *Miscellanea Genealogica et Heraldica*, 4th Ser., V., 5th Ser., I., *passim*.

and her associates, so far from being pariahs, treated the Privy Council and the Dumfries Presbytery with contemptuous defiance. In the second place William Herries, so far from seeking obscurity and avoiding documents, had the burial of a son registered, and he sealed at Dumfries in 1629 his charter of sale of Maidenpaup in the presence of John Newall, Sheriff of Dumfries, and other witnesses. (Would he have sold it if he had had a son to follow him?) He presumably got the fair price for it, and I see no reason for supposing him to be on the verge of bankruptcy. The only one of his ancestors known to have been in needy circumstances was his great-grandfather, Archibald Herries.

Major Herries-Crosbie suggests that the carving of the Herries arms without difference on the tombstone⁴⁶ at Urr of the Robert Herries who died in 1695 was meant to assert

⁴⁶ As tombstones in the open air are perishable, I will give a description of the Herries stones in Urr Kirkyard sent to me in 1921 by Mr J. Herries Smith, of Edgbaston, near Birmingham: "Near to the gateway and close to the kirkyard wall is a through-stone of millstone grit, 5 feet 5 inches long, 2 feet wide at top with a slight taper to the other end. A broad chamfer or weathering is taken off all round, leaving a narrow flat space in the centre for the following inscription: Heir lyes Robert Herries who / lived in Houphead. He departed / anno— Then follows on chamfer to the south in two short lines: 1695, Ap. 3, aiged 67. The date is flanked east and west by a winged hour-glass and two parallel bones. On the west splay is a shield with three hedgehogs in relief. On the north side is a coffin, then R. H., and under that M. N., a skull following, while the east end has a winged skull. The memorial is in capitals. At a short distance and in line with this are two through-stones side by side of the Herries family. One is thus inscribed: Here lyes Robert Herries in Barclosh / who departed this life 17 of August 1716 / aged 63. Near the bottom of the through is a shield bearing three hedgehogs. The other is more elaborate and of millstone grit. Within a roped moulding is a well-cut inscription in capitals two inches high, which reads as follows: Here lyes John Herries of Culloch / who departed this life September the 10 1698 / Here lyes William Herries of Culloch / who departed this life June 3, 1701. Near the bottom of the through is a shield of ornate outline bearing three hedgehogs."

that he was the heir-male of the Lords Herries "and this at a time when such an assumption was punishable if false and unless legitimate would have been resented by the Lords Herries (Maxwells) and certainly taken down or obliterated." But the various Acts of the Scots Parliament relating to the bearing of arms from 1592 to 1672 complain of great irregularity in the use of arms and of how cadets used the arms of their chiefs without difference. What was done in 1672 was probably done still more in 1695. It is improbable that Lyon King of Arms ever heard of the arms on this and the two other stones in an obscure country burial ground; if he had he could have taken action, for Robert Herries—heir-male to the Lords Herries or not—had never entered arms in the Lyon Register as required under penalties by the Act of 1672. The contemporary Lord Herries, who bore the higher title of Earl of Nithdale, had also neglected this formality, so he is not likely to have interfered with his neighbours at Urr. The representatives of the Robert Herries of 1695 probably knew nothing of the niceties of "differencing." If their object was to claim for Robert heir-maleship to the Lords Herries would they not have taken the surer way of having it recorded in the inscription on the stone?

To show that Robert Herries who died in 1695 was father of Robert Herries in Barclosh who died in 1716, Major Herries-Crosbie relies on the evidence of tombstones, but if the description given in the footnote (No. 46) is correct it appears that the stone of Robert Herries in Barclosh lies alongside of that belonging to John and William Herries of Culloch⁴⁷ and at a short distance from that of Robert Herries of 1695, so if close proximity of graves implies close kinship then Robert in Barclosh must have been more closely related to the Culloch Herrieses than to Robert of 1695. Probably all four were more or less nearly related to each other.

Major Herries-Crosbie lays stress on the fact that M'Kerlie in his "Lands and their Owners in Galloway"

⁴⁷ For the Culloch and Milntoun Herrieses, see *Miscellanea Genealogica et Heraldica*, 5th Ser., I., pp. 64, 136.

asserts that Robert Herries of Barnbarroch (1822) was the undoubted direct male lineal representative of the Lords Herries, but an assertion by M'Kerlie unsupported by evidence is worth no more than anybody else's assertion. Major Herries-Crosbie himself accuses M'Kerlie of mixing up "two families of Herries—one the Herries of Barnbarroch (proper) and another the Herries of 'Upper Barnbarroch.' " Though M'Kerlie gives some account of Maidenpaup he never discovered that there had been a Herries occupation of it which lasted for more than a century.

The Robert Herries who died in 1695 is said on his gravestone to have lived "in Houpehead." He was no doubt, therefore, the Robert Herries in Hopehead whom (together with John Herries of Flack, Robert Herries of Barnbarroch, and others) Sir Robert Maxwell of Glenae and others undertook not to harm, 9th November, 1675.⁴⁸ There continued to be Herrieses in Hopehead, presumably his descendants, for a hundred years or so. The testament of Robert Herries in Hopehead, who died in January, 1752, was confirmed at Kirkcudbright 1st May, 1752; his executors dative being a brother William and a sister Elizabeth. The testament of William Herries in Hopehead, who died in May, 1782, was confirmed at Kirkcudbright 27th June, 1783, his widow, Jean Thomson, being executrix dative. A correspondent, Mr J. Herries Smith, informs me that the Buittle parish registers record the marriage, 15th March, 1763, of William Herries of Hopehead and Jean Thomson, and the baptism of several of their children at Hopehead.

⁴⁸ *Reg. P.C.*, 3rd Ser., IV., p. 657.

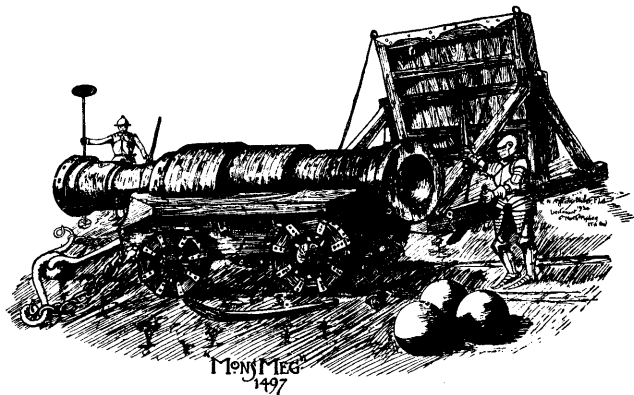
“ Mons Meg ”: A 15th Century Bombard.

By R. N. APPLEBY-MILLER, F.L.A.

Within the grim walls of “ Edwinesburgh,” or the Castle of Edwin, King of Northumbria, that far-famed hold which, perched high upon a rock, scowls down upon “ Auld Reekie,” Scotland’s premier city, is a huge piece of ancient artillery, known to the world as “ Mons Meg.” It is a 15th century Flemish bombard.

“ Mons Meg ” is placed upon an elevated gun platform and stands right in front of St. Margaret’s Chapel as if defending it from the attacks of infidels. This ancient weapon, whose history is wonderfully mixed up with legendary tales and stark realistic facts, some of these latter having at various times caused us Northumbrians no little discomfort, is probably about four hundred and fifty years old—perhaps a few years more or less.

This “ Ane grit peice, of Forgit yron, callit Mons ” regularly occurs, down throughout the years, in the Exchequer documents of Scotland.



In 1489, 1497, 1501, 1527, 1532, and 1539 payments were made for her reconditioning, etc., and also for her carriage, or “ cradill.” On one occasion she was “ ourelaid with reed leid ” and her “ Quheles (wheels) and extreis

creischit (axlestrees greased) with Orkney butter." She has also been recorded in history under other names or variants of the same name: In 1650, when Edinburgh Castle surrendered to Oliver Cromwell, "Mons" is written of under a new designation "The great Iron Murderer called Muckle Meg," and again as "the great Meg." In 1680 she is written down as "Muns Meg."

The legendary construction of the gun makes excellent reading because of certain facts which have since come to light, some of which strongly support the tradition that a gun foundry did actually exist at a place called Carlingwark, where tradition says "Mons Meg" was forged.

In 1455 James II., "Fiery Face" of Scotland, laid siege to the Castle of Thrieve which, built in the year 1372 by Archibald *the Grim*, was 83 years later successfully withstanding the total weight of all the artillery James could bring to bear upon its walls.

The peasantry of the district did not love the Douglas, and their sympathies were entirely with the King. Amongst the large crowd which daily watched the progress of the siege was one who bore the nick-name of *Brawny Kim*. His real name was William M'Kim. He was by trade a blacksmith, and with the aid of his three sons — some stories say seven sons—he worked a forge at Buchancroft near the Three Thorns of Carlingwark.

M'Kim sought an audience with King James and offered to make a "chamber" powerful enough to batter down the walls of Thrieve in two or three discharges. All the King had to do was to supply the iron bars, and Brawny Kim and his sons would do the rest. M'Kim said he would build the bombard just as a cooper builds, or makes a casque, i.e., staves hooped with bands. The rest of the peasantry would go to the granite quarry on Bennan Hill and there make stone balls for the bombard to hurl against the hated walls of Thrieve. In a wonderfully, in fact too wonderfully short a time, the gun was ready. It was hauled to the top of a hill, since called Knock Cannon, and from there it fired upon Thrieve. The "charge consisted of a peck of powder

and a granite ball the weight of a Carsphaim (Galloway) Cow."

In the wall of the Castle fronting the hill there is a huge hole still called the "Cannon Hole." Tradition says this was the result of the first kiss "Mollance Meg" gave the hold of Archibald de Douglas, surnamed "The Grim."

The first ball fired went clean through it and carried away the right hand of the "Fair Maid of Galloway," just as she was in the act of raising her wine cup while seated at the banqueting board. In 1810, as if to prove this latter claim, there was found amongst the ruins a massive gold ring bearing the inscription "Margaret de Douglas."¹ Legend credits King James with being so pleased with the destructive qualities of M'Kim's bombard that he created Kirkcudbright a Royal burgh, and granted to Brawny Kim and his heirs and successors the forfeited lands of "Mollance."

The Cannon received the sobriquet of "Mollance Meg" in honour first of M'Kim's new lands, and second of his wife Meg, whose voice was remarkably loud, so loud indeed that the soldiers likened it unto the bombard's roar. In course of time this name was shortened into "Mons Meg."

As if to prove that legend and tradition can be depended upon, a large and deep bed of cinders and iron scoria was discovered at Carlingwark when preparing the ground for a new road to Portpatrick. This was probably the remains of Brawny M'Kim's great forge. Evidently it had been erected there in early times and all record of it lost. All this is, however, but legend. It is founded upon the gossip of the people.

We do know that James II. was killed on 3rd August, 1460, by the bursting of a large new bombard then being used against Roxburgh Castle.

"The King, more curious than became him, did stand near hand the gunners when the artillery was discharged; his thigh-bone was dung in two with the piece of a misformed

¹ See *D. and G. Transactions*, 1922-3, p. 25.

gun that brake in shooting, by which he was stricken to the ground and died hastily."

Here is, however, the correct account of "Mons Meg's" building.

An authority writing of this veteran gun says, "In Mons Meg we have an excellent example of a great Flemish bombard of about 1460, though the first mention of her occurs in connection with the expedition of James IV. to besiege Dumbarton." (R. C. Clephan, *Ordnance of the 14th and 15th Centuries*.) This is not quite correct, as we have just learned that it was used at the siege of Thrieve in 1455.

The inscription placed upon "Mons Meg's" earlier iron carriage — she is now mounted upon a correctly designed one — by Sir Walter Scott, at whose request the gun was returned, one hundred and nine years ago, to Scotland (1829) and placed once again in Edinburgh Castle, states that it was forged at Mons. This is, of course, undoubtedly the case, as it is often referred to in the Treasurer of Scotland's Accounts as "Monns," "Mons" and "Monsis." The affix "Meg," which may have been applied to the bombard by the soldiery and the populace from its first landing in Scotland, does not appear, however, in any of the national records before the 17th century.

The Exchequer Rolls for Scotland show that a bombard called the "Lion" was imported from Flanders in 1460, and there is also an account paid as compensation to the Shipmaster for damage done to his ship by the gun in hoisting it aboard at the port of loading. They also record expenditure upon Mons Meg :

- " 1489 Item gevin the gunnaries to drink-silver quhen thai cartit Monss be the Kingis commande XVIIJ s.
 1497 Item the samyn day (X day of Aprill) gifin Johne Mawar elder in part payment of the quhalis (wheels) making to the bombardis and Mons IIIJ lib.
 Item the last day of Maij, in Edinburgh Castell, at the casting of Mons gevin to the Kingis command to the gunnaries XVIIJ s.
 Item (XXIV day of June) to pynouris to bere ye trees to be Mons news cradill to her at St. Leonardis quhare scholarly IIJ s.

Item (XXVIII day of June) for XIIJ stane of irne to make graith (gear?) to Monsis new cradill and gavilokkis (crowbars) to gu with her XXX sh. IIIJ d.
 Item for vij wrights for twa dayis and a half ya maid Monsis cradill xxiiij sh. iiiij d.
 Item for viij elne of canwas to be Mons claiths to cover her.
 Another item is for painting the canwas with the Royal Arms; *etc.*
 Item (XX day of Julij) for IIIJ towes (ropes) to Mons weyand XVJ stane five pund: for ilk stane IIIJ s.
 Item to the menstralis that play it Mons doune to the gait XIIJJ s.
 Item giffin for XIIJ stane of irne to make grath (gear?) to Mons new cradill and gavilokkis to ga with hir, for ilk stane XXVIIJ d.

“Mons Meg” was originally made in two sections, for ease in transport. These were screwed together when required for action.

The square lever holes for turning can be plainly seen in the rear-ends of the chase and chamber. When being transported in two parts the gun would require forty-eight horses for each waggon.

The difficulty, however, of screwing and unscrewing the gun seems to have finally decided its permanent state. For we see it in one piece, just as it is to-day, mounted upon its cradle, which is in turn mounted upon wheels, carved upon a stone slab which once formed part of the transome to one of the gateways in Edinburgh Castle. This is now in Edinburgh Castle.

The great gun, “Mons Meg,” consists of chamber, first and second reinforce, and chase, the chamber being the strongest. A rent near the juncture of the chase and the breech shows the method of construction. This fracture was caused by overloading (too strong a charge of powder) the gun when firing a salute upon the occasion of a visit made by the Duke of York in 1680 to Edinburgh.

Sir John Lauder, of Fountain Hall, records this event thus: “In October 1680 the Duke of York having visited the Castle of Edinburgh—for a testimony of joy, the gun called *Muns Meg* being charged by the advice of an English

Canonier, in the shooting was riven; which some foolishly called a bad omen. The Scots resented it extremely, thinking the Englishman might have done it purposely, they having no cannon in all England so big as she." They, of course, lost sight of the improved quality of the gun powder then used. "Mons Meg" is built up of wrought iron bars each $2\frac{1}{2}$ inches thick, welded together on a mandrel, and then hooped with iron rings or coils, $3\frac{1}{2}$ inches thick. These rings were shrunk on, i.e., put on when hot and driven tight up one to another, and then allowed to cool. Guns of their construction are very similar indeed to the "Armstrong" gun: a weapon built 400 years later.

Mons is 13 feet 2 inches over all in length, i.e., from the butt of the breech to the muzzle. The bore of the barrel is 1 foot $7\frac{1}{2}$ inches in diameter. The diameter of the chamber is 11 inches. The total weight is 5 tons. The powder charge was 105 lbs.; the weight of the shot if of iron 1125 lbs., and if of stone 549 lbs.

The range at an angle of 45 degrees with an iron ball was 1408 yards, and with one of stone the ground covered was 2867 yards—good for 450 years ago.

Here is an official record of Mons' shooting. On the 3rd of October, 1558, the following payment was made by the Queen Regent in consequence of the discharge of the gun at the rejoicings for the marriage of Mary Queen of Scots with the Dauphin of France:

"To certain pyonaris for their labouris in the (bringing) of Mons furth of her laid, to be schote, and for the finding and carrying of her bullet efter scho was schot, fra Weirdie Mure (fully two miles from Edinburgh Castle) to the Castell of Edinburgh."

In 1633 Mons was found to be in such a corroded condition that she was not able to fire a salute of welcome to King Charles I. upon his visit to the Castle of Edinburgh. "Item, to . . . for rining and winning the tuich hole of the iron peice that had beene poysoned thir many yeares by gane iij."

This type of carriage is described, along with the furnishing for the bombard, in the Scottish Treasurer's Accounts

for the year 1497-8, when "Mons Meg" first turned her attention to the English Border and Norham Castle; the Bulwark of the Bishopric of Durham. It is written thus: "A new cradill June 24-1497. Item, to pynouris to bere ye trees to be Mons newe cradill to her at St. Leonard's quhare scholay iij sh." "June 28, Item for xij stane of irne to make grath to Monsis new cradill and gavilokkis to go with hir, xxx sh. iiijd."

In the year 1754 "Mons Meg" was taken to the Tower of London, and there is a record for compensation paid for damage done during transit: "1754 John Dick applies to the Board of Ordnance for compensation for injuries received to his vessel and hawser in shipping the great gun at Leith for conveyance to the Tower."

In 1497, when Richard Fox was Lord Bishop of Durham, King James IV. of Scotland laid siege to Norham. He had avowed himself a supporter of Perkin Warbeck, who called himself Richard, Duke of York, and laid claim, as legitimate heir, to the Throne of England. James is credited with having given as his excuse the following, "he would onely forbeir to invaide the boundis quha wold assist to Richard Duik of York and none uther." So James, to help this pretender, invaded England with all his power, Warbeck being in his entourage, and settled down before Norham, and for fifteen days he battered the walls of this ancient fortress. James used, along with his other artillery, his "greet gones one of irne," "Mons Meg." He had, in 1497, brought Mons, on a "stock" (carriage) made at St. Leonard's Craig, from Dalkeith to Holyrood House; and the Exchequer Roll records it thus: paid, those who brought "Hame Monse and the other artailzerie from Dalkeith." Later, viz., in August, 1498, he carried it, along with his other "artailzerie," into England and laid siege to Norham Castle. But the Bishop of Durham had placed two good and well-tried soldiers in command of the castle, viz., Thomas Garth, the Captain of Norham, and Lieutenant Hamerton, his second in command. These men so inspired their soldiery that after fifteen days of siege and assault by

cannon and escalating the Scots drew off, and James "seeing that he couth not win the same, albeit that he had done great damage and skaith thereto, he returnit within his realme." The great damage amounted to "the fall of one tower," and Mons Meg had been used at this siege. For their fine defence of the "Castell of Norame" Bishop Fox granted Garth and Hamerton an annuity of 5 marks for life.

We are not informed whether the garrison essayed any sorties with a view to spiking "Mons" and her lesser sisters, as was done elsewhere even at this early date.

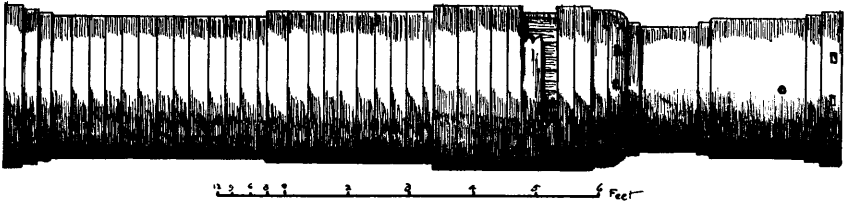
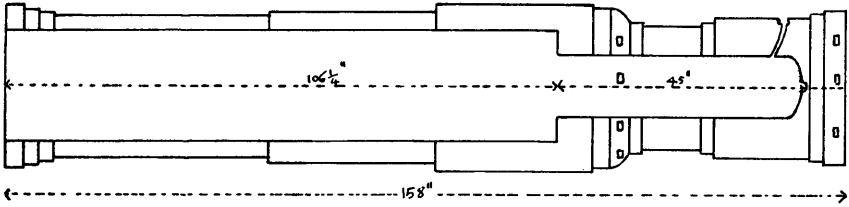
"Mons Meg's" next appearance before Norham was when James IV. came "with his puissance" on the 22nd of August, 1513. Sir Richard Cholmeley was Captain of the castle, and he on this occasion did his best to keep the promise he had made to the Earl of Surrey, viz.: "That he would keep the King of Scots in play till the King of England came out of France." Sir Richard had not, however, counted upon the marked improvement in the gunnery of the Scottish bombardiers—artillerymen. During the years 1497-1511 the castle had been thoroughly repaired and once again put into a state of defence, costing the Bishop £750 12s 2d. A new Lord Bishop occupied the throne in Durham Cathedral, Thomas Ruthall, and he, too, had spent much money upon the setting in order of the Bishopric's Outpost Tower. He wrote of the money he spent: "The Hospitality of this country agreeth not with the building so greate a wark, for that I spend here wold make many Touris." Now, however, the men serving the guns were experts and knew how to place "Mons Meg" with a view to getting the best results. They had had plenty of practice in Scotland, and soon demonstrated that to Sir Richard and his men. King James had brought up his train of French and Flemish artillery, viz., the "Seven Sisters," or "Bothwick's Culverins" and "Mons Meg," the great Flemish Bombard of 8.102 calibres. The horses—or more probably oxen—and equipment for this gun alone would be very great: fourteen or so waggons would be necessary to carry, say, the sixteen great stone shot with the requisite amount of powder and

the great wooden discs to be used as wads; forty-eight pairs of horses to haul the gun; six horses to transport the mantlet, or screen for the protection of the Cannoniers, or artillerymen; also waggons for carrying these gentlemen with their picks, shovels, crowbars, braziers for lighting the linstocks, or match, for "touching off" the gun, etc.

"Mons Meg" was placed in position in the middle of Norham's village street, from which vantage ground she on the 23rd commenced operations against the Barbican and its southern curtain wall which protected the outer ward of the castle.

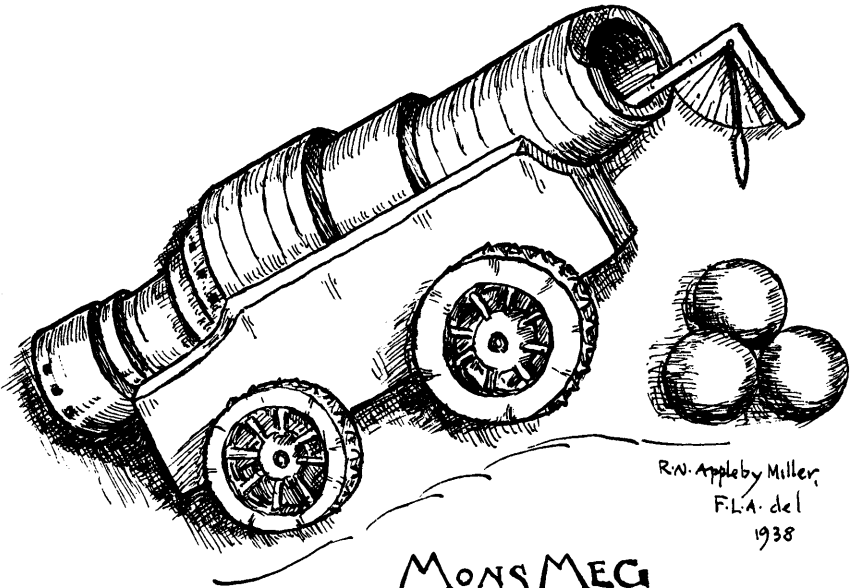
After two days of bombardment the defences were completely reduced to a shapeless mass of ruins, and the Scottish troops took the outer ward by storm. Having captured the outer ward, the Scots turned their attention to the inner ward, but upon this latter they could make no impression, although they did succeed in damaging the keep and the chapel. This inability to breach the inner ward was, no doubt, due to the difficulty of moving the bombard, weighing five tons without its carriage, to within effective range for direct hitting, owing to the heaps of broken masonry. Also the effective fire of the defenders' own artillery, which, though of shorter range than that of the Flemish bombard, would upon its coming near, become dangerous to those manœuvring "Mons Meg" into her new position, not to mention her cannoniers or gunners when serving her in spite of the protection of her great wooden mantlet covered with raw hide and studded with nails. However, on the 29th of August, Sir Richard Cholmeley surrendered Norham Castle owing to the looked for relief failing to arrive, thus ending the historic seven days' siege. "Mons Meg" must have been immediately withdrawn and transported into the safety of the Scottish marches, as it was not amongst the artillery captured at Flodden. So, by laborious transportation, "Mons Meg" must have regained gradually the sanctuary of Edinburgh Castle, where she remained until taken, in 1754, to the Tower of London. There she "lodged" until the year 1829.

SECTIONAL PLAN



MONS MEG

R.W. Appleby Miller,
F.L.A.; del.
1931



MONS MEG
(A stone carving)
From a stone lintel now
in Edinburgh Castle

Bishop Ruthall of Durham, writing on the 24th October, 1513, to King Henry VIII.'s Almoner Wolsey, says: "As touching the Castell of Norham, thanked be God and Saint Cuthbert it is not so ill as I supposed."

In re-arming the castle Bishop Ruthall seems to have bought most of the guns and powder from "Maister Branling, a Newcastle Merchant"; he was an ancestor of the Brandlings of Gosforth, Northumberland, who one hundred years ago were the great coalowners of the North Country. They were also the owners of the Middleton Collieries, near Leeds.

It is interesting to note, in passing, that one of "Mons Meg's" great granite balls, eighteen inches in diameter, still lies within the ruins of Norham Castle, where it was hurled, by the great Flemish bombard, in either the 1498 or the 1513 siege, after having been transported by ox-drawn waggons over rough broken rain-sodden ground all the way from Galloway, where it was quarried.

"Mons" has quite a number of battle, or perhaps it would be better to write siege, honours to her name. They are as follows: Thrieve Castle in 1455; Roxburgh Castle in 1460; Dumbarton Castle in 1489; Norham Castle in 1498 and again in 1513; the Defence of Edinburgh in 1650. This last was her final growl during war; her others were sharp barks of joy until she was "riven in 1680."

It is interesting to note that the cradil for "Mons Meg" was altered shortly after a Mr Bland of Sheffield sent a copy of my paper on "Mons Meg" to the officer commanding troops in Edinburgh Castle. This was acknowledged, as I hold the correspondence.

An Old Dumfries Commonplace Book.

By E. SHIRLEY.

Through the kindness of Mr John Gibson, senior, I have had the opportunity of looking through a MS. Commonplace Book kept by his grandfather in Dumfries and covering the years 1810 to 1822. At first glance it appeared to be a diary, but I have given it the name as above for the reason that it was evidently started as a sort of notebook of items from the local newspaper which were copied out as of interest to the writer. Eventually, however, from internal evidence, I gather that he added notes of his own on matters which interested him as well as continuing others from the paper, with occasional comments of his own on them.

It is a book of ruled sheets, much like a modern child's school exercise, sewed with pink twine, though I think that is not the original fastening, and is headed¹ "Ods and Ends." The items from the paper are occasionally copied verbatim but more usually are put down in the writer's own words. The writing is beautifully clear and the letters well formed especially towards the beginning; during the later years it is not quite so symmetrical but is still very easy to read. The ink has become brownish with the years, but there is no great fading.

Each item is scrupulously headed with the year, but after the first few pages is also followed by the month and day. It is curious, going through it, to find what interested the writer enough to cause him to make an entry, and reading on one gathers quite a clear idea of what Dumfries and its neighbourhood were like in the early days of the 19th century. For anyone interested in the names, trades, and development of the town it should be a perfect mine of wealth. The writer is always careful to notice, for instance, where and by whom a new shop is opened, a business started, or a removal to new premises takes place. He notes here and there changes of street names as of Lochmabengate into English Street; in the beginning of 1810 it is noted that Chapel Street was then called Ratten (Rotten) Raw.

¹ The only mis-spelling in the book.

There are a great many entries of births, deaths, and marriages, perhaps of people the writer knew personally or in whom he was interested. A good deal can also be gleaned of the progress of such institutions as the Infirmary, the building of the New Assembly Rooms, etc. There is not much to be found about the actual day to day life of the townfolk; food prices are only represented by one or two entries concerning the price of oatmeal and ale. In 1810 oatmeal was 2s 4d a stone, by 1812 it was 3s, and in one week in March rose to 3s 9d; by June it was 4s 6d; in the beginning of August it was 6s 6d, and a week later 7s. No further price mention is made. On 20th February, 1816, common strong ale is 42s a barrel, and double strong 60s.

A few notes concerning the early days of the Infirmary may be interesting. On October 7th, 1810, a sermon was preached in St. Michael's by the Rev. Wm. Gillespie, and published; and on the 11th June, 1811, another in "the Burgher Meeting House," Buccleuch Street, by the Rev. W. Dunlop, the eccentric minister of whom Dean Ramsay tells many stories, the proceeds of both to go to the Infirmary funds. On 17th January, 1817, the death is recorded of Peter M'Whirter, "late Master of the Hospital," aged 80 years. Later a Mr Thomson presents a cartload of potatoes, then a Miss Brown of Netherwood gives £1. In 1820 "the Pottery Folk" at the Rood Fair give £4, and in the same year there is this entry: "It always gives us great pleasure to record instances of generosity. We hear that Mr Bacon has presented to the Hospital a cartload of excellent seed potatoes, and also that Mr R. Paterson has presented the same Institution with a £1 note, it having been found on the floor of his warehouse on a former market day."

On October 27th a letter from Patrick Miller of Dalwinton subscribes £300 to "improve the Navigation of the Nith." I have been told by a descendant of his, Mrs Catherine Carswell, that he also was responsible about the same time for placing there the first pair of swans. Shipping interests the writer very much, and we get many entries with

details of vessels sailing from Dumfries, New Quay, and Glencaple. But with this necessarily brief introduction perhaps you would be interested if I gave you some of the entries directly from the book itself.

The first connected with Burns, for instance, is February 3rd, 1812: "Died at Ayr, Mr John Mitchell, late officer of Excise."² And the writer notes: "Burns' Associate, I think." On January 11th, 1814, a meeting is convened to consider the erection of a mausoleum in memory of the poet. It is held in the George Inn, and General Dunlop, M.P., is in the chair. Among those present are some well-known names: David Staig, afterwards Provost of Dumfries; John Syme of Ryedale; Joseph Gass, Provost; Dr. Duncan of Ruthwell; Rev. John Wightman, Historian of Kirkmahoe, etc. On January 25th, 1817, a dinner in honour of the poet is held in the King's Arms. Messrs Duncan and Grierson are the secretaries who arranged the affair, and the list of stewards contains many more well-known names of that period. On June 10th of the same year "David Williamson, draper, resigns his business after 27 years in favour of his son," and the writer notes in pencil: "It was him whose account for clothes so distressed Burns" when he was dying. A later note on November 10th throws a little light on the matter, perhaps, for we have an advertisement of "Valuable property for sale as possessed by D. Williamson," and "Creditors to meet in Grieve's Coffee-House, December 1st, at 12 o'clock."

In 1818 another Burns dinner was held, this time in the Globe Inn. The chairman was Mr Commelin of Troqueer Holm, and a further note tells that Mr M'Diarmid (presumably the editor of the *Courier*) gave a speech which occupied two columns of the paper on this occasion. Later on, but with no specific date, is this entry: "At the late dinner in honour of Burns a committee was appointed for getting subscriptions for an elegant China punchbowl to be ornamented with a portrait of the poet and to be used at all their future meetings." Another indirect reference to the poet

² It is generally stated that Mitchell died elsewhere.

is under date 11th September, 1821: "At St. John's, New Brunswick, on 1st May last, Mr John Milligan, mason and architect," to which is appended the words: "He wrought at Burns Mausoleum." The last entry in the book in this connection is under date 20th August, 1822: "A Band belonging to a menagerie now in Dumfries went through the Auld Kirkyaird and played some favourite tunes at Burns Mausoleum. In going in to the town they played some tunes at Burns house. They were dressed in red coats and their hats were covered with leopard skins." A pencil note by the compiler says: "I mind seeing them at the Auld New Kirk."

An interesting entry is found under May 9th, 1820: "At Mousewald Mains on the 28th ult., by the Rev. James Dickson, James Hogg, Esq., Author of "The Queen's Wake," to Margaret, youngest daughter of Peter Philip, Esq." One or two other interesting names occur: "December, 1815, died Patrick Miller of Dalswinton, in his 86th year." Under May 2nd, 1815, is "Marriage at Rosehall yesterday week of Alexander Young, writer, Dumfries, to Miss May Corson, youngest daughter of Wm. Corson of Rosehall." This was the father of the late Lord Young.

Leaving persons and coming to events it is curious that there is no direct reference to the battle of Waterloo. But there are some indirect indications of the interest taken in it. The first of these is found under date August 3rd, 1815, where is given a list of names of subscribers to a fund opened for the "Relief of the Wives and Families of the sufferers at the Battle of Waterloo." Subscriptions were received at the Bank of Scotland Office. The town of Dumfries heads the list with 21 guineas; David Staig, afterwards Provost, gives 3 guineas; and John Staig, Collector of Customs, 2 guineas; Patrick Miller of Dalswinton, ten; Ferguson of Craigdarroch, three; Colonel de Peyster of the Dumfries Volunteers, five; while the officers of the Dumfries Militia collect among themselves £3. One interesting donation is simply Perechon, Castledykes. This was the French exile who married a daughter of Mrs Dunlop, the friend of Burns.

When the body of the poet was transferred to the Mausoleum Mrs Burns gave the first grave to Mrs Dunlop, whose daughter and her husband are both buried there. The list of names given takes up seven and a half pages of the book, each with double columns, and the list is most comprehensive. From it we learn that the town was at that time divided into six wards. The total amount collected was £483 16s 6d. On November 21st, 1815, a subscription is opened for the Waterloo Monument at New Abbey. At a later date we find that the unfortunate memorial was struck by lightning and damaged. Another reference to Waterloo is found under date October, 1817, when "a considerable number of gentlemen of the town entertained Captain Clarke Kennedy to dinner in the King's Arms. The gallant captain had distinguished himself by the capture of an eagle at Waterloo. The non-commissioned officers and men were at the same time entertained to dinner at the Crown Inn by the same gentlemen. These warriors belonged to the A Squadron of the 1st Royal Dragoons." A pencil note in another hand says: "I can remember one of them taking me on his knee." On June 23rd a very brief entry relates that "Napoleon's carriage arrived in Dumfries." This vehicle was being shown round the country, but I cannot find out by whom or if a charge was made for viewing it.

The next entry relating to the battle I will give in full. The date is "June 30th, 1818, Thursday, being the anniversary of the ever memorable battle of Waterloo, a day ever to be remembered in the annals of the world. At an early hour the fronts of the houses were generally decorated with oak and bay laurel branches and presented a very gay appearance. The joy bells were rung at intervals during the day. A part of our national regiment, the Scots Greys, who distinguished themselves by such heroism on that important day, being at present quartered here it has been resolved by a number of respectable inhabitants to pay a tribute of respect to these brave warriors, as such an opportunity may never occur again. Accordingly at 5 o'clock about 200 non-commissioned officers and privates were entertained in the

Trades Hall with a sumptuous dinner. The health of our venerable sovereign (George III.), the Duke of Wellington, and many appropriate toasts were drunk in bumpers of wine. The Rev. Mr Wightman, who has so often distinguished himself by his eloquence and generous feelings on public occasions, acted as Chaplain, and on the removal of the cloth in a most energetic manner delivered a highly appropriate poetical address, which was received with unbounded applause by all present. The officers of the Regiment, accompanied by the stewards, attended, and were much delighted with the order and regularity with which the entertainment was conducted. The dinner was provided in excellent style by Mr Wm. Potter, Crown Inn, and reflects great credit on him for his attention. Amongst other substantial dishes we observed on the middle of the table a sheep roasted whole." These same Scots Greys must have had rather a good time on the whole, for on July 14th we find that "last week as they passed through Gatehouse on their way to Ireland each soldier was presented with a glass of whisky as a small mark of the veneration and esteem in which these gallant heroes are held by the inhabitants of that borough."

Turning to a more topical subject at the moment let me give you an entry or two. On the 16th July, 1816, Mr David M'Meeken, sergeant, 2nd garrison company, was married to Miss Haining, eldest daughter of the late David Haining, Esq. of Blackacre. "The fair bride was, we understand, in a short time to become the wife of a knight of the shuttle, but unluckily for him the Son of Mars got introduced to her on Thursday afternoon and besieged her so closely that in the short space of 6 hours he caused her to surrender and carried her off as his prize to Gretna Green where they were firmly rivetted in the bonds of matrimony by the Vulcan priest and returned to Maxweltown on Friday afternoon to the great disappointment of her former lover." One more Gretna romance must suffice. On February 19th, 1822, a Mr Craig, trunkmaker, Manchester, was married there to a Miss Davidson of the same city. Here is the tale: "The lady of no less weight than £40,000. It is reported that

£3000 of this with the accumulated interest making it up to about £10,000 are now at her own disposal together with the interest of the remainder till she becomes 21 when she will enter into possession of the whole. There was a little very active manœuvring in the elopement. Miss Davidson was in the habit of visiting a friend (the writer cautiously adds, 'a female acquaintance') whence she was regularly conveyed in a hackney coach. Mr Craig sent the coach at the usual time, took her up at the lady's door and drove out of town. Their absence was therefore not discovered for some time and her destination not for a considerable time, as the fugitives had carried their coachman forward to Gretna Green, consequently there was no person to inform the lady's friends of her route. The parties who at last pursued were more than 12 hours behind the lovers."

Time does not permit of my giving at any more length the many very interesting entries in the book, but I will put down one or two notes regarding matters in the town itself. Under date 19th January, 1813, the Bourtree Bush Inn is to let for 9 years. This was a public-house that stood at the corner of English Street and Queen Street. It got its name from an elder or bourtree that grew out of the wall above it and acted as a sign. On 13th January, 1817: "The new Episcopal church in Buccleuch Street is now finished and will be opened for service on Sunday, March 13th." This building is now the Wesleyan Church. April 14th, 1818, there is to be "let or feued a number of situations for villas with gardens in front along the road from Dumfries to the ford at Martinton between the end of the new garden wall and the cottage of Mr Irving, nurseryman." This is the street now known as Albany Place. On October 24th, 1820, another piece of ground is advertised for sale, with "The whole garden and houses erected thereon belonging to and possessed by Mr Alexander Boggie." (It is of interest to note that the name of Bogie is still represented in the town by nurseries and gardens.) It is described as consisting of about 3 English acres extending from St. Michael Street on the east to the Dock on the west, "along which beautiful walk," remarks

the poetic writer, "it runs to near 400 feet in a soft and gentle decline." Nithsdale Factory was afterwards built on this site. On August 21st the foundation stone of the Greensands School, now Dumfries High School, was laid. I have been told that this school was originated by some benevolent ladies of the town, one of whom was the mother of the late Mr James Barbour, long connected with this Society.

In connection with the burghal life of the time one or two items may be of interest. On September, 1817, was the election of the Deacons of the Incorporated Trades. The Deacons of that year were: Hammermen—W. Hayland. Squaremen—J. Watt. Weavers—John M'George. Tailors—Robert Grainger. Shoemakers—Peter Anderson. Skinners—Alex. Lookup. Fleshers—Alex. Selkirk. Another election takes place the following year, when the same names appear, and on October 6th the Incorporated Trades walk in procession. "On Friday," says our writer, "King Crispin paraded the streets. The Carters belonging to Dumfries and Maxwelltown assembled at Glencaple Quay. After riding to the toll bar of Maxwelltown the whole party halted to witness a race. The successful candidates were Edw. Robson and John Hogg. On each day the festivities were concluded with dancing in the Trades Hall, which, as usual, was kept up to a late or rather an early hour." October 10th, 1820, however, lets us into the secret that things did not always go as smoothly as this. On this date "the Squaremen had a fecht with the Sutors and a slight skirmish with the Tailors as they were suspected of using the Square and Compass on their colours. The Hatters on this occasion did not turn out; they used to parade with their paper caps and in their shirt sleeves. The Carters were there and had their usual races on the Kingholm."

In August, 1819, is the Horticultural Show, with mention of a prize to James Kennedy of Nithbank for the best of four kinds of gooseberries. This is another name still continuing to the present day in the same kind of business. In March, 1820, a premium is awarded to James Carmont at Terregles for the best preserved apples. A note appended

tells that this was the father of a late very well known citizen of Dumfries, Mr Carmont, for many years secretary to the C.R.I. But we could produce prodigies as well as Markinch in our favoured district, for on November 17th of the same year a bed of strawberries in full bloom is noted, among them a few berries fit for the table, and from the same garden on the same date two excellent dishes of green peas have been gathered. I have given you one mention of the Rood Fair, but there is also a Whitsunday Fair which must have had its own habits and customs. In June, 1819, this irreverent episode is recorded: "Weel, Jenny," said one of those gude-looking, weel-dressed girls who weekly take their station at the King's Arms entry, "has onybody invited ye tae a dram this morning?" "Atweel, na," said Jenny, "and d'ye ken, woman, I think times are sair changed. For I'm free tae answer that there's no ane o' oor lads has sae muckle sense except Andrew Glendinning, and d'ye think I was gaun in wi' him, the slype?"

There are several references to emigration from Dumfries during this period. On March 18th, 1817, is this note: "There are no fewer than 60 emigrants to sail this day for St. John's, North America. Several of them are from the town and immediate neighbourhood." A further note tells us that since the season began 624 persons have left the district, principally for North America.

There are many references to Dumfries as a seaport and also to the shipbuilding that went on not only there but at Kingholm Quay, Kelton, and Glencaple. On August 7th, 1815, the ship "Jessie" of Dumfries advertises a few vacancies for passengers; no destination is given. On April 15th, 1817, the "Augusta" of Dumfries, 600 tons, sails for Pictou and Miramachi (New Brunswick), and the "fine new ship, 'Elizabeth,' also 600 tons, is evidently for the same port as well." "The 'General Goldie,' 80 tons, now lying at the dock of Dumfries," is to sail on the 20th of June for Quebec and Montreal, no light undertaking for these days. One can hardly realise the traffic between the burgh and such distant ports nowadays nor the seafaring look of the riverside at that time.

These and similar vessels are mentioned more than once, giving an idea of where trade went, but I have no space to give more in this connection than a list of names of vessels in the port under date February, 1821. They are the "William and Nancy," "Industry," "Active," "Lively Grace," "Alexander and Grace," "Jessie," "Prosperity," "Joseph and Mary," "Elizabeth," "Robert Burns," "Countess of Mansfield," "Nancy," "Jane," "Neptune," "Betsy," "Agnes Loudon," "Friendship," "Hearts of Oak," "Queensbery." Among the cargoes carried are noted hewn stones for New Brunswick, oatmeal for Inveraray, and West Highland herrings for Dumfries.

There was a considerable amount of shipbuilding done on the river, not only at the town itself but at Kelton and Glencaple. In May, 1817, the "new copper-fastened brig, now building at Kelton," will be ready for sea about the middle of the month, and on May 23rd, 1820, there was launched from the same place "a fine new smack of the burthen of 63 tons." This was "Favourite," whose name is found elsewhere in the book, and the carpenters and others in the village were invited to a dance in honour of the occasion.

There are various references to Glencaple in the record, but I can only give one here. On March 7th, 1820, the house of a Mrs Coupland, apparently an innkeeper, was burnt to the ground. So, "on Saturday last, the respectable merchants of the town who take a strong interest in the welfare of Mrs Coupland, invited a numerous party of their friends" to what was evidently a "house heating" of the lady's new abode. The note goes on to describe the festivities and congratulate the boat-builder, and finally concludes thus: "At this time a good deal of building and repairing vessels, loading and unloading of vessels, is in the highest degree creditable to the talent and enterprise of the Messrs Thomson who, in the course of a few years, have converted a solitary house into a thriving village and a few coasting boats into a fleet of merchantmen measuring several thousand tons and trading to every part of the habitable globe."

Many interesting entries throw light on the life of the burgh of more than a hundred years ago, but space is not available to give more than one or two of these. A woman, who had been transported for theft, is flogged through the streets for returning after her banishment; a barber is fined the mitigated (!) penalty of £5 for shaving on the Sabbath; a "laboratory" is opened by a retired naval surgeon; a dancing school is started in the Trades Hall; a boarding school "for the instruction of young ladies in the various branches of female education" is announced, where "an accomplished Governess has been engaged," and so on. Here is a little tale to finish up with. It is under date 20th April, 1816: "On Thursday morning a battle royal took place at the Kingholm by two parties of Irishmen, where several broken heads occurred. A number of Amazons were on the ground who were not the least active in the fray. Five persons were so much injured that they were obliged to be assisted into the town. Upwards of 200 stout cudgels were in operation at one time."

Rainfall Records for the South-Western Counties for the Year 1937.

SUPPLIED BY THE METEOROLOGICAL OFFICE, EDINBURGH.

	Jan.	Feb.	Mar.	Apr.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	TOTAL
DUMFRIESSHIRE.													
Ruthwell (Comlongon Castle) ..	3.20	4.22	1.33	2.70	1.70	2.62	2.53	1.84	3.04	3.71	1.25	2.91	31.10
Dumfries (Crichton Royal Inst.) ..	4.59	4.45	1.63	3.28	1.63	2.56	3.15	2.25	2.60	4.75	1.93	2.55	34.50
Dunscore (Speddoch) ..	7.22	6.72	2.33	3.83	2.73	3.71	4.91	2.80	2.73	5.93	1.70	4.58	48.04
Blackwood ..	6.95	6.71	2.33	3.77	2.40	2.81	4.56	3.43	2.39	5.03	1.33	4.66	46.43
Moniaive (Glencrosh) ..	9.22	7.36	2.46	3.69	2.33	3.31	4.90	2.89	2.69	5.12	1.37	3.95	49.13
Maxwellton House ..	8.07	6.34	2.15	3.52	2.42	2.97	4.82	2.81	2.82	4.71	1.24	3.97	46.08
Durrisdeer (Drumhanrig) ..	8.82	6.05	2.32	3.73	2.37	3.31	5.60	2.25	2.97	4.31	1.57	4.72	48.95
Eastbiggs (Dornock House) ..	2.79	3.51	1.47	2.38	1.51	2.54	3.35	1.76	2.54	2.94	1.03	2.20	33.02
Dalton (Whitcroft) ..	3.99	4.92	1.51	3.29	1.93	3.04	3.76	2.35	3.79	3.46	1.14	3.44	33.20
.. (Kirkwood) ..	4.58	4.93	1.47	3.65	1.93	3.38	3.66	2.61	3.87	4.03	1.00	3.04	33.55
Moffat (Huntly Lodge) ..	8.92	5.54	1.97	2.69	2.09	3.51	4.21	3.44	2.48	5.22	1.17	4.64	47.34
Evan Water School ..	9.05	5.88	2.23	2.80	2.45	3.00	3.85	3.42	2.80	5.22	1.72	3.92	50.94
Eaglesfield (Springkell Gardens) ..	4.49	5.36	1.90	3.17	1.96	3.48	3.35	2.75	4.00	3.50	0.66	3.20	37.10
Canonbie (Irvine House) ..	4.58	5.80	1.60	2.97	2.68	2.97	2.81	2.43	4.78	2.67	1.81	3.20	45.23
Langholm (Ewes) ..	7.13	5.79	2.90	2.71	3.12	3.36	4.80	2.49	4.76	2.57	1.30	4.50	49.23
Eskdalemuir (Observatory) ..	9.14	6.48	3.21	2.90	2.59	3.94	4.43	3.85	4.80	3.87	1.19	4.79	51.24

(These data should be taken as provisional)

382 RAINFALL RECORDS FOR THE SOUTHERN COUNTIES.

	Jan.	Feb.	Mar.	Apr.	May	June	July.	Aug.	Sept.	Oct.	Nov.	Dec.	TOTAL
KIRKCUDBRIGHTSHIRE.													
Rigg of Millmore	10.99	7.49	2.29	4.90	3.13	5.78	6.16	2.79	4.69	4.31	1.36	3.23	57.21
Bogate (Corseyard)	3.39	6.34	2.04	2.60	1.64	2.69	2.27	1.82	3.05	2.27	1.79	3.34	36.36
Threave	5.68	4.97	2.98	3.53	2.04	3.50	6.03	2.70	3.71	5.67	1.32	3.90	46.01
Mossdale (Hensol)	6.73	6.12	2.87	3.59	1.63	3.95	5.46	3.13	3.19	4.79	1.47	2.98	45.36
Dalry (Garroch)	10.83	7.42	1.95	3.70	2.30	4.34	5.32	2.96	3.46	3.82	1.73	4.04	47.41
" (Glendaroch)	9.60	6.63	3.04	3.49	2.63	3.69	5.72	3.33	3.21	3.71	1.44	3.76	52.74
" (Forrest Lodge)	14.55	9.37	3.42	3.98	2.97	3.00	5.26	3.60	2.56	3.74	1.42	3.55	47.83
Carsphairn (Shiel)	11.53	6.59	3.36	3.72	2.84	2.72	6.31	3.39	4.22	5.11	1.14	4.79	61.09
Auchencain (Knockgray)	9.20	6.08	3.57	3.00	2.34	3.35	6.81	3.45	3.25	4.40	1.32	5.44	54.21
Dalbeatric (Drumsfichall)	4.33	6.34	2.23	3.03	1.45	3.40	5.22	2.23	3.96	4.43	1.66	4.11	44.74
Chipperkyle	5.35	4.34	1.77	3.36	1.83	3.40	4.88	2.67	2.92	5.76	2.46	4.06	46.80
Lochrutton	5.82	4.70	1.87	3.79	2.02	4.56	4.10	3.17	3.68	4.97	1.61	3.51	45.18
Carutchan	5.01	5.13	2.08	3.39	1.81	2.91	3.34	3.00	2.98	5.91	1.23	2.31	39.16
WIGTOWNSHIRE.													
Castle Kennedy	4.57	7.92	1.54	3.07	1.99	3.97	4.39	2.62	3.43	3.49	1.60	4.80	41.69
Logan House	4.19	6.16	1.74	2.45	1.74	2.27	2.92	1.93	4.37	3.36	1.53	5.40	38.97
Corsewall	5.38	4.59	1.85	2.50	1.49	3.93	4.39	2.02	2.12	3.49	1.99	4.27	37.05
Whithorn (Physgill)	3.31	5.47	1.42	2.42	1.28	3.31	5.32	2.10	2.38	3.71	1.68	4.53	37.33
Port-William (Glasserton)	3.68	5.75	1.32	2.57	2.13	3.41	5.36	2.30	2.87	3.71	1.67	4.46	38.82
Stoneykirk (Artwell House)	3.35	6.04	1.43	2.70	2.13	3.68	5.56	2.23	2.36	3.59	1.68	5.36	38.73
New Luce	4.48	6.34	1.40	2.28	1.62	2.70	2.88	1.79	2.39	3.40	1.58	5.34	36.86
Garlieston (Galloway House)	5.66	7.25	1.96	2.68	2.24	3.33	4.63	2.69	2.93	3.26	1.48	4.03	43.96
Kirkcowan (Culdery)	3.28	6.74	1.33	2.92	2.03	2.80	4.03	2.02	2.70	3.50	1.46	4.68	40.54
Newton-Stewart (Little Barraer)	5.78	6.80	1.80	3.37	2.09	3.82	5.32	2.26	2.85	2.35	1.90	3.18	41.80
"	5.56	6.23	1.77	3.02	2.69	3.92	5.56	2.03	2.88	3.57	1.55	4.08	41.90
" (Duncree)	5.46	5.80	1.92	2.53	2.25	3.77	5.60	2.33	2.36	3.26	1.46	3.91	39.85

(These data should be taken as provisional).

Field Meetings

28th May, 1938.

The first Field Meeting for this session was held on May 28th, when a large company left the Ewart Library at 9.30 a.m. for a day in Galloway. A considerable number joined the party at various points on the road.

The first place of call was St. Medan's Chapel and Well on the shore of the Solway. Here the Rev. James Thomson of Mochrum gave a very interesting account of the legends concerning the saint and also spoke on the history of the Chapel, which is the family burying ground to the Maxwell family of Monreith. Sir Aymer Maxwell, who was present, admitted the members to the Chapel. Lunch was partaken of *al fresco*, and then the party proceeded to Monreith House, where, on the lawn, an Ancient Saxon Cross and also a Quern were inspected, and the further privilege was obtained of seeing some of the objects of interest within the house itself. Among these were various beautiful tapestries and a sword from the Battle of Dryfe Sands.

A visit was then paid to Myrton Castle, which is in close proximity to the house. Here the speaker was Mr R. C. Reid, whose notes will be found appended.

Craichlaw Tower was the next objective, where, through the kindness of Mrs Fleming Hamilton, the party were entertained to tea, after which Mr A. S. Morton gave an illuminating description of the building and its various owners. These notes will also be found appended.

Mr Adam Birrell, Creetown, during the outing added to the interest of the excursion from time to time by his observations on the natural history of the country through which they were passing.

A start was then made for home, which was reached, in perfect weather, about 9 p.m.

Myrton Castle.

By R. C. REID.

This site is the original home of one of the oldest native families of Galloway—a proud honour which the M'Cullochs share with only one other family—the M'Dowells. And with Myrton the M'Cullochs can be definitely associated for just four centuries.

The site shows remains of three different homes—perhaps four—all crowded together, each illustrating a definite period in the natural development of a residence in this country.

First of all there was the 13th century (or earlier) mote, on which the first recorded M'Culloch must have dwelt. The Mote-hill is now surmounted by the remains of a much later Tower, but it is quite unmistakable, and on one side still shows the marked vestiges of the fosse that surrounded it. The Mote-hill probably had a bailey attached, but later generations have so altered the surface that it is not possible to be positive. But the west wall of the garden probably follows the outline of the bailey, and the level part of the garden north of the Tower may well represent its outline.

Till approximately the year 1500 this stockaded hillock surmounted by its wooden house must have been the home of the M'Cullochs when they were not in exile in foreign lands. Then about 1500 the family, having risen to local importance and its laird to a knighthood and the position of Sheriff of Wigtown, decided to replace their primitive form of residence with a tower such as was being erected by most of their contemporaries of substance. There is not enough of that Tower left to enable us to date it very definitely from an architectural point of view. But a document amongst the Monreith charters dated 1478 speaks of the mansion of Myrton and its close (*clausura*), which, I believe, refers to this Mote-hill and its bailey, whilst in 1504 Myrton and Auchenchonwane were erected into a barony, and the tower is mentioned (R.M.S., 1424/1513-2795). Indeed as the caput of a barony it would have been strange

indeed if Myrton had not got a tower. At the same date (1504) the close of 1478 was probably walled round, forming the usual barmkin. A stretch of this wall of 1504 may, I think, still be seen along the west side of the garden. Within the walls would be lean-to buildings, at first of wood, later of stone—stabling, stores, and retainers' quarters. This was followed at some unknown date by a range of buildings of two or more stories, the basement being very substantial vaulting, on the east side of the close and contiguous to the Tower, with which it may have communicated. Then this site was vacated—we may surmise shortly after the heir of Myrton married the heiress of Cardiness, whither the family transferred its seat. Dilapidation followed, and the only part of the building that may have been occupied was a sort of cot, still roofed, built on to the back of the vaulted range and apparently of later construction.

Then in 1685 Myrton was sold, but Cardiness retained, and strangers were within its gates. But the Maxwell ownership of Myrton is another story. They are, however, responsible for laying out the close as a garden and for adapting the ruined tower as a dove-cot. They have, however, preserved behind the stables a small rectangular and roofless building of indeterminate date which tradition says was the castle chapel, now used as a screen for a water tank.¹

One other noteworthy feature of this site is now missing. Formerly there used to be a ride, over half a mile long, running from the Tower along the ridge towards the sea. It was lined by magnificent beeches, at the far end of which glittered the distant sea. Some decades ago a gale blew all of them down. What must have been a truly remarkable approach to this home of the M'Cullochs has never been replaced.

The M'Cullochs were of Celtic stock, as their name indicates, and do not emerge into documented history till they figure first in Ragman Roll in 1296. Three men of

¹ Symson says the Tower has a little chapel within less than a bow's draught's distance.

that name, landowners in Wigtownshire, rendered homage to Edward I. in that year—Michael, Thomas, and William (Bain, II., p. 211). The first two were brothers, and acted as jurors on an inquisition as to the lands in Galloway of the late Elena la Zouche (Bain., II., 824). All three were constant adherents of the English and of the Balliols. Of William the only other references are that he served in the garrison of Berwick in 1312 and later was at Roxburgh (Bain, III., p. 396 and 406).

Thomas was a man of note in the Galloway of his day, and was the English Sheriff of Wigtown in 1305 (Bain, II., 1691). His seal has survived. It figures a squirrel, which contrasts with the three wolves' heads of the family's heraldic shield of later date (Bain., II., p. 198). Thirty years elapse before there is record of another of this name. During that period Brus had recovered Galloway to the Scottish Crown, the Balliols had forsaken Galloway, and with them the M'Cullochs had retired to England, where they were sustained by the English Crown. The English records refer to four of them. Michael M'Culloch (Maccoulagh) and Thomas M'Culloch of Scotland, in return for their good services, were granted 12d daily in 1343 till they recovered their Scottish lands (Bain, III., 1412). Both of them had to petition the following year for arrears of this grant (*ibid.*, 1432). In 1342 Gilbert M'Culloch, valet of the English King, who had lost his lands in Scotland, received a like amount (*ibid.*, 1390), and the assessors of wool in the North Riding were directed to give him some wool as part of this wage (*ibid.*, 1406). As will be seen, Gilbert was a merchant, so the wool would come in handy for his trade. After the battle of Durham Gilbert was sent north in the King's service (*ibid.*, 1490). With him went Sir Patrick M'Culloch, Knight of Scotland, who received 2s a day, and his son Patrick, the younger, valet of Scotland, who got 40s for expenses (*ibid.*, 1490).

This Sir Patrick, the first known owner of Myrton, first appears in 1338, when he received an English grant of £20 yearly (Bain., III., 1265). Again in 1341 the English

Treasurer received a Royal warrant to arrange suitable sustenance for Sir Patrick and other Scottish knights abiding at the King's faith (*ibid.*, 1369). They were to receive 66s 8d each from the wool pennies, whilst Gilbert M'Culloch got £9 1s 4d (*ibid.*, 612). Later that year Sir Patrick, in recompense for his loss of lands and hardships sustained in the English service, was granted 4s a day for himself and two esquires till recovery of his lands. This was later cancelled in favour of 100 merks yearly (*ibid.*, 1391), for arrears of which he had to petition (*ibid.*, 1432; and Rot. Scot., I., 763). A first-rate fighting man, he was naturally employed by Edward III. in his war in Brittany, where he served for close on four years, receiving for himself and two esquires £239 (*ibid.*, 1455 and 1483), part of which was paid to his daughter, Anabella M'Culloch. On 6th March, 1346/7, he was sent to the north on the King's service, and may have fought at Durham (*ibid.*, 1490). With him went his two sons, Patrick and John (*ibid.*, 690). A third son, Christopher M'Culloch, is also recorded (Rot. Scot., I., 881).

After Durham, Balliol was back again in Galloway, and Sir Patrick must have been home at Myrton. In 1350/1, along with Sir William de Aldeburgh and John of Wiginton, he made a protestation to Edward III. on behalf of Edward Balliol (Rot. Scot., I., 739), and with Gilbert M'Culloch witnessed the charter of the barony of Kells by Balliol to Aldeburgh in 1352 (Bain, III., 1578). This charter has been preserved to us by its being enrolled in the English Charter Rolls. Balliol must also have granted a charter to Sir Patrick, which, unfortunately, has not been so preserved, though a precept of enrolment was issued in 1345/6 (Bain, III., 1581). So we cannot be sure what those lands were. In any case they cannot have been enjoyed long, for in the summer of 1353 Douglas overran Galloway, and once again Sir Patrick sought refuge in England, his lands being given to John of Carrik (R.M.S., 1306/1424-1114).

For the last time the tide had turned definitely against Balliol. England had put him on the Scottish Throne, but he had proved a weakling. Immersed in a Continental war,

England now sought peace with Scotland, and Balliol was left in the lurch. Sir Patrick must have realised it was time he made his peace with Scotland. Accordingly a safe conduct was issued on 28th November, 1363, to Thomas and Gilbert M'Culloch of Scotland to go to London with three companions at the request of Patrick, "to converse with him concerning certain negotiations" (Rot. Scot., I., 875); and by the close of that year Sir Patrick returned for the last time to his home at Myrton. On 13th January, 1364, a Scottish Act of Parliament was passed to this effect (S.A.P., I., 137), and, unkindest cut of all, the 1000 merkland in Galloway belonging to Balliol was conferred on a younger son of Edward III.

We do not know on what terms Sir Patrick made his peace with Scotland. There were negotiations which imply give and take, and a rebel suing for restoration must expect some sacrifice. In a similar case of same date we know what that sacrifice entailed. It involved restoration to only one half of the estates, the other half being escheated to the Crown.

I suggest that Sir Patrick had to pay a similar price and that he only got back half his lands. This will explain the peculiar fact that in Wigtownshire within 15 miles of each other there are two Myrtons, formerly spelt alike, one known in legal documents as Myrton-M'Culloch and the other as Myrton-M'Kie. Furthermore, between these two Myrtons lay the two smaller estates named Torhous, one of which in early titles is described as Torhous-M'Culloch and the other as Torhous-Mure. I suggest that the original M'Culloch estate stretched from Portwilliam almost to Newton-Stewart, that in the negotiations for Sir Patrick's restoration a large slice of that estate close to Newton-Stewart was escheated to the Crown and granted to the Hereis family, who certainly possessed the modern Merton and equally certainly disposed it to the M'Kies, and, lastly, that Torhous was similarly bisected, one part being escheated and granted to the Mures. There is, of course, no documentary evidence to found upon, but some such

thesis is required to explain the problem of these place names. But even if Sir Patrick was bereft of half his lands, he was still left with a very substantial moiety. He had the 40 merkland of Myrton-M'Culloch, and he either possessed or his immediate descendants acquired on the other side of Luce Bay another 40 merkland represented by Ardwell, Kilasser, and other lands.

Once at home Sir Patrick disappears from English records, whilst the Scottish equivalent do not now exist. He must have died soon after, for between 1359 and 1369 a Patrick M'Culloch, presumably his son, was installed in the office of Coroner west of Cree.² Thereafter for 50 years there is a further silence.

Not till 1414 do we get another glimpse of the family, when Sir Thomas M'Culloch witnessed a Douglas charter relating to the lands of Barle (Douglas Book, III., 408, 411). Sir Thomas certainly owned lands hard by Ardwell, for on 25th September, 1414, he resigned the lands of Auchquhone into the hands of Archibald, Earl of Douglas, who granted them to William Hay of Lochorquhat (Cal. of Yester Writs, No. 47).

Yet another 50 years elapse before we hear of the M'Cullochs again, and then we find four separate families—Myrton, Ardwell, Cardiness, and Kirkmabreck. Whatever may be the origin of the last two, it is clear that Ardwell was descended from Myrton. In 1478 Andrew M'Culloch, first of Ardwell, is described as brother of Alexander M'Culloch of Myrton in an instrument amongst the Monreith charters.

This Alexander of Myrton, or more likely a son of the same name, married a granddaughter of the Earl of Rothes, was knighted and built this Tower. He was much at Court, holding the minor Court office of Master Falconer to the King. In 1504 Myrton was erected into a barony in his favour, whilst the town of Myrton, now, I believe, extinct, was erected into a burgh of Barony. The charter recites that the erection was "for the benefit of the lieges and

² The two Indices of missing charters are at variance. One gives the name as Patrick, the other as Thomas.

strangers travelling to St. Ninian in Whithorn" (R.M.S., 1424/1513-2794 and 5). Tradition adds that the King himself stayed here on pilgrimage, nor is it unlikely that he should visit his Master Falconer when in the vicinity. It is even said that the King slept in the room where later pigeons were to roost. To Sir Alexander, unlike the clan, no murders can be attributed; indeed he seems to have had a turn for devotion (or was it expiation?), for he seems to have re-founded the church of Kirkdale in honour of St. Michael and granted it in 1508 to Whithorn Priory (R.M.S., 1424/1513). It is now a rubble of stones upon the hillside.

Two generations later the houses of Myrton and Cardiness were united by the marriage of William M'Culloch with Mary M'Culloch of Cardiness, and the later history of the M'Cullochs must be sought elsewhere, for at this point the Monreith charters fail us. But to two other M'Culloch owners of Myrton I must make brief allusion. About 1625 Dr. John M'Culloch was a Court Physician in London. He was buried in Westminster, not under one of those monstrous effigies that encumber the Abbey, but in St. Margaret's hard by. A tablet states that he was of Myrton in Galloway. He certainly owned it. Unfortunately the tablet tells us nothing about the family of this Physician of James the First of England. It confines itself to lauding his character and perhaps praising his pills. He does not seem to have acquired the estate by direct descent.

The last laird became a Baronet, and died in circumstances that are well known. In 1684 Sir Godfrey M'Culloch was served heir to his grandfather, John M'Culloch of Myrton, "formerly called of Ardwall," and the following year sold Myrton to the Maxwells of Monreith. Sir Godfrey seems to have been a dissolute personage with a distinct aversion for William Gordon of Cardiness, who was in possession of Cardiness under a wadset. The antipathy was perhaps quite natural, but was no excuse for the resultant action. In an argument over some pounded cattle the Baronet fired a shot gun at Gordon, breaking his leg below the garter. That night Gordon died, and Sir Godfrey fled

to the Continent. Later he returned, and in church in Edinburgh was identified and arrested. At his trial he was condemned to be beheaded, and is believed to be the last person to meet this end at the hand of "The Maiden." M'Kerlie prints the indictment and evidence at the trial, as well as his dying speech. From a perusal of these I think one may say that had the trial taken place in more modern times the verdict would have been manslaughter and not murder, and that modern medicine would have established death from other causes aggravated by the shock of the wound. Sir Godfrey was executed on 26th March, 1697. He is said to have left only illegitimate offspring, but I think that lawful descendants of the M'Cullochs of Myrton could be established.

This brief outline of the family attempts no detail, which must await another occasion. But even this outline would have been inadequate and most incorrect were it not for the kindness of Sir Aymer Maxwell in giving me access to the Monreith charters.

Craichlaw : Its History and Owners.

By A. S. MORTON.

As many of you must be aware, the early history of Galloway is singularly lacking in detail. For this state of matters there are several explanations, into which I need not enter here.

The condition applies to Craichlaw and the Parish of Kirkcowan in which it is situated. The earliest recorded owner was Sir Walter Fitz-Gilbert de Hamilton. His father, Sir Gilbert Hamilton, is said to have been the son of Sir William de Hamilton, one of the sons of Robert de Bello-mont, surnamed Blanchemaine, third Earl of Leicester, who died in 1190.

Walter Hamilton followed Robert the Bruce and received extensive grants of land in different parts of the country, including Cadzow in Lanarkshire, Kinneil in Lin-

lithgowshire, and the lands of Kirkander and Kirkcowan in Wigtownshire, between 1314 and 1346.¹

Anderson in his *Memoirs of the House of Hamilton* specially names Craichlaw as owned by the Hamiltons.²

Craichlaw at this time was a lordship of considerable extent, and appears to have comprised the whole of the parish of Kirkcowan, as well as the old parish of Longcaster or Longcastle, which was annexed to Kirkinner parish about the middle of the 17th century.

By 1438 Craichlaw was owned by John de Keth, who in October of that year gave a Charter to Alex. Mure of Bardrochwood of several named lands within the lordship of Craichlaw.³

We have no documentary evidence showing how the Keths obtained the lordship of Craichlaw, but the first Earl Marischal is said to have married Mary, daughter of Sir James Hamilton of Cadzow, and probably received Craichlaw with her in dower. He had a son, John de Keth, of whom little or nothing is known.⁴

John de Keth was dead by 1459, leaving three daughters who succeeded as heirs portioners, each succeeding to a third of Craichlaw as it was then. They were: Margaret de Keith, spouse of John Mure; Mariota de Keith, spouse of Gilbert, son of Malcolm M'Kie; and a third daughter whose name has not come down to us and who must have died unmarried.

At the time of their succession Galloway had passed to the Crown, through the downfall and forfeiture of the

¹ But see *Scots Peerage*, IV., 341.

² In 1471/2 James Lord Hamilton resigned Kirkanders into the hands of the Crown (who conferred it on William Lord Monypenny) in exchange for 40 merks worth of land in the Lordship of Bothwell (*Hamilton Papers*, p. 19).

³ A transumpt of the charter, dated 13th December, 1477, is mentioned as in bundle 37 of the Kenmure Writs (*Kenmure Inventory*).

⁴ *Scots Peerage*, VI., 40, where doubt is thrown on the marriage.

Douglasses, lords of Galloway, and the three sisters, like many other local landowners, naturally took steps to fortify their titles by getting Charters from their new superior, the Crown.

These Charters show that Margaret and Mariota each held one-third of Craichlaw, Longcastle, and Barmagachin.⁵

The third sister was dead by 1407, when Margaret is described as lady of the half of the lands of Craichlaw and Longcastle,⁶ having succeeded to one-half of the third of her deceased sister, as did Mariota, who was dead by 1500, when her son, Duncan M'Kie, and his spouse, Elizabeth Adair, received a Crown Charter of Mariota's lands. This portion of the old lordship of Craichlaw was known as Craichlaw M'Kie.⁷

A Curious Incident.

Another portion of the lordship, representing the modern estate of Craichlaw, was acquired by the Gordons. The lands disposed by John de Keth in 1438 to Mure of Bardrochwood must have been sold, either by Mure or one

⁵ *R.M.S.*, 1424/1513, 731 and 732.

⁶ She granted to her son Adam some of those lands in 1497 (*R.M.S.*, 1424/1513, 2390), and disposed the Bordland of Longaster to John Dunbar of Mochrum (*ibid.*, 2391), which she followed with a disposition of further lands to her grandson (nepos), Alexander Mure (*ibid.*, 2392). It must be assumed that Edward Mure of Barmagachin (1476) was another son of Margaret (*R.M.S.*, 1424/1513, 1278). It was presumably his son, Peter Mure of Barmagachin, who sold that estate in 1511 to William M'Clellane of Bomby (*ibid.*, 3732).

⁷ *R.M.S.*, 1424/1513, 2541. In 1531 some of the above lands were appraised for debt from Malcolm M'Kie of Craichlaw, who must have been a son of Duncan (*R.M.S.*, 1513/46, 1030), and in 1535 Malcolm sold Blairshynnoch, in parish of Longcastle, to William Bailie in Dunragit (*ibid.*, 1516). In 1540 Malcolm was put to the horn for not finding caution that William Gordon of Craichlaw and his friends should be skaithless at his hands. Having been at the horn for a year and a day, his estate was escheated by the Crown, to whom he had to pay £60, not to get back his heritage, but merely for the privilege of collecting the males of his estate and using them for his sustenance (*R.S.S.*, II., 3853).

of his descendants, to the Gordons, for the Charter of 1438 is now at Kenmure. Margaret Keith or Mure figures in what appears to us rather a curious incident. There was an Instrument of Sasine dated 14th September, 1503, bearing that an honourable woman, Margaret Keith, Lady of Craichlaw and Borland, in her widowhood, declared in the church at Kirkinner, sitting on her knees before the pulpit, that she had disposed in favour of John Dunbar of Mochrum the five merkland of Borland, parish of Longcastle, Kirkinner. Notwithstanding which the said Margaret, induced by certain persons, careless of her good character, had alleged before the Lord Justice and the Lords of Council that she had never alienated the said lands to the said John Dunbar, but swore that she was altogether seduced in this respect, which assertion she denied and acknowledged the alienation made by her long ago. We find that Adam Mure, son of Margaret Keith, in 1498 sold the lands he had received from his mother, to Sir John Gordon of Lochinvar.⁸

Sir John, in the beginning of the sixteenth century, made several grants of land in Wigtownshire to his second son, William Gordon, by his wife, Elizabeth Lindsay. The first of these grants was dated at Kenmure, 17th September, 1500, and embraced the four merkland of Monhounchoun and others in the parish of Kirkcowan and Barony of Craichlaw.⁹ In this grant there is no mention of a Tower at Craichlaw, but in a further grant to the same son in 1506 the Tower is definitely mentioned, so that we may take it that the Tower of Craichlaw was built sometime between 1500 and 1506.¹⁰ About this time William's elder brother, Robert Gordon, built, or added to, Ruscoe Castle in the Stewartry, and a feature common to both houses is a shield bearing the Royal Arms of Scotland, a Lion Rampant, with two Unicorn Supporters. We shall see the one here later.

This William Gordon became the first of the Gordons of Craichlaw. Their history has been fully recorded by the

⁸ *R.S.S.*, I., 281.

⁹ *R.M.S.*, 1424/1513, 2551.

¹⁰ *R.M.S.*, 1424/1513, 3042.

late William MacMath, and published as a Memorial Volume to him about fourteen years ago, and anyone dealing with this subject must of necessity follow closely in his footsteps, as I intend doing.

Monhounchoun was the old name of the Manor House. Whether it was on the same site as this building I am not sure, but at any rate the old name was dropped and Craichlaw became the name of both Mansion House and Estate.

William Gordon the first of Craichlaw was involved in the slaughter in 1526 of Thomas M'Lellan of Bombie. Sir Robert Gordon died in 1525, and his widow immediately married M'Lellan. This aroused the bitter resentment of the Gordons, who seized the lady and placed her in custody outside the district. M'Lellan in June, 1526, brought the matter before the Lords of Council, stating that he had incurred great expense in endeavouring to bring to judgment the case against Gordon of Lochinvar for taking and delivering his mother, spouse to the suppliant, to Robert Scott, son of Adam Scott of Tushielaw, the notorious freebooter and outlaw. The Lords continued the case for fifteen days, hoping that the parties would come to an understanding, but on the fifteenth day M'Lellan was attacked and slain by the Gordons in the High Street of Edinburgh. Two months later Letters of Respite passed the Privy Council to operate for nineteen years, and on 13th January, 1538-39, there was a final remission in favour of nineteen persons specified, the names of John Gordon of Lochinvar and William Gordon of Craichlaw heading the list. In 1544 M'Lellan's son and heir granted Letters of Slains forgiving the Gordons and their associates. William Gordon died in 1547 and was buried at Glenluce Abbey. His wife, Janet Baillie, survived him, and he was succeeded by his son, William the second of Craichlaw. He occupied a position of some importance in the district, as is shown by the fact that he was cited before the Regent and the Privy Council on 19th September, 1567, to give advice as to the disorders in the west of the realm.

He died in 1575, and was succeeded by his son, John

the third of Craichlaw. John during his father's lifetime subscribed the Bond in 1567 to support the young King James. He married, first, the eldest daughter of David Crawford of Kerse, and, second, Agnes, daughter of Andrew Shaw of Sornbeg, in the parish of Galston, Sheriff of Ayr. Both alliances increased his possessions. He was an extensive owner of flocks and herds scattered over a wide area, a large proportion being steilbow guids, this is—corn, cattle, and implements of husbandry delivered by the landlord to his tenant, whereby the tenant is able to carry on the farm and has to return articles equal in quantity and quality at the expiration of the lease. He died at Monhouchoun on 11th November, 1579, leaving substantial legacies to relatives, friends, and servants, and granting to his tenants a rebate of one-third of the rents due by them. "Lying in the Tower of Craichlaw in ane coffer he had of numerate money the sum of 2600 merks."

He was succeeded by his son, William the fourth of Craichlaw. He married Jean, daughter of Sir John Vaus of Barnbarroch. Their younger son, Alexander, obtained from his father the lands of Culvennan in this parish and founded the Gordons of Culvennan.

William was succeeded by his grandson, William the fifth of Craichlaw. He suffered on account of his eldest son's participation in the Rising of 1679, and on 14th June, 1693, his case for reparation was remitted by Parliament to the Privy Council. He married Jean, second daughter of James Chalmers of Gadgirth. His son James was outlawed for nonconformity and the estate of Craichlaw was forfeited, but this was rescinded later. He married Janet, daughter of Sir David Dunbar of Baldoon, and their son James succeeded his grandfather William, being thus the sixth of Craichlaw. In 1724 he signed a Disposition of Craichlaw in favour of Patrick Crawford, merchant in Edinburgh, which he afterwards challenged as obtained from him by fraud: "At least extorted from me while in jail and in the utmost misery ready to comply with any terms however disadvantageous, to obtain me a present morsel of bread." The

House of Lords set aside the Conveyance subject to a charge on the lands for the money paid by Crawford. This shows the remarkable change that time had brought about in the fortunes of the family. An entry in the Penninghame Marriage Register shows that this William Gordon was married, but it is not known to whom, and he left no issue. On 11th December, 1738, his nephew, William Wallace, was served as heir of line in special and became known as of Craichlaw. He was evidently in difficulties, for he disposed of the lands of Craichlaw to William Hamilton of Ladyland, who received a Charter dated 26th July, 1744.

Ladyland, in Kilbirnie parish in Ayrshire, was acquired by Captain William Hamilton early in the second half of the seventeenth century. He fell in battle against the French before 1690. He was succeeded by his son John, who sold Ladyland about 1710 and purchased lands in the North of Ireland which he named Ladyland, still so-called. He married Margaret, daughter of Sir John Shaw, Bart., of Greenock, and their eldest son, William of Ladyland in Ireland, sold that estate and purchased Craichlaw as mentioned. He married Isobel, daughter of M'Douall of Logan, and, having no family, was succeeded by his brother, Charles, who was Collector of Excise at Irvine, and was Provost of that burgh for twelve years, two years out and two in, alternately between 1758 and 1782. He married Sarah M'Douall, another of the ladies of Logan, and in addition to Craichlaw he had the estate of Garvock in Renfrewshire. He died in 1783, and was succeeded by his son William, who was a Doctor of Medicine in Kilmarnock. He was one of the early patrons of Robert Burns, having become security along with others to John Wilson for printing the first edition of Burns's Poems, now so valuable. William Hamilton married Agnes, daughter of Edward Cairns of Girstonwood, in the parish of Rerrick in the Stewartry. He died in 1798, and his widow survived till 1844. Their son, William Charles Hamilton, succeeded as the sixth of Craichlaw. He was an officer in the 10th Hussars and fought at Waterloo, retiring with the rank of Captain. He married Ann, daughter of the Rev.

Dr. Stewart of Kirkcowan, and their son, William Charles Stewart Hamilton, succeeded. He attended Edinburgh University and was admitted an advocate in 1852. He died in 1876, and was succeeded by his son, William Malcolm Fleming Hamilton. The additional surname "Fleming" was assumed about the middle of last century through William Malcolm Fleming, the last male of the Flemings of Barochan, in the parish of Houston in Renfrewshire, having left that estate to the Hamiltons of Craichlaw.

Major Fleming Hamilton served in the Boer War, and later, although on the retired list, he served in the Great War. He was a Deputy Lieutenant for the County, and vice-convener, and he held many other important offices. He took a very active part in local administration, and he was in every way an ideal landlord. He died in 1931, and his memory is revered by all who had the privilege of his acquaintance. Now Mrs Fleming Hamilton is ably carrying on the great traditions of the family. Every one of the Hamiltons has faithfully acted up to the Motto of the family, "Honestum pro patria"—for the honour of our country—and we have no doubt this will serve as an inspiration to the young laird to follow the example of his illustrious ancestors.

The Tower of Craichlaw.

As you have heard, the Tower of Craichlaw was built between 1500 and 1506, but there was a manor house before that, of which we have no particulars. Part of the old tower still remains in the present tower. The Inventory states: "This keep, partially rebuilt and incorporated in a modern mansion house, is situated about 1 m. to the W. of Kirkcowan Railway Station. It has been a rectangular building with external rounded angles, and walls in the basement varying from 5 ft. 4 ins. to 7 ft. 6 ins. in thickness. The main entrance has probably been through what is now the interior wall, against which the modern house is built. To the left of it a short passage in the thickness of the wall has led to a newel stair rising to the first floor. In the N. angle is a small circular recess. The basement has been

covered by a high barrel vault. The upper part of the castle is a modern reconstruction."

Symson writing in 1684 says: "There is but one house of note in the parish next Craichlaw; a good house . . . the residence of Mr Gordon of Craichlaw." Additions and alterations were made in the 17th and 18th centuries, and still more important additions were made in 1864-66, as you will see from the date on one of the stones. The mansion at that time occupied a space of about 160 feet by 110 feet, and consisted of an irregular group of buildings. Then in 1900 still greater changes and additions were made till now we have one of the most attractive mansions in the district.

Heraldic Stones.

There are certain heraldic stones which you will see. One I have already mentioned is described in the Inventory thus: "Built into the wall, formerly to the outside of the tower, but which is now within the hall of the modern house, and on the first floor level is a stone panel bearing arms contained within a deep rectangular frame, of which the dimensions over the frame are 4 ft. $3\frac{1}{2}$ ins. x 2 ft. 10 ins., and of the panel within it, 3 ft. $0\frac{1}{2}$ ins. x 2 ft. $1\frac{1}{2}$ ins. Each of the upper angles of the frame is occupied by a shield—that on the dexter charged with three boars' heads erased, two and one (for Gordon of Lochinvar and Craichlaw); that on the sinister charged with nine stars of five points (for Baillie of Lamington). The sides of the frame terminate in human masks at the lower angles. On the upper half of the panel, and surmounted by a crown, is a shield bearing a lion rampant within a border flory counter flory, and resting upon another shield bearing three boars' heads erased (for Gordon), with a fess chequy between (for Lindsay). Beneath the latter shield is a smaller one, almost effaced, a single star of five points alone remaining in the dexter chief. The whole achievement has as supporters two unicorns, gorged and chained. The presence of the royal arms indicates that this was a defended castle for which a royal licence had been obtained."

There is another stone, not so large, above a doorway leading outside in the covered courtyard at the back of the house. It shows side by side two shields bearing arms; dexter, three boars' heads erased, with a crescent at fess point, and a star above; sinister, quarterly, 1st and 4th, a star of five points; 2nd and 3rd, a fess chequy. The shields divide the date 1644 in the centre of the panel and also initials, of which only the second and fourth can be made out. The second letter is followed by a small lozenge-shaped stop, and the fourth by a heart. The Inventory suggests that each of these two letters is a G, but you will see that the last letter is quite clearly a C, and there is no doubt that we have here the initials of William Gordon of Craichlaw and of his wife, Jean Chalmers, already mentioned.

There are many interesting legends and traditions associated with Craichlaw (or Craighlaw according to the modern spelling). Those of you who wish to pursue these matters further are referred to *Galloway Gossip* and to *Witchcraft and Superstitious Record in the South-West of Scotland*.

The Hanging Stone.

You will also see the Hanging Stone, a great pillar, where culprits were tried and condemned, the sentence being carried out at the Dool Tree nearer the house. There was a legend that if this stone ever fell misfortune would come to the owners. The stone shows that it has fallen and been broken and it has been skilfully put together again. Whether the fall of the stone coincided with the change of fortune in the Gordons I am not able to say. The stone probably occupies a different site now from its original position.

25th June, 1938.

The afternoon was pleasant and sunny when the 'bus and cars left the Ewart Library for Comlongon. There was some extra time there to enjoy the shady scene, as the Glasgow Society did not arrive until after 4 p.m. The Earl of Mansfield welcomed us, and introduced Mr Reid, our

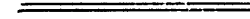
chairman, who gave us a most interesting history of the Mansfield "forbears," to which the Earl added the fact that one of his ancestors had been foremost in gaining freedom for all slaves under the British flag. He also showed us the little nook where the storks had lived the previous winter. Then we all viewed the inside of the wonderful old castle and went on our way to Ruthwell. There the minister, Rev. M. W. M'Caul, welcomed us and introduced the speaker, Mr Davidson, O.B.E., who had been interested in Ruthwell Cross, because he had so many friends in the district. The paper was most interesting and full of detailed information of the history, the hieroglyphics, the imagery, the age, and the beauty of the ancient Cross. A tour of the churchyard completed this part, and the company then drove to Caerlaverock Castle, just to see it, as time was passing so quickly. Tea at Binns, as the guests of the Glasgow Association, was the next pleasant halt, and thereafter the Glasgow Society, with Mr Reid as guide, visited Lincluden Abbey, and so finished a most enjoyable outing.

C. SERVICE.

Presentations.

December 17th, 1937.—By Miss Haig, per Mr T. A. Halliday—

- (1) Special Constable's Staff, dated 1836, and probably used during the meal riots in the reign of George IV.
- (2) Earthenware vessel with inscription thereon, "Stakeford Mill" and "Trafalgar, 1799." Produced to commemorate the battle.
- (3) Piece of fur said to have belonged to "Bonny Jean."



New Members

Agnew, W. A., Acton, London	23/10/37
M'Gowan, Mrs J. B., Ellangowan, Dumfries	23/10/37
Davidson, John, Bankfoot, Moffat	19/11/37
Maxwell, Captain G. A., Gallow Hill, Wykeham, Scarborough	19/11/37
Brew, Miss, Lochvale, Castle-Douglas	19/11/37
Grier, R. W.	7/1/38
Brown, G. D., County Council Staff	28/1/38
Inrig, Francis, North of Scotland Bank, Dumfries	11/3/38
Aberdeen University Library	11/3/38

Abstract of Accounts

For Year ending 30th September, 1938

GENERAL ACCOUNT.

RECEIPTS.

Balance on hand at beginning of year	£134 12 8
Members' Subscriptions, including Arrears	88 1 0
Interest from Investments	8 1 0
Surplus from Excursions	2 8 6
	£233 3 2

PAYMENTS.

Rent	£12 0 0
Stationery, Printing, and Advertising	19 16 11
Miscellaneous Expenses	9 11 3
Deficiency transferred from Publication Account	151 0 8
	£192 8 10
Balance on hand at end of year—	
In Bank on Current Account	40 14 4
	£233 3 2

PUBLICATION ACCOUNT.

RECEIPTS.

Balance on hand at beginning of year	£113 13 0
Interests from Investments	3 9 4
Donations	11 13 0
Deficiency transferred to General Account	151 0 8
	£279 16 0

PAYMENTS.

Printing of "Transactions"	£196 8 0
Balance on hand at end of year—	
Consolidated Stock	£50 0 0
In Savings Bank	33 8 0
	83 8 0
	£279 16 0

EXCURSION RESERVE ACCOUNT.

RECEIPTS.

Balance on hand at beginning of year	£10 0 0
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PAYMENTS.

Balance on hand at end of year—	
In Bank on Deposit Receipt	£10 0 0
	£10 0 0

CAPITAL ACCOUNT.

RECEIPTS.

Balance on hand at beginning of year	...	...	...	£359	6	5
Savings Bank Interest	...	...	...	...	5	11
						8
						<u>1</u>
						<u>£364 18 1</u>

PAYMENTS.

Balance on hand at end of year—						
War Stock	£218	10	0
Savings Bank	146	8
						1
						<u>1</u>
						<u>364 18 1</u>
						<u>£364 18 1</u>

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