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DUMFRIESSHIRE AND GALLOWAY
NATURAL HISTORY & ANTIQUARIAN
SOCIETY.

FOUNDED 20th NOVEMBER, 1862.

TRANSACTIONS
AND
JOURNAL OF PROCEEDINGS

1938-40.

THIRD SERIES, VOLUME XXII.

EDITOR
R. C. REID

DUMFRIES:
Published by the Council of the Society
1942



MR G. W. SHIRLEY.

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EDITORIAL

In the absence of Mrs Shirley in South Africa, the work of editing this volume has been undertaken by the President for the period of the war. Members working on local Natural History and Archæological Subjects should communicate with the President in the absence of the Hon. Secretary on service. Papers may be submitted at any time. Preference is always given to original work on local subjects.

The Editor does not hold himself 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, J. B. M'Gowan, Esq., Irish Street, Dumfries.

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

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

SESSION 1938-39

10th October, 1938.

Chairman—H. S. GLADSTONE, Esq. of Capenoch.

The Birds of Australia.

By A. H. CHISHOLM, Esq., F.R.Z.S.

This was a special meeting held by kind permission of the directors in the Lyceum Theatre. Mr Chisholm, a Fellow of the Royal Zoological Society of Melbourne, was on a visit to Britain, and had been staying with our ex-President, Mr H. S. Gladstone, and expressed a wish to give a film lecture to the Society in token of his appreciation for the research displayed by Mr Gladstone in his paper printed in the last volume of these *Transactions* on "Thomas Watling, limner of Dumfries," a contribution of great importance to the Botany and Bird Life of New South Wales.

The meeting was an open one, attended by all the schools in Dumfries, and the lecturer received a fine reception from a packed house. Several films, including some "talkies," were shown.

18th November, 1938.

Annual General Meeting.

This was held as above, Mr R. C. Reid in the chair.

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

The Secretary reported that during the last session

twelve deaths had occurred amongst members, and that twenty-four had resigned. This was due to the fact that the Register had been brought up to date. Eight new members had joined, and the present statistics were as follows: Life Members, 30; Honorary Members, 5; Ordinary Members, 245—making a total of 282.

The Treasurer reported that receipts amounted to £233 3s 2d, and payments to £192 8s 10d, leaving a balance of £40 14s 4d. The Publication Account had a balance in hand of £83 8s, and the Excursion Reserve Account a balance in hand of £10. The capital invested amounted to £364 18s 1d.

Both these reports were approved and the two officers thanked on the motion of the Chairman.

On the recommendation of the Council Mr Eric Birley was appointed Hon. Vice-President to fill the vacancy caused by the death of Sir James Crichton-Browne; and it was agreed that the vacancy caused by the death of Mr John M'Burnie should not be filled at present. The remaining office-bearers were reappointed.

The following new members were elected: Life Member, the Earl of Mansfield; Hon. Member, Mr James Davidson; Ordinary Member, Mr P. M. Anderson.

The President referred to losses sustained by the Society through the death of some of its members, and then delivered his Presidential Address.

The Family of Glendonyng.

By R. C. REID.

Some four miles up the Meggat Water, at the far end of a road that winds along the valley, stands what must formerly have been the substantial farm of Glendonyng, now a "led" hill farm. As a place-name it does not occur before 1320, and then its spelling appears in numerous variants. In 1363 it is spelt simply as Glentone. It is this form—Glentone—that has provided a clue to the origin of the family of Glendonyng, which can now reasonably be traced back to well before the year 1000.

Many families claim, but few can prove, that their forebear crossed the Channel with the Conqueror, and even those fortunate few have to admit some hiatus or other in the earlier numbers of a long lineage extending over nine centuries. But the Glendonynge family can boast that no hiatus blemishes their pedigree, and if there is weakness in any link it is solely owing to the absence of direct evidence. With one link alone—a vital one—can the critic feel dissatisfied, and even he must admit that the existing evidence, indirect though it be, fully justifies the only inference that is to be drawn from it.

Adam de Glendonwyn, the progenitor of that surname, appears for the first time on record in 1320. His son and descendants held the hereditary office of Bailie of Westerkirk and Eskdale. He himself is nowhere described as holding that office. But prior to 1320 that office was held by a man named Adam, son of Hugh, Adam Fitz Hugh. It is, of course, a temptation to identify Adam Fitz Hugh with Adam de Glendonwyn, and a descendant of Adam has essayed the task. There is at present in course of publication in Australia a series of pamphlets, entitled *The House of Glendonwyn*: a record of its progenitors, members and descendants for a thousand years.¹ The series is to be completed in twelve parts, of which ten have already appeared. No index would appear to be contemplated, for the parts have no pagination. But the mere issue of these parts is bound to result in the author's attention being drawn to fresh sources of information, entailing additions, emendations, and even corrections, for there is no finality in genealogy. Most earnestly is it to be hoped that when completed a bound and perhaps enlarged edition will be published, fully indexed and with the numerous authorities and sources quoted in numbered footnotes. In the present form the authorities are lumped together at the end of each part, and anyone wishing to check a statement in the text is involved in immense labour in verifying the evidence on

¹ Adelaide: A. & E. Lewis, Printers, Pirie Street.

which the statement is based. This publication is a remarkable piece of work, considering the disabilities which residence in Australia entails on a worker so remote from original sources. Every printed source has been gone over with a fine comb, and it is obvious that skilled searchers have been employed on all likely MS. sources. If any regret may be voiced, it is that the early Glendonyng charters have not been examined. Sir Robert Douglas, when writing his *Baronage of Scotland*, knew that they were at Parton, the present titles of which are quite modern, but he clearly never saw them, for his references to them are full of obvious errors. These early charters are probably now lying unrecognised at Letterfourie, where the eldest heiress of the last Glendonyng of Parton died in 1845, having married Sir James Gordon of Letterfourie. Until these charters have been located and published no history of the family can be considered complete.

But even in its present form the author, Mr Gerald Talbot Clindening (the spelling adopted by the Irish branch of the family) is to be congratulated, for he has most convincingly argued that the first Adam de Glendonwyn was identical with Adam Fitz Hugh. No direct evidence of identification can be produced, but an accumulation of indirect evidence supplies its place. The lands of Glendinning were held of the Crown by Sir John de Graham of Abercorn and Westerkirk, who also owned the manor of Wooler and others in Northumberland, as well as land at Catton in Yorkshire. In the latter place he had as immediate neighbour John Fitz Hugh, brother of Adam Fitz Hugh. In addition to holding land in Catton, John Fitz Hugh secured by marriage the lordship of Glenton or Glanton in Northumberland. John's father, Hugh, had married a widow, whose dower consisted of the manors of Isabel, wife of Walter de Teye, who in 1298 had held Westerkirk, under an English grant, as Bailie of Westerkirk. It is not known when Walter de Teye died, but that he was succeeded in the office of Bailie of Eskdale by Adam Fitz Hugh is indisputable, and there seems little doubt that

this office was transmitted to him from Walter de Teye through the dower of his father's wife, and owing to the fact that his overlord, Sir John de Graham, was neighbour to his brother, John Fitz Hugh, at Catton in Yorkshire. Mr Clindening carries the argument a step further, and suggests that the place-name and surname of Glendonyng is derived from the Lordship of Glenton in Northumberland, and that when Adam Fitz Hugh was granted these lands in Westerkirk by his overlord, Sir Hugh Graham, he called them after his brother's Yorkshire lordship and later took that designation as his own surname. Parallels are not unknown. The derivation of Glendonyng or Glendining is therefore Glendon or Glenton-ing, the house of Glenton.

If this identification be accepted, the forebears of Adam Fitz Hugh can be easily traced back for seven generations to one Bardolf, a natural brother of Alan, Lord of Richmond, who flourished 1086-1100. The evidence for this is derived entirely from the English records, for Bardolf was granted the manor of Ravensworth in Yorkshire, and that manor can be traced for 200 years in the hands of his descendants. The family showed all the outward forms of the piety of the age. Bardolf himself gave the church of Kirkby Ravensworth to the Abbey of St. Mary, York. His son founded the Abbey of Charity at Fors in Wensleydale. His grandson consented to the removal of that abbey to Jervaulx, where most of his descendants were buried. Another generation entertained King John at Ravensworth Castle. But it was not till the generation of Adam Fitz Hugh that the family name became stabilised into the surname of Fitz Hugh.

One might think that, having traced his descent back to a follower of the Conqueror, Mr Clindening would have rested on his oars. Eight hundred years of a Scottish pedigree superimposed on 200 years of an English pedigree would satisfy most people, but not Mr Clindening, who burrows back through the misty ages of the history of Brittany, to find after another seven generations of the Counts of Rheimes his first known progenitor in Nomenoe,

a Breton of unknown origin, who fought his way up from the plough, to become the first King of Brittany, and to die in the year 851. Even Mr Clindening cannot get behind that!

No Scottish critic is competent to offer any views on this part of the pedigree, which is not founded on documented history, but relies on the early chronicles, with which France abounds. But one has only to look through the volumes of the *Scots Peerage* to realise Mr Clindening's achievement in successfully carrying back his Scottish lineage into Yorkshire and beyond.

At some unknown date before 1320 the first Adam de Glendonwyn must have received a grant of those lands, probably as a reward for his military services. For shortly before Bannockburn, when the tide was turning in favour of Scotland, Sir John de Graham of Westerkirk threw in his lot with Bruce and is believed to have fought on that field. His bailie must have followed him, though there is no definite proof that either was present at the battle. Other rewards followed, of lands in Roxburgh, and on the death of the King of Scots Adam set forth in 1330 with Sir James Douglas to place the heart of his Royal master in the Holy Sepulchre at Jerusalem. The story is well known—how the Scottish Knights were beset and defeated by the Moors in Spain, how Douglas and many more were slain, whilst Adam, Sir Wm. Keith, and Simon Lockhart escaped, recovered the silver casket and brought it and the body of Douglas home for burial. Adam's wife provides another link with his English ancestry, for he married Agnes, daughter of Sir John of Towers, Lord of Adwick-le-Street in Yorkshire. He was succeeded by Sir Adam Glendonyng, who raised the family's position to its zenith. As Bailie of Eskdale he held as perquisite of office the lands of Le Baly or Bailiehill, and is stated to have lived in Barntalloch Castle, where his court was held. Some of his lands in the Barony of Hawick he mortified for the foundation of a chapel dedicated to St. Martin at Boyken in Eskdale. His wife's name is still in doubt. Mr Clindening hesitatingly asserts

she was Margaret, daughter of Alexander de Wauchop, and that she brought Wauchop to the Glendonyngs. But Wauchop was never owned by the Glendonyngs, but belonged to the Lindsays, who obtained a Crown charter of Wauchop and an annual rent from the lands of Scraisburyh in 1321. (R.M.S., 1306-1424, App. II., 303.) Douglas's *Baronage* alleges she was a Margaret Douglas, who, however, does not figure in *Scots Peerage*. In view, however, of the fact that both Lindsays and Glendonyngs held interests in the Barony of Scraisburyh (near Hawick), the lady may have been a Lindsay.²

The next laird, Sir Symon, married Mary Douglas, daughter of Archibald, 4th Earl of Douglas, receiving with her in dower the Barony of Parton in Galloway. With his father-in-law he fought at Shrewsbury, where he was taken prisoner, and died in 1437 of wounds in a border fight. Indeed a Glendonynng was to be found in every battle. Two fell at Otterburn, one of them, Sir Simon, engaging in combat with Thomas Felton. Long and fiercely they fought in the moonlight till they slew each other. Froissart, who was on the Borders at the time, records: "Thus died Thomas Felton . . . much lamented by his party, and with him there was a Scottish squire slain, cousin to the King of Scots, called Symon Glendonwyn; his death was greatly complained of by the Scots." Placed on a car with the corpse of the Earl of Douglas, his body was drawn before the army back into Scotland. Homildon Hill claimed its quota, the eldest son and heir of the laird being victim to an English arrow. At Piperdean, near Berwick, 1436, the laird and his son fought the English Collingwoods, father and son. The young laird captured the elder Collingwood, but, seeing his father fall prisoner to the younger Collingwood, forsook his own prisoner to save his father. The old laird died from his wounds in that combat. The new laird was present at the supper in Stirling Castle when the King

² There was a Sir Alex. Lindsay of Wauchop in 1388. See *Publications of Clan Lindsay Society*, No. 7, p. 185.

stabbed the 8th Earl of Douglas, Glendonyng and others finishing him off. That laird's eldest son fell at Arkinholm.

Two generations later Ninian Glendonyng escaped the carnage of Flodden, where his father-in-law, John, 4th Lord Maxwell, had fallen. It was in Ninian's time that the family's headquarters were moved from Glendonyng to Parton, and in view of his marriage it was not surprising that the family came within the sphere of influence of the Maxwells. In the protracted feud between Maxwells and Johnstones, the Glendonyngs participated on the side of the Maxwells, and had their lands in Eskdale ravaged by the Johnstones of Westraw. This now outlying part of their estates was singularly exposed to such attacks, and in the end the Glendonyngs decided to part with their original patrimony. Accordingly Glendonyng was sold in 1614 to the Johnstones of Westraw (Lanarkshire), who re-christened the estate Westerhall, selling their own lands of Westraw in 1623 to the Carmichaels. The old Tower of Glendonyng was still in part standing in 1841. No fragment of it now remains.

At Parton the family carried on for another 200 years after the sale of Glendonyng. If the sword was laid aside the Bible took its place. A younger son of the family, John Glendonyng, of Drumrash, was one of the first in Galloway to embrace the principles of the Reformation. The House of Parton, on the other hand, long adhered to the older Faith. Probably in consequence of this the patronage of the Parish Church of Parton was gifted to Drumrash, which led to disputes with Parton, whose forebears had long exercised the right of presentation. Drumrash's second son, Robert, became minister of Kirkcudbright in 1615, and in his resistance to prelacy received the strong support of the Provost and Council, who were all thrown into prison in Wigtown, whilst he, at the age of 80, was driven from his beloved kirk.

His son, Robert Glendonyng of Billies, was a well-known lawyer in, and town clerk of, Kirkcudbright, whose descendants have yet to be traced.

James Glendonyng of Parton, a Papist, was in 1668 declared a fugitive for the slaughter of John Gordon of Hairland, first one brother, then another, administering the estate of the exiled laird till his death in 1698. The male line came to an end with an heiress, Agnes Glendonyng, married to James Murray of Conheath, who adopted his wife's surname and arms. Three generations later the family again terminated in heiresses, and the estate was sold for £60,500.

Of these heiresses, the eldest, Mary Lucy Elizabeth Glendonyng, married (contract dated 4th July, 1801) Sir James Gordon of Gordonstoun and Letterfourie, Bart. The union was unhappy and they separated. She was by nature litigious, and was on the verge of poverty when she placed her affairs in the hands of Robert Gordon, writer in Kirkcudbright, who incurred large expenses on her behalf—exceeding £10,000, according to his statement. In 1833, through Gordon's efforts, husband and wife were reconciled, but before the affair could be wound up Robert Gordon died. His son and executor, Robert Barclay Ireland Gordon, writer in Kirkcudbright, attempted to adjust his father's account with Lady Gordon, and obtain payment; but she at once instituted proceedings against him, claiming return of deeds and instruments (titles are not specifically mentioned), whilst Gordon counter-claimed for his account, stating that she held all the papers, vouchers, etc., of his father's intromissions with her estate. (MS. Memorial in Hornel Library, Kirkcudbright.)

Such was the end of a family that once had occupied a prominent place in Scottish Border history.

But though the main line is thus extinct, innumerable cadets survive, not a few still residing close to the ancestral habitat.

Scotland's Share in Magna Carta.

By the MARQUESS OF AILSA.

Among the great barons of England present at Runnymede at the granting of Magna Carta by King John, 15th June, 1215, was Alan of Galloway, Constable of Scotland.¹ This powerful Scottish lord, besides the ancient Celtic lordship of Galloway inherited through his father, Roland, from Fergus, Lord of Galloway, and the office of Constable of Scotland and the extensive estates of the de Morvilles inherited through his mother, Elena de Morville, held from the English king large and important fiefs in England and the north-east of Ireland.^{1a} Though the Lords of Galloway had allied themselves by marriage with the Anglo-Norman race, their earliest ancestor of whom we have any certain knowledge, Fergus, appears on the scene as the Gaelic prince of a semi-independent Gaelic country.

A council of twenty-five barons² was chosen to enforce on King John the observance of the Charter, with the right of declaring war on the king should its provisions be infringed. "They have given me five-and-twenty over-kings," cried John, who had not the slightest intention of fulfilling the provisions he had been forced to sign. For the events which followed we will quote chiefly from Robertson's excellent work, *Scotland under her Early Kings*.

The barons had, prior to the signing of Magna Carta, deputed Eustace de Vesci³ to go to Rome to remind the head of the Church that the reconciliation of John with the Papal

¹ *The Scots Peerage Founded on Wood's Edition of Sir Robert Douglas's Peerage of Scotland*, edited by Sir James Balfour Paul, 1907, Vol. IV., p. 140, article on "Ancient Lords of Galloway." Stubbs' *Select Charters*, p. 288.

^{1a} King John gave charters of large grants of land about Loch Neagh to Alan, as well as to his cousin, Duncan, first Earl of Carrick, for aiding him in suppressing a so-called rebellion. It is probable, however, that this family had earlier connection with these lands.

² Green's *Short History of the English People*, 1895 edition, p. 130.

³ Robertson's *Scotland Under Her Early Kings*, 1862, Vol. II., pp. 2-8.

See⁴ had been mainly brought about through the exertions of the barons; and to urge that, in return for their friendly offices, their king should be bound to keep the oath, that he would respect the liberties of his people, which he had sworn to observe in the Council of London. Eustace de Vesci had reached Rome on the 28th February, 1215, but found that John's envoy Mauclerc had arrived eleven days beforehand.

In the opinion of Innocent,⁵ the Church alone was entitled to liberties, and warmly espousing the cause of the tyrant, he warned the barons against incurring the danger of excommunication by persisting in a rebellious assertion of their rights; and when John petitioned to be absolved from the oath which he had again repeated at Runnymede, and to be released from the engagements which he had there sworn faithfully and fully to observe, Innocent listened with favour to the request of his "vassal," unhesitatingly annulled the Great Charter, and launched the threatened excommunication against the assertors of the liberties of Englishmen. Driven by this conduct to extremities, the confederates turned elsewhere for support, and sought to strengthen themselves by foreign alliances, whilst the barons of the north who were conspicuous in the ranks of the disaffected easily obtained the assistance of the young king of Scotland, Alexander II., by a promise of the northern counties. A clause in Magna Carta had secured Alexander's rights as an English baron,⁶ and as he had sent a peaceful embassy to King John as late as the 7th July, 1215, he cannot have joined the confederates before that time.

Towards the middle of October⁷ Alexander crossed the Border, and, while his army was occupied with an ineffectual investment of Norham, he received the homage

⁴ *Foedera*, 1816 edition, Vol. I., part I., p. 120.

⁵ *Foedera*, Vol. I., part I., pp. 127, 135, 136, 138, 139.

⁶ *Foedera*, Vol. I., part I., p. 135.

⁷ *Chronica de Mailros*, Bannatyne Club, 1835, pp. 119-122. *Matth. de Paris Chronica Majora*, 1874 edition. Vol. II., pp. 641, 642. Fordon's *Scotichronicon*, 1759 edition, Vol. II., L. 9, c. 28, p. 35.

of the barons of Northumberland at Felton, where Eustace de Vesci, by the presentation of a white wand, formally made over the three northern counties to his royal kinsman (this wand or staff, it is to be noted, was subsequently carried off by Edward I.). Scottish armies at this period appear to have been usually unsuccessful in their sieges, and, accordingly, Norham still held out at the close of November, when the assailants were obliged to retire from before its walls, as John was now fast approaching Scotland, burning to vent his wrath upon Alexander for adhering to the cause of the revolted nobles. The Yorkshire barons, retiring at his approach, fired their villages, laid waste their lands, and tendered their allegiance to Alexander on the very day on which John burnt the town of Wark. Morpeth, Mitford, and Alnwick had already been destroyed; Berwick and Roxburgh were carried by storm, Haddington and Dunbar shared the same fate. In the train of the English sovereign came the mercenary Riders of Flanders and Brabant, whose atrocities were worthy of such a leader. Matthew de Paris informs us that, alluding to the Scottish king's red hair (*quia erat rufus*), John exclaimed, "Thus will we bolt the little red fox from his earth," and at the same time encouraged his foreign bands in the perpetration of such enormities, that he was currently reported to have brought Jews in his train to assist his cruelty in devising novel and unheard-of torments. Alexander at first awaited the attack of the enemy in a position he had taken up upon the Esk, moving subsequently in the direction of the Pentland Hills, with the intention of intercepting the retreat of the English army. John was prevented by his own ravages and by the policy of the Yorkshire barons from penetrating farther than Haddington, for he was soon obliged to retire from a district in which his troops would have perished before long for want of subsistence, though his retreat was not commenced before his followers had outraged the feelings of the age by plundering the Abbey of Coldingham, whilst John gave the signal for the conflagration of Berwick, by firing, with his own hand, the house in which he slept on his return.

The month of February,⁸ 1215-1216, found the Scottish army engaged in retaliating upon Cumberland the ravages inflicted upon the fertile plains of the Lothians; a body of lawless irregulars, said to have been composed of the men of Galloway, destroyed and plundered the monastery of Homcultram in revenge for the destruction of Coldingham. Meanwhile the English barons were driven in desperation to seek aid from France,⁹ the King of which country, Philip, had been long waiting for an opportunity to revenge the wrongs King John had done to him and his territory. His son Louis at once accepted the Crown in spite of Innocent's excommunication, and landed in Kent with a considerable force. The invitation to Louis was a very astute move on the part of the barons, because they foresaw that the French mercenaries who constituted such a large proportion of John's host would refuse to fight against the son of their sovereign.¹⁰

After Louis's arrival, Alexander, who had returned to Scotland,¹¹ again crossed the frontier, possessed himself of the town of Carlisle, but not the castle. From this town, always inclined to the Scottish connection, he set forth, united his forces with the retainers of the northern barons, and traversed the whole length of England to Dover to tender his homage to the French prince as suzerain of his fiefs in England. During the march to Dover the lands of the confederates were carefully protected from harm, the vengeance of the allies being reserved especially for the partisans of John, whose territories they harried without mercy, though not always with impunity, as one of their foremost leaders, Eustace de Vesci, Alexander's brother-in-law, was slain on the route, being shot through the head by a *quarrel*, whilst reconnoitring Barnard Castle. As the con-

⁸ *Chronica de Mailros*, p. 123. *Scots Peerage*, Vol. IV., p. 140, article "Ancient Lords of Galloway."

⁹ *Memoriale Fratris Walteri de Coventria*, Stubbs' 1873 edition, Vol. II., pp. 229, 230.

¹⁰ Green's *Short History of the English People*, p. 130.

¹¹ *Chronica Rogeri de Wendover*, Hewlett's edition, 1887, II., pp. 193, 194.

federates passed Lincoln they carried the town by storm, putting the garrison of the castle to ransom; and on their arrival in London from Dover, a close alliance was concluded between the French prince, the Scottish king, and the English barons, all pledging themselves at a conference held in the capital, never to conclude a peace with their mutual foe which should not embrace all and each of the contracting parties.

Compelled to remain a wrathful and unwilling spectator of the triumphant progress of the allies throughout the entire length of his dominions,¹² John determined to revenge himself by cutting off the Scots on their homeward march, giving orders for all the bridges by which they could cross the Trent to be broken down, and moving his own army in the direction of Norfolk. His intentions were frustrated by the sudden advance of the confederates who were then besieging Windsor Castle; and in the confusion ensuing upon John's death, which occurred shortly afterwards, the followers of Alexander and the northern barons are said to have plundered the camp of the very army with which the deceased king had intended to intercept their return.

Before his journey south,¹³ Alexander had taken, as we have seen, the town of Carlisle, but not the castle, which he turned his attention to on his return north. After a protracted investment of the castle of Carlisle, the garrison surrendered to the Scottish king on promise that their lives should be spared; and the fort at Tweedmouth, of which John seems to have ordered the reconstruction after the capture of Berwick, was destroyed by the Scots about the same time.

In the following year,¹⁴ May, 1217, Alexander, again entering England, commenced the investment of Mitford Castle; but upon learning the result of the battle of Lincoln, which had turned out so disastrously for Prince Louis's party, he raised the siege and retired into Scotland without engaging in any further hostilities, till a threat of retalia-

¹² Fordun's *Scotichronicon*, II., L. 9, c. 29.

¹³ Fordun's *Scotichronicon*, II., L. 9, c. 30, 31.

¹⁴ *Chronica de Mailros*, pp. 130-133.

tion (for this invasion), held out by the Wardens of the English Marches, again collected a Scottish army for the defence of the southern frontier. Alexander, who meditated another invasion,¹⁵ had not advanced beyond Jedburgh when he received intelligence of the peace arranged between Henry III. and Louis, a clause in their treaty extending its provisions to the Scottish king, on condition of his returning all conquests made during the late war; and as his acquisitions were limited to the town and castle of Carlisle, and the advisers of Henry entertained no desire for prosecuting an embarrassing and useless contest, a reconciliation between the young kings was effected without difficulty, and a peace was speedily arranged. In accordance with this treaty,¹⁶ Alexander having obeyed the summons addressed to him and to Alan of Galloway, Constable of Scotland, to deliver up the castle of Carlisle (September 23rd, 1217),¹⁷ in the beginning of December the Scottish king was released at Berwick from the excommunication which he had incurred through supporting the cause of English liberty and the barons; and before the close of the same month he received investiture at Northampton of the Honor of Huntingdon and his other English fiefs and dignities, performing homage for them in the usual manner. His kingdom, however, still continued under the interdict; and though their king appears to have encountered little difficulty in appeasing the anger of the Church, the Scottish people were not finally absolved from the consequences of their sovereign's policy until they had largely contributed to the emolument of the legate Gualo.

It will therefore be seen that Scotland had played a considerable part in enabling the English to get confirmation of Magna Carta,¹⁸ which Charter was issued on behalf of Henry III. at his coronation by William Marshall, Earl of Pembroke, and the Papal Legate Gualo. Of the part played by the Scots in this memorable struggle little or

¹⁵ Rymer's *Foedera*, 1816 edition, Vol. I., part I., p. 148.

¹⁶ *Cal. Doc. Scot.*, I., No. 673.

¹⁷ *Scots Peerage*, IV., p. 141.

¹⁸ Green's *Short History of the English People*, p. 131.

nothing is said by modern English historians. Green merely mentions John's destructive march to Berwick. *The Political History of England*¹⁹ also only mentions that Berwick was taken and burnt, and the parts of the country about were laid waste for the favour which King Alexander had shown the barons. Nothing about the victorious march to Dover! Nothing about the capture of the castle of Carlisle!

The above is an example of how necessary it is to teach history, at all events in Scottish schools, from a Scots and not merely from an English standpoint, and also of the necessity of having Chairs of Scottish History at our Scotch Universities. We are glad that a Chair of Scottish History and Literature has been provided in the University of Glasgow. It was probably the humiliation England suffered from the triumphant march of the Scots from Carlisle to Dover and back, entirely unchecked, together with an intense hatred of all people who were free from his domineering sway, that made Edward I. so ruthless, bitter, and persistent in his attacks on Scottish freedom.

It may be noted that the *Encyclopædia Britannica*²⁰ presents a very good instance of the necessity of including history from a Scottish point of view. In the article on Scotland under "History," an account of Alexander's doings in England is given shortly, though the mistake is made of not putting in the fact that on his return journey Alexander took the castle as well as the town of Carlisle. The article on England makes not the slightest reference to Alexander's doings. Scotland and France in later times got very little thanks from England for the assistance given her people to acquire their freedom; in fact this assistance is now practically forgotten.

¹⁹ *The Political History of England*, in twelve vols., edited by Wm. Hunt, D.Litt., and Reginald Poole, M.A., Vol. II.; *The History of England from the Norman Conquest to the Death of John* (1066-1216), by George Burton Adams.

²⁰ *Encyclopædia Britannica*, ninth edition, Vol. XXI., published 1886.

2nd December, 1938.

Chairman—Mr R. C. REID.

Wild Fowl and Wild Fowling.

By MICHAEL BRATLEY.

This meeting was held in the Hall of the High School. It was illustrated by Mr Bratley's own colour films showing the different variation of the birds, with particular reference to their plumage and physical characteristics. The lecturer ended with a film of the international race of sailing dinghies between Canadian and British yachtsmen on Lake Ontario, in which he had participated.

16th December, 1938.

Chairman—Mr R. C. REID.

Roman Forts: Their Tactical Arrangements and Defences.

By I. A. RICHMOND, Esq., M.A., F.S.A.

This lantern lecture was delivered to a very full meeting. It had special reference to Birrens, at both the excavations of which Mr Richmond had taken an active part in conjunction with Mr Birley. He covered a wide field, and held out high hopes for the forthcoming excavation of the supposed Roman site at Carzield.

6th January, 1939.**The Salmon Fisheries of Scotland.**

By J. M. MENZIES, Esq., F.R.S.E.

This lecture by H.M. Inspector of Fisheries for Scotland traced the evolution of this industry from earliest times and also gave an idea of how salmon were preserved for transport before the days of canning and freezing. The various kinds of traps for the fish were described, and also the different nets used.

27th January, 1939.

Chairman—Mr R. C. REID.

Morton Castle, Dumfriesshire.

By W. DOUGLAS SIMPSON, M.A., D.Litt.

No better general description of the site and surroundings of Morton Castle could be given than in the words of Macgibbon and Ross :¹

“ This is one of the most interesting buildings in Nithsdale. It is situated about three and a half miles northwards from Thornhill, amidst the bare and solitary uplands near the mountains between Dumfriesshire and Lanarkshire, and at a considerable distance from the main road, which no doubt at all times led up the valley of the Nith into Ayrshire. Possibly the site has been selected by some early chieftain for his stronghold, partly on account of its secluded situation, which would afford a well-concealed retreat in case of pursuit. The castle stands on the crest of a tongue of steep rocky ground washed on three sides by a loch artificially formed at some remote period by a dam thrown across the glen a few hundred yards lower down. The fourth or south side forms the approach, and was no doubt cut across by a deep ditch so as to separate the castle from the mainland. The aspect of the grey but solid old ashlar walls, and the ruined towers still rearing their front in the midst of the wild and desolate moor, and above the chill waters of the tortuous lake, is most unlooked for and impressive.”

Morton Loch appears to be entirely artificial, having been formed, as stated above, by an embankment thrown across the narrow end of a deep and winding glen, which is traversed by a tributary of the Cample Water. Whether the loch is contemporary with the early castle which seems to have occupied the site, or with its successor of the fifteenth century, or what, if any, relationship exists between loch and castle, there is no evidence to show ;² but the Normans were

¹ *Castellated and Domestic Architecture of Scotland*, Vol. I., pp. 545-50.

² A local topographer, Rev. Peter Rae, writing in the first half of the eighteenth century, gives a detailed account of this and other dams in the neighbourhood of the castle, which, he considers, were all connected with its defence. See P. W. L. Adams, *History of the Douglas Family of Morton*, p. 15.

certainly capable, as seen in an impressive Aberdeenshire instance at the Doune of Invernochty,³ of designing water defences for their castles on a great scale. Even were the glen dry, the position must still be one of great tactical strength. Strategically, it seems to have had no special significance, except in so far as it lies on the right flank of the great highway leading up Nithsdale. There appears indeed to have been a hill-track, running parallel with the highway, and passing above Morton, if we may judge by a passage from Blind Harry, describing one of Wallace's rapid marches :⁴

“ Throw Dursder he tuk the gaynest gait;
 Rycht fayn he wald with Sotheroun mak debait.
 The playnest way abone Mortoun thai hald,
 Kepand the hycht, gyff that the Sotheroun wald
 Hous to persew, or turn to Lochmaban.”

In the neighbourhood of the castle are certain localities and names that preserve for us some of the appurtenances belonging to the medieval manor of which it was the *caput*. Thus at the top end of the loch is the farm of Morton Mains, representing the demesne or mensal land which the lord retained in his own hands for the furnishing of his table. Near it are the Gallows Flat and the Hanging Shaw; while to the east was formerly the Judgement Thorn—all names that recall to us the feudal jurisdiction centred in the castle. Westward is Watchman Knowe, looking out over the Nith valley.

The following passage is extracted from Macfarlane's Geographical Collections :⁵

“ Near to this Castle there was a Park built by Sir Thomas Randolph on the face of a very great and high Hill so artificially, that by the advantage of the Hill, all wild Beasts, such as Deer, Harts and Roes and Hares,

³ *Proc. Soc. Ant. Scot.*, Vol. LXX., pp. 170-81.

⁴ *Schir William Wallace*, Bk. IX., vv. 1747-51. Possibly this hill track is represented by the road, evidently an old one, which leads past Morton Castle and Morton Mains to Drumshinnoch, and so by East Morton and Gateslack to Durisdeer.

⁵ Vol. III., p. 208.

did easily leap in, but could not get out again; and if any other Cattle, such as Cows Sheep or Goats, did voluntarily leap in, or were forced to it, it is doubted if their Owners were permitted to get them out again."

This description appears to refer to the curious and (it would seem) uncompleted earthwork on Morton Mains Hill⁶ —though whether it is the correct explanation of its origin and purpose may well be doubted.

In the twelfth century the Honour of Morton belonged to the vast domains of Dunegal de Strathnith, a Celtic magnate who seems to have adopted Norman ways. His descendant was Bruce's nephew, Sir Thomas Randolph, whom, early in the fourteenth century, we find in possession of the manor. On 2nd June, 1307, Thomas Paynel petitioned Edward I. to grant him "*le manoir de Morton en vaal de Nith*"; and later there is a claim by Gilbert Latimer to part of "*Morton q. feust a Mons. Thomas Randolf.*"⁷ By the treaty of 1357, under the terms of which David II. obtained his release from captivity in England, the Scottish Estates undertook to demolish the castles of Dalswinton, Dumfries, Morton, and Durisdeer, together with nine other unspecified in Nithsdale.⁸ Probably this was the end of the early castle. The present building is clearly a structure of the fifteenth century, and its architectural detail seems to me to be fairly early in the period. The Historical Monuments Commissioners suggest that "the erection of this castle probably followed on the acquisition of the barony of Morton by James Douglas of Dalkeith in 1440."^{8a} But the grant by King James II., dated 28th February, 1439-40, conveys "the barony of Morton with the castle thereof,"⁹ which looks as if the building were already then in existence — unless, indeed, we are to suppose that the mention of the castle is

⁶ But cf. Peter Rae's MS. in Adams, *op. cit.*, p. 835. He calls the earthwork on the hill Deer's Castle; *ibid.*, p. 834.

⁷ *Documents and Records illustrating the History of Scotland*, ed. Sir F. Palgrave, Vol. I., p. 305, no. 21; p. 313, no. 68.

⁸ *Forduni Scotichronicon*, Bk. XIV., chap. 18.

^{8a} *Hist. Mon. Com., Report on Dumfriesshire*, p. 178.

⁹ *Registrum Honoris de Morton*, Vol II., p. 329, no. 2.

simply a piece of fossil legal phraseology, referring to the waste site of the older fortalice, destroyed in 1357.

After the execution of the Regent Morton, in 1580, the barony and castle of Morton were granted to Lord Maxwell of Caerlaverock. During King James VI.th's expedition against Lord Maxwell, in 1588, Morton Castle was burned by order of the King.¹⁰ Among the regulations made by the same monarch to secure the peace of the Western March during his visit to Denmark for the purpose of marrying the Princess Ann, there is found an order, dated 29th September, 1589, for the delivery to the royal officers of the castles of Caerlaverock, Threave, Mearns, and Morton.¹¹ The Maxwell ownership does not seem to have survived these events, and the barony reverted to its Douglas lords, by whom the castle continued to be occupied until the year 1714. Thereafter its splendid masonry fell a victim to the spoiler's hand. In 1794 it is reported that "a great deal of the stones have been carried away at different times, to build houses and dykes in the neighbourhood."¹² Grose's engraving, published in 1789, shows the castle in very much the same state of ruin as it is to-day.^{12a}

From an architectural standpoint Morton Castle is a structure of much importance. It is a highly finished building, its Gothic detail being of the finest quality, while its freestone¹³ ashlar masonry, large and closely jointed, with a strong tendency to square faces, is representative of the best early fifteenth century construction. It resembles very closely the masonry of the contemporary parts of the neighbouring Sanquhar Castle, as also that of the lower portions,

¹⁰ Captain Riddell's MS., quoted by Sir N. H. Nicolas, *The Siege of Caerlaverock*, p. xxiv.

¹¹ *Book of Caerlaverock*, Vol. II., p. 495.

¹² *Statistical Account of Scotland*, Vol. X., p. 151.

^{12a} F. Grose, *Antiquities of Scotland*, Vol. I., p. 147.

¹³ Not granite, as stated by the Historical Monuments Commission. Many of the stones exhibit exceedingly fine examples of false-bedding, and one, forming a lintel in the garderobe passage of the south-east tower, shows a cast of sun-cracks.

underneath the window sills, of the choir and presbytery at Lincluden College, built between 1409 and 1424. The shouldered lintel, not very common in Scotland, is freely used throughout the building. The wing wall, running out from the north-east corner of the main building towards the apex of the courtyard, is carried forward on its inner face, at the first floor level, on two rows of continuous corbelling, identical with a similar feature on the inner wall of the drum tower at Sanquhar. This mode of continuous corbel-course construction is found also in the gatehouse at Morton. All these resemblances make it exceedingly probable that the same master mason was responsible for Morton Castle and for the great fifteenth century consolidation at Sanquhar. Whoever he was, he was very clearly a deacon in his craft.

It is, however, in its typological relationships, rather than in its masonry and its architectural detail, interesting though these are, that the importance of Morton Castle is found. It has long been recognised in Scotland as an anomalous structure: but when once its affinities are recognised, it falls into place as an example of a type of castle which was widespread over Europe during the later Middle Ages, owing its origin to the great changes in warfare that marked the decay of feudalism and the emergence of the professional soldier as the arbiter of battles.

Two full descriptions of the castle are available,¹⁴ so that it is not necessary here to do more than indicate those features of design which give the structure its significance.

The castle (see plans, Figs. 1 and 2) consists of three main portions. The first of these is the gatehouse, at the western apex of the triangular site. This forms a composite structure, consisting of two D-shaped towers set back to back, and therefore having a lateral but no frontal salient. Between their closed gorges they contain a ribbed trance defended by a portcullis

¹⁴ Macgibbon and Ross, *ut supra*; *Historical Monuments Commission, Report on Dumfriesshire*, pp. 176-8. See also *Trans. Dumfries and Galloway Nat. Hist. and Antiq. Soc.*, 3rd Ser., Vol. XII., pp. 255-61.

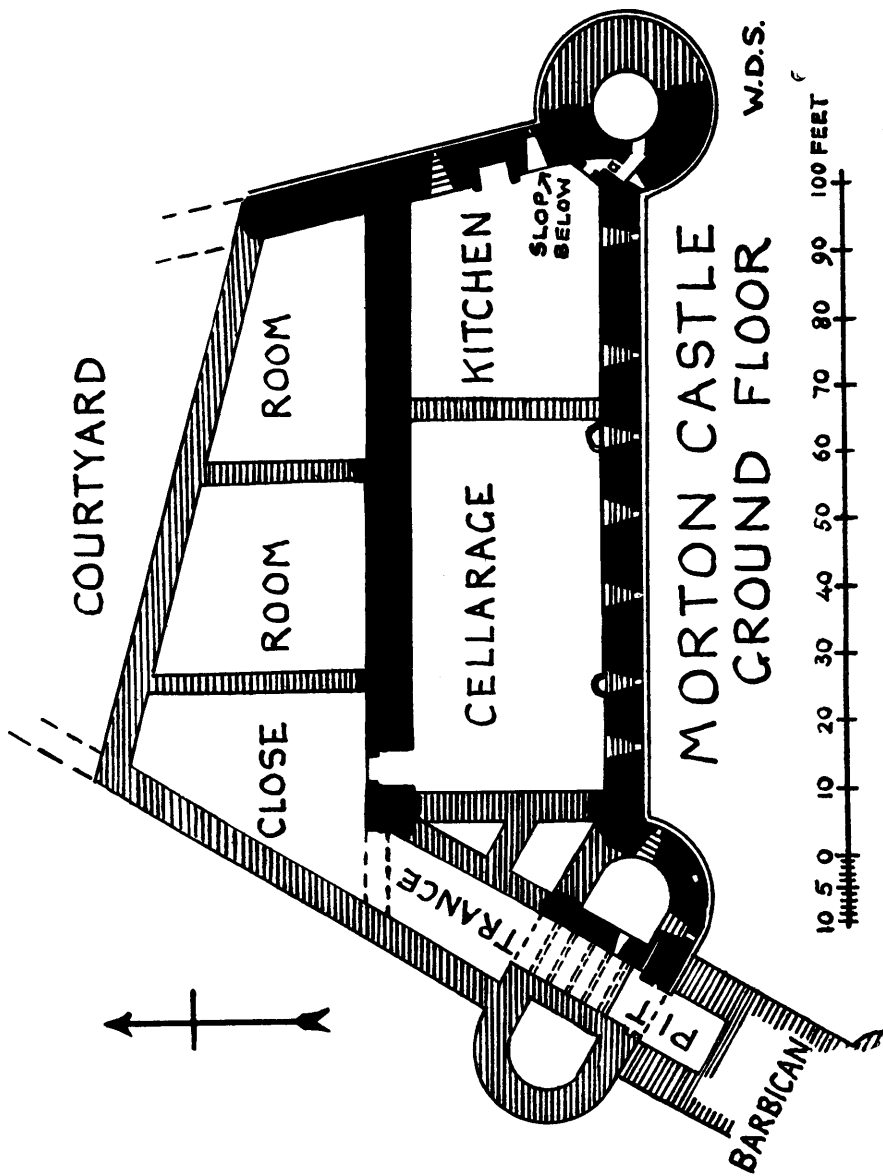


Fig. 1. Morton Castle: plan of ground floor.

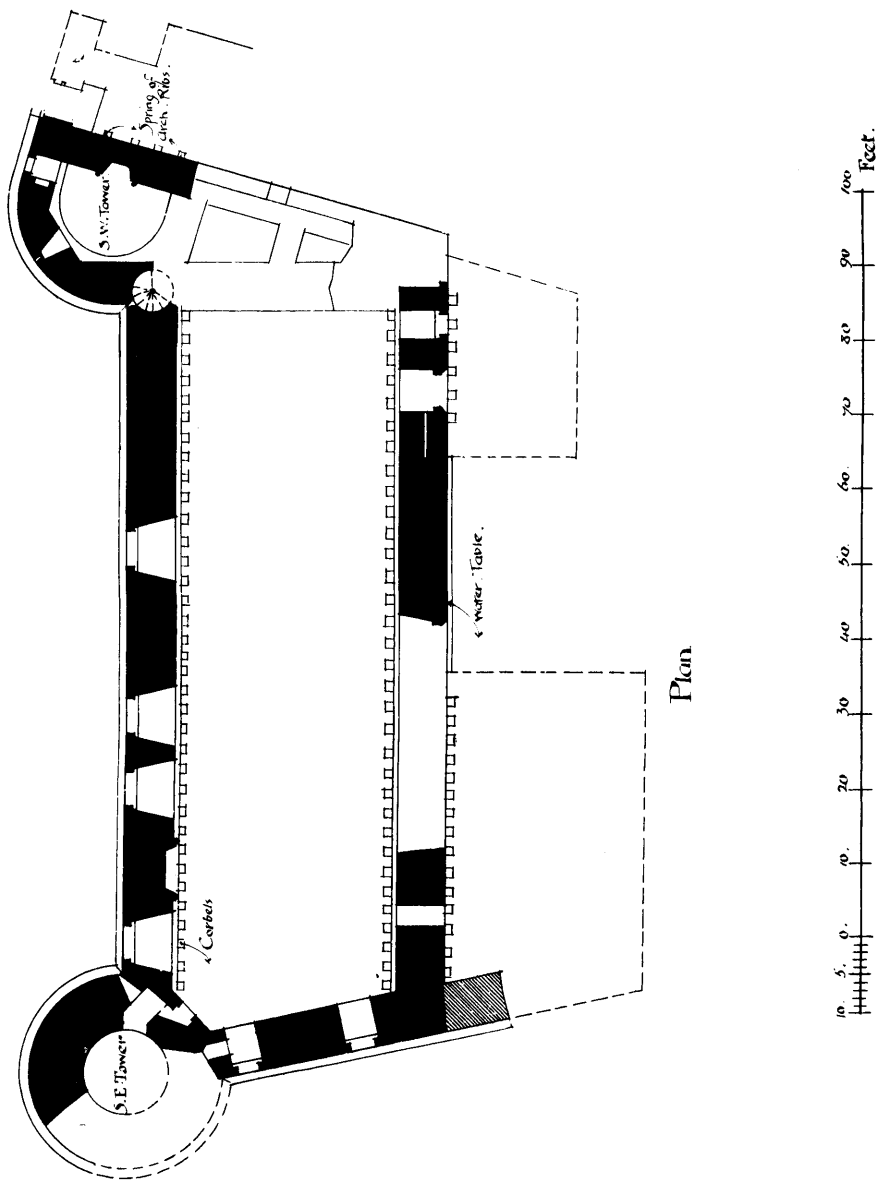


Fig. 2. Morton Castle: plan of first floor by the late Robert Watson, Architect, Edinburgh.

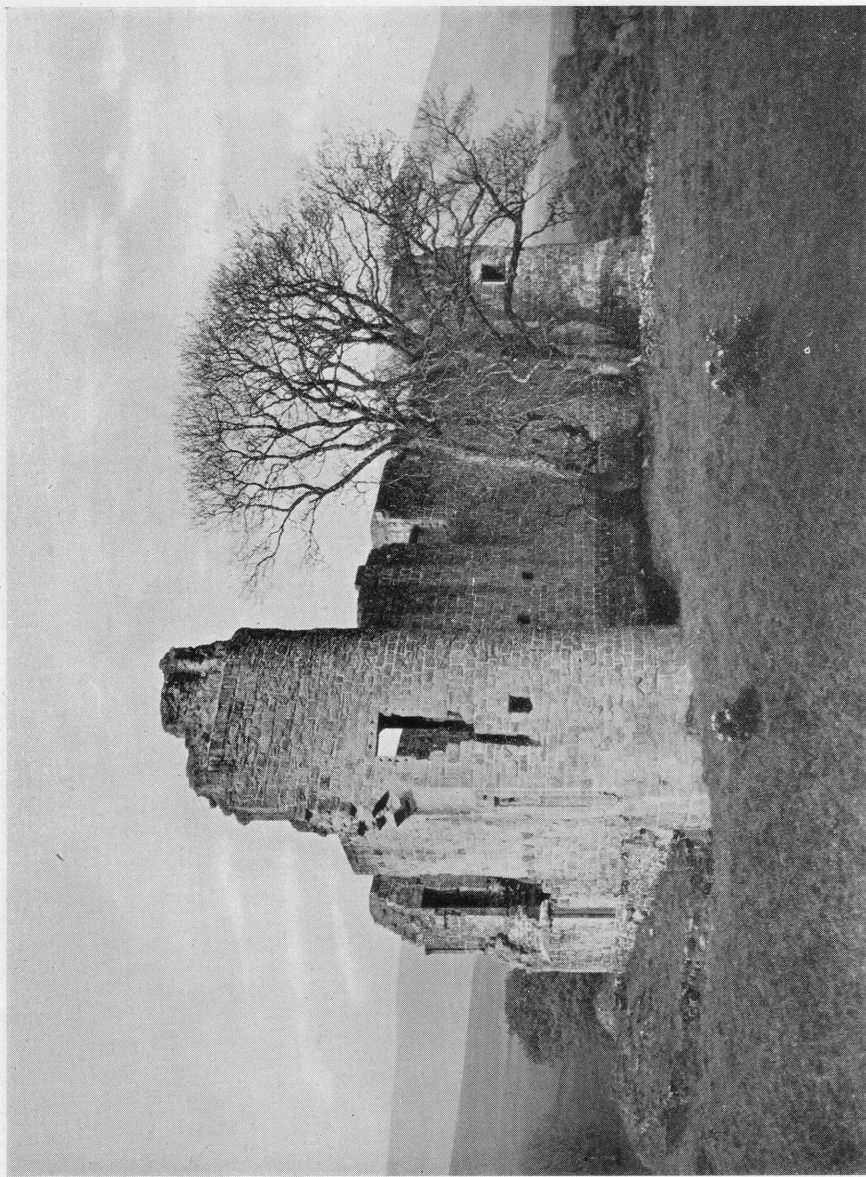


Fig. 3. Morton Castle: general view from the south-west.



Fig. 4. Morton Castle: interior of east gatehouse tower.

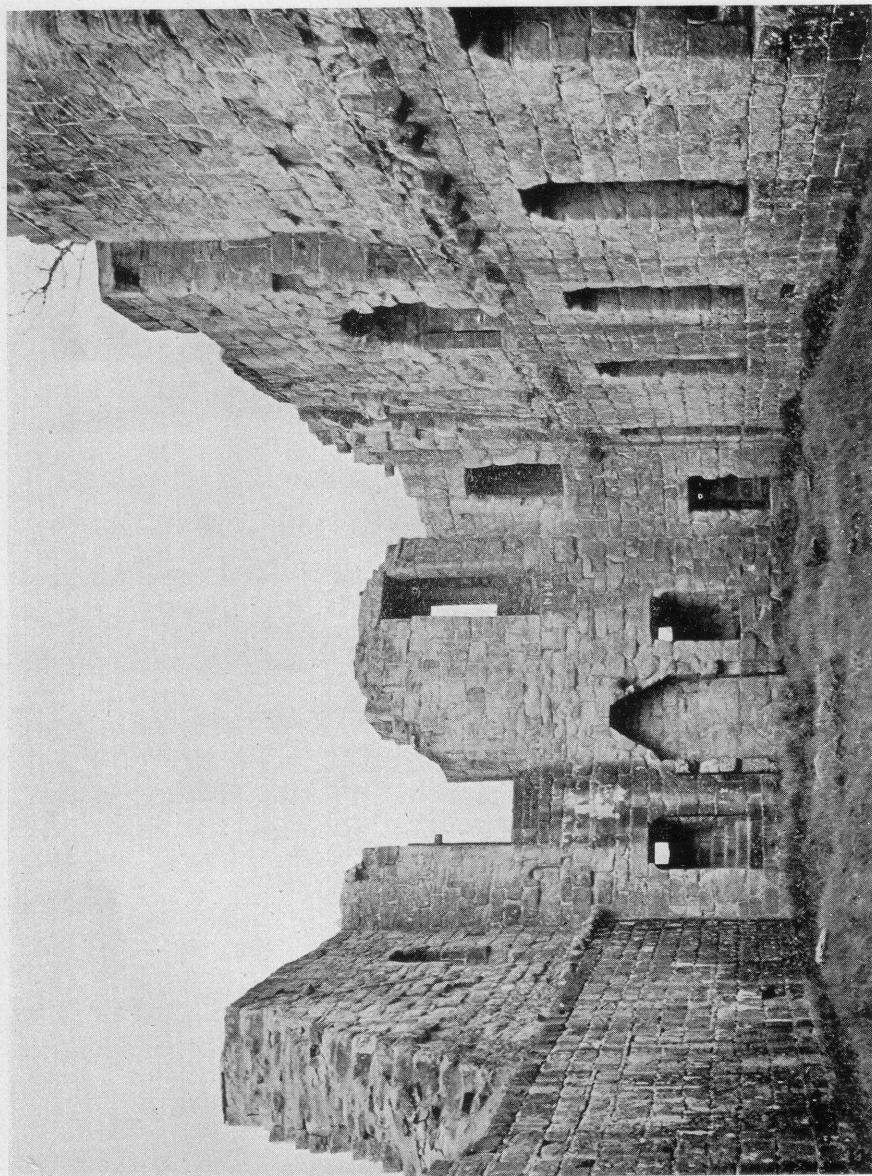


Fig. 5. Morton Castle: interior, looking east.

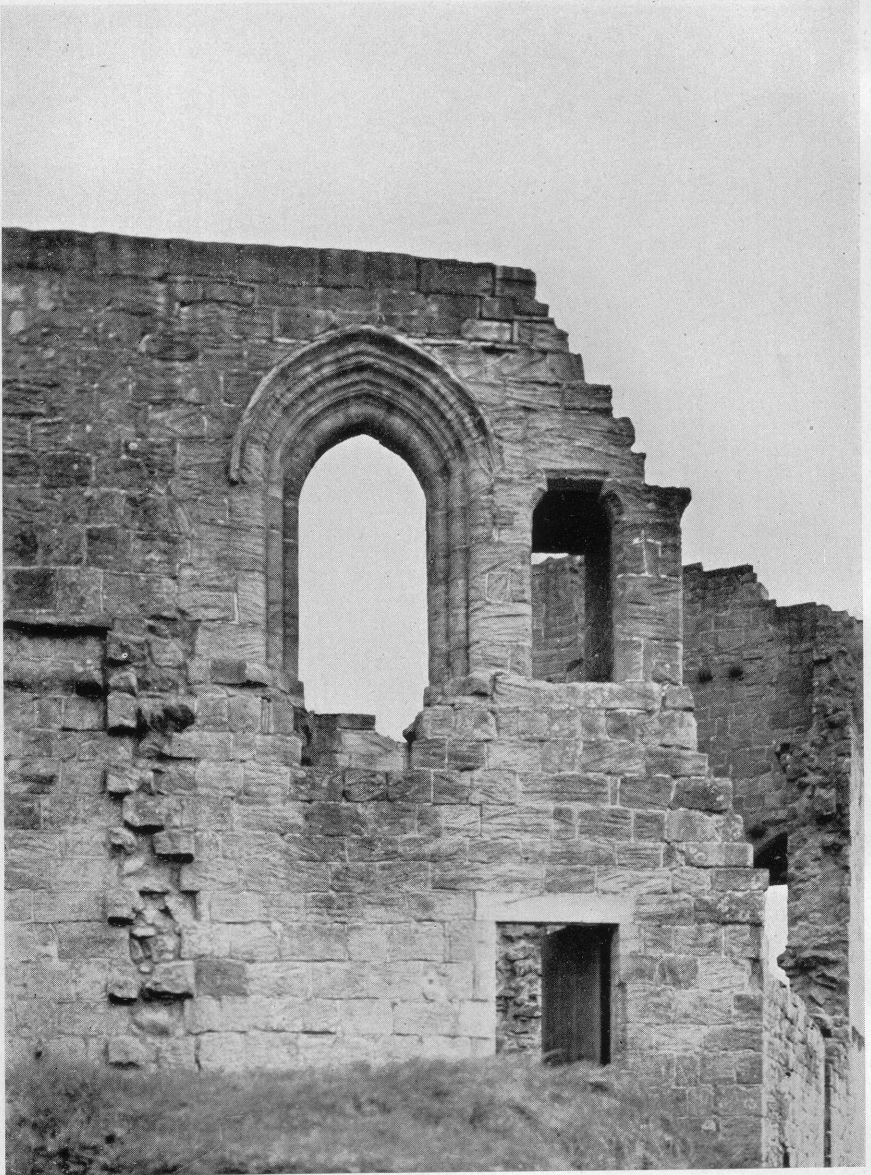


Fig. 6. Morton Castle: doorway to great hall.

and folding gates. This trance was not vaulted, as is shown by the smooth ashlar surface of the wall above the ribs, which therefore will have carried a wooden decking, no doubt with *meurtrières* between the ribs. This absence of vaulted construction is a notable feature throughout the castle. Underneath the sill of the portal is an ashlar-built pit, extending back into the trance. This pit was spanned by a bridge swung on trunnions at the threshold of the portal, and so managed that when raised one portion of the bridge would be sunk in the pit, while the other projected upwards in front of the portal, to which it thus formed an additional defence. Just within this was a gate that opened outwards, and therefore could be used only when the draw-bridge was down. Behind this, again, were the portcullis and an inner door. The walls on either side of the pit were prolonged forwards to form a barbican, ending in two drum towers, like the first barbican at Tantallon. A part of the wall of the eastern drum still exists. Unfortunately the upper portions of the gatehouse are greatly ruined, and its west tower has disappeared entirely, so that the detailed arrangements must be largely a matter of conjecture. But the main building was at least three storeys high, and contained on the first floor a spacious hall, with a handsome window to the front, the remains of which are visible in Fig. 3. From the recess of this window the portcullis was worked. The east tower (Fig. 4) contains four storeys of well-appointed private rooms, and has also a basement, below the ground level, containing a prison. In the first floor room is a hooded fireplace (now much wasted), with jambs curved forward above and below, and chamfered off on either side. These jambs (seen on the right in Fig. 4) are of so pronounced Edwardian type as to raise the suspicion that they have been re-used from an older building.¹⁵ The corbelled lintel construction,

¹⁵ Fireplaces of this type occur in the Edwardian gatehouse at Kildrummy Castle, in the alterations made during the English occupation at Dirleton Castle, and (re-used) in the Sea Tower at St. Andrews Castle.

so characteristic of Morton Castle, also recalls Edwardian work, and may perhaps have been inspired by the former castle on the site. There appears to have been no direct communication between the ground floor of the gatehouse and its upper storeys, and these must have been reached by an outside stair to the first floor from the courtyard, and thereafter by a newel stair, the well of which (as shown in Fig. 4) still partly exists, in the re-entrant angle of the eastern tower. Thus the whole of this gatehouse building forms a self-contained residence for the lord of the castle, having the entrance under his own control, and cut off completely from the rest of the building.¹⁶

The second part of the castle consists of a long two-storeyed structure, extending eastward from the gatehouse to the opposite margin of the site where it is terminated by a three-quarter round angle tower. This long building (see interior view, Fig. 5) is unvaulted, and contains the cellarage, with a kitchen at the east end, and over all the great hall, a very handsome apartment, with good mullioned and transomed windows, a hooded fireplace at the dais end, and (probably) an open-timber roof. It was entered at the west or screens end by a richly moulded door (Fig. 6), reached from the courtyard by a wooden forestair, the putlog holes for which, though built up, still remain. The south-east angle tower contained well fitted-up chambers, and would provide accommodation for principal guests, like the west wing at Doune Castle.

The third part of the castle consists of a courtyard, lying in rear of the main building and enclosed by curtain walls extending outwards and downwards into the apex of

¹⁶ On a seventeenth century silver bowl, formerly in possession of the Morton family, is engraved a view of Morton Castle from the north. It shows the gatehouse rising to a great height, with the circular stair turret at its eastern corner. I owe this information to the courtesy of Mr G. P. H. Watson, architect to the Scottish Ancient Monuments Commission; but unfortunately I have been unable to trace the whereabouts of this bowl or to obtain a photograph of it.

the triangular, shelving site. In this courtyard there were two outbuildings, lean-to edifices against the main structure. One of these buildings contained a single storey; the other, two. They seem to have been contemporary with the main structure, or nearly so.

Thus on analysis the distinguishing features of Morton Castle are seen to be: (1) The provision of a separate and self-contained residence for the lord, having the entrance under his control; and (2) the massing of the whole castle in the forefront of the site, having the courtyard in its rear.

The Scottish parallels to Morton are Doune and Sanquhar. Their French prototype is Pierrefonds. In Scotland, Tantallon and Caerlaverock, as originally built, exhibit an earlier stage in the development of the same thesis.

Elsewhere I have called attention to this remarkable group of castles,¹⁷ and have shown that they belong to a type which, appearing first in France towards the end of the fourteenth century, spread in the one direction into Scotland and in the other as far as the country of the Teutonic Knights, beyond the Vistula. The type owes its origin to the introduction of mercenary warfare and the whole complex set of innovations summarised in the English term, "livery and maintenance." Under the new conditions of scientific warfare, the turbulent barons of the period found their ill-armed and undisciplined feudal levies no longer sufficient, and therefore took to enlisting private armies of well-trained mercenaries. The presence in their castles of these standing garrisons could seldom be comfortable and might be dangerous, as they did not owe the natural allegiance of vassals to their lord, and were easily bribed by his enemies. Hence the barons of the later Middle Ages began to segregate themselves in self-contained residences in which was usually placed the main entrance to the castle,

¹⁷ Doune, in *Proc. Soc. Ant. Scot.*, Vol. LXXII., pp. 73-83; Caerlaverock and Sanquhar, in *Trans. Dumfries and Galloway Nat. Hist. and Antiq. Soc.*, 3rd Ser., Vol. XXI., pp. 180-204, 258-74.

so that the lord could entrust the safe keeping of this vital part to his own vassals or personal dependents. In this way arose the special type of castle of which Doune, Sanquhar, and Morton are the Scottish examples. In the fifteenth century Scotland looked to France for much of her architectural models, and it is Pierrefonds that undoubtedly was the archetype upon which our Scottish group are based.

Away beyond the Vistula, the same tensions were producing the same results, as may be seen in such a castle as Neidenburg. The Teutonic Order was no longer relying on the crusading fervour of its militant monks, but on the bought services of *lanzknights*. So its castles are no longer fortified cloisters, but barracks for mercenaries, in which a separate and jealously secluded residence, with control of the entrance, is set aside for the commandant, still nominally a Knight of the Order.

In England, it is to the practices connected with "livery and maintenance" that we owe the remarkable upgrowth of tower-houses in the fourteenth and fifteenth centuries—whether in the form of glorified solar accommodation added to an existing hall, as at Tattershall¹⁸ and Buckden,¹⁹ or wholly self-contained structures, including complete domestic accommodation in themselves, as at Warkworth,²⁰ Dudley, and Ashby-de-la-Zouch.²¹ These singular buildings—a distinctively English development—have been widely regarded as a species of atavistic or antiquarian revival of "Norman keeps." On the contrary, they are thoroughly up-to-date things which their builders devised in response to the special and urgent needs of their time. These late tower-houses of England are the product of what Mr G. H. Trevelyan has called the "revival of anarchy in a civilised society"; "this outbreak of savage

¹⁸ *Journal Brit. Archæol. Assoc.*, new ser., Vol. XL., pp. 177-92.

¹⁹ *Ibid.*, 3rd Ser., Vol. II., pp. 121-32. The same idea is seen in Scotland at Holyroodhouse.

²⁰ *Archæol. Æliana*, 4th Ser., Vol. XV., pp. 115-36.

²¹ *Archæol. Journal*, Vol. XCVI. pp. 142-58.

wrong-doing in the highest ranks of a society so far emerged from feudal barbarism, and artistically so much the superior of our own in the arts and crafts of daily life."²²

“ In every shire with jacks and salads clean
 Misrule doth rise and maketh neighbours war.
 The weaker goeth beneath, as oft is seen,
 The mightiest his quarrell will prefer.”

NOTE.

I have pleasure in acknowledging that this paper has been prepared as part of a scheme of research supported by a travelling grant from the Carnegie Trust for the Universities of Scotland. The plan at Fig. 2 is reproduced by courtesy of the Trustees of the Thornhill Museum. The photographs have been kindly supplied by the Royal Commission on Historical Monuments, and permission to reproduce those of Figs. 3 and 5, published in the Commission's Dumfriesshire Inventory, was granted by the Controller, H.M. Stationery Office, Edinburgh.

Herries of Hartwood.

By DAVID C. HERRIES.

Some years ago I contributed an account of this family to *Miscellanea Genealogica et Heraldica*,¹ but new evidence is always turning up, and I propose to revise and correct what I then wrote.

I will begin with :

I. Mr Robert Herries, Minister of Dryfesdale in Annandale from 1616 till his death in May, 1662, at the age of 80, who was served heir to his father, William Herries, merchant burghess of Edinburgh, 8 January, 1642, many years

²² *Hist. England*, pp. 259-60. On the whole subject of these late mediæval castles, see my paper on "Castles of Livery and Maintenance" in *Journal Brit. Archæol. Assoc.*, 3rd Ser., Vol. IV., pp. 39-54.

¹ 4th Ser., IV., 272.

after the latter's death. Anything more that can be said of Mr Robert I have already told in our Society's *Transactions*.² He established his eldest son, William, at Hartwood, in the parish of Lochmaben, and his younger son, Robert, at Halldykes, in his own parish of Dryfesdale. I know nothing about the stipend of the ministers of Dryfesdale in his time, but probably it was nothing extraordinary, and it seems to me somewhat of a feat for a minister to set up in his lifetime two sons in landed estates and to provide tochers for two and perhaps three daughters. He was, however, an only son, as appears from his father's testament,³ and inherited the worthy burgess's accumulations. Possibly his wife had money. His mother, Katherine Banks, had a property called the "Quhytehouse," in or near Edinburgh.⁴

The Minister married at South Leith, 10 September, 1618, Janet Mackison, and had issue :

1. William, of Hartwood, of whom later (No. II.).

2. Robert, of Halldykes, of him and his posterity I have given an account in our *Transactions*.⁵

1. Margaret Herries, wife of William Herries of Corytoun, who, with her consent, granted in November, 1658, a discharge in favour of "Mr Robert Hereis and Jeanet Mackison," his spouse, for 2000 merks Scots due to him from the said Mr Robert as tocher with Margaret Herries, his daughter.⁶

2. Sarah Herries, married after her father's death to Adam Newall, who died in 1683. His testament, confirmed

² 3rd Ser., VI., 30.

³ Confirmed at Edinburgh, 24 January, 1598-9.

⁴ *Reg. P.C.*, VI., 521. There was perhaps other landed or house property. William Herries, merchant, and Katherine Banks, spouses, were infeft, 13 Nov., 1596, in a tenement of Mr Thomas Dickson, Vicar of Torphicen (*Protocol Book of Mr Alexander Guthrie*, IX., fol. 119).

⁵ 3rd Ser., V., 115; see, too, *Misc. Gen. et Her.*, 4th Ser., IV., 301, 378, v. 40.

⁶ Deed endorsed "Discharge William hereis of Corytoun to Mr Robert hereis 1658," *penes* Mr R. S. Herries of St. Julians, Sevenoaks.

at Dumfries, 12 March, 1684, shows that his contract of marriage with Sarah was with consent of her mother, Janet Mackison, and of her brother-german, Robert Herries. Sarah and her brother Robert were accused in December, 1683, of concealing papers that had been in the possession of Newall in his capacity of factor and chamberlain to the Earl of Southesk.⁷

3. Katherine Herries, probably another daughter of the Minister. In the pedigree of Carruthers of Dormont in Burke's *Landed Gentry* (ed. 1937), John, son and heir of Francis Carruthers of Dormont, is said to have married in 1639 Katherine, daughter of Robert Herries, Minister of Dryfesdale. No authority is given, but the statement is compatible with dates. The testament (confirmed at Dumfries, 26 March, 1657) of Katherine Herries, spouse to John Carruthers of Dormont, throws no light on her parentage. If she *was* the Minister's daughter, the dates of her parents' and of her own marriage suggest that she was the eldest daughter, but the order of seniority of the daughters is quite uncertain.

II. Mr William Herries of Hartwood or Harthat,⁸ which he held under the Earls of Queensberry. In legal documents he is styled "Magister" or Mr, titles then reserved for University graduates, and he was no doubt the William Herries who graduated at Edinburgh University in 1644. In 1648 he was nominated to serve on the Committee of War for Dumfriesshire, under the Act of Parliament for putting the Kingdom into a Posture of War.⁹

He married Mariot or Marion M'Gill, who as his widow was served heir general to her father, Mr Francis M'Gill, Minister of Kirkmichael in Dumfriesshire, 6 May, 1664. Mr William died before his father in September, 1658, as appears from his testament dative confirmed at Dumfries, 3 May,

⁷ *Reg. P.C.*, 3rd Ser., VIII., 301-2; see, too, *Scottish Hist. Soc.*, XLVIII., 223, 224, 230.

⁸ The name is spelled in many different ways. In Privy Council business concerning Mr William's son in 1671 it appears as Harquhat, Garthat, and Harthwood.

⁹ *Acta Parl. Scot.*, VI., 295.

1659, the inventory being given up by Mariot M'Gill, his relict, on behalf of Elizabeth, Janet, Katherine, Anna, and Isobel, his lawful bairns. There was owing to Lord Queensberry 500 merks, being three years' rent. His widow was married again to Robert Douglas of Beatford, being described as the latter's relict in a discharge to her daughter, Katherine Herries, relict of John Herries of Mabie, 5 June, 1688.¹⁰

Mr William Herries and Mariot M'Gill had issue :

1. Francis Herries of Hartwood, of whom later (No. III.).

1, 2, 3, 4, 5. The above-mentioned daughters, Elizabeth, Janet, Katherine, Anna, and Isobel, who in the same order of seniority were served heirs of provision general to their father, Mr William Herries, March 16, 1699.

As these ladies had a brother, and as there were five of them, it is not probable that their tochers were large, yet they all married, so it is fair to assume that they had good looks.

A MS. family pedigree made in 1789¹¹ gives their marriages substantially correctly but with some minor inaccuracies which I am able to correct and I am able to supply a few dates.

1. The eldest daughter, Elizabeth Herries, was married to John Dalrymple of Waterside in Nithsdale, and had a large family of sons and daughters.¹²

2. Janet Herries, the second daughter, was married to Colonel William Graham or Grahame of Boquhapple, the head of a branch of the family of the Earls of Men-teith. His mother, also a Graham, was of the Claverhouse family, and through her he was first cousin of the famous

¹⁰ *Minute Book of Regt. of Deeds of Dumfries Commissariot.*

¹¹ *Penes R. S. Herries of St. Julians, Sevenoaks.*

¹² For the Dalrymple pedigree, see H. B. M'Call's *Some Old Families*. Some of the Lairds of Waterside acted as Chamberlains to the Dukes of Queensberry, and they served on Commissions of War and Supply for Dumfriesshire, see *Acta Parl. Scot.*, VI., 132, 298; X., 29, 131; XI., 142.

Claverhouse, Lord Dundee, in whose Troop of Horse he became a cornet in 1682. He served on commissions to try rebels in Dumfriesshire in 1683 and 1684. This probably led to his meeting and marrying Janet sometime before 7 January, 1688, the date of the baptism at Dumfries of "Herries Graham, daughter to Lyfetennant William Grahame," the witnesses being John Rome and Archibald Stewart of Knockshinnoch, the husband, as will appear, of another of these Herries sisters. Graham fought at Killiecrankie with his cousin, Dundee, and was in consequence attainted by the Scots Parliament in 1690. According to the MS. pedigree of 1789 he "went abroad with King James," but eventually he must have made his peace with the Government, for in 1722 he was a witness at the baptism at Edinburgh of a granddaughter, Emilia, daughter of Michael Malcolm, shipmaster, and Herries Grahame, his wife. His daughter, Herries Graham, was served heir to her mother "Janet Herries, wife of Colonel William Graham of Balwhapell [*sic*]," 24 December, 1709. Colonel Graham married secondly Catherine Lythgow of Drygrange, widow of James Thomson of Colmslie, and died in February, 1736. In his testament dative, confirmed at Edinburgh, 22 September, 1736, he is styled Colonel William Graham of Boquhapple, indweller in the citadel of Leith.¹³ His daughter, Herries, became the first wife of Michael Malcolm, a younger son of Sir John Malcolm of Lochore, Bart.¹⁴

3. Katherine Herries, the third daughter, was married first to John Herries of Mabie, in the Stewartry of Kirkcudbright, probably the same laird of Mabie who was nominated a Justice of Peace in 1663 and a commissioner for levying the Militia in the Stewartry in 1668.¹⁵ Sasine

¹³ For Colonel Graham's pedigree, see *The Scots Peerage*, ed. Paul, title Menteith. See, too, Dalton's *Scot's Army, 1661-1688*, 111, 112 (note 12); *Reg. P.C. Scot.*, 3rd Ser., VIII., 137, 318, 501; *Acta Parl. Scot.*, IX., *passim*; Napier's *Life of Dundee*, *passim*.

¹⁴ See Burke's *Peerage*, 1931, title Malcolm.

¹⁵ *Acta Parl. Scot.*, VII., 506; *P.C. Reg.*, 3rd Ser., II., 530.

was given, 17 May, 1676, of the liferent of Mickle and Little Mabies, etc., to Francis Herries of Lamholme as attorney for Katherine, lawful daughter of the deceased Mr William Herries of Harthat, in implement of the marriage contract between John Herries of Mabie on the one part and the said Katherine with consent of Marion M'Gill, her mother, on the other part, dated at Dumfries, 16 May, 1676.¹⁶ John Herries was living, 9 July, 1687, when he granted a disposition at Mabie, with consent of Francis Herries in Hertwood, in favour of Katherine Herries, his spouse, of the Mill of Barcloy, etc.¹⁷ He died before 5 June, 1688,¹⁸ and left his affairs in great disorder and his lands mortgaged or "wadsetted" up to the hilt, and a host of creditors soon began to squabble over the spoil. His widow, Katherine, was soon re-married to John Maxwell of Carse or Friars' Carse. Robert Johnstone, late Bailie of Dumfries, had a suit against Katherine Herries, relict of John Herries of Mabie and now spouse of John Maxwell of Carse,¹⁹ 15 April, 1692. According to the pedigree of Maxwell of Tinwald, Monreith, etc., in the *Book of Carlaverock*, John Maxwell of Friars' Carse married Katherine Herries in 1689 and died in 1705, leaving two sons, but the MS. pedigree of 1789 says that Katherine Herries had no children by either of her husbands. Possibly Maxwell had been previously married.

4. Anna Herries, the fourth daughter, was married at Dumfries, 30 October, 1677, to Archibald Stewart, variously described as merchant in Dumfries, and as of Knockshinnoch, and as of Stockwell. In the MS. pedigree he is called *brother* of Stewart of Shambellie, but this is inaccurate, for, according to experts in Stewart genealogies, he was *nephew* to John Stewart of Shambellie, being a younger son of Archibald Stewart of

¹⁶ *Dumfries Particular Regt. of Sasines*, 22 May, 1676.

¹⁷ *Ibid.*, 19 Sept., 1687. John and William Herries, sons of Francis Herries of Hertwood were witnesses to the disposition.

¹⁸ Refer to Mariot M'Gill, wife of Mr William Herries (No. II.).

¹⁹ *Regt. of Kirkcudbright Hornings, etc.*, Vol. III., 531, 642.

Barnsoul by Elizabeth, daughter of Francis Irving, sometime Provost of Dumfries.²⁰ At this time there were two or perhaps three Archibald Stewarts in Dumfries, which gives rise to confusion. Sasine was given 8 June, 1688, in favour of Anna Herries, daughter of the deceased Mr William Herries in Harthat, and spouse of Archibald Stewart of Knockshinnoch, of the liferent of an annual rent of 300 merks furth of the lands of Knockshinnoch, in the parish of Irongray, following on the marriage contract between the said Archibald and Anna, with consent of her mother Marion M'Gill, and her brother, Francis Herries of Harthat, dated 22 September and 26 October, 1677.²¹

Anna Herries, spouse to Archibald Stewart, merchant, was buried at Dumfries, 18 January, 1711, and Archibald Stewart, merchant, probably her husband, was buried there, 31 May, 1722. Did he marry again? The "Lady Knockshinnoch" was buried at Dumfries, 25 December, 1729.

Archibald and Anna had (with possibly other children) two daughters, Ann and Marion Stewart, who were served heirs portioners to their father, Archibald Stewart of Stockwell, merchant in Dumfries, brother-german to the deceased Francis Stewart of Barnsoul, 23 May, 1741. The younger daughter, Marion, married Andrew Grierson, surgeon, who was buried at Dumfries, 11 April, 1713, Marion's own burial being recorded the 12 March, 1750.²² The elder daughter, Ann Stewart, was married first, 1 January, 1711, at Dumfries to Alexander Malcolm, who was served heir to his father, Mr John Malcolm, Minister

²⁰ For Stewart of Shambellie, see *The Stewarts*, Vol. III.; Vol. V., 147. The Stewarts of Shambellie were descended from the Stewarts of Allans, who were descended from the Fintalloch Stewarts and ultimately from the Garlies family.

²¹ This sasine was registered in the *Dumfries Particular Regt. of Sasines*, 12 June, 1688.

²² There is a discharge dated 5 September, 1712, by Archibald Stewart, merchant; Anna Stewart, spouse to Alexander Malcolm; and Marion Stewart, spouse of Andrew Grierson, with consent of their husbands, to Sir W. Douglas of Kelhead (*Minutes of Sheriff Court Books, Dumfries*).

of Holywood, 8 January, 1717. He was buried at Dumfries, 3 April, 1718. Ann Stewart, his "relict," was married secondly at Dumfries, 2 February, 1721, to Mr William M'Cornoch, Master of the Grammar School at Dumfries; he was buried at Dumfries, 22 April, 1731, his testament being confirmed at Dumfries, 18 October, 1731; his relict, Ann Stewart, was executrix. Ann was buried at Dumfries, 14 February, 1751; by her first husband she had, with other children, Archibald Malcolm, sometime Town Clerk of Dumfries.²³

5. Isobel Herries, the fifth daughter, was married to Mr William Graham of Mossknow, who was served heir general to his father, Mr William Graham, Minister of Kirkpatrick-Fleming, 21 June, 1686. His mother, Margaret, was daughter and heir of David Irving of Mossknow. Sasine was given, 8 November, 1686,²⁴ in favour of Isobel Herries, spouse of Mr William Graham of Mossknow, of the liferent of the lands of Mossknow, etc., in the parish of Kirkpatrick-Fleming, following upon the marriage contract betwixt the said Mr William Graham and Isobel Herries, therein described as lawful daughter of the deceased Mr William Herries of Harthat, dated at Dumfries, 21 April, 1682. Isobel died, 20 March, 1737, leaving issue David, who died without issue, Fergus of Mossknow, Janet and Anne.²⁵ Mr Graham was a commissioner of supply for Dumfriesshire in 1698 and 1704.²⁶

III. Francis Herries of Hartwood, sometimes styled "of Lamholme," son of Mr William and grandson of Mr

²³ He is called son to the deceased Alexander Malcolm, merchant in Dumfries, at his admission, 11 February, 1731, to the Roll of notaries public, before the Lords of Council and Session at Edinburgh. He married at Dumfries, 2 August, 1737, Jean Hay, and had a large family, as the Dumfries Registers show. Two of his children were called Graham, no doubt in honour of his maternal grandmother's sisters, who married Grahams.

²⁴ Registered in the *Dumfries Particular Regt. of Sasines*, 3 December, 1686.

²⁵ *Scottish Antiquary*, VIII., 16.

²⁶ *Acta Parl. Scot.*, X., 131; XI., 142.

Robert Herries, Minister of Dryfesdale. In 1671 he, with Sir Robert Dalzeel of Glenae and others, was giving trouble to the Privy Council by quarrels with John Johnstone of Elshiesheills and his friends, both parties had to find surety to keep the peace.²⁷ As will appear in the account of his son, William, he managed to rescue from the creditors some of the lands of his brother-in-law, John Herries of Mabie. He was living the 9th July, 1687,²⁸ but on the 16th July, 1689, Mary Austen, relict of Francis Herries of Harthat, granted a bond to John Lawson in Gledingholm.²⁹

He had certainly three sons :

1. John Herries, living 9 July, 1687.³⁰ If he was the eldest son he probably died young, leaving no issue.
2. William Herries, of whom presently (No. IV.).
3. Robert Herries, called brother of William, as witness to a sasine of 3 September, 1702,³¹ in favour of Archibald Stewart, merchant burghess in Dumfries, Anna Herries, his spouse, and Anna and Marion Stewart, their lawful children, of an annual rent furth of the barony of Mabie, etc., granted by William Herries of Mabie.

IV. William Herries of Hartwood and sometime of Mabie. He was served heir general of his father, Francis Herries, in Cruiks of Mabie, 18 December, 1688. As "Willielmus Herries, qui fuit filius Francisci Herries de Hartwod" he was served heir of provision of his grandfather (avi) "Magistri Willielmi Herries, filii natu maximi Magistri Roberti Herries ministri verbi Dei apud Drysdale," March 16, 1699. On 30 August, 1708, as William Herries of Harthat, he was served heir special in 3000 merks over Crunzeerdoun, etc., of his great-grandfather, Francis M'Gill, minister of Kirkmichael, who died in February, 1664. As William Herreis, son of Francis Herreis of Harthatwood, he was served heir of his grandfather, William Herreis of

²⁷ *P.C. Reg.*, 3rd Ser., III., 695, 699, 701.

²⁸ Refer to the account of his sister Katherine, wife of John Herries of Mabie.

²⁹ *Minute Book of Regt. of Deeds, Dumfries Commissariat.*

³⁰ See footnote 17.

³¹ Registered 19 October, 1702, in the *Dumfries Particular Regt. of Sasines.*

Harthwood, 16 October, 1710. In March, 1697, Adam Paterson in Crofts had a suit against William Herries, lawful son to the deceased Francis Herries of Harthwood, and Mary Austine, relict of the said Francis, his mother.³² The dealings of Francis and his son, William Herries, with the lands of the former's brother-in-law, John Herries of Mabie, have been already alluded to. A charter of apprising, dated 11 January, 1695,³³ in favour of William, son of the late Francis Herries in Cruiks of Mabie, of the lands of Mabie, etc., etc., sometime pertaining to John Herries of Mabie, gives the following information. These lands had been appraised, some by virtue of a decret of apprising of 18 January, 1672, to pertain to Alexander Home of Linthill, and some by virtue of a decret of 15 January, 1653, to pertain to Janet Thomson, relict of Samuel Grierson.³⁴ Alexander Home had disposed his portion to the said Francis Herries by disposition dated 16 March, 1683, and John Grierson, son and heir of the said Janet Thomson, had disposed his portion in favour of the said Francis Herries, and therefore the said William Herries, as son and heir served and retoured to the said deceased Francis, had just right to these lands. By virtue of this charter of 11 January, 1695, William Herries, son of the late Francis Herries in Cruiks of Mabie, had sasine of all these lands, 21 January, 1695.³⁵

“ William Herreis of Mabee ” was a commissioner of supply for the Stewartry of Kirkcudbright in 1704,³⁶ but he did not long retain his Mabie possessions. A charter of resignation, etc.,³⁷ dated 26 July, 1714, in favour of Colonel

³² *Register of Kirkcudbright Hornings, etc.*, Vol. VI., fol. 47.

³³ *Great Seal Regt.*, Vol. XIV., fol. 175, No. 135.

³⁴ Jean Thomson, relict of Lancelot (*sic*) Grierson of Dalsfornith, had a charter, 7 March, 1653, subject to the legal reversion, of the £4 land of Mackies (*sic*), Little Makies, etc., etc., appraised from John Herries of Makie at the instance of the said Jean, 5 February, 1653, in payment of the principal sum of 500 merks, etc.—*Mag. Sig. Commonwealth*, No. 112.

³⁵ Registered in *Edinburgh General Regt. of Sasines*, 25 January, 1695.

³⁶ *Acta Parl. Scot.*, XI., 150.

³⁷ *Great Seal Regt.*, Vol. 86, No. 108.

John Stewart of Stewartfield, of the lands of Mabie, Cruiks, etc., etc., shows that these lands formerly pertained to certain daughters of the late William Charters of Bridgemore, Commissar of Dumfries, and Anna Hunter, his spouse, the lands having been adjudged from the heirs of the late John Herries of Mabie; and that Anna Hunter, as tutrix to these daughters, had sold the lands by disposition dated 24 November, 1699, to William Herries, son of the late Francis Herries of Haithat, who disposed them to the said Colonel Stewart, 20 September, 1707.³⁸

William Herries, the son of Francis, seems to vanish about 1707, while about the same time there appears a certain William Herries, who was engaged in trade at Leith. It has been suggested that these Williams were one and the same person.³⁹ No documentary evidence, however, has been found in favour of this theory, and indeed if the age of William of Leith is correctly given as 67 in an announcement of his death on the 22nd August, 1751, in the *Scots Magazine*,⁴⁰ he cannot have been identical with William, the son of Francis, who witnessed a legal document in 1687,⁴¹ when the Leith merchant would have been about three years old.

William Herries of Leith may have been a cadet of the Hartwood family, and, though no documentary evidence has

³⁸ Colonel Stewart eventually conveyed Mabie, etc., to his nephew, John Herries, cousin and heir-male to the Laird, who married Katherine, third daughter of Mr William Herries of Hartwood. This John Herries, who died in 1763, was the last of the name to own Mabie, which, however, he sold before his death to a Mr Guthrie. See *Miscellanea Genealogica et Heraldica*, 4th Ser., V., 120.

³⁹ This was the theory of Mr H. B. McCall in his *Some Old Families*.

⁴⁰ XIII., 407. The notice is as follows: At Leith in the 68th year of his age, William Herries of Greskin, merchant in that town. The date of death is confirmed by a letter of his son Michael to a Mr Oswald, dated 20 September, 1751. Colonel Herries of Spottes has kindly let me see this letter. I am also indebted to him for much information concerning this William and his son, Michael Herries.

⁴¹ Refer to footnote 17.

been discovered for such kinship, there are some points in its favour. The Leith merchant gave to one of his sons the name of Michael, a very unusual if not unique name in the various families of Herries, but William, the son of Francis Herries, had a first cousin, Herries Graham, who was married to Michael Malcolm,⁴² in whose family this name was common, and possibly Michael Herries may have been named in her or her husband's honour. This Michael Herries corresponded with various members of the Halldykes branch of the descendants of the Minister of Dryfesdale, and by his final settlements of his various properties he benefited the descendants of both the Hartwood and Halldykes branches.

On account of these benefactions I propose to give a brief account of William Herries of Leith and his son Michael, whatever their origin may have been.

I. William Herries of Leith and Greskine. Sasine was given 23 June (registered in the Dumfries Register, 24 June), 1732, to William Herries, merchant in Leith, of the lands of Greskine and Mallinshaw, following upon a disposition of the same in his favour by James Corrie, merchant in Dumfries, dated 7 June, 1732.⁴³ In April, 1736, Archibald Douglas, surgeon, sold for £180 sterling to William Herries, merchant in Leith, the lands of Ruttonside.⁴⁴

This William Herries died in 1751, as has been said already. He married at Leith, 18 July, 1707, Alison, daughter of John Forrest of Leith, and, according to Mr H. B.

⁴² Refer to Janet, second daughter of Mr William Herries of Hartwood.

⁴³ *Inventory of the Writes, etc., of the Lands of Greskine, etc., penes R. S. Herries of St Julians, Sevenoaks.* The descent of the property is traced from the Lords Herries in 1624, through the Johnstones of Elshiesheils to James Corrie, Provost of Dumfries, who sold it to William Herries. The Marquis of Annandale, and later the Earls of Hopetoun, were the Superiors of the lands.

⁴⁴ *Inventory of the Writes, etc., of the Lands of Ruttonside,* delivered by Archibald Douglas, Chirurgeon Apothecary, in Moffat, only lawful son of the deceased Lieutenant-Colonel James Douglas of the Scots Foot Guards, penes R. S. Herries.

M'Call,⁴⁵ he had a second wife called Janet Mason. He had the following children :

1. James, baptized at Leith 27 May, 1708 (born the 23rd May). He was living in 1739 (see the account of his brother Michael).

2. Richard, born the 3rd and baptized at Leith the 4th June, 1711.

3. John, born the 4th and baptized at Leith the 14th September, 1714.

4. Michael, born the 17th and baptized at Leith the 20th December, 1716, of whom presently.

5. Ebenezer, born the 6th and baptized at Leith the 8th October, 1719.

6. William, born the 30th April and baptized at Leith the 7th May, 1721.⁴⁶

1. Janet, born the 30th September and baptized at Leith the 4th October, 1709.

The daughter *Janet* was perhaps the *Jane* Herries who was served heir of provision general to her father, William Herries, merchant in Leith, 15 July, 1767. She died at Leith the 15 October, 1792.⁴⁷ The testament dative of Mrs Jane Herries or Stewart, relict of the Rev. Mr Alexander Stewart, Minister of West Church [Edinburgh], was confirmed at Edinburgh, 23 May, 1793, the executor dative being Michael Herries of Spottes, her brother, her principal legatee under a disposition made by her, 4 October, and registered in the Commissary Court Books of Edinburgh, 19 October, 1792. In this deed she mentions Mrs Beatrix Mason, widow of David Strachan of Whitehouse, and others of the name of Strachan. She leaves her bed and table linen to Isabella and Margaret Stewart, her husband's daughters, but does not call them her own daughters. She was the second wife of Mr Stewart, who died in his 45th year, 5 April, 1775.⁴⁸ He must therefore have been much younger

⁴⁵ *Some Old Families.*

⁴⁶ As Michael Herries, the 4th son, at the time of his death seems to have had no legitimate near relations, it is probable that all the other sons died before him, leaving no issue.

⁴⁷ *Scots Magazine*, LIV., 519.

⁴⁸ *Scott's Fasti*, I., Pt. I., 122.

than her if she was really the "Janet" above mentioned, who was born in 1709. The mention of a Mason, however, in her disposition of 1792, suggests that she was a daughter of her father's later marriage.

II. Michael Herries of Spottes and Greskine. William Herries, by disposition dated at Leith 29 December, 1739,⁴⁹ granted to his second lawful son, Michael Herries, and his heirs the lands of Greskine and Mallinshaw, extending to a six merkland of old extent in the parish of Moffat and Stewartry of Annandale, then in the tenancy of William Brown, also the town and lands of Ruttonside, in the tenancy of Adam Shaw, in the same Stewartry, with the seat and loft in the Church of Moffat lately built by the disponer, who reserved his liferent in the lands. Michael Herries and his heirs were to pay yearly to James Herries, the eldest lawful son of the said William Herries, the sum of £24 sterling. As Michael is here called the *second* son, presumably his elder brothers, Richard and John, were already dead. In 1784 Michael Herries increased his landed property by buying the estate of Spottes, in the parish of Urr and Stewartry of Kirkcudbright. He married a lady called Anne,⁵⁰ who died before him, 2 December, 1792, in her 60th year,⁵¹ and he also outlived a son, William Herries, who died at Spottes Hall, 19 March, 1795.⁵² He himself died at Spottes, 31 January, 1800.⁵³

Having survived all his near relations, he seems to have had much trouble in his mind about the fate of his various properties, and there was probably a good deal of intrigue going on around him. Although he was persuaded to leave Spottes in the first instance to the son of Dr. Muirhead, the Minister of his own parish of Urr, apparently a stranger in blood, he seems to have had a strong wish to benefit the

⁴⁹ Registered in the *Books of Council and Session*, 18 December, 1755.

⁵⁰ Mr M'Call in *Some Old Families* gives her name as Anne Blackburn.

⁵¹ *The Scots Magazine*, LIV., 622.

⁵² *Ibid.*, LVII., 206.

⁵³ *Ibid.*, LXII., 72.

descendants, in the male or female line, of Mr Robert Herries, the Minister of Dryfesdale, considering them no doubt as his relations more or less near.

The descent of both Greskine and Spottes was regulated by his settlements of 15 August, 1795, and 16 October, 1798, both registered in the Books of Session, 19 March, 1800. By virtue of these deeds his trustees, Sir Robert Herries, Dr. James Muirhead, Minister of Urr, and Alexander Young, W.S., executed deeds of entail, 31 May and 11 and 14 June, 1800.⁵⁴

Greskine was entailed on Sir Robert Herries, his nephew, John Charles Herries, Robert Herries of Halldikes, and his sister, Maria Herries,⁵⁵ and John, Peter, and Neal MacArthur, sons of John MacArthur in the Trongate of Glasgow, and Jean Herries,⁵⁶ his spouse, with remainder in each case to heirs-male of the body.

Sir Robert Herries accordingly took possession of Greskine in the first instance, but, dying without lawful issue in 1815, he was succeeded by his nephew, the Right Hon. John Charles Herries, who in 1849⁵⁷ petitioned the Court of Session for leave to disentail the property, with the consent of his sons and of John MacArthur of Glasgow. The petition was presumably successful, for Mr Herries sold the property about this time.

The descent of Spottes was different, being entailed on William Porter Muirhead and Charles Herries Muirhead,

⁵⁴ Recorded in the *Regt. of Taillies*, 2 March, and in the *Books of Session*, 22 March, 1805.

⁵⁵ These were all of the Halldikes branch of the family. See *Misc. Gen. et. Her.*, 4th Ser., IV., 301, 378; V., 40. For Sir Robert Herries, see *Dumfries and Galloway Soc. Transactions*, 3rd Ser., XVII., 18.

⁵⁶ According to family correspondence, Jean Herries was a natural daughter of Michael Herries.

⁵⁷ Printed copy of the petition, *penes* Mr R. S. Herries of St. Julians. Mr J. C. Herries had sasine, 5 May (registered in *Dumfries Regt.*, 7 May), 1823, of Greskine by virtue of a Precept of *Clare Constat* from the trustees of the Earl of Hopetoun in his favour as heir of Sir Robert Herries, his uncle, 11 March, 1823.

sons of the Minister of Urr; William Young, eldest son of Alexander Young, W.S.; John, Peter, and Neal MacArthur, sons of John MacArthur and Jean Herries, his spouse; Sir Robert Herries and his nephew, John Charles Herries, with remainder in each case to heirs-male of the body; all succeeding were to bear the name and arms of Herries of Spottes. The property was charged with liferent annuities to Jean Herries (Mrs MacArthur); Dr. Muirhead, Minister of Urr; Jean Louden, his wife; and John Hume, late partner to Michael Herries.

In accordance with the entail, William Porter Muirhead had sasine of Spottes, 18 June, 1800,⁵⁸ and took the name of Herries. He died in 1823, and his younger brother mentioned in the entail presumably died before him, for the next in succession, William Young, was served heir of tailzie in the lands of Spottes to William Porter Muirhead Herries, 10 June, 1823, and duly assumed the name of Herries. He died in 1872, and was father of the late Alexander Young Herries of Spottes, who died in 1918, and grandfather of Colonel William Dobrée Young Herries, the present owner of Spottes.

Whatever may have been the origin of Michael Herries and his father William, there is no doubt that the present holder of Spottes is descended from the Hartwood family—thus, Elizabeth, the eldest daughter of Mr William Herries of Hartwood, the eldest son of the Minister of Dryfesdale, was married to John Dalrymple of Waterside, and had a son, another John Dalrymple of Waterside, whose eldest daughter, Agnes Dalrymple (co-heir to her brother William), was married in 1722 to the Rev. Alexander Orr, and died in 1760, leaving a daughter, Agnes Orr, who was married in 1750 to the Rev. William Young, Minister of Hutton and Corrie; she died in 1809, and was mother of Alexander Young of Harburn, W.S., who was father of the William Young who succeeded to Spottes in 1823 and assumed the name of Herries.

⁵⁸ Registered in the *Dumfries Regt. of Sasines*, 20 June, 1800.

24th February, 1939.

Chairman—Mr R. C. REID.

The Antiquities of Innismurry Island.

By Rev. J. M. M'WILLIAM, B.A.

This lantern lecture on the well-known ecclesiastical site at Innismurry was delivered by one who had spent many happy days on the mainland facing the island. After a brief outline of its place in the history of the early Irish Celtic Church, Mr M'William described the antiquities of the site in detail. Many of the now extinct monastic sites of the Celtic Church in Scotland must have taken this and kindred Irish sites as their model.

17th March, 1939.

Chairman—Mr R. C. REID.

Notes on Solway Shipping in the Past.

By ROBERT HENDERSON.

Dumfries to-day cannot call its inhabitants a mercantile people in the maritime sense, but there was a time when the port, no more than a river port at the best, bulked largely in the shipping trade on the Scottish side of the Solway. What we are pleased to call the march of progress has, however, taken from the port its shipping activities, leaving hardly a trading schooner and only some infrequent steam tonnage of moderate burden.

Though these notes touch Solway shipping chiefly round the 17th and 18th centuries, we may look at some of the references to the Firth in early records, long before the Solway was charted or there was evidence of trading.

We are told that in 686 Adamnan, Abbot of Iona and biographer of St. Columba, besought by the men of Erin to go in quest of captives in Saxonland, sailed up the Solway. Six centuries later, in 1264, the fleet of Alexander III. was in all probability made ready in the Solway for the descent on the Isle of Man. And in 1300 the English Fleet of Edward I. arrived at Kirkcudbright. Two centuries later,

in 1540, we find the Solway Firth marked in a hydrographical description or chart made for the voyage of King James V. round Scotland in that year. This was drawn up by Nicholas d' Arfeville, cosmographer to Henry II. of France. There had been a fresh revolt in the Isles, and the King set out to circumnavigate his Kingdom with 12 ships well equipped. He appears to have pacified the Highlanders, but the voyage did not extend to the Solway, ending at Kintyre and Knapdale.

We are reminded that in 1545 there was published at Antwerp the *Cosmography* of Peter Apianus, "expurgated from all faults" by Gemma Frisius, a physician and mathematician of Louvain. It is sufficient to say that in this correct "expurgated" work Scotland is an Island, of which York is one of the chief cities.

In 1588 the Armada episode must be noted, for there is no doubt some of the crippled ships were driven rather than navigated into the Solway, where ships and crews probably met the worst fate. Near Corsewall Point and in Luce Bay some of the vessels came ashore, and we have evidence also of more than one Galleon finding a watery grave in the Firth of Clyde.

In a recent volume of The Scottish History Society, entitled *Ayr Burgh Accounts*, we see the Treasurer's Statement for 1588-9 has an entry :

Shipwrecked Sailors of the Armada. For meat and drink to the pure Spainyardis, £4. To James Boyd, cordiner, for four pair of schoone given to the saidis four Spainyardis, £1. For lodging them, £5. Total, £10. Early writers say the Spanish Fleet was destined for Kirkcudbright Bay, presumably to strike England on the flank. There is no good warrant for this. The official records show that the Armada was ordered to collect at the Scilly Islands and proceed up the English Channel. Twice the fleet anchored and twice the English Fleet in partial engagements made them cut and run. A strong south-west gale prevented the fleet from returning down Channel, and they could only attempt a north about passage. They had no pilots for

Scottish waters. The Scottish Navy had no part in this engagement, but a little Scotch privateer commanded by Peter Fleming came full sail into Plymouth with the first tidings of the Armada being seen off the Lizard.

The inscription on the medal Queen Elizabeth caused to be struck is in true proportion: "Flavit et dissipati-sunt"; Englished thus—God blew and they were scattered.

In the middle of the 17th century we find a reference of passing interest to the Solway. In 1652, under the Cromwellian régime, the English Parliament resolved to incorporate Scotland into one Commonwealth with England, and in 1655 Thomas Tucker was sent to Scotland to give assistance in settling the Revenues of Customs and Excise. His report shows that Leith was the chief port in Scotland, with on the West Coast Glasgow and Ayr. The limits of the Ayr district were large, and included Galloway. There was, the report says, little trading except with the towns of Ayr, Kirkcudbright, and Dumfries, and at that time Ayr was the only port with a ship or two belonging to it. Stranraer (then called The Chapel) he describes as a small town in a loch that would prove a pretty harbour for shelter of vessels, but a place without any trade. Wigtown is credited with a little trade from England—coals and salt; Kirkcudbright is called one of the best ports on this side of Scotland, but the merchants are poor; and Dumfries a pretty market town but with little trade, and mostly by land from Leith and Newcastle. This is not a true picture, unless conditions had worsened in 50 years, for, taking the port of Kirkcudbright, the Burgh Records, 1576-1604, show that there was a steady trade in wine from France, also imports of salt and iron, and some of the carrying vessels were locally owned. Timber was also exported to Brittany.

A few charter parties relating to Solway shipping in early times are known to have survived.* In 1576 a charter

* From *Dumfries Burgh Records*:—This day (20th October, 1526) Piers Carto, merchant of St. Malo, sailed ane schip callit "The Glodda" with Gascony Wine, containing 26 tuns, at the price of 30 crowns, to the port of Dumfries.

party was made between John Burne, skipper of the ship called "The Andrew," and Thomas Mason, for a cargo of timber and masts to be shipped from Kirkcudbright to a port in Brittany. A claim for demurrage arose under the charter, and was heard by the bailies of Kirkcudbright. Apparently the shipper agreed to pay freight based on nine days for discharge, with a penalty for longer delay. There was delay, hence the dispute and the depositions of the crew were taken on their return as to the number of days of delay. The names of the crew indicate they were all Galloway Scots, and it may be assumed that the vessel was owned in Kirkcudbright.

On 11th November, 1672, a charter party was made between Patrick M'Kean in Wigtown and John Carnoquhan and Herbert Edgar, who hire to M'Kean "their boit called "The Margaret of Kirkcudbright," "weell and sufficientlie furnished with ankers, cabells, and all uthir furniture belonging to ane boit of her burden," to transport M'Kean to Douglas, Isle of Man, and take in cargo there. Four days allowed for loading, £3 Scots to be paid by M'Kean for every additional day loading there and unloading at Wigtown. For this round trip M'Kean was to pay £37 4s Scots on completion of unloading at Wigtown.

Again, there is an allusion in the Court Processes at Kirkcudbright to a charter party of 16th May, 1692, between Nathaniel Rankin, master of the ship "Elizabeth," and William Johnston in Netherlaw Park, and David Johnston, his nephew. This was a time charter for two months. Rankin was to take a cargo of barrels to Dublin, shipped by the Johnstons, who agreed to pay him £10 sterling and a boll of meal. The cargo was to be transhipped from the "Bessie" of Balmangan. David was in charge of the cargo, but on reaching the destination refused to pay freight. Words and blows followed, David wounding Rankin "in the flank with a touck (sic) to the great effusion of my blood and hazard of my life, it being near my bowells." During the night David took away the sails and ran off with the ship's provisions, valued at £6 Scots. Rankin claimed

£40 sterling as damage to his ship and £1 a day demurrage.

There is another charter party, dated 1st March, 1698, between John Staffring, sailor burgess of Kirkcudbright, and some wood hewers in Cumstoun, who sold to Staffring eight tons of timber, then growing in the wood of Cumstoun, at 4d sterling for each foot squared; to be shipped to a port in England, wind and weather permitting. The timber to be delivered to Staffring's ship at the "under liggit in Cumstoun at full sea mark." The charter is endorsed with a further contract for a quantity of shovels at 5s sterling per dozen.

A reference may be made to another kind of charter. In the Kenmure Charter Chest is a charter by Charles I., dated 8th October, 1626, to Sir Robert Gordon of Lochinvar, Vice-Admiral of the South-West Coast of Scotland, of Charles Island in America, with office of Lt.-General there, with license to Sir Robert to pass in his ship, the "Grace of Kirkcudbright," south of the equinoctial line. Sir Robert sent out a Captain White in his ship, called the "Sweepstaick," to take possession of these lands in America. When not lawfully employed Captain White took a hand in piracy and had exploits in the Irish Channel.

The fleet of King William III., with soldiers on board for Ireland, was windbound both in Kirkcudbright Bay and Lochryan in 1699. This was the campaign that resulted in the Battle of the Boyne.

About the end of the 17th century and the beginning of the 18th century John Adair, one of our old geographers, surveyed and finished some sea maps of our coasts; valuable work, for which he was by no means sufficiently recompensed. By 1698 he had completed maps of the Solway Firth, with tracks of the rivers of Dumfries, Annan, Sark, Esk, Eden, as far up as Carlisle, also the south coast of Galloway, with bays and rivers of Kirkcudbright and Urr. A part of the south coast of Galloway about Whithorn was also mapped. The Government were slow to meet his charges, as Governments often are, but to enable him to

carry out his designs Acts of Tonnage were passed in 1686, 1695, and again in 1704, authorising a charge of twelve shillings Scots for each voyage of every ton of foreign ships coming into the Kingdom and shall there load, unload, or break bulk. A part of this tax was granted to him, but the amount was quite inconsiderable, and occasioned much of Adair's work to be left in an incomplete state.

In the second issue (November, 1715) of Glasgow's first newspaper *The Glasgow Courant*, an appeal is made for news of arrivals and sailings from Scottish ports, including Dumfries and Stranraer. Dumfries did not report, but Greenock and Stranraer did.

One or two entries from Greenock: On 25th November, 1715, the "Nightingale" and the "Catherine," both of Whitehaven, sailed for Virginia. And on 12th December the "Anne and Elizabeth" sailed for Whitehaven. And at Stranraer on 7th February, 1716, the "Hanover" from Belfast for West Indies with bale goods and provisions arrived. She sailed eight days afterwards, having unloaded soap, candles, and tallow.

Stranraer with its fine sea loch is often mentioned, but more as a place of shelter than trade. Even as a place of shelter it was not always safe. We learn this from more than one memorial drawn up in years between 1698 and 1704 by Captain (later Colonel) Andrew Agnew of Croach, who petitioned the Privy Council for reparation for seizures of cattle, and the despoiling of his tenants by French Privateers which cruised the Galloway coast with little or no restraint. When sea-borne plunder was not to be had they took from the land what they could not find at sea. Nothing was done, and in one of his later memorials Agnew, then building Lochryan House, stressed the necessity, for the better protection of shipping, of establishing a fort and batteries on the foreland of Lochryan, called the Whiteforeland May. The enemy, he states, have taken ships of great value in the Bay, and had guns been placed on the point to protect them these losses to commerce and to the Revenue would have been saved. From this it is clear that on the

Galloway coast many a seizure was made—and, we hope, many a daring escape. Twenty years after Agnew's memorial an effort was made by John, Earl of Stair, to establish a harbour at Stranraer. He petitioned the Government for a grant of £70 per annum from the unappropriated rents of the Bishopric of Galloway for that purpose. There is at Craichlaw a letter dated 1st July, 1726, from the Commissioners to their collector at Wigtown, asking for a full report on this petition. Unfortunately Mr William Hamilton did not retain a copy of his reply.

The first half of the eighteenth century was not the brightest period in the history of British sea-power. The Navy had more than enough to do to give even moderate protection in British trade routes. But an important addition to the fighting forces at sea was the British Privateer. This auxiliary was offered encouragement by the granting in 1748 of Letters of Marque. Thus their crews were secure from impressment, and the Privateers were often better manned than the Navy ships. Greater chances of prize-money attracted bolder seamen to privateering.

In the early days importation of tobacco from Virginia was largely in Scottish hands. English embargoes ended with the Union in 1707. Trade was thrown open, and until the end of the third quarter of the century Dumfries, the Customs House port for the south-west, would enjoy a good trade in this commodity, imported through Glasgow, which about 1770 was importing and re-exporting much more than half of the tobacco used in Europe. But the American declaration of Independence on 4th July, 1776, was also a declaration of war against Britain, and within a few months we lost over 100 merchant ships. This brought about the decline and eventual loss of the trade. It is recorded that in September, 1776, tobacco was selling at Glasgow at sixpence per pound, where three years previously the price was threepence, and a little later fourpence. The transport charge to Dumfries would only add a fractional expense. But if Dumfries lost, as other places did, a good trade, there is no doubt that the increasing business in West Indian sugar took its place and brought advantage and profit.

Early in the latter half of the 18th century the valiant seaman, Paul Jones, looms large in sea annals. Born at Kirkbean in 1747, and bred a sailor in the Solway, Jones sailed in and later commanded ships of Whitehaven and Kirkcudbright before throwing in his lot with the American colonists, and still later Russia and France. The story of his life has been told in many volumes. It is not to be expected that they agree on all points in the career of this remarkable man.

During the cruise in the "Ranger" in April, 1778, Jones was off Whitehaven and nearly succeeded in burning it with much shipping in the harbour. The "Ranger" then stood over to Kirkcudbright Bay. The story of the Selkirk Plate is familiar, as well as the generous action of Jones in returning the property to the Earl. Mactaggart in his *Encyclopædia* is candid about Jones; indeed, full of dispraise. And his information, he says, was obtained from many who knew the sailor personally. A fine seaman Jones certainly was, and successful in his sea-fights, too. But he was not the first "pirate"—if pirate he can be called—to sail the Solway. There is extant an account at an earlier period of one Leonard Robertson and his depredations. Wherever he may have originated he was undoubtedly a burghess of Kirkcudbright.

A word may be said about smuggling in the Solway. Much has been written regarding it. From early in the century the "free trade" was pursued, and in the latter half carried on with great activity. If the Revenue cutters were at times successful, desperation often made the smugglers victors, and, of course, they had the sympathy and encouragement of most of the people on land, who "stood in" to profit in some way in a successful landing. There is the incident in Burns's life. In April, 1792, he was prominent in the capture of the schooner "Rosamond," 70 tons, of Plymouth, at Sarkfoot. At the sale in the Coffee House, Dumfries, Burns bought four guns for £3, and this transaction led him into trouble later, as we learn from his own words.



PAUL JONES.

The trade carried on till the 19th century, when the expedient of "cheapening the price" (reducing the duties) made smuggling unprofitable.

The latter part of the 18th century saw safer trading for the little ships. Retaliation on foreign vessels round our coasts by British Privateers had its effect. In 1775 Liverpool alone had a fleet of 120 Privateers. We now reach a period when information of tolerable accuracy is obtainable about many of the small trading vessels sailing in and out of the Solway. Here are a few notices, starting with a disaster. In April, 1792, the sloop "Betty" was driven ashore near Arbigland, sustaining trifling damage in the gale, but the next tide drove her further inshore, when, seeing her distress, a number of men made off to her, and finding no one on board (the crew had probably perished) plundered the ship and cargo. There would be many incidents of this kind, and a serious difficulty was the inability to convey information to proper quarters with speed. Not till 1811 were Lloyd's agents fully established, their duties being to report arrivals, sailings, casualties, and matters of coastal interest.

"The brigantine, 'Countess of Galloway,' with good accommodation for a few passengers to sail in ballast from Creetown about 15th March, 1793, for Kingston, Jamaica. A fine little vessel; often been at Jamaica. Apply to Robt. Murray, merchant, Wigtown." In later times this name is repeated, being that of the well-known paddle steamer which traded between the Solway and the Mersey till almost within living memory. Again in 1793 the sloop "Welcome," of Dumfries, 51 tons, A1 at Lloyd's, is trading between London and Dumfries and Port Annan, taking goods to be delivered to above places and all the adjacent parts of the country. The master to be spoke with on the Scotch Walk, on the Royal Exchange, or at the new Coffee House behind the George. Recent enquiry has failed to locate the Scotch Walk, but the name indicates that Scottish shipping and trading interests were then well established. The Royal Exchange was burned down in 1838; re-built and opened

six years later, when probably the name Scotch Walk vanished. This tight little vessel, "Welcome," continued trading for at least six years between London and Dumfries.

Where the population is there the trade is. At the end of the 18th century Dumfries and Annan enjoyed a much greater trade than any other ports on the Scotch side. Both places had over 200 vessels inwards annually with cargoes. Export business was small by comparison, but the trade was there—till the coming of the railway. Imports were numerous, including coal, lime, slate, timber, herrings, salt, and West Indian produce, and as showing a cross-Firth and coastwise trade, a variety of goods from Whitehaven and Liverpool. Exports included grain, malt, potatoes, bacon, and freestone.

The Descendants of Mr John Hepburn of Urr.

By A. CAMERON SMITH, Esq., M.A.

This paper has had to be held over for future publication.

7th April, 1939.

Dumfries in the Days of Burns.

By JAMES REID, Esq.

It is to be regretted that this interesting paper on old Dumfries has had to be held over.

Sanquhar Church During the Eighteenth Century.

By Rev. W. M'MILLAN, D.D.

The career of Mr Thomas Shiels, the first minister of Sanquhar after the Revolution, has already been dealt with,¹ but before we pass on to deal with his successors in the charge some additional information may be given regarding one of his assistants, Mr Thomas Hunter. It has been said

¹ *Transactions*, XVII.

that the name of his first wife is unknown; but since the last article was written some information regarding that lady has been discovered. She was Christian Ker, daughter of George Ker,² Provost of Sanquhar in 1662-4. She had a son, Joseph Hunter, who was "of Polwhorter" in New Cumnock parish in 1717, which seems to indicate that she and Mr Hunter had been married before the latter was licensed as a preacher by the Presbytery of Dunblane in 1702. At that time he was a man of over forty years of age.

The document in which Mrs Hunter's name is given is an "instrument of sasine" by which Mary Ker, "eldest lawful daughter of the deceast George Ker, late Provost of Sanquhar and chamberland to his Grace the Duke of Queensberry," disposed some property and lands in Sanquhar (called Flaxe's Lands, Quantin Dale and Bririe Dale, "with two soums belonging yrto in the moor") to her nephew, Joseph Hunter, in fee and to her sister, Christian Ker, in life-rent.

At the time of his death Mr Shiels had another assistant, Mr James Hunter, but if the usual custom was followed he would leave the parish immediately after the death of the minister. Indeed the law of the Church of Scotland as affirmed over a hundred years ago was that it was "inexpedient and inconsistent with the practice of the Church"³ that the assistant of the late minister should supply the pulpit in the vacancy.

At the time of Mr Shiels' death the privilege of nominating a minister to a vacant parish was held by the heritors and Kirk Session, and it seems that these bodies took immediate steps to have a new minister at Sanquhar. Unfortunately the parishioners could not fix on a single individual; for we find that while some—probably the majority—wanted to have Mr James Hunter, the late assistant, there were others who wished to call Mr George Mair, minister of the second charge at Culross. Mr Mair had been one of a deputation sent to Sanquhar by the General

² For some reason he was known as "Small George Ker."

³ General Assembly, 1829.

Assembly in 1705 to confer with the Hebronites, and he had evidently so impressed some of the parishioners that they wished to get him for their minister.

He had been ordained at Culross⁴ in 1698, and he remained there until 1714, when he was translated to the neighbouring parish of Tulliallan, where he died two years later. He was on friendly terms with John Hepburn,⁵ the erratic minister of Urr, who had a number of followers in the Sanquhar district, and we are probably not far wrong when we assume that it was these followers who wished to bring Mair to Nithsdale. Thomas Boston of Ettrick, who was for some little time schoolmaster at Penpont, had been associated with Mair, and he tells us that the first time he took part in a family fast was at Culross with the then minister of the second charge. He also says of Mair, that he "reckoned that worthy man one of the happy instruments of the breaking forth of a more clear discovery of the doctrine of the gospel in this church in these latter days thereof."⁶ Boston had himself no liking for Hepburn, and it was the latter's schismatic ways which gave him (Boston) "a lasting bad impression" of Nithsdale.⁷

The business of calling a minister to Sanquhar was further complicated by the then position of Kirkconnel. It was thought by the people of the latter parish that this was an opportune time to get the union between the two parishes done away with and Kirkconnel put on its old footing.⁸ Perhaps all would have gone well, if it had not been for the Kirkconnel complication; for the Presbytery hesitated to induct a minister to the united parishes, probably fearing that if they did so, then the dis-uniting them would be indefinitely postponed.

A petition was presented to the Presbytery by the

⁴ As minister of the second charge there.

⁵ M'Millan, *John Hepburn and the Hebronites*, 57, 66, etc.

⁶ *Memoirs*, under date 14th November, 1699.

⁷ *Ibid.*, under date February, 1696.

⁸ It does not appear that there was ever any legal union of the two parishes.

“heritors and parishioners of Kirkconnel for re-erecting Kirkconnel (which was some years ago annexed to Sanquhar) into a parish itself.” At the same time the Presbytery was asked to “moderate in a call from the town and parish of Sanquhar to Mr James Hunter, Probationer, or Mr George Mair, Minister at Culross.” The members of Presbytery, feeling, perhaps, that too much was at stake for them to settle a minister at Sanquhar, referred the matter to the Synod. At the Synod meeting held at Dumfries in October, 1708, “parties being called for, James Hunter, Provost of Sanquhar, and John Brown there, compearing as commissioners for that part of the said parish, who did petition that a call might be moderated to Mr Hunter and none else compearing,” the Synod resolved to take the matter into further consideration.

At the next meeting the members of Synod confined themselves to dealing with the Kirkconnel question, seeing the parishioners there had represented “their sad state and condition through the want of a Gospel ministry among them.” They suggested that the parishioners should approach the Duke of Queensberry for “restoring the said parish of Kirkconnel.” It was also resolved that the members themselves should approach Queensberry and also the Earl of Glasgow, who had been Lord High Commissioner to the General Assemblies of 1706-7-8. They also agreed to approach some local parties who, it was thought, might bring some influence to bear on the Duke. They further resolved to get in touch with Mr William Carstares, who had been Moderator of the Assemblies of 1705 and 1708, and who was to preside at other two before he died. He was at this period Principal of the University of Edinburgh and the most influential minister belonging to the Church of Scotland.

While these resolutions showed that the Synod wished to get the tangle with regard to Kirkconnel straightened out, it appeared to the representatives from Sanquhar that nothing was being done with regard to the filling of the vacant charge; so at the next sederunt the Provost of the Burgh, James Hunter, and his co-commissioner, John Brown, gave

in a protest to the court against the delaying of their affair. They also protested " that the petition for Mr Mair is deserted for its informality and non-compearance of his party." This protest makes it almost certain that those who wished to have Mr Mair as their minister were those who were dissatisfied with the Revolution Settlement; for it was the ordinary course with such people to refuse to acknowledge the courts of the Church, by appearing before them, even in such cases as this.

At the meeting of Synod held in March the petition regarding the settling of Mr James Hunter was again brought before the court; but it was resolved to delay consideration of the same until after the return of the commissioners from the ensuing General Assembly. At the same time the Synod appointed a number of its members to preach at Sanquhar and also at Kirkconnel. In ordinary vacancies this was left to the Presbytery, but evidently the Synod of Dumfries felt that it had some responsibility in the matter.

At the General Assembly of 1709 an appeal was laid before that court from " some of the paroch of Sanquhar " with reference to the planting of the parish. Before the appeal was heard it was announced that the Duke of Queensberry had been pleased to " hearken to the desire of that Synod (Dumfries) about the disjunction of Kirkconnel from Sanquhar and erecting the same into a distinct paroch by itself, and hath promised to allow the sum of one thousand merks Scots yearly to the minister of Sanquhar and eight hundred merks to the minister of Kirkconnel and forty pounds for Communion elements."

We learn from Wodrow⁹ that, when this announcement was made, the appeal " was laid aside " and the General Assembly expressed their " sense of his Grace's concern for the peace of that corner in condescending to the said re-erection." The Moderator of the General Assembly in the name of the members thanked the Lord High Commissioner (David, Earl of Glasgow) for " his interposing his good

⁹ *Correspondence*, I., 13.

offices in that matter.”¹⁰ Though the Assembly acted thus, the members thought that his Grace might have done a little better, for they expressed the opinion that the stipend of Kirkconnel should also be a thousand merks. Had they known that more than twenty years were to elapse before the promise then given was to be fulfilled they might have had something more to say on the matter.

In June, 1709, when the Synod again met, two commissioners from Kirkconnel appeared, “ Samuel Hunter in Gate-side and Mr Elder an heritor,” asking again for the “ planting ” of their parish. Doubtless they would be assured that their period of waiting was near an end. A commissioner from Sanquhar also appeared, “ Archibald Broun in Connelbush,” asking that Mr James Hunter might now be settled as minister of Sanquhar. The Synod refused the crave of the petition on the ground that the “ Session of Sanquhar and the principal heritors of that parish do not sign the said commission; as also that the appeal from the Synod to the Assembly, made by petitioners for moderating in a call to Mr Hunter from the Synod delaying thereof, was rejected by the Assembly.”¹¹

There is some reason to believe that behind the decision of the Synod there was the idea that Mr Hunter had ceased to be *persona grata* with the leading persons in the parish. This finds confirmation in the fact that at a *pro re nata* meeting of the Synod¹² held in January, 1710, a call from Sanquhar to Mr James Burnett, a probationer, to be their minister, was laid before the court. At the same time a petition from Kirkconnel was laid before the Synod, asking that a young man should be sent to that parish to preach to the congregation there. The Synod did nothing about Kirk-

¹⁰ *MS. Records.*

¹¹ From the Index of the Unprinted Acts of the General Assembly we learn that the matter was referred to the Commission of Assembly, which does not appear to have dealt with it at all.

¹² Such meetings of Synod are rarely held nowadays.

connel; but appointed the Presbytery of Penpont to moderate in a call to Mr Burnett.

Three months later, at the ordinary meeting of the Synod, Abraham Crichton of Gareland, then Provost of the Burgh, asked the court to insist on the call going on. In August the settlement had not been made, and again the aggrieved parishioners sought the help of the Synod, asking that Mr Burnett, "to whom they had given a unanimous call," should be settled among them. At the same time a petition was laid before the court from Kirkconnel, asking that a call should be given either "to Mr James Hunter or to Mr Gilchrist." The former was doubtless the former assistant at Sanquhar, and the latter, I think, would be the minister of Dunscore. He was licensed by the Presbytery of Biggar in 1696, being then 22 years of age. He was ordained to New Cumnock in 1697, and translated to Dunscore in 1701. He was an associate of John Hepburn, and for some little time there was a sort of independent Presbytery, composed of Taylor of Wamphray, Gilchrist of Dunscore, and Hepburn of Urr.¹³ As Hepburn had a number of followers in Kirkconnel, to whom he occasionally preached, we can perhaps assume here also that the move to bring Gilchrist to Upper Nithsdale originated with the Hebronites.¹⁴

No progress was made with the settlement of Burnett in Sanquhar; and in January, 1711, it was reported to the Synod that he refused to accept the call "in respect of the inconveniences attending" the same. What these inconveniences were is not stated, but perhaps the troubled ecclesiastical state of the district was one of them. We learn from Boston of Etrick, who about this period was desired to become minister at Closeburn, that to have gone from Etrick, where he had troubles enough and to spare, to Nithsdale, would "have cast me out of the frying pan into the fire."¹⁵

¹³ M'Millan, *John Hepburn and the Hebronites*, chapters XX., XXII.

¹⁴ *Ibid.*, 104, etc.

¹⁵ *Memoirs*, under date August, 1717.

James Burnett was a student at the University of Glasgow, and was licensed by the Presbytery of Hamilton in 1708. He had accepted a call to Lasswade on 26th September, 1710, so that he knew he would not be a "stickit" minister even if he refused Sanquhar. He was ordained at Lasswade in March, 1711, and remained as minister there until his death in 1745.

Still nothing was done to expedite matters so far as the getting of a minister was concerned. The death of James, the Duke of Queensberry, in 1711 may have helped to delay the settlement, but this is doubtful. His successor, Charles, the third Duke, showed himself more of a friend to Sanquhar than the "Union Duke" had ever done. The latter, it may be said, had been Secretary of State to Queen Anne, and as such had signed the letter sent by the Queen to the General Assembly of 1709. In that year he had, as we have seen, promised the Assembly that he would see that both Sanquhar and Kirkconnel were supplied with ministers, a promise which he seems to have had little intention of keeping. In the letter, to which his signature is attached, the Assembly was asked to take care that "vacant churches be planted everywhere." Yet while sending this letter to the Supreme Court, he was himself actually hindering the filling of the vacant parishes on his own lands. Precept and practice do not always agree. In 1712 the Patronage Act was passed, and this took the power of nominating ministers from the heritors and sessions and gave it to the former patrons. Parishes which wished might "contract out" of the Act by paying a sum of 600 merks (about £33 16s 8d); but so little did the privilege of nominating their own minister appeal to the people of Scotland at the time, that only four parishes took advantage of this provision. The passing of this Act may have had some effect in keeping the vacancy open, but this is doubtful.

In October, 1713, the Presbytery of Penpont again referred the matter of the placing of a minister in Sanquhar to the Synod. The new candidate was Rev. Mungo Gibson, minister of Abbotrule (now united to Hobkirk), in the Presby-

tery of Jedburgh, who was willing to be translated to Nithsdale. The Synod advised the Presbytery to proceed, but stated that there was to be no "homologation on our part of the annexation of Kirkconnel to Sanquhar." Mr Gibson, who had been a student at Glasgow University, was ordained at Abbotrule in 1698, and admitted to Sanquhar in December, 1713. He was minister here up to his death, which took place between 17th December, 1735, and 4th February, 1736. He married Anne, daughter of George Maitland of Eccles, and had three children—George,¹⁶ William, and Mary.

The most important event in the period of his ministry in Sanquhar was the disjunction of Kirkconnel in 1727. While there does not seem to have been any legal union of the two parishes, Kirkconnel had been vacant from the departure in 1681 of the Rev. Samuel Mowat, the Episcopalian curate, who refused to take the test. The minister of Sanquhar had been regarded thereafter practically, if not legally, as the minister of the joint parishes. In the year mentioned, however, Kirkconnel was restored to its full status as a parish, but it was not until 1732 that it received its first post-Revolution minister. On 1st November, 1727, as we learn from the records of the Presbytery of Penpont, there was a "perambulation" of the parish of Kirkconnel, headed by Mr John Crichton of Carco, Chamberlain to the Duke of Queensberry, who was accompanied by a "considerable number of families," for the purpose of fixing a site for the Parish Church; it being agreed by all that the site of the old church was inconvenient for the great majority of the inhabitants. The site "within the lands of Nether Farding" was fixed upon, but building does not appear to have been commenced until later. The date on the church is 1729, but whether this represents the time of its founding or of its being finished is not known, probably the former.

But if the minister's work was curtailed on the north, it was correspondingly increased on the south; for at the

¹⁶ George's will was registered at Dumfries, 11th May, 1736, after his father's death.

same time as Kirkconnel was re-erected, Kirkbride was suppressed and a very considerable portion of it added to the parish of Sanquhar, the remainder being added to the parish of Durisdeer. The march between Kirkbride and Sanquhar, which on the left side of the Nith had been the Mennock,¹⁷ was now shifted to Knockengallie Burn, which enters the Nith near Slunkford. On the right side of the river a considerable portion of the Eliock estate, including the farms of Craigdarroch, Hawcleughside, Glengenny, Little Mark, Twenty Shilling, and Fardingmolloch, was transferred. At the same time a portion of the parish of Durisdeer lying between Glenim and the county boundary with Lanarkshire was added to Sanquhar.

So far as the re-erection of Kirkconnel was concerned, everybody appears to have been pleased; but it was different with regard to the suppression of Kirkbride. The minister of that parish, the learned and industrious Peter Rae, had, with much reason, complained of the attitude of his parishioners towards the church. They "neglected ordinances," swore at the minister when he remonstrated with them, and to a very considerable extent joined themselves to the "separatist" movements which were rife in Upper Nithsdale in the earlier part of the 18th century. But when it was proposed to shut the church at Kirkbride then trouble arose. The people who had systematically neglected attendance thereat were loud in their complaint about being deprived of the ordinances of religion. The church was undoubtedly badly situated so far as the greater number of the inhabitants were concerned; and a proposal had actually been made to build another near Slunkford. The Duke of Queensberry is said to have been willing to do this; but, as we have seen, his performances were not always in accordance with his promises.

According to local tradition, all who in any way contributed to the demolition of Kirkbride suffered, either in mind,

¹⁷ Auchengrouch, on the north side of the Mennock, was also in the parish of Kirkbride.

body, or estate";¹⁸ and among the sufferers is included the minister of Sanquhar, who is said to have been struck dumb on the first day that he attempted to preach in the church of the united parishes. His offence, so tradition alleges, was that he had helped on the union, saying that he was quite able to preach both to Sanquhar and Kirkbride. James Kennedy, writing in the early part of the 19th century, tells the tale thus :

Sanquhar's incumbent in his pride
 Could preach to Sanquhar and Kirkbride;
 But mark when he assumed to preach
 He was struck dumb, deprived of speech,
 Nor ever trode the rostrum more
 Though he attained unto fourscore.
 God's judgments often come at length
 On those who boast of human strength.

Another poet quoted by Dr. Moir Porteous¹⁹ is not afraid to proclaim even more fervently that the minister's illness was a direct infliction of the Divine wrath :

The day of trial comes: the day
 Of rest when Christians meet to pray.
 Yeomen with grudges ill suppressed
 Slunk in the union to attest.
 And shepherds came with visage stern
 From lone Glenim and bleak Glenwhern.
 With vigorous tread and haughty air
 The parson mounts the pulpit stair
 And forward steps 'mid breathless calm
 To read the wonted morning psalm.
 But lo! the offended Lord hath come
 To strike the braggart hireling dumb.
 The tongue that erst could vaunt at will
 Forgot at once its former skill.
 Sounds indistinct and strangely blent
 Proclaim to all his punishment.

¹⁸ *Gallovidian*, 1926; *Annals of Sanquhar*, 180; Brown, *History of Sanquhar*, 16.

¹⁹ *God's Treasure House in Scotland*, 219. There is reason to believe that Dr Porteous was himself the author of the lines quoted.

There may be some truth in the stories thus told, but they are certainly not true as they stand, for Mr Gibson preached at the opening of the new church at Kirkconnel²⁰ in 1732, when Rev. Peter Rae was inducted there. He took for his text on that occasion, "And it came to pass while the ark abode in Kirjath-jearim that the time was long; for it was twenty years: and all the house of Israel lamented after the Lord."²¹ Dr. Simpson in his history of Sanquhar tells us that it was one of Mr Gibson's successors, Rev. John Irving, who on a "Sabbath morning, when he had just commenced the services of the day, suddenly lost the power of utterance and never preached more."²²

It may be noted that both the poets suggest that Gibson's character as a minister left much to be desired. Kennedy ascribes to him the sin of pride, while the other terms him a "braggart hireling." Whether there is any foundation for such aspersions is another matter. If Kennedy is right in his statement that Mr Gibson lived until he was fourscore, then he must have been a man of nearly sixty years of age when he came to Sanquhar.

Mr Gibson seems to have taken more than usual interest in the furnishing of his church; and during his ministry here, new communion cups, a new bell, and three brass candelabra were provided. The generous donor was Charles, Duke of Queensberry, who was for a short time, 1718-1719, Provost of the Royal Burgh of Sanquhar. The cups are still in use, though strangely enough they are not so much as mentioned in Dr. Thomas Burns's monumental work on Scottish Communion Plate, which claims to take notice of

²⁰ The date on Kirkconnel Church is 1729; but it was not until 1732 that the first post-Revolution minister was inducted there, though Kirkbride had been suppressed in 1727 and the minister, Rev. Peter Rae, presented to Kirkconnel.

²¹ 1st Samuel, vii., 2.

²² A second edition of Simpson's *History* was published in 1865, twelve years after the first. In this second edition Simpson falls in with the others and says that Gibson's usefulness is said to have been "terminated by a paralytic stroke in the pulpit."

all the silver plate belonging to the Church of Scotland of earlier date than the beginning of the 19th century. It is not, therefore, out of place to give here a short account of them.

They are each $9\frac{5}{8}$ inches in height, the bases being $4\frac{3}{4}$ inches in diameter. The depth of the bowls is $4\frac{1}{8}$ inches, and the diameters $\frac{3}{4}$ of an inch more. This gives the bowls a somewhat squat appearance, though quite a number of similar cups were made in Scotland about the same time. Two cups, just a little smaller than the Sanquhar ones, were made in the same year (1732) for Montrose. These are almost identical in shape with the local ones, though they were made by a different maker. The Montrose cups were made of an older pair which were melted down for the purpose; and it would be interesting to know if the material for the Sanquhar cups was got in the same way. There is no evidence available on the subject, though one would think that there must have been communion cups in the possession of the Session long before 1732.²³

Our two cups were made at Edinburgh by John Rollo, whose mark, "IR," they bear. It is interesting to note that they must have been among the first of his commissions, if not indeed his very first. In those days no person was allowed into the Incorporation of Goldsmiths until he had made an "Assay" or trial piece to satisfy the other members that he had a competent knowledge of the craft. Rollo was required to make an assay piece on 25th May, 1731, and this having been found satisfactory he was duly admitted to the Incorporation on the 25th July following. He was then a little over full age, having been born on 8th February, 1708. He must have been of some standing among the craftsmen, for five years later he was made Deacon of Craft, holding that office for two years, 1736-1738. The date letter B on the Sanquhar cups shows that they were

²³ In the Session minutes of the days of Mr Shiels there is no reference to cups being borrowed. On the other hand, there is no mention of such being handed over on the death of the minister.

made in the year 1731-2, so, as has been said, they must have been made by him shortly after his admission.

John Rollo was a man of aristocratic birth, being the third son of Robert, Lord Rollo of Duncruib in Perthshire.²⁴ Apparently John thought that as third son there was not much to come to him from the family estates, all the more so as his father had been implicated in the 1715 rising. He therefore took up the trade of silversmith, though, judging from the few pieces of his work that survive, he could never have had an extensive business. His father died in 1758, and was succeeded by his eldest son, Andrew, a Brigadier-General in the British Army. Andrew died in 1765, and as his son, the Master of Rollo, had predeceased him, as had also his second brother, he was succeeded by the Edinburgh silversmith. So far as the writer has been able to ascertain, this is the only example of a Scottish silversmith succeeding to a peerage. The title is still held by his descendants, though it is now united with that of Lord Dunning in the peerage of the United Kingdom.

Very few pieces of John Rollo's work survive. In addition to the Sanquhar cups, there are other two in the parish of Stowe bearing his mark. These bear the date letter for 1735-6. They are somewhat larger than the local cups, have deeper bowls, and are thicker in the stems.

The Sanquhar cups bear the mark of Alexander Ure as well as that of John Rollo. Ure was assay master from 29th December, 1729, to 1740, and it was his duty to see that all articles made and sold by the craftsmen were what they professed to be. Up to 1681 this duty had fallen to the Deacon of the Craft; but in that year it was laid on the assay master, who affixed his own mark (in this case a monogram of the letters A.U.) to the pieces passed by him. The cups also bear the Edinburgh hall-mark, a three-towered castle.

The cups each bear round the top a Latin inscription in script lettering: "EX DONO CAROLI DUCI

²⁴ Balfour Paul, *Scots Peerage*.

QUEENSBERIAE ET DOVERNI. 1732." Round the foot of one of them is the following, also in script: "CURANTE MAGISTRO QUINTEGERNO GIBSONIO SANQUERE PASTORE REVERENDISSIMO." It is at first sight somewhat surprising to find a parish minister in Scotland being described as "Most Reverend"; but investigation shows that such titles were much more common in the 17th and 18th century than they are to-day. Even the post-Revolution minister of the Cameronians, John Mac-Millan, was described by some of his flock as the "Right Reverend." Another interesting point is the Latin QUINTEGERNO for the Scots MUNGO, a change first made in the case of the patron saint of Glasgow.

On the other communion cup at the base is the inscription: "CURANTE JOANNE CHRUGHTONIO DE CARCO URBIS SANQERIAE PRAEFECTO DIGNISSIMO." It will be noticed that Sanquhar is termed "Urbs," a city, rather an extraordinary term for the poverty-stricken place it was at the date mentioned. Also that the name is spelled differently in the two inscriptions, neither of them being correct. John Crichton, the "most worthy Provost," who is mentioned here, succeeded the Duke in the Provost's chair in 1719. He was chamberlain to the Dukedom of Queensberry, and was also a Justice of the Peace for the county, an honour then not nearly so widespread as it is to-day. He was Provost for fully fifteen years, and was succeeded by his brother, Abraham, of ghostly memory. The Crichtons of Carco, to which family these two Provosts belonged, were of the same stock as the Lords of Sanquhar, being descendants of the first Lord Crichton. Though Carco was in the parish of Kirkconnel, the Provost had a seat in Sanquhar Church, which was disposed of by his niece to another Crichton (Charles, also Provost of the burgh) in 1750.

The bell which was gifted to Sanquhar bears the date 1725, and, like the communion cups, was made in Edinburgh. It is still preserved in the church, though it is no longer in use. The candelabra, like the bell, were transferred to the new church after it had been re-built, 1823-4. These were

removed in the seventies of last century and sold for old brass by the Kirk Session, the members of which at that time did not realise their great value.

In the possession of Mr James R. Wilson, solicitor, Sanquhar, is an interesting relic of Mr Gibson. This is a manuscript volume of his sermons written in a beautiful but rather difficult hand, which is somewhat puzzling to the non-expert. These are mostly communion sermons.

It has been mentioned that, during the early decades of the 18th century, there were considerable numbers of Hebronites in Upper Nithsdale; and even some reason to believe that this was one of the strongholds of the movement. The members of the "Doon-the-Gait," now St. Ninian's Church, Sanquhar, have always regarded Hepburn as their founder, though before his death he advised his followers to return to the National Church. It is not, however, generally known that Hepburn's son, Thomas, was actually a resident in Sanquhar, and there is evidence which shows that he stood aloof from the separatist movement with which the Hebronites were identified.

Thomas Hepburn was a "Chirurgion and Apothecarie" and a burghess of Sanquhar. He became a member of the Town Council on 29th September, 1722, when he could not have been 21 years of age. He was regularly re-elected to office until September, 1731; but in the two years following his name is omitted from the Council list, probably because he had removed from Sanquhar to Shaws, in the parish of Closeburn. He could not have sat in the Council without taking the oaths to the King, which his father had refused to do. In 1734 we have the interesting minute:²⁵

"The said day (January 1st) it was moved that the Council was not full by the none acceptance of some of the persons formerly named at Michaelmas last. Therefore, the said magistrates and council unanimously elect and

²⁵ A General Election was then impending, and the Town Councils had full control of the election of the burgh members. Hence doubtless the desire to become town councillors.

choice John Forsyth, merchant in Sanquhar, Sir Thomas Kirkpatrick of Closeburn, baronet, Thomas Hepburn, apothecary at Carronfoot, all heritable burgesses and guild brethren of this burgh, and the saids Sir Thomas Kirkpatrick, Thomas Hepburn and John Forsyth being called, compeared; and accepted the said office and gave the oaths de fideli and also qualified by taking the oath of allegiance to His Majesty King George the Second; and also the oath of abjuration and subscribing the same with the assurance."

When it is remembered that Hepburn, senior, was one of those who denounced the Abjuration oath with the utmost vigour and declared that those who took it were guilty of "betraying Christ with a kiss," it will be seen that the son was of a different type from the father. Hepburn's elder son was at this time minister of New Greyfriars' Church, Edinburgh, and as he afterwards became King's Almoner for Scotland his views must have been like those of his brother, rather than those of his father.

Thomas Hepburn, "Chirurgion in Sanquhar," witnesses an "Instrument of Sasine" regarding some property in the burgh in 1728. His wife was Margaret Crichton, probably a Sanquhar woman. She died in 1777 at the age of 72. Thomas Hepburn died in 1736, when he must have been a comparatively young man.²⁶ He was the son of John Hepburn's second wife, Emilia Nisbet, who married the minister of Urr in April, 1701.

During the year before his death Mr Gibson was involved in a somewhat interesting dispute with a section of his parishioners resident at Wanlockhead. There had been a village there from an early period, but no provision of a place for divine service was made until after the middle of

²⁶ Hepburn's will is still preserved, and is of great interest owing to the number of inhabitants of Upper Nithsdale who are mentioned therein as owing money to him for professional services. A fairly complete "Directory" for the district could be compiled from it.

the 18th century.²⁷ Some time, however, about 1733 a licentiate of the Church of Scotland, Alexander Henderson, was engaged by the Friendly Mining Society, the Duke of Queensberry paying part of his salary.²⁸ Services were held regularly; though the miners still attended the celebration of the Sacrament of the Lord's Supper at Sanquhar, and presumably had their children christened there or at Wanlockhead, when the parish minister took a service in the village.

In April, 1735, there was laid before the Presbytery of Penpont a representation by the Kirk Session of Sanquhar to the effect that the inhabitants of Wanlockhead had slighted it, by expending the poor's money collected among them and "needlessly and superfluously in buying mortcloths for themselves, when the Session of Sanquhar can supply them with all sorts, fine and coarse, large and little."²⁹ The miners also presented a petition showing that they were a long way from Sanquhar, "five miles of very bad road," and could not easily attend Gospel ordinances there. They had, with the consent of the Presbytery and minister of Sanquhar, hired a chaplain of their own and "collected the poor's money every Lord's Day as in planted congregations: there being neither elder nor deacon among them, they collected it by turns; and in regard they wanted a mortcloth to serve themselves, the mortcloths in Leadhills and Sanquhar being either very dear or lent out frequently, when they wanted them (and they) were often put to inconvenience." They stated that they had therefore bought a mortcloth for them-

²⁷ The first chapel was built in 1755 by the Wanlockhead Mining Company, who succeeded Alexander Telfer in that year. William Telfer had died some years before. He had been a partner with his brother.

²⁸ In a Drumlanrig Estate book the following entry occurs: "To Mr John Lawrie, preacher at Wanlockhead, for pastoral duties there, Whit. 1743-4, £5 0 0."

²⁹ These mortcloths were used to cover the coffin as it was borne to the grave. The fees payable for their use went to the poor. One was in use at Wanlockhead till well into the seventies of last century.

selves "without any design to lend it to any one." As for the poor's money, they indicated that they could not admit that the Session of Sanquhar had any right to it, "seeing they neither send any of their number to collect it, nor yet supply any of the poor in Wanlockhead except one."

The result was that the Presbytery met at Wanlockhead in September, 1735, and asked that elders should be chosen to represent Wanlockhead on the Kirk Session of the parish. Seven names were given in — Mr Alexander Henderson,³⁰ Preacher of the Gospel; William Telfer, Alexander Telfer, James Tait, John Campbell, James Alston, and Ninian Cunningham—and these were approved by the Presbytery. The two Telfers were, it may be said, the lessees of the lead mines, having succeeded the Friendly Mining Society in 1734. The Presbytery further appointed the edict for the ordination of these seven to the eldership to "be served the first Lord's day that a minister preaches at Sanquhar, and to attend to be ordained the next Lord's day that a minister preaches there." From these last resolutions it is evident that Mr Gibson was not at that time taking pulpit duty and that services were being conducted by visiting ministers who were probably members of Presbytery.

After their ordination, the Wanlockhead elders were to collect the poor's money and distribute it, according to the necessities of the people in their own locality. As for the mortcloth, they were allowed to lend it to those in the village who required it, but to no one else in the parish.³¹ The fees for its use were to be disbursed by the elders for the benefit of the poor in Wanlockhead only. The preacher in Wanlockhead was to "keep a regular account of the collections and distributions and give an extract of it to the Sanquhar Session to be registrate in their Session book yearly."

³⁰ It is somewhat unusual to find a probationer a member of the Kirk Session of the parish in which he is serving.

³¹ The burying ground at Wanlockhead seems to have been opened after this date. The earliest date on a tombstone there is 1751.

Some Early Dumfriesshire Charters.

By R. C. REID.

Amongst the possessions of this Society are a number of tattered notebooks and several bundles of loose scraps of paper known as the Carlyle Aitken MSS. Their condition is so fragmentary that it is quite impossible to put them in any sort of order. Indeed their compiler does not seem to have displayed any sense of orderliness in his collection. These fragments are all that remain of what must have once been a valuable and interesting collection.

Carlyle Aitken was bred to the law, and seems to have spent his life drifting out of employment in one law office into another. His heart can never have been in his legal work, for he was first and foremost an antiquary. Archæology made no appeal to him. In history he took but little interest save in the Covenanting period. He was a genealogist for the most part, and his work in the offices of legal agents gave him plenty scope and opportunity to browse over such title deeds as were lodged in the care of his employers. This preoccupation injured his eyesight, as it has done to many a better man. He fell out of employment, and, though he must have had but slender means, he applied himself to his main interest in life, and, if we judge from the fragments of his MSS., got access to all sorts of sources in pursuit of his hobby. Not content with Edinburgh and his own locality, he must have ransacked the British Museum, and became known to a great number of people who readily availed themselves of his specialised knowledge in genealogical matters. There is, for instance, evidence in the Gordon MS., recently acquired by the Ewart Library, that he had a hand in the early stages of that great undertaking. The last few years of his life were spent in Kirkcudbright. He had fallen on evil days, and, to make ends meet, broke up his notes, tearing out pages from notebooks to make a packet relating to some particular family, which he would turn into ready money. These bits of his work turn up in all sorts of odd places. The Trustees of

the late Sir William Fraser have two of his notebooks and some other notes obviously torn from his notebooks. A surviving letter shows that these were offered to Sir William, who bought them as an act of kindness. A similar collection relating to the M'Culloch family was also made and disposed of, but its whereabouts are unknown. Mr Carlyle of Waterbeck has another notebook relating to the Carlyles.

When he died, his sister, Miss Carlyle Aitken, for long a member of this Society, inherited the surviving fragments, and some twenty years ago offered them to the Society. When we acquired them, Miss Carlyle Aitken presented me with a bundle of letters written to her brother by my father, who at the close of his life was collecting material for a notice of the Corsane family. These letters I have had bound. Unfortunately Carlyle Aitken's replies have not survived.

When we took possession of the MSS., I went through them all carefully, and was much intrigued and puzzled as to some of the references to sources of information, for Aitken was a good enough worker to know the necessity for references. Amongst his references were two which completely baffled me. One was to the "Warrender Royal Charters of Annandale," the other was to the "Hopetoun MS."

For twenty years or more have I been enquiring and hunting for these sources. No Warrender ever had any interests in Annandale, but Sir George Warrender of Lochend, Bt., was a well-known collector of books and pictures, many of which were destroyed by a fire at Lochend in 1859, and the rest since dispersed. Enquiries in Warrender circles failed to elicit any information, and I have always been sceptical of the accuracy of Aitken's reference. The Hopetoun MS. was equally baffling, for it did not refer to a MS. of that name in the Register House nor could I trace access by Aitken to any of the Hopetoun muniments.

And now within the last few months my long search has come to a successful conclusion. The Gordon MS., already referred to, indicates that the Hopetoun MS. is at the British

Museum, where it has still to be examined. "The Warrender Royal Charters of Annandale" have come to light in an unexpected quarter.

The official called King's Remembrancer in Scotland is the titular head of the Exchequer Office at Edinburgh. Next door to the Exchequer is the Crown Office, where recently were discovered a box full of old charters that clearly did not form part of those official records. The Crown Agent, on the instructions of the Lord Advocate, transferred this box to the Register House as the proper depository of such documents. The contents of the box were known at the Crown Office as documents belonging in 1822 to Sir George Warrender of Lochend, though how they got there was unknown.

My attention being drawn to them at the Register House, I examined them and found that roughly the documents fall into three groups: (1) The so-called Annandale charters; (2) early titles relating to land in Linlithgow and elsewhere; and (3) five early 12th-13th century charters of the de Soulis family, which I propose to deal with elsewhere.

Of the 19 local documents called "Royal Charters of Annandale" only two have any right to be called Royal,¹ being Crown charters, but one relates to Annandale and the other to Nithsdale. With one exception all the documents are known to have existed, being mentioned in the Drumlanrig Inventory of 1693. It is impossible that they are all duplicates of documents still at Drumlanrig, and it is scarcely feasible to search there for them, as the papers at Drumlanrig have been rearranged and inadequately re-inventoried on a different system at a later date. How they ever left Drumlanrig and reached the Crown Office can only be conjectured.

The third Baronet of Lochend, Sir Patrick Warrender, was King's Remembrancer for Scotland. A cousin of his, Hugh Warrender of Bruntsfield, who died in 1820, Crown Agent for Scotland, had in his younger days acted as auditor to the Drumlanrig Estates.

¹ See Nos. 1 and 10.

The presence of the de Soulis charters in this collection confirms this assumption. John Riddell, the advocate, in one of his notebooks in the Signet Library (not to be confounded with the far larger collection of his notebooks in the National Library), records that he had seen some de Soulis charters in the hands of a Mr Thomson, and adds, "I think Buccleuch would like to buy them." It is probable that the negotiations for purchase were carried through by Hugh Warrender, who placed those charters with the Drumlanrig documents. We are grateful to his memory; for all of them are now preserved in the public archives.

It remains to explain how Carlyle Aitken knew of these documents. Just before his death in November, 1889, my father was compiling an account of the Corsane Family, which was the subject of much correspondence with Carlyle Aitken. For some years he had held the office of Queen's Remembrancer, and on August 17th he wrote to Aitken as follows :

"It has never occurred to me until now that I have in my own office (the Exchequer) records of our own decisions of Exchequer from 1682. Those before the Union are sure to contain interesting matter. No one has ever seen them that I know of, but if you would like to have a search and make any notes I should be happy to make all easy for you when you come."

There can be little doubt that Aitken accepted the invitation and discovered something far more interesting than Exchequer decisions. He must have got into the Crown Office next door. It has been said that a man can search the wide world o'er for happiness and yet only find it on his return to his own fireside. Even so have I searched in vain for these documents through 20 years, only to find the clue to their depository on the shelf of my own library.

Five of these documents relate to the lands of Penersax—now Penersaugh—close to Ecclefechan village. Until 1609, when it was united with Middlebie, Penersax was a separate parish.

When the first Brus received a grant of Annandale

(c. 1124), in conformity with feudal practice, he divided it into Knights fees, which he granted to his friends and followers. One of these Knights fees was Penersax. These fees frequently became subdivided, the holder of each portion being responsible for the services due from his part of the fee.

Some 70 years later William de Brus granted to Ivo de Kirkpatrick, apparently ancestor of Closeburn, lands in the fee of Penersax known as Thorbrec and Williambie, with the toun (vill) of Blackwood. The grant included two carucates of land in the fee held by certain named crofters. The patronage of the church of Penersax was retained by Brus, from whom Ivo held by the service of $\frac{1}{3}$ part of a Knights fee (*Hist. MSS. Com.*, 15th Report, part VIII., p. 39). The date of this grant must be between 1194-1214. It is the first mention that we have of that ancient and extinct parish. It is not clear who held the remaining $\frac{2}{3}$ of this Knights fee, but some of it certainly belonged to a family named Penersax; for about the same date Richard de Penersax witnessed a resignation into the hands of the same Wm. de Brus of a carucate of land in Weremandebie (Wormanby), and $\frac{1}{2}$ a carucate in Annan (*Bain*, I., 606). A century was to pass before we hear again of this family of Penersax.

In 1302 Edward I. held Scotland under his heel and his officials administered the Kingdom. The accounts of his clerk, James de Dalileye have been preserved, and from them we learn that he collected the rents of the villis of Penersax and Williambie, amounting to $22/7\frac{1}{2}$ (*Bain* II., p. 426). From this it looks as if both the Kirkpatrick and Penersax families were in hiding. Let us hope they were with Bruce. Both must have recovered their lands after Bannockburn, but before they did so Penersax was raided. Bannockburn was fought on 24th June, 1314. That November Sir Andrew de Harcla, the English governor of Carlisle, raided Penersax but lost a good many horses in doing so, amongst them some horses of Sir Thomas de Torthorwald, a staunch adherent of England (*Bain* III., 403).

About the year 1320-2 (the *Drumlanrig Inventory* sug-

gests most improbably 1310) the Kirkpatricks, in the person of Sir Stephen de Kirkpatrick, enlarged their holding in Penersax by getting a Crown charter of all the lands of Nesta or Nestas de Penersax lying within the tenement of Penersax, together with its mill. (See No. 1.)

After the lapse of another century Sir Thomas Kirkpatrick of Closeburn, lineal descendant of Sir Stephen, granted in 1423 to his brother, Roger de Kirkpatrick, all his lands of Penersax in liferent (*Hist. MSS. Com.*, 15th Report, App. VIII., p. 52). In 1428 Sir Thomas secured a charter from Archibald, Earl of Douglas, as Lord of Annandale, of the patronage of the church of Penersax (see No. 3), and in 1432 the same Earl granted Penersax to George Kirkpatrick, son of Sir Thomas (*Hist. MSS. Com.*, 15th Report, App. VIII., p. 52), though that was in no way to affect the liferent of Roger (*Laing Charters*, 109).

George Kirkpatrick of Penersax was succeeded by his son, Adam Kirkpatrick, who in 1490 resigned Penersax and its advocation in favour of William Douglas of Drumlanrig (*Drumlanrig Inventory*). This transaction, however, must have been a temporary alienation, in security for a loan, for in 1499 Adam Kirkpatrick, son of the aforesaid Adam (*A.D.C.*, p. 327), resigned all the lands of Penersax into the hands of the Crown in favour of Simon Carruthers of Mouswald (*Hist. MSS. Com.*, 15th Report, App. VIII., p. 54). A Crown charter of these £20 lands followed on 19th March, 1501 (*Drumlanrig Inventory*). Simon Carruthers had already received a disposition of a 3 merk land of Penersax from Adam in 1495. (See No. 11.) If, as in England, a Scottish Knights fee was roughly a £20 land, then Simon Carruthers must thus have obtained the whole Knights fee.²

Other lands owned by Adam Kirkpatrick were Dalgarnoc, near Thornhill, and Westscales, in the tenement of Corry. Westscales had been granted in 1454 to his father, George Kirkpatrick of Penersax, by George Corrie of that

² In 1512 Penersax is called a 24 merkland (*Hist. MSS. Com.*, 15th Report, App. VIII., p. 60).

Ilk (*Hist. MSS. Com.*, 15th Report, App. VIII., p. 58 and No. 7), and was in turn sold by Adam in 1498 to Simon Carruthers. (See No. 12.)

Another of these documents (see No. 13) throws some unexpected light on a Johnston marriage. Sir Adam de Johnstoun of that Ilk was a younger son of James Johnstoun of that Ilk, and seems to have succeeded about 1490. He was twice married, though the name of his first wife is not known. She had no issue. He married secondly Marion Scott, relict of Archibald Carruthers of Mouswald. This document shows that Marion was an unrecorded daughter of David Scott of Buccleuch, who died in 1491-2. Her sister, Isabella Scott, is said to have been first wife of Sir Symon Carruthers of Mouswald (*Scots Peerage*, II., 228), but this can scarcely be the case, for then two sisters must have married a father and his son. But there were two Sir Symons. The first one was brother of Archibald Carruthers of Mouswald, was Warden of the Marches, and was killed at the battle of the Kirtle in 1484, where probably Archibald also fell. (See *Records of the Carruthers Family*.) The second Sir Symon was son of Archibald. The Warden's wife is unknown, and it is much more likely that the Warden rather than his nephew of the same name was the husband of Isabella Scott. It seems that there had been some trouble between Sir Adam Johnston and Marion Scott, and this document apparently records a reconciliation on terms. Adam was to take his wife back and treat her lovingly, and the Scotts are to discharge a decret against the Johnstons for 1000 crowns Scots and deliver a flock of sheep, whilst Adam was to infest his and Marion Scott's son and heir, James Johnston, in all his lands. Both parties swore to maintain the bond "the haly evangelis tuichit."³

I

c. 1321/2.

Charter by King Robert I. to Stephan de Kyrkpatryk,

³ I am greatly indebted to Mr C. T. M'Innes, of the Register House, for his skill in making the abstracts of these documents and for many valuable suggestions.

Kt., of the whole land which belonged to Nestas (or Nesta) de Penirsax in the tenement of Penirsax with the mill of Penirsax, to be held to said Stephan and his heirs of the lord of Annandale and his heirs, in fee and heritage, for services used and wont to said lord. Witnesses, Bernard, abbot of Abirbrothock, chancellor, Walter, steward of Scotland, William de Soules, Robert de Keth, marischal, and Alexander de Seton, knights.

Noted in *R.M.S.*, I. (printed vol.), Appendix II., 296 and 510. The Latin reads *Neste* (for *Nestae*) *de Penirsax*, of which the nominative case should be *Nesta* or *Nestas*, not *Nestus*. *Nesta* would be a female; but *Nestas* would be masculine, e.g., Thomas, Andreas, etc. On the other hand, the printed volume *R.M.S.*, I., in the Index, *s.v.* Pennysax, in correcting *Preste* (a mis-reading for *Neste*), gives *Nestus* as the nominative, but that is wrong: the nominative must be either *Nesta* or *Nestas*.

Item 2 of the first bundle of Mouswald Writs as recorded in the Drumlanrig Inventory, 1693.

2

1411, December 4.

Charter by Archibald [4th] Earl of Douglas to Simon de Carrutheris of Mousfald of the lands of Hodholme, Tonnergaitht, Westwod and Rocleff, in the lordship of Annandale, which said Simon resigned before many nobles of the land in the said Earl's justice ayre at Louchmabane, by staff and baton; to be held of said Earl in fee and heritage, for services used and wont. Dated at Louchmabane 4 December, 1411. Witnesses, James de Douglas, esquire, brother of said Earl, William Lord de Grame, William de Douglas of Nyddisdale, William de Douglas of Drumlanrig, William de Haya of Louchorwart, William de Borthwik, Umfrey Jardine, William Stewart, John de Carlele, Thomas de Moray and Robert Heris, knights, the said Earl's kinsmen.

[Tag; seal gone.]

This is item 9 of the first bundle of Mouswald Writs.

3

1428, May 5.

Charter by Archibald [5th] Earl of Douglas to Sir Thomas de Kirkpatrick, knight, laird of Kilosbarn, of the right of patronage of the parish church of Penirsax situated within the lordship of Annandale; to be held to said Sir Thomas and his heirs, lairds of Penirsex, of said Earl in fee and heritage, rendering therefor service as he is bound thereto by letters of homage. Witnesses, James de Douglas, uncle of said Earl, John de Carrutheris, sir John Railston, secretary to said Earl and rector of the church of Douglas, and David Moray. At Lochmabane.

[Seal, in fair preservation.]

Item 12 of first bundle of Mouswald writs.

4

1438, September 10.

Charter by Archibald, Duke of Turome [Touraine], Earl of Douglas, to his kinsman (*consanguineo*) John de Carrutheris of Mouswalde of his lands lying in Cumlongane, in the tenement of Ryuale and lordship of Annandale, viz., 5 merklands which pertained to Norman Jonson and which he resigned; to be held by said John of said Earl in fee and heritage for 1d Scots yearly in name of blenchferm if asked. Witnesses, Adam de Corry, captain of Morton, Robert Mersar, George de Lawdir, Robert de Dalrimpill, John de Jonston of Brocis, Patrick McNawany, rector of Kirkton, and Mr John de Railston, rector of Douglas. At the castle of Lochmabane.

[Tag; seal gone.]

Item 15 of first bundle of Mouswald Writs.

5

1439, May 31.

Wadset by John Haleday of Hodholm to John of Carrutheris, laird of Mouswalde, of the lands called the Hollcroft, which is three oxgang of lands, and also a coteland

which some time was Will of Jonstoun's Tack, and also 2 oxgang of land called the Tynklar lands, in the tenement of Hodholme, and in the lordship of Annandale, for £10 Scots. Witnesses, John of Jonston of the Broce, Thomas Corbet, Necoll Raa, John Wilson, servant to Thomas Clerke. At Mouswalde.

[Tag; seal gone.]

Vernacular.

Item 1 of second bundle of Mouswald Writs.

6

1451, June 7.

Notarial Instrument narrating that in presence of William [8th] Earl of Douglas, and of the notary public and witnesses undermentioned, personally appeared William Douglas of Drumlangrike, having a Chancery brieve of sasine which he presented to said Earl as superior, requiring him or his bailie to execute the same to which petition the said Earl replied that he was then under respite of the king, wherefore he refused to execute the said brieve. Witnesses, Patrick de Hepburne, laird of Halys, George de Creichtoun of Carnis, admiral of Scotland, Robert de Creichtoun of Sanchare, Knights, James de Douglas, Gilbert de Gersone, Robert Sympile and Thomas Sinklare. Notary, William de Schellis. At Edinburgh Castle about the 11th hour before noon.

Item 5 of first bundle of writs of Lordship of Drumlanrig.

7

1454, July 5.

Notarial Instrument narrating that George de Kirkpatrick of Penersex respectfully asked testimony from George de Corre of that ilk concerning the peaceful possession of the Tack of the lands of Vithschalis, in the regality of Annandale and tenement of Corre, and whether said Kirkpatrick was enjoying said lands according to the tenor of the evidents granted to him by deceased Thomas Paginson of Neuton; and said George of Corre replied:

I confess on oath and acknowledge that diverse years and times bygone said George de Kirkpatrick was vexed and disturbed in the Tack of said lands and greatly hindered and heavily damaged oftentimes, and especially this year and especially by me, George [de Corre], lord superior of said lands of Vithschalis. Witnesses, John de Jonston of Brocis, Roger de Kirkpatrick of Knok, George Litill, David de Moffet, John de Jonston, Peter de Corre, Herbert de Corre, John de Corre, Andrew Charteris, esquires, and Matheo Haste. Notary, John Mcilhauch.

Item 13 of second bundle of Mouswald Writs.

8

1469/70, February 27.

Tack by Elisabeth Underwode, widow, Lady of Robertquhat, to her son Gilbert of Carruthers, of the lands of Robertquhat, in the lordship of Anandirdale and sheriffdom of Drumfres, for 19 years at 10s Scots yearly. Witnesses, sir Donald Edgar, priest, John Pantour burgess of Dumfries, David Crechone, and Thomas Watson. Notary, William Broune. At Dumfries. The granter procured the seal of Robert Mcbraer, provost of the burgh of Drumfres, to be affixed hereto.

[Tag; seal gone.]

Item 3 of third bundle of Mouswald Writs.

9

1476, August 30.

Charter by Thomas Haliday of Brumhill and Dawbaic to David de Jhonstoune, son of deceased John Jhonstoune of Brocis, of the 40s lands of Dawaic, in stewartry of Annandale and sheriffdom of Dumfrece; to be held in fee and heritage for 1d silver in name of blenchferm if asked. Witnesses, George Rerick, rector of Tonnergath, John Barbour, notary public, Ellis [Elesus] Mcilquhirk, and Thomas Haliday. At Drumfrece.

[Tag; seal loose, broken.]

Item 5 of third bundle of Mouswald Writs.

10

1482, June 7.

Charter under the Great Seal of James III. to William Douglas of Drumlangrig and Elizabeth Creichton, his spouse and survivor, of the lands of Nethir Dalpedir, Glennyin, Drewdalys, Glenskoben, the Chapellandis, Ardcleuchane and 108 lands adjacent thereto, lying in the barony of Drumlangrig and sheriffdom of Dumfries; which lands said William resigned; to be held by him and his said spouse and survivor and their heirs in fee and heritage for services used and wont. Witnesses, William, archbishop of St. Andrews, John, bishop of Glasgow, James, bishop of Dunkeld, Andrew lord Avandale, chancellor, Colin, earl of Ergile, lord Campbell and Lorne, master of the household, David, earl of Craufurd, lord Lindesay, John, lord Carlile, Mr Alexander Inglis, archdeacon of St. Andrews, clerk of the rolls and register, and Archibald Quhitelaw, archdeacon of Lothian, secretary. At Edinburgh.

[Tag; seal gone.]

Not registered in *R.M.S.* It is item 6 of first bundle of writs of Barony of Drumlanrig.

11

1495, May 16.

Instrument of Sasine given by Cristopher de Carutheris, as bailie of Adam de Kirkpatrik of Pennersex, in favour of Symon de Carutheris of Mouswald of the 3 merklands of Pennersex in the town of Pennersex, lordship thereof and stewartry of Annandale and sheriffdom of Dumfries, of which lands David Bell has a tack from Isabella Jonstoun, formerly from said Adam; proceeding on a precept of sasine addressed by said Adam to John de Caruther's, said Cristopher, Mathew Yrwyne and David Ackynsone, as bailies, dated at the manor of Mouswald 9 May 1495, before these witnesses, John de Carutheris of Dormound,⁴ Cristopher de Carutheris, Thomas

⁴ This is the first recorded Carruthers of Dormont. The modern family of that designation derives from a Wm. Carruthers *circa* 1552.

Raa, and sir Thomas M'ilweyne. Witnesses to sasine, Alexander Steuart son and heir-apparent of William Steuart of Castelmilk, Robert de Carutheris of Myddilschaw, Thomas Bell of Kyrkconnell, David Bell of Pennersex, Patrik Bell, Mathew Yrwyne, John Bell of Thoftgaris, Nicolas Bell, William Bell, John Ra, William Park, George Bell and George de Carutheris. Notary, John Makhome.

Item 5 of fourth bundle of Mouswald Writs.

12

1498, June 15.

Charter by Adam de Kirkpatrik of Pennarsax to Symon de Carutheris of Mouswald of the 5 merklands of Vestscalis in the tenement of Corry, in the lordship or stewartry of Annandale and sheriffdom of Dumfries; to be held *a me* to said Symon of George Corry of that ilk, lord superior thereof, for 3 suits of court at the three head pleas held yearly at Corry. Witnesses, George Corry of that ilk, John Jonstoun of Tonergartht, James Jonstoun his son, Robert Wauch, Thomas Wauch, Christopher Carutheris, William Young, Thomas Mark, and Mr John Makhom, rector of Castelmilk, and notary public.

[Tag; seal gone.]

Item 4 of fourth bundle of Mouswald Writs.

13

1501/2, March 3.

Agreement (in form of Indenture) for mutual defence and friendship betwixt honourable men Adam of Johnstone of that ilk and Walter Scot of Bukcleuch, whereby said Adam agrees to take and receive Marione Scot, his spouse, aunt of said Walter, and maintain her kindly and lovingly as before, in return for which said Walter is to give a letter of discharge to said Adam and his folks for the sum of 1,000 crowns Scots obtained by said Walter in a decret against them by the Lords of Council, and also said Walter and his kin and friends shall give to said Adam a flock of sheep, viz., 24 score "zowis and wedderis"; and said Adam of Johnstoun shall put James of Johnstoun, his son and apparent heir, pro-

created betwixt him and said Marion, into the fee of all his lands, half of the expense whereof to be borne by said Walter and his friends. Sworn "ilk ane to the utheris be the faithis and treuthis in thair bodeis the haly evangelis tuichit." "In witnes hereof baith the saidis parteis has interchangeably selit thir Indenturis with thair propir selis and subscrivit the samin with thair handis." At Edinburgh. No witnesses.

[Signed]: Adam of Jhonston of that Ilk. [No trace of seal.]

[This would be the copy given to Bukcleuch.]

14

1512, October 13.

Sasine in favour of Symon Carutheris, as lawful and nearest heir of Symon Carutheris of Mouswald, Kt., his father, in the lands of Dundonbye, Kirtilhous and Carutheris, in the stewartry of Annandale and sheriffdom of Dumfries, proceeding on precept of Clare Constat by Adam Earl of Bothuile, dated at Edinburgh 16th March, 1511-12. Witnesses, John Carutheris of Holmendis, John Carutheris his son and apparent heir, Archibald Carutheris, Archibald Stewart son and heir apparent of Alexander Stewart of Castelmilk, Adam Carlile brother-german of William Lord Carlile, Andrew Murray, Robert Ray, William Raa and John Raa, brothers, James Chalmer and Nicolas Raa, officers, Alexander Ramsay and sir vicar [*sic*] Grayme, vicar of Westirker. Notary John Makhome, priest.

Item 6 of the fifth bundle of Mouswald Writs.

15

1550, August 15.

Bond of Manrent by John Carrydderis of Holmendis and George Carrydderis, his son, to Sir James Dowglas of Drumlangrik, Kt., and Robert Dowglas, provost of Lynclouden, to engage jointly in all actions and quarrels—the "authorite and my Lord Maxwell being acceptit" [excepted]⁵—and especially anent the rights to the lands of Mowswald; for

⁵ "Acceptit" is an obsolete form of excepted, see N.E.D., *s.v.* except. "Authorite" means the Crown or ruling power.

which Robert Dowglas has given to said John and George the 5 merkland of Erinesbe in tack for 10 merks of maill yearly during 19 years. At Lynclouden. Witnesses, Thomas Hog, and sir John Tailzeour.

16

1553, May 22.

Bond by William Johnstoun, in Templand, to Roger Kyrkpatrik of the Ross that he shall not assign the 20s land called the Thrid, within the barony of Kirkmychaell and sheriffdom of Dumfries (granted under reversion) to any one without the consent of said Roger, and in particular he shall not assign to John Johnstoun of that ilk or to any of his brothers, or to Wille Johnstoun, Jame Johnstoun, David Johnstoun and James Johnstoun, brothers, in Brwmell, or to any others of the name of Johnstoun that are enemies to said laird of Ross, saving the heirs of the granter and the Johnstouns of Elchescheles. Witnesses, John Kyrkpatrik of Glenmaid, John Cunyngham, Michell Baty, burgesses of Dumfries, and sir Mark Carrutheris, parson of Mouswald, and notary public. At Drumfres.

[Tag; seal gone.]

Item 4 of third bundle of writs of barony of Ross.

17

1555, May 31.

Notarial Instrument narrating renunciation of the 50s lands of Cowrence and Garvald by Cuthbert Johnston, now dwelling in Cowrens (to whom they were wadset for 100 merks) in favour of Roger Kirkpatrik of Ross, by James Johnstoun, laird of Wamfra, as procurator for said Cuthbert. Done in the parish kirk of Gervald. Witnesses, John Farechour, Mathew Cunyngham, William Johnstoun, sir William Diksoun, John Johnstoun in Solcuth, John Spens and Adam Copland. Notary, David Mayne.

Item 6 of third bundle of writs of barony of Ross.

See *Hist. MSS. Com., 15th Report, App. VIII., p. 68.*

1573, May 9.

Notarial Instrument narrating that James Dowglas of Drumlangrik, kt. (as assignee of Roger Kirkpatrick of Ross of a reversion granted to said Roger by James Johnstoun of Wamphray for redemption of the 50s lands of Cowrinche and Garwell, in parish of Garwell, in sheriffdom of Dumfries, sold by said Roger to said James under reversion of 200 merks with 5 years' tack after redemption for £5 yearly rent), passed to the parish church of Garwell and there offered the sum of 200 merks with said tack to John Johnstoun of Cowrinche, personally present, or to any other having power of James Johnstoun of Wamphray, son and heir, at least apparent heir of deceased James Johnstoun of Wamphray to receive the same, and because neither said James Johnstoun of Wamphray pretending right to said lands nor others having power from him compeared to that effect, and said John Johnstoun of Cowrinche being personally present refused the same, said James Douglas of Drumlangrik, kt., as assignee, consigned said sum and tack in the hands of Roger Gersone of the Lag, to be furthcoming to said John Johnstoun of Cowrinche, James Johnstoun of Wamphray, or any others having interest, according to the tenor of the reversion, and protested that said lands were lawfully redeemed and asked instrument thereupon. Witnesses, John Johnston of that ilk, Cuthbert Greirson in Lochur, Gilbert Grierson his brother, Adam Carlill of Brydkirk, Archibald Douglas, Hector Douglas. Notary, John Tailzeour.

Item 15 of fourth bundle of writs of barony of Ross.

1575, November 23.

Bond by John Johnston of that ilk to Sir James Douglas of Drumlangrik for amendment of offences committed by the friends or servants of said John Johnstoun against said Sir James and his servants, being such offences as are openly known, and those not known are to be tried at the instance

of said Sir James by Mr Robert Douglas, provost of Lencluden, Alexander Jarden of Apilgirthe, John Johnstoun of Newbie, and Thomas Johnstoun, in Cragaburne, and such offences as are proved to be amended instantly. Witnesses, Alexander Jardane of Apilgirthe, John Johnston of Newbie, and John Carrutheris. At Dumfries.

Mundeville of Tinwald and Mundell in Tinwald.

By A. CAMERON SMITH.

1. THE FAMILY OF MUNDEVILLE, LORDS OF TINWALD.

As the very sparse mentions of this surname in the records do not permit anything like a satisfactory account of the family, it has been thought convenient to make an opening with the last laird, of whom we do know something.

In a charter by which Sir Robert Maxwell, of Caerlaverock, who died about 1410, gave lands in West Pencaitland to Dryburgh, one of the witnesses is Sir Henry Mundeuill, knight.¹ The date assigned to the charter is *circa* 1400,² but it contains neither place nor date. Its local nature is very distinctly marked by the list of witnesses, which with time and patience might provide a more definite date. They are: William and Thomas, abbots of Holywood and Sweetheart; Sirs John Herys, Humfrey Jardyn, *Johanne Stenh'*, Herbert Maxwell of Conheith, Henry Mundeuill, knights; Thomas Durant, Gilbert Gereson, and James Cunyngham.

The name which I have here left in the contracted form is so printed in the original source, the *Register of Dryburgh*, but it has been expanded by Fraser in the *Book of Caerlaverock* as *Johanne Stenhouse*.³ But where, we ask, is such a surname to be found? Certainly not at this period or in such setting. He must be Sir John Stewart (Steuart) of Dalswinton, who is supposed to have gone to France

¹ *Register of Dryburgh*, 273.

² *Scots Peerage*, 6, 474.

³ *Book of Caerlaverock*, 2, 417.

shortly after 31st October, 1418, to help to stem the English invasion, and who died there.

The letter *u*, it may be pointed out, is easily mistaken for *n*; also there is a usual contraction for *art* or *ert* which, in an imperfect manuscript, might be unrecognised, and taken for some letter such as *h*.

It is probable that Sir Henry was alive in 1437, in which year a complaint reached the papal court that "Henry Mandeville, lord of the Place of Tinwald, its patron by ancient custom, had presented to the rectory of Tinwald, one Robert Stott, priest, before he had obtained the lordship of Tinwald."⁴

When Sir Henry died he appears to have left four daughters. These were :

1. Margaret, who was married to Edward Maxwell, second son of Herbert, first Lord Maxwell. These spouses were the progenitors of the (first) Maxwells of Tinwald and of the Maxwells of Monreith in Wigtownshire, baronets from 1681.

2. Janet, apparently dead by 4th March, 1454/5, at which date she is referred to as "sometime spouse of William of Hepburn," may have been a daughter. Nothing more is known of these spouses.

3. Hawyse Munduyle, named at the same date. She was grandmother of Robert Boyd of Arneil, one of the Boyds of Kilmarnock, better known to us as of Duncow.

4. Elizabeth, referred to as deceased in an Exchequer Roll entry of 1455, brings the number of names to four. This number seems to account for the frequent references to *quarters* of the heritage in dispute. Elizabeth is mentioned in a papal letter of 1468 (see later).

By the date at which we have arrived (1455) it was no uncommon occurrence for the civil courts of the nation to usurp the privileges of the ecclesiastical authorities, and give contrary judgments. This seems to have happened in the contest which arose over the succession to Sir Henry. Margaret was declared heir by the civil authority at Dum-

⁴ *Papal Letters*, 495.

fries, to all the four quarters of Tinwald; Elizabeth, on the other hand, was declared by the church, whose prerogative it was to give supreme judgment on a question of that nature, to be a legitimate daughter and entitled to her share of the heritage.

From various sources (to be specified presently) we learn that the lands of Sir Henry included Tinwald, the Temple land of Dalgarnock, and Monreith. The Temple land of Dalgarnock is the modern Templand, now in the combined parish of Closeburn and Dalgarnock. The Temple land of Closeburn, later known as Culfaddock, lay between Closeburn church and the Limekilns.

It is now the place to detail the relative documents.

On 4th March, 1454/5 a local assize which assembled at Drumfries settled the succession to Sir Henry, and gave, or at least ordered, sasine to be given to Margaret in all the four quarters of the lands in dispute. Our authority is an abridged summary of an original writ which was presented to the Society of Antiquaries of Scotland by Robert Riddell of Glenriddell. It is unusual in form, being a combination of a retour and letters of sasine—a device which was perhaps only possible because an officer of state, the King's justice, was on the spot. The summary also deserves reproduction because of its quaint and colloquial use of the vernacular.

First, however, it should be mentioned that there was some sort of sasine given to Margaret six years before the date of the inquest. The entry, a mere minute, runs: "1448 Sasine of Margaret Mondeveill in the lands of Tynwald, Drumfries."⁵ Perhaps it is this sasine which is referred to in the account of the proceedings at Dumfries which we now reproduce.

4 March 1454/5. Letters of Sasine under the seal of Laurence lord Abirnethy in Rothimay justice to the king on south half of the water of Forth—narrating that on Tuesday 4 March 1454/5 before him "there compeared Margaret Munduyle dochtir of sumtyme Henry Munduyel lorde of Tynwalde and lord of the Tempilland of Dalgernow with hir forespekare Thomas the Grahame of the Thor-

⁵ *Exchequer Rolls*, 9, 660.

nuke," who on her behalf "askit at the said justice quhat he had done or gert do upon the executione of twa brevis that scho had present til him of beforetyme of the twa quartaris" (of the said lands) "liand within the schirefdome of Drumfresse, of the quhilk twa brevis the tane was *de morte antecessoris* and agane Williame of Hepburne be resone of sumtyme Jonet his spous, upon a quartar" (of the said lands), "and the tothir breve was richtsa a breve of *morte antecessoris* and agane Hawyis Munduyle, upon ane othir quartare" of the said lands: "The quhilk justice ansuerit and said at he had direct twa precepts to the schiref of Drumfresse to summond or ger summond the said Williame and Hawys and askit at the schiref quhat he had done thareto; and than the said schiref ansuerit and said that he had chargit the kingis serjand David Haliday to execute the said preceptis eftir the tenor of thaim, the quhilk execution the said David previt in court lachfully made be him, and the said Thomas the Grahame askit the said justice to ger the said twa brevis be red in court and to procede to the recognitioun of ane assise: The quhilk brevis beand red, the said justice chosit ane assise of the personis underwritten, that is to say—Johnne the Menzies of the Enach, William Grerson, George of Kirkpatrick, Aymare of Gledstanys, Tassy [Eustace] of Maxwell of Collynhath, Florides of Murray, Robert Makbraare, Robert of Johnstone, Robert Munduyle, Simon Lital, James of Kirkchalch, Gilbert Makmath, William Portare, Gilcriste Grerson, Thomas Fergusson, William Boyle, Cuthbert Molmerson, George Neleson, Johnne the Menzies of Achinsel, Malcome Magilhauche, Johnne Steuart, Davy Steuart, George Were, Donald Hüntare and William Maxwell:

The quhilk assise, the grete aith sworne, and the avaymentis and the resonis of the party herd, passit oute of court and thai ripli and sadly avysit, at thare incuming in courte agane, concorduntly pronuncit thare veredict be the mouth of Johnne the Menzeis of the Enach sayand"—that Henry Munduyell, father of Margaret there present, died vest and seized as of fee of the two quarters of the said lands, that she was his nearest and lawful heir in the four quarters of said lands, and that the said four quarters "war wrangwisly haldyn fra hir be the foresaid William and Hawys, and at thare was na lachful cause to let the said Margarete til obtene sesine and possessione of the said foure quartaris," that sesin should be given to her accordingly as her father had "that day he was quyk and dede. outakand the landis, annual rentis and the doweris of wemen outane in the said brevis; and than the said justice,

at the instance of the said Margaret, in judgement sittand gave heretable possession and state to the said Mergarete of the foresaid " (lands) " eftir the tenor and veredict of the said assise and dome of court, and chargit the schiref to ger give hir siclik possession and sesin apou the grond of the said landis."

Done in the tolbooth of the burgh of Drumfres in presence of—Thomas, abbot of the monastery of Holywood, John, master of Maxwel, Amer of Maxwel of Kirkconal, sir Robert Broky, vicar of Kirkmaquho, Thomas Thomson, notary public, John Litol and James Mateland. Attested by Alexander de Foulis, clerk, of the diocese of St Andrews notary public.—*Proc. Soc. Antiq. Scot.* 41.313 (1906-07).

Two months later Margaret, wife of Edward Maxwell, was seised 8 May 1455 in the *fourth part* (only) of Tinwald, the sheriff's sergeant, David Haliday, giving her earth and stone at " the chief messuage called *The Mote* beside the church of Tinwald." Thomas Grame of Thornyhuk, who had been her forespekare (advocate), was there, and Roger Kirkpatrick of Dargavel, Robert Munduel and Andrew Charteris.⁶

It was likely that the Maxwells would have a good representation on the assize of 4th March, 1454/5, and Edward Maxwell, the person most interested, was a grandson of a daughter of Dalswinton. One of the assize was " John Steuart," his name being spelt in the extant document exactly as I have suggested under the date " *circa* 1400." It is likely that this John was the second son of the earlier Sir John Stewart, already mentioned, and so he who became about this time " the first provest that was in the cite of Glasgu." It was perhaps he who brought in to the assize " sir " Thomas Broky, vicar of Kirkmaquho, who was present at the court. Another Broky (Robert) acted as notary at the seisin of 8th May following.

It is to be noted that, although Margaret was awarded (by the assize of 4th March, 1454/5) the four quarters of Tinwald, she took seisin in only a fourth part. It would therefore seem that one or both of the other claimants had some right which they succeeded in establishing.

⁶ *Book of Carlaverock*, 2. 434; *Maxwell Inventory*, 5, No. 24.

At some date which cannot now be recovered the right of Elizabeth to succeed was challenged by one David Boswell, who himself claimed a share, and impugned the legitimacy of Elizabeth. At what date the case began we cannot tell, but the final decision is contained in a papal letter of 7th March, 1468. "Petition of Elizabeth, woman of the diocese of Dunkeld, daughter and heiress of the late Henry Mundeville, lord of Muroiffe. David Boswell, layman of the diocese of St Andrews, falsely alleging that Elizabeth was not born of lawful marriage, claimed her lands as his by hereditary right. Silence was imposed upon David several years ago. The pope now approves the sentence."⁷

It may be conjectured that David Boswell of the diocese of St. Andrews was David Boswell of Balmuto, Fife.

It is probable that Hawyse Mundeville married a Boyd, for after the lapse of nearly forty years Robert Boyd of Arneil, by a deed dated at Tinwald 1st November, 1483, renounced in favour of Edward Maxwell of Tinwald and Herbert, his son and heir apparent, all right which he had in the lands of Tinwald, the Temple land of Dalgarnock, and others.⁸

Two months later Boyd's fourth part of Monreith passed in a similar way to the Maxwells. On the 16th January, 1483/4, Robert Boyd of Arneil was himself infefted in Murethe, "formerly possessed by his grandmother, Hawysia Mundwell," and he, ten days later, gave, at Durisdeer, a precept for infefting Edward Maxwell of Tinwald in the fourth part of the lands and barony of Murethe in the sheriffdom of Wigtown. Sasine was done at Ballingray, the principal message of Murethe, the 31st January, 1483/4.⁹

No doubt the Maxwells acquired the other fourths in a similar way. At the date 7th December, 1481, a fourth of the lands and barony of Mureth was in the hands of Thomas Cunyngham, son of Alexander Cunyngham of Aikhede (Aiket, Ayrshire), who that day resigned them in favour of

⁷ *Papal Letters*, 12. 670.

⁸ *Maxwell Inventory*, 8, Nos. 42, 43.

⁹ *Book of Carlawerock*, 2. 440.

Allan Cunyngham, son and heir apparent of the said Alexander.¹⁰ On 15th January a royal charter granted the fourth part and the chief messuage of Ballingrene to Edward Maxell of Tinwald, which lands Allan and his father had resigned. This was an acquisition by purchase. Allan had formerly given the fourth to Thomas and his wife, Elena Knok, by charter dated at Irvine 17th July, 1479.¹¹

The paragraph in the *Scots Peerage* which professes to show the connection of the Boyds of Portincross (Arzneil) with the main family of Boyd of Kilmarnock (and of Duncow) is unsatisfactory and leaves the problem unsettled. The following is all the information I have been able to collect as to the Arneil branch.

By a charter dated 2nd February, 1471/2, Robert Boyd, son of the late Alexander Boyd, was granted the 10 merk lands of Ernele in the bailivate of Cunningham, which his grandfather, Robert Boyd, had resigned.¹² The grandfather and his spouse, *Elizabeth*, were alive, for the charter reserved liferent to the one and terce to the other. There can be little doubt that Robert, the grandson, is identical with Robert of 1484, whose grandmother was Hawysia Mundwell (see above). But is she to be identified with Elizabeth, the wife of Robert Boyd, the grandfather? This cannot be affirmed. Reason has already been given for thinking that Hawysia had a sister, Elizabeth. The name Hawysia cannot, therefore, be regarded as an alternative form of the name Elizabeth.

Arzneil lies just north of Portencross, and south of Largs. It seems odd that one and the same person should appear in Ayrshire as "of Tinwald," and in Dumfries as "of Arneil"; but this appears to apply to Robert Boyd, the grandfather.

When Thomas Tervas became abbot of Paisley (about 1445) "he fand all the kirkis in lordis handis." One Robert Boyd of Tinwald was in possession of a lease of the fruits of the church of Largs (near Arzneil) and refused to disgorge.

¹⁰ *Maxwell Inventory*, 8, No. 39.

¹¹ *Reg. Mag. Sig.*, 2, 1499, 2039, 1501.

¹² *R.M.S.*

Abbot Thomas first obtained a verdict, 23rd April, 1449, against a nobleman, Robert Boyd of Tinwald, esquire, which declared that the six years' lease of the fruits of the church of Largs which was to terminate at 1st May, 1450, was valid; all other grants were invalid. Next the abbot invoked the secular arm and procured a royal letter to be addressed to Robert (of Tinwald): "We are informit yhe adres yhow to be at the kirk of Largys on Friday nixtocum, with a multitude of our lieges in feyre of were, in hurtyn and scaith of our devout oratours, the abbot and convent of Passelay, brekyn of our crya and offens of our Majestie." (Orders him to desist.) "Given under our Privy Seal at Edinburgh 24 April 1450."¹³

The laird of Ardneil seems to have taken the royal warning obediently. At least we see him in the tent of the Lord Chancellor Crichton at Corhead (near Moffat) when King James, 18th July, 1452, re-granted the barony of Kilmaurs to Alexander Cunningham. The king was on his way to beard the Douglas in his den (*Laing Charters*, 134.)

A word may be said about the subsequent history of the Mundeville lands. In the first place the Temple lands of Dalgarnock were given 30th May, 1542, to William Maxwell of Blairbuie (in Mochrum parish, like Monreith). He was second son of Herbert Maxwell, the "heir apparent" of 1483 (see above).¹⁴

Tinwald and Monreith remained a united property till 1526, when Edward Maxwell of Tinwald left two daughters as heiresses, and Lord Maxwell purchased the ward and the marriages.¹⁵ Elizabeth, by a family arrangement, was given the lands of Tinwald, and she was married to her cousin, Edward, son of William Maxwell of Blairbuie. Margaret, the elder sister, became lady of Monreith. She also was married to a cousin of the name of Maxwell, "Master Herbert Maxwell." The ceremony was performed at Tinwald church in August, 1541, by "sir" John Blak, rector of the parish.¹⁶

¹³ *Register of Paisley.*

¹⁴ M'Kerlie, *Lands*, 2nd ed., 2. 75.

¹⁵ *Proc. Soc. Ant. Scot.*, 41. 323 (1906-7).

¹⁶ M'Kerlie, *Lands*, 2nd ed., 2. 76.

The sheriff of Dumfries (of Nithsdale, that is to say) who gave sasine to Margaret in 1455 was Sir Robert Crichton of Sanquhar, who seems to have held that office from 6th November, 1452, in succession to Thomas Kirkpatrick of Closeburn. It is natural to look for further notice of the lands in the only account of his which has survived—that covering the two years, 16th July, 1454, to 1st October, 1456. The curious fact appears from the account that both Margaret, spouse of Edward Maxwell, and Elizabeth, are described as *quondam*, i.e., deceased at the date 1st October, 1456. The quarter of Tinwald belonging to the late Margaret had been in ward for a long time, going back to the time of Thomas Kirkpatrick. All the entries are rather difficult to understand.¹⁷

Other sporadic notices of the family of Mundeville are lacking in interest, as they do not throw any light on their early connection with Tinwald or Monreith. The church of Channellkirk, the parish immediately north of Lauder, was an old foundation which was granted by Hugh de Morville of Lauderdale to the Abbey of Dryburgh in the twelfth century. At some much later date Henry de Mundevilla set up a chapel at Glengelt, by which the old church of the monks was found to be prejudiced. Accordingly Henry gave to Dryburgh, by way of compensation, three acres of land "in my territory of Glengelt near those seven acres which they hold by gift of Ivo de Vetere Ponte, my ancestor in the same territory." Thus Henry derived possession from one of the Viponts, a very ancient family who died out shortly after the time of Bruce. One Ivo de Vetere Ponte held Sorby in Wigtownshire under the lords of Galloway. This was in the time of William the Lion. Ivo gave the church of Sorbie to Dryburgh, and Roland, lord of Galloway (who died in 1200), confirmed the gift. Another connection of the Mundevilles with Wigtownshire is suggested by a jotting of a charter to Fergus de Mundavilla of half of Stranrever (no date).¹⁸

Henry de Mundeville was one of those Scots who were

¹⁷ *Exchequer Rolls*, 6. 61, 168, 170.

¹⁸ *Fasti*, 2, 146; *R.M.S.*, 1. app. ii., 610, 1141.

included in a summons to join the expedition which was being taken to France in 1297 by King Edward I. No information is given as to his place except that it was south of the Forth. In August of the previous year (1296) John de Mundeville, parson of Moffat, swore fealty to the same English king. Sir Henry de Moundeville, a knight, and John de Moundeville, an esquire, were in 1311 in the English garrison of Berwick. John must have forsaken his English allegiance, for John Mounville (the nearest approach yet seen to the form *Mundell*) was in 1336 one of those who had forfeited a burgage in Dumfries.

In the same account (of Eustace Maxwell, English sheriff) there is an indication that the barony of Tinwald had been granted by the English king to one Peter de Middleton. He died on or before 20th October, 1335, and, his heir being a minor, the barony was in the hands of the English sheriff. Its service consisted in a payment of 10s castle ward to the castle of Dumfries, but in peace its value was 20s.¹⁹

No more than a mere mention is here possible of Simon de Mundavilla (Latin form), who was priest of Kirkmahoe from 1406 till his death at the Roman court in 1409. He was a typical example of the wandering scholar. We know that he was a nephew of Matthew Glendinning, bishop of Glasgow, and so he was probably of the family of Glendonwine of that ilk, an Eskdale family. He describes himself as of noble birth.

We leave the priest and pass to an example of the extreme Presbyterian; we leave the name of Mundeville and find it shortened to Mundell.

II. MUNDELLS IN TINWALD.

TWO COVENANTING BROTHERS.

The Dying Testimony of JAMES MUNDEL, in Runnerhead in the parish of Tinwald and shire of Nithsdale, who died the 9th of April, 1724, in the 65th year of his age.²⁰ (He was therefore born about 1659.)

¹⁹ *Bain*, 3, pp. 319, 393.

²⁰ *Dying Testimonies*, printed for J. Calderwood, Kilmarnock, 1806, is a main source; the quotations will be recognised.

It begins : “ I being now frail and aged, and not knowing how soon my friendly Lord and Master may call me out of time into eternity, have seen, heard, and experienced strange things. . . . The first faithful minister that ever I heard was Mr John Wellwood, then Mr John Welch, and, next to him, Mr George Barclay; who, in their preaching, held forth the sin of hearing the curates; so that, if ever I found Christ in the preaching of the Gospel, it was then, in and about the year 1676. Also I heard Mr Richard Cameron and Mr Donald Cargill, with many others afterwards. . . . About this time I was a hearer of Mr James Renwick, who faithfully preached the gospel, whereby my soul was often refreshed. Yet, what trouble I had from within and persecution from without; *from enemies, and from natural enemies, my own relations.* . . . I personally covenanted with the Lord upon the 28th of October, 1684, about the mid hour of the night. Wherein I engaged to stand to hair and hoof of all his controverted truths.”

He witnesses against the defections of his covenanted brethren; particularly against Mr Thomas Linning, Mr Alexander Shields, and Mr William Boyd, with many of the remnant who then (at the time of the fatal revolution) fell away—

1. When they addressed the bloody convention from their general meeting at Leadhills.

2. At Douglas, Edinburgh and Greyfriars kirkyeard; for their taking up a regiment²¹ under the Earl of Angus, at the time of the incoming of the prince of Orange. And, last of all, I testified against that regiment, above Stirling bridge at the castle of Down (Doune).

The Lord also helped me to *testify against Mr John M'Millan* and Mr John M'Niel, and these of my covenanted brethren with them, for their unstraight dealing in the Lord's cause first and last. And as I have not joined with such, I have been reproached with making division and right hand extremes. Although I approve not of division; and, as for

²¹ The Cameronian Regiment.

right hand extremes, it is what I hate as fire. *So that !
durst not buy the privilege of preaching, with the quating of
these truths.* Now I desire to close all these, my sad con-
tendings.

Now, as I have given away myself to the Lord, so also
I have given away *my wife* to him, and my *two children*.

JAMES MUNDEL.

Jan. 27, 1724.

[Italics are here and later used in order to call attention
to words and phrases which repeat themselves.]

The few personal details enable us to identify his chil-
dren in M'Millan's register of marriages and baptisms.²²
From 1708 to 1710 James Mundell attended the General
Meeting and brought away the money which was allocated
to the poor of Nithsdale. We know that he married late in
life, for, in the correspondence of Sir Robert Hamilton, John
Mundell, whom I take to be his brother, is referred to as
married, but James never. He was probably the James
Mundell who was *married by Mr M'Millan* at Park 25th
April, 1709, to Agnes Gass. After this he must have *seceded*
from M'Millan; and, after the old man's death (in 1724) his
two children, then grown up, came to M'Millan for baptism.
"At Hartbush (Tinwald), June 30, 1729, was baptized,
James Mundel and Agnes Gass in Tinwald their son John,
giving an account of his faith, took on the engagements
himself, aged 18 years." Also "at Hartbush May 21,
1732, was baptized Mary Mundel, daughter to the *deceast*
James Mundel in Tinwald, who gave an account of her faith
herself."

In his testimony James quotes a number of texts, the
first of which, from Ps. lxix., 33—"The Lord despiseth
not his prisoners," is the only reference to his own imprison-
ment in Edinburgh. The circumstances are known from
two independent sources.

Sir Robert Hamilton to friends in Glasgow—Earlston
(*Kirkk.*) Feb. 26, 1692. . . . P.S. Anything new of

²² Edited by the Rev. Henry Paton, 1908, pp. 71, 36, 45, 46.

moment here is that the last week our friends in Tinwald, being informed of two curates residing in Drumfries, about the number of thirty of them armed went into the town and, finding them at their service, with the Service Book in their hands, they took them out of the town, and frightening them with certain death; but they engaging never to exercise their office again in the three kingdoms, let them pass their way. The next day these Tinwald men came in to the town again in the same manner and publicly burnt the Service Book, and discharged the pretended provost and magistrates under their highest peril not to suffer any such locusts to enter their city again. All this was done without the least resistance or disturbance, *tho' a very indulged and malignant city.*²³

The provost seems to have been in Edinburgh at the date of the rabbling, as the information given by him to the Privy Council was based on letters. As stated in the Register for 23rd February, 1692, "on Sabbath the (blank) Feb. about thretty persons carried furth of the ports of the town two ministers, detained them an hour and took a book from each and let them depart. And on the Monday early these persons returned and did burn one of these books at the Cross and affixed a paper to the Cross." Later information was that they did deal indiscreetly and rudely with the two ministers and beat them. There were 16 persons, all mean country persons living about 4 or 5 miles from Drumfries, who disowned both Episcopal and Presbyterian ministers and *acknowledged none but Mr Houston.*²⁴ The Council censured the magistrates of Dumfries for negligence and no more occurred for the time. Not for three-quarters of a year at least. Under date Earlston, 13th November, 1692, Robert Smith (Sir Robert's henchman) wrote to Miss Janet Montgomery (Sir Robert's cousin): "Mistress,—Our cloud seems to be growing darker; truth is more kythed to be truth since Sir Robert's taking. Fain would I have a

²³ *Letters of Sir Robert Hamilton (and others)*, by courtesy of the Librarian of Trinity College, Glasgow (manuscript).

²⁴ *Register of the Privy Council* (MS., Reg. Hou.).

word from Mr Montgomery anent Sir Robert." Sir Robert was taken at Earlston, 10th September, 1692.

Register of the Privy Council, 15 Sept., 1692. Orders for Sir Robert Hamilton and other prisoners brought to the Tolbooth of Edinburgh for alleged proclamation or paper at the croce of Sanquhar, in Aug. last. (This is the first, made 10th August, 1692, of three Declarations to which almost all the Dying Testimonies refer with pride.) Sir Robert was next day ordered to the Tolbooth of Haddington. James Moundell and John Wells²⁵ in Tinwall paroch were put in different rooms in the Tolbooth of Edinburgh. John Bell and Halbert Wells in the same parish were dealt with similarly. John Heron in Kirkmacho parish was to be transferred to the Tolbooth of Leith. On the 13th October there were orders for a troop of dragoons to be stationed at Dumfries.

The isolation of the prisoners is referred to in *A Relation* concerning Thomas M'Millan (in Galloway—di. 3 Nov. 1696), and John Clark (in Lairdmannoch, Tongland). (*Dying Testimonies*, p. 81.) "These two (with Sir Robert Hamilton) were the only sufferers in Galloway after the Revolution; who were carried to Dumfries, and soon after to Edinburgh with others in Tinnald who had been taken about the same time on account of the Declaration of 1692. Who, after their examination before the Council, were *put sundry* and sent to their several prisons in Edinburgh and Canongate tolbooths. Two of these taken at Tinnald, yeilding to the enemy, were shortly after liberated. But the rest, being detained for half or three quarters of a year, were set at liberty. *Some supplicating without their consent and knowledge, got them out.* Against which the honest sufferers gave a public testimony at their liberation." The imprisonment of Thomas M'Millan lasted half a year (*ibid.* 84).

James Mundell must have been one of those who were let off with the shorter period of imprisonment (six months).

²⁵ The name *John Wells* may be suspect, as *John Glover* seems to come in place of it in the *Letters*.

James Mundell to Sir Robert Hamilton—Tinwald, April 15th, 1693. This is shewing that we came safely home and are all in good health. And now as to your Honour, I am really hopeful that, either in your outcoming or inbiding, our Lord's cause will be vindicated. Though you in a manner be left alone, I hope the Lord will be your second. It is like your Honour will get a line from us the next or second week. If you get news concerning your Honour at this Parliament, get us notice by a line. My *feckless* love to you.

(P.S.) Remember my love to your Little Page Kathren Currie. (She is frequently referred to in these exchanges.)

The promised *line* followed in a week, signed by the four released prisoners.

John Glover, Harbert Wells, John Bell, and James Mundell to Sir Robert Hamilton — Tinwald, April 22nd, 1693. All grace, mercy and peace in your honourable bonds. Our greatest enemies, these two Ladies, Tinwald and Glenae, are yet using all policy secretly to persecute by putting away several of their tenants that are of our friends, merely upon malice at us and our Testimony, and will not suffer them to sit on their ground; we would wish your Honour's advice. The Presbytery or Synod of Drumfries caused Drumcoutran, one of their ruling elders, and a present bailie, to apprehend old James Robson, our friend, for a sower of sedition and seducing the people from the ordinances; which was done on Wednesday last; and upon Thursday sent him to prison, requiring that he should speak no more against their ministry and magistracy, but be silent and go where he would. But he told them he would do it [*would speak*].

The two lads in Cokethill in Annandale, our fellow-prisoners, are come up to our fellowship and both fully joined with us. We desire to hear if there be any motion concerning your Honour at this Parliament, or if you be like to get anything done with your Paper.

It was all the general report here, especially amongst the Indulged, that Mr Hepburn had been at the King and

procured our liberation, until we shewed them the contrary. Your poor *feckless* sympathizers and servants for the Lord's sake. . . .

There is a letter, undated, from Sir Robert to James Mundel, Harbert Wells, etc., in which, addressing them as "my dear fellow-prisoners in and for Christ Jesus," he concludes: "I have had many suitors; each party fancies they would have a great prize in me. Your fellow-prisoner for Christ." The following seems to be the reply to this note:

Harbert Wells, John Clark, John Bell and Thomas M'Millan to Sir Robert Hamilton — Cannongate, 24th Oct., 1692.

We, your poor fellow-prisoners, are much refreshed by your Honour's line. As for us we heard of no jealousy of your Honour or your dear friends till we were made acquaint of it by Lady Earlston (Sir Robert's sister). Now as to the fast and the cause thereof, we dare not much disagree with your Honour's judgement; we have drawn up some necessary causes and we think fit to proceed in keeping of the Day. We have inclosed the Causes. We do nothing without consent of your fellow-prisoners.

Your Honour's poor and unworthy fellow-prisoners . . .

Robert Smith, 1666—13th December, 1724, who died at Douglas, aged 58,²⁶ was the peripatetic organiser of the extreme Cameronians, those who were guided by Sir Robert Hamilton. He was never more than "student of divinity." The place of his origin is not anywhere stated, so far as I have seen; but he might be thought a native of Tinwald from an expression contained in one of two letters written to James Mundel, John Bell and John Glover in Tinwald.

Fingland, Aug. 22nd, 1695.—Loving Friends, I am a poor distressed creature, tossed with the wearisome case of a lukewarm, worldish and self-seeking pack. Half a Reformation is good enough for many of us. I am wearied of my traveling through the West and most parts of the king-

²⁶ See Watson, *Closeburn*, p. 278, for a short notice, reprinted from *Dying Confessions*, 210, a very scarce book.

dom, seeing that I cannot bring them forward. Oh! that I might live and die in poor Tinwald.

As soon as this comes to you, two of you step up to Earlston and see what ye can do; but let not witt that I bade you. Send down the sermons that ye will get from him, or Closeburn folk. The sermons that is in Robert Hamilton's book send them to Jean Bell's in Annandale, for I intend to come in by them all the next week. Your dear billie (brother) etc. Smith also writes twice from Tinwald, the dates being 1st April, 1696, and 30th January, 1701. Letters of 12th February, 1697; 26th March, 1700; and 12th February, 1701, are addressed to him there. In a letter dated 18th March, 1700, Sir Robert Hamilton, writing to Robert Smith, uses the expression—"a godly woman like one of our Tinwald lasses."

These Hamilton letters show very clearly that no single Society in Scotland was so successful in maintaining the extreme principles advocated by Hamilton. The influence they had in the parish is to be inferred from the fact that, from the date when a "curate" was outed at the Revolution of 1688, there was no minister placed in the parish until 1697. At this date Alexander Robeson was ordained there so much against his inclination, that at first he endeavoured to escape. The connection of the Tinwald Society with this prolonged vacancy does not now rest on mere surmise, as the next letter shows. It may be allowed to explain itself, except to mention that Mr John Pasley, 1667-1712, was minister at Morton (Penpont Presbytery) from 1693 till his death in 1712.

To Mr Pasley in the parish of Morton—Tinwald, Sept. 21st, 1695. We, the societies of Tinwald, hearing tell that some in this bounds has given you a call to this parish, we thought to send two of our members to bid you to desist from accepting of it, or of coming here; protesting that it is against Scripture, John x., 1, and the acts and constitution of the Reformed Church of Scotland to the calling and coming of a minister to a particular parish. If you will not, we let you to know that no perjured curate or curate's underling

(such as you) or indulged Erastian shall come into this parish. But we will (through the Lord's assistance) to the last drop of our blood resist the same. No more at present, but remember that you are fairly warned, and if you *kepp scaith*, blame not us. (There are no signatures.)

Thus warned off, in unmistakable terms, Mr Pasley remained in Morton; we presume that the church at Tinwald remained unused. It is not unlikely that the Tinwald Society worshipped in the church. They were fond of field preaching, but once at least they used the pulpit of Lesmahagow Parish Church.

There were no signatures to the "warning"; but the hand of Robert Smith seems to be betrayed by the repetition of the expression "*kepp scaith*" in the following letter signed by him. It is of interest for several reasons.

Robert Smith to James Mundell, John Bell, and John Glover in Tinwald—Glasgow 18 March 1697. Since I wrote you last I have heard by a friend that was at Edinburgh that you have been assaulted with one of these intruding hirelings, shortly, as of late. The storm will pass, and few of you *kepp skaith*. It is in some folks' thoughts that at that *old Father Masson's room*²⁷ shall be filled up.

The Lord choosed some of you to bear witness for Him at Edinburgh in 1692; when the foxes got leave now and then, as they pleased, to come from that black Presbytery of Dumfries and preach in *your church*. From that day there has been a decay of your zeal. I hope there are none

²⁷ Perhaps James Masson, who gave the following Testimony (*Dying Testimonies*, p. 45): "It pleased the Lord to trust me with Mungo Mossman and Mr James Hamilton minister of the Gospel in Dumfries and others of the godly. I took the National Covenant in the kirk of Traquier about the year of God 1645; my heart flightered within me for joy. Then thereafter several times, as at Dumfries, Penpont, Kirkmahoe, and Irongray, at communions at Lochenkitt and the Shallochbarn." It is plain that he was an old man in 1697, and he was probably the lay preacher of the Tinwald Society. There were cobblers of the surname, a rare one, in Auchencairn of Kirkmahoe a generation later—Robert and Daniel Mason, 1743.

in Nithsdale and Annandale (and further too, if need were) that will or dare refuse you their help. I know there are some of you, and (*an* or *if*) ye could get backing, would venture your blood in the quarrel.

P.S. Send up these inclosed as soon as ye can. James Mundell, if ye please to sell your Bible with the Cane's notes,²⁸ send it to the General Meeting. A friend desired me to write you anent this. Till we meet.

As I was going to close this, I received yours come from Janet Wilson at Edinburgh—long looked for; from which I understand your case is as above represented. I add concerning Lawson²⁹—God will be about him; fear him not; set to and instruct and inform one another and forget him not in your prayers. Let John M'Millan be busy and I shall neighbour him. It is long since he ³⁰ stood on the other side with the enemy. He came in like a lamb but is become a beast of prey. Be at your duty, though there were but six of you and a few women; ye have had experience of his loving kindness already, when some of your bloods was running for it; how he made your enemies to faint and fall away and quite their plea as ashamed.

Old Mr Houston is dead. As he lived, so he died contending and testifying against that indulged crew. He has left a testimony, as we hear, a few days before his death. When he was dead, the indulged man of that parish (notwithstanding of daily hot contests betwixt them when he was alive) invitted all his hearers to come to his Burrial, calling him a faithful brother. So he was honourably burried as well he deserved it, as a worthy servant of the Lord Jesus Christ. (This is the only known indication

²⁸ I can only suggest that James Mundell had kept in his Bible a memorandum of persons who had paid *cane* (*kain*), a term used loosely for cess or levies paid to official collectors; the dragoons would not be likely to find his notes there.

²⁹ Possibly Robert Lawson, ordained to Torthorwald 28th April, 1696, demitted 1701; John Macmillan (the hill preacher) graduated 28th June, 1697.

³⁰ The writer's mind seems to have returned to the enemy, Lawson.

of the time of Mr David Houston's death. The place of his death is believed to have been in Ireland.)³¹

There is much more, both of local and of general interest in these letters, but there is only space for a few points. Robert Smith dated a letter from Glenmade May 12th 1701. This is a moorland farm in the parish of Kirkmahoe, on the borders of Closeburn, Tinwald and Kirkmichael. It is remarkable for its long association with the family of Fraser from the killing times to quite recent dates. In the letters of Robert Smith greetings are sent to Luke and Francis (or Francy) Frizzels, presumably the brothers who then occupied the place. Luke Fraser, best known as the beloved teacher of Sir Walter Scott, of Francis Jeffrey and of Lord Brougham, was a pupil in 1760 of James Mundell, the Edinburgh schoolmaster to whom we shall come by and by. This Luke was probably a grandson of Luke of the year 1700. He was born at Auchenrath, in the parish of Kirkmahoe, on Christmas day, old style, 1735.

That John Mundell (of the Letters) was a younger brother of James is inferred from the manner in which the names appear. "Remember me to John Mundell and his family and to *father Mason*" (4 July 1695); "to James Mundell, John Mundell and his wife" (15 July 1700); "to James Mundell and his brother" (20 Aug. 1700). There is no certainty that John is the John Mundell, who was rebel and fugitive in 1684 and was seen at the Runner of Tinwald about Beltane in that year. He was banished next year and "given" to Mr George Scott of Pitlochrie for his plantation in America. At the inquiry held in Tinwald in 1685 after the rescue at Enterkin, the following appear as in Rinner of Tinwald (printed Kinner) — John Mundell depones negative, Marion Mundell sick excused, Marion Mundell widow.³²

³¹ All that is known of Mr David Houston will be found in Rev. Matthew Hutchison, *Reformed Presbyterian Church*, p. 399. That he was arrested in January, 1688, and taken to Dublin is known from a letter written by Mr Alexander Shields, 1st March, 1688.

³² *RPC.* (3) 9. 217, 371; (3) 11. 114, 137.

Persons of the name James Mundell appear in the same place and year (1) in Dalruskine; he must be the ancestor of the group next to be dealt with; (2) in Shawes; (3) in Tinwald Mill.

The father of the brothers, John and James, was most probably John Mundell in Runnerfoot, whose testament was recorded 20 Feb., 1680. His executors were his bairns, John, James, Agnes and Jean.³³

III. THE MUNDELLS OF WALLACE HALL AND OF EDINBURGH, SCHOOLMASTERS.

We now leave these Covenanting brothers, and take up a family who may be related to them. As will be seen, they were followers of John MacMillan, and were allied by marriage with the Hepburns. It may therefore be inferred that they were not of the extreme party of the Cameronians, those who were so much under the influence of Sir Robert Hamilton that they might be properly described as Hamiltonians. As one of them was treasurer of the indulged and malignant town of Dumfries, it may be conjectured that it was this family to whom old James Mundell referred in his dying testimony as "natural enemies, my own relations." But this is mere conjecture, as the evidence is very scanty.

A starting point is obtained from a group of four tombstones in Tinwald churchyard. The oldest name is that of James Mundell of Dalruskon, who died Nov. 12, 1692, his age 55. He was thus born in 1637, or twelve years before the James Mundell who suffered prison for his activities. His relation to the later members of this group is not indicated in any way, but it is natural to infer that he was the father of the brothers and sisters to be next mentioned. M'Dowall (*Memorials of St. Michaels*, p. 283) shows that William Mundell, merchant in the Burgh, was granted a burial-place in 1712, and that the only monument erected on the ground bears to have been erected "by the heirs of William Mundell, late treasurer in this Brough, 1716." There is nothing else on the stone. But from his testament

³³ *Dumfries Tests.*

and other papers something can be gleaned as to his ungrateful heirs. His testament states that the treasurer died 13th March, 1716, and it was given up by Robert Mundell in Dalrusken in name of himself, as eldest brother, and Joseph in Dalrusken, Janet and Jean Mundells, brethren and sisters german of the defunct, and William Neilson, late baillie of Dumfries, husband to the said Janet, and Thomas Gillespie of Auchenflourhill, husband to Jean. The inventory included the merchant goods in the "shop and volt under the tolbooth possessed by the defunct." It may be concluded that the treasurer had no children, and we may now pass to the offspring of Robert, his eldest brother, only mentioning that Joseph in Tinwald, the second brother, appears in Mac-Millan's Register as having children baptised from 1723 onwards.

Of Robert (elder brother of the treasurer) there is a very dutiful memorial on one of the Tinwald tombstones. It is in Latin and is no doubt the composition of his son, Alexander, master of Wallace Hall.

"Here lies all that was mortal of a very upright man, ROBERT MUNDELL, who was born 31 Oct. 1678, and lived afterwards in Kirkmichael; he long dealt faithfully with his fellow-mortals and gave his best effort to befriend as many as possible; at length, 26 Nov. 1761, he gladly exchanged this earth for Heaven, towards which his soul constantly aspired, his loss being deeply mourned. He loved better to be good than to have the appearance.

Here also is interred the body of Mary Raining his virtuous wife, who, in her 52nd year, distinguished by piety to God, duty to her husband, devotion to her children and kindness to all, found a glad return to Heaven 21 Mch. 1736, mourned by husband and children, fitly and deeply.

Also their son Robert Mundell, who died 17 Sept. 1715, aged one year and eighteen days."

For the marriage of these spouses and their children the Register of Mr John MacMillan is now to be consulted. Robert Mundell and Mary Ranning were married by him 5 Feb. 1708. Their known children were as under :

1. James, the eldest son, the eminent teacher in Edinburgh. There is no evidence for him in the Register, but

he was the eldest son. He and his family will be left for a later stage. He died 19 May, 1762, leaving an only son, Robert, printer in Edinburgh, who died 17 March, 1775.

2. Robert, baptised at Hartbush (Robert Mundel his son Robert), 14 July, 1724, being then 11 months old. He was thus born in August, 1723. He died 27 April, 1787. The testament of Robert Mundell, late of the province of Maryland, sometime of the city of Glasgow, thereafter of the city of Edinburgh, where he resided forty days before his death, was given up by Alexander Mundell of Wallace Hall, his brother and sole executor under his will. Some of the clauses of his will are rather unusual and may be worth quotation. "Having the perfect use of my mental faculties (such as they are), instead of bequeathing my soul to God and my body to the earth, as I have seen done by others in writings of this nature, I leave the last to accident, being perfectly indifferent what becomes of my body when the breath is gone; my spirit I resign to Him who gave it." He constitutes Alexander Mundell his executor, who failing, his two sons and daughter, who are to pay to "my nephew," William Ferguson £40, and to each of his sisters £20 stg.; to Mrs Mundell, widow of my nephew, Robert Mundell of Edinburgh or his children £50; to "my sister," Janet Mundell £5 per annum of annuity; and an annuity of £3 to Robert Lauder, son of my sister, Rebecca, for life, which, with the pension he has already seems sufficient for one in his situation. "All this on the supposition that I leave £550."

"If I die at home, my funeral is to be at the smallest expense common decency will admit; mournings a black ribbon or scarf or some such trifle for a week or so."

3. Alexander, the youngest son, was the master of Wallace Hall who made that academy famous through the length and breadth of Scotland. He died there 21 Nov., 1791.

He, "Robert Mundell in Kirkmichael his son Alexander," was baptised at Hartbush 30 June, 1729 (born 12 Jany., 1729), by Mr MacMillan, as in all the other cases.

His marriage and succession will be reserved for a later place.

4. Janet, evidently the eldest child, is mentioned in her brother Robert's will. She, "Robert Mundell in Dalrusken his eldest daughter, Janet," was baptized 2 Jany., 1709, at Glenmade, which, we know, was the house of Luke and Francis Fraser. From the mention of her in her brother Robert's will it may be surmised that she remained unmarried.

5. Rebecca was baptized 5 Feb., 1711, being then 7 months old. She would be born in July, 1710. That she married and had a son Robert Lauder may be inferred from the reference to her in her brother Robert's testament.

6. Margaret, as is learned from one of the tombstones in Tinwald, was born 25 Dec., 1717, and died 3 May, 1776. Her baptism does not appear in the Register; but there is a note that "the names of several children baptized about this time (1717-18) at Hartbush and . . . are insert already by Mr Hugh Clark, so it is superfluous to set them down again." Her husband, James Carruthers, who died 30 June, 1785, aged 67, is interred in the same place.

7. The testament of Robert suggests that another sister married and had a son William Ferguson and some daughters.

Robert Mundell in Kirkmichael in a deed of 7 Mar., 1758, makes mention of Elizabeth Murray his (second) spouse to whom he provides liferent. From their marriage contract of 31 March, 1738, it is known that she was widow of William Rogerson in Lochbrow, of the family from which came Dr. John Rogerson. He and his relation, Dr. James Mounsey, were famous physicians at the Russian Court. (Dumfries Sheriff Court Deeds.)

We shall now return to Nos. 1 and 3 of this (the third) generation of Mundells. They were persons of national importance, as we shall see, and merit longer notices than those contained in *Ramage Drumlanrig and the Douglasses* (pp. 188 and 278).

JAMES MUNDELL (died 1762), teacher in Edinburgh.

Ramage says he was grand-uncle of Dr. Robert Mundell, rector of Wallace Hall, but he was uncle, being a brother of Alexander Mundell, father and predecessor of Dr. Robert. Ramage also calls him LL.D., but there is no authority for this; finally Ramage has him "Professor of Humanity in the University of Edinburgh." He was merely a teacher of Humanity in Edinburgh; that is to say he kept a private school in which was given an education based upon Latin. It was in the West Bow, a street that has now been removed.

James Mundell's scholars were drawn from the most distinguished families of Edinburgh who resided in the neighbourhood of the Lawnmarket; in this respect the site of his school seems to have been more advantageous than that of the High School of the city, which stood near the Infirmary and so a good distance from the fashionable quarter. That his scholars preserved a high opinion of their old schoolmaster is shown by the fact that for many years after his death they met together to celebrate his memory. "At these social meetings," says Kay (*Portraits* 1, 298), "the parties lived their boyish days over again, and each was addressed in the familiar manner and by the juvenile *soubriquet* which he bore when one of the *schule laddies*. Any deviation from these rules was punished by a fine." Kay enumerates the Earl of Buchan, three judges of the Court of Session (Lords Hermand, Polkemmet, and Balmuto) and Dr. Andrew Hunter among Mundell's scholars (Of these the first, third, and fifth are confirmed by the list which will be mentioned presently.)

Kay's statement as to an annual celebration has been confirmed by the discovery, in the Library of the University of Glasgow, of what may be called the official list of members of the club of Mundell's scholars. It bears to be printed by Mundell and Wilson, 1789, and the paper is tinted light blue. The date was not that of the origin of the club, for, on the second page a notice is printed: "Edinburgh, 31st January, 1789, the annual meeting is now appointed to be

held the last Saturday of January." There follows a list of "scholars educated by the late Mr James Mundell." There are 568 boys arranged in order of years from 1735 to 1762, and 94 "female scholars" without mention of years.

Mundell's can only have been a small school, probably manned by himself and an usher. We do know that his usher was Alexander, his young brother, until the latter went in 1750 to be master of Wallace Hall. It is quite likely that the school, although competing in a way with the High School, was not purely a Latin school, and the presence of some 94 girls suggests this opinion. Wallace Hall was an academy apparently from the beginning of Alexander's tenure at least, and he may have copied a model which he found in the school of James at Edinburgh. An academy, we may here say briefly, was a school which taught other subjects besides Latin, such as English, arithmetic, geography, book-keeping, mathematics, and French.

The list of 661 pupils who passed through James Mundell's hands is an impressive one. It includes members of the noble houses of Buchan, Bute, and Stair; the sons of Principal William Robertson, the historian; of Professor Alexander Monro, *primus*; many boys who rose to be judges, advocates, and writers to the signet. Most curious of all, the infamous Deacon William Brodie was there, and the famous Ilay Campbell, who, as lord advocate, conducted the prosecution against him for breaking the Excise Office in Edinburgh. The most valuable scholar for preserving the memory of Mundell's school was James Boswell, the biographer of Johnson. Born in 1740, he appears in Mundell's register under the year 1746, so that he entered at the age of six. It is a usual age, and this shows that Mundell took scholars to learn their letters in contrast with the High School, which only provided for boys who were ready to begin the study of Latin, that is to say, about the age of eight.

James Mundell, whose scholars kept his memory green, married Agnes Bennet, daughter of (blank) Bennet, brewer, and in her right was admitted a burghess of Edinburgh 16 July, 1740. He was soon in possession of enough means to

enable him to acquire from John Pasley the lands of Over Auldgirth. The sasine (of the 3 m.l.s. of Auldgirth) was recorded 28 April, 1752,³⁴ in favour of himself and his only son, Robert. (It may be worth mentioning that the seller was son of the minister of Morton who is mentioned in Part II.)

Robert, this son, became a printer in Edinburgh (Brodie's Close, Lawnmarket), but he died at an early age, 17 March, 1775. His widow, Catherine Anderson, can only have been 38 years old at the time. She was the eldest daughter of Alexander Anderson of Cleugh by his wife, Beatrix Wright. She was thus a cousin of Dr. James Anderson (LL.D.), proprietor of the *Bee*³⁵ (see later). Mrs Mundell survived her son and carried on the business of printer; she died at St. Ann's Lodge 9 Nov., 1820, at the age of 83. She was therefore born about 1737. Besides two sons, James and Alexander, who will be dealt with presently, there were two daughters, Beatrix and another:

1. James Mundell was probably the older, seeing that he followed the paternal trade of a printer. The firm was sometimes known as Mundell & Wilson; later as Mundell, Son & Co.; their address was Back Stairs 1786 to 1790, and Heron's Court 1794-6. In 1791 the three large presses of Mrs Mundell became a nuisance to John Dundas, clerk to the signet, who was her neighbour in the Back Stairs leading from the Parliament Close to the vennel called the Kirkheugh. In answer to the complaint it was pointed out that Ruddiman, the late printer, had carried on business only five yards away from the Mundells' printing house; that Mr Lezars, the engraver, was just on the other side of complainer's gable; that fashionable dwellers had mostly moved away; and, finally, that Mrs Mundell had often lived underneath her own printing presses without injury, even in childhood.

³⁴ *Reg. Part. Sas.*, Dumfries.

³⁵ Dr Anderson was the second son of James Anderson of Cobbinshaw, by his wife, Margaret, daughter of James Reid of Ratho. Information from Mr James Seton-Anderson, Maxwelltown, his great-great-grandson.

All readers of the *Letters of Robert Burns* know that on 1 Nov., 1790, Burns sent to Dr. James Anderson the names of eleven subscribers to a new weekly called *The Bee*. It was to be printed by Mundell & Sons. The first number appeared 22 Dec., 1790, and the second was due on the 12th January following. On the 7th Anderson wrote to the printer, Mundell: "Dear James, You are now a week late with *The Bee*. . . ." James pleaded among other circumstances the dissipation of the "daft days" (when his men did not work). This did not satisfy Anderson, who ordered Mundell to print a note on the cover of the second number, stating that the work would be discontinued owing to the inability of the printers to execute it within the time allowed. In vain did Mundell beg Anderson to withdraw this advertisement, and in Nov., 1792, Mundell raised an action against Anderson for breach of contract. It is clear that at this time the firm consisted of Mrs Mundell and her son James. After her husband's death Mrs Mundell had taken as a partner one Wilson (probably Robert Wilson, who married in 1759 and again in 1768). Wilson became bankrupt and absconded, and it was then that she took her son as partner.³⁶

James Mundell must have had a good reputation as a printer; it is, at least, a remarkable fact that he was in 1795 appointed printer to the University of Glasgow for three years. In 1798 his appointment was renewed; but, as already seen, he died before the expiry of the second three years.³⁷ He died at Edinburgh 22 Aug., 1800. Readers of the *Burns Chronicle* for 1938 will see in the Syme-Cunningham Correspondence references (pp. 42-44) to Mundell and to "Mundell's brother, who is a solicitor in London." (For him see Alexander, later.)

As to his successors I have no information, except that in the directory of 1833-34 John Mundell was in business as an artists' colourman and fancy stationer at 60 Princes Street.

³⁶ Law Papers in the Signet Library, Edinburgh—by courtesy of the Librarian.

³⁷ M'Lehose, *Printers to the University of Glasgow*.

2. Alexander Mundell, solicitor in London, being described by Syme as Mundell's brother, ought, one would think, to be the younger brother. He died 19 March, 1837, in his 70th year (says the *Scotsman*), and he was born 3 Feb., 1768. He was a voluminous writer of brochures dealing with branches of political science. I have a note of eleven titles of such publications dating from 1825 to 1834. In most of them he betrays a Scottish bias; and in the last of them, *The Philosophy of Legislation, an essay*, he gives some little account of himself. "If you ask me what qualifications I bring to the execution of a task which has not before been attempted, I answer that I received the education of a Writer to the Signet in Scotland and I am still a member of that Society; but since I arrived at manhood I have been employed in conducting private bills in Parliament. . . ."

The date of his admission as Writer to the Signet was 8 July, 1790. He married Susanna, second daughter of Samuel Champneys of Bradmire, Hertfordshire. Born 19 Oct., 1778, she died 16 Aug., 1846. He died 19 March, 1837, at Great George Street, Westminster, from which house he dated one of his books in 1825. The birth of a son was announced in 1818, at the address, Parliament Street, London.

One son, William Adam Mundell of the Middle Temple, barrister, Q.C., 1866, produced in 1848 *A digest of criminal statutes*, and in 1857 *A Letter to Lord Campbell proposing alterations in the holding of assizes*, the latter bearing the imprint Leicester.

His eldest daughter, Anne Augusta, was married 23 Feb., 1819, to Thomas Broadwood, of Juniper Hall, Surrey. He was the famous maker of pianos. His second daughter, Catherine Jane, was married 3 Nov., 1823, at St. Margaret's, Westminster, to John, youngest son of Thomas Jervis of Old Palace Yard, one of H.M. Counsel. In both cases the address of the father is Parliament Street.

Alexander, the solicitor in London, gave some small assistance to the committee which raised some funds on

behalf of the widow and family of Burns in 1796. In the year 1806 Sir Walter Scott became impatient to secure a patent as clerk of session in succession to old George Home (one of Mundell's scholars), and under date 25 Jan., 1806, wrote to George Ellis: "I have written to my solicitor, Alexander Mundell, Fludyer Street, to use every despatch in hurrying through the commission." There were very good reasons why Scott should be acquainted with the whole Mundell family, as we shall see later. But he may have made a mistake in writing *Fludyer Street*. He had another correspondent at that address.

To the kindness of Mr James Seton-Anderson I am indebted for the following list of the family of Alexander Mundell, the solicitor in London:

1. Robert Champneys, born 1798, and educated at Westminster School. He married Mary, daughter of Joseph Cumberlege, H.E.I.C.S. He died 1853 or 4. She died 1883.
 2. Anne Augusta, born 1800, died 1845, married Thomas Broadwood, of Mickleham, Surrey, and had issue. (See Burke's L.G.)
 3. Isabella Susanna, born 1802, married 24th September, 1825, Bulstrode Whitelock Cumberlege, Major-General, Madras Cavalry, and had issue.
 4. Beatrice Haig, born 1803, died 1843, married Forbes M'Neill, of Colonsay.
 5. John Joseph, born 1805, Proctor Doctors' Commons, married Elizabeth Matthews. He died 1856.
 6. Camilla Windus, born 1807, died 1864, married George Aitcheson, of Drummore.
 7. Walter Garcia, born 1808, died 1827, educated at Westminster School.
 8. Lennox Alexander, born 1810, was in the merchant service. Died, unmarried, at Singapore, 1833.
 9. Maria Mackenzie, born 1812, died, unmarried, aged 80.
 10. William Adam, born 1815, a noted Q.C., died, unmarried, 1875.
 11. Thomas, born 1817, died when ten days old.
 12. Hugh Innes, born 1818, H.E.I.C.S., Madras, died, unmarried, 1839.
 13. Catherine, married Sir John Jervis, M.P. for Chester, Lord Chief Justice of Common Pleas. Died 1886.
- All of the sons died without male issue.

ALEXANDER MUNDELL (died 1791), master of Wallace Hall.

He was, as already explained, the youngest of the sons of Robert Mundell in Dalrusken, afterwards in Kirkmichael, and younger brother of James, the teacher in Edinburgh, and of Robert from Maryland. Mr MacMillan's entry of his baptism runs thus: "At Hartbush, June 30, 1729, baptized Robert Mundel in Kirkmichael his son Alexander (born), January 12, 1729." In other words he was five months old at the time of his baptism. He died 21 Nov., 1791. It is unlikely that the careful inscription on the tombstone and the date "XI Calendarum Decembris" is wrong; but in the *Scots Magazine* and *The Gentleman's Magazine* the announcement reads: "Suddenly on the 29th Nov. . . . rector of the academy at Closeburn." A ledger is extant on which we trace his hand to the 21st and the accounts are balanced to the 22nd November, as if this was the day on which his successor and son, Dr. Robert Mundell, took over. "Struck down with apoplexy," says Ramage.

He had been appointed master of Wallace Hall 26 Feb., 1750, and he organised it on the lines of an "academy." It was probably the first academy in Scotland in point of time, and he made it probably the first academy in reputation in Scotland, though a very small one. I do not undertake to deal here with the names of the boarders whose accounts appear in the ledger; but some outstanding facts may be noted. The ledger deals with the period 1781 to 1791, and there are in all 91 boys. These are drawn from the aristocratic, landed, professional, and merchant classes from all parts of Scotland as far north as Sutherland. A large proportion come from Morayshire and that quarter, from Aberdeenshire, Kincardine, and Forfar, from Fife, Edinburgh, Glasgow, and Ayrshire; only a small number are drawn from Dumfries and Galloway. From another source it is known that the two immediately older brothers of Sir Walter Scott were there, and it may be conjectured that the school only failed to have Walter as well because of the delicate state of his health at the time he was due to go to school.

“Mrs Susanna Mundell, relict of Mr Alexander Mundell, late master of the school of Closeburn, died 23 July, 1807, at Wallace Hall.” That she was somehow a granddaughter of Mr John Hepburn, the famous minister of Urr, was known as the explanation of Alexander Mundell’s possession of the sword and drum of that militant cleric. But her maiden surname was unsuspected till it was found on the tombstone and her parentage was communicated to me by an American, another descendant of Mr Hepburn.³⁸ She was a daughter of Thomas Hepburn, chirurgion in Shaws of Closeburn (now Shawsholm), one of the sons of the minister of Urr.

The inscriptions for these spouses run as follows :

“Alexander Mundell, the distinguished head of the school of Closeburn, who, widely famed for his knowledge of letters and all good arts, discharged his duties with the utmost diligence and the highest praise for 41 years, and after a life ever truly Christian to friends, relations and scholars, died in his 74th year 21 Nov., 1791.

Also Susanna Hepburn, his dear spouse, buried in the same grave, no less endowed, having done her duty with all diligence and praise, died in her 77th year, 23 July, 1807.”

Two sons and a daughter are known by name from the Ledger, and “two sons and a daughter” are referred to in the testament of their uncle Robert, from Maryland. These were as under :

1. Robert Mundell, LL.D., who succeeded his father in Wallace Hall.

2. Thomas. “My son Thomas” is once referred to in the Ledger as the recipient of a small payment on behalf of a boy Murdoch, who came from Glasgow. The date is 6 Dec., 1783. “Tam Mundell” left for America (Maryland) about 27 Feb., 1784, “in the same employ as his

³⁸ Mr William H(epburn) Buckler, 1 Bardwell Road, Oxford; his connection with the family of Hepburn was very opportunely made known to me by Dr William Macmillan of Dunfermline, author of *Hepburn and the Hebronites*.

uncle was in." This uncle, also " Tam " (Hepburn), was another son of the surgeon and was great-grandfather of my obliging correspondent.

3. Margaret. " Miss Mundell " is mentioned once or twice in the Ledger, without Christian name. She must be " Mrs Margaret Mundell, relict of the late Mr Thomas Williamson, Dumfries," who died at Portobello 20 July, 1830. Two reasons for this identification may be advanced. Thomas Williamson was cautioner for the testament of Alexander Mundell, master of the school of Closeburn, and he lies buried in the family burial ground in Tinwald. " A man of the highest respectability in his profession and particularly distinguished for his strict integrity and steady friendship," he died 12th August, 1810, in the 50th year of his age.

Thomas Williamson and Margaret Mundell had an only son, David, born in 1805. He was a Writer to the Signet, and he died unmarried 21 July, 1843.

ROBERT MUNDELL, LL.D., Rector of Wallace Hall.

When Alexander Mundell died he contrived to leave only £5 of estate, " part of £500 contained in a promissory note by Mansfield, Ramsay and Co., dated 1st October last." Presumably the rest belonged to Dr. Robert, and he set about building an ample boarding house which still gives good service. It was completed in 1795, as the inscription over the door testifies. It cost £1700, and the expense was partly financed by Harkness of Mitchellslacks.

An obelisk in Tinwald is devoted to him and his spouse. On the front there is a long inscription in Latin. On the side an English one states that he died 5 May, 1842, aged 83. He was thus born in 1759. His spouse, Marion M'Millan, died 1 Feb., 1852, aged 71. She was thus born in 1781, and was much younger than her husband. There seem to have been no children.

Robert Mundell graduated M.A. at Edinburgh 6 April, 1779, and his thesis, delivered on that date, was printed in that year. It is in Latin, and the subject is " Visual Per-

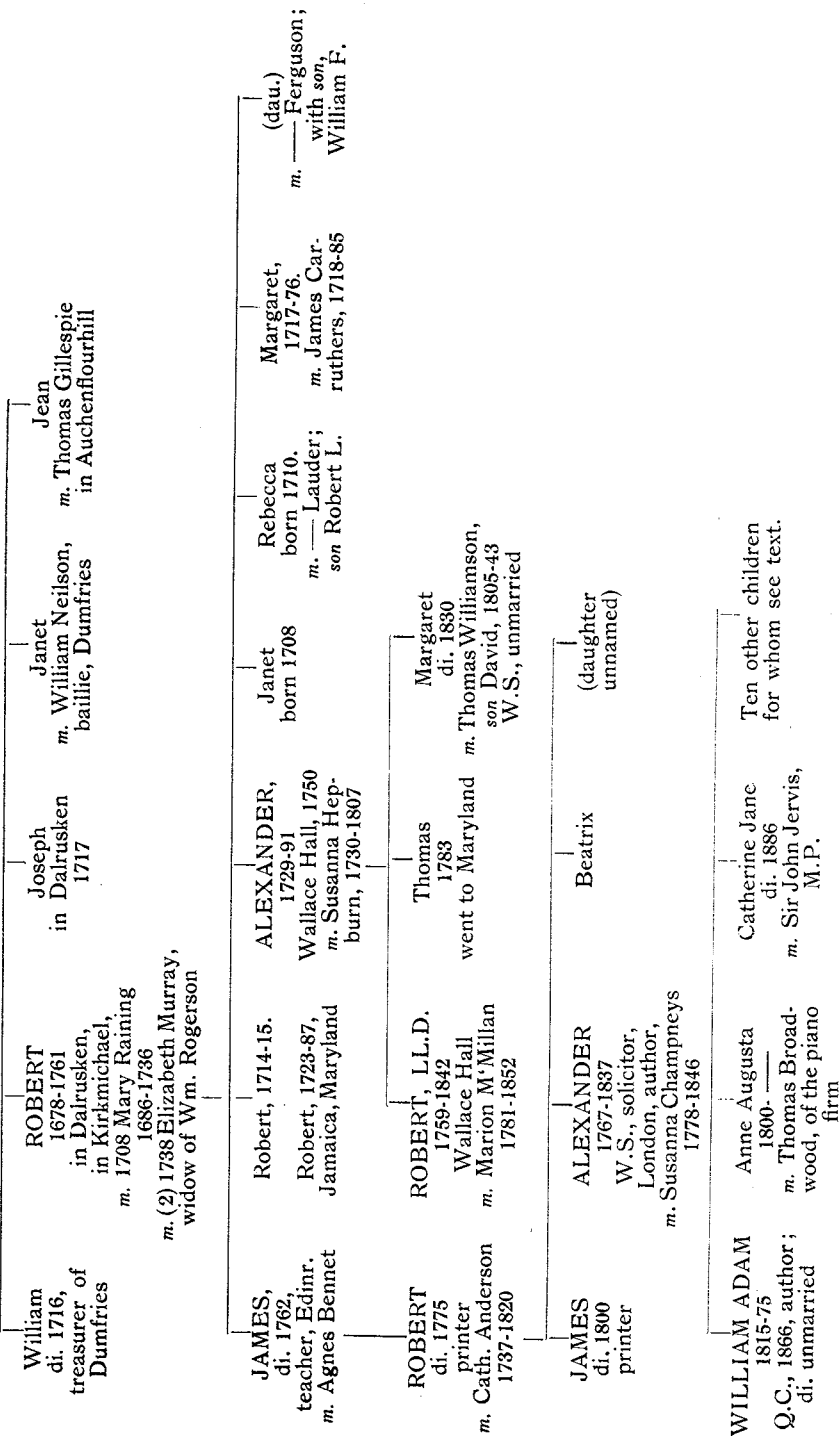
ception" (*De Acquisitis Perceptionibus Visus*).³⁹ On the third page there is a dedication to Alexander Fergusson of Craigdarroch in gratitude for his kindness and benevolence. He was afterwards the hero of the contest for the Whistle, and three of his sons were at Wallace Hall before and after 1781. James, the eldest of the three, was the subject of the fine *Lament* written by the poet Burns.

Marion M'Millan, his spouse, was the daughter of William M'Millan of Polbae, writer in Newton-Stewart, to whom she and her four sisters were served heirs in 1836. One of her sisters, Ann, was married to Robert Adamson, writer in Dumfries, whose firm, Adamson & Symons, have long been agents for the Wallace Hall Trust. At Mrs Mundell's death her heirs were Mrs Ann Adamson, Mrs Margaret M'Connell (her sisters), and a nephew in Montreal called William M'Millan Black. Writing in 1876, Dr. Ramage said: "I do not know of any relatives of the Mundell family in this part of the world." It still appears to be the case that no descendants *in the male line* of any of the Mundells mentioned in this paper have survived here. (It is always possible that Tom Mundell may have left some of his surname in America.)

Some further information about the Mundells will be found in a paper which I am preparing on the *Family of Mr John Hepburn of Urr*.

**PEDIGREE OF THE MUNDELLS OF WALLACE HALL AND
EDINBURGH, SCHOOLMASTERS.**

JAMES MUNDELL of Dalrusken, 1637-92.



Rainfall Records for the South-Western Counties for the Year 1938.

SUPPLIED BY THE METEOROLOGICAL OFFICE, EDINBURGH.

	Jan.	Feb.	Mar.	Apr.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	TOTAL.
DUMFRIESSHIRE.													
Ruthwell (Comlongon Castle) ..	4.32	1.63	1.61	.24	8.71	3.59	4.90	1.90	2.29	5.82	5.35	2.75	38.11
Mouswald (Tonhirs Moss) ..	5.90	2.59	2.45	.31	4.10	4.50	6.06	1.58	3.13	7.02	7.80	3.47	48.91
Dunrires (Crichton Royal Inst.) ..	4.97	1.89	1.91	.29	4.22	4.80	5.13	1.87	3.68	6.96	8.66	3.85	47.93
Dunscore (Speddloch) ..	7.56	3.11	2.84	.34	5.27	6.82	5.92	1.94	4.55	8.97	11.33	4.81	63.49
Blackwood ..	6.39	3.62	2.63	.45	5.43	6.19	6.17	1.84	4.63	8.77	10.54	4.90	62.13
Monkave (Glencrosh) ..	7.33	3.52	2.18	.68	5.60	6.62	7.71	2.04	5.79	10.07	9.82	5.05	67.37
Maxwellton House ..	9.13	3.06	2.62	.54	4.77	5.44	6.50	1.99	4.25	8.41	9.79	4.87	59.17
Darisdale (Dumfriesshire) ..	3.70	3.60	2.15	.59	5.31	5.33	6.98	2.08	5.50	10.29	9.92	5.04	66.59
Eastriggs (Dornock House) ..	9.24	1.94	1.83	.26	3.47	3.82	5.58	2.24	2.74	6.27	5.69	2.31	38.31
Dalton (Whitcroft) ..	5.39	2.19	2.42	.30	4.50	3.95	7.33	2.40	3.33	7.42	7.98	3.06	51.41
Moffat (Kirkwood) ..	11.43	2.19	2.42	.39	4.34	5.19	7.50	3.06	3.65	7.11	7.86	3.16	52.56
" (Huntly Lodge) ..	8.67	3.39	3.15	.42	5.37	4.58	6.88	2.97	4.40	10.46	13.51	5.05	78.72
Evan Water School ..	10.40	3.82	3.52	.66	6.09	7.53	5.88	2.92	3.38	8.37	11.20	4.32	66.19
Eaglesfield (Springkell Gardens) ..	4.55	1.84	2.44	.36	4.34	5.32	3.86	1.96	4.33	9.66	10.40	4.71	69.58
Canonbie (Irvine House) ..	5.84	2.23	2.83	.67	4.31	5.77	6.94	1.85	3.63	7.50	6.37	3.32	47.11
Langholm (Ewes) ..	7.86	2.96	3.41	.68	4.50	3.25	7.25	2.85	3.21	10.82	12.57	4.42	70.60
Eskdalemuir Observatory ..	9.51	4.23	3.83	.91	6.19	3.31	8.87	3.02	4.89	11.46	11.42	4.49	78.13

(These data should be taken as provisional)

130 RAINFALL RECORDS FOR THE SOUTH-WESTERN COUNTIES

	Jan.	Feb.	Mar.	Apr.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	TOTAL
KIRKCUDBRIGHTSHIRE.													
Rigg of Millmore	11.66	4.92	4.98	1.72	6.75	10.15	10.21	8.88	8.57	16.51	14.00	7.00	100.35
Borge (Corseyard)	5.31	1.06	1.08	.90	4.08	4.30	4.34	2.59	4.83	6.28	4.25	3.21	42.07
Threave	6.19	2.71	2.83	.47	6.48	6.90	7.77	2.57	4.51	9.66	9.98	5.12	65.47
Mossdale (Hensoll)	7.37	3.36	3.53	.47	6.08	7.18	6.93	3.31	7.75	9.06	11.21	4.70	68.47
Dalry (Barney Water)	9.03	3.66	3.01	.61	6.08	5.29	7.18	2.65	7.75	12.09	12.97	5.45	77.25
Dalry (Garroch)	10.76	4.90	4.19	.93	5.73	7.74	5.98	2.79	6.08	12.25	13.88	5.69	82.25
" (Glendarroch)	8.39	3.92	2.81	.92	4.81	6.33	5.88	2.16	4.92	9.42	10.60	5.14	65.08
" (Forrest Lodge)	11.92	5.78	4.23	.93	7.03	8.72	6.80	2.27	6.97	14.37	15.24	6.64	91.19
Carsphairn (Shiel)	11.10	5.36	4.49	.86	5.63	6.21	6.30	2.99	6.75	13.97	13.24	6.69	86.52
" (Knockgray)	9.63	5.00	3.56	.63	5.13	6.71	5.82	2.77	5.22	11.12	11.06	5.27	71.56
Auchencairn (Torr House)	5.91	2.25	2.53	.44	6.10	6.75	5.82	3.40	4.52	9.46	10.15	4.37	64.10
Dalbeattie (Drumstinchall)	5.53	2.36	3.01	.37	6.07	7.25	7.50	2.40	5.08	9.86	9.38	4.37	60.81
Chipperville	5.83	2.43	3.07	.43	6.20	6.35	6.17	2.63	5.24	9.07	9.06	4.33	60.63
Lochnruton (Dumfries W. W.)	6.69	2.69	2.82	.49	5.29	5.65	6.69	2.44	5.05	8.73	9.76	4.33	60.63
Carruchan	5.86	2.41	2.28	.41	4.81	4.86	5.50	1.94	3.98	7.40	9.24	3.72	52.06
WIGTOWNSHIRE.													
Castle Kennedy (Lochinch)	5.74	2.79	1.31	.62	3.72	5.13	5.49	4.34	4.53	8.79	6.06	5.02	53.54
Logan House	4.75	2.15	.91	.43	2.93	3.67	4.73	2.53	3.28	6.56	4.38	4.40	41.37
Corsewall	4.31	1.87	1.21	.53	2.62	3.90	4.50	2.58	3.08	5.93	4.58	4.30	40.62
Whithorn (Physegill)	4.34	1.83	1.17	.47	2.52	4.30	4.71	2.16	4.11	5.62	4.31	4.31	43.93
Port William (Monreith)	4.55	1.95	1.32	.60	3.39	4.33	4.61	2.40	4.03	7.81	6.06	4.53	46.91
Stoneykirk (Ardwell House)	4.72	2.04	1.11	.26	3.51	4.14	5.25	2.40	4.72	7.67	6.73	3.99	47.13
New Luce (Public School)	4.93	2.24	.99	.39	2.90	3.81	4.71	2.59	3.32	7.09	5.32	4.27	43.08
Garlston (Galloway House)	6.21	2.94	1.32	.69	3.56	4.87	5.87	2.72	3.85	9.13	6.74	4.73	52.40
Kirkcovan (Culderry)	5.14	1.81	1.47	.57	3.98	4.46	4.92	2.98	3.81	7.15	6.24	3.18	50.93
Kirkcovan (Craiglaw)	5.77	2.34	1.60	.51	4.37	4.63	5.40	3.15	3.92	7.81	7.58	4.14	61.06
Newton-Stewart (Little Barraer)	6.84	3.30	1.60	.81	3.74	4.73	6.25	3.51	4.43	11.96	7.66	6.24	67.00
" (Dunoree)	5.63	3.17	1.47	.67	3.86	5.32	6.05	3.69	5.32	8.04	7.17	6.05	57.00
"	5.49	2.89	1.59	.68	4.07	4.52	5.37	2.91	4.61	8.66	7.23	4.56	52.58

(These data should be taken as provisional).

ABSTRACT OF ACCOUNTS

For Year ending 30th September, 1938-39

GENERAL ACCOUNT.

RECEIPTS.

Balance on hand at beginning of year	£40	14	4
Members' Subscriptions, including Arrears	96	15	6
Interest from Investments	8	1	0
	£145 10 10		

PAYMENTS.

Rent and Insurances	£13	6	0
Printing, Stationery, and Advertising	16	8	4
Deficiency of Excursions	0	3	6
Miscellaneous Expenses	13	6	4
Deficiency transferred from Publication Account	43	15	8
Balance on hand at end of year—			
In Bank on Current Account	58	11	0
	£145 10 10		

PUBLICATION ACCOUNT.

RECEIPTS.

Balance on hand at beginning of year	£83	8	0
Interest from Investments	3	8	6
Donations	14	0	6
Deficiency transferred to General Account	43	15	8
	£144 12 8		

PAYMENTS.

Printing of "Transactions" for Year 1935-36	£60	0	0
Balance on hand at end of year—			
Consolidated Stock	£50	0	0
In Savings Bank	34	12	8
	84 12 8		
	£144 12 8		

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

CAPITAL ACCOUNT.

RECEIPTS.

Balance on hand at beginning of year	£364 18 1
Savings Bank Interest	5 9 2
Life Member's Subscription	7 7 0
	<hr/>
	£377 14 3

PAYMENTS.

Balance on hand at end of year—	
War Stock	£218 10 0
Savings Bank	151 17 3
In Bank on Current Account	7 7 0
	<hr/>
	£377 14 3

NEW MEMBERS, 1938-40

Life Member.

The Earl of Mansfield 18/11/38

Ordinary Members.

Adamson, David, Doon Home Nursery, Maxwelltown ... 16/12/38
 Adamson, Mrs, Doon Home Nursery, Maxwelltown 16/12/38
 Anderson, R. G., G.P.O., Dumfries 18/11/38
 Davidson, Dr. James, 41 Brampton Grove, Hendon ... 18/11/38
 Davidson, Dr., Kilneiss, Moniaive 16/12/38
 Cruickshank, W., County Buildings 16/12/38
 Laidlaw, A. G., 82 High Street, Lockerbie 6/1/39
 Laurence, D. W., St. Albans, Maxwelltown 6/1/39
 Gibson, J. A., Elliceville, Dumfries 24/2/39
 Marks, S., Ewart Library, Dumfries 17/3/39

PRESENTATIONS

January 6th, 1939.—Dumfries Burgess Ticket in favour of Simon Fraser, supervisor of taxes, dated 25th July, 1761. By Mrs Stokes.

April 28th, 1939.—Note Book of late Sir Philip Hamilton Grierson relating to Acta Dominorum, 1500-1535. By his Son.

April 12th, 1940.—A China Jug which belonged to the late Provost Lennox and formed part of the regalia of the Seven Incorporated Trades of Dumfries, bearing the inscriptions, "God keep the King and the Craft" and also "Seven Incorporations of Dumfries." By Mr R. C. Reid.

Two Bronze Tripod Pots found on Lochbank Farm, Lochmaben, by Messrs Carmichael, the tenants, in a whinny about 100 yards north of Woodie Castle site beside the old road leading from Lochmaben to Elshieshields. Presented by Messrs Carmichael.

A Ram's Horn Snuff Box, inscribed on the outside of the lid, "Society for the Encouragement of Agriculture at Dumfries, 1776," and on the inside of the lid, "Geo. Mackenzie of Netherwood, 1778—12 acres of fallow—Nithsdale." Presented anonymously, per Dr. Burnett.

April 26th, 1940.—Five Printed Processes, circa 1742, relating to the Maxwells of Orchardton and the Hamiltons of Baldoon. By Mr R. Henderson.

A Small Jar of Glazed Clay found in the foundations of the New Police Buildings, Dumfries. By Mr John.

A Stone, doubtfully described as an implement, found in a sand pit at Toll Bar, Lockerbie Road, about two miles from Dumfries. By Mr John.

EXHIBITS

November 18th, 1938.—A Flat Axe Head found on the shingle above Cluden Mill. By Mr J. G. Jeffs.

February 24th, 1939.—Replica of a pair of Dividers, the originals of which had been salvaged from a ship of the Armada sunk in Tobermory Bay. By Mr Robert Henderson.

A Picture of Paul Jones. By Mr Robert Henderson.

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

SESSION 1939—40

12th April, 1940.

Annual General Meeting.

Chairman—Mr R. C. REID, President.

The minutes of the last Annual General Meeting were read and confirmed.

In his remarks upon the secretary's report, the Chairman made the following reference to the recent death of Mr G. W. Shirley.

Mr Shirley.

With the passing of Mr G. W. Shirley this Society has lost one who may properly be described as its re-founder. Coming to the town in 1903 as the first Librarian of the Ewart Library, he was elected a member of the Society on 28th October, 1904. Two years later he gave us his first paper—*The Old Public Libraries in Dumfries*. At that period the Society was in low water. The subscription was only 5s, and for the most part the annual *Transactions*, though containing some valuable matter, were definitely behind the times both in format and contents. New blood, fresh ideas, different methods, and, above all, youthful drive, were required, and were forthcoming. Mr Shirley was to provide all these essentials. First, he became our Acting Librarian, for in those days (1907) we had an Honorary Librarian as well. In 1909 he became Honorary Librarian, and that year contributed the first index to any of our volumes. We have

never been without one since. Till then the Society had never recognised an official Editor of *Transactions*, that work being undertaken by Mr Samuel Arnott, the Secretary. But in 1910 he retired and the President also demitted office. The moment had arrived for youth and energy to revivify the Society. Mr Shirley became Honorary Secretary and Editor, whilst Mr H. S. Gladstone of Capenoch became President. It was partly to their happy co-operation, but mainly to the intense energy of Mr Shirley, that the Society was raised to its present status. At that time, though a member, I was in London and had no personal knowledge of the reorganisation and resurrection of the Society on which Mr Shirley was engaged, and so I have suggested to Mr Gladstone that he should deal with that period.

I have been asked by Mr R. C. Reid to write an appreciation of Mr Shirley's services as Secretary of the Dumfriesshire and Galloway Natural History and Antiquarian Society.

On 20th October, 1909, I was honoured by being elected President of the Society, and Mr Samuel Arnott was Secretary : the demands on Mr Arnott's time were very great (he later became Provost of Maxwelltown), and it was with general acceptance, and great expectations, that Mr G. W. Shirley was elected Secretary on 21st October, 1910.

These expectations were not disappointed, and Mr Shirley signalled his appointment as Secretary and Editor of our *Transactions* not only by raising the standard of the material published, but also by producing the *Transactions* up to date and with indexes.

References to the *Transactions* of any Society which are without an index may be truly likened to looking for a needle in a haystack : it is due to the initiative of Mr Shirley that our *Transactions* have been indexed since 1910 and have therefore become a workable mine of information instead of a dump of heterogeneous subjects.

When Mr Shirley took over his Secretarial duties our Society numbered some two hundred members ; at the cele-

bration of its fiftieth anniversary (20th November, 1912) it was announced that the membership was upwards of four hundred and ninety. This remarkable increase may, of course, have been due, in part, to the importance of the occasion, but it was attributable, in the main, to the activities of the secretary.

Furthermore, a new format to our annual *Transactions* was adopted, and they became the tall and comely volumes that we have to-day.

Our *Transactions*, which hitherto had not enjoyed a wide circulation, now came to be regarded as readily informative; and students in the various subjects dealt with by our Society found that they had here volumes of carefully edited matter which—above all—were indexed in such a way as to make the details of their contents readily accessible.

In those days of the Society so great was the flow of contributions that we had to make it a rule—a self-denying ordinance—that we would only publish *in extenso* such papers as dealt specifically with purely local subjects.

Eminent Scientists (if that is the correct term) were tempted—if not anxious—to lecture to the Society, and no papers were contributed which were more erudite and painstaking than those of the Secretary himself.

From 1914 to 1918 Mr Shirley was absent on War Service, and it would not be fair to omit to say that his wife carried on the affairs of the Society in his absence. During this period she received the assistance of various other members—notably Mr R. C. Reid—but it is my duty to record the personal services of Mr Shirley, who would have been the first to belittle all that he did and to acknowledge his gratitude to those who helped him in maintaining the welfare of our Society.

On the cessation of hostilities and Mr Shirley's return to Dumfries, he resumed his duties. His zest for antiquarian research was unabated, and his duties both as Secretary and Editor were carried on with the ardour of an enthusiast.

Many of our members could testify to the assistance readily given—often at the cost of considerable research—by Mr Shirley. I have reason personally to remember gratefully the help which he gave me in the preparation of all the papers which I contributed to our *Transactions*.

Towards the end of his life he was struck down by severe illness, but—though incapacitated to a degree which would have daunted most men, and in spite of suffering intense pain at times—he carried on doggedly in his official capacity as Librarian to the County of Dumfries.

On 18th October, 1929, he resigned from the Secretaryship of the Dumfriesshire and Galloway Natural History and Antiquarian Society, a position which he had held for twenty years. No other Secretary had held office for so long a period: *no other Secretary has ever done more for our Society*.

These ten words aptly sum up my appreciation of Mr Shirley's services.

It is not necessary for me to add many words to that appreciation. Mr Shirley was a man of reserved personal habits who wielded a succinct pen with graphic power. Endowed with the spirit of disinterested service to others, he gave freely and generously of his help and experience to others, and many successful researches owe their completion to missing clues provided by his industry. It was largely owing to his example and encouragement that I have been able to undertake the work I have for this Society. Possessed of a catholicity of taste, the outstanding features of his personality were courage, integrity of mind, clear reasoning powers, and a fine humanity. His last public appearance was at our joint meeting in the Museum with the Royal Archæological Institute of Great Britain, to which, in spite of illness, he was able to give a short address.

The high standard of our *Transactions* which he achieved and the scholarly quality and exactitude of his own contributions received unexpected recognition only the other day. The Scottish History Society was celebrating its fiftieth anniversary in Edinburgh, and one of the speakers at the

function, a Professor of London School of Economics, dwelling on the subject of the place of the local Society in Scottish history, said that he knew of no local Society in Scotland which maintained so high a standard as the Dumfriesshire and Galloway. I am glad to say I was able to convey this unsolicited appreciation from a stranger to Mr Shirley shortly before he passed away.

He has left a lot of papers, which, at the request of Mrs Shirley, I have been through prior to their lodgment at the Ewart Library. Much is fragmentary and incomplete, but some of the papers will surely appear in our future volumes. I have compiled an analysis of these MSS., as well as a Bibliography of his local Historical work.

BIBLIOGRAPHY OF G. W. SHIRLEY.

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 Addendum to Old Public Libraries D. and G., 1906-7—176
 Some Incidents in Troqueer (1690-1710) ... D. and G., 1909-10—138
 The Market Cross of Dumfries D. and G., 1910-11—201
 The English Raids on Dumfries, 1570 D. and G., 1910-11—217
 Letters of Horning directed against the
 Armstrongs, 1582 D. and G., 1910-11—298
 On the name Dumfries D. and G., 1911-12—231
 The End of the Greyfriars' Convent of
 Dumfries D. and G., 1912-13—303
 The Raid of Dumfries on Lammas Even,
 1508 D. and G., 1913-14—78
 A Unique Example of the National Cove-
 nant, 1638 D. and G., 1913-14—111
 Strathspey Fencibles at Dumfries, 1795.... D. and G., 1914-15—96
 Notes on the Topography of Dumfries ... D. and G., 1914-15—166
 Letters anent the Rebellion, 1745 D. and G., 1919-20—179
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 Century D. and G., 1920-21—58
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 Dumfries D. and G., 1923-24—160
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 Dumfries Printers in the 18th Century ... D. and G., 1931-33—129
 The Standing Stones of Torhouse D. and G., 1933-35—153
 Fragmentary Notices of the Burgh Schools of Dumfries D. and G., 1936-38—105
 Mr Peter Rae, Printer ... Glasgow Bibliographical Society, Vol. I.
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 Kirkbryde "Gallovidian Annual," 1926

II. LITERARY.

- June, 1932—Presidential Address to Scottish Library Association.
 June, 1933—Presidential Address to Scottish Library Association.
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 [No date] "An Advocates' or the Scottish National Library."
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 1910—"John Hyslop, the Postman Poet"—"The Gallovidian."
 1913—"Gilbert Malcolm Sproat; a Canadian Pioneer"—"The Gallovidian."
 1926—"The Mairtyrs Crown"; a Covenanting Episode in one Act—(Reprinted from "The Scots Magazine").
 "The Scotland of Robert Burns"; a Play.
 Nov., 1925—"The '45"; a Chronicle Play—Dumfries Guild of Players.

III. THE SHIRLEY MSS. AT THE EWART LIBRARY.

LITERARY.

- (1) Gleanings from "Dumfries Weekly Magazine"—Robert Fergusson's "Dumfries," "Fair Helen of Kirkconnell," and Low's "Mary's Dream."
- (2) Prisoners of War in Scotland, 1811-14.
- (3) Prince Charlie at Dumfries—a Play adapted for Broadcasting.
- (4) Books as a Responsibility.
- (5) Auchinleck and Boswell.
- (6) The Scottish Ballads—an Introduction.
- (7) The Royal Theatre, Dumfries.
- (8) Socialist Books and Socialist Theories.
- (9) Address to Guild of Players—undelivered.
- (10) On Beautifying Dumfries.
- (11) William Morris, 1834-96.
- (12) Professional Obstructions—an Address prepared for the Scottish Library Association, and Letter thereanent from Edgar Parsons.

- (13) Herr Rip von Winkle—a Topical Entertainment.
- (14) The Gentlest Art.
- (15) Making a Local Collection.
- (16) Children's Rhymes and Singing Games.
- (17) Ibsen's Social Dramas.
- (18) The Merchant of Venice.
- (19) The Place of the Public Library in the Community.
- (20) The Dramatic Movement in Scotland.
- (21) The Function of Prose Criticism.
- (22) Comrades of the Great War—Some Personal Reminiscences.
- (23) The Power behind the Capitalist.
- (24) Some Possible Effects of the War.
- (25) The Ultimate Aims of Socialism.
- (26) Prose Fiction in Public Libraries.

ANTIQUARIAN—

A—MSS. sufficiently advanced to be practically ready for publication—

- (1) The Common Lands of Dumfries and an Early Rental.
- (2) Notes on Auldgirth Bridge.
- (3) Highways and Byways about Dumfries.
- (4) Dumfriesshire Roads and Bridges.
- (5) Life in Dumfries in 16th Century.
- (6) Notes on the Placenames of Dumfries.
- (7) Titles to Burgh Lands in Troqueer.
- (8) Memoranda on Right-of-Way on the Nith.
- (9) Titles to Nith Fishings.
- (10) Brownhall and Districts.
- (11) Holywood—Historical Notes.
- (12) Some Sidelights on Lagg.
- (13) A Day in Dumfries.

B—

- (1) Extracts from Burgh Court Books *re* St. Michael's Church and Chapels of Dumfries. Six Notebooks—
1506—1537.
1521—1562.
1563—1572.
1572—1578.
And two others.
- (2) Notebook on Logan's Tenement.
- (3) Burgh Court Book, 1506—1507-8.
1516—1519. Apparently a Transcript.
- (4) Folder containing odd Antiquarian Notes.
- (5) Folder containing loose notes on Dumfries Schools.
- (6) Bundle of notes and pedigree drafts on the Biggar Family.

- (7) The Gracie Family—Correspondence notes and deeds.
- (8) Corsane Memoranda in folio notebook.
- (9) Volume of press cuttings of articles, etc., by Mr G. W. Shirley.
- (10) Parcel of Prints of Early Dumfries.

And Bound Volumes—

- (1) Miscellaneous.
- (2) Presbytery Records, 1647-53 and 1687-92.
- (3) Barjarg Records.

The President then proceeded to deliver his Presidential Address.

The Early Records of Kirkcudbright.

By R. C. REID.

In a recent paper in our *Transactions*¹ there was given a fairly detailed account of the Burgh Records of Dumfries. It related only to the loose papers and not to the bound and unbound volumes of registers of sasines, of Burgh Court Books and Town Council Minute Books.

The Royal Burgh of Kirkcudbright has no such heterogeneous mass of material as Dumfries. Whereas Dumfries loose papers filled some 60 sacks, the corresponding documents at Kirkcudbright can comfortably be fitted into a portmanteau. The task of arranging and calendaring them involved but little work, and was done as long ago as 1915. As the Calendar² is indexed, the searcher can complete his work in a few minutes. It is idle to speculate on the cause of this dearth of material. There is no record of any destruction. The material just does not exist. Nevertheless the few surviving documents, taken in conjunction with other sources, do enable the diligent worker to recover much of the history of the burgh and reconstruct its early burghal life. For instance, the Protocol Book of Thomas Anderson, commissary of Kirkcudbright (1562-76) and vicar of that burgh,³ survives at the Register House, and has been transcribed.⁴

¹ *D. and G. Trans.*, Vol. XX., p. 10.

² *Penes*, R. C. Reid.

³ *MS. Calendar*, No. 7.

⁴ Transcript, *penes*, R. C. Reid.

As he was also town clerk, his Protocol Book is a valuable secondary source of information. Another source which must not be overlooked is the Commissary Court Register of Robert Forrester, 1585-1588, a transcript of which, undertaken for this Society by Sir Philip Hamilton Grierson, was left half-finished at his death and is being now slowly completed by other hands.

But the main source of Kirkcudbright history must be its Burgh Court Books that developed into Town Council Minutes. Of these Kirkcudbright may well be proud, for they present a complete set from 1576 down to to-day. It is doubtful if many, or even any, of the douce burgesses of to-day are aware of their heritage. They were certainly oblivious of it in 1915 when I examined the large safe that held the volumes. Several of the early volumes showed signs of damp and decay. Such binding as they may once have had was tattered and frail. One volume was actually wet, its binding gone, and many of the pages glued together with moisture. It was impossible to separate the leaves for fear of disintegration. Through the kindly offices of the late Mr Gibson, then town clerk, representations were made to the Town Council, and I was allowed to take the volume to the Register House, where in the hands of experts it was dried, the leaves separated, and each mounted between sheets of transparent paper, and the whole strongly re-bound. Some of the other volumes may soon require similar treatment. Records of this class, unless cared for by modern methods, are perishable, and the surest immortality is publication. At the end of last century the Scottish Burgh Record Society did a lot of good publishing work, but after a dozen or so volumes it died more from dearth of workers than from lack of support. As long as the volumes related to Edinburgh, Glasgow, or Aberdeen any lack of subscribers could be made good at the expense of the ratepayers of those cities without affecting their rates. But small burghs had no such reserve to fall back on. So the records of Kirkcudbright and many other burghs slumbered in their strong rooms.

Since the demise of that society it has been left to private initiative to publish such records, of which Mr Beveridge's volumes on Dunfermline are a good example. But it has been left to the public spirit and munificence of the present Marquess of Bute to tackle the problem of publication in a lordly manner. These are characteristics which have been inherited by the Marquess from previous generations. One earlier Marquess took a great interest in historical architecture and at great expense did much exploratory excavation work, followed up by restoration, all over Scotland. Our district contains at least two examples of his handiwork. The extent and lay-out of the Cathedral Church of Whithorn was unknown till he excavated the east end and restored the crypt. Similarly the nature of the structure and the periods of building at Sanquhar Castle were largely speculative till he cleared out the site and restored the gateway and adjoining Tower. The present Marquess has improved on this example. He has followed up the complete restoration of the Old Place of Mochrum with an active campaign for the preservation of old houses, giving a public lead by the modernisation of ancient house property in Edinburgh which had been condemned on the so-called grounds of public health. So far he had followed the family tradition.

But in recent years he has broken new ground and has interested himself in the preservation of Public Records. This is a matter in which even the State itself is slow to act. But to the Marquess this was no deterrent. From the first he realised that preservation implied publication; so, not content with opening, pressing, mending, and caring for the Records, he launched forth into a comprehensive scheme of publication. His attention was first directed to Church Records, the Kirk Session Records of Wigtown and Penninghame being amongst his first volumes. Then, hearing of the deplorable state of some of our Sheriff Court Records, he set his skilled assistants to work at Kirkcudbright, of whose Sheriff Court Records one volume has appeared. Whilst his workers were engaged there, his Lordship investigated the Burgh Records and decided to

publish the earliest of Kirkcudbright's Burgh Court Books. The result is a noble volume conform to the rest of the series, bound in vellum, and printed in beautiful clear type by Oliver & Boyd, of Edinburgh. To one who has been accustomed to struggle with the crabbed and minute script, the seemingly meaningless abbreviations and faded condition of the original Court Books, this sumptuous volume is greeted with a thankful relief. The MS. has been transcribed by two young ladies who till recently were regarded as most promising Record students. Miss M. B. Johnston and Miss C. M. Armet are to be congratulated on a very fine piece of work, painstaking, careful, and scholarly. The early expectations have matured, the promise has been fulfilled. To one who has covered, in part at least, the same ground, it is of interest to notice their hesitation over a doubtful reading, their puzzlement with the same passages as puzzled oneself; and it is with a feeling of genuine self-satisfaction to find them recording the same reading as oneself. Only two criticisms can be made of their work. In early Scottish script a *ll* was written as a *w*—they were indistinguishable. One has always to pause and calculate which the scribe meant. Now in Kirkcudbright there was a well-known family named Hall. The name occurs 253 times in this volume, of which 99 refer obviously to the same man. In the excellent index the name is given as Haw (Hall), yet in the text the name of the man of 99 references is given in the earlier part of the volume as Haw, and in the later part as either Hall or Haw. It would have been better if a decision had been arrived at as how to render the name, and adhered to throughout. This, of course, is only a criticism of form. It is in no sense a blemish. More questionable is the case of Schir Herbert Dun, described in Royal Letters of Legitimation (in Latin) as vicar of the Parish Church of Kirkcormack, but who in the appended translation is described as "minister." There is nothing to show that this stalwart of the Ancient Faith had ever embraced the New Religion.

A Burgh Court Book is the earliest form of continuous

record in a Scottish burgh. In a primitive society there was only room and need for one general record. These records, therefore, cover all the activities of the community. They incorporate the acts of the Council, later known as Town Council Minutes, as well as the decisions of the Court itself. Further, as the Court was what was known as a Court of Record, we find sasines, contracts, and memoranda registered in the volumes by act of the Council. The party concerned appeared with the instrument and desired it to be registered in the Burgh Court Books "in aventour the samin may be brint or tynt"—in case the same be burnt or lost (p. 22). For in those days, when the town clerk's house was his office and safes were unknown, documents easily went astray. In 1578 the two earliest surviving charters of the burgh and a sasine, now missing, had got into private hands, and were handed over to the Provost and Bailies by Edward Forester, burgess. How Forester had obtained possession is not recorded (p. 84), but the second in date of those charters (1509) was a Royal grant of the lands of Castlemains to Patrick Forester, then Provost of Kirkcudbright, and to the community.⁵ This suggests that the Provost had held the town's titles and after his death they had lain in his house forgotten for about sixty years. Yet though the burgh recovered its titles it did not occur to the Council to register them.

The bulk of this Burgh Court Book is composed of the decisions of the Court—as a Court of first instance—all the petty civil and criminal work which is now dealt with in the Burgh Courts under the Summary Jurisdiction Acts or in the Sheriff Courts. The work of the Court seems to have proceeded smoothly, and only once does the Bench seem patently to have erred in the case of the Service of Heirs of Jonet Lintoun (p. 163). The deceased lady owned considerable property in the burgh, which was claimed by both of her brothers, each of whom was represented by three procurators or agents. A curious feature of the case is that

⁵ See *R.M.S.*, 1424/1513, 3425, and *Calendar*, No. 2.

two of these procurators—Thomas M'Clellane in Galtway, and Mr Richard Balfour, rector of Kirkcrist—both represented each claimant. One almost wishes that a shorthand note of their pleadings had been preserved. The consequent confusion in the mind of the Bench is apparent from the decision which solemnly found each brother in turn to be the *only* lawful heir to Jonet. I can only suggest as an explanation that this finding was deliberately adopted to ensure that the case was carried to some higher tribunal.

The Court seems to have stood no nonsense from litigants or counsel, and in 1601 Alexander Lennox, younger, was fined 10 merks for “perturbing the court be vane speiches” (p. 401).

Unnecessary litigation was severely curbed in 1586 by an ordinance that a pursuer in an action who lost his plea shall pay to the bailies a fine of 10s, to be distributed at their command (p. 214).

The question of jurisdiction was always a thorny one in a Scottish burgh. Surrounded by large landowners not yet weaned from the conceptions of a feudal system and exercising their own jurisdiction in baron and regality courts; always on guard against any usurpation of their rights at the hand of the sheriff; and with their ancient liberties often ill-defined by Royal charter or not defined at all owing to its loss, a Scottish burgh always regarded its neighbours with suspicion.

Kirkcudbright was no exception. Certainly till the 17th century the burgh sustained no clash with a neighbouring baron, and there is no record of any trouble with the sheriff such as occurred in the streets of Dumfries on more than one occasion. But Kirkcudbright's original Royal Charter was missing in 1576, and the charter of 1455, which only survives now in the form of a transumpt made in 1466, merely confirms “the whole liberties, privileges, and just customs belonging to the said burgh.” It is therefore impossible to be dogmatic about its jurisdiction. Some day, perhaps, by laborious research it may be possible to reconstruct those liberties and privileges. Meanwhile it is only

possible to tentatively indicate what some of them may have been. It is known that the burgh stood "infeft from ancient times with the power and free faculty of buying and selling wool, skins, hides, and other merchandise."⁶ But that apparently was not confined to the burgh—at least in matters of import and export. For Kirkcudbright enjoyed unusual customs rights along the whole seaboard of the Stewartry. As both on the east and the west the Stewartry was bounded by a river, the centre of whose course was the county march, the burgh was bound to come in conflict with its neighbours in shipping rights, especially as there was such an important town on the Nith as Dumfries. This Burgh Court Book gives only indirect allusions to these conflicts, but the burgh papers provide some light on what took place.

On the Cree things were different. There was no important town on the opposite bank of the river. Newton-Stewart did not then exist; and Monygoif served the hinterland as a port. Here, we presume, was stationed a customs official of Kirkcudbright to collect the customs. The burgh did not employ a direct agent, and in 1576 set "the small customs of Kirkcudbright by Monygoif" to Robert M'Culloch, a burgess, for 20 merks yearly (p. 7). In 1579, trade perhaps having been bad, John Foster, burgess, secured a tack of the customs of Monygoif for 7 merks (p. 101). Owing to its distance from Kirkcudbright, every inducement was offered to the inhabitants of Monygoif to attempt to elude the customs dues. This was known as "regrating," and Kirkcudbright, as in 1612,⁷ had frequently to take Court of Session action against the regrators at Monygoif.

But Dumfries caused much more trouble. In 1526⁸ a ship laden with wine and other goods lately come into the freedom and water of Kirkcudbright was diverted to Dumfries "notwithstanding the ancient privileges of Kirkcud-

⁶ *Calendar*, No. 1.

⁷ *Calendar*, No. 18.

⁸ *Calendar*, No. 3. The document is dated 29th Oct., 14th year of reign—which might be either 1473, 1501, or 1526.

bright whereby the wine should have been first offered to that Burgh." The Lords of Council in Edinburgh, acting at the instance of Kirkcudbright, prohibited the magistrates of Dumfries from intromitting with the goods, and charged all strangers and others arriving within the bounds of Kirkcudbright *and Stewartry thereof* to make mercat and price with the magistrates thereof.

In 1596 Herbert Maxwell and James Archibald, burgesses of Dumfries, attempted to dodge the customs by running a bark with victuals into the water of Urr and despatching it with a fresh cargo furth of the realm. On 30th October they had to appear before a bailie in court and pay the customs on both cargoes (p. 335). Again in 1611 Adam Sturgeon, merchant in Dumfries, brought a shipment of salt and wine from Bordeaux and discharged at Carse-thorn, "which was only a creek and not a port and was within the liberties of Kirkcudbright," in an attempt to avoid the dues of that burgh. The ship was the "Allane," of St. Andrews, and again the Lords of Council were successfully invoked.⁹ It is possible that it was instances such as these that led to the astonishing raid by the Provost and community of Dumfries against Kirkcudbright in 1598, of which there is no mention in this Burgh Court Book. That autumn, under cloud and silence of night, about midnight a party from Dumfries led by its three bailies, armed to the teeth, attempted to surprise Kirkcudbright and sack it "and to have slane and murdrist the complineris layand in their beddes," but "by the providence of God thair foule and unworthie purpos was discoverit and disclosit." The inhabitants armed themselves to resist, and the invaders "departit with schame and dishonour." That this really happened it clear, for Dumfries had to pay damages for despoiling some barns outwith the Port.¹⁰

But it must not be thought that these inter-burghal animosities coloured all the relations between the two towns.

⁹ *Calendar*, Nos. 15, 16, and 17.

¹⁰ *Calendar*, Nos. 12 and 13.

To rivalry was added a mutual respect. Indeed in many matters the smaller burgh seems to have looked to Dumfries as a model. In 1577 Kirkcudbright decided that in future its feu charters should be after the style of the charters of Dumfries (p. 58); whilst the following year it fixed the price of a pint of ale at 4d because it heard that that price had been fixed in Dumfries (p. 71). The re-building of the Meikle Yett in 1590 by Herbert Gledstanes, high enough for him to ride through on his grey horse, was to include similar "crinkis" — hooks and staples used for hinges — as the "portis of Dumfries" (p. 251), whilst in 1596 the mercat cross was re-built over two shops after the form of the mercat cross of Dumfries (p. 331). If imitation is the sincerest form of flattery, there can be no doubt of the high respect with which Kirkcudbright regarded Dumfries. It is not surprising, for many of our families were represented in both burghs. Herbert Gledstanes, the builder of the Meikle Yett, was of the family of Gledstanes of Craigs, outside Dumfries, whilst John Gledstanes, son of a Dumfries burghess of the same name, became a burghess of Kirkcudbright in 1592 (p. 279). Thomas Anderson, Commissary and Town Clerk of Kirkcudbright, was a near relative of Herbert Anderson, notary in Dumfries, whose Protocol Books have been published by this Society. Thomas's sister, Margaret, was married to Michael Batie, a well-known Dumfries burghess (p. 123); whilst the family of Ewart, which was shortly to give several provosts to Kirkcudbright, claimed to spring from the ancient family of Ewart of Bodisbeck, near Moffat.

The close relationship between the two burghs is further exemplified by the evidence of trade. Indeed, the future historian of the burgh will find these Burgh Court Books a mine of information on such matters as shipping. The very first page that has survived contains reference to a charter party, an instrument made obligatory on all importers in 1599 (p. 370). The object of this was probably twofold, to simplify the problem of customs which these Books reveal to have been a constant source of trouble, and perhaps to relieve the importer from the necessity of otherwise offering the

cargo, in the first instance, to the burgh. For it had been a practice since early times, reaffirmed by Act in 1593 (p. 297), that the burgh was to have the first offer. If it purchased the cargo, especially in the case of wine, it could retail it at a profit, thereby augmenting the custom dues. In addition to that every ship provided pickings to the Council. It was ordained in 1594 that whenever a ship arrived laden with wine the town clerk and each of the bailies were to have from it at dinner and supper a quart of wine each daily as long as the ship lay in port. The provost is not mentioned in this stimulating ordinance, but we may be sure he was no teetotalter (p. 300). It is not without interest to note that, whereas prior to the date of this ordinance—18th April, 1594—the Court Book contains but few references to shipping, on the very next page appears the first of a long series of entries recording the advent of all shipping to the port—a record possessed, as far as I know, by no other Scottish burgh. It is true that the burgh on 9th October, 1594, ordained that every boat entering the Port be recorded in the Court Books (p. 303), but one can't help feeling that it was owing to his quart of wine that the town clerk happily remembered to fulfil this duty.

No reference to these shipping records would be complete without mention of one redoubtable personage long forgotten. Leonard Robertson first appears in these pages as a burgess of Kirkcudbright. Hitherto he had been only known as a Solway pirate, whose antecedents I have vainly explored. As a burgess he gives the bailies a bond to pay 48s to John M'Kill, who, being unable to apprehend Leonard for debt, had arrested his two cautioners (p. 5). Leonard had probably been exercising his nefarious practices on the high seas and so had escaped caption. Four days later—17th October, 1576—he unsuccessfully pursued William Cairns for a "hogheid"—apparently of wine (p. 6). The following year he figures in another action by Andro M'Culloch, who pursued him for £17 os 8d. Again Leonard had to pay (p. 39). The last reference to him reveals him in his true colours. His ship is not men-

tioned, but his crew was a source of daily annoyance to the burgh. "The men of weir and marrinaris" who resorted with Captain Leonard Robertson had indulged in drinking, quarrelling, and harlotry within the burgh and had become an intolerable nuisance, so the provost and bailies on 9th July, 1577, ordained that they leave the town by noon that day and not return without licence, and that no one under penalty of £20 give them meat, drink, or board. If they returned they were to be despoiled of their armour and punished as transgressors (p. 41). Only three of the captain's rowdy crew—John Penycuke, David Boyll, and Robert Quhite—lesser desperadoes, were excepted from the decree. Their departure was none too prompt, for in the following January the ordinance against the "men of ver" was renewed and the penalty doubled (p. 53). Leonard Robertson has hitherto been associated with Leith, where in 1567 his name occurs in a list of the inhabitants.¹¹ In August, 1575, he made a piratical raid up the "River of Chester"—presumably the Dee—seized a ship named the "Trinity of Helberie," and made off with a great quantity of Spanish wine and other goods belonging to Anthony Hankey, merchant, indweller in the city of Westchester. He sold this pirated cargo obviously at Kirkcudbright, the purchasers being all the Lairds in the neighbourhood, including John Lord Maxwell and John Lord Herries.¹² Hankey, backed by the English Government, applied for justice to the Scottish Privy Council, who committed the trial and cognition of the complaint to two of the principal receivers of the stolen property—Lord Maxwell as warden, and Lord Herries.¹³

Kirkcudbright is proud of its association with an eminent pirate, one Paul Jones, who is now enshrined in sanctified

¹¹ *R.P.C.*, I., 562.

¹² Amongst the purchasers were John M'Kill; the Town Clerk; Andro M'Culloch, who had pursued Leonard for debt; and Mr Richard Balfour, parson of Kirkchrist, who had defended him in that action.

¹³ *R.P.C.*, II., 603.

immortality as the founder of the American Navy, and that burgh can now fill another niche of its temple of fame with this second devotee of the Jolly Roger, who hitherto has remained unhonoured and unsung.

This volume will prove an invaluable mine of information for the historian of Kirkcudbright. He will find there facts and illustrations relating to pilots' fees (p. 412), shipping costs (p. 22), the plague (p. 53), Kirk Burial (p. 110), and much relating to the school and ministry. Here he will learn how the minister had allotted to him as stipend the takings from the ferry boats (p. 85), the fees for baptisms, and the varieties of wines imported and drunk in the Stewartry, how football was played in the kirkyard (p. 337), and a reference to the water measure of salt that requires elucidation (p. 12). The present-day horticulturist will be interested to find an early case of warranty of onion seed (p. 30), a vegetable named "sybbowis" in the record. In fact the volume might be described as a microcosm of burghal life. It is known that Lord Bute has other volumes of this series in preparation, and it must be hoped that one of them may be dedicated to a continuation of this record.

Note on the Roman Site at Milton.¹

By JOHN CLARKE, M.A., Rector of Paisley Grammar School.

When Roy visited the site on the farm of Milton (about a mile south of Beattock) he was chiefly interested in the remains of what he interpreted as a marching-camp of his favourite Ninth Legion, but he noted at the same time a small rectangular enclosure closely adjoining. It was with this small enclosure that the excavations conducted at intervals in 1938 and 1939 were primarily concerned because of its close apparent similarity to another small enclosure, also of possibly Roman origin, near Durisdeer. Excavation speedily established the Roman origin of both.

¹ General Roy describes this site under the name of Tassieholm, which is now obsolete. A full official report of this excavation is to be published by another Society.

The Milton fortlet was found to enclose an area of $\frac{1}{4}$ acre within a 23 foot composite rampart of turf, heather and peat. Round it ran a single ditch, 13 feet wide, broken only at the single gate. This gate, facing roughly north-east, gave upon a road which closely skirted the fortlet on this side. Occupation within had been mainly confined to a strip of 20 feet immediately behind the rampart. Here evidence of long wooden buildings was found down one side with less conclusive evidence of structures elsewhere on the occupied strip. The buildings had been of two distinct periods and types. First there had been the sleeper-trench type of construction, later the post-hole type. The general lay-out had been similar in both periods. Flagged flooring was associated with the earlier buildings, cobbling with the later. At points the later cobbling was superimposed on the flagging. The finds, consisting of coarse pottery of the cooking-pot class and undecorated Samian (Dr. 18/31), was all typically Antonine.

The rampart structure and certain features of a curious layer which ran beneath the rampart and was traceable within the fortlet raised a suspicion that material from an earlier structure had been used. When, at the very end of the excavation, a cut was made over the faint corner of Roy's marching-camp where it most closely adjoins the fortlet, this suspicion received confirmation and some exceedingly interesting additional evidence was disclosed. The cut revealed the much-ruined remains of a turf rampart with a very massive outer margin of stone. Separated from the rampart by a narrow berm ran a 12 foot ditch tightly packed with rampart material. The width of the rampart was indeterminate because of destruction. While it is unsafe to build too elaborate a theory on a single cut, this much appears certain. The rampart had been deliberately demolished and used to fill the ditch. In the second place, we are not dealing here with a marching-camp, as Roy supposed, but with a fort. In the third place, this fort antedates the fortlet, not only because of destruction of its fortifications at this point at least and their presumed incorporation in the con-

struction of the fortlet, but because the defensive system of the fort would cut into the road which served the fortlet. The resulting possibility that we have here a fort of the Agricolan period in an area where such evidence is badly needed to complete a rational picture of the Agricolan scheme, is by far the most interesting outcome of the Milton excavations. That this possibility should be tested by excavation is most desirable as soon as work becomes possible again.

The Durisdeer fortlet stands on a rocky ridge projecting from the hills into the valley of the Kirk Burn about a mile from the village of Durisdeer. As surface indications suggested, it had been very similar to the Milton fortlet, only smaller; its internal area was little more than $1/7$ of an acre. Here again, as at Milton, we found two distinct periods with reconstruction at the beginning of the second. The pottery associated with both periods was purely Antonine. The internal arrangements were exactly the same as at Milton with the additional possibility of the presence of a stable-shed. Both fortlets, together with others which have now been identified, appear to have formed part of an Antonine system of road-patrol posts. In addition the Durisdeer one establishes the existence of a Roman road from the fort at Crawford over into Nithsdale and leaves to the future the elucidation of how this linked up with the road which enters Nithsdale further south via the recently discovered fort at Carzield.

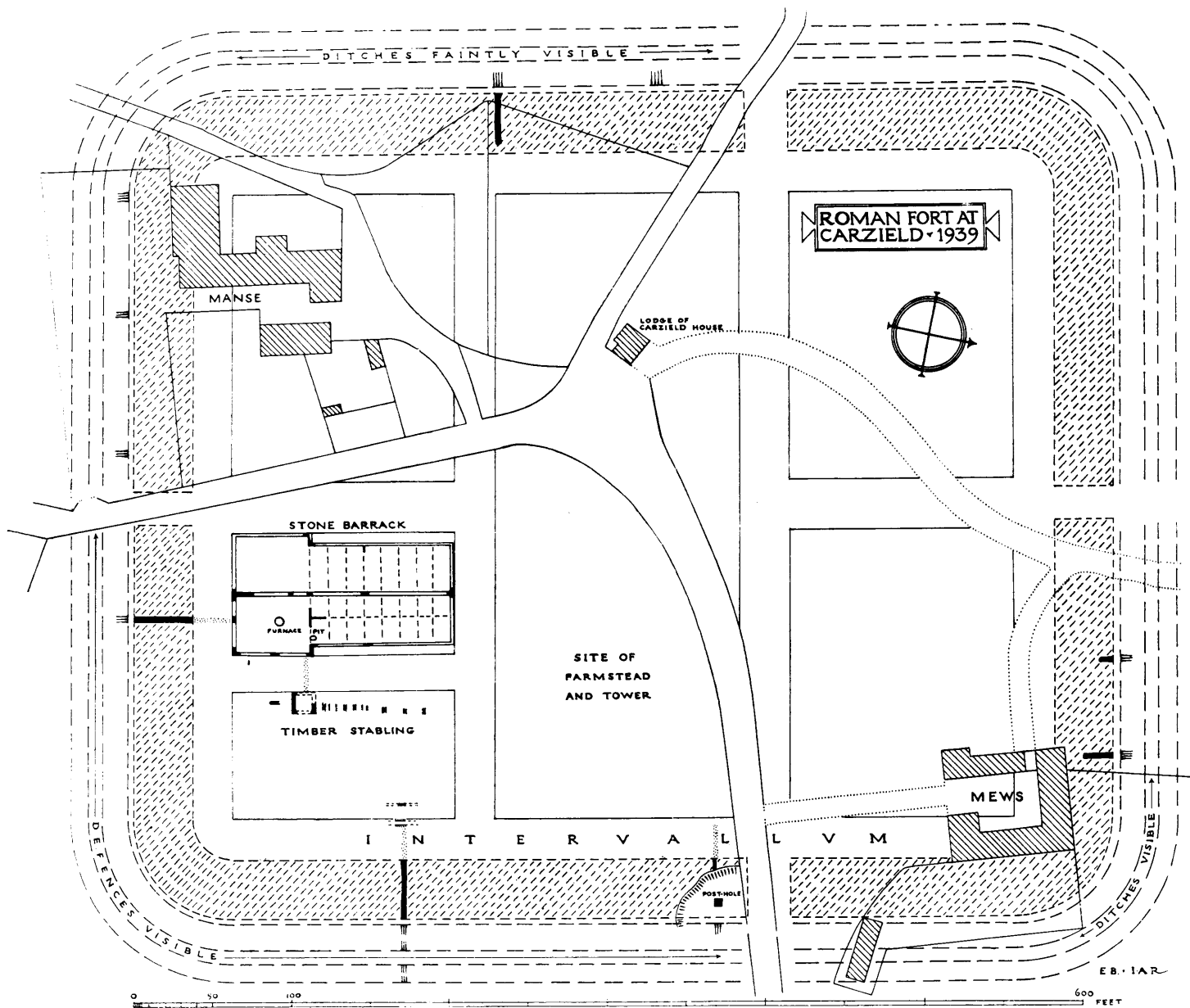
26th April, 1940.

Chairman—Mr R. C. REID.

The Roman Fort at Carzield.

By ERIC BIRLEY and I. A. RICHMOND.

The site of Carzield lies $3\frac{1}{2}$ miles north of Dumfries on the east side of the River Nith, at a point where the river is fordable. Nowadays the significance of the position is somewhat obscured by the existence of the important bridge downstream at Dumfries, which, with its counterpart at Annan further east, carries the lateral communication of Galloway. But this direct lateral communication meets the needs of much later ages. The Roman problem in Annandale and Nithsdale was different. Running north and south, these valleys formed ideal lines of penetration for the subjugation of the land, and it was this question which interested the Roman strategist. The Roman road which used Annandale to reach Clydesdale and, eventually, the Antonine Wall or the Firth of Forth is well known, and some recent discoveries along its course are summarised in a later section. The spade has not yet established a Roman road in Nithsdale; but its existence is partly attested by tradition and partly confirmed by the presence of at least two branch-roads using lines of approach from Annandale and Clydesdale. The more northerly branch runs from the recently discovered fort at Crawford through the Durisdeer gap towards Thornhill. The second passes by Lochmaben and aims for Carzield. A northward line of road from Carzield at least as far up the valley as Thornhill is thus implicit in this arrangement. But such a line can hardly be said to penetrate: if this condition is to be satisfied, a seaward connection is required. Here again, there are now excellent grounds for assuming that the requirement was met. The recent identification from the air of Pennant's lost site at Wardlaw, above Caerlaverock, and its verification with the spade by Dr. K. St. Joseph, have supplied not only the terminal sea-port fort but the additional information that a well-metalled road left its east gate. Natural features then dictate within the narrowest limits the further course of the



The Roman Fort at Carzield, reproduced by kind permission of the *Journal of Roman Studies*.

road. Wardlaw lies on the south tip of a long and prominent ridge, hedged in by the Nith on the west and by Lochar Moss on the east. Its inland connection can only have been with Carzield, which lies on the northward continuation of the same natural feature.

The significance of the Roman position at Carzield now begins to emerge. In relation to communications, it commands the junction of the Lochmaben branch road with the Nithsdale valley route. On Roman principles that fact is in itself sufficient to justify the presence of a fort. But, as will presently appear, Carzield is a large fort containing a cavalry garrison, an expensive arm of which Rome was not prodigal. This suggests that the situation had more than local importance, and a short consideration suffices to show why. Carzield lies not only at the first point on the valley road where east-to-west movement is possible, but also at the last point where westward movement is easy. Whether for offensive or defensive the western routes concentrate here. The position is not unlike that of Brougham, near Penrith, where lines of approach from wild country menace the flank of a main line of communication. In such places a strong mobile garrison was needed.

The general advantages of the position have now been outlined. The site itself is a strong one, on a bold gravel ridge running north and south. There is a sharp fall to west, into the main valley of the Nith, on the east a less marked descent ends in a moss, still poorly drained, separating the ridge from the hills behind Kirkmahoe. Before excavation began, the south-east angle of the defences and about 300 feet of each adjacent side were visible, and the suggestion that the work might be Roman had been advanced in print by local antiquaries and verbally by many authorities, including Haverfield and Sir George Macdonald, who had visited the site. Less critical authorities had labelled the site outright as Roman, and one at least had recorded the discovery of a Roman *amphora*. The surface indications of the west defences and of the north-east angle had, however, escaped the notice of all.

In order to establish the nature of the site, excavations (see plate) were undertaken for this Society in March, 1939, by Messrs Eric Birley and I. A. Richmond. The first section, through the south defences, 187 feet west of the South-east angle, revealed two ditches nine feet apart—the outer ten feet wide, the inner fifteen feet wide—fronting a 38-foot turf rampart. Immediately behind the rampart, where ashes from an oven were plentiful, there followed a 25-foot *intervallum* road of river cobbles. A well-constructed building of red sandstone, set on a foundation of large river cobbles laid in clay, then came to light. Within the building lay a furnace, consisting of a circular clay-lined pit six feet in diameter over which had been constructed a dome of wattle and clay. Within it lay a broken spear and two broken bronze statuettes of a winged Eros and a youthful god, perhaps Dionysus, as if all about to be fused into a new alloy. The statuettes were not in good condition when found, but had once been good works of art, considerably better than any normally associated with an auxiliary fort. Troopers, it will be recalled, had better pay and could therefore afford more expensive luxuries.

Meanwhile a similar section was being cut in the east rampart, 150 feet north of the south-east angle, revealing ditches and rampart, exactly as in the first section, and an *intervallum* road. The road, however, had two distinct levels, though it was not clear that these marked a definite break in occupation. The inner side of the road was bordered by a well-built open gutter, 18 inches wide, 12½ feet beyond which came a wooden building, clearly defined by a foundation-trench cut in the gravel subsoil. It was thus evident that we were dealing with a fort of which some buildings were constructed in timber and others in stone. In the short period of excavation available three objects therefore now lay before us: first, to discover the size of the fort; second, to learn enough of the planning of its buildings to provide a starting-point for any future excavation; and, third, to determine the period of occupation.

A thorough reconnaissance of the site soon revealed

that, contrary to previous record, further remains of the defences were visible. These comprised the north-east angle, inside which were planted the mews of Carzield House, and a sector of the west side, between the manse garden and the road to Gallaberry. At both points trial-trenches soon revealed the turf rampart and the inner lip of the inner ditch; and there were sufficient remains of a broad flat hollow, entirely comparable with that marking the double ditch on the north side, to show that the double ditch existed at these points also; indeed, it is fair to assume that it continued right round the fort. Most of the north side, however, had been levelled in making the lawn of Carzield House. The continuation of the south side was also established in the manse garden, which was then without an incumbent, by kind permission of the heritors. The size of the fort over the ramparts was thus established at some 500 by 560 feet. It lay north and south, and in the south side the site of the central gateway was covered by the road to Dumfries, while the north gate evidently lies below Carzield lawn. The position of the east gateway was revealed by a second trench cut through the north rampart, close to the road to Kirkmahoe. This showed that the rampart had been partly levelled away: but a pit 5 feet square, for a post-hole comparable with those of the Fendoch gateway-towers, was found in the cleared spot. The gateway itself must therefore coincide with the road, whose makers will have availed themselves of the path across the ditches provided by the causeway. The significance of the gateway-position in relation to the Roman plan became clear at a later stage in the investigation.

A return had by now been made to the *retentura* of the fort, in order to learn more about the stone building found behind the south rampart. Its walls were rapidly traced northwards to a north-east corner, and then westwards to a second corner, where was discovered a re-entrant suggestive of an L-shaped barrack-block of the familiar Roman type. A further wall running east and west was also found, and, when this was traced to its junction with the east wall, it was

found to be an internal division, and soon still further defined as medial by the location of the outer west wall of the building, with a re-entrant as on the east. When, however, search was made for a cross-division on a line between the two re-entrants, it was found that this had not been of stone but was of timber, for which the sleeper-trench terminated at the stone walls and was joined by another longitudinal sleeper-trench on the north. The building thus possessed outer and medial walls of stone and internal divisions of wood, a combination often assumed for Roman military buildings but rarely in fact discovered. The portion so far found so markedly resembled the officers' quarters of a barrack that search was made further north for a putative men's section. The medial wall was traced to its junction with the north wall, while the foundation trench of a timber cross-division was also noted in such a position as to indicate that there had been eight rooms on each side of the building, each $28\frac{1}{2}$ by 10 feet in size. The total length of the building was 142 feet. Its typical plan now demonstrated that it was in fact a barrack-block; on the other hand, its eight men's living-rooms (*contubernia*) and its very large officers' quarters (each 34 by 46 feet) dissociated it from the normal infantry barracks of an auxiliary fort, which have ten living-rooms and centurion's quarters always of much smaller side. The size of the fort must also be taken into account. On Hadrian's Wall the standard large fort measures approximately 400 by 600 feet and houses, in somewhat cramped quarters, either an infantry cohort nominally 1000 strong or a cavalry troop nominally 500 strong. The area at Carzield is a little larger, amounting to 28,000 as against 24,000 square feet. But, since the rampart takes up considerably more space than in the wall-forts, the internal accommodation available is in fact much the same as on Hadrian's Wall. Taken with the size of the fort, the barrack-plan thus suggests that Carzield was occupied by cavalry: and when the barrack-plan is further compared in detail with other known cavalry-barracks at Chesters and Benwell, it becomes clear that, while Carzield has no extra living-rooms in the men's quarters, as they

have, it has much larger officers' quarters, giving room not only for decurions but the *principales*. This further explains the presence of the furnace (see p. 158), for the only man in a barrack likely to be working metals would be the armourer (*custos armorum*), one of the *principales*.

It was next to be discovered that the stone barrack was matched by wooden stabling. A trench to east of the barrack revealed a cobbled road bordered on the east by a wooden building divided into small detached compartments defined by sleeper-trenches. One compartment was found to be 10 by 12 feet internally, and, although no attempt was made to elucidate the matter further, it is clear that enough space is here allotted for timber buildings covering an area rather larger than that occupied by the stone one, as is the usual proportion between stables and barracks. This quarter of the fort, in fact, is occupied by a double barrack and its stabling. Analogy then carries our knowledge of the garrison's disposition a little further. At Benwell, a double barrack contains one quarter of the garrison, housing four out of the sixteen *turmae* into which an *ala quingenaria* was divided. If it is assumed that the same arrangement held at Carzield, it will quickly be seen that this allocation fits remarkably well the available space. For not only is there another exactly similar area south of the *via decumana*, capable of holding the second quarter of the garrison, but the *via principalis* is so placed as to cut off two more areas of exactly the same size in the *praetentura*. The planning of the fort is thus shown to have a carefully designed relationship to the barrack accommodation required, and the full significance of the position chosen for the *via principalis* becomes apparent.

The main buildings, which, on the normal allocation, will have comprised headquarters, commandant's house, granaries, and hospital, lay in a large area south of the *via principalis* and facing north, up the valley. Trial-trenches cut in this area revealed a very complete stripping of the Roman level, on which had been planted a medieval tower and later farmhouse, now levelled to the ground in turn.

There was thus no hope that in the short time at our disposal any useful information about the disposition of the Roman buildings on this part of the site could be acquired. Indeed, it might be argued that when so much work remains to be done on the general picture of Roman Dumfriesshire, time would hardly be spent justifiably upon the elucidation of further detail at Carzield.

During the exploration of the buildings enough pottery had meanwhile been recovered to permit an assessment of date. It is not now the moment to describe it in detail, since this demands illustration on a scale not possible for authors or publishers at the present time. But some general points among the collection of sherds may be mentioned. Apart from decorated Samian ware in the style of Cinnamus, a well-known Antonine potter, the plain shapes Dragendorff 31, 18/31, and 33, each twice represented, denote the Antonine date of the site. In coarse wares dishes of Collingwood's shapes 21, 44, and 45 (in late development), jars of Collingwood's shape 65, and mortaria of Collingwood's shapes 6 and 8, including one stamped AUSTIN/FECIT, corroborate the dating of the Samian ware. Not a single fragment is assignable to any other period. The absence of other dated relics may be disappointing, but these tell their story with unimpeachable unanimity.

Three weeks' exploration may thus claim to have afforded a very considerable amount of information about the Roman fort at Carzield. This information is, however, complementary to much valuable reconnaissance recently undertaken in southern Scotland both in the field and from the air. It was air-photography which revealed not only the lost fort-site at Wardlaw, but the road leading towards Carzield from Lockerbie and Lochmaben. It is not the place here to do more than summarise the discoveries and their significance. At least one site, a small earthwork at Gallaberry, requires excavation before its purpose can become clear. But the Wardlaw fort, with rampart and rock-cut ditch, shows where the Roman sea-base lay in Nithsdale, anticipating medieval Caerlaverock just as Roman forts anticipate the great

Edwardian castles based on sea-traffic in North Wales. No fort has yet been discovered north of Carzield: somewhere near Thornhill is its natural position. But a signal-post or police-post in the Durisdeer gap has been excavated by Mr John Clarke and assigned to the Antonine age; while long sectors of the road which passes north-eastwards from it have been traced on the ground, together with the fort which guarded its junction with the main north road at Crawford. This fort has been tested by Dr. St. Joseph, and has yielded Antonine pottery. If arrangements for signalling and patrolling thus existed on a branch road, it is not surprising to find them on the main road itself, where the patrol-post of Tassieholm has been excavated, again by Mr John Clarke. Intermediate patrol-posts between it and Birrens have been tested by Dr. St. Joseph at Dalmakethar and Fairholm, while to the north a third has been revealed by air-photography and tested by Dr. St. Joseph at Redshaw. These divide the road into short sectors for convoy and patrol, while the main garrisons are concentrated in rather large units, housed as at Carzield or Birrens.

It is perhaps chiefly noteworthy that this developed hold upon the territory of the Novantae appears to be of Antonine date. The patrol-posts so far excavated, namely, two out of the five examples yet discovered, are Antonine in date, and this applies in general to the type elsewhere in Scotland, as at Chew Green, Castle Greg, or Kaims Castle. How far the movement represents an advance, as opposed to a strengthening, of the Agricolan position remains to be determined in the main forts. Birrens and Castledykes are the only forts on the western route yet to have yielded Flavian relics. It may, however, well be significant that nothing of the kind appeared at Carzield. Wherever digging was done, over a wide area on the site, the Antonine remains were immediately associated with the undisturbed subsoil. The Antonine occupation of the site thus appears to be new, while on the other hand any Agricolan occupation so far west as Nithsdale yet remains unproven.

Note on a Stone Circle Near Loch Stroan.

By R. C. REID.

Last spring our enthusiastic Vice-President, Mr Adam Birrell, informed me that he had discovered what he thought might be a stone circle close to New-Galloway Station, and urged that I should inspect it. In such a case mere inspection is insufficient; a plan of the site is indispensable. I therefore invited Miss Beattie to join us with her surveying kit. Accordingly one Sunday afternoon we went to New-Galloway Station, where we found Mr Birrell and Mr Murchie, of Newton-Stewart. There also we were joined by Mr Gibson, road surveyor of the Stewartry, who had arrived armed with a steel walking-stick that proved of great value as a probe.

Between the station and Loch Stroan lies a ridge known as Ross Hill, now afforested by the Forestry Commission, who have laid out a useful path round the ridge and up the western side of the loch. Blithely we set out along this path. "Close to the station," had said Adam Birrell, but $2\frac{1}{2}$ weary miles we walked till we reached the locality of the site. The elevation of the loch is 275 feet, and owing to the rocky narrow nature of its outflow the level of the loch is much higher in wet weather, and quite a fair acreage of flat ground on its western side is subjected to constant flooding. Situated on a knoll at the north-western end of the loch are the remains of an old clachan which perchance gives its name (now lost) to the hill spur behind it—Clachrum—derived from Clacherin, a stony place. But we must be careful with etymological derivations, for, though clach or clachan may mean a hamlet, it may also mean a standing stone or any stone. The vicinity is strewn with every conceivable type of stone, and obviously baffled our guide, Mr Birrell. So we thankfully sat down whilst he quartered the ground for his site. Presently he signalled to us, and we approached the site.

At first glance no one would take it for a stone circle. It lies about a furlong west of the deserted clachan, some

North to South 59° 0"
East to West 69° 0"

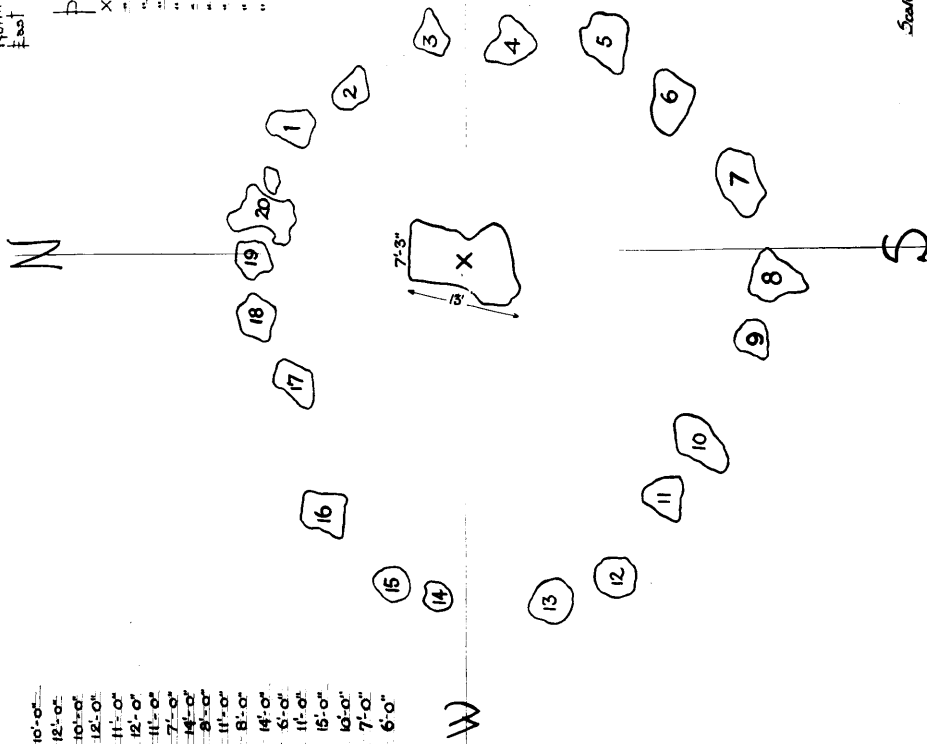
DISTANCE IN FEET

X TO CENTRE OF	30° 0"
"	2. 25'-0"
"	3. 26'-0"
"	4. 26'-0"
"	5. 30'-0"
"	6. 31'-0"
"	7. 35'-0"
"	8. 37'-0"
"	9. 37'-0"
"	10. 36'-0"

1 TO 2.	10'-0"
2 "	12'-0"
3 "	10'-0"
4 "	12'-0"
5 "	12'-0"
6 "	11'-0"
7 "	12'-0"
8 "	11'-0"
9 "	7'-0"
10 "	14'-0"
11 "	8'-0"
12 "	11'-0"
13 "	8'-0"
14 "	14'-0"
15 "	6'-0"
16 "	11'-0"
17 "	15'-0"
18 "	16'-0"
19 "	7'-0"
20 "	6'-0"

X TO CENTRE OF	11. 36'-0"
"	12. 41'-0"
"	13. 42'-0"
"	14. 40'-0"
"	15. 39'-0"
"	16. 34'-0"
"	17. 25'-0"
"	18. 26'-0"
"	19. 26'-0"
"	20. 25'-0"

Scale of Feet 1/4" = 1 foot



STONE CIRCLE AT LOCH STROAN.

ten feet above flood level, and within twenty yards of a dilapidated stone dyke that descends the hill and terminates within the flood level. I cannot say that any of us regarded it with the same enthusiasm as its finder, but as we had come so far we decided to make a plan of it. It was only as we measured and probed that we began to realise there might be something in the find. If allowance was made for the fact that stones once upright may have fallen, it was astonishing how on the plan they began to take the shape of a circle. Where there were gaps the probe revealed that stones of some sort lay three or four inches below the surface. On the higher side of the circle the stones were all visible; many on the lower side were invisible in the softer ground.

We had not gone armed with pick and spade, and without some excavation it is impossible to be more specific, but the plan made by Miss Beattie certainly raises the presumption that this site may have been a stone circle and justifies this note as a record. If anyone else ever wishes to visit the site, a much shorter route to it is by the track across the back of Ross Hill leading from the station to Nether Gairloch, as shown in the one inch Ordnance Sheet (1922-3 revision). The track passes the deserted clachan.

We are indebted to Miss Beattie for the plan of this site.

10th May, 1940.

Chairman—Mr R. C. REID.

A Dumfriesshire Gullery.

By O. J. PULLEN, B.Sc., Closeburn.

The following observations on the Gullery on the Racks Moss part of the Lochar Moss may interest members, because of the extraordinary change in vegetation which is taking place around the nests as a direct result of the manuring effect of the droppings of the birds, and because of the germination of seeds carried to the spot by the birds. I hope that a more detailed account of my observations on

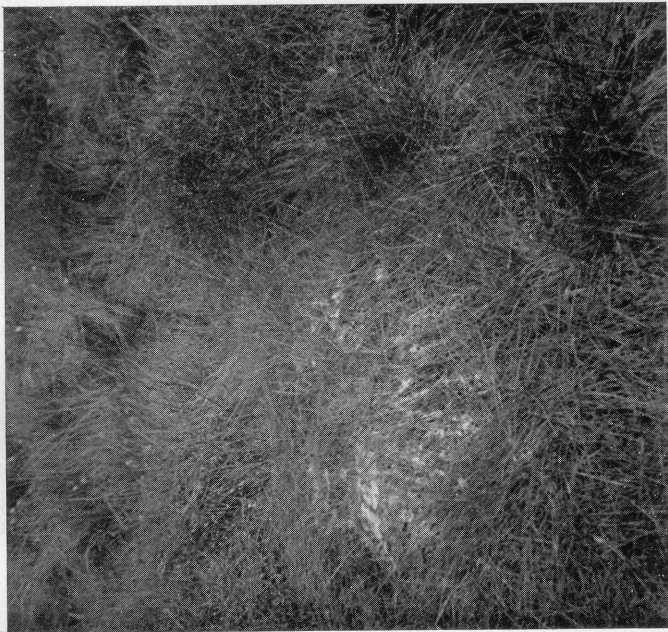
this gully will one day be included in a comprehensive study of the Lochar Moss which I have been undertaking with Mr Anders Tomter, of the Ironhirst Peat Works. Mr Tomter has made some exceptionally interesting discoveries in careful and detailed studies of the plant remains in the deep peat which rises, like a giant sponge, to a height of many feet above the level of the bed of the Lochar river, and we sincerely hope that one day he will be able to continue this survey and publish a report on the present vegetation and past history of the Lochar Moss.

There are three main plant associations on Racks Moss :

1. *Molinia* Association.
2. *Calluna*—*Myrica*—*Eriophorum* Association. And
3. *Eriophorum* Association, which includes the Gully.

The *Molinia* Association is a large area many yards wide running parallel with the drains and the cultivated fields beside the main stream of the Lochar. It covers the gentle slope up to the main area of the moss, which is higher than the level of the bed of the stream. The dominant plant is *Molinia cærulea*, the Flying Bent, with very few other species between the plants. *Potentilla reptans*, Cinquefoil, is the only other species recorded.

The *Calluna*—*Myrica*—*Eriophorum* Association is a very extensive area, comprising almost the whole moss. Over large areas *Calluna vulgaris*, Ling, and *Eriophorum vaginatum*, Cotton-grass, are co-dominant with very wet patches between the plants. In these wet patches *Sphagnum cymbifolium* flourishes and there are sometimes few and sometimes many specimens of *Narthecium ossifragum*, Bog Asphodel, *Drosera rotundifolia*, Sundew, and *Eriophorum angustifolium*. Occasionally one or other of these plants dominates the hollows, *Narthecium*, for instance, forming a continuous sward on the surface of the *Sphagnum* cushions. In a few of these damp hollows *Vaccinium oxycoccus*, Cranberry, has established itself, and is creeping over the *Sphagnum* cushions. Almost invariably *Andromeda polifolia* is associated with it. Among the heather tussocks



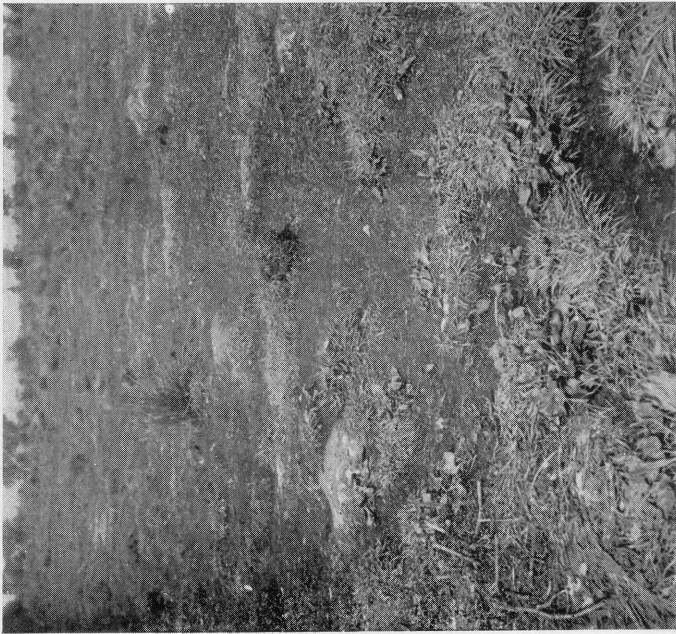
I.

First signs of decay of Eriophorum.
Flowers in background.
Gull "droppings" in foreground.



II.

Decaying Eriophorum tussocks.
Gull nests.
Stalks of Rose-bay.



III.

General view of "Gullery."
Grasses of cultivation in foreground.
Bare hollows filled with water.
Docks and other weeds flourishing.
Reeds more common in old site behind.



IV.

Nest, clump of reeds, in middle of "Gullery"—other
plants in state of advanced decay.
Reeds become more common as decay sets in.

several cushion-forming mosses grow; mosses like *Hypnum Schreberi* and *Aulacomnium palustre*. In some parts of this association *Myrica gale*, Bog Myrtle, is as common as *Calluna* and *Eriophorum*, so it is linked as a co-dominant in the name. There are small areas which for no apparent reason are covered exclusively by *Myrica*.

Erica tetralix, Cross-leaved heath, is common everywhere, and in some areas might almost rank as co-dominant. Where it multiplies *Calluna* takes the sub-dominant status formerly taken by *Erica*, and this state of affairs seems to be commonest in the damper hollows.

The *Eriophorum* Association is a stretch of varying width across the centre of the bog and in its wettest part, where tussocks of *Eriophorum vaginatum* are the chief feature. Stunted trees, *Pinus sylvestris*, and *Betula alba*, Birch, are common, and often form quite dense groves. There is much less heather in this association, and, as usual when the ground is wetter, the *Erica tetralix* is much more common than *Calluna vulgaris*. *Polytrichum commune*, the Hair Moss, takes the place of *Sphagnum* in forming great cushions between the plants of *Eriophorum*. Pools of slimy water are present between many of the tussocks. The only other species found in this association are *Narthecium ossifragum* and a fern.

The Gullery spreads across the centre of this *Eriophorum* Association, and there are many separate sites. The flora in these areas is remarkably varied. The bog community in other parts is a closed community, but where the gulls perch and nest the tussocks of *Eriophorum* and *Polytrichum* are killed by the fæces, and the community becomes an open one. The nesting sites are surrounded by a ring of *Eriophorum* in a remarkably healthy condition, its leaves bright green as a result of stimulation by the Nitrogen in the gull droppings. Where they nest and rest large muddy patches appear between the decaying tussocks, the latter being soiled with droppings and muddied with the gulls' feet. The drier patches in this area are colonised by weeds of cultivated land such as :

Epiolobium angustifolium, Rosebay Willow-herb, very common.

Holcus mollis, Soft grass, very common.

Poa annua, very common.

Senecio viscosa, a species of Groundsel, very common.

Stellaria media, Chickweed, very common and very strong.

Stellaria graminea, Lesser Stitchwort, very common.

Polygonum persicaria, *P. hydropiper*, *P. aviculare*, Red-shank and similar forms, common.

Aira cæspitosa, common.

Lolium perenne, common.

Rumex acetosa, Sorrel, common.

Rubus fruticosus, Bramble, very common in patches.

Juncus communis, Reed, common.

Bellis perennis, Daisy, occasional.

Ranunculus repens, Creeping Buttercup, occasional.

Matricaria discoidea, Chamomile, occasional.

Gnaphalium uliginosum, Cudweed, occasional.

Rumex species, Dockens, occasional.

Trifolium species, Clovers, occasional.

From observations made on a visit in the nesting season in 1940 I believe that the area used by the gulls tends to spread gradually outwards. The first gulls to nest seem to choose sites at the edge of the muddy, swampy gully, sites on the fresher tussocks of *Eriophorum* or *Polytrichum*. Later, when all are laying, the inner area is occupied. Sites which are most bare and muddy will be left, and here the plants flourish—the reeds, the willow-herb, the bramble, and the farm-land weeds. Later, *Eriophorum* becomes established again, and, but for the presence of willow herb, bramble, and the reeds, the area would return to its usual flora. There is evidence that an area in Ironhirst Moss was once used as a gully. Old records go to prove this, and we have there an area which differs only in the presence, among the *Eriophorum* and *Calluna*, of Rosebay, brambles, and reeds. The three intruders are not so strong or so flourishing as on Racks Moss.

With the assistance of pupils of Wallace Hall Academy I

have made two counts of the nests in the gullery, and the numbers are of interest when compared with those given by Mr Gladstone in his work on the *Birds of Dumfriesshire*. He gives 800 as the figure for a gullery, presumably the same one, described as one mile west of Racks station. This figure is for 1908, and he states that the nests were decreasing at that time because keepers were destroying the eggs. In 1921 he notes a general decline in numbers in the county, and gives the figure for Racks Moss as only 50. These figures are for the small Black-headed Gulls. Some Lesser Black-backed Gulls nest near the main gullery—H. S. G. estimated their numbers to vary from 200 to 300—but they have less effect on the flora and I have ignored them in this paper.

Our count of the gull nests in 1938 showed about 3000 pairs nesting, although at the time of the count only 600 or so nests contained eggs. The birds are constantly persecuted by the people of Dumfries, who gather the eggs for cooking purposes, and the nests when we counted them had evidently received visits the day before, and many were empty, although obviously freshly built.

In the 1940 count of gull nests, our visit, made at about the same time of year as the earlier one, showed that the birds were later in nesting, for only a little over 200 nests near the edges of the gullery contained eggs. From the great number of birds wheeling and crying in a white cloud over our heads we had no doubt that thousands of pairs were again in occupation of the nesting site.

Some Observations on the Dawn-Chorus of Bird Song.

By O. J. PULLEN, B.Sc., Closeburn.

Each year, since 1935, towards the end of May or the beginning of June, I have made a practice of going with a small party of Wallace Hall pupils for an all-night ramble, the main object of which has been to record the times when the birds join in what is known as the " Dawn-Chorus " of bird song.

There are few hours of silence, for birds like the robin sing on in summer evenings until 10.45 p.m., and the slightest noise in the night will waken the curlews and lapwings to a great clamour of sound. Then, of course, there are the noises one associates with the night, rather eerie when first heard, friendly and cheerful when they become familiar. Perhaps the weirdest sound is the grunt, sneeze, or cough—call it what you will—of the hedgehog. It is busy at night, and is a very common animal, and its nocturnal gruntings have an eerie resemblance to certain human sounds. Then there are the squeaks and ghostly flutterings of the bats, the hoots of owls, and the call of the woodcock. How many people are aware that each of its shrill calls, "*chis-ick, chis-ick,*" is followed by a curious grunt, like the croaking of a frog, "*wug-wug.*" On quiet nights, too, one is conscious of the activity of myriads of insects, and most prominent among insect sounds are the whirring of the cockchafer and dor beetles as they fly by in lumbering flight. Corn-crakes are less common than they were, but one can usually count on hearing one calling its monotonous "*crex, crex,*" somewhere in the cornfields and meadows of the Nith valley. Our usual route does not take us near nightjar country, but in some parts of Nithsdale these birds make the night air throb with their incessant call-notes.

If the weather is good, and we have always been fortunate, it is never dark at night and always possible to take times and to write notes. Soon after 2 a.m. (Summer Time) the silence, or semi-silence, is broken by the first song, the bubbling love-call of the whaups. These are followed almost immediately by the lapwings. There are then occasional calls from these birds, and one can say that the "Dawn-Chorus" proper begins soon after 3 a.m. Some naturalists say that the birds waken, sing a first burst of song, and then pause. I can confirm that there is this distinct pause with almost all species. Is it a pause for a drink, a feed, or for morning ablutions?

The times we have taken each year show that there is a definite sequence, as the birds join in the chorus, and that

this sequence is approximately the same each year. To take the 1939 records: Soon after 2 a.m. we heard song from the birds of the hills and at 3.8 a cock crew, and we heard the first tinkling music of the larks. This came, as with all the species, not from one bird, but from birds in their territories all around. At 3.26 it was light enough to see objects quite distinctly, and, a full hour before sunrise, we heard the first song of the robins, always the first birds to sing. Soon so many robins were singing in the dawn-chorus that it was hard to convince ourselves that no other birds had joined in. At 3.35 came the first clear and loud notes of the thrushes, and at 3.40 the deep-throated song of the blackbird. From then until 4 a.m. the thrushes, blackbirds, robins, with some help from the hedge sparrows, kept up the chorus, and as we were passing through gardens and copses, the chorus they produced was full and beautiful indeed. At 3.58 came the first "honk" of a pheasant, at 4.5 the double notes of the great tit, and at 4.10 the chorus reached its climax when the warblers—garden, sedge, and willow warblers, and whitethroat—joined in.

Although inconclusive, the figures we obtained in 1938 seem to indicate that the times may vary according to the weather. Light intensity is probably the most important factor. The sky on the night of our ramble in that year was overcast, and the birds of the hills were 20 minutes later than usual in uttering their first songs. The cock was 40 minutes later than usual. Cock-crow, in fact, came sixth in the list of bird song, instead of third, which is its usual place in the sequence. These birds are notoriously influenced by the light. They will crow continuously on moonlight nights and go to roosts when the sun is eclipsed. We hope to continue our observations in future years, and, by taking light intensities and temperature readings, try to find if there is any correlation between them and the times of the singing of the birds in the dawn-chorus of bird song.

We do not claim any startling discoveries in these figures, or that any important discoveries are likely to come from our excursions, but we can say that such rambles are

an unforgettable experience, and for that reason alone are well worth while. Words cannot express the beauty of the early morning scene, and one can only appreciate it to the full after passing through the night hours, with all their different and eerie sounds. It is a very wonderful experience to pass from the eerie twilight hours of a mid-summer night to the fresh clear light of dawn, with a wonderful glow in the eastern sky above Nithsdale's hills, the dew on the grass, and the air full of bird song.

A Deal in Cattle 200 Years Ago.

By ROBERT HENDERSON.

In the autumn of 1739 Alexander Dunbar of Machermore was interested in a purchase of cattle and a dispute arising as to price nine years passed ere there was an end of the case in the courts. The sum at issue, a balance of price, was £68 13s 4d sterling. Dunbar attended Crieff Fair at the end of September, 1739, for the purpose of buying cattle for wintering. Mr Campbell of Knockbuie had a large parcel of black cattle (1127 head) there, consisting of one drove of 500 and another of 600 odd, made up of three small droves put together in the market. These, according to Dunbar, were not equally good with the drove of 500.

William Scot in Meikledale and Benjamin Bell in Woodhouselee were drovers in company, and in the subsequent litigation both are named as pursuers. Scot, who bought Dunbar's cattle that year, promised to assist him or his servant either at Falkirk or Crieff Fairs to buy as many cattle as he required. Scot, too, was present at Crieff, intending to buy the whole of Knockbuie's parcel. Dunbar therefore arranged with him to take 200 cattle of either drove at the same price as he (Scot) bought them from Knockbuie. This was agreed, and in presence of Dunbar Scot offered between 19 and 20 l. Scots for each head of the large drove of 600 odd, and for the drove of 500 two guineas sterling each. Knockbuie and Scot later struck a price of 24 l. Scots a head

for the whole parcel—as Dunbar was afterwards informed. Knockbuie made it a condition that Dunbar was to get 200 or thereby. Scot left the Fair after this arrangement was made, giving instructions to his topsman, David Murray, to let Dunbar have the cattle he communed for, which he did out of the large drove. Dunbar, who said Scot kept the best drove to himself, didn't like this and protested to Knockbuie, who persuaded him that Scot would take no unfair advantage. This calmed Dunbar's fears, and to the topsman he gave a receipt, written by Knockbuie, dated Crieff, 1st October, 1739, for ten score and six, in the following terms :

I have received of this date ten score and six beasts of cattle got from Knockbuie, for which I have granted no bills; but do hereby oblige me to pay you for them, conform to the communing past on Saturday 'twixt you and me, and that at the same terms you pay Knockbuie.

Dunbar could hardly help himself, for he had to get cattle for wintering. But in settlement affairs he may have been too easy, or perhaps too trusting.

Two hundred and six head at 24 l. Scots equalled £412 sterling. The time to challenge the transaction or adjust any price grievance—as he was to learn when the case went to the Lord Ordinary—was before he took delivery or, at any rate, made any payment. Dunbar was in Scot's hands when he gave a receipt for the cattle, and as he raised no questions when he paid two instalments totalling £240 sterling this was probably fatal to his case. When Scot later (February, 1740) asked Dunbar for his bill for the balance due, based at 24 l. Scots, he would not comply. Scot invoked the law. In court Dunbar owned that he was debtor for a balance of £103 6s 8d sterling at 20 l. Scots, for which decree was given and the sum was paid. Scot was not satisfied, and insisted on what he said could only be a true settlement; he would have his figure, £68 13s 4d sterling, the balance on settlement, based at 24 l. Scots. And before the Lord Ordinary (June, 1742) his plea succeeded when Dunbar was held in the sum, with about £16 expenses.

This was not the end. Once in court, Dunbar was well

set going, and further he took the case. It was now his opportunity to pray for the review of a decision, which he did in a petition to the Lords of Council and Session. Contending in the first instance that there were two prices and as he got cattle out of the drove of lower value he should pay accordingly, Dunbar's later submission was that it was unjust that he should be subjected to the same price for cattle of the worse drove, which he reckoned at about a quarter less in value, as for those of the better, and to make him liable at 24 l. Scots he ought to have received his proportion of the better drove.

Scot's answer was that the bargain was simple and clear, and that the Interlocutor should not be disturbed. Scot disagreed entirely with Dunbar's contention about quality, maintaining that there was no material difference between the parcel of cattle he sold and that he kept than what arises from the nature of the thing sold. It is impossible, he said, to get different parcels of cattle, or different beasts of the same parcel exactly equal, and Dunbar passed from all objections of this kind when he gave his receipt for the cattle without question as to quality. Two other buyers, Mr Harris and Mr Rutledge, each bought 200 cattle from the large drove, paying the same price (24 l. Scots), which made Scot say that Dunbar was merely litigious. Dunbar replied that he was surely entitled to sue to protect himself from what he considered an exaction. Scot said, further, that if bargains of this kind were to be thrown open to pretences that may afterwards be invented by the ingenuity of parties he could not figure to himself a transaction that might not end in a lawsuit. Dunbar's case was not helped by a letter in which he acknowledged he was owing about £150 sterling, but at 20 l. Scots a head, as he later pretended, the sum was only about £100 sterling.

The verdict was to be found not in printed but in manuscript records. The action dragged on and stopped, until 1747, when there was a Summons of Wakening. The case then went in favour of Scot, and by a decree of 30th July, 1747, the Lords remitted it back to the Lord Ordinary

to proceed accordingly. Finally on January 13th, 1748, the case was before Lord Hayning, when the judge decerned for balance, and interest since 22nd February, 1740, till payment; and expenses. Dunbar certainly made a fight in defence of £69, a losing fight as it turned out.

In M'Kerlie's volumes (*Lands and their Owners in Galloway*) we find many instances of the Galloway Lairds of the eighteenth century pursuing what might be described as a favourite exercise. With them respect for tradition was strong. A lawsuit was something to excite interest, and we are led to reflect on the Lairds, conformable to usage, contriving to quarrel and going to law with a readiness betoken of satisfaction, if not indeed zest. And as M'Kerlie shows from numerous cases he cites, there apparently was no difficulty in raising money by granting wadset and sasine. He mentions that Andrew Hunter, writer in Edinburgh, had sasine of the barony of Machermore in 1743. Hunter may have been Dunbar's agent.

The reference to Falkirk and Crieff Fairs is not without interest. Many Galloway Lairds in the times spoken of were much interested in cattle dealing, as breeders and purchasers. The Dunbars of Baldoon and the Herons of Kirrouchtree, to mention only two, by their success in this business established themselves firmly in fortunes and possessions. Falkirk with its Fairs and three Trysts was always the larger market, but Crieff enjoyed a considerable trade where droves of black cattle reared in the Highlands were exposed. After the middle of the eighteenth century the trade was passing from Crieff to Falkirk Trysts. There were reasons for the change. For some time after the beginning of the century drovers from the Highlands paid nothing for pasturing their cattle all the way to Crieff market, but with the improving state of the country, grass became of some value, and roads were confined. This forced the drovers to search for the most convenient and cheap roads from their homes to the chief market place now at Falkirk, where the roads leading by the shortest routes from the Highlands to the south unite. From many of the places

the cattle arrived some days' journey earlier than if they had come by Crieff.

Well into the nineteenth century the trade in disposal of cattle in droves was actively pursued, though not to the extent in numbers as in the last quarter of the eighteenth century. The trade was still there at an even later period, and Dumfries saw something of it then. When the railway came into operation a hundred years ago droving had passed its zenith, but in the 'fifties and the 'sixties the movement of cattle by road was still considerable. One of the largest dealers in the vicinity was the farmer in Brae, Lochrutton. Robert Swan, who rests in Lochrutton Churchyard, was born as far back as 1800, and died 16th May, 1876. He was immersed in cattle dealing, gathering droves largely from Western Galloway. On occasions Swan almost filled the Whitesands with cattle, selling many parcels on the spot, and driving many animals south of the Tweed. These he had shod with thin iron plates, for protection on the roads. Doubtless this was reflected in a better price obtained at selling point.

Swan was a very successful drover, and by the time he died had amassed a comfortable fortune. This is given point to in the rhyme that associates his name :

Catch a' ye can,
 Keep a' ye hae,
 And ye'll soon be as rich
 As auld Swan o' the Brae.

Other methods of transport and of bargaining have, in modern days, made changes, and Fairs are greatly divested of their original character. We retain the word to-day more in association with a place of recreation, enjoyment or even rest, as one may choose to use a day or two from toil.

Some Letters of Thomas Bell, Drover, 1746.

By R. C. REID.

In Mr R. Henderson's "A Deal in Cattle 200 Years Ago" a Galloway Laird gets worsted by two Dumfriesshire drovers in a cattle deal. Such an occurrence is not unknown even to-day. Alexander Dunbar was a "feeder." He would purchase stock in the spring and sell in the autumn. The drovers who sold him the stock would frequently buy it back from him in the autumn, fat with grazing, and dispatch it southwards to the English markets. That, indeed, was the principal trade of these two drovers. William Scot and Benjamin Bell began joint droving operations in 1720, a partnership that was terminated on 8th April, 1745, clearly by the Highland Rising that year and Prince Charlie's march south. The assets of the joint arrangement were on that date distributed, which in 1758 were to provide a well-known case in Scottish Bankruptcy Law.¹

The '45 seems to have made surprisingly little impression on the normal life of the country, and within a few months of Culloden the droving trade re-started. But Benjamin Bell no longer partnered Scot, and instead took his son, Thomas Bell, into partnership. Benjamin must have been a shrewd judge of men as well as beasts, for within two years (1748) Scot went bankrupt. But though business association had been severed, family connection was close, for Eliza, daughter of William Scot, was the life partner of Thomas, son of Benjamin Bell. It is with the misfortunes of Thomas and his father Benjamin that this notice is concerned. For a packet of letters written by Thomas Bell has passed through my hands which shows what happened to fat cattle such as Machermore's after they crossed the Border on the way to the English markets.

Benjamin Bell had been born in 1680, and farmed Woodhouselee, near Canonbie. In 1743 he acquired from William Bell of Blackethouse part of that estate and there-

¹ *Dict. of Decisions*, 1242.

after took that designation, Benjamin Bell of Blackethouse. Six generations later his direct descendant, Dr. Joseph Bell, was a famous surgeon and the prototype of Sherlock Holmes. At the date of these letters (1746) Benjamin Bell was therefore 66 years of age, and it is not surprising to find his son, Thomas, the writer of the letters, as the most active member of the partnership.

All the letters are addressed to Bryce Blair, of Annan, who was no other than Blair of Potterflatts, provost of Annan, an astute man of business, whose father, Mr George Blair, had been town clerk of Annan. Bryce Blair must have been the legal and business adviser of the Bells, and to some extent he may have financed their droving activities.

The letters show that both Falkirk and Crieff were their favourite markets, though they were also large buyers from private feeders, such as John M'Cartney of Hacketlees, who sold them 200 cattle for £630. Early in September, 1746, Thomas Bell bought a drove of 500 cattle from Murray of Broughton. The letter speaks for itself :

“ I have bought Broughtons drove and have drawn on you for the price, £1449, in 3 bills. They are a fine drove and vastly fatt, their number is 500. They are to be lifted on Monday, 22nd. I hope they will have the best chance, as the other Galloway droves will either be sold off by the time these go up or at least they must be very dear by that time with charges. We were 24 hours in bargaining and in the meantime a special messenger arrived from Messrs Scot & Irwin to buy them.”²

The principal southern market used by the Bells was Brantry Fair, probably Braintree in Essex, though Hoxen is also mentioned, which may be equated with a village spelt Hoxne in Suffolk. In mid-October Thomas Bell started south to overtake the droves. Unfortunately from 7th October to 20th December no letters have survived, but it is quite evident from the next letter quoted what happened. Broughton's drove and many others arrived in East Anglia at the very moment that some form of cattle plague in a virulent form broke out :

² Letter dated 13th September, 1746.

“ The distemper^{3a} amongst the cattle rages more and more; it is now over almost all Norfolk, Suffolk, and Essex, so that we have no place to fly to, even if we had liberty. God knows what we shall do; we cannot get money to bear pocket expenses; all manner of sale is over; our beasts drop in numbers every day, and we have an express from William Johnston in Essex that the distemper is also got among our beasts there and dying in half dozen and half scores every day; our conditions are such that several drovers have run from their beasts and left them dying in the leans (sic) and high ways and nobody to own them—example Ffead, Watson and others; there is upwards of 300 lost in one hand here already. We had on hand since we sold any 1481 all high priced beasts. I cannot half express our melancholy situation. May God pity us.”³

This pitious tale does not seem to have moved Bryce Blair to tears. He was well versed in the artifices of the cattle trade and cannot have believed half of Thomas Bell's letter, and he must have indicated his scepticism in his reply. At any rate it drew this epistle from Thomas :

“ I wrote you the day before yesterday since which

^{3a} I am indebted to Colonel Sir Arthur Oliver, C.B., C.M.G., etc., Principal of the Royal (Dick) Veterinary College, for the following note: A serious outbreak of cattle plague (rinderpest) occurred in Great Britain in 1745, following its extension throughout the greater part of the Continent. The outbreak was so serious that the Privy Council was compelled to take prompt action by control of movement, slaughter, and provision for the disposal of carcasses. It is of interest that even in those early days compensation was allowed for animals slaughtered—40s for grown beasts and 10s for calves. In all about £135,000 was paid in compensation. The outbreak lasted until 1757, and there is no record of any other major outbreak of cattle plague in this country till 1865. The mortality was extremely high, probably running to 90 per cent. in badly affected herds. The Act was entitled 19 George II., Cap. V., and empowered the Crown to issue regulations to prevent “ the spreading of the distemper which now rages amongst the horned cattle in this kingdom.” Dead beasts had to be buried. This stamping-out policy was effective, though cattle plague existed in some parts of this country up to 1770.

³ Letter dated at Hoxen, 25th December, 1746.

we have 37 beasts dead. My father is still in surprise that you should think we call things worse than they are. I assure you it is farr from it, that we cannot call them half so bad as they really are. I am of the opinion that we shall have none left out of 1481 in a fortnights time; and to let you further into the matter you must know that what few beasts we sold before the late Act of Parliament of 17th current we were obliged to insure them in the grasiers hands for such a time and we have this moment received letters from two of our chaps, viz., one from Mr Wilson of Coulchester to whom I sold 40 beasts at £150 and they are all dead, the other from Mr Daniel Wyth (my father's best chap) who got 13 at £50; his are also all knocked on the head and otherwise killed. They have died to us, for the time of insurance is not expired yet. I think this has shocked my father more than anything has happened yet. In place of calling things worse than they are I always put on the best face, for we thought things would not come to this hight. You will see in the postscript of my letter by Castle Stewart that I only said indifferently that there was some of Broughtons dead, when at the same time there was above 100 of them dead.

All is over now. We can neither pay London bills nor nothing else. We have above £1000 of charges to pay in this country and on the road, and not a shilling to pay it with."⁴

The last letter that I quote is dated at Hoxen, 7th January, 1747:

“ This morning when I went among our beasts there was 29 laid dead in one pasture, worth £5 a head, 17 in another pasture and 8 in another. All the cattle we have in and about the place are infected of the distemper and it is of such a nature that there's 10,000 to one if one of them recovers. We shall give you no account as yet what numbers we have lost, you would perhaps not believe it because I can see as much in all your letters, as you rather query what we say which, by God, I am above all things surprised at. Only I shall tell you for an example, viz. — that I see a list yesterday of Wm. Muncies laid before the justices according to Act of Parliament and the same was sworn to by the overseer and constables, etc., of the different parishes, so I hope our people in Scotland will think this matter a joc (sic) no longer as coming from the drovers. . . . My father is now in

⁴ Letter dated at Hoxen, 31st December, 1746.

Essex where our beasts are dying as fast as they are here and 108 of the best of Broughtons drove is also dead at Seich. I think the Divill has been in that drove, by all the rest; they are all dead now to about 60 and we only sold 30 of them. Had they all died coming over the Border we should not [have] caired so much, but now there's £500 charges on them. . . . I assure you we have loosed some thousands of pounds by this sad distemper. I am positive we have lost three thousand pounds by it already. . . . What to do I know not; for as the beasts we sold at the first of this Fair were all insured for some time in the grasiers hands and they almost all dead, we shall not get one shilling to pay bills or anything else. . . . I shall be home by Candlemass and people may do with me what they will. They shall get every groat we have and we can do no more."

This letter gives some idea of the costs of the droving trade. Thomas Bell is not likely to have exaggerated his losses to his man of business who had married his sister, Isabella Bell.

Roughly it cost £1 per beast to get the droves from Galloway to Essex. The droving outlays on Broughton drove were £300, which, together with the purchase price, were irretrievably lost. William Scot went bankrupt, but the Bells pulled through, and when old Benjamin died in 1762 at the age of 82 he left on record in his will that he had from his own industry acquired a small estate which he had resolved to settle on his heirs to prevent disputes and to preserve the same from being squandered away. His son, Thomas, died in 1770 without issue.

Field Meetings.

1st APRIL, 1939.

The Carzield Excavations.

This special excursion was arranged at this unusually early date to enable members to visit the excavations at Carzield before they were filled in for the grazing season. The whole afternoon was spent there, and Messrs Eric Birley and Ian Richmond both addressed the meeting, a full report of which will be found in the *Dumfries Standard* of 5th April. The excavations had aroused a wide interest, and the Glasgow Archæological Society was represented by Mr J. M. Davidson, O.B.E., and others. The President expressed the thanks of the Society to Major Rathbone for allowing them to dig in his policies; to the General Trustees of the Church of Scotland for similar permission in the Manse grounds; to Mr Urquhart, the grazing tenant; and to the road surveyor for the loan of tools and other facilities. At the close of the meeting the Society was entertained to tea at Duncow by Colonel and Mrs Crabbe. For the official report of the excavations members will have to wait till the end of the war, but an interim report by Mr Richmond will be found elsewhere in this volume.

15TH JULY, 1939.

This meeting was held in conjunction with the Royal Archæological Institute of Great Britain and Ireland, which had been spending the week, 10th-15th July, in Dumfriesshire and Galloway. The previous evening that Institute had held a reception at the Station Hotel, to which the Council and Office-Bearers of the Society had been invited. It was an informal and very pleasant function, enlivened with short addresses, songs, and other forms of entertainment, in which the representatives of the Society took their full share. The following day the Society met the Institute at Morton Castle, which was described by Mr T. S.

Richardson, F.S.A.Scot., Inspector of Monuments for Scotland. Durisdeer Church was next visited, the speaker being Professor Hamilton Thompson, C.B.E., President of the Institute; followed by the Nith Bridge cross-shaft, described by Mr A. W. Clapham, C.B.E., President of the Society of Antiquaries in London. After lunch at Thornhill the party proceeded to Drumlanrig Castle, where Professor Hamilton Thompson again acted as guide. It is hoped to print his address in a future volume of these *Transactions*. The last point of call was Tibbers Castle, where the same speaker again officiated. The party wound up the day at Newlands for tea by the kind invitation of Mr Walter Duncan. On the evening of the 11th the Society also accompanied the Institute on its visit to the Observatory Museum, where a brief address was delivered by Mr G. W. Shirley, followed by a lecture on Roman Dumfriesshire by Mr Eric Birley.

The Cross-Shaft at Nith Bridge.

By A. W. CLAPHAM, C.B.E., President of the Society of Antiquaries.

The Cross-shaft at Nith Bridge stands in a field a short distance to the west of the bridge, a few yards south of the road, and there is no reason to believe that it has ever been moved from its original position. There seems, furthermore, little reason to doubt that it commemorates the burial of some person of distinction, and there is still a slight rise in the ground on which it stands which may indicate the former existence of a burial-mound. In this case it would fall into line with such memorials as the Pillar of Eliseg near Valle Crucis Abbey (Denbighshire). The original monument was some 10 feet high, and remains intact save for the top and side-arms of the cross-head. The form and decoration of the cross are both largely Anglian but combine some earlier and later features. To the earlier Anglian tradition belongs the form of the cross-head which retains the double concave

curve on each of the arms which is represented on the Ruthwell cross and was probably the form of most of the earliest crosses of the English series. The middle of the cross-head has a circular design of "marigold" type which is the one feature more common in Celtic than in Anglian work of this character, and it has been suggested that it was introduced into Ireland before the development of the familiar early Christian art of that country. The motif has survived in some of the earlier monuments of the Irish series, in the Isle of Man and in Argyll. A series of stones with this form of ornament has recently been uncovered at Gallen (Co. Offaly). The carved decoration of the shaft consists mainly of confronted beasts with interlacement, and belongs to a later Anglian tradition. It is similar in character and feeling to the panels on the Hedda stone at Peterborough (generally assigned to the late 8th century) and other works. Another later feature is represented by the flat arched heads to the panels on one face of the cross; these are frequently to be met with in the cross-shafts of the Midlands, of about the same date as the Hedda stone, and may be considered as typical of the later Anglian series. The interlacement on one edge of the cross is of quite ordinary type and provides no dating evidence.

In regard to the date to be assigned to the Nith Bridge Cross, it would appear that an early limit must be imposed by its Anglian analogies, and that the monument cannot thus be earlier than, say, 800. Its later limit is much less certain, but in my opinion it should certainly not be placed later than c. 950. A period at the end of the 9th century would thus appear to me to be most appropriate, though in the present state of our knowledge of Scottish antiquities of this class a wide margin of error must be allowed.

Rainfall Records for the South-Western Counties for the Year 1939.

SUPPLIED BY THE METEOROLOGICAL OFFICE, EDINBURGH.

	Jan.	Feb.	Mar.	Apr.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	TOTAL
DUMFRIESSHIRE.													
Rathwell (Comlongon Castle) ..	4.45	3.00	2.58	1.01	.91	3.01	5.39	1.95	1.39	2.65	4.75	1.41	32.30
Mouswald (Incubist Moss) ..	5.94	4.72	3.09	1.13	.52	2.87	5.10	1.33	2.27	3.13	4.87	1.48	37.68
Dunrires (Crichton Royal Inst.) ..	6.83	6.52	5.03	1.84	.83	3.45	6.82	1.98	2.22	3.63	6.05	1.53	48.97
Blackrock (Speidtoch) ..	6.03	6.13	4.56	1.72	.86	3.35	5.77	2.06	3.07	4.38	8.28	2.21	48.47
Moniaive (Glencrosh) ..	6.73	8.78	5.13	2.44	.83	3.30	5.01	1.73	2.89	4.00	10.04	2.92	53.80
Maxwellton House ..	5.87	6.24	3.33	1.96	.86	2.60	5.43	1.54	1.98	3.43	8.52	2.29	44.57
Dunrobin House ..	5.87	6.81	5.08	2.02	.75	3.35	6.08	1.62	2.46	3.71	9.00	2.82	49.57
Kassbeggs (Dornock House) ..	5.50	3.00	2.50	1.00	.71	3.22	4.87	1.68	1.84	1.90	3.65	1.93	30.37
Dalton (Kirkwood) ..	5.94	4.22	3.41	1.65	1.34	3.22	6.48	1.20	2.50	3.01	4.08	2.22	39.27
Moffat (Kirkwood) ..	6.44	9.16	4.66	2.01	.78	4.45	7.01	1.23	2.06	2.91	10.09	2.67	53.47
Eagleshead (Springkell Gardens) ..	6.14	3.90	3.04	1.62	.76	4.27	6.58	1.30	1.91	3.31	9.14	2.58	49.88
Canonbie (Irvine House) ..	6.32	5.40	4.43	2.20	.94	4.08	7.76	1.76	2.25	3.25	4.69	1.46	38.98
Langholm (Irvine) ..	7.32	7.33	4.31	1.90	1.10	4.32	7.23	2.42	2.70	3.96	7.61	2.75	54.04
Eskdalemuir Observatory ..	6.70	9.26	5.62	2.47	1.20	4.23	7.21	2.34	2.83	3.32	9.28	3.09	57.66

(These data should be taken as provisional).

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	Jan.	Feb.	Mar.	Apr.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	TOTAL.
KIRKCUDBRIGHTSHIRE.													
Borgue (Corseyard)	4.60	3.07	3.78	1.75	.49	2.31	4.71	.90	2.18	2.52	2.47	2.44	30.22
Threave	5.84	3.56	3.82	2.20	.33	3.23	5.74	2.63	2.91	3.52	3.36	2.05	47.67
Mossdale (Hensol)	3.86	7.00	4.87	2.40	.66	3.30	6.17	1.68	2.89	2.88	3.48	2.55	50.82
Dairy (Garroch)	6.40	7.65	5.00	2.15	.70	3.20	6.66	1.96	3.43	4.44	12.71	3.12	57.42
" (Garroch)	7.06	8.86	8.30	2.69	1.08	3.39	6.11	1.96	3.18	4.03	11.31	3.64	59.63
" (Glendarroch)	5.89	7.11	5.87	2.26	1.02	3.37	5.85	1.85	2.42	3.40	9.11	2.91	49.99
" (Forrest Lodge)	7.95	10.17	8.58	3.69	.91	4.24	6.84	2.35	3.81	4.62	13.48	4.75	71.19
Carsphairn (Shiel)	5.34	8.83	8.56	3.54	.96	4.17	6.53	2.08	3.00	4.90	14.76	4.30	70.04
" (Knockgray)	5.87	7.09	9.06	2.30	1.15	3.81	5.88	2.39	2.70	3.89	10.03	3.61	55.89
Auchencarn (Torr House)	6.62	5.65	3.45	2.33	.19	2.87	7.92	1.60	2.64	4.02	7.92	2.47	44.56
Dalbeattie (Drumstinchall)	5.97	5.75	3.45	2.46	.44	3.86	7.92	1.49	3.24	4.21	7.37	2.51	47.95
Chipparkyle	5.99	6.01	3.81	1.70	.46	3.00	6.09	1.87	2.52	3.47	7.61	2.03	44.66
Lochrutton (Dumfries W.W.)	6.53	6.13	3.85	1.70	.65	2.82	5.71	1.89	2.20	3.81	7.16	1.84	44.28
Carruchan	6.15	4.59	3.55	1.39	.56	3.04	4.73	1.57	2.24	3.60	6.69	1.56	39.67
WIGTOWNSHIRE.													
Castle Kennedy (Lochinch)	5.09	3.56	4.32	2.09	1.32	2.35	4.35	1.71	3.42	4.06	8.74	3.33	44.63
Logan House	4.72	2.68	3.57	1.93	1.02	1.94	3.27	2.43	2.69	3.52	6.30	2.70	37.45
Corsewall	4.35	3.09	3.26	1.73	1.10	2.14	3.64	1.79	2.29	2.88	5.24	3.42	35.02
Whithorn (Physgill)	4.22	3.39	3.05	1.82	.77	1.65	3.90	1.07	3.25	3.25	3.90	2.29	31.59
Port William (Monreith)	4.58	3.54	3.15	1.91	.80	2.15	3.90	1.35	3.55	3.49	4.13	2.51	34.36
Stoneykirk (Ardwell House)	4.90	3.23	2.64	1.69	1.00	1.71	4.59	1.59	3.71	3.96	4.77	2.43	36.20
New Luce (Public School)	7.50	4.44	4.94	2.09	1.39	2.58	4.44	1.74	2.92	3.49	6.71	2.86	38.07
Garlieston (Galloway House)	4.95	4.44	3.10	2.14	.88	3.08	3.44	1.61	3.47	4.14	7.73	4.65	48.42
" (Culderry)	5.24	4.70	3.09	1.87	.70	2.08	3.44	1.70	3.17	3.31	4.63	3.50	36.38
Kirkcowan (Craiglaw)	5.83	5.29	4.27	2.46	1.35	2.43	3.75	1.65	3.25	3.84	5.00	2.72	37.64
Newton-Stewart (Little Barraer)	5.91	5.34	3.84	2.03	1.17	2.75	5.16	1.34	3.38	4.38	9.48	3.29	50.35
" (Duncree)	4.90	5.34	3.59	1.98	1.09	2.19	6.25	1.64	3.18	2.89	8.23	2.74	44.02

(These data should be taken as provisional).

ABSTRACT OF ACCOUNTS

For Year ending 30th September, 1939-40

GENERAL REVENUE ACCOUNT.

RECEIPTS.

Balance on hand at beginning of year	£58 11 0
Members' Subscriptions, including Arrears	74 7 6
Interest from Investments	13 13 11
Interest on Savings Account credited to Capital Account 1932-1939 transferred	38 7 9
	£185 0 2

PAYMENTS.

Rent and Insurances	£13 6 0
Printing, Stationery, and Advertising	3 8 3
Miscellaneous Expenses	1 10 7
	£18 4 10
Deficiency transferred from Publication Account	109 6 1
	£127 10 11
Balance on hand at end of year — In Bank on Current Account... ..	57 9 3
	£185 0 2

PUBLICATION ACCOUNT.

RECEIPTS.

Balance on hand at beginning of year	£84 12 8
Interest from Investments	3 13 6
Donations	2 10 0
Sale of "Transactions"	1 1 6
Deficiency transferred to General Account	109 6 1
	£201 3 9

PAYMENTS.

Printing of "Transactions"— Balance 1935-36, and to Account 1936-37 and 1937-38	£200 0 0
Loss on Redemption of Conversion Stock	1 3 9
	£201 3 9

EXCURSION RESERVE ACCOUNT.

RECEIPTS.

Balance on hand at beginning of year	£10 0 0
---	---------

PAYMENTS.

Balance on hand at end of year—	
In Bank on Deposit Receipt	£10 0 0

CAPITAL ACCOUNT.

RECEIPTS.

Balance on hand at beginning of year	£377 14 3
Life Member's Subscription	7 7 0
	<hr/>
	£385 1 3

PAYMENTS.

Interest on Savings Account 1932-1939 transferred to	
General Revenue Account	£38 7 9
Balance on hand at end of year—	
War Stock	£218 10 0
Savings Bank	120 16 6
In Bank on Current Account	7 7 0
	<hr/>
	346 13 6
	<hr/>
	£385 1 3

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