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Sketches of the olden times in  
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S K E T C H E S

OF THE

OLDEN TIMES IN PERTHSHIRE.

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1603

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S<sup>r</sup> David Murray.



*Your Majesty's most humble  
and obedient servant.*

*D Murray*

SIR DAVID MORAY OF GORTHY,

Author of *Sophonisba*.

# SKETCHES

OF THE

## OLDEN TIMES IN PERTHSHIRE.

BY

ROBERT SCOTT FITTIS,

*Author of "Illustrations of the History and Antiquities of Perthshire;" "The Perthshire Antiquarian Miscellany;" "Historical and Traditionary Gleanings Concerning Perthshire;" "Chronicles of Perthshire," &c.*

---

—Memory, with a serious reckoning, now  
Is busy with the past—with other years.

There shalt thou oft, Time's faithful chronicler!  
Tell o'er to my unwearied ear old tales  
Of days and things that were—and are no more.

*Caroline Bowles Southey—"The Birthday."*

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PERTH:

PRINTED AT THE CONSTITUTIONAL OFFICE.  
1878.

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LAST DAYS OF OUR LADY'S CHAPEL.

*ILLUSTRATIONS.*

---

1. Seal of Tristram of Gorthy, appended to Deed of Foundation of Chapel of Gorthy, 31st May, 1454.
2. Seal of Catherine Gorthy—heiress of the Tristrams—1557.
3. Seal of her husband, George Lundy of Gorthy.
4. Portrait of Sir David Moray of Gorthy, author of *Sophonisba*. (From a contemporary Print).
5. Archery Medal of Mungo Graham of Gorthy—1687.

P R E F A C E.

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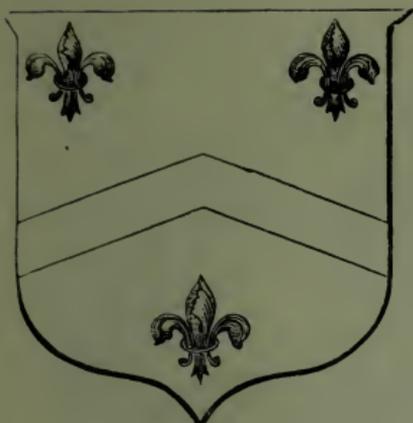
JOHN BUNYAN, in the metrical "Apology for his Book" (the immortal *Pilgrim's Progress*), describes very simply how the work grew on his hands as fancy succeeded fancy in his fertile brain—

And so I penned  
It down, until at last it came to be,  
For length and breadth, the bigness which you see.

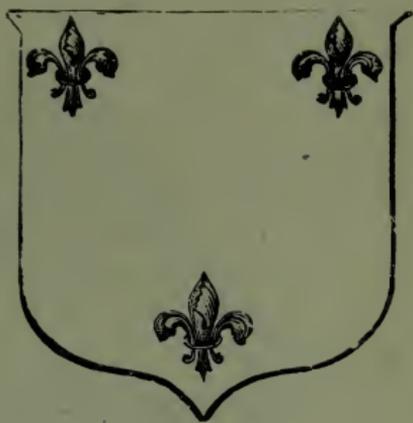
And enough will be said prefatorily for the present volume by stating that it contains the articles which appeared weekly in the "Antiquarian Repository" columns of the *Perthshire Constitutional and Journal*, from 12th November, 1877, to 28th October, 1878. This is the fifth series of Historical and Antiquarian Essays on Perthshire subjects which the author has completed: and he cannot allow the present opportunity to pass without expressing his warmest thanks to the readers of the paper and the subscribers to the volumes, whose constant encouragement enabled him to continue his labours during the past five years.

PERTH, November, 1878.





*Arms on Seal of Tristram of Gorthy—1464. (Page 408.)*



*Arms on Seal of Catherine Gorthy—1557. (Page 415.)*



*Arms of the Lundy Family.  
(Page 415.)*



*Arms on Seal of George Lundy,  
Husband of Catherine Gorthy.  
(Page 415.)*





*Archery Medal of*  
**MUNGO GRAHAM OF GORTHY--1687.**

*( Page 466. )*



# SKETCHES

OF THE

## OLDEN TIMES IN PERTHSHIRE.

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### *THE HALLOWE'EN OF THE PERTHSHIRE HIGHLANDS.—Part 1st.*

---

Blythesome Hallowe'en,  
A night of mirth and glee to old and young.  
*Grahame's "British Georgics."*

THE fall of the leaf, emblem and token of the year's decay, heralds the immemorial festival of *Hallowe'en*, which was once a solemn thanksgiving for Autumn's bounties. "Your fall of the leaf," writes Swift, in his *Journal to Stella*; "what care I when the leaves fall? I am sorry to see them fall with all my heart; but why should I take physic because leaves fall off from trees?—that won't hinder them from falling. If a man falls from a horse, must I take physic for that?" Many people to whom Nature preaches her homilies in vain will thoughtlessly coincide in Swift's playful banter; but the fall of the leaf affords one of the best of lessons, a spiritual "physic" to purify the heart from the rust and dross of life. Gone are the mellow days when plenteous "harvests hung the heavy head;" but to the contemplative man it is always sadly-pleasing

— Through Autumn's fading realms to stray,  
To see the heath-flower wither'd on the hill,  
To listen to the wood's expiring lay,  
To note the red leaf shivering on the spray,  
To mark the last bright tints the mountain stain,  
On the waste fields to trace the gleaner's way,  
And moralize on mortal joy and pain;

for the mutability and evanescence of Creation's beauty and richness are self-evident similitudes of the changeful fortune and inevitable fate of humanity. Transition marks everything earthly. Here we have no abiding city: here we meet with the like vicissitude that awaits the most fragile flower of the field; and "we all do fade as a leaf." The loveliness of declining Autumn far excels that of Spring. Shining in a blue

sky, the October sun illumines a woodland scene surpassing in its wealth and contrast of colouring.

Gorgeous are thy woods, October,  
 Clad in glowing mantles sere !  
 Brightest tints of beauty blending,  
 Like the west when day's descending—  
 Thou'rt the sunset of the year !

The bushes and hedgerows, once gay with hawthorn blossoms and wild-roses, are thickly besprent with ruddy berries like innumerable drops of fire : and even yet insect-life sports in the sunbeam—the gossamer-spider floating sylph-like in the still air, upborne on threads which glance like silver—and a “drowsy hum” telling that winged things of the summer still survive. But all the rainbow-tinted glories of hill and dale glow only with the hectic flush of approaching dissolution, and quickly pass away, as the year's bleak old age advances. The fields become dank and bare. Scarce a cheerful note awakens the echoes of the devastated woods; for mute are the sweetest songsters that gladdened summer's bowers and sang above the springing corn, and, indeed, some have fled away to the groves of sunnier climes.

Nae laverock's sang the clouds amang  
 Delights the ear of morning,  
 Nae blackbird's lay soothes parting day,  
 Or mourns dark night's returning ;  
 Nae azure bells adorn our dells,  
 Nae hawthorn sweetly blooming,  
 Nae balmy rose its fragrance throws,  
 The breath of eve perfuming.

The only harmony that meets the ear is the *sough* of the blustering blast which scatters the red foliage : or, if Boreas be asleep in his icy cave, the stillness is only broken by the pattering fall of the withered spray. All the meadows are embrowned with the blown leaves : these wrecks of summer meet us in heaps and wavy swathes on all the rural paths, and anon they are whirling and dancing madly in the wind. Thus is man's onward track through life strewed with the dead hopes in which he early trusted, and at every step of his pilgrimage he tramples them under foot with unavailing regret. “The damps of autumn sink

into the leaves, and prepare them for the necessity of their fall," says Walter Savage Landor; "and thus insensibly are we, as years close around us, detached from our tenacity of life by the gentle pressure of recorded sorrows. When the graceful dance and its animating music are over, and the clapping of hands, so lately linked, hath ceased; when youth and comeliness and pleasantry are departed,

'Who would desire to spend the following day  
Among the extinguisht lamps, the faded wreaths,  
The dust and desolation left behind?'

But, whether we desire it or not, we must submit. He who hath appointed our days hath placed their contents within them, and our efforts can neither cast them out nor change their quality." In this dull, depressing season,

When the wan leaf frae the birk tree is fa'in,  
And Martinmas dowie has wound up the year,  
Earth returns but sickly smiles to the sun's inconstant and watery ray, so oft quenched in the gloom of the rain-clouds; and the streams brawl along, brown as the banks which frequently cannot confine their swelling, turgid course. Nature, stripped of her charms, yields to desolation, which, however, will have its due limit; for we know that the time will come when "the crowflower's early bell," rising in artless grace above the quickening sod, shall welcome the steps of young Spring. Therefore, let us trust that when our harvest is past and our summer ended, we may enter upon the Winter that closes Life's year, hopeful of enjoying the perfect peace of a new and better Spring, that shall be eternal beyond death and the grave!

Hallowe'en, though so named as the vigil of the Christian festival of *All Saints' Day*, was heathen in its origin, and most of its familiar observances have undoubtedly descended from heathen ages. *All Saints' Day*, when instituted, in the seventh century, on the Pantheon at Rome being dedicated as a Christian temple, was fixed for the first of May, but was afterwards transferred to the first of November, so that an ancient

Pagan festive night held throughout the British islands, on the 31st October, was adopted as its vigil, and thence designated *All Hallow's Eve*, or Hallowe'en.

Of the four great annual festivals of Druidism, all of which took place at night, one was held on the eve of the first of November, as a "Feast of Ingathering," or of general thanksgiving for the harvest, and was called in the Celtic tongue *Samhbuin*, or *Samh'in*—the Fire of Peace,—a name which Hallowe'en still bears in the Scottish Highlands. On each of the four occasions mentioned, great fires were lighted on mountain-tops, for sacrifice, lustration, and ordeal; and during the darkness of night, the "high places" over all the land reddened the heavens with glaring tongues of flame. *Samh'in* was celebrated with various ceremonies peculiar to itself, calculated to impress the minds of a barbarous people and confirm and perpetuate the power over soul and body wielded by a stern priesthood. "On the eve of the first day of November," says Toland, the historian of the Druids, "there were also such fires kindled, accompanied (as they constantly were) with sacrifices and feasting. These November fires were in Ireland called *Tine tlach'd-gha*, from *tlach'd-gha* [fire-ground], a place hence so called in Meath, where the Arch-druid of the realm had his fire on the said eve; and for which piece of ground, because originally belonging to Munster, but appointed by the supreme monarch for this use, there was an annual acknowledgment (called *sgreaboll*) paid to the king of that province." This author proceeds to state that "on the foresaid eve all the people of the country, out of a religious persuasion instilled into them by the Druids, extinguished their fires as entirely as the Jews are wont to sweep their houses the night before the Feast of Unleavened Bread. Then every master of a family was religiously obliged to take a portion of the consecrated fire," from the altar, "home, and to kindle the fire a-new in his house, which for the ensuing year was to be lucky and prosperous. He was to pay, however, for his future happiness, whether the event

proved answerable or not; and though his house should be afterwards burnt, yet he must deem it the punishment of some new sin, or ascribe it to anything, rather than to want of virtue in the consecration of the fire, or of validity in the benediction of the Druid, who, from officiating at the cairns, was likewise called *Cairneach*, a name that continued to signify a priest, even in the Christian times. But if any man had not cleared with the Druids for the last year's dues, he was neither to have a spark of this holy fire from the cairns, nor durst any of his neighbours let him take the benefit of theirs, under pain of excommunication, which, as managed by the Druids, was worse than death. If he would brew, therefore, or bake, or roast, or boil, or warm himself and family; in a word, if he would live the winter out, the Druids' dues must be paid by the last of October, so that this trick alone was more effectual than are all the Acts of Parliament made for recovering our present clergy's dues:" and therefore we "cannot but admire the address of the Druids, in fixing this ceremony of re-kindling family-fires to the beginning of November, rather than to May or Midsummer, when there was an equal opportunity for it." These fires of the Druidical *Samh'in* continued to be kindled long after Christianity was established in Britain and Ireland, and were denounced by ecclesiastical Councils, which denunciations, however, failed to eradicate the practice. Down to our own times, indeed, Hallowe'en bonfires have been set up in several parts of the country, and particularly in certain districts of the Highlands. A curious example was communicated to Hone's *Every Day Book*, by a Paisley correspondent, in 1826. "The River White Cart, on which Paisley stands," he wrote, "although affected by the tide, and navigable to the town for vessels not exceeding fifty tons' burden, is often remarkably shallow at low water. This is especially the case between the highest and the lowest of three stone bridges, by which the old town or burgh is connected with the new town. In this shallow part of the stream, parties of boys construct, on *Hallow-eve*,

—the night when varied superstitions engross most of old Scotia's peasantry,—circular raised hearths, if I may so term them, of earth or clay; bordered by a low round wall composed of loose stones, sods, &c. Within these enclosures, the boys kindle on their hearths, bonfires, often of considerable size. From the bridges, the appearance of these bonfires, after nightfall, is singular, and attracts, as spectators, many of the grown up inhabitants of the place. The number and glare of the fires, their tremulous reflection in the surrounding water, the dark moving figures of the boys that group around them, and the shouts and screams set up by the youthful urchins in testimony of enjoyment, might almost make one fancy that the rites and incantations of magic, or of wizardry, were taking place before one's very eyes." Again, the Rev. Mr Pratt, of Buchan, writing in 1861, states that the "Druidical custom of receiving and carrying live coals from the sacred fire was perhaps the origin of the practice, still common among the youths who kindle Hallow fires, of running about with blazing peats taken from the fires on forks or poles, and also of scattering the remaining coals and embers before leaving the fire. It is said that in some parts of Scotland, even down to the present time, it is customary for a tenant, when removing from one house or farm to another, to carry 'kindling' along with him—that is, live coals with which to light the fire in his new tenement; a custom founded, in all probability, on the creed of our Druidical ancestors, and maintained by mere force of habit long after its real purpose is forgotten." Of late years the celebration of Hallowe'en has been revived, on a grand scale, at Balmoral Castle, under the gracious patronage of Her Majesty the Queen, to whom the national amusements of her Highland subjects seem to afford generous pleasure.

To Hallowe'en was ascribed the weird fame of being the chief night in the year when all the powers and imps of darkness,—all the phantoms and figments of superstition,—“black spirits and white, red spirits

and grey,"—the fairies, the witches, and the warlocks, —roamed the earth, and could be rendered subservient, by charm and spell, to inquisitive mortals, who sought to discover the secrets of futurity. The Court of Faerie held high state and revelry; and oft the belated peasant caught a glimpse, on his darkling route, of the cavalcade of the elves sweeping past to notes of ravishing music; or, perchance, attracted by a strange sound of glee, he came suddenly upon them, in the midst of their mirth on some lone green knoll. Says one of the authors of the "Flyting between Montgomery and Polwart"—a production of the sixteenth century :—

In the hinder-end of harvest, on All-hallowe'en,  
 When our good neighbours does ride, if I read right,  
 Some buckled on a buneward, and some on a bean,  
 Aye trotting in troops from the twilight.  
 Some saddled a she-ape, all graithed into green,  
 Some hobbling on a hemp stalk, hovand to the hight,  
 The King of Faerie and his Court, with the elf Queen,  
 With many elfish incubus was riding that night.

Children and others who had been stolen away by the fays might be recovered back to the world on Hallowe'en; and thus it was that young Tamlane, the fairy-stolen, instructed his lady-love :—

"This night is Hallowe'en, Janet,  
 The morn is Hallowday;  
 And gin you dare your true-love win,  
 Ye hae nae time to stay.

"The night it is good Hallowe'en,  
 When fairy folk will ride;  
 And they that wad their true-love win,  
 At Miles Cross they maun bide."

"But how shall I thee ken, Tamlane?  
 Or how shall I thee knaw,  
 Among so many unearthly knights,  
 The like I never saw?"

"The first company that passes by,  
 Say na, and let them gae;  
 The next company that passes by,  
 Say na, and do right sae;  
 The third company that passes by,  
 Then I'll be ane o' thae.

"First, let pass the black, Janet,  
 And syne let pass the brown;  
 But grip ye to the milk-white steed,  
 And pu' the rider down.

“ For I ride on the milk-white steed,  
 And aye nearest the town;  
 Because I was a christen'd knight,  
 They gave me that renown.

“ My right hand will be gloved, Janet,  
 My left hand will be bare;  
 And these the tokens I gie thee,  
 Nae doubt I will be there.”

Moreover, the person who happened to have been born on this night of nights was gifted with the faculty of seeing spirit on that anniversary; and it will be remembered that this superstitious belief is illustrated by Sir Walter Scott, in the case of Mary Avenel, in *The Monastery*:—“Touching the bairn,” says Tibb Tacket to Dame Glendinning, “it’s weel kend she was born on Hallowe’en was nine years agane, and they that are born on Hallowe’en whiles see mair than ither folk.” With a great deal of such fanciful lore floating in his head, a Perthshire son of the Muses—Charles Spence, the Bard of Gowrie, commemorated an imaginary symposium of the poets (himself included), held somewhere among the braes of the Carse:—

*THE HALLOWE’EN OF THE POETS.*

Your flocks, brother Hogg, are traversing the loan,  
 There’s a purple-eyed cloud in the east :  
 Come, drain off your glasses, and let us begone ;  
 For enough is as good as a feast.

When we sat down to bouse on this Hallowmas night,  
 Half-a-dozen of heads number’d we :  
 Dim twinkle the tapers, or gone is my sight,  
 For, just now I can reckon but three.

O, where are the rest of our brethren gone ?  
 You muddled blind block, can’t you see ?  
 Auld Allan lies sleeping along the hearth-stone,  
 And Robin’s head nods to his knee.

Young Fergusson under the table is sunk,  
 Who wont so convivial to be.  
 He sings the loud requiem of these fellows drunk,  
 Who snores it the best of the three.

A carriage, with valets, stands dight at the gate,  
 Great Bard of Abydos, for thee ;  
 For our bold Border Minstrel the dapple-greys wait,  
 But there’s nobody waiting for me.

Alone I must hie to my home by the brake,  
 When the chilly wind sings at each pore ;  
 But my Nanny will smile in her sleep, and awake,  
 As I tirl at the latch of my door.

Many of the observances practised on Hallowe'en seem to have been identical over the most part of the British islands; but others were known only in particular localities. Of the latter we shall quote two or three examples. The old writer, Martin, tells us, in his *Description of the Western Isles*, that even St Kilda "placed far amid the melancholy main," did not forget Hallowe'en. The inhabitants baked "a large cake in the form of a triangle, furrowed round, and which was to be all eaten that night." Coming to the island of Lewis, the same author describes how the people there "had an ancient custom to sacrifice to a sea-god, called Shony, at Hallow-tide, in the manner following: the inhabitants round the island came to the church of St Mulvay, having each man his provision along with him; every family furnished a peck of malt, and this was brewed into ale: one of their number was picked out to wade into the sea, up to the middle, and carrying a cup of ale in his hand, standing still in that posture, cried out with a loud voice, saying, "Shony, I give you this cup of ale, hoping that you'll be so kind as to send us plenty of sea-ware for enriching our ground the ensuing year;" and so threw the cup of ale into the sea. This was performed in the night-time. At his return to land they all went to church, where there was a candle burning upon the altar: and then standing still for a little time, one of them gave a signal, at which the candle was put out, and immediately all of them went to the fields, where they fell a-drinking their ale, and spent the remainder of the night in dancing and singing, &c." And Brand, in his *Description of Orkney*, says that the natives on Hallowe'en "use to sein or sign their boats, and put a cross of tar upon them, which my informer hath often seen. Their houses also some use then to sein."

But it is not our purpose to collect all the customs, freits, and spells which characterised this famous eve in Scotland. A number of these—pulling of kail-stocks; pulling a stalk of oats in the barnyard; burning nuts; throwing the blue clew into the kiln; eating

an apple before a looking-glass ; sowing hemp-seed ; winnowing three weights of nothing ; fathoming the bean-stack, &c.,—are graphically detailed in Burns' inimitable poem, and fully explained in the corresponding notes. We have adopted a more circumscribed task—namely, to present some authentic notices of the Hallowe'en which was generally celebrated in the Highlands of Perthshire within less than the last hundred years. In that quarter certain ceremonies prevailed, which are not included amongst those of the Ayrshire festival, and do not seem to have been known in the neighbouring Lowlands, where the customs were generally those described by Burns.

*THE HALLOWE'EN OF THE PERTHSHIRE  
HIGHLANDS.--Part 2nd.*

Some merry, friendly, countra folks,  
Together did convene,  
To burn their nits, an' pou their stocks,  
An' haud their Hallowe'en  
Fu' blythe that night.

*Burns.*

THE first authority whom we shall adduce on the subject of Hallowe'en observances in the Highlands of Perthshire is the Rev. James Robertson, D.D., who in the end of the last and beginning of the present century was Minister of the Parish of Callander. Dr Robertson was a man of considerable literary attainments and antiquarian research—altogether an honour and ornament to the Church of Scotland. His Account of Callander parish, contributed to Sir John Sinclair's *Statistical Account of Scotland*, is one of the most elaborate and best in all the twenty-one volumes to which that invaluable and truly national undertaking extended. Dr Robertson was also author of a *General View of the Agriculture in the County of Perth*, the second edition of which was printed at Perth, by Mr R. Morison, under the patronage of the Board of Agriculture, in 1813. Previous to the publication of his Account of Callander parish, the Doctor's attention had been drawn to the remaining vestiges of Druidical rites in the Highlands: and about 1791, while on a visit to Drummond Castle, he was asked about the customs at Hallowe'en, regarding which he immediately made a hasty Note of his recollections. The Note was deemed so interesting by the distinguished circle for whose information it was thrown together, that subsequently the Hon. James Drummond conveyed to Dr Robertson an urgent request that he would amplify his reminiscences of that popular festival. The rev. gentleman accordingly did so in a letter to Mr Drummond, dated at Callander, 7th March, 1791; which

communication was long afterwards brought under the notice of the Society of Scottish Antiquaries. It was inserted in the *Archæologia Scotica* for 1831: and as it is not generally known, we shall now reproduce it with some slight immaterial abridgment:—

I. Upon the last day of Autumn, the people of a small village or hamlet cut down as many ferns as they thought necessary for the fire which they meant to kindle in the evening. In remote ages it is probable that more people attended each fire than at present, the farm houses being less scattered than now. They lived in groups of many houses and families for the purpose of mutual defence against wild beasts or bad people. Besides, that their attendance at this grand anniversary was only possible once a-year, and recommended by a high degree of religious veneration, mixed with an eager desire of prying into futurity, we may suppose that these festivals were well attended. This custom seems also to have been more ancient than the introduction of agriculture, and points at ruder ages for its origin, perhaps even more remote than the pastoral age, because no straw or any fuel was to be used in the fires, except ferns alone: and the food was principally such fruits as the season and country could afford. The young people collected the ferns; and no ferns were to be taken but such as were cut down that very day. As soon as it began to be dark, even before daylight was gone, the whole people who had an interest in the bonfire assembled at a convenient and contiguous eminence. The fire was kindled with many expressions of joy. Large fires are, among many nations, expressions of national rejoicings; and it is well-known that in very large tracts of Asia, fire was not only employed in religious ceremonies, but was itself held in veneration, and obtained divine honours. When the ancient Caledonians had, with many gesticulations and mirth, attended their fire till it was spent, every person in the company got a small stone, such as they could conveniently carry in one hand, and distinguishable by some particular mark, that each stone

might be easily known from every other stone. The oldest person laid down the first stone upon the very verge or circumference of the ashes of their fire, saying to the rest this stone was his. All the rest were prepared to do the same, and took precedence according to their seniority, until the whole stones formed a circle round the spot on which the fire had burnt. And if any person was absent, the rest put in a stone for their absent friend. This was generally done by the nearest relation of the absentee.

Whether this circle of stones was in imitation of the circles of stones at which they usually assembled for their ordinary and regular worship, or whether it was in imitation of the roundness of their fire, or out of respect to the circular appearance of the sun, the great fountain of fire, I will not pretend to say. It is probable, that both the circle of stones in their ordinary places of worship, and the circle of stones upon All-Hallow Eve, and many other circles they made, were with an allusion to the figure of the sun. To this day, when the Highlanders go round anything with a degree of religious veneration, they go round in the same direction as the sun goes round the world on this side the equator, *i.e.* from east to west, by the south side. This is the direction in which a bride is placed by her bridegroom, when they stand up to be married, the direction in which the bridegroom turns round the bride to give the first kiss after the nuptial ceremony; the direction in which they go at least half round a grave before the coffin is deposited; the direction in which they go round any consecrated fountain, whose waters are supposed to have some medicinal virtues, which they expect to receive by immersion or drinking. I have heard it said that, in certain parts of the Highlands, the people sometimes took off their bonnets to the sun when he appeared first in the morning.

The good people returned from the bonfire to their houses with much anxiety. The person whose stone was turned out of its place, and the tread of whose foot was to be found in the ashes, next morning, was

supposed to be doomed to die before the end of twelve months. No person went near that haunted place all night; but by the break of day it was approached with awe, and every circumstance supposed to be of importance relative to the stones and ashes examined with care. All this I have seen myself; and there is not one particular omitted where the ceremony is understood to be duly performed, or to have any efficacy in divination. I have heard it supported by very respectable and repeated tradition, that this bonfire was the extinguishing of the old or unhallowed fire, upon All Saints' Eve, in the times of the Druids; and that upon the next morning the people applied to their priests for holy or consecrated fire, the virtues of which new fire were to last for one year and no longer.

II. After the ceremony of the bonfire was over, and all the stones laid in the order mentioned, the young people's next care was to use certain charms, and to indulge their curiosity in trying to know the persons or names of their future spouses. The whole of their divinations seem to refer to their deaths or marriages, which are certainly two very important grounds of concern to people, in all ages, and in every stage of society. From such a variety of charms, as were in use with regard to the latter of these, I shall only mention two or three; for every person made choice of one or of another according to their courage or inclination,

One mode of knowing the appearance and figure of their future spouse was this. The person went to a barn, which must have two opposite doors. Both doors were opened. A riddle was taken, into which a piece of money was thrown; no matter whether a coin, or brooch, or piece of plate. The person began immediately to riddle the silver, in the name of the Evil Spirit, or of the Worst Man, as he is commonly called in Gaelic. During this transaction the figure of a person came in, and took the riddle from the person who was employed; and this vision was understood to have the exact figure, and stature, and appearance of the future spouse. I am not very superstitious, nor much

inclined to give credit to tales about hobgoblins; yet I cannot forbear to mention what a man of veracity told me not long ago, about this very charm, that had happened to people with whom he was intimate in his youth.

My author lived then in his grand-uncle's house. His grand-uncle's servant went to the barn, to riddle the silver, upon All-Hallow Even. There came in the figure of a woman, who took a faint hold of the riddle, but not so as to take it out of his hand. He continued still to riddle, and there came another female apparition, and passed in the same manner. Immediately thereafter there came in four people, carrying a coffin on a bier, in the ordinary way used at funerals, and passed through the barn. He was so terrified, that he started back till this procession passed away. But before he could make his escape, the figure of a third woman came in, and took the riddle from him. He left the barn instantly, and came to the dwelling-house in great terror and agitation. The person who told me was at this moment in the house. The master of the family examined his servant strictly, in the presence of all, where he had been—what he had been about—and if he had seen anything. The servant told every circumstance as above narrated. The old man replied, "You shall be three times married, and you have already seen the funeral of your two first wives." The man was actually married three times—buried two of his wives—and died himself before the last wife! However incredible this story may appear, I see no way to overturn it, unless we suppose that the whole family had conspired to tell a lie; and, even then, it is still surprising that they could devise a lie which should correspond exactly to all the circumstances of the man's three marriages, and the two funerals, long before any of them took place. I have heard of other adventures of this nature, where a woman went to riddle in the barn, and the apparitions of men came in, with their clothes wet or bloody; and these women's husbands are said to have been drowned or killed.

But I never could trace information, which appeared to be so suspicious, till it rested on anything like proper evidence of the fact. I have only heard from those who had heard it from others.

III. Another practice is, that a person goes to the fold upon that night, and takes some wool from a black sheep. The wool is spun immediately by the person, without speaking a word to any other. The person then goes to a common kiln for drying victual. The clew is thrown down, in the same name as before, into the pot of the kiln; and the person begins to wind up the yarn, till the end below be held fast. Then the person asks, "Who holds my clew?" The answer, from below, announces the name and surname of the future spouse. I have seen or heard of many other modes of trying to know future events upon All-hallow Evening, especially with regard to marriage; such as a stone, taken from a rivulet making a boundary between two estates, and from a ford where living and dead do pass—gall eat with the teeth by a person blind-fold and dumb—the first egg of a young hen, baked into a cake, with one shellful of soot, another of meal, and a third of salt, all properly mixed together. This extraordinary cake must be dressed by a fire made of straw taken from the cradle of a woman's first son. Besides, I have heard of some other charms, which I forbear even to mention, as not worthy of your notice. Yet, however ridiculous these may appear to us, they certainly were instituted with very serious intentions at first, and were invented from the keen desire that mankind have of prying into futurity. And I do think that they are just as good, and were certainly as useful, as Virgil's charm of knots and colours: "*Necte tribus nodis ternos, Amarylli, colores.*" In the Highlands of Perthshire, and no doubt in many other inland parts of the country, these practices prevailed much even since the middle of this (the eighteenth) century; but they are now wearing out of use.

Thus far Dr Robertson. He briefly alluded to the subject in his Account of Callander, which appeared in

Sir John Sinclair's 11th volume, published in 1794; but no new facts were mentioned.

Few and fragmentary are the notices of Hallowe'en which occur in Sir John's work. The Rev. Dr Bisset, Minister of the Parish of Logierait, writes (1793) that "on the evening of the 31st October, O.S., among many others, one remarkable enough ceremony is observed. Heath, broom, and dressings of flax, are tied upon a pole. This faggot is then kindled: one takes it upon his shoulders, and running, bears it round the village; a crowd attend. When the first faggot is burnt out, a second is bound to the pole, and kindled in the same manner as before. Numbers of these blazing faggots are often carried about together, and when the night happens to be dark, they form a splendid illumination. This is *Halloween*, and is a night of great festivity." The Rev. Allan Stewart, Minister of the Parish of Kirkmichael, says (1795) that "the practice of lighting bonfires on the first night of winter, accompanied with various ceremonies, still prevails in this and the neighbouring Highland parishes."

Mr W. Grant Stewart devotes a section of his spirited and amusing work, *Popular Superstitions and Festive Amusements of the Highlands of Scotland*, published in 1823, to the Hallowe'en festivities and spells, amongst the hills and glens of the north: and of this chapter we now proceed to extract the best portions:—

Of the whole series of annual festivals, Hallowe'en forms the most important occasion in the Highlands of Scotland. The fascinating round of varied enjoyments this night presents to the young and juvenile—the delightful peeps into futurity it affords to the enchanted lover—and the fond recollections it revives in old age—all conspire to render its approach more interesting, and its celebration more joyful, than any other occasion within the compass of the year. Nor is the happy influence diffused by Hallowe'en confined to the human class of the inhabitants of the Highlands alone; most of the *supernatural inhabitants* are in some degree partakers in the general happiness. With the fairy community, in particular, it is an occasion of peculiar grandeur, as the great anniversary on which they are received by *Auld Nick*, their nominal chief potentate, in person; whilst many

others of the classes treated of in the foregoing pages, regard it as a night of no ordinary pomp and joviality.

On this occasion of universal hilarity, the natural coldness and jealousy which generally subsist between the human species and their supernatural neighbours, are changed into perfect harmony and benevolence. Like two belligerent armies, whose hostility towards each other is more the offspring of public duty than private resentment, and who, therefore, during the intervals of war, exhibit in their mutual intercourse the marks of personal goodwill—so, in like manner, those two classes forget for the night all animosity, in their more laudable zeal to contribute to each other's gratification. Nay, stern Satan himself relaxes for this night his avarice; and, alive to no other object than the promotion of universal enjoyments, despatches showers of his emissaries to the several kiln-pots, peat-stacks, and barn-yards in the Highlands, to afford to those adventurers who desire it, a peep into the secrets of futurity.

Such a display of seeming benevolence, did it proceed from any other individual than Satan, could not fail to meet with some share of applause. But heads of families whose opinions are entitled to some respect, have been known to affirm, that Satan's affected generosity on this occasion is nothing but a mere stratagem, for inveigling the more effectually the young and unwary into vile snares; and that he gets more game by those specious artifices than he could realize by any other means. Hence it is that the anxious parent this night, instead of extolling Satan's generosity, is so intent on magnifying his perfidy; and in order the better to dissuade his offspring and family from the dangerous practices of the night, details, without qualification, his numerous treacheries on similar occasions.

But these ebullitions of the parent's jealousy of Satan's practices are soon subdued. The big-bellied bottle and bumper glass will have a great effect in relaxing his heart of its illiberal suspicion. Speedily animated by the conciliatory qualities of the "barley bree," and softened by the recollection of his own youthful frolics and manly deeds on similar occasions, he no longer regards as a crime those practices which he recently condemned; and the good-natured matron, being happy at her husband's felicity, and averse to chide, they both tacitly connive at the family's indulgence in the customary arts of divination.

Generally the first spell they try is pulling the stock of kail. Joining hand in hand they go forth to the kailyard, previously blind-folded, lads, lasses, and children equally anxious to have their fortunes told as their seniors. Pulling the first stock they meet with, they immediately return to the light to have an examination of its qualities; its being large or little, straight or crooked, is prophetic of the size and shape of its puller's conjugal companion. If any earth adheres to the root, it indicates tocher or

fortune; and the taste of the custoc or stem, whether sour or sweet, shows the nature of his (or her) disposition.

Then follow the pulling a stalk of oats; the winnowing of three wechts of nothing; throwing the blue clew into the *tor-na-ha*, or kiln-pot; sowing hemp-seed; and wetting the shirt sleeve. The next spell is an extraordinary one :

An individual goes to a public road, which branches in three several directions (*i.e.*, the junction of three roads), bearing with him the cutty or three-legged stool, on which the person seats himself just on the eve of twelve o'clock; and as the hour strikes, he hears proclaimed the names of the several persons who shall die in the parish before the next anniversary. *Nota*—If the person carries along with him articles of wearing apparel, and throws an article away on the proclamation of each person's name, it will secure the person from his impending fate.

This reminds us of the midnight citation at the Cross of Edinburgh, before the Battle of Flodden, when many Scottish notables were summoned to "Pluto's gloomy reign;" but a citizen, walking in his gallery near by, and hearing his own name included, uttered a loud protest, and in token thereof threw a piece of money upon the street. He went with the army, and was the only one named in the ghostly roll who escaped "to tell red Flodden's dismal tale."

Mr Stewart proceeds to relate that after the above and other out-of-door spells have been performed, the parties return to the house to burn nuts, &c.

A person takes a candle and goes unattended to a looking-glass—eats an apple before it, combing his or her hair all the while, occasionally holding over the shoulder a table-fork with a piece of the apple upon it, and ultimately the adventurer's conjugal partner will be seen in the glass, in the attitude of taking the proffered piece of apple.

These and some other spells of less note, such as dipping for the apple, groping for the clean dish, which are generally known, and, therefore, need not be particularly described, joined to each individual's relation of the sights which he saw on the present and former occasions, together with the reflections they draw from "narrative old age," bring the well-buttered sowans, or more favourite *Ban-brishd* (switched cream) upon the table. The *sonsie* kebbock is roasted at the fire, and fangs cut down from end to end. Brandered bannocks, and every other luxury that can be procured, load the hospitable board. The welcome guests surround it; the silver head is bared with

solemn reverence, and the temperate feast, qualified with a few rounds of the *Boghtle dhu*, is as much relished as if it consisted of the most delicious luxuries that crown a monarch's board. But the hours are too happy to remain long; they flee like a shadow, and call the guests to their respective homes.

It will be observed, probably with surprise, that Mr Stewart makes no mention whatever of the Hallowe'en bonfire, and the apparent explanation is that it must have been long obsolete in that part of the Highlands to which he belonged, at the time he wrote. The bonfire, however, is still kindled in some districts of the north of Scotland. In Buchan, on the north-east coast, it has continued to be a popular observance. The Rev. A. Johnstone says, in the old Statistical Account of the parish of Monquhitter (1799), that "the Hallow-even fire, another relic of Druidism, was kindled in Buchan. Various magic ceremonies were then celebrated to counteract the influence of witches and demons, and to prognosticate to the young their success or disappointment in the matrimonial lottery. These being devoutly finished, the Hallow Fire was kindled, and guarded by the male part of the family. Societies were formed, either by pique or humour, to scatter certain fires, and the attack and defence were often conducted with art and with fury." This quotation gives us to understand that the Hallowe'en customs had fallen into desuetude. But the Rev. Mr Pratt, writing in 1858, states that "*Hallow Fires* are still kindled on the *Eve of All Saints* by the inhabitants of Buchan, and present a singular and animated spectacle—from sixty to eighty being frequently seen from one point."

Dr Robertson, of Callander, speaks of hearing about bloody apparitions being seen at Hallowe'en: and we well remember a story in point. An old widow, who lived long in High Street, Perth, and died there a good many years ago, used frequently to relate to her neighbours a dread experience in this respect. When a lass in the country, she undertook the spell which gave "a fearfu' settlin'" to Burns' Widow Leezie, who

— Owre the hill gaed scrievin,  
Where three lairds' lands met at a burn,  
To dip her left sark-sleeve in :

but which, in another case, a younger heroine of the poet's recounts with undisguised satisfaction :

The last Hallowe'en I was waukin  
My droukit sark-sleeve, as ye ken;  
His likeness cam up the house staukin,  
And the very grey breeks o' Tam Glen !

The lass, whose story we are telling, having wet her sleeve, was watching it as it hung to dry over the back of a chair before the fire. She was the only occupant of the room, and the door was shut. Suddenly the shadowy figure of a man glided betwixt her and the hearth—turned the sleeve, and vanished. Scarce was he gone when a frightful phantom presented itself—a man decapitated, as though his head had been carried off by a cannon-ball ! At this sight the spectatress screamed and fainted, and was found in that condition by the people of the house. In after years she had two husbands : and the second enlisting, during the French war, was killed in Spain ! Till the day of her death, the old woman persisted in asserting the reality of her vision.

But we must hasten, however abruptly, to a conclusion. The boys in the Scottish towns used to parade the streets at the Hallowe'en season, shouting or singing appropriate rhymes :

Hey-how for Hallowe'en,  
When a' the witches may be seen,  
Some black, and some green,  
Hey-how for Hallowe'en !

Haly on a cabbage-stock, haly on a bean,  
Haly on a cabbage-stock, the morn's Hallowe'en !

But such demonstrations may be said to have generally ceased. In Perth and its vicinity the night (reckoned by the Old Style) is still celebrated to some extent among the younger folks. Assemblies of lads and lasses take place for the practice chiefly of partaking of "chappit potatoes," among which a ring is placed, and the finding of the ring is a sure token of marriage

before the next anniversary. "Ducking for apples" is also a favourite amusement; and frequently kail-yards are laid under heavy contribution.

### THE HOUSE OF CRAIGHALL.

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Bid ireful Ericht, with his dreadful dins,  
Leave gainful sport about his lofty linns,  
Address him hither with his murmuring voice,  
To 'wake the vallies with a streaming noise.

*The Muses Threnodie.*

A SMALL Grampian stream flowing through Glenshee, afterwards joins the Ardle, and the united waters become the Ericht River, which finally merges in the Isla, a tributary of the Tay. The banks of the Ericht are much diversified, now so low as to be often inundated by spates, and now precipitous and wildly romantic almost beyond compare. To the north of Blairgowrie, the scenery on the river, for about a couple of miles, is of the grandest description, the rapid current traversing a deep channel, confined partly by rocks and crags, rugged and bare, which rise to the height of perhaps 300 feet, and partly by lofty banks clothed with dense oak foliage, which imparts to the view the most delightful sylvan beauty. In the depths of its abysses the water rushes along its stony bed, churning up wreaths of foam, as if in wrathful madness, and filling the solitudes with a ceaseless roar. Near what is called *Crag Liach*—the Eagle's Crag—the spectator becomes impressed with awe-inspiring emotions. The Crag is an immense cliff, a sheer grey precipice, almost as smooth in front from top to base as if dressed by a mason's chisel, while it is bordered on each side and crowned with trees and underwood. Passing this rock, the Ericht wheels round an abrupt angle, and there the impetuously raging torrent suddenly composes itself in a great pool, calm, deep, and black as ink. On the brink of the impending ledge above are some uncertain vestiges of what is said to have once been a round tower, known by the name of *Lady Lindsay's Castle*, because it was the place of seclusion in which a high-born dame

was immured, in her latter days, to expiate a heinous crime. The lady was Janet Gordon, a daughter of the noble house of Huntly, and whose first husband was Alexander, Master of Crawford. In 1489, he was brought home to Inverquiech Castle, in this same district of country, mortally wounded by the hand of his younger brother, John, with whom he had fought in single combat. From some secret cause, the helpless Master "was smothered in his bed, at Inverquiech, and, as was thought, not without knowledge of his wife." She afterwards gave her hand to Patrick Gray, son and heir of the Lord Gray, and again becoming a widow, took yet another husband, whom she also survived. According to tradition, the guilty lady was eventually doomed to solitary penance, first at Inverquiech, and then at Crag Liach, where she died, and where, in a gloomy cave, her restless spirit must abide, until she shall have spun an unbroken thread long enough to reach to the heavens and form a ladder for her ascent to realms of peace! Nearer to Craighall, which stands upon the other side of the Ericht, the Burn of Lornty debouches unto the river, whose channel there is full of hollows scooped out apparently by the force of the furious tide, and is also crossed by the pillar-like strata of a basaltic ridge, called the *Deil's Brigs*. The House of Craighall occupies a peculiar and commanding position, beetling on the verge of a precipice, nearly perpendicular, which descends more than 200 feet to the level of the stream, whose vexed waters struggle and boil amongst the rocks, wearing and shaping them into strange configurations, but presently escapes from the fearsome chasm. So giddy is the height, and so close is the mansion to the edge of the cliff, that one might almost fancy that a hurricane would sweep the whole building into the raging gulf! A balcony carried along the drawing-room windows of Craighall affords a magnificent view of the ravine through which the Ericht pours its troubled flood; but equally-striking prospects may be obtained from other stand-points in the vicinity.

The House, which dates several centuries back, has been more than once restored. It has only one access, which is on the south, by a narrow ledge; the entrance being defended by two round towers, pierced for archery or musketry, and also by the remains of an ancient fosse. It has been supposed that Craighall was the prototype of Scott's Tully-Veolan in *Waverley*, an honour which it shares, however, with the old Castle of Grandtully, in Strathtay.

It is difficult to tell how long ago Craighall came into the possession of the Rattrays, who also, at a very early period, owned the neighbouring estate of Rattray. The family surname is obviously territorial, that is, derived from the latter lands. The first seat of these Rattrays was the Castle of Rattray, which stood near the village now called Old Rattray. This Castle, in its day, surmounted an oblong earthen mound, which has now the appearance of an inverted ship, and is still known as the "Castle-hill" and the "Witchie Castle-hill." But this olden strength was ultimately abandoned by the Rattrays for the apparently impregnable Craighall, perched, like an eagle's eyrie, on the cliffs overhanging the "ireful Ericht." It is said that the progenitors of the Rattrays were in Scotland in the reign of Malcolm Canmore; but at all events Alan de Ratrieff was known here in the times of William the Lion and Alexander II., and his son, Thomas de Ratrieff, received the honour of knighthood from the last-named sovereign. Christian, the lady of Sir Thomas, brought him the lands of Glencaveryn and Kingoldrum, in the shire of Forfar—a Perambulation about which lands between Sir Thomas and the Abbey of Arbroath, in 1250, is recorded in the Register of that monastic establishment. Sir Thomas had two sons, Eustatius (or Eustace), and John. The eldest was his father's heir, and also left two sons, Adam and Eustatius. Adam's name appears in the roll of those Scots who, in 1292, swore allegiance to Edward I. of England, which submission was again renewed in 1296. At some date unknown to us the lands of Rattray were created into

\* Barony. The earliest Charter of the family still existing is a Charter of Inspexisse by Gilbert Hay, Constable of Scotland, in which he recites a Confirmation by King Robert Bruce, dated at Dunkeld, 5th October, 1309, to the Abbot of Coupar, of all grants to the Convent by Adam of Glenbothloch, of the lands of the two Drymmys, and of one by Eustace of Ratreff, of right of commony on the said lands, dated at Dundee, on Wednesday before the feast of St Clement, Pope and Martyr, 1309. Adam, eldest son of Eustace, succeeded his father, and died previous to 1315, leaving two sons, Alexander, and Eustace — the former of whom in that year sat in the Scottish Parliament, which met at Ayr, to settle the succession to the Scottish throne. He died without children, and his patrimony went to his brother, who had the misfortune to fall under heavy suspicion of treason. At the Black Parliament of Scone, which assembled in August, 1320, Eustace was arrested as an accomplice in the Conspiracy of Lord Soulis, Sir David de Brechin, and others against the life of King Robert Bruce. Besides Soulis and Brechin, the parties accused comprised five knights and three esquires—the latter being Richard Brown, Hameline de Troupe, and Eustace de Rattray; but happily two of these esquires, Troupe and Rattray established their innocence, and were honourably acquitted. Eustace was succeeded by his son, John de Rattray, who, in turn, was followed by a son of the same name. This grandson of Eustace the Esquire closed his days about the end of the reign of James I., leaving a son, Patrick, who died in 1456, leaving a son, Sir Sylvester Rattray.

In December, 1462, James III. confirmed, at Linlithgow, a Deed of Excambion between Silvester Rettra of that Ilk and Thomas Lovel, by which the former gave the lands of Ochtergaven for those of Kinbachlow, and the Deed is dated at Perth, the 16th December said year, before these witnesses, David Flemyng, Provost and Sheriff of the Burgh of Perth, Thomas Olifant of Dron, Andrew Charteris, and others.

In 1463, Sir Sylvester was appointed one of the Scottish Ambassadors to negotiate a treaty of peace with England—his Safe-Conduct being dated the 12th June. He is said to have had much influence at the Scottish Court; and his name is found in the Roll of the Parliament of 1481. By his spouse, Alison Hepburn, he had a son, named John, who succeeding him was knighted by James IV., and married Elizabeth, daughter of James, second Lord Kennedy, of which union came three sons (John, Patrick, and Sylvester), and one daughter (Grizel). On the 18th May, 1506, a Commission was granted by James, Abbot of Scone, to John Rattray of that Ilk, knight, and Andrew Abbercrommy, of Inverpeffray, the Abbot's brother, appointing them to be Bailies of the Regality of Scone, with such salary and accommodation in the monastery of Scone as were formerly enjoyed by Thomas Blair of Balthayock. The knight of Rattray's eldest son, John, left his native land, to push his fortune with his sword, and rose to be an officer in the military service of the Dutch. He died in Holland, predeceasing his father, and though married (his wife being Margaret Abercromby, probably a relative of the Abbot of Scone), left no child. The next brother, Patrick, succeeded his father, Sir John; and the sister, Grizel Rattray, became the Countess of John Stewart, third Earl of Athole, to whom she bore two sons and six daughters. This alliance, however, proved a source of discord between the houses of Rattray and Athole, resulting in feud and bloodshed, as we shall now relate.

The death of Sir John Rattray, and the succession of Patrick, opened the floodgates of family strife. Athole thought himself entitled to an equal portion of the Rattray domains in right of his Countess; and this claim being resisted by his brothers-in-law, Patrick and Sylvester, the Earl resolved to attain his end by force. Arraying a body of his clansmen, he marched down upon the Castle of Rattray, with the intention of carrying it by assault. Patrick finding his few retainers unable to defend the place, made a timely retreat. The

Earl broke into the old fortalice, ransacked it, and seized all the family documents on which he could lay his hands. Moreover, learning that Patrick had fled to the House of Craighall, the furious Athole hastened thither, and attacked it with all his power. But Craighall was far stronger than Rattray—in fact it might be deemed impregnable, and therefore after an obstinate contest, the assailants were repulsed with loss, and saw meet to retire. It would seem that from about this time, Craighall became the constant seat of the Rattrays, on account of its strength, and Rattray Castle was abandoned to decay and ruin. For some space Patrick continued to maintain his inheritance against Athole's fierce rapacity, but at last fell a victim to the Earl's relentless hatred. While the Laird of Craighall was at his house of Kynballoch, in the parish of Rattray, a band of assassins, suborned by his revengeful brother-in-law, made their way into the mansion, with the design of putting him to death. On the raising of the alarm, he took refuge in the chapel, supposing that its sanctity would deter the ruffians from their murderous purpose. But it did not. They violated the sanctuary. Finding him on his knees in prayer, they gathered round and slew him under the sacred roof, and then departed to claim the wages of blood from their master. The foul deed did not much avail their master. He had removed Patrick from his path; but the remaining brother, Sylvester, was in the field, and claimed to succeed as heir to his father and two brothers. Athole exerted himself to prevent Sylvester obtaining the legal sanction of his just rights, and for the period of a dozen of years was able to effect his object. The service of Sylvester as heir required to be expedite before the Court at Perth, the county town; and there the influence of Athole was so powerful that no such procedure could be carried through. At length, in 1533, Sylvester petitioned the King for a commission to have the service completed at Dundee, narrating that for the space of twelve years he had been hindered from getting himself served heir in his father's lands by the Earl of

Athole, who had sent Walter Leslie, John Stewart, *alias* John of Lorn, Thomas Laing, David Stewart, and others, who slew his brother, Patrick Rattray, in the chapel of his house of Kynballoch, and he was informed that the Earl was meditating a similar fate for himself. The commission sought was granted, under the great seal, on the 17th October, 1533, and the service accordingly took place, under this special authority, at Dundee, as appears by an instrument dated the 22d day of said month of October. No proceedings seem to have been taken against Athole for the base part he had acted; but the passing of the service at Dundee obviously brought about some amicable arrangement or compromise with him; for, in December following, Grizella, Countess of Athole, granted a Precept of Clare Constat in favour of Sylvester Rattray, as heir of Patrick Rattray, his brother, in the lands of Braidwalls, and other parts of Rattray. Next year, Sylvester was infeft at Dundee in the barony of Craighall and Kynballoch.

Sylvester Rattray was suffered to enjoy his patrimony in peace. He was married, and survived till the year 1554, leaving two sons, David and William. The eldest succeeded his father. We find that both brothers implicated themselves in deadly violence, arising evidently from one of the sudden affrays so frequent in that turbulent and unruly age. Two men were slain, under circumstances which are not recorded: but the Rattrays compounded for the slaughter by an *assythment*, or money payment. On the 8th November, 1572, a Discharge was granted by Donald Rollok, of Polcak, to David Rattray, of Craighall, of 500 merks, and to William Rattray, his brother, of 45 merks Scots, as the *assythment* modified by Sir George Haliburton, of Pitcur, and others, due by them for the slaughter of Robert Rollock, father of the said David Rollok, and of David Donald in the Grange, by the said David and William Rattray. David, the laird, had two sons, George and Sylvester, the former of whom became his heir, and apparently lived till the beginning of the

seventeenth century. But among the family papers is a letter, dated Fernewall, 3rd February, 1592, from James, Lord Ogilvy, to George Drummond of Blair, anent the slaughter of the Laird of Craighall, and stating that he had apprehended James Ogilvy, one of the principal doers thereof. Whose slaughter this was, we are at a loss to know. It could not be that of George, because, so far as we learn, he lived till about 1504: and scarcely could it be that of Patrick, in the chapel of Kynballoch, some seventy years before; so that we are shut up to the inference, that David was the laird whom Lord Ogilvy wrote of as having been slain. Leaving this point, however, we come to the year 1598-9, when, according to the *Chronicle of Perth*, the Laird of Craighall was accessory to a murder in the Kirkgate of the Fair City:—

1598, February 16. The slaughter of William Hay, son to the Gudeman of Gourdie, in Andro Gib's house, in the Kirkgate, by the Laird of Craighall-Rattray, and his accomplices. Thomas Lafreis, chirurgeon, was there, wha suffered for it.

It might be conjectured that some feud had broken out between Craighall, or certain of his friends, and the Hays of Gourdie (whose lands lay in the parish of Cluny), of which this foul deed was the issue. About the middle of the century, William Hay of Gourdie had married Elizabeth Mercer, daughter of Robert Mercer of Newton of Forgandenny (who was a son of Sir Laurence Mercer of Aldie) and of his wife Helen Chisholm, youngest daughter of Edmund Chisholm of Cromlix: and several children were born of this union. On the 2nd February, 1598-9 (not the 16th as stated in the *Chronicle*)—the day being Friday, which was probably then, as now, the Market-Day in Perth—William Hay, one of the sons of Gourdie, happened to be in a house--which we may suppose to have been a hostelrie—in the Kirkgate of Perth; when an armed party of ten or twelve came in, and a fray ensued, and Hay was slain. Was Craighall there? Except the assertion in the *Chronicle*, there is nothing to prove that he was personally concerned in the outrage,

although one of the party was a servant of his, George Rattray by name. The law was speedy in pursuing and punishing the guilty. At Edinburgh, on the 16th March, 1598-9, Patrick Campbell of Kethick; Andrew Sym, his servant; William Spalding in Kethick; John Drummond of Coquhalzie, and five others, were delated for art and part of the slaughter of umquhil Wm. Hay, son to Wm. Hay of Gourdie, committed upon the 2nd day of February last by past, upon set purpose, provision, and forethought felony. The pursuers were Andrew Hay, apparent heir of Gourdie; Laurence, Robert, and Patrick Hay, brothers; and John Stewart, apparent heir of Airntilly. No appearance was made for three of the accused; but as they had found caution or bail, the cautioners for Campbell, Sym, and Spalding were amerced in the pain of 500 merks for Campbell, and for each of the others 100 merks, while the principals were ordered to be denounced as Rebels. The Court then continued the case to the third day of the next Justice-air of Perth, or sooner, upon fifteen days' warning. But, within four days, other two parties were brought to trial, at Edinburgh, for the same murder. On the 20th of said month of March, George Rattray, Servitor to the Laird of Craighall, and Thomas Lathreis, chirurgeon in Perth, were delated for art and part of the slaughter of umquhil William Hay, son to William Hay of Gourdie. The King's Advocate protested for wilful error, in respect of the verification of the crime, and of the Confession, verified by the Laird of Auchey and Mr Patrick Hay. The Assize (or Jury) being chosen, sworn, and admitted, removed altogether furth of Court to the high Tolbooth of Edinburgh, and by the mouth of William Douglas of Earlsmylne, Chancellor, all in one voice, found, pronounced, and declared the said George Rattray and Thomas Lathreis to be fyled, culpable, and convicted of art and part of the cruel slaughter of the foresaid William Hay, committed in the month of February, last by past, within Andrew Gib's dwelling-house in Perth. The sentence was that the culprits

should be taken to the Market-cross of Edinburgh, and there their heads to be stricken from their bodies, and all their moveable goods to be escheated and inbrought to the King's use. Their execution took place accordingly, on the 28th March,

George, Laird of Craighall, was succeeded by his son, Sylvester, who, on the 20th October, 1604, obtained a charter under the Great Seal of all his father's lands, and was infeft accordingly. He had two sons, David and Sylvester, and died before the 22nd June, 1613, of which date his eldest son was served as his heir. The youngest, Sylvester, entered the Church, and from him sprung the branch of the Rattrays of Persie. David of Craighall did not long survive his father, and on his death was succeeded by his son, Patrick, who obtained a charter of Novodamus from Charles I., on the 28th February, 1648, of the lands of Craighall, Kynballoch, and others, which were thereby erected into a free barony, to be called in all time coming the barony of Craighall and Rattray. He married Anne Drummond, daughter of John, second Lord Madderty, by whom he had a son, James, and a daughter. James left a son, Dr Thomas Rattray, who inherited the lands in 1690. "He was a Bishop in the Scottish Episcopal Church, and distinguished himself by his literary abilities, and especially by his writings on liturgical subjects. He married Margaret Galloway, daughter of Thomas, Lord Dunkeld," who was "grandson of Patrick Galloway, a Presbyterian minister of note, in the reign of James VI., first at Perth, and then at Edinburgh."

From Bishop Rattray, the Craighall line may be so easily traced down to the present head of the family, Colonel James Rattray, that we need not enumerate the intermediate links. We must notice, however, that the following letter from the Young Chevalier to the Laird of Craighall, dated at Blair in Athole, 2nd September, 1745, is preserved in the family archives:—

It is now some weeks since I arrived in this country, with a firm resolution to assert His Majesty's right, and as I am now got so far into the country, with a good body of the King's loyal subjects, I now require you may join

the Royal Standard, with all the expedition possible, when you may depend upon meeting with my favour and friendship.

CHARLES, P.R.

This summons did not meet with the expected response; but a scion of the family, James Rattray of Runnygullion, Drimmie, and Corb, in Perthshire, joined in the Rebellion, and became the hero of the following traditionary story, with which we shall conclude our sketch:—

He was among the last to leave the field of Culloden, and with his brother-in-law, Sir James Kinloch of Kinloch, he hastened to Drimmie, in the parish of Longfor-gan. There he was captured by the Government soldiery, and conveyed a prisoner to London. At his trial, he was advised to plead, in his defence, as many of the prisoners did without effect, that he was forced against his will to join the Rebel army. This plea made no impression on the Judges, and the Jury were about to retire, when a stranger rushed into the Court, and earnestly exclaimed, "My Lords, I beg to be heard on behalf of James Rattray, the prisoner at the bar." The Judges, after some hesitation, consented to receive his evidence, when he declared upon oath that, on one occasion, while travelling through Perthshire in the exercise of his vocation, collecting a coarse kind of flax called heards, he was benighted on the road, and, arriving at Drimmie, he was there received by the prisoner, and hospitably entertained with the servants of the family; and that he subsequently saw the prisoner handcuffed in the custody of the Rebel army, from his refusal to join them. In consequence of this man's evidence, the Jury returned a verdict of not guilty. The witness immediately disappeared without speaking to any one, and was never afterwards seen by any of the family.\*

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\* Authorities:—*Fourth Report of the Royal Commission on Historical Manuscripts*, p. 536; *Anderson's Scottish Nation*, vol. III., p. 733; *Tytler's History of Scotland*, vol. I., p. 142; *Douglas' Peerage of Scotland*, p. 49; *Jervise's Lands of the Lindsays*, p. 287; *Scotstarvet's Staggering State* (Dr Rogers' edition), p. 39; *Chronicle of Perth*, p. 7; *Pitcairn's Criminal Trials*, vol. II., pp. 80, 85.

THE WEIRD SISTERS OF PERTSHIRE.

Part 1st.

How now, you secret, black, and midnight hags,  
What is't you do?

*Macbeth.*

THE *Witch mania* of the sixteenth and seventeenth centuries was perhaps the blackest moral pestilence that ever afflicted Europe. Physical plagues came and went at intervals; but this delusion took deep and permanent root in every country which it over-ran, implanting itself firmly in all minds, learned or unlearned: and, what is the more remarkable, it raged with the greatest fury in lands which were illumined with the glorious light of the Reformation; for Protestant enlightenment, great as were its triumphs, stopped far short on this subject, and, therefore, put forth no right and efficacious influence in those days against what constituted the grossest and vilest form of superstitious belief.

It was an old superstition—almost as old, probably, as the formation of human society. Magic and sorcery seem to have been practised among men of all classes from very remote antiquity: and the profession, when we first meet with it in history, was apparently held in high estimation and reverence. Jannes and Jambres, and their brother thaumaturgists, who opposed Moses and Aaron, were favourite officials at the court of the Pharoahs of Egypt. With the whole ancient world, civilised and barbarian, it was an immutable point of faith that supernatural powers could be imparted to man; consequently the magician occupied, among various peoples, an elevated and respected position. Most of the religious systems of Paganism, moreover, were secretly indebted to magic, so that priest and necromancer were synonymous terms, describing one and the same person. As will be remembered, the earliest denunciation of these unhallowed arts occurs in the

Divine Law communicated to Moses:—"Thou shalt not suffer a witch to live" (Exodus xxii., 18); which command is afterwards repeated, in different terms, in Leviticus xx., 6, and Deuteronomy xviii., 10 and 11. All through the Hebrew times, pious Kings strove to eradicate the practice of enchantment, which was generally conjoined with idolatry. By the Romans, the magic art was occasionally condemned. Thus, one of the laws of the Twelve Tables was to the effect "that no person should use charms to draw his neighbour's corn into his fields:" nor did this law remain a dead letter; for it is stated that a husbandman, Furius Cresinus, being accused of magic by his envious neighbours because his crops were heavier than theirs, defended himself by producing his spades and ploughs and his sun-burnt daughters, and declaring that these were the only charms to which he owed his abundant harvests. Another Roman law, called *Lex Cornelia*, was promulgated against sorcery, but was more aimed against secret poisoning under colour of magic, a crime which had become alarmingly prevalent among the fair sex of Rome. The Roman Sorceress or Witch lives again in the pages of classic poetry. Horace, in his 5th Epode, draws a hideous picture of Canidia in the midst of her incantations; and Lucan, in his *Pharsalia*, Book 5th, opens to our eyes the arcana of the magic and witchcraft of his age in Erictho's dismal cell. Turning to New Testament history, we read how Simon Magus and Elymas the Sorcerer fared, and how many converts to Christianity burned their books of magic in public testimony that they had for ever abjured such pursuits. The Fathers of the Church frequently warned the faithful against this class of superstition; but it is a singular fact that an Edict of the Emperor, Constantine the Great, after his conversion, marked a distinction between those whom our ancestors termed *Black* and *White* Witches and Wizards—namely, such as professed curative magic, and such as used spells for injurious purposes. "Their skill," said the Edict, "is to be condemned and very deservedly punished in the severest

manner, who being furnished with knowledge of the magic arts, shall be discovered to have acted any thing, either for the impairing of man's health," or other evil design. "But no vexatious actions are to be brought against Remedies that are sought for the bodies of men, or against Charms that are innocently used in country places, for fear lest storms, or winds, or hail, should hurt the forward vineyards; or against any thing whereby no man's health or credit was lost, but the gifts of God and works of men were preserved from damage." Towards the end of the same century, a striking case arose which shewed how the "juggling fiends" of magic could "palter in a double sense," to the confusion and ruin of their shallow dupes. Before the accession of Theodosius the Great to the throne of the Byzantine Cæsars, a conspiracy was formed for the elevation of an upstart, named Theodorus, to the imperial purple. The plot was discovered, there were numerous arrests, and the traitors being brought before the tribunal of justice at Constantinople, torture was employed to force them to full disclosures of their machinations. One of the wretches made the following confession concerning the magical arts which had been employed to promote the cause of Theodorus:—

This unlucky table, which is now produced in Court, we made up of laurel boughs, after the fashion of that which stands before the curtain at Delphi. Terrible were the auspices, awful the charms, long and painful the dances, which preceded and accompanied its construction and consecration. And as often as we consulted this disc or table, the following was our mode of procedure. It was set in the midst of a chamber which had previously been well purified by the smoke of Arabian gums and incense. On the table was placed a round dish, welded of divers metals. On the rim of the dish were engraven the twenty-four letters of the alphabet, separated from one another by equal and exactly measured spaces. Beside the table stood a certain man clad in linen, and having linen buskins or boots upon his feet, with a handkerchief bound around his head. He waved in one hand a branch of vervain, that propitious herb; he recited a set formulary of verses, such as are wont to be sung before the Avernuncal gods. He that stood by the table was no ordinary magician. With his other hand he held and shook a ring which was attached to curtains, spun from the finest Carpathian thread, and which had often before been used for such

mystic incantations. The ring thus shaken dropped ever and anon between the interspaces of the letters, and formed by striking the letters together certain words, which the sorcerer combined into number and measure, much after the manner of the priests who manage the oracles of the Pythian and Branchidian Apollo. Then, when we enquired who perchance would succeed to the reigning Emperor, the bright and smooth ring, leaping among the letters, struck together T.H.E.O., and afterwards a final S, so that one of the bystanders at once exclaimed that THEO[DORU]S was the Emperor designed by the Fates. We asked no more questions, seeing that Theodorus was the person whom we had sought for.

This was an adroit trick, quite in the spirit of the oracular responses, which were always susceptible of two interpretations; and none of the simpletons upon whom it was palmed had the sense to perceive that a different name—say *Theodosius*—was as much indicated by the dancing ring as *Theodorus*. The Pretender and a number of his adherents were put to death, and soon Theodosius obtained the empire.

Ordinances against sorcery were issued in France by Charlemagne. "Every sort of magic, enchantment, and witchcraft was forbidden, and the punishment of death decreed" for such crimes; which edicts were professedly called for by the fact that the number of sorcerers and witches had been augmenting daily. In Saxon England, King Athelstan is said to have made a law against witchcraft, declaring it punishable with death. Our Scottish annals tell how King Duff was brought to the gates of death by a wasting disease, caused by the roasting of his image before a slow fire by a company of witches, who were discovered and condemned to fire and faggot, after which the monarch rapidly recovered. But as we pass down the stream of general history we find that the accusation of witchcraft became a formidable weapon in the hands of the Papacy to disgrace, crush, and destroy those "heretics" who preceded the Reformation. Albigenses, Waldenses, and others, were all stigmatized as servants of the Devil by reason of their alleged sorceries. Nay more—the same weapon was used for meaner ends than the safety of the Church. When a

King of France and a Pope of Rome conspired together to plunder and share the wealth of the Templars, it was the charge of sorcery which overwhelmed the Order. Farther, English vengeance against the French heroine, Joan of Arc, was perpetrated under the same cloak, which was sufficient to cover any amount of iniquity. But it was the fifteenth century which sowed the seeds of the great Witch mania. In the latter portion of that century witchcraft was mixed up with several important incidents in England—as witness Richard Crookback's declaration that his arm had been withered by the sorceries of his dead bother's Queen and Jane Shore. Nor is Scottish history without its corresponding example. James III. discovered, in 1480, that his youngest brother, the Earl of Mar, was practising against his life by means of a waxen image which certain witches, hired for that end, were melting before a slow fire. The fratricidal-prince was seized and sent as a prisoner to Craigmillar Castle, whence he was transferred to Edinburgh. All his mean agents were likewise arrested, and confessing their crime, were delivered over to the flames. The Earl himself was condemned; and the mode of death, say our older annalists, being left to his own option, he selected the Roman fashion of having his veins opened in a warm bath. But Drummond of Hawthornden, in his *History of the Jameses*, gives the more probable account that the Prince's death was accidental from the chance opening of a vein in which he had been recently bled. Four years more, and Europe was innoculated with the Witch-frenzy by the Supreme Pontiff, whose fiat, which no man durst question even in his most secret thoughts, went forth and transformed Christendom into habitations of savage cruelty.

Already, in 1317, Pope John XXII. had issued a Bull, in which he complained that among his own courtiers and physicians, many had sold themselves to Satan, and had conjured demons into rings, mirrors, &c., with the intent of working mischief, and especially of destroying his life; and, therefore, he gave commis-

sion for the appointment of Judges to try said crimes, and punish the guilty parties. But Pope Innocent VIII., in 1484, improved upon this old thunderbolt, by fulminating a Bull, in which, after speaking of the vast numbers of men and women who had given themselves over to sorcery and witchcraft, he commissioned Inquisitors to search into the matter, and to prosecute all suspected persons; adding that "whereas many, both of the clergy and laity, seeking to be wise above what is fit, do not blush to assert that the persons are not to be prosecuted in those parts, We command all opposers, contradictors, or hinderers of those prosecutions, of whatever state, dignity, excellence, or pre-eminence they may be, to be excommunicated, or suspended, as occasion shall require, or punished with greater and more formidable punishments; and if there be need, that the secular arm be called in to help." This Bull served a double object; for, though ostensibly directed against sorcery, it could also be made applicable to "heretics," whom it was easy to charge with the imaginary crime. It confirmed and hallowed the superstitious element in the human mind, and produced countless holocausts of victims during the next two hundred years. Speedily a regular system of Witch jurisprudence was drawn up and published for the guidance of those entrusted with the office of ridding the world of witches. This was the celebrated *Malleus Maleficarum*—the Witch-Hammer—a work of 625 quarto pages compiled by Jacobus Sprenger, Johannes Gremper, and Henricus, three of the Inquisitors nominated in the Papal Bull. The volume appeared in 1489, with the Bull prefixed to it by way of *imprimatur*. It may be marvelled that this Bull and this book, both infamous, and both emanating from the fountain-head of error, at the very time when Reformation principles were germinating here and there, should have been received with the implicit acquiescence of men who were about to cast off the authority and tenets of Rome. The belief in diabolical compact—in the malefic gifts of Satan to those votaries who renounced

their baptism and received his mark on their bodies—in the power possessed by poor, ignorant, debased wretches to “vex and afflict man and beast,” as Innocent said, to “blast the corn of the ground, the grapes of the vines, the fruit of trees, and the grass and herbs of the field,” to raise tempests, wreck ships, waste life, control the order of nature, and generally turn the world upside down—such a belief as this, we say, was more repugnant to reason and common sense than any of the religious absurdities and falsities of Popery. But there is wider ground for marvel when we know that even after the yoke of the great apostacy was broken, this still more degrading yoke remained firm and fast on Protestant necks. Nay, the nations of the Reformation were so wedded to this delusion, as though it were an essential of salvation, that if any man ventured a word against it, he ran the risk of being hunted to death as a Sadducee—as an Atheist. Several of the Popes who followed Innocent followed also his witch-crusade by issuing bulls in its promotion—Alexander VI., in 1494; Leo X., in 1521; and Adrian VI., in 1522. And what might have opened Protestant eyes (though it did not) was the horrid fact, that in the years 1515 and 1516 the city of Geneva witnessed the judicial murders of 500 victims, whom their destroyers nicknamed *Protestant Witches!*

Scotland saw a famous execution in 1537, when the young and beautiful Janet Douglas, Lady Glamis, died at the stake on the Castle-hill of Edinburgh,—for sorcery, as some of our old historians have said. But sorcery was not the crime charged against her. It was an alleged attempt to poison James V.—and she had meddled too much with state affairs. Lady Glamis had been accused in 1533 of poisoning her husband; but first one jury and then another, summoned to try her case, chose rather to subject themselves to fines by refusing to appear. It is interesting to notice that these juries were chiefly composed of Perthshire men, as we shall now show. On the 31st January, 1532-3, Janet, Lady Glamis, found John Drummond of Innerpeffray as

surety for her appearance at the next Justice-air of Forfar, to underly the law for art and part of the intoxication (poisoning, supposed to have been by enchanted drugs) of John, Lord Glamis, her husband, and of resetting Patrick Charteris, Rebel and at the horn. On the 2d February thereafter, William Fowlartoun of Ardoch, David Stirling of Braco, John Bruce of Fingask, William Drummond of Abernyte, the Lairds of Cullarny, Parbroath, Petfurane, Balmaschennax, Duneany, Culluthy, Pyotstoun, Gagy, and Roucht, Henry Ramsay of Lawers, and Alexander Drummond of Carnock, were amerced for not appearing to pass on the Lady's assize. Another Jury were summoned. But on the 26th of February, the new Jury also failed to attend; and William, Lord Ruthven, Lawrence, Lord Oliphant, the Lairds of Moncreiff, Tullybardine, Culluthy, Innernyte, Anstruther, Petcur, Petkindy, Inchturre, Clatty, Gorthy, Cultoquhey, Kelly, Ouchterley, Balluny, and Thomas Barclay of Rhynd, were amerced for not appearing that day to pass upon Lady Glamis' assize. The accusation against her must have been generally disbelieved, when two Juries thus evaded their duties. It was popularly suspected that the King bore her a bitter hatred and sought her life. If so, his aim was accomplished four years afterwards, when the unfortunate lady was convicted (doubtless unjustly) of a treasonable conspiracy to take away the royal life by poison. She was burned at the stake—the usual mode of death at that time for females, guilty of treason and murder, as well as for those guilty of witchcraft: and from that circumstance, coupled with the former accusation, the mistake evidently originated that scorcery was the crime for which she died.

England entered on a new career of Witch-finding in 1541, when a Statute was passed. This was followed by two Acts (one against popular prophecies) in 1551; and there was another—the main enactment—in 1562. These laws gave encouragement to the superstition, and consequently, as time passed, there was no lack of

witches and enchantments. One of Archbishop Crammer's Articles of Visitation, in 1549, was in these terms:—"You shall enquire, whether you know of any that use Charms, Sorcery, Enchantments, Witchcraft, Soothsaying, or any like craft, invented by the devil": and in 1598, Bishop Jewell, in a sermon before Queen Elizabeth, thus expressed himself—"It may please your Grace to understand that witches and sorcerers within these last four years are marvellously increased within this your Grace's realm. Your Grace's subjects pine away even unto the death; their colour fadeth—their flesh rotteth—their speech is benumbed—their senses are bereft! I pray God they may never practise further than upon the *subject!*"

Let us now enquire what was doing in Scotland meanwhile. There the Reformation was accomplished in root and branch fashion—its leaders boasting that they had removed the farthest from Romanism, by establishing the Presbyterian system of doctrine and polity. "Gospel light and liberty" were diffused over the land. Yet rulers, clergy, and people, all ranks and conditions of men, still hugged the odious principle of Innocent's Bull, and would not part with the cruel delusion. The Reformed preachers never seem to have fully considered the other side of the question, but clung to the bare letter of the Mosaic law, which might, or might not, be applicable to modern sorcery. The Hebrew word *chasaph*, which we render *witch*, and in Latin becomes *venefica*, has been held, by high authority, to signify a poisoner and pretended divineress: and the Jewish law, in denouncing the practice of divination did not thereby recognise the absolute reality of such a power. "Though stress had been laid on the prohibition in the Mosaic law," says the Rev. Henry Christmas, "surely that law might be supposed, with propriety, directed against pretenders; besides which, the word employed in the original signifies poisoners, and would probably never have been rendered *witches*, had not witchcraft been so much in fashion during the middle centuries." Far more honourable would it have been for the men of

the Reformation had they set themselves to extirpate "doctrines of devils"—the crazy theories of diabolical compacts and such like superstitions: instead of which they, by their passion for Judaizing, stamped the imposture of Pope Innocent's Bull deeper than ever upon the popular mind. Hitherto the Scottish statute book contained no express law on the subject of Witchcraft; but this want was supplied in 1563 by the Parliament, which met at Edinburgh, on 4th June that year, passing the following Act:—

#### ANENT WITCHCRAFTS.

Item, Forsameikle as the Queen's Majesty and the three Estates in this present Parliament being informed of the heavy and abominable superstition used by divers of the lieges of this realm, by using of Witchcrafts, Sorcery, and Necromancy, and credence given thereto in times by-gane, against the Law of God: and for avoïding and away-putting of all such vain superstition in time to come: it is statute and ordained by the Queen's Majesty, and the three Estates aforesaid, that no manner of person nor persons, of whomsoever estate, degree, or condition they be of, take upon him in ony times hereafter, to use ony manner of Witchcrafts, Sorcery, or Necromancy, nor give themselves furth to have ony such craft or knowledge thereof, there-through abusing the people: nor that no person seek ony help, response, or consultation, at ony such users or abusers foresaid of Witchcrafts, Sorceries, or Necromancy, *under the pain of death*, as well to be executed against the user, abuser, as the seeker of the response or consultation, And this to be put to execution by the Justice, Sheriffs, Stewards, Bailies, Lords of Regalities and Royalties, their deputes, and other ordinar Judges competent within this realm, with all rigour, having power to execute the same.

The above retrospect, which briefly touches certain of the more salient points in the long and diversified history of Sorcery and Witchcraft, is meant to serve as an introduction to notices of Witchcraft in Perthshire. Our design is to present accounts, from authentic records, of some of the witch trials, &c., belonging to the city and county; but we shall refrain from any lengthy exploration of the mazes of tradition, which connects almost every village of the shire with witches and witch-executions. The instances to be adduced will fully illustrate the nature of the superstition during its prevalence, after the Act of 1563, without wearying

the reader with a multiplicity of stories, all bearing more or less a family resemblance to one another.

*THE WEIRD SISTERS OF PERTSHIRE.*  
*Part 2nd.*

---

O Alison Gross, that lives in yon tower,  
The ugliest witch in the north countrie,  
Has trysted me ae day up till her bower,  
And mony fair speech she made to me.

*Ballad.*

IN the summer of 1570—three years after Mary Queen of Scots fled from the lost field of Langside, and sought an asylum but found a prison in England—and while Scotland was torn by the fierce war of the Kingsmen and Queensmen,—various leaders of the latter faction held a Council in Athole, to concert measures in behalf of the hapless Sovereign to whom they still owned allegiance. At this period of the national convulsions, the hopes of the Queen's adherents ran high, and the gathering in Athole served to fortify their zeal. "This famous Council," writes Calderwood, the Kirk historian, "was called the Council of Ballach;" and it lasted two or three days. After it separated, a convocation of a different character assembled in the same country, for promotion of the same interest. This second junto was composed of all the Weird Sisters of the district of Athole, who proved themselves ardent friends of the imprisoned Queen. By their mystic art they predicted that she should surmount all her troubles and rise to the Throne of Britain! The story rests on good authority enough—that of the grave Calderwood, who certainly would not have penned down what he did not credit. "About this time," says he, "a present was sent, as was supposed, from the witches of Athole to the Scottish queen; a pretty hart horn, not exceeding in quantity the palm of a man's hand, covered with gold, and artificially wrought. In the head of it were curiously engraven the arms of Scotland; in the nether part of it a throne, and a gentle-woman sitting in the same, in a robe royal, with a crown upon her head.

Under her feet was a rose environed with a thistle. Under that were two lions—the one bigger, the other lesser. The bigger lion held his paw upon the face of the other, as his lord and commander. Beneath all were written these words:—

“ Fall what may fall,  
The lion shall be lord of all.”

These two lines (with a slight change) form part of what is called the Prophecy of Berlington. Calderwood adds that “at this time was forged this rude rhyme—

“ The howlet shall lead the bear to his baine,  
The Queen of England shall dee the twelfth year of her  
reign.

The court of England that is so wanton,  
Shall shortly be brought to confusion.”

But it is not said that this prophecy was concocted by the Athole witches.

The first trial for Witchcraft recorded in the Books of the Court of Justiciary took place on the 29th December, 1572, when Janet Boyman, spouse to William Steill was “delated of divers crimes of witchcraft,” an account of which has not been preserved; but, according to the brief and pithy entry, she was “convict and brint.” It cannot be supposed that this was the only case of the kind which had emerged since 1563. Doubtless trials had been held before the other judicatories throughout the country; but we should also bear in mind that the distracted state of the kingdom until the surrender of Edinburgh Castle, on the 30th May, 1573, must have somewhat diverted public attention from witch-prosecution.

In 1577, a woman, named Violet Mar, resided in Kildeis or Culdeesland, a district of the parish of Methven, and within the Lordship thereof—the place being probably the site of the ancient baronial castle, and of an ecclesiastical establishment of the Culdee days, both of which edifices had disappeared. Violet was apparently of a grade above the common; but she had the misfortune to acquire the reputation of dealing with the powers of darkness—nay, further, the report

ran that she had undertaken to destroy the Regent Morton by her spells. To threaten Morton was a crime of the blackest dye; and therefore the Methven witch was taken into custody, and brought to trial on the 24th October, 1577. She was "delated," says the record, "of the using of Sorcery, Witchcraft, and Incantation, with Invocation of Spirits, at the times contained in the said Dittay." The Assize or Jury were the following:—

William Drummond, at the Mill of Nab; John Graham apparent (heir) of Callander; David Murray of Galdwall; George Marchell of Inverpethie; George Drummond of Ballock; James Drummond in Auchterarder; John Drummond of Pitkennectie; David Murray in North Kinkell; John Drummond of Layonoch; Hugh Merschell in North Kinkell; George Drummond, *alias* Gawir, in Strageyth; Andrew Miller in Balloclochargye; John Anderson there; Patrick Murray in Auchtirtyr; John Drummond in South Kinkell.

The Jury convicted the accused "of the point of dittay contained in her own Depositions and Confession made of her treasonable undertaking to put down my Lord Regent's Grace with witchcraft, at the time and place contained in the same Depositions." She was also, "fyllit for ane common user of sorcery, incantations, and charms, and abuser of the people against the laws of God and man." After the verdict the following persons are noted as *Absen. ab Assisa*:—

Malcolm Drummond of Bordland; Gilbert Moyll in Alloquhy; Andrew Ramsay in Pittincleroch; Patrick Maxtone of Cultoquhey; Patrick Drummond of Monzie.

There is no detail of the articles of indictment, nor of the Depositions and Confession; and the sentence pronounced has not been marked; but, as has been suggested, the sentence "had likely been referred to the Lord Regent and Privy Council; and when pronounced, omitted to be inserted in the Record."

The Witch mania was now developing itself; but although sorcery and all trafficking with it were visited with the heaviest penalties, various persons of rank and position did not scruple to hire the services of professors of the forbidden arts, for ends mostly criminal. Of course, the whole circle of the occult sciences offered

an alluring field for the study of the learned; but apart from such students, there were persons of wealth and high station who privately sought health, the revelation of the future, or the accomplishment of revenge, through the medium of wretches equally ready to administer a poisoned potion as to charm away disease, or to disclose hidden mysteries. This encouragement of practices, sometimes silly and innocuous, but oftener guilty, afforded by members of the upper classes of society, able to reward the impostors who traded on their credulity and shrank not from the perpetration of slow and secret murder, is frequently brought to light in the Justiciary records. It is shewn, too, in such stories as that which Scotstarvet, in his *Staggering State*, relates of Sir Lewis Bellenden, who succeeded his father as Lord Justice-Clerk, in 1577. Even this great legal official is asserted to have, "by curiosity, dealt with a warlock, called Richard Graham, to raise the Devil, who, having raised him in his own yard in the Canon-gate (of Edinburgh), he was thereby so terrified that he took sickness, and thereof died."

About 1580, the town of Perth was troubled with Witchcraft. The Kirk-session was the body which took cognizance of such cases, and accordingly the Session-book contains a Minute, dated the 20th December, 1580, by which "the Assembly ordains the witch" — name not given — "to be banished the town": which, it must be admitted, was a lenient mode of dealing, and worthy of imitation, in the days of incrimination. Shortly afterwards the conduct of a female (again nameless) in the Meal Vennel, furnished grounds for suspicion; and on the 12th February, 1581-2, the Session "ordains the woman in the Meal Vennel suspected of Witchcraft to be warned against this day eight days." It would appear that she was apprehended and committed to prison; for, on the 16th April, 1582, the Session "ordains James Syme (Boxmaster) to give the witch in the Tolbooth eight doits in the day:" which allowance was just eight-twelfths of a penny (or less than three farthings) Sterling. What became of the

prisoner is not stated, but the likelihood is that she also was banished the town.

In a few years a man of eminence in the kingdom, Patrick Adamson, Archbishop of St Andrews—who was related to the Adamson family in Perth of which came the poet of the *Muses Threnodie*—fell under the odium of being a consulter of witches. He was bitterly hated by the Presbyterian party in the Church of Scotland because of his “apostacy,” and they eagerly caught at this scandal, and strove to overwhelm him with its disgrace. The charge was no “invention of the enemy.” Having been afflicted with long and painful sickness—in fact, a complication of disorders—which all the medical skill of the country had failed to alleviate, the Archbishop was unwise enough to seek the aid of a “wise woman,” named Alison Pearson, in Byrehill. She took up his sad case, and prescribed for him a course of drugs, which, however, did him no good. Eventually she was arrested as a witch, and revealed everything. Alison was a remarkable member of the Weird Sisterhood, and could speak of startling experiences in her career. When brought to trial at Edinburgh, on the 28th May, 1588, she was condemned upon her own confession. And such a confession! She had often visited Fairyland, and was familiar with its marvels. She had been “haunting and repairing with the gude neighbours and Queen of Elfame thir divers years bypast,” but “she could not say readily how long she was with them; and that she had friends in that Court who were of her own blood, who had gude acquaintance of the Queen of Elfame, who might have helped her; but she was whiles well and whiles ill, and one while with them and another while away; and that she would be in her bed haill and feir, and would not wot where she would be ere the morn.” She allowed, however, “that it was these gude neighbours that healed her under God:” she had “passed with them farther nor she could tell, and saw with them piping and merriness and good cheer, and was carried to Lothian, and saw wine puncheons with tasses

(drinking cups) with them:" and that "she saw the gude neighbours make their sawes (ointments) with pans and fires, and that they gathered their herbs before the sun rising, as she did." Moreover, it was the spirit of a relative from Fairyland, who "told her of every sickness" and what herbs to use: "and in special, she said, that he told her that the Bishop of St Andrews had many sicknesses, as the trembling fever," &c., and bade her make a certain salve for his relief; "and siclike gave her directions to use the ewe-milk, or waidrave (perhaps woodroof), with the herbs, claret wine; and with some other things she gave him (the suffering Prelate) a sodden fowl; and that she made one quart at once, which he drank at two draughts, two sundry diets." These disclosures covered the Bishop with ridicule, but sent Alison to the stake.

While all this was going on, Witchcraft was again heard of about Perth,—rumour declaring that there was a witch at Tirsappie, a small hamlet southwards of the town, and within the parish. The fama roused the Perth Kirk Session, and procedure took place thereon, as is shewn by a minute of the 2d November, 1589. "Forasmeikle," it is said, "as this day was assigned to certain honest neighbours of Tirsappie to be present, and of their conscience to declare whether it was true that Guddal, spouse to Richard Watson, was a witch, as John Watson there alleged, or what evil likelihood they saw in her; Walter Watson, John Cowing, George Scott, James Scott, being inquired severally, as they would answer to God, what they knew, altogether agreed in one without contradiction that they saw never such things into her whereby they might suspect her of the same, but that she was an honest, poor woman, who wrought honestly for her living, without whose help her husband, Richard Watson, would have been dead, who was an old aged man. Therefore the Minister and Elders ordain the Act of Slander to be put in execution against the said John Watson and Helen Watson, his daughter." This was

a righteous deliverance, worthy of being taken as a rule in many a case of similar accusation springing from personal spite and ill-will.

Every form of superstition was adjudicated upon by the Perth Session. On the 1st December, 1589, they examined into the truth of a charge respecting divination by turning the riddle, or sieve. "Whilk day," it is mentioned, "Violet Brown, spouse to Alexander Moncrief, flesher, compeared as she was warned to this day, and was accused for turning of the riddle with shears, ane point indeed of witchcraft and devilry against God's Word, and that for wanting (losing) of an crown of gold of an young man's within her house. She denied the same, but that she said, only through dolour of her heart for want of the same (the money), that "if it were either betwixt hell or heaven she would have it." For the whilk cause foresaid John Hutton, flesher, was called and accused, and confessed that he was in Alexander Moncrief's house when the young man came in and delivered the gold to the said Alexander's wife, and likewise when he missed and wanted an piece of the said gold, for the whilk the said Alexander's wife said she would turn the riddle, but did not." Nothing more seems to have been done in the matter. It may be noticed that this species of divination was known among the ancient Greeks, under the name of *Coscinomancy*; and Theocritus in his third Idyll, mentions its performance by a woman :

An old witch brought sad tidings to my ears,  
She who tells fortunes with the sieve and shears.

It is described in Potter's *Antiquities of Greece* as having been "generally practised to discover thieves, or others suspected of any crime, in this manner: they tied a thread to the sieve, by which it was upheld, or else placed a pair of shears, which they held up by two fingers; then prayed to the gods to direct and assist them; after that, they repeated the names of the persons under suspicion, and he at whose name the sieve whirled round, or moved, was thought to have committed the fact."

The time was now approaching when there was to be the most astounding revelation of the secrets of Witchcraft ever vouchsafed to the world. Soon after the return of James VI. from Denmark with his newly-wedded Queen, discovery was made of a diabolical plot which had been entered into by Satan and a number of his Scottish devotees for the destruction of the two royal personages,—which design, however, fortunately failed. A company of famous witches and warlocks were arrested and brought to task for their villainy—chief of them being Agnes Sampson, the grace-wife or wise woman of Keith, and John Cunningham, *alias* Doctor Fian, schoolmaster in Tranent, “which Doctor” was designated as “Register to the Devil.” Agnes was a dame whom Archbishop Spottiswoode describes as the “most remarkable” of the crew; “a woman not of the base and ignorant sort of witches, but matron-like, grave, and settled in her answers, which were all to some purpose.” There was also a powerful noble implicated in the case. The grace-wife, and the same warlock, Richard Graham, who raised the Devil for Justice-Clerk Bellenden in the Canongate, had been hired by the turbulent Earl of Bothwell to afford him knowledge, by their mystic arts, as to how long the King should live;—not only so, but it speedily transpired that Bothwell had urged Richard to hasten the King’s death. Upon this discovery, Bothwell was committed to prison; but he afterwards broke his ward. The examinations of Agnes Sampson and her confederates were conducted by King James personally, who “took great delight to be present.” The confessions which were wrung from the prisoners, under the severest tortures, were of the most outrageously-incredible character,—so much so, that at one stage of the proceedings, the King denounced the whole pack as “extreme liars.” Nevertheless, the law took its inexorable course, and fire and faggot closed the scene.

A case of murder by means of an enchanted “black clout,” was investigated in Gowrie House, Perth, for three days in 1596. On the 27th November of that

year, a woman, named Christian Stewart, in Nokwalter, was brought to trial at Edinburgh, “delated of art and part of the slaughter of umquhil Patrick Ruthven, by Witchcraft and Sorcery.” The pursuers were Alexander Ruthven, brother to the defunct, and William Hart, the King’s Advocate. Who these two Ruthvens were does not appear from the record, and we have failed to identify them; but they were doubtless related to the Earl of Gowrie, then abroad with his brother, Alexander, on the Continent. On the day above given, after accusation of the said Christian Stewart, in Nokwalter, by Dittay, in presence of Walter Robertson, and other persons of assize, of art and part of the slaughter of umquhil Patrick Ruthven by Witchcraft; the said Alexander Ruthven, for verifying of the said Dittay, produced the Depositions of the said Christian, made at the burgh of Perth, in my Lord of Gowrie’s Lodging there, the 18th of August, 1596, in presence of Mr Patrick Galloway, Minister; Mr William Cowper, Minister at Perth; Archibald Moncrieff, Minister; Mr Alexander Lindsay and Thomas Gall, Notary: together with the depositions of the said Christian, made in the said Lodging, the 19th of the said month of August, in presence of the said Mr Patrick Galloway, Mr Wm. Cowper, Mr William Rhynd; John Ross and Henry Elder, Notary: all subscribed with their hands: together with another Deposition, made in the Lodging foresaid, the 21st day of the said month of August: together with another Deposition made by the said Christian Stewart, at Edinburgh, the 13th September, in presence of Mr Robert Bruce, Minister of God’s Word in Edinburgh, Clement Con, one of the Bailies thereof, Mr Gilbert Moncrieff, Doctor of Medicine, subscribed with their hands; testifying her to have taken a clout from Isobel Stewart, to bewitch the said umquhil Patrick; together with a Declaration, subscribed by Sir George Hume and William Stewart, testifying that the said Christian Stewart deponed, in September last, in Linlithgow, in presence of his Majesty, that she bewitched the said Patrick. The

assize or jury, being chosen, sworn, and admitted, removed forth of the Court to the north end of the Tolbooth, where, after choosing of Michael Rattray in Pittindyne, Chancellor, reasoned upon the point of the said Dittay; and being thoroughly advised therewith, re-entered again in Court, where they, by the mouth of the said Chancellor, found the said Christian Stewart to be fyled, culpable, and convicted of the bewitching of unquhil Patrick Ruthven, by casting of witchcraft upon him with a black clout; and for art and part of his slaughter, committed in June last; and for common witchcraft. The sentence of the Court was, that she shall be taken to the Castlehill, and there to be burned: which was accordingly carried into execution.

Witch-trials and burnings were very plentiful throughout Scotland in 1597. The *Chronicle of Perth* records—"Ane great number of witches brunt, through all parts of the realm, in June, 1597 years." And Archbishop Spottiswoode gives corroboration—"This summer there was a great business for the trial of Witches." But the Right Reverend historian proceeds with a most extraordinary relation concerning a Fife witch, showing clearly the disgraceful folly of eliciting confessions by torture or the threat of it. "Amongst others, one Margaret Atkin being apprehended upon suspicion, and threatened with torture, did confess herself guilty. Being examined touching her associates in that trade, she named a few, and perceiving her delations find credit, made offer to detect all of that sort, and to purge the country of them, so she might have her life granted. For the reason of her knowledge she said, that they had a secret mark, all of that sort, in their eyes, whereby she could surely tell, how soon she looked upon any, whether they were witches or not,—and in this she was so readily believed, that for the space of three or four months she was carried from town to town to make discoveries in that kind. Many were brought in question by her delations, especially at Glasgow, where divers innocent women, through the credulity of the minister, Mr John

Cowper, were condemned and put to death. In the end she was found to be a mere deceiver (for the same persons that the one day she had declared guilty, the next day being presented in another habit she cleansed), and sent back to Fife, where first she was apprehended. At her trial she affirmed all to be false that she had confessed, either of herself or others, and persisted in this to her death." Such a gross and murderous fraud, under cover of law, "made many forthink their too great forwardness that way, and moved the King to recal the Commissions given out against such persons, discharging all proceedings against them, except in cases of voluntary confession, till a solid order shall be taken by the Estates touching the form that should be kept in their trial." On 23rd November, 1597, the Perth Session "ordains the Magistrates to travel with his Majesty to obtain a Commission to execute Janet Robertson, sorcerer, who has been long detained in ward." The Commission was obtained, and put in force after considerable delay,—the result being duly noted in the *Chronicle of Perth*, under the date of 9th Sept., 1598:—"The Witches burnt in the South Inch, betwixt the butts, called Janet Robertson, Marion M'Causs, and Bessie Ireland." The Butts were the stationary marks for the practice of archery.\*

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\* Authorities—Calderwood's *History of the Church of Scotland*, vol. iii., pp. 10, 19; Pitcairn's *Criminal Trials in Scotland*, vol. i., pp. 38, 76, 161, 399; Scotstarvet's *Staggering State*, p. 104; Potter's *Antiquities of Greece*, vol. i., p. 409; Spottiswoode's *History of the Church and State of Scotland*; 1677, pp. 383, 449; *Chronicle of Perth*; and *Book of Perth*.

THE WEIRD SISTERS OF PERTHSHIRE.  
Part 3rd.

Some call me Witch,  
And being ignorant of myself, they go  
About to teach me how to be one ;  
—————  
—————and in part  
Make me to credit it.

*The Witch of Edmonton.*

THE year 1597 was remarkable, as we have seen, for its Witch-burnings. It was remarkable also by the publication of King James' tractate entitled *Dæmonologie*, a thin quarto, at Edinburgh. The work, cast in the form of a dialogue betwixt Philomathes and Epistemon, consists of three books—"the first speaking of Magic in general, and of Necromancy in special," says the Preface; "the second of Sorcery and Witchcraft; and the third contains a discourse of all these kinds of spirits and spectres that appear and trouble persons." The royal author's professed object was to counteract the *Discovery of Witchcraft* by Reginald Scott, and the writings of the learned German, Johannes Wierus, both of whom were utter disbelievers of the Witch-imposture, which, indeed, honest Reginald treated with the heartiest and most incisive ridicule. As the production of a crowned head, "the wisest in Christendom," the *Dæmonologie* claimed universal attention. It was reprinted at Edinburgh, in 1600, and again at London, in 1603, the year of His Majesty's accession to the throne of Elizabeth. The intrinsic merits of the book, however, are very slight: and the reasoning, based on false notions, is sufficiently absurd, though virulent in its justification of judicial murder for an imaginary offence. James decides every point authoritatively. "What can be the cause, that there are twenty women given to that craft where there is one man?" queries Epistemon. "The reason is easy," resolves Philomathes; "for as that sex is frailer than man is, so is it easier to be entrapped in those gross

snares of the devil, as was over-well proved to be true by the serpent's deceiving of Eve at the beginning, which makes him the homelier with that sex sin syne." Philomathes declares that diabolical practices "were never so rife in these parts as they are now": and Epistemon coincides, adding that "the causes are over manifest that make them to be so rife; for the great wickedness of the people, on the one hand, procures this horrible defection, whereby God justly punisheth sin by a greater iniquity; and, on the other part, the consummation of the world and our deliverance drawing near, makes Satan to rage the more in his instruments, knowing his kingdom to be so near an end." Such a brochure as this, coming from such a pen, under the prestige of "such divinity" as "doth hedge a king," could not but exert a strong influence for evil, and therefore we cannot far err in ascribing to the weak and foolish *Dæmonologie* a considerable share in the promotion of the Witch-mania.

Witchcraft and Charming vexed and troubled the civil and ecclesiastical rulers of the Fair City, at intervals, during the first quarter of the seventeenth century. On the 30th May, 1615, the Kirk-session "requests the Bailies to ward (imprison) Marion Murdoch, complained upon for Witchcraft, ay and until she be tried thereanent." Five years elapse, and then, on the 18th December, 1620, it is arranged that the Town Council and the Session "convene the morrow (Thursday) after the preaching, to take order with James Stewart, in ward suspected of Witchcraft and Charming." What was done in either of these cases we cannot ascertain; but after less than three years more, three Witch-pyres were to be kindled on the North Inch. In the spring of 1623, three women—Margaret Hornsclouch and Isobel Haldane, both residing in Perth, and Janet Traill, belonging to Blackruthven, fell under great suspicion of Witchcraft, and were respectively brought to answer for their misdeeds. It would appear that Margaret Hornsclouch was the first of the sisterhood who was charged; for the Session Book contains

an entry, under date the 16th April, to the effect that she being suspected of Sorcery, and summoned to appear that day before the Session, failed to do so, and was therefore ordained to be put in ward. At the next diet, on the 5th May, when Mr John Malcolm and Mr John Robertson, first and second Ministers of the town were present, Margaret appeared before the Session, and "being accused if Robert Christie's daughter, at the Mill of Huntingtower, came to her with meal and beef to seek help to their cow, she denied. Also being asked if she heard that certain years syne, Patrick Paton's wife her cow's milk was taken from her by Sorcery, which also she denied. Thirdly, being asked if a poor woman that lodged with her a certain space sought health to her sick bairn, she confessed that she answered—"Let them give her health that took it from her bairn." She is committed to ward in the Tower (Halkerstone's Tower) till she be tried anent Sorcery, whereof she is holden to be greatly suspected." The matter being esteemed serious, the Session, on 8th May, "conclude that ane post be directed to my Lord Chancellor, with the Clerk's letter, to purchase a Commission for holding of an inquest and assize upon Margaret Hornsleuch, indicted for Witchcraft." Meanwhile the other two witches came under cognizance; and the Session, dealing with the whole three, spared no pains to expiscate what they erroneously conceived to be the truth, spending seven days in May and June collecting evidence, most of which we now proceed to lay before the reader.

#### 1. MARGARET HORNSCLEUCH.

Against Margaret Hornsleuch there were accusations of having used unlawful means for the cure of diseases in man and beast—of bewitching two persons, at least—and of handing about "fairy pennies" for good luck. When she was interrogated whether she had any skill in healing of sick folks, she denied that she had any such skill. Being again demanded if she had cured John Hay, in Logiealmond, whom all the country knew to be bewitched, she answered that she

cured him; but his disorder was a common one, and the only cure she used was washing him with south-running water and smearing him with swine's seam (hog's lard). It was deponed by Isabella Miller, that her brother, when passing by a hillock called "Round Law" was dung down, and deprived of the power of his legs and arms. He was carried home, and after all the physicians had given his case over, Margaret Hornsleuch cured him by a bath of agrimony, and black sheep's grease. Margaret Kinloch deponed that John Jackson, her son-in-law, having killed a sow pertaining to Margaret Hornsleuch, was bewitched by her, both in his goods and person; and the deponent and her daughter were therefore constrained to crave, upon their knees, the said John's health from her—that is (as the witness expressed it) from the devil. Hugh Pherskin, in Perth, deponed that Margaret Hornsleuch had by witchcraft done him great skaith in his goods; for, on a morning, she came to seek draff, when his new ale was working, and upon her being refused, she departed, mumbling some words, unheard by him, and immediately the brewing fell to the ground, and so it happened to five brewings after that. At another time he was passing by the Play-field, when he met Margaret, who mumbled some words to herself, and then he immediately contracted a grievous disease, which lasted for the space of 22 weeks. Other witnesses proved various cures effected by Margaret. She came to Alexander Mason's house, and having seen his wife who was very ill, she commanded that south-running water should be brought from the Tay—the bearer to be dumb both in going and coming, and to hold the mouth of the pig (or earthenware jar) to the north; which being procured, Margaret washed the sick matron with this water, and afterwards made for her a bath of great meal: and upon all this being done, the dame immediately recovered, arose, and supped with the wise woman. At another time, the latter, in her course of well-doing, cured Marjory Lamb, in the Muirton—who was sick by the dint of an ill wind—by

washing her with south-running water, and rubbing her arms with fresh butter. These cures Margaret had learned from Oliver Rattray's wife in Pittmudye. Margaret had restored milk to the cow of Robert Christie, from Ruthven, by causing a peck of draff to be carried home to the cow, after a form of blessing. She had also restored milk to the cow of Andrew Louraine in Mireside, by mumbling some words over a firlof of draff, which he bought by her directions: she sent him home with it, bidding him cut the cow's lug, and mix the blood with the draff; which he did, and thereupon the cow gave milk. Further, one day as Patrick Auchinleck was going at the plough, he took a sudden illness, and Margaret being sent for to cure him, she came and commanded him to be washed in south-running water, and bathed in black wool and butter. It was asked of Margaret by her examiners, whether she gave *fairy pennies*—that is, pennies to cause men to thrive and become rich. She answered that she had given them to some persons, whom she could not remember; neither could she say from whom she had gotten such gifts.

## 2. ISOBEL HALDANE.

The case of Isobel Haldane was investigated on the 15th, 16th, 19th, and 26th days of May. She was a sorceress of higher grade than her preceding companion, having been a visitant of Fairy-Land, where she abode three days. The first day of examination, when she was "convened before the Session of Perth," the proceedings commenced with prayer "to open her heart and loose her tongue to confess the truth." She was then asked—If she had any skill of curing men, women, or bairns that were diseased? She answered that she had none. Being required, if she cured Andrew Duncan's bairn? she answered that, according to the direction of Janet Caw, she went with Alexander Lockhart down to the Turret Port (the High Street Port, where a bridge called the Turret Brig spanned the Town's Lade), and took water from thence, which she brought to Andrew Duncan's house (which seems to have been

west of the Port), and there, upon her knees, with a holy invocation, she washed the bairn. Having done so, she took the water, and also the bairn's sark, and accompanied by Alexander Lockhart, cast both water and sark into the burn; but in going she skailed (spilled) some of the water, for which she rued an evil rue (regretted bitterly), because that if anybody had gone over it, they would have gotten the ill (they would have been smitten with the disease which had been charmed off the child). She was then asked, if she had had any conversation with the Fairy folk? To this she answered that ten years syne, while she was lying in her bed, she was taken forth, by whom she knew not, and carried to a hill-side; the hill opened, and she entered in. There she stayed three days, from Thursday till Sunday at 12 hours; and she met a man with a grey beard, who brought her forth again. It was now deponed by John Roch that about that same time, he being in James Christie the wright's booth, causing the wright to make a cradle for his child, the said Isobel Haldane came by, and desired him not to be so hasty, for he needed not, as the bairn should never lie in the cradle, but die and be taken away; and as she spake, so it came to pass. Isobel being demanded how she knew that,—she answered that the man with the grey beard told her. Farther, John Roch deponed that Margaret Buchanan, spouse to David Rhind, being in health, at her ordinary work, the said Isobel Haldane came to her, and desired her to make ready for death; for ere Fastren's Even, which was within a few days, she should be taken away: and as she said, so it was: before that term the woman died. Isobel being asked how she knew the terms of the woman's life,—she answered that she had speired at that same man with the grey beard, and he had told her. At the second diet, Patrick Ruthven, skinner in Perth, compeared, and declared that he being bewitched by Margaret Hormsleuch, Isobel Haldane came to him, held her hands over him, and mumbled some words which he

did not understand. The said Isobel confessed the said cure, and stated that before the said Patrick was bewitched, she met him, and forbade him to go till she had gone with him. At the third diet, Stephen Ray, in Muirton, deponed that three years syne, Isobel Haldane having stolen some bear furth of the Hall of Balhousie, he followed her and brought her back again: whereupon she chappit him on the shoulder, saying, "Go thy way! Thou shalt not win thyself a bannock of bread for year and day!" And as she threatened, so it came to pass: he dwined (pined away), heavily diseased. As to this story, Isobel confessed the away-taking of the bear and the disease of the man, but affirmed that she only said, "He that delivered me from the fairy-folk shall take amends on thee!" She also confessed that she made three several cakes, every one of them with nine curns (small quantities) of meal, gotten from nine married women; that she made a hole in the crown of every one of them, and put a bairn through it three times (with a sacred invocation) to women that put the said bairns thrice through backwards, using the same words. She likewise confessed that she went, silent, to the Well of Ruthven, and returned, silent, bringing water from thence, to wash John Gow's bairn: that when she took the water from the well, she left part of the bairn's sark in it, which she took with her for that purpose; and when she came home she washed the bairn therewith. She confessed she had done the like to John Powrie's bairn. At the fourth diet, Isobel confessed that she had given drinks to cure bairns; and that, among the rest, David Morris' wife came to her, and thrice, for God's sake, asked her to help her bairn that was a *sharg* (a changeling, or a child pining under witchcraft): upon which she sent forth her son to gather focksterry leaves, whereof she directed the bairn's mother to make a drink. But the child's mother came forward and deponed that Isobel, unrequired, came to her house, and saw the bairn, and said "It was a sharg taken away;" then took in hand to cure it, and to that effect gave the bairn a drink, after the receipt whereof the bairn died.

## 3. JANET TRAILL.

Janet Trail had also practised charming, and like Isobel Haldane had been familiar with the fairies. She confessed some of her pranks. She said that Janet Barry brought her bairn to her, and told her that it started in the night-time; upon which she assured the mother that it had gotten a dint of ill wind, and she directed her to cause two persons to go down to south-running water, and bring as much of it as would wash the bairn, and that they should be dumb when bringing the water—and that after the bairn was washed, they should carry back again the water, with the bairn's sark, and cast them into the place whence the water had been taken up: furthermore she directed the mother to bathe the bairn with black wool and butter: that she got a shot-star (an areolite?) at the burn-side, and sent it with the black wool; and that after the cure was used the child was healed. It was proved that Duncan Tawis and Isobel Haldane came to Janet Traill's house in Blackruthven, and Duncan told her that he thought his bairn was taken away (or changed by the fairies), it being stiff as an oak tree and unable to move: that having heard this, Janet promised to come in and see the bairn: that when she came in she took the bairn upon her knee before the fire, and drew the fingers of its hands and every toe of its feet, mumbling all the while some words that could not be heard: and immediately the bairn was cured. The examiners having asked Janet where she had learned her skill, she stated that while living in Dunning, and one day lying ill in bed, she was drawn forth to a dub (or pool) near her house-door, and dragged through it, this being done by the fairy-folks, who appeared some of them red, and some of them grey, all riding upon horses. "The principal of them that spake to me," she said, "was like a bonny white man. riding upon a grey horse. He desired me to speak of God, and to do good to poor people; and he showed me the means how I might do so, which was by washing, bathing, speaking words, putting sick per-

sons through hasps of yarn, and the like." As she spoke of these things, it was observed that a great shivering and trembling came over her whole body; and being asked what was the cause thereof, she said that the spirits were hovering about her!

Such was the bulk of the "evidence" adduced against the poor women, none of whom had done anything that really amounted to a crime. They confessed no compact with Satan, and this was never attempted to be proved. Their whole art consisted in the furtive use of homely and absurd charms and prescriptions for the cure of disease; and even though it is asserted that a child died after getting "a drink" from one of them, there is no distinct allegation that the drink was poisonous or given with an evil design. As for death-predictions, and casting-on of sickness—the results were merely accidental coincidences; and the story of the bewitching of the churlish brewer and his ale was only fit to be laughed at as a good joke—nay more, had there been Abstainers in those days they would have applauded the trick and prompted the woman to repeat it on a far larger scale. It is seen from the witch-disclosures of the period that numerous ancient spells, simple and rude, and perhaps of Pagan origin—remnants of old Celtic, Norse, and Saxon superstition—sometimes accompanied with scraps of rhyme, which in their transmission from age to age had lost half their meaning, were common amongst the people, and formed great part of what was vulgarly deemed sorcery: while we should not forget that generally the witch-remedies for disease were scarcely more preposterous than many of the medical prescriptions of the time. Finally, the revelations about the fairies suggest the inference that Isobel Haldane and Janet Traill were weak in intellect, or subject to mental hallucinations, formerly misunderstood, but now explicable on natural principles.

Even before the examinations were concluded, it was evident that the accused women were beyond all hope. They were doomed already; and as Margaret Hormsleuch was so rich in worldly gear as to own a cow, she

was prevailed upon to part with it before the end came, so as to prevent it falling under escheat to the King. On the 27th of May, "in presence of the Session, and of Andrew Anderson, Bailie, Margaret Hornsclench detained in ward, and delated ane witch, convened before them. She of her own free motion and will disponed to Mr Archibald Steedman, Barber and Kirk Officer, ane cow pertaining to her under the herding and keeping of Chrystie, her son-in-law, since she was warded, declaring that during that time she had been entertained by Mr Archibald Steedman; in contentation to him thereof she dispones to him the said cow, and wills and ordains him to intromit therewith, sell, use, and dispoone thereupon for payment to him of his bypast furnishing, and for the farther furnishing to be made by him to her during her warding, and requests the said Bailie to interpone his authority for said Mr Archibald to get intromission with the said cow, to the effect foresaid." But this formal disposal of the cow gave rise to a dispute with Margaret's landlord, who claimed a right of hypothec over the beast: for, on the 2d June, Henry Balneaves compeared before the Session, "alleging that Margaret Hornsclench rests (owes) to him of bypast maill (house-rent) £10 (Scots), and offered the cow to Mr Archibald for payment thereof, which he refused to accept, and desires the said Henry to satisfy him of the furnishing made by him to the said Margaret, and to furnish her in time coming, and to bruik (possess) the cow, which the said Henry refused to do, but is content to satisfy him for his bypast furnishing, and to meet thereupon after the prayers this night." How they ultimately agreed about crummy is not recorded.

The Session and Council having done their part in raking together a mass of delusion, falsehood, and delirious nonsense, resolved that a Commission should be applied for to put the three witches to trial by an assize. On the 3rd June, a delinquent, named George Wilson, appeared before the Session, and paid "the eight merks which he was ordained to pay for his ex-

emption from warding and the Crosshead (imprisonment and public exposure at the Cross on a market-day), whereof Mr John Robertson took 12s (1s sterling), which he had disbursed in the affairs of the Session; and the remainder thereof, together with 22s (1s 10d sterling) taken furth of the Treasury, and 52s (4s 4d sterling) received from John Fleming, was sent with George Robertson, post, together with the depositions of the witches, for purchasing an Commission to put the witches to an inquest. And for procuring thereof, he is ordained to direct ane missive to Andrew Conqueror, Commissioner for the town, and another to Charles Rollock, Bailie, who are both presently in Edinburgh, and ane letter to Mr John Guthry, minister, that they may all three concur together for obtaining the said Commission."

The Commission was speedily obtained, and the three poor women were brought to the bar at Perth, found guilty, and condemned to the usual death. The place of incremation was a hollow on the North Inch; and there the three victims met their hard fate on Friday, the 18th July, 1623,—being first strangled, each at her stake, and then consumed to ashes in the flames.\*

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\* King James' *Dæmonologic*; *Book of Perth*; *New Statistical Account of Perth*, p. 38; Pitcairn's *Criminal Trials*, vol. 2, p. 537. The "Confessions of Isobel Haldane" are still preserved among the Warrants of the Privy Council of Scotland.

THE WEIRD SISTERS OF PERTSHIRE.

Part 4th.

Hard luck, alake ! when poverty and eild,  
Weeds out of fashion, and a lanely beild,  
With a sma' cast of wiles, should, in a twitch,  
Gie ane the hatefu' name, *A Wrinkled Witch.*  
*The Gentle Shepherd.*

THE examinations and trials of the three Witches having shewn that various persons belonging to the town of Perth had been guilty of consulting with them in the way of their art, the Kirk-session proceeded to deal with such backsliders according to Kirk discipline. This Court opened, on the 24th July, 1623, about a week after the executions, when, in the first place, compeared Janet Barry; who was "accused for consultation with Witches, in seeking health at them, as at the devil and his instruments, to her bairn. She denies that she knew these women to be Witches of whom she sought health to her bairn; yet acknowledging her offence against God and this congregation in craving the advice of these women, and following thereof, and submits herself in the Session's will. The Session continues till Monday next to deliberate in the said matter, and the said Janet is cited, *apud acta*, then to compear." The case was held to be so serious that on the 28th July, "the Session continues the censure of the afore-named Janet Barry till Thursday next, that in the meantime they may have the advice of the Presbytery, to deliberate anent her foresaid offence." Not only was the Presbyterial advice taken, but the assistance of the Town Council was called in. On the 31st July, "the Council and Session being convened in the Revestry, compeared Janet Barry afore-named, who for her consultation with Witches, in seeking help and health at them to her bairn, plainly confessed by her and the Witches, is ordained to stand in white sheets under the bell-string (the bell-rope) the next

Sabbath before noon, there to confess her said offence, and to declare her repentance for the same, and also ordain her to pay before Sunday next twenty marks to the use of the poor." On the 1st August, however, "the Session for certain good motives and considerations moving them, continue (delay) the compearance of the said Janet the time and place appointed, until order be taken with remanent persons consulters; and have received the twenty marks, whereof six were given to Mr Archibald Steedman, in part payment of what was disbursed by him for Margaret Hornsclench, and the rest was put in the Treasury." Other consulters were brought before the Session on the 11th August. Which day, "compeared Janet Jackson, and is accused for consulting with Witches, and following their advice for health to her bairn, in that she employed umquhil Isobel Haldane to go silent to the Well of Ruthven, and silent back again with water to wash her bairn. The said Janet confesses that the said Isobel brought the water, and washed the bairn therewith, and that the said Isobel did it unemployed by her; and that she put her bairn through ane cake made of nine curns of meal gotten from nine married women, and that it is a common practice used for curing bairns of the cake-mark. She is ordained to compear the next Thursday, to sustain censure anent the premises. Compeared Duncan Tawis and his wife, and are accused of passing to Blackruthven to Janet (Traill), Witch, to seek help to their bairn; they confessed their going there, but that they knew not she was a Witch, but that the bruit (common report) went that she could help bairns who had gotten ane dint of ill wind. They are ordained to compear at the next warning. Compeared Grizzel Espline, and is accused for seeking help at Margaret Hornsclench for remeid of her disease, which she could not deny; continued her censure thereanent till farther advertisement and compearance." The upshot of the whole business appears to have been this, that the delinquents paid fines, and made their public repentance, during divine service, in the Middle

Church, standing directly under the perforations in the arch of the great tower, through which the bell-ropes were then, as now, let down for the convenience of ringing.

The Session had a man, named John Bog, before them, on the 19th of August, charged *inter alia* “upon a great slander risen of him, that his purse being stolen from him, he used devilish means to get intelligence thereof, the time of the last tempestuous winds which did great hurt to the fruits of the earth. Answering thereto, he sat down on his knees, and with shedding of tears abundantly purged himself thereanent, saying that it was true that he wanted (lost) his money, which was stolen forth of his kist by thieves—that he purged his wife, daughter, and son-in-law thereanent, and besought God to strike him instantly to death if ever he used any such indirect methods to get knowledge of his money, but that he wants it as yet; whereupon the Session, till farther trial anent the premises, remits him.”

What seems to have been a case of accidental poisoning by the administration of a potion brewed from some deleterious herb, which, however, in all probability, was endowed, in the popular mind, with superstitious qualities, came before the Kirk Session, on the 27th April, 1624. At that diet, “conform to citation, compeared Janet Sharp, and is accused of giving a drink of — leaves to umquhil Thomas Finlayson, her son, and which hastened him to his death.” The woman “answered that it was his own will to have it, and before that he drank thereof she drank of it; and because it is a poisonous herb, and that it is not leesome to any except physicians and skilled men to compose drinks of herbs, therefore, and to the effect that the like be not used in this congregation in time coming, she is ordained to draw up in the kirk the next Sabbath, in time of the afternoon’s sermon, and there in presence of the congregation confess her said fault, and publicly declare her repentance therefor, to the terror of others to commit the like within this congregation, under the

pain of severe censure to any one who contravenes." On the 3rd May, the Session ordained "that intimation be made publicly the next Sabbath that none of this congregation give drinks of — leaves, or of other herbs, to sick persons, but physicians and men of skill, under such pains as the Session pleases to enjoin against the contraveners. Compeared the said Janet Sharp, guilty of the said fact of giving ane drink of the said leaves, and besought the Session to dispense with her thereanent, because she knew not if it might do any hurt to the drinker, but rather good, and that it has been commonly used within this burgh many years heretofore, and that she never used it but once, and will never meddle with the like hereafter; and that in respect thereof, and that it was never publicly prohibited, it would please the Session not to make a public spectacle of her, but that they would accept from her ane peualty to the use of the poor according to her ability. The Session being ripely advised hereanent, dispense with their former Act made against her, and she, being humbled on her knees, declared her repentance for her said fault, and act her never to do the like hereafter: and ordain her to pay 40s (Scots), immediately to be given to Margaret Cook for furnishing made by her to umquhil Dionysius Duncan."

We have lingered thus long about the Fair City, in narrating the sayings and doings of the local witches and the examples of local superstitions. But during many years there are few authentic traces of Witch-prosecutions throughout the rural districts of the county. Among the hills and glens of the Highlands, where the influences of the rugged scenery, its wild grandeur and its impressive solitude, bleak moors, dark forests, and weird lakes, fostered and deepened the fancies of the supernatural, which peopled the silent wastes with strange, gloomy, imaginary beings, many charms and spells were commonly practised, and, in fact, became part of the daily habits of the Gael; but little is heard of witch-burnings in these regions. The old records of the Baron Court of Balloch, or Tay-

mouth, in Breadalbane, which were collected together in 1621, bear scarcely any notice of witchcraft. A man named Donald Taillour, residing in Morinch, was accused of theftuously appropriating 10 double angels and 40 marks of silver, for which he was cited to the Balloch bar; but, according to an olden law-usage of Scotland, he cleared himself by the oath of compurgators,—or persons who swore that they believed him to be innocent of the charge. He was acquitted; but some time after—perhaps troubled in conscience about the stolen money on finding his good luck deserting him, he complained to the Court that he was bewitched by a woman, named M'Vane, who, he declared, had brought into his house a pock of earth from Tomnayngell, since which occurrence “his gear has not luckit with him, and his corns grow not.” For doing half as much mischief as that, many a wretched crone, with a cross temper and a bad tongue, had already been hurried to the stake in the Lowlands. But the Judge in the Court of Balloch acted like a rational man, deciding that the woman was guiltless, but directing that such pocks of earth be no more used in the Barony, “seeing it inclines to no good, but to an evil custom.”

In the spring of 1626, a ferment arose about a contumacious “wise woman” or witch in the parish of Scone. On the 26th April, it was reported to the Presbytery of Perth by the minister of the town, that Bessie Wright, in the parish of Scone, who had long been suspected of witchcraft in curing of sick folks, and who was also bound not to frequent the burgh of Perth, nor to use farther her cures, by virtue of an Act of the Presbytery, dated 31st July, 1621; notwithstanding whereof she had contravened said Act by curing of sick folk and frequenting the said burgh, to the great offence of many. Upon hearing which complaint, the Presbytery ordered her to be cited, for the 3rd May, and examined according to said Act. The citation was given, but Bessie disregarding it, was ordered to get a second summons. On the 10th May she appeared, “and being asked of her skill in curing

diseased persons, answered—that she had a book whereout she had her skill, which was her father's, her goodsire's, her grandsire's, and as she alleged, was a thousand years old, which her son, Adam Bell, read to her, which book also she declared was taken from her by Mr William Cowper, minister of Perth, or Archibald Steedman, beadle for the time. The Moderator and brethren ordain that if she be apprehended in using any cure she shall be incarcerated; likewise that the ministers of Perth shall make intimation on the Sabbath following, that because the said Bessie is under suspicion of witchcraft in curing of diseased persons by unlawful means, that none may resort to her for any cure under the pain of the censures of the Kirk." It was reported, on the 27th May, by Mr John Malcolm, minister at Perth, that he had duly made said intimation. Bessie, however, would not be restrained. She caused the Presbytery more trouble, and at last was apprehended, thrown into jail, and summoned to appear before the Earl of Menteith, Lord Justice-General of Scotland; but what became of her is unknown.

The Perth Kirk-Session, on the 3rd March, 1631, had before them a case in which an accusation of witchcraft had been made in a fit of intoxication. That day there "compeared Isabel Hunter, lamentably declaring that upon the 1st of March instant, at ten hours at even, David Duff came into their house, and passed with a lighted candle to the chamber where her husband lies, and looked in his face, saying to him—'That the picture of death was in his face, and that if he lived three Sundays hereafter he would live three hundred years.' Whereat she being offended that he should give her husband such dull comfort, said to him—'David, are ye a witch, that ye can discern upon life and death, and the time thereof?' He most slanderously answered—'You and your mother have witched him to be pining in his bed till he die,' with sundry other speeches both against her husband, herself, and mother, and against John Conqueror and

his spouse, using great perturbation in the house, and would not pass forth thereof until he was put forth by violence. And after he was put forth, and the yett steiked (the gate shut), he would not refrain from speaking most slanderous speeches against us; and so the said David had committed both oppression and the highest degree of slander against them, beseeching the Session to take condign order with him thereanent. The said David, conform to warning, compeared, and being examined upon the points above written, confessed certain thereof, alleged that he being overcome with drink at the time, knows not what he spoke. Matthew Lamb and John Conquerer, younger, being examined, proved the premises, whereupon the Session find that the said David has committed notable offences against the said David Jackson and his spouse, and ordain Mr Robert Mitchell, Bailie, here present, to put the said David in ward, therein to remain until he pay a penalty conformable to his offences—the one half to be applied to the use of the Session to distribute to the poor, and the other half to the Bailie's use, which he promised to do." Many charges of sorcery was made upon no better foundation than David Duff, in his cups, had.

The using of an ancient metrical spell was brought before the Perth Session, on the 21st May, 1632, when Laurence Boik, and Janet Black, his spouse, appeared, as "accused for Charming. They confessed that they would sometimes use holy words for healing of shots and sores, which words are these,—

Thir sairs are risen thro' God's work,  
And must be laid thro' God's help;  
The mother Mary, and her dear son,  
Lay thir sairs that are begun.

Ordained to compear this day eight days." But there is no subsequent entry respecting the case. On the 30th December, 1634, Robert Thomson, Maltman, compeared before the Session, "and it is shewn him that delation is made to the Session that a bairn of his was taken to the Mill of Balhousie, and put into the flapper thereof, and the mill set on, to be charmed,

which is a lesson of Satan, and express against God's command. He answered that he knew not thereof until the bairn returned. Being such an odious offence, the Session take to be advised with the Presbytery the morrow how the same shall be punished :” which was probably done.

Before this time, the art and science of *Witch-finding* had become a lucrative profession, in England and Scotland, carried on by cunning knaves, who, by apparent authority of law, went up and down, undertaking, for a certain fee, proportioned to their trouble or the results, to discover all the Witches and Warlocks in a parish or town. The odious rascality of Witchfinders occasionally provoked the civil authorities to check the practices of some of them; still the trade thrived as long as superstition held away. In 1632, a fellow of this stamp, John Balfour, in Corshouse, was denounced by the Scottish Privy Council, as one who “upon the presumption of this knowledge”—that is, of Witch-finding, “goes about the country abusing simple and ignorant people for his private gain and commodity :” and the Council resolved that his pretensions to “this knowledge” should be investigated, “and how and by what means he has the same.” But, as already indicated, no exposure was sufficient to enlighten the mind of the nation on the general subject of Witchcraft, which continued to form something like a cardinal point of religious belief. The same feeling which actuated Pastor Schweidler, in the *Amber Witch*, to charge an unbeliever in the delusion with Atheism, was universal, we may say, in this country. When the young noble Radiger “shook his head in unbelief, and thought that all witchcraft was very lies and fraud,” the simple pastor “was sorely afraid, seeing that I had regarded the young Lord as a wiser man, but now I saw that he was an Atheist.” It was so in every quarter where the mania prevailed.

The years passed on, and a new era opened. The conflict between King and Parliament broke out; and with it came another rabid fit of Witch-prosecu-

tion in England and Scotland. These were the gainful days of Matthew Hopkins, calling himself Witch-finder General in England—an ignorant, crafty upstart, who, professing great zeal for the destruction of Satan's kingdom, was allowed to go hither and thither at his will, accusing whom he listed, and in almost every case handing over a victim to the stake. Butler, in his *Hudibras*, glances at this consummate villain—

Hath not this present Parliament  
A lieger to the Devil sent,  
Fully empower'd to treat about  
Finding revolted witches out?  
And has he not within a year  
Hang'd threescore of them in one shire?

The "lieger's" modes of detection were various. He floated suspected witches in ponds and rivers, hoping that they would not sink, as the water was expected to "reject" them if they had renounced their baptism: if they sank, they were usually left to drown, if they swam, they were hauled ashore and burned. Others he weighed against the Church Bible: or forced them to repeat the Lord's Prayer, which it was supposed they could not do without blundering: he laid crossed straws in their road, trusting that they would stumble: and kept some from sleep for days and nights that exhausted nature might bring them to confession. "The old, the ignorant, and the indigent," says Granger, in the *Wonderful Museum*; "such as could neither plead their own cause nor hire an advocate, were the miserable victims of this wretch's credulity, spleen, and avarice." Ultimately an enraged populace tried one of his own ordeals, the floating, upon himself, and as he did not sink, they put an end to his vile career with his life! In Scotland, as well, Witch-hunting was carried on with the like cruel ardour all through the period of what is termed the "Scottish Reformation;" and certain of the professional brethren were remunerated at the rate of 20s a-head for every witch brought to justice. During the great Covenanting struggle the General Assembly of the Church of Scotland put forth

a succession of measures against Witchcraft. In 1640 the following Act was passed:—

*Act against Witches and Charmers.*

The Assembly ordains all Ministers within the kingdom carefully to take notice of Charmers, Witches, and all such abusers of the people, and to urge the Acts of Parliament to be execute against them: and that the Commissioners from the Assembly to the Parliament shall recommend to the said supreme judicatory, the care of the execution of the Laws against such persons in the most behoveful way.

Overtures on this subject came before the Assembly of 1643, declaring “the abundance and increase of the sin of Witchcraft, in all the sorts and degrees of it, in this time of Reformation;” that “a standing Commission for a certain time be had from the Lords of Secret Council, or Justice-General, to some understanding gentlemen and magistrates within the bounds of Presbyteries that shall crave it, giving them power to apprehend, try, and execute justice against such persons as are guilty of Witchcraft within these Presbyteries; for many parishes want the concurrence of civil magistrates:” that the grounds of apprehending suspected persons “may be a reigning bruit (report) of Witchcraft, backed with delations of confessing Witches, being confronted with them; for it is found that *the delations of two or three confessing Witches hath ordinarily proved true*: also depositions of honest persons, anent malefices committed, or cures used, by them [the witches], may be a ground of apprehending them;” that after the witches were apprehended, there should be “honest and discreet persons appointed to watch them; for being left alone, they are in danger to be suborned and hardened by others, or of destroying themselves;” and that ministers should deal with them, by prayer and conference, morning and evening, and also be careful generally to warn all people against Satan’s temptations, and “to press holiness of life.” Upon these Overtures the Assembly gave deliverance:—

The Assembly approves the Articles and Overtures aforesaid, and ordains every Presbytery to take to their further consideration by what other ways and means the sins aforesaid of Witchcraft, Charming, and consulting

with Witches or Charmers, and such like wickedness, may be tried, restrained, and condignly censured and punished ecclesiastically and civilly : and to report their judgments herein to the next Assembly.

In 1644, a recommendation concerning witches and charmers was given to the Commission of Assembly. In 1645, a Commission was appointed to assist the petition given in to the Parliament for trying and executing some witches; and, in 1647, the Assembly granted a Commission for a conference of ministers, lawyers, and physicians, concerning the trial and punishment of witchcraft, charming, and consulting. Urged to take more effective steps in the matter, the Scottish Parliament promulgated an iniquitous Act, on 1st February, 1649, ordaining that "whatsoever person or persons shall consult with devils or familiar spirits, shall be punished with death." Farther, the Assembly, at its meeting in July following, renewed the Commission of 1647 anent a conference, "which had never yet taken effect." Here, therefore, is ample proof of the share which the Kirk, in its "best and purest days," bore in relation to the Witch mania. "The Assembly," says the Rev. Dr Cunningham, in his *Church History of Scotland*, "testified their astonishment and regret at the increase of witches, not knowing that it was the increase of superstition which saw witches where no witches were."\*

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\* *Book of Perth*; Innes *Sketches of Early Scotch History*; *Chronicle of Perth*; Chambers' *Domestic Annals of Scotland*, vol. ii. p. 61; Granger's *Wonderful Museum*, vol. iii. p. 1594; Peterkin's *Records of the Kirk of Scotland*, pp. 279, 354, 407, 432, 540, 553; Cunningham's *Church History of Scotland*, vol. ii. p. 139; Meinhold's *Amber Witch*, cap. 13.

In the previous part a suggestion was offered that the "shot-star" mentioned by one of the witches was perhaps an aerolite: but Dr F. Buchanan White has kindly pointed out that it was a plant, which is still known in some parts of England by that or a similar name. The plant is a species of Alga, which grows in damp places. Formerly it was associated in books with a species of fungus, whose common name is still "Witches' Butter," a rather suggestive name when the use of the "shot-star" alluded to is considered.

*THE WEIRD SISTERS OF PERTSHIRE.*

*Part 5th.*

And she has abjured the blessed sign,  
Which fiends an' demons fear;  
And aye she called the Evil One  
Her lord and master dear.

And the civil power has ta'en the witch,  
And doomed her to the flames.  
*David Vedder—“The Witch o' Pittenweem.”*

SOME enthusiastic historians of the Kirk find insuperable difficulty in endeavouring to account satisfactorily for the intensity of the Witch-mania during the Covenanting time, when the Presbyterian ministers went hand in hand with their people in the work of Witch detection and condemnation. Dr Thomas M'Crie (the younger), in his *Sketches of Scottish Church History*, can assign no other explanation of the anomaly than that portions of Scotland, at the period, were in a semi-barbarous state! “The country, in fact,” says he, “was but partially civilized, and the ministers of religion had to contend, not only with the ordinary fruits of human depravity, but with strange forms of evil, engendered and fostered in the shades of that long dark night from which they had lately escaped. The most singular, certainly, of all the crimes which characterised this age, and which has occasioned most speculation, was that of *witchcraft*. The prosecutions instituted, both before civil and ecclesiastical tribunals, against those who were charged with this offence, exhibit a very strange picture of society. . . . It is melancholy to think that so many wretched creatures should have fallen victims to these delusions; but while we condemn the cruelties exercised in their discovery and punishment, we should bear in mind the peculiar state of society at the time. It is unfair to single out the clergy as eminently chargeable with these persecutions, in which they only participated with persons of all ranks—with the king on the throne, the judges on

the bench, and the most learned men of the age. And it is quite preposterous to confine the charge to the Presbyterian ministers; for the trial and burning of witches went on with even superior activity during the reign of Prelacy, both before and after the Restoration." Without disputing one word of what is here advanced, we must still remark that the Covenant clergy in their "struggles against strange forms of evil," with which, of course, they had been familiar all their days, adopted the very worst means to eradicate the evil: and what is rather extraordinary, as soon as Dr M'Crie comes to glorify the Covenant era, he wholly ignores his own description of the semi-barbarism of many quarters of the country, and quotes approvingly the glowing statement of Kirkton, that, about 1649, "the ministry was notably purified, the magistracy altered, and the people strangely refined. Scotland hath been, even by emulous foreigners, called Philadelphia: and now she seemed to be in her flower." But even *then*, in those refined, and Philadelphian, and flowery days, the Witch-mania was raging, and nowhere more fiercely than in the Lowland provinces where the Kirk bore unlimited sway!

Dr M'Crie says very truly that generally all ranks and conditions of men, from the king to the peasant, concurred in firm belief of the absurdities of Sorcery and Witchcraft. Nevertheless, here and there, in England, and on the Continent, amid what has been termed "the winter of a devouring superstition and of the most maniacal fanaticism," there were some clear intellects that struggled hard to dissipate the hideous delusion. We have already named Johannes Wierus and Reginald Scot; and in the earlier part of the seventeenth century the same line was followed by two learned members of that very Church which had given to the world Pope Innocent's Bull and the *Witch-Hammer*. These disbelievers were two Jesuits in Germany, Adam Tanner and Frederick Spee. The former used his utmost influence with judges and magistrates to prevail upon them to insist for good

evidence in all witch-trials. Spee's course was similar; and he published an able work on the subject entitled, *Cautio Criminalis*, &c. "The excellent elector of Mainz, Joh. Phillipp," as we are told, "cherished Spee's memory. He says of him that he declared himself the author of that work with the confession that he owed to the witches the grey hair which he had in the prime of life; it was caused by his consuming sorrow on account of the number of these victims of superstition which he had led to the stake." The efforts of such men were slow in bearing fruit; but if a portion of their spirit had animated the Covenanted clergy of Philadelphian Scotland, the history of the period would have presented a somewhat brighter phase.

It is a noteworthy fact that while the Cromwellian usurpation lasted in Scotland, the number of witch executions was largely diminished. The English "Commissioners for the administration of Justice in Scotland," appointed by the Protector, being men of enlightened understandings and broad views, openly discouraged the witch mania so far as lay in their power. They were compelled, as honest men, to do so by the shameful disclosures of fraud and oppression which came under their cognizance. Numbers of alleged witches and warlocks brought before them in 1652, had been forced into wild confessions by savage and abominable cruelties. One warlock—"a very simple fellow," as he is described, "denied all that he had confessed before, and said that he was in a dream. . . . The truth is," continues the relation, "he lived in so poor a condition, and was through his simplicity so unable to get a livelihood, that he confessed, or rather said anything that was put into his head by some that first accused him upon the confession of some who have died for witches. By this you may guess upon what grounds many hundreds have heretofore been burnt in this country for witches." In the most of such cases there was "found so much malice and so little proof against them (the prisoners) that

none were condemned." But this course of procedure was as distasteful as the Sectarian "Toleration," to the Covenanting clergy; and the judges were necessitated in various instances to sanction severe measures against Witchcraft. "There is much witchery up and down our land," wrote Robert Baillie, about 1657. "The English be too sparing to try it, but some they execute." Some they did execute, probably upon the principle propounded by the learned Selden:—

The law against Witches does not prove there be any; but it punishes the malice of those people that use such means to take away men's lives. If one should profess that by turning his hat thrice, and crying buz, he could take away a man's life, though in truth he could do no such thing, yet this were a just law made by the State, that whosoever should turn his hat thrice, and cry buz, with an intention to take away a man's life, shall be put to death,

Among those who were executed for Witchcraft in the year 1657 was a Perthshire Witch. She abode in the village or parish of Dunning. But there is no record of her trial. In fact, the only record of her name and fate which has descended to our day is preserved on a rude monument erected on a rising ground now enclosed within the Duncrub policies: and this it is—

MAGGY WALLS BURNT HERE, 1657, AS A WITCH.

Nothing more of Maggy can we tell.

Witch-hunting, which had been kept considerably in abeyance by the civil power during the Commonwealth, revived with the Restoration of Charles II., and again the Witch-pyres began to blaze over all the land.

In the early part of 1662 a notable discovery of Witchcraft took place on the southern borders of Perthshire. Some women living on the banks of "the clear winding Devon" fell under heavy suspicion of having entered into compact with Satan for the usual purposes of Sorcery. Three of them were arrested, their names being Agnes Murie, Indweller in Kilduff; Isabel Rutherford, in Crook of Devon; and Bessie Henderson, Indweller in Pitfar. Examinations and confessions were taken in due form of law; and we now present the following details of the indictments:—

## 1. AGNES MURIE.

It was charged against Agnes Murie that she had received instructions and information from Satan, her covenanted master, how to practise and put in execution the trade of Witchcraft and Sorcery. On a Monday, about Martinmas last, 1661, she being coming from the Crook of Devon, Satan appeared to her at the back of Hillhead yards, and said to her, "Will you be my servant, and I will give you as much silver as will buy you as much corn as will serve you till Lammas?"—to which she granted assent: likewise the fiend desired her to renounce and forsake her baptism, which she did, and he gave to her a new name, calling her *Pepira*: all which she freely confessed. She also confessed, in presence of Mr Alexander Ireland, Minister, and Mr Robert Alexander, Bailie, that she attended a meeting with Satan, at Gibson Craig, at Andrewsmass last, and that amongst those present, whom she knew, were Robert Wilson, in the Crook of Devon, and his spouse; Gilles Hutton in Gartquhencane; Margaret Duncan in Broom, in the parish of Dollar; and Agnes Allen in the Crook of Devon. Farther, the prisoner confessed that on the Wednesday after this assembly, she was desired by Satan to go to the moss near Hairlaw, where she would meet some women who would go with her to Gibson Craig, and she having gone to the moss found there Robert Wilson, Agnes Pittendriech, Agnes Alleine in Crook of Devon, Margaret Duncan in Broom, and Agnes Brugh in Gooselands, who all accompanied her to Gibson Craig, where Satan was present, along with other persons.

Sworn dittays were given in against the prisoner by Janet Millar, spouse to Henry Anderson in Craigton. It was therein stated that the said Agnes Murie having met the said Henry in his wife's company, as he was returning from sowing bear, spoke to him, and gave him a pinch of snuff, immediately after which he was struck speechless and lost the power of one of his sides, and in that state he continued fourteen days, when he somewhat recovered, but he remained in distress for a

twelvemonth afterwards. He and his spouse ultimately went to Newtyle to consult Robert Small, a man of skill, who on being informed by the patient of the nature of his disease, attributed it to excessive snuff-taking!—though it appears that Henry was no snuffer at all.

It was also charged against Agnes that after she made enquiries concerning the cattle belonging to Adam Keltie in Gelvin, his grey mare took a shaking and a great sickness; and when it began to mend, one of his best ewes died; and when the mare got well, one of his plough-oxen grew sick, and on its beginning to mend, another ewe died!

## 2. ISABEL RUTHERFORD.

This woman confessed that she had been as long a witch as she had been a charmer. The first time she saw Satan, he was in the likeness of a bearded man, dressed in grey clothes, with a blue bonnet on his head. She was afraid on seeing him, but after a little her terror wore off, and when he desired her to be his servant, she readily condescended thereunto, and renounced her baptism, upon which he gave her a new name, *Viceroy*, and told her that his own name was *Samuel*. At another time, Satan *alias* Samuel came to her before her own door, and desired her to attend a meeting at Gibson's Craig, which she promised to do, this intimation being given two or three weeks previously. When she came to the meeting, Satan was already there in his grey dress and blue bonnet, and said to her, "What now, are you come?" She was at another meeting at Turfhill, where Satan took her by the hand, saying "Welcome, Isabel!"—and his hand was strangely cold! To this meeting he had warned her on the preceding evening, having met her in the gloaming.

Sworn dittays were given in against her by Janet Hutton, residing at Crook of Devon. Janet was the widow of James Wilson, and told a doleful story. One day when she went from home to the Common of Fossaway, her husband was unwell, and as he lay rest-

ing himself on a knowe-head near his dwelling (it being the summer time) Isabel Rutherford came to him, and said, "What now, James? I think you are not well"—and desired him to go to the house, which he did, and she having accompanied him, spoke some words which he understood not, and went away. From that moment he felt himself worse, "and was aye the worse thereafter, and was all drawn together as it were with sea-cords." When his wife returned next day he bitterly regretted that she had left him, and declared that he wished he had been quartered quick (alive) when she went from home yesterday; and she said, "Why, I did nothing, but went to the Common." He said there came a common thief to him, who was Isabel Rutherford, and he related what had passed; but he protested that he would take his mare, and ride to the Crook, and seek his health from Isabel, "although they should rope him at horses' tails." His wife, however, bade him seek his health rather from God; for if he went and sought it from the wise woman, he would never come back. This counsel prevailed; but James grew no better, and at length, when the month of October came, and his loving spouse saw no prospect of his recovery, she changed her mind, and said—"I will go in fair ways to Isabel Rutherford, and see if she will do you any good, and I will pay her for it." She accordingly went, and met the witch in the Kirkyard of Tullybole, when Isabel asked how James did. The sorrowing wife answered that he had had "ane sore summer," upon which Isabel promised to come and see him on the morrow. She did come, and said on seeing him, that he was too far gone in his disease, and then promising to come again next day, in the evening, went home. She paid the second visit punctually; but as soon as the patient set eyes on her, he ordered her out of his sight, and wished, with an invocation, that he had never seen her. To soothe the witch's irritation, the wife sent her away with a loak (a small quantity) of meal. "Thereafter the said James never stirred in his bed unlifted, but became clean distracted, so that

he would never thereafter look to the said Janet his spouse, nor suffer her to make his bed, nor come near him thereafter, whereas before there was never an evil word between them for the space of sixteen years."

It was likewise alleged that about twelve years previously, the said Isabel charmed a young man, named Alexander Kyd, in Muirhauch, for a sickness; and about eight years after that she charmed his brother James, who was afflicted with the trembling fever, "but the said James declared that he was not the better, nor was never well sinsyne."

### 3. BESSIE HENDERSON.

Bessie, poor woman, confessed that she had been forty years in the Devil's service, since the time she milked the kine belonging to the old Bailie of Kinross. Satan had first appeared to her in the likeness of a bonny lad, with a blue bonnet, at Turfhill, above Kinross, on which occasion he asked her if she would be his servant, promising that she should want nothing, and she instantly and freely consented. She as freely renounced and forsook her baptism, and he gave her a new name—*Bessie Irwall*. His own name, by which she was to call him, was *Charles*. She added that Agnes Murie and Isabel Rutherford were also present at this bargain-making: and she "delated" a number of women who were witches, five of whom were laid in prison. About half-a-year before her confession, she was taken out of her bed one night in a fright, and brought to a fold where she met Satan and many witches, and the fiend again promised that she should want nothing. She farther confessed and declared that in the beginning of Lammas, 1661, she was at a night meeting with Janet Paton, in Crook of Devon, and other witches, when they went and maliciously trampled down Thomas White's rye, and that "Janet had broad soles, and trampit down more than any of the rest!" Bessie named the weird sisters who assisted in this wanton mischief, but said that she only heard and knew their voices—she did not see them, in regard of

the weakness of her eye-sight, which was so great that "she saw not well in the night this mony year."

In the prevailing state of public opinion, besotted by superstition, there was matter enough here for strangling and burning. A Court of Justiciary was straightway held at the Crook of Devon, on the 3rd April, 1662, under the presidency of the Justice-General Depute, Mr Alexander Colville of Blair: and we now quote the recorded result:—

An Court of Justiciary holden at the Crook of Devon, the 3rd day of April, the year of God Jave and sixty two years, by Mr Alexander Colville of Blair, his Majesty's Justice-depute General over Scotland.

Nomina Assize.

Robert Angus in Bogside; Patrick Livingstone at the Kirk of Cleish; John Hutton in Borland; James Livingstone; Robert Livingstone; George Barclay; William Pearson of Morlat; Robert Brown in Meadowhead; David Carmichael in Linbank; Robert Hutton in Wester Ballilisk; Andrew Paton in ———; James Alexander in Balriddrie; Edmond Mercer there; Henry Mercer in Aldie; James Thomson, portioner of Maw.

It is found and declared by the hail assize in ane voice that the forenamed Agnes Murie is guilty and convict in six several points of Witchcraft and Sorcery, and that according to her own free confession in manner above. In like manner, the above Isabel Rutherford is guilty and convict in six several points of Witchcraft and Sorcery, according to her own confession and probation; and all the three convict as common Sorcerers and notorious Witches, by the mouth of George Barclay, as Chancellor of the said Assize. Sic subscribitur,

GEORGE BARCLAY.

For the whilk causes the above-named Justice General Depute gives sentence, and ordains, that the said Agnes Murie, Bessie Henderson, and Isabel Rutherford, sall be all three taken away to the place called the Lamlares, bewest the Crook Miln, the place of their execution, tomorrow, being the fourth day of this instant month of April, betwixt one and two in the afternoon, and there to be strangled to the death by the hands of the hangman, and thereafter their bodies to be burnt to ashes, for their trespass, and ordains all their moveable goods and gear to be escheat and inbrought to His Majesty's use for the causes foresaid. Whereupon William Donaldson, Dempster, gave doom. Sic subscribitur,

J. ALEXANDER, Chan.

And thus there was a speedy, unjust, and barbarous end of the Crook of Devon witches!

The Perthshire Burgh of Culross, like all its neigh-

bours, had its witchcrafts and its witch-executions. The credulous Mr George Sinclair, Professor of Philosophy in the University of Glasgow, who compiled *Satan's Invisible World Discovered* (which was published in 1685) inserted in that delectable collection a communication from a friend in Edinburgh, respecting two witches in Culross whose cantrips brought down upon themselves the merciless talons of the law sometime after the Restoration.

The first was "a notable Witch," Helen Elliot by name. "This woman was watched one night in the steeple of Culross"—the burgh prison—"by two men, John Shank, a flesher, and one John Drummond, who being weary went to another room, where there was a fire, to take a pipe. But to secure her, they put her feet in the stocks, and locked them as well as might be. But no sooner were they gone out of the room, but the devil came into the prison, and told he was obliged to deliver her from the shame she was like to suffer for his sake; and accordingly took her out of the stocks, and embracing her, carried her out of the prison; at which she being terrified, made this exclamation by the way,"—involuntarily using a sacred name—"Whither are you taking me?" The exclamation was peculiarly unfortunate; for at these words, the fiend "let her fall, at the distance from the steeple, about the breadth of the street of Edinburgh, where she broke her legs." The correspondent affirms—"I saw the impression and dimple of her heels, as many thousands did, which continued for six or seven years, upon which place no grass would ever grow. At last there was a stone-dike built upon the place." The wretched creature's life was not spared. "Although unable to walk," she was "carried to the place of execution in a chair by four men."

The other Witch was called Creech. While lying in the steeple of Culross, the same Mr Alexander Colville of Blair, who had presided at the trial of the Crook of Devon sisterhood, visited her. He was "a gentleman," it is stated, "of great sagacity and know-

ledge as to Witches. He asked her if she was a Witch? She denied. 'Dare you hold up your hand and swear that you are not a Witch?' 'Yes, sir,' said she. But behold what a remarkable judgment of God came upon her! While she was swearing, with her arm lifted up, it became as stiff as a tree, that she not pull it in again, to the amazement of all that were present. One person yet living there was a witness, and can attest this. The gentleman, seeing the vengeance of God upon her for her wickedness, falls down presently upon his knees, and entreated the Lord on her behalf, who was graciously pleased to hear him." The perjured Witch could not, of course, escape the stake.\*

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\* M'Crie's *Sketches of Scottish Church History*, vol. i., p. 187,—vol. ii., p. 35; *Spottiswoode Miscellany*, vol. ii., pp. 90, 93; *Ennemoser's History of Magic*, vol. ii., p. 189; *Selden's Table Talk; Notes and Queries*, Fifth Series, vol. viii., pp. 202, 244; *Satan's Invisible World Discovered*, Relation 34th.

THE WEIRD SISTERS OF PERTHSHIRE.

Part 6th.

— All agree, that if there ever lived  
A veritable witch beneath the sun,  
Who ought to die unpitied and unshrived,  
Old Catharine M'Niven must be one.

Rev. George Blair—"The Holocaust."

ABOUT seventeen years after the Restoration, the voice of reason regarding Witchcraft made itself heard through the publication of two books which gradually influenced the educated mind of Britain. The one was Webster's *Displaying of Supposed Witchcraft*, issued in London, in 1677: and the other was *The Laws and Customs of Scotland in Matters Criminal*, the production of Sir George Mackenzie of Rosehaugh, King's Advocate for Scotland, which was published in Edinburgh, in 1678. Strangely-suggestive is the fact that the celebrated lawyer whom the Covenanters nicknamed "Bluidy Mackenyie," should have entered an emphatic protest against the unjust and savage mode of legal procedure in the Witch trials. If for nothing else than this, well did he deserve Dryden's encomium that he was "the noble wit of Scotland." Sir George devoted a section of his erudite work to the subject of Witchcraft: and although he set out with a principle exactly contrary to that of Selden, and consequently fallacious and a mere *petitio principii*, namely, that the existence of Witchcraft cannot be doubted because its punishment was ordained by law, yet he bent his whole force against the odious system of Witch-prosecution which had prevailed so long in this country. "Those poor persons," he says, "who are ordinarily accused of this crime, are poor ignorant creatures, and oft-times women, who understand not the nature of what they are accused of; and many mistake their own fears and apprehensions for Witchcraft." He shews that "these poor creatures when they are defamed, become so confounded with fear, and the close prison

in which they are kept, and so starved for want of meat and sleep (either of which wants is enough to disorder the strongest reason) that hardly wiser and more serious people than they would escape distraction." To the use of torture, he ascribes most of the so-called confessions; and the motives of such as appeared to be voluntarily given, he illustrates from his own experience. "I went when I was a Justice-Depute," he says, "to examine some women who had confessed judicially, and one of them, who was a silly creature, told me under secrecy that she had not confessed because she was guilty, but being a poor creature, who wrought for her meat, and being defamed for a witch, she knew she would starve, for no person thereafter would either give her meat or lodging, and that all men would beat her, and hound dogs at her, and that therefore she desired to be out of the world; whereupon she wept most bitterly, and upon her knees called God to witness to what she said." Passing on, Sir George discusses the nature of the evidence which ought to be produced against accused persons: and though (probably to elude the charge of atheism) he did not impugn belief in Witchcraft, the spirit of his argument prognosticated and helped to hasten an enlightened change in public opinion.

Here let us say, once for all, that while Witchcraft in itself was a gross and preposterous delusion, there is no denying that many persons practised spells and charms, and frequently effected actual cures of disease by means of the natural virtues of herbs and plants or other simple medicaments. In some cases, doubtless, the cure was produced through the lively aid of the patient's imagination, and perhaps much oftener than might be imagined by the exertion of the unknown power which we now call animal magnetism. Moreover, numerous individuals, in every age, seeking supernatural power for wicked ends, endeavoured, however absurdly and vainly, to open communication with the unseen world, and generally impressed others, if not themselves, with the idea that they could com-

mand the spirits of darkness to do their bidding. But as to the main feature of the mania—the confession of impossibilities, we may point out that while part was due to mental hallucination, much was imported into the superstition by the series of interrogatories set down in the *Witch-Hammer*, and this fact sufficiently explains why all the confessions contain so many things in common. Torture and the suggestive questions elicited all that was wild and wonderful, and corroborations were given through fear or insanity: and thus the mania spread, ignoring reason and preying upon human life.

As the seventeenth century wore away, the virulence of the mania sensibly decayed, although now and then it had fierce outbursts. The bewitching of Sir George Maxwell of Pollock, in 1676, brought on a trial of witches next year, when four women and a boy were burned at Paisley. In 1678, ten women were convicted, on their own confession, before the Court of Justiciary, and afterwards burned; and in the December of 1679, five witches and a warlock were condemned to the stake at Bo'ness. A pause came. But in 1696–7, a young girl, Christian Shaw, daughter of the Laird of Bargarran, in Renfrewshire, pretending to be bewitched by persons whom she named, three men and four women were burned on Paisley green. In 1704, several accused witches in Pittenweem were set at liberty by the Privy Council. A few months afterwards, in January, 1705, an old woman, suspected of witchcraft, and imprisoned in Pittenweem, managed to escape from the frail burgh jail. She was retaken at some distance in the country, and being brought back to the town, on the 30th, the Magistrates disposed of her temporarily in a private house; but during the night a furious rabble broke into her lodging, dragged her forth, and murdered her on the street! The superstition was dying, but dying hard. The last trial for witchcraft before the Court of Justiciary took place at Dumfries, on the 3rd of May, 1708, when a witch, named Elspeth Rule, was fully convicted; but the Judge, Lord Anstruther, passed

sentence—not of death, but that she should be branded on the cheek, and banished from Scotland for life.

In some year, after the Revolution of 1688, but before the Rebellion of 1715, there is said to have been a famous witch done to death in Western Perthshire. In her case, as it is told, Tradition is our only guide: so that we shall take the story as we find it, and relate it with all the circumstantiality with which it has been handed down from generation to generation.

Sometime in the latter half of the seventeenth century, one of the servants in the family of the Græmes of Inchbreakie was a female called Kate M'Niven, who was nurse to the Laird's young son. No kindness or affection, however, subsisted between Kate and her foster-child. Already she had become a member of the weird sisterhood, and by her black art was impressed with the presentiment that the boy was destined to bring her to a death of shame. Brooding over this gloomy prospect, she at length resolved to thwart destiny by destroying her charge, and once and again did she essay to cut him off by poison; but each attempt misgave. That her guilty practising was suspected, does not appear. Still, there seems to have arisen an evil feeling against her in her foster-son's breast, and it strengthened until ultimately it impelled him to hurry her to the stake. When relieved of her duties in the house of Inchbreakie, Kate returned to her old home in the Kirkton of Monzie, a village romantically situated on the banks of the Shaggy and the Kelty, and environed with scenery in which the mountainous majesty of the Highlands blends with the softer beauties of the low country. Kate's cottage stood near the Shaggy, and there she dwelt by herself, acquiring an "uncanny" reputation, and frequently visiting Inchbreakie, where she was always kindly received by the Laird. It would seem, however, that the spirit of mischief, so congenial to a witch, actuated her to play tricks upon her unsuspecting benefactor. On one occasion, the Laird went to Dunning to some festivity, and, according to the fashion of the time, took his knife and fork in his

pocket. After he was seated at the dinner table, he was subjected to an annoyance similar to that which teased Uncle Toby—namely, the hovering of a bee about his head. To relieve himself from the tiny tormentor, he laid down his knife and fork, and attempted to beat off the insect with his hands. It soon flew out of the window; but behold! the Laird's knife and fork had disappeared! They were searched for, all over the table, and under the table: nowhere could they be found; but when their owner reached home, and recounted his mysterious loss, the Nurse, who was present, straightway went and produced both articles, safe and sound, from their accustomed repository. It was shrewdly whispered that Kate had personated the bee!

Inchbreakie himself probably laughed at such a suspicion; but the secret and bitter hatred which his son cherished against the nurse was not to be appeased, and it found deadly vent at last. Evidence of her sorceries was collected or suborned, and her youthful enemy was on the eve of publicly denouncing her as a witch, when Kate's soul was darkened by a revelation that her end was near. One day an aged thorn tree at Dunning, which she believed to be associated, in some mystic way, with her fate, was felled to the ground, and before the news of its downfall could possibly have reached her ears, she suddenly started up, ejaculating—"Alas! the thorn's felled, and I'm undone!" This prophetic exclamation was soon verified. Through the machinations of young Græme, she was apprehended and brought to trial on a charge of witchcraft; and her guilt being conclusively established, doom of death was pronounced against her. It is said that Inchbreakie interested himself energetically in his old dependant's behalf; but his intercession was ineffectual. Everybody else was prejudiced against Kate, and the minister of Monzie proved her bitter enemy. The stake was pitched and the faggots piled on the summit of the Knock of Crieff, and thither was the sorceress dragged to suffer, in presence of an

immense multitude gathered from all the surrounding country. When she was chained to the post, she perceived Inchbreakie among the crowd, and knowing well how he had stood her friend, she called to him to approach. He did so at the word: and as he came, she bent down her head, and bit off with her teeth a large blue bead from the front of the necklace which she wore, and spitting it towards him, told him to keep it for her sake, — because that if the talisman was treasured, the family of Inchbreakie should never lack a lineal heir or lose the ancestral property, and also that at some time thence there would come out of the King's Crag what would do them good. Having thus taken farewell of the Laird, she vented various maledictions on those who had wrought her condemnation. Her wrath against Monzie and its minister was extreme: she declared that a minister of Monzie should never prosper, and that the parish should never want a mad woman or a sot. The place on the Knock where she died is still known as "Kate M'Niven's Crag." Her last gift to Inchbreakie, which has been religiously preserved, is described as an uncut sapphire; set in a ring, it is kept as an heirloom in the family. The prophecy about the King's Crag is said to have been thus fulfilled: At some subsequent period, "the lands of Inchbreakie had been pledged in wadset—the day was close at hand, when either the money was to be paid or the lands to be lost—the Laird was in extremities—a friend advised him to apply to the Bank of Strathearn (meaning the Balgowan family, which was called so at that time)—he did apply and obtained the money—the servant who received it to carry home, thrust it into a cloak-bag, and placed it on his horse in one of the Balgowan stables—the low stable-door would hardly permit the horse and bag to get out; but the servant pushed the latter through, exclaiming when he had done so, that the witch's prophecy was now fulfilled, for the stable was built out of the King's Crag."

We have now related the traditionary story of Kate

M'Niven. But some suggestive light is inadvertently thrown upon it by one or two passages in Mr John Graham Dalzell's *Darker Superstitions of Scotland*. It is there stated that in 1643, a warlock, named John Brughe, was alleged to have obtained his knowledge "from a widow, named Neane Nikclerith, of threescore years of age, wha was sister-dochter to Nike Neveing, that notorious infamous witch in Monyie, wha for her sorcery and witchcraft, was burnt fourscore of year since, or thereby." If we go back 80 years from 1643 we arrive at 1563; and we find from *The Historie and Life of James the Sext* that only six years after the last date, or in 1569, "a notable sorceress called Nicniven was condemned to the death and brunt" at St Andrews. In the *Flyting of Montgomery and Polwart*, we also read of

Nicniven, with her nymphs in number anew,  
With charms from Caithness and Chanrie of Ross,  
Whose cunning consists in casting a clew.

With these curious fragmentary notices before us, may we not conjecture that they allude to the veritable Kate M'Niven, and that the traditionary story is erroneous as to her era and the place of her incrimination? Perhaps Monzie and Crieff folks will not thank us for endeavouring to disturb the legend which has so long held "a local habitation" with them: still we are disposed to think that the excerpts above given really furnish a brief history of the witch of Monzie's fate.

Many other traditions about the Weird Sisters of Perthshire might be added; but we forbear pursuing that branch of the subject, by reason that our main object has been to present a collection of Witchcraft cases gleaned from authentic records, so as to form an important and curious chapter of Perthshire History. And we shall conclude by briefly tracing the downfall of the superstition in this country.

In 1718, the house of a mason, named William Montgomery, near the town of Thurso, became strangely infested with numbers of cats, which came in during the night-time, and raised great disturbances. Honest

William bore with this extraordinary visitation for several weeks, hoping always that it would cease; but there being no cessation, his well-tried patience got exhausted, and he took broadsword and dirk in hand, and watching the next opportunity, fell furiously upon his tormentors, and wounded several of them. Immediately thereafter an old woman of the neighbourhood, named Margaret Nin-Gilbert, fell ill of a sore leg; and the mason, comparing circumstances, suspected Witchcraft, and procured her apprehension. On her examination, she confessed herself a witch, and that she had been often in William's house in the shape of a cat, and had received hurt! She mentioned other women who had also been there similarly transformed; but two of them were already dead of their wounds! One of the surviving dames was now imprisoned along with Margaret, and the usual barbarities began to fetch out the whole truth. But news of these disgraceful proceedings having travelled to the ears of the Lord-Advocate, Mr Dundas of Arniston, he wrote a letter to the Sheriff of the County, pointing out that he ought not to have gone so far without consulting the head authority in Edinburgh, Meanwhile old Margaret with the sore leg died in jail, and the case was quietly abandoned.

But a worse affair happened ten years later, and also in the north. In 1728, two Highland women, mother and daughter, were dragged to prison in Sutherlandshire, on the charge of Witchcraft. The daughter escaped from confinement, and succeeded in eluding pursuit; but the mother was formally brought to trial before the Sheriff-depute, Captain David Ross of Littledean, and condemned to expiate her offence in a blazing tar-barrel. The execution took place at Dornoch, in June; and it is related of the victim that after she was brought out, "the weather proving very severe, she sat composedly warming herself by the fire prepared to consume her, while the other instruments of death were making ready." This was the last execution for Witchcraft in Scotland; and it does not appear that Government reprobated the atrocity.

The history of Witchcraft in Britain closes with the Act of the Imperial Parliament, passed in 1736, which reduced the fictitious crime to its proper level. We quote it entire :—

*Anno Nono*  
*GEORGI II. Regis. 1736*  
Cap. V.

An Act to repeal the statute made in the first year of the Reign of King James the First, intituled, *An Act against Conjuraton, Witchcraft, and dealing with evil and wicked Spirits*, except so much thereof as repeals an Act of the fifth year of the Reign of Queen Elizabeth, *Against Conjuratons, Inchantments, and Witchcrafts*, and to repeal an Act passed in the Parliament of Scotland in the ninth Parliament of Queen Mary, intituled *Anentis Witchcrafts*, and for punishing such persons as pretend to exercise or use any kind of Witchcraft, Sorcery, Inchantment, or Conjuraton.

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords, spiritual and temporal, and Commons, in this Parliament assembled, and by the authority of the same, that the statute made in the first year of the reign of King James the First, intituled, *An Act against Conjuraton, Witchcraft, and dealing with evil and wicked Spirits*, shall, from the twenty-fourth day of June next, be repealed and utterly void and of none effect (except so much thereof as repeals the statute made in the fifth year of the reign of Queen Elizabeth, intituled, *An Act against Conjuratons, Inchantments, and Witchcrafts*).

II. And be it further enacted by the authority foresaid, that from and after the said twenty-fourth day of June, the Act passed in the Parliament of Scotland in the ninth Parliament of Queen Mary, intituled, *Anentis Witchcrafts*, shall be and is hereby repealed.

III. And be it further enacted, that from and after the said twenty-fourth day of June, no prosecution, suit, or proceeding, shall be commenced or carried on against any person or persons for Witchcraft, Sorcery, Inchantments, or Conjuraton, or for charging another with any such offence, in any Court whatsoever in Great Britain.

IV. And for the more effectual preventing and punishing any pretences to such arts or powers as are before-mentioned, whereby ignorant persons are frequently deluded and defrauded; be it further enacted by the authority aforesaid, that if any person shall, from and after the said twenty-fourth day of June, pretend to exercise or use any kind of Witchcraft, Sorcery, Inchantment, or Conjuraton, or undertake to tell fortunes, or pretend from his or her skill or knowledge in any occult or crafty science to discover where or in what manner any goods or chattels, supposed to have been stolen or lost,

may be found; every person so offending, being thereof lawfully convicted on indictment or information in that part of Great Britain called England, or on indictment or libel in that part of Great Britain called Scotland, shall for every such offence suffer imprisonment by the space of one whole year without Bail or Main-prize, and once in every quarter of the said year, in some market town of the proper county, upon the market day, there stand openly on the Pillory for the space of one hour, and also shall (if the Court by which such judgment shall be given, shall think fit) be obliged to give sureties for his or her good behaviour, in such sum, and for such time, as the said Court shall judge proper, according to the circumstances of the offence, and in such case shall be further imprisoned until such sureties be given.

This measure gave rise to much dissatisfaction among certain classes of the religious public of Scotland. It was opposed in the House of Commons by Mr Erskine of Grange, the M.P. for Clackmannanshire, and the husband of the unhappy lady whom he caused to be spirited away to the lone isle of St Kilda by a band of Lord Lovat's men. Mr Erskine seemed a devout believer in the reality of witchcraft, and at his death his library was found to contain a large collection of curious books on that subject. Such opposition as his, however, was disregarded, and the Bill became law. Still the prejudice against it survived: and when the body of Seceders from the Church of Scotland, led by the Erskines, drew up and published their *Testimony, &c.*, they pointed out this Act as one of the sins of the and: "The penal statutes against witchcraft," said the Associate Presbytery, "have been repealed by the Parliament, contrary to the express law of God; for which a holy God may be provoked in a way of righteous judgment, to leave those who are already ensnared to be hardened more and more; and to permit Satan to tempt and seduce others to the same wicked and dangerous snare." So difficult was it for reason and justice to put down an ancient superstition which had been allowed to connect itself with religion.\*

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\* Sir George Mackenzie's *Laws and Customs of Scotland in Matters Criminal*. Edin: 1678, p. 80; Chambers's *Domestic Annals of Scotland*, vols. ii. and iii.; *Collection of Rare and Curious Tracts on Witchcraft*. Edin: 1820;

*The Holocaust; or, The Witch of Monzie.* By the Rev. George Blair; *Statistical Account of Perthshire*, pp. 269, 503; Dalzell's *Darker Superstitions of Scotland*, p. 223; *Historie and Life of King James the Sext*, p. 66; Captain Burt's *Letters from the North of Scotland*, vol. i. p. 231, Sir Walter Scott's *Demonology and Witchcraft*, &c.

### AULD HANSEL-MONDAY.

It was 'bout the Auld Hansel Monanday time,  
When dancin', an' drinkin', an' singin's nae crime.

*Robert Gilfillan.*

THE reign of Winter is drawing to a close ere we have experienced much of its wonted rigour. The season has proved changeful, rough, and gurlly, but not severe. Sunshine and genial breezes have not been sparingly bestowed. Now and again the storm-clouds darkened the day; the hoarse, blustering winds were unloosed that they might sweep land and sea, "tirlin the kirks," and rousing to foam and fury the billows of the main; the "pouthery snaw" drove on, thick and whirling, and covered over hill and dale with a spotless shroud as if arraying Nature for the tomb. At such a time we think of "the ourie cattle, or silly sheep"—of "ilk happing bird, wee, helpless thing"—and of the benighted wanderer on the pathless moor, blinded by the drift which obscures the gleam of the distant cottage-window, and struggling on, through the stifling atmosphere, farther and farther astray, until he sinks down with exhaustion, and perishes in the howling darkness and is soon enwrapped in the mantle of the tempest: and the ruddy morning breaks on a white wilderness of desolation, where

Naething is heard but the wind whistling dreary,  
And naething is seen but the wide spreading snaw.

Yet how suddenly did the Borean King assume the "melting mood!" The blast grew milder; the heavily-surcharged skies poured down their rainy torrents; the deep snow-wreaths dissolved away; the swelling streams burst their bounds, bearing along "the jinglin icy-board;" and all the haughs were laid under a brown deluge. Our Perthshire Prelate, worthy Gavin Douglas, in one of his quaint prologues to his quaint translation of Virgil's *Eneis*, has with a master hand drawn vivid pictures of the wintry alter-

nations. He tells that when he arose from his pallet of rest, he looked forth from "ane shot window" which he had "unshut ane little on jar," and

Perceived the morning blae, wan, and har,  
 With cloudy gum and rack overwhelmed the air;  
 Branches brattling, and blackened shew the braes,  
 With hirstis harsk of wagging windle-straes;  
 The dew drops congealed on stubble and rynd,  
 And sharp hail-stanes mort fundyit of kind,  
 Hopping on the thack and on the causeway by.

For contrast take his description of the country under a thaw:

The dolly dikes were all dank and wet,  
 The low vallies flooded all with spate,  
 The plain streets and every highway  
 Full of slushes, dubs, mire, and clay.  
 Laggerit leas withered ferns shew,  
 Brown muirs kythed their wizen'd, mossy hue,  
 Bank, brae, and bottom blanch'd waxed and bare,  
 For gourl weather grew beasts hare;  
 The wind made wave the red weed on the dyke,  
 Bedown in donkis deep was every syke;  
 Over crags and the fronts of rocks sere  
 Hung great icicles lang as ony spear.

Turn, however, from the poetic Bishop of Dunkeld to the Bard of the *Faerie Queen*, and say whether the January now passing with us came upon the stage of Time in the chilly guise which, according to Spenser's vision, he should have assumed—

Then came old January, wrapped well  
 In many weeds to keep the cold away,  
 Yet did he quake and quiver like to quell,  
 And blow his nails to warm them if he may;  
 For they were numb'd with holding all the day  
 An hatchet keen, with which he felled wood,  
 And from the trees did lop the needless spray.

Our present January made his debut in another character, somewhat feigning the aspect of young Spring. But Winter, though gloomy and stern, has, like Adversity, its high moral lessons and uses, touching the heart with compassion for the shivering poor, the hapless, and forlorn, and awakening the careless and the proud to a sense of forgotten or neglected duties, and reminding them of the instability of this mortal span wherein "Death's shafts fly thick." Of the rough

greeting of the wintry blast, we may say, with the banished Duke in Arden—

Here feel we but the penalty of Adam—  
 The seasons' difference,—as, the icy fang  
 Aud churlish chiding of the winter's wind,  
 Which when it bites and blows upon my body,  
 Even till I shrink with cold, I smile, and say  
 This is no flattery,—these are counsellors  
 That feelingly persuade me what I am.  
 Sweet are the uses of adversity;  
 Which, like the toad, ugly and venomous,  
 Wears yet a precious jewel in his head.

Adversity and Winter are, indeed, the most unflattering of counsellors : yet behind them Hope hovers dimly, wafting promises of a better future. We know that when the Icy King resigns his sceptre and retires to the misty recesses of the north, a brighter and happier time will come,—“the flowers” will “appear on the earth,” and “the singing of birds,” and “the voice of the turtle” will be “heard in our land.” So it is with Fortune. If we will but exercise fortitude and patience—if we will but labour and wait, with unflinching trust in overruling providence, “the winter of our discontent” may soon run its course, and in due time we may enjoy a “glorious summer” shedding blessings on our heads. Still, although the seasons change and renew in unbroken cycle, it is not so with man. For him there is no such renewal. The brook that summer's drought has dried in its pebbly bed will flow again in sparkling beauty, and with a voice of music, when the autumnal showers descend; but the stream of life, when once it has run dry, can never be restored to its old channel on this side the grave.

Oh, stream of life ! the violet springs  
 But once beside thy bed;  
 But one brief summer, on thy path,  
 The dews of heaven are shed.  
 Thy parent fountains shrink away,  
 And close their crystal veins,  
 And where thy glittering current flowed  
 The dust alone remains.

To “old January” belongs the great merry-making time of the year; and, as we previously remarked, his last inauguration of it was accompanied with weather

of unexpected mildness. Much might be said of the Hogmanay and New-Year customs, in an antiquarian point of view; but of these we shall not presently speak. Rather we desire to note down a few facts and scraps concerning the immemorial festival, which in this part of the country formerly concluded "the daft days."

In England it was once usual to offer gifts to Royalty on New-Year's-Day morning, which custom can be traced as far back as the reign of Henry VI. The same thing prevailed at the Court of Scotland, as may be seen from the curious Accounts of the Lord High Treasurer. Thus, on 1st January, 1490, ten angels, value 12s, were "given to the King (James IV.) in his bed, in the morning." But, as the old proverb says, "Giff gaff mak's gude friends": and the monarch gave as well as got. On 1st January, 1507, a largess was granted, by the royal command, to a party of minstrels numbering 69 persons. On 1st January, 1526, King James V. spent £20 "that night, after supper, in mumming," and distributed rings in presents to the value of other £30. In subsequent years, during the same reign, "play-coats" for maskers were provided, and also gold chains, rings, tablets, "and other golden work" to be given in New Year's gifts. But if a custom of making gifts to each other on New Year's Day was ever general among the Scottish people, it has long ceased to exist; but perhaps, if it ever existed, it was transferred in some of the midland counties of Scotland (such as Perthshire and Fifeshire) to *Handsel-Monday*, or the first Monday after New Year's Day—the word *handsel* in this connection signifying a gift: and it is singular that only in certain parts of the kingdom has *Handsel-Monday* been observed—in other provinces the very name being unknown.

During many generations, the humbler classes of the counties above alluded to—throughout the rural districts and the towns alike—held *Handsel-Monday* as one of the chief holidays and festive occasions of the year. After the alteration of the Style, this holiday con-

tinued to be kept according to the old reckoning—hence the title *Auld Handsel-Monday* by which it then became distinguished. Who that saw and enjoyed the Handsel-Monday of half-a-century back could ever forget it? Old and young looked forward to it with the keenest anticipation.

————— I mind langsyne,  
 When I was years auld aucht or nine,  
 Three weeks afore't I sleep wad tine,  
 Wi' thochts o' Handsel-Monday.

Early in the morning, before day had dawned, the "fat brose" was prepared—a savoury breakfast, to which all the members of a household sat down with great gusto: for the scattered sons and daughters came distances of many miles to take their places in the family circle around the hearth endeared to them by honest affection and the memories of their young days. Gladness beamed from every countenance, and mirth reigned supreme. When the meal was disposed of, the boys and girls were treated to their *handsel* in good solid copper coinage. The full bottle was produced from the worm-eaten oaken press, and the sparkling mountain dew circulated amain, accompanied with plenty of cakes, scones, and bannocks. When the morning advanced, and the sun was up, various outdoor sports and pastimes were begun: notably there was prize-shooting; and, indeed, during the rest of the day until the fall of gloaming, the whole country rung with the dropping reports of fire-arms. The evening closed with a hearty carousal under the roof-tree: jokes flew thick, stories were told, and many a familiar song was sung, awakening remembrances of past happiness and sorrow. An old friend of ours, now no more, George Hay, a denizen of the Carse of Gowrie, and author of some capital stories of rural life, has detailed in one of them his boyish reminiscences of the holiday with a faithful and graphic pen. "Handsel Monday!" he exclaims. "What a retrospection that magic word calls up! There were various contrivances resorted to, on the night preceding that awful day, that I might not sleep too long, and lose the morning sports. It

was not sufficient that some of my older relatives promised to awake me at a certain hour—that was not to be depended upon; so I tied a finger and toe together that I might awake myself when I tumbled about; or one end was tied to my hands, and the other end was laid outside the house, that some of my companions might give it a pull and awake me, and if I happened to get up first I was in duty bound to do as much for them. Or—but it would require too much space to tell all the plans resorted to : sufficient to say, that on hearing the first noise I was up. Then there was a suit of new clothes, which, though only of corduroy, was regarded with as much pride as though it had been of the finest broad cloth. And, with what impatience I stood till arrayed in all the finery ! And when the toilet seemed completed, and I was bolting to join the crowd without, ‘Stop, stop!’ cried a voice that sounded in my ears like the words of the Doomster or a malefactor. What was wrong now, that I was to be kept from my companions, and lose the chance of getting myself shot, or breaking my leg, or arm, or neck as the case might be ? Why, just this : I had to stand till the bottom of my braw new corduroy breeks were rolled carefully up, that they might not be splashed with mud during the day’s sports. And there was the halfpenny from every gudewife in the neighbourhood to handsel my new pockets, which soon amounted to what I considered an almost inexhaustible sum—ten times the bulk of gold now would not make me half so rich ! The handsel was not spent upon gingerbread and such toothful articles. No, no—these were of too perishable a nature for me; but, with the exception of a penny spent upon gunpowder,—*Jack the Giant-killer, Cinderella, Tom Thumb, &c.*, soon left me as poor as before, with no hope that my empty exchequer would be replenished before that day twelve months. Then, there were the Prize-shootings, and the Cock-fightings—the latter a barbarous sport that is now happily discontinued, but which I went to see. Then there were the kebbuck and the glass circulating freely in every house

for the older visitors : this was considered by the participants as only a refreshing shower throughout the day; but when evening came it was an evendown pour. Then there was the fresh herring feast in the *Shirra's*, with plenty of whisky punch to wash it down—and the songs, and the mirth and fun that always attended such meetings, but in which we youngsters had no part. Time hath divested such scenes of all the glamour that then surrounded them. Handsel Monday comes annually; but it cannot give me such exquisite pleasure now : and when memory recalls those halcyon days of the new corduroys and the gudewives' bawbees, I heave a sigh, and say with Lord Byron, 'Ah ! happy years ! once more who would not be a boy?'"

And how was the holiday spent in the Fair City of Perth ? Our local annalist, painstaking, garrulous George Penny, tells us that "Handsel-Monday was the principal day," of the New-Year festivities, "with the working classes. By one in the morning the streets were in an uproar with young people, who appeared to consider themselves privileged to do whatever mischief they pleased. It was a constant practice to pull down signboards or anything that came in the way, and make a large bonfire with them at the Cross—all being for the benefit of trade and the support of the good old customs. Numbers of boys, belonging to the Glover Incorporation, were to be heard in every quarter selling small purses at a halfpenny each; these were made of the parings of leather, and enabled the lads to gather something to hold Handsel-Monday with. They were generally all sold off early in the morning. The tradesmen were all idle this day, and considered themselves entitled to handsel from their employers, and even from individuals in any way connected with the business. Thus, the Weavers having received their handsel from the manufacturer, a deputation from the shop was sent to the Wright who made their utensils another to the Reed-maker, and to the Chandler who supplied them with candles; and a third to the Company who boiled the yarn. The whole proceeds of

these begging commissions were put together, and spent in the evening in a tavern."

In some places the parish schoolmaster received a Handsel-Monday present from his pupils. The Rev. Alexander Stewart, Minister of Moulin, states in his account of that parish contributed to Sir John Sinclair's national work, that "beside the stated fees, the master receives some small gratuity, generally 2d or 3d, from each Scholar on Handsel-Monday, or Shrove Tuesday."

A wonderful Handsel-Monday story is told by the Rev. William Osburn, Minister of Tillicoultry, in the above work. "It is worth mentioning," he says, "that one William Hunter, a collier, was cured in the year 1758, of an inveterate rheumatism or gout, by drinking freely of new ale, full of barm or yeast. The poor man had been confined to his bed for a year and a-half, having almost entirely lost the use of his limbs. On the evening of *Handsel-Monday*, as it is called (*i.e.* the first Monday of the New-Year, O.S.), some of the neighbours came to make merry with him. Though he could not rise, yet he always took his share of the ale, as it passed round the company, and, in the end, became much intoxicated. The consequence was, that he had the use of his limbs the next morning, and was able to walk about. He lived more than 20 years after this, and never had the smallest return of his old complaint."

Until of recent years there was little change in the observance of Auld Handsel Monday in the rural districts of Perthshire. In the town, this holiday was long kept up among the weaving population with greater zest than even New Year's Day. Oaten cakes and cheese, and the everlasting whisky-bottle, were met with galore in every house, and from morning till night the utmost hilarity and good fellowship prevailed; in fact, the "spree" was generally prolonged by the veteran votaries during the rest of the week; but these festivities wore out with the rapid decrease of the particular class who patronized them. A good many years

back the custom was introduced of shutting shops and suspending business throughout the town, so as to make a complete holiday, and this has been the rule ever since; but, latterly, the Old Style was unanimously abandoned, and Handsel Monday is now held on the first Monday of the year—that is to say, when New-Year's-Day happens on a Monday, both festivals are conjoined. This arrangement has been acquiesced in by the country people, and many a happy reunion of scattered families then takes place at the village and cottage firesides, where Handsel Monday and its enjoyments and frolics are annually hailed with delight. Fifeshire also continues loyally to celebrate the holiday; and our respected friend, Mr Alexander Laing, of Newburgh, relates in his admirable work, *Lindores Abbey and its Burgh of Newburgh* (1876), how Handsel-Monday passes in his surrounding vicinity. "It is," he says, "the great festival of the year in this neighbourhood;" but "the most remarkable feature in the observance of Handsel-Monday in Newburgh, and which seems peculiar to the town, is the blowing of horns in the streets by the boys the moment that the clock strikes the twelfth hour on Sunday night. They continue this unmelodious music until daylight, kindle bonfires, and a generation back removed tradesmen's signs to private dwellings, and perpetrated other pranks. The adherence of the boys to these old usages is a striking instance of the toughness of long-desconded customs."

One more reminiscence of Perthshire Handsel-Mondays, and we are done. More than a quarter of a century ago, a number of choice spirits in and about the hamlet of Rait, on the braes of the Carse of Gowrie, used to assemble on the festive night, around the tavern board, and hold a mock election of Provost, Magistrates, and other officials for that "ancient burgh." Foremost among those convivialists was the "Burgh Bard," Charles Spence, the poet, who enlivened the proceedings with some of his best lyrics. Peace to his ashes! He and most of his brother office-

bearers have now passed to the "silent land": and in honour of the poet's memory we shall conclude with one of his songs, which was given, with rapturous applause, at an election symposium:—

*MY LOVE'S WINDOW.*

O what care I although the nicht  
 Wi' deeper gloom than this attend me?  
 While guided by yon cheerfu' licht,  
 The mirkest nicht can ne'er offend me.  
 The stars shed but a feeble ray,  
 The moon o' fickle love does mind me,  
 The meteor's blaze will me betray;  
 But leal 's the licht o' my love's window.

A fop loves fashion's brawest claes,  
 And chilly age loves faulds o' flannen,  
 A shepherd loves the sunny braes,  
 A soldier loves the roar o' cannon,  
 A miser loves the guinea's clink,  
 A tyrant loves in chains to bind ye;  
 But mair I love the blythesome blink  
 That comes at nicht frae my love's window.

The pouring rain, the stormy winds,  
 May cool my cheek and weet my plaidie;  
 But wae be to the mist that blinds  
 The licht that guides me to my lady.  
 Gie mariners a pleasant sea,  
 To courtiers princes' smiles benign gi'e,  
 Ambition power; but gi'e to me  
 The lovely licht o' my love's window.

### THE RAID OF CLAN DONNACHIE.

The tartan plaid it is waving wide,  
The pibroch's sounding up the glen,  
And I will tarry at Auchnacarry,  
To see my Donald and a' his men.

*Hogg's "Jacobite Relics."*

Widow and Saxon maid  
Long shall lament our raid,  
Think of Clan-Alpine with fear and with woe.  
*Lady of the Lake.*

ACCORDING to early Highland history, which must be regarded as largely intermixed with tradition, the tribe of the Duncansons or Robertsons of Athole became first known as a separate Clan, under the distinguishing patronymic of *Clann Donnachaidh*, after a martial exploit which they performed in Glenisla, in the year 1391.

As to the ancestry of the sept, there is much dubiety among genealogists. The Robertsons themselves have invariably claimed to descend from the Macdonalds, Lords of the Isles; and, as has been acutely observed by a literary clansman, their claim is entitled to fair weight when we consider that descent from an original and independent stock would seem more preferable than from another clan. At the same time it is certain that several of the progenitors of the Robertsons appear in records with the designation *De Atholia*—of Athole; which fact proves an intimate connection with the race of the old Celtic Earls of Athole; but this connection was probably formed by matrimonial ties. The recognised head or founder of the Clan was a portly warrior, named Duncan the Fat, whose prowess furnished the theme of many a legendary story. By one set of authorities he is asserted to have been a son of Angus Mhor, Lord of the Isles; and, on the other hand, an Athole parentage has been assigned to him; but this clashing of genealogical lines may be avoided by placing the descent from Clan Donald some degrees

farther back. From the dim glimpses afforded by ancient muniments, it is found that the father of Duncan the Fat was Andrew de Atholia, whose father, again, was called Gilmur, and held the office of Seneschal of the Earldom of Athole, about 1200. Andrew, the Seneschal's son, married the heiress of Athole, she being the daughter of Ewan, son of Conan, son of Henry, the fourth and last Celtic Earl of Athole. It is stated that Conan, who was the second son of Earl Henry, received from his father, in the reign of King Alexander II., the lands of Glenerochy, afterwards denominated Strowan, a rendering of the Gaelic term *Struthan*, signifying streamy, or the region of streams; which lands were part of the inheritance of Conan's granddaughter. This account of the Athole connection, imperfect and hazy though it be, obtains confirmation from another direction. "It appears from the Charters of Inchaffray," says Mr Skene, in his *Highlanders of Scotland*, "that Ewen, the son of Conan, had married Maria, one of the two daughters and co-heiresses of Duncan, the son of Convald, a powerful baron in Stratherne. Duncan's possessions consisted of Tullibardine and Finach in Stratherne, and of Lethendy in Gowrie; his eldest daughter, Muriel, married Malise, the Seneschal of Stratherne, and their daughter, Ada, carried her mother's inheritance, consisting of the half of Tullibardine, the lands of Buchanty, &c., to William de Moravia, predecessors of the Murrays of Tullibardine. The other half of these baronies went to Ewen MacConan, who married Maria, Duncan's youngest daughter. Now, we find that in 1284, this Maria granted her half of Tullibardine to her niece, Ada, and William Moray, her spouse; and in 1413, we find Robert Duncanson, the undoubted ancestor of the Robertsons of Strowan, designating himself *Dominus de Fynach*, and granting his lands of Finach, in Stratherne, *consanguineo suo Davidi de Moravia Domino de Tullibardine*. The descent of the family from Ewen, the son of Conan, the second son of Henry, Earl of Athole, the daughters of whose eldest son carried the

earldom into Lowland families, is thus put beyond all doubt, and the Strowan Robertsons thus appear to be the male heirs of the old earls of Athole." By this view of the matter the Athole lands were divided into two equal parts, on the death of Earl Henry; so that while the eastern portion went to the female line, the western or more inaccessible portion was divided among the male descendants of the old Earls, in accordance with the law of gavel kind, as prevailing in the Scottish Highlands. Such a question, however, as the origin of the Robertsons we do not profess to decide: we confine ourselves to stating elucidatory facts and the theories and conclusions deducible therefrom,—only adding the simple remark that the Athole genealogy does not preclude the Macdonald descent, which may have taken place at a more remote period than that to which tradition has pointed.

The Falstaff of Athole, Duncan the Fat, succeeded his father in extensive possessions, comprehending, first, the lands which were subsequently erected into the barony of Strowan; secondly, the barony of Disher and Toyer, a large portion of the present Breadalbane; and thirdly, Dallmagarth, called *Adulia*, in the old Chartularies, a property which had once pertained to the Celtic Earls of Athole. Duncan was a hero in his day—a Baron who stoutly held his own, and made his power felt and feared all around him. He was twice married. His first wife was the daughter of a personage called *Callum Rua*, or Malcolm the Red-haired, who from being also called *Leamnach* was perhaps related to the house of Lennox, and who is further believed to have been the individual styled in the Ragman Roll (1296), Malcolm de Glendochart. By this marriage, Duncan acquired various lands in Athole, including a portion of Rannoch: and we know that the Robertsons were in possession of the larger island in Loch Rannoch, during the wars of King Robert Bruce, as it was there they imprisoned the traitorous Lord of Lorn, after taking him prisoner; but he speedily escaped out of their hands. The Robertsons were de-

voted adherents of Bruce throughout his struggle for Scottish freedom. They fought at Bannockburn; and their pibroch, which was played before them when they were on the march to that glorious field, is still preserved, among the ancient bagpipe music of Scotland, under the title of *Theachd Clann Donnachaidh*—The Coming of Clan Donnachie. A son, Robert de Atholia, was born of Duncan's first union; and the mother dying, the widower entered again into the bonds of wedlock—the bride now being the co-heiress of Ewan de Insulis, thane of Glentilt, with the east half of that possession as her portion. There were three sons of this second marriage. 1. Patrick de Atholia, the head of the Lude family; 2. Thomas de Atholia; and 3. Gibbon, who had no descendants. Duncan the Fat died about 1355, and was succeeded by his eldest son, Robert, of whom came the Strowan or main line of Clan Donnachie. Robert married a daughter and co-heiress of Sir John Stirling of Glenesk. This lady brought with her a dowry of part of her father's lands. She had an only child—a daughter, Jane, who inherited her mother's portion and was united to one of the Menzieses of Weem. The sister of Robert's wife was Catherine Stirling, who wedded Sir Alexander Lindsay of Glenesk, and was the mother of the famous Sir David Lindsay, who is known as the first Earl of Crawford, which dignity he attained in 1398. Robert de Atholia married a second wife—the co-heiress of Fordell, by whom he had a son, Duncan.

About the year 1391 the Lindsays of Angus and the Duncansons of Athole, related as they were by the marriage of the two daughters of Sir John Stirling, fell into dispute touching some of the Glenesk lands, which the Duncansons maintained were wrongously withheld from them. In consequence, "there fell a high great discord," says Winton the Chronicler, between Sir David Lindsay, lord of Glenesk, and the Athole men. A proposal was made at first that all questions should be discussed and arranged amicably at a conference of the parties, and a day was set for this pur-

pose. But the meeting never took place owing to a change of mind on the part of the Duncansons, who refused to attend. Lindsay punctually kept the appointment, and seeing no sign of the Highlanders, sent a spy across the country to endeavour to find out the cause of their absence and what they were about. The man took his way, but did not return, having probably been detected and slain : and Sir David unfortunately conceived no suspicion that his emissary's delay in coming back with intelligence boded evil. It boded much evil. The Duncansons, discarding pacific courses, had resolved to seek their rights with their claymores in their hands. The temper of the times was such as to encourage the wildest deeds of violence. The condition of the Highlands was pre-eminently lawless : clan warred with clan, avenging the feuds of centuries ; the "Wolf of Badenoch" had perpetrated his worst excesses ; and the whole country was filled with ravage and slaughter—a barbarous state of things which eventually the Government sought to amend by the memorable battle on the North Inch of Perth. It so happened that a natural son of the "Wolf," Duncan Stewart by name, who followed faithfully in his father's blood-dyed footsteps, was now in Athole among the Robertsons, and it is supposed that he being made acquainted with their alleged grievances, suggested the plan of a foray on the lands of the Lindsays in Angus. Away with conferences !—worthy but of cowards and idiots. The Lindsays' domains lay inviting attack : the road was open : sound the gathering, and down upon Glenesk, where abundant booty would reward the daring of true men. Yet Sir David of Glenesk, albeit young, only six-and-twenty, was no ordinary antagonist to provoke. He was brave and intrepid, trained in military exercises, and the very pink and soul of chivalry. Two years previously he repaired to London with a brilliant retinue, in fulfilment of a knightly challenge, and there fought a battle *a l'outrance* with a noble Southron, Lord Welles, on London Bridge, in presence of Richard II., overthrowing him at the third

course "flatlings down upon the grass." After spending three months at the gay court of England, Sir David, as Winton says,

With honour and with honesty,  
Returned syne in his land hame,  
Great honour eked till his fame :

and in thankfulness for his victory he founded a chantry, of five priests, or vicars choral, "within Our Lady Kirk at Dundee." Such was the redoubted warrior whom the Duncansons were about to convert into a deadly enemy. But they seemed not to fear the issue. They called a muster, and 300 men, armed with claymore and target, ranged themselves in array under the command of Thomas, Patrick, and Gibbon, the three younger sons of Duncan the Fat, who were accompanied by the Wolf's cub as an auxiliary, the greediest of all, perchance, for plunder and massacre.

No bird of the air carried warning to the Lindsays of the storm which was ready to burst upon them. The banner, with its staff surmounted by the talismanic chrysal ball, was flung to the breezes of Athole, and the war-cloud rolled across the Highland deserts, and soon darkened the borders of Angus. The marauders spread alarm far and wide, wielding the torch and the brand, and seizing much spoil without meeting with the slightest resistance, the suddenness of the attack seemingly paralysing the energies of the country. Resistance, however, was not long delayed. The Sheriff of Angus, Sir Walter Ogilvie of Auchterhouse, was then at Kettins, and promptly took measures to repel the inroad. Sir Walter, who is portrayed by Winton, as "that good knight, stout and manful, bold and wight," summoned Sir Patrick Gray, and the nearest friends. Sir David Lindsay, little wotting of the attack, had gone to Dundee, and was holding state in his noble mansion between the Nethergate and the Tay, when the tidings were brought him by a swift-footed messenger. Instantly he took horse, and hastened to the scene of danger. Still, the utmost force which the Sheriff could hurriedly collect barely counted sixty

horsemen; but they were all clad in mail, and they were the flower of the Lowland chivalry, whose dashing charge the half-naked savages from the hills were not expected to resist even though vastly superior in numbers. The smoke of the devastation wrought by the forayers served to direct the Sheriff's route, and he came in sight of them in Glenisla about eleven miles north from the Castle of Glasclune, the ruins of which still crown a height on the banks of the Ericht. The approach of the horsemen was viewed by the Gael without a tremor; they gathered together, and with light hearts made ready to try conclusions in fight. The cavalry came up, in their glittering panoply, and with lances in rest—each man, we may fancy, confident and boastful, as Roland Cheyne on another day—

My horse shall ride through ranks sae rude,  
 As through the moorland fern,—  
 Then ne'er let the gentle Norman blude  
 Grow cauld for Highland kerne.

But the kerne firmly faced their advancing foes, and at the critical moment forestalled their attack by a sudden and impetuous onset. Whilst the war-pipes blew the loudest notes of battle, the mountaineers cast aside their plaids, and, raising a wild halloo, rushed forward in headlong charge—dashed aside the levelled spears with their targets, and hewed at horses and men with the claymore. The clangour of sword and mail-coat sounded like the anvils of the Cyclops in full operation. The Lowland ranks were soon pierced, broken, and thrown into inextricable confusion—wounded steeds careering madly, and others cumbering the ground. The riders, despite helm and hauberk, went down one by one under the force of the ponderous broadswords. The Athole men fought with unabated courage—recking not of death—but bent on the destruction of the over-mastered enemy, whose leaders were suffering severely. The Sheriff was slain, with his half-brother, Leighton, Laird of Ulishaven; and there also fell Young, the Laird of Ochterlony, and the Lairds of Cairncross, Guthrie, and Forfar. Sir

Patrick Gray was seriously wounded ; so was Sir David Lindsay, who more narrowly escaped with his life. Strongly mounted and fully armed, he galloped hither and thither through the press, dealing death with every thrust of his lance ; till at length, when he had transfix'd one of the Highlanders, and borne him down to the ground, to which the long spear-point protruding through his back pinned him, the wounded savage, in the last paroxysm of fury, writhed himself up on the lance, and swinging his claymore around his head, struck Sir David a terrible blow on the leg, cutting through the stirrup-leather, and through the steel-boot to the bone. Having delivered this stroke, the desperate swordsman sank slowly down and expired with the lance in his body. Sir David's limb bled profusely, and he would have been slain outright had not some friends, espying his perilous condition, seized his bridle, and forcibly led him out of the fray. With his retreat, the murderous contest closed—the few surviving horsemen riding off with all speed, and the victorious sons of Duncan were left in possession of the field of battle.

Old Winton has recounted the danger and escape of Sir David Lindsay with much power and minuteness of detail:—

While they were in that press fechtand,  
 The Lindsay gude was at their hand,  
 And of thae Scots here and there  
 Some he slew, some woundit sair.  
 Sae, on his horse he sitting than  
 Through the body he strak a man  
 With his spear down to the erde ;  
 That man held fast his ain swerd  
 Untill his nieve, and up-thrawing  
 He pressed him, notwithstanding  
 That he was pressed to the erde ;  
 And with a swake of his swerd,  
 Through the stirrup-leather and the boot,  
 Three ply or four above the foot,  
 He struck the Lindsay to the bane.  
 That man nae stroke gave but that ane,  
 For there he died ; yet nevertheless  
 That gude Lord there wounded was,  
 And had died there that day  
 Had not his men had him away,  
 Against his will, out of that press.

This remarkable incident, illustrative of the ferocious hardihood of an Athole warrior of olden times, has been transferred by Sir Walter Scott, in his *Lord of the Isles*, to the field of Bannockburn. The passage will be fresh in every reader's recollection. When the English host broke into flight, the brave De Argentine having bidden farewell to his sovereign turned his steed once more against the Scots.

Again he faced the battle-field,—  
 Wildly they fly, are slain, or yield.  
 "Now then," he said, and couch'd his spear.  
 "My course is run, the goal is near ;  
 One effort more, one brave career,  
 Must close this race of mine."  
 Then in his stirrups rising high,  
 He shouted loud his battle-cry,  
 "Saint James for Argentine !"  
 And, of the bold pursuers, four  
 The gallant knight from saddle bore ;  
 But not unharm'd—a lance's point  
 Has found his breastplate's loosen'd joint,  
 An axe has razed his crest ;  
 Yet still on Colonsay's fierce lord,  
 Who press'd the chase with gory sword,  
 He rode with spear in rest,  
 And through his bloody tartans bored,  
 And through his gallant breast.  
 Nail'd to the earth, the mountaineer  
 Yet writhed him up against the spear,  
 And swung his broadsword round !  
 Stirrup, steel-boot, and cuish gave way,  
 Beneath that blow's tremendous sway,  
 The blood gushed from the wound ;  
 And the grim Lord of Colonsay  
 Hath turn'd him on the ground,  
 And laugh'd in death-pang, that his blade  
 The mortal thrust so well repaid.

Familiar as is this scene to the admirers of Scott, not many probably were aware that it owed its existence to a real occurrence in the conflict of Glenisla.

The Robertsons returned in triumph to their own country, with all their spoils and trophies. The bloody defeat which they had inflicted upon the Lindsays and Ogilvies rung through the realm: and the weak executive, under Robert III., fulminated denunciations against the victors, who were now, for the first time, designated as an independent Highland Clan—the

*Clan Donnachie.* The Wolf of Badenoch's son, Duncan Stewart, was specially marked out for legal vengeance, as the Raid was attributed to his instigation. Soon after he quitted Athole, he and a few of his lawless companions were seized and brought before Sir James Crawford, the Justiciary of Scotland, who meted out to them all the irrevocable doom of death. But the Duncansons, among their hills and moors, were not so easily to be reached by the hand of the law: and therefore the Lindsays determined on a counter foray, in full strength, to requite that of Glenesk and Glenisla. A force was collected and marched into Athole, with every confidence of breaking the power of the sons of Duncan. But they, being timeously informed of the expedition, flew to arms — mustered every man — solicited aid from all their neighbours — and were joined by several allies, including a contingent of the *Clan Quhale*, the sept so soon to become famous at the Battle of the North Inch. The Lindsays crossed the confines of Athole, and had penetrated as far as Glenbrierachan, when the Duncansons appeared. The hostile bands rushed to the encounter, and a hard-contested struggle ensued; but again the Highland claymore prevailed over the Angus spear, and the Lindsays were driven off the field with heavy loss.

This new disaster still further incensed the Scottish Government; and in 1392, the Parliament, using the only available weapon, passed an Act of forfeiture against the leaders of the Duncansons. But it had no effect; and the Lindsays never ventured upon a third trial of strength with foes who had proved themselves so formidable.

Such is the story of the Raid of Clan Donnachie, as we have gathered it from authentic records, ancient and modern.\*

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\* Colonel James A. Robertson's *Historical Proofs on the Highlanders*, pp. 281, 311; Browne's *History of the Highlands and the Highland Clans*, vol. iv., p. 460; Lord Lindsay's *Lives of the Lindsays*, vol. i., p. 93; Tytler's *History of Scotland*, vol. ii., p. 3; *Scots Acts*, vol. i., p. 17.

“*MAR'S YEAR,*” *IN PERTH.*—Part I.

Sophia's dead and gone, boys,  
Who thought to have been Queen;  
The like befall her son, boys,  
Who thinks o'er us to reign.  
We'll root out usurpation  
Entirely from the nation,  
And cause the restoration  
Of James, our lawful king.

—*Jacobite Song.*

No one conversant with Scottish history will be disposed, we should think, to cavil at what we now set forth as a historical fact—namely, that the Treaty of Union betwixt England and Scotland, which was concluded on May-day, 1707, was extremely unpopular in the latter kingdom, not only when introduced and while being carried through, but also for many years afterwards.

The Revolution of 1688 did not immediately confer on Scotland the benefits which she reasonably expected from the change of dynasty. The new Government with its high-sounding professions of civil and religious freedom, dealt unfriendly and harshly towards her. King William, in his endeavours to reduce the Highland districts to submission, sanctioned the perpetration of an atrocity so flagrant and dastardly that its fit parallel is the Massacre of St Bartholomew; and while the horrors of the bloody winter night in Glencoe were still vivid in the minds of all men, a determined blow was dealt at the commercial interests and prosperity of the country. Pandering to the ridiculous jealousies of the English and Dutch merchants, the King and his Administration frustrated the Darien Scheme, suddenly bringing Scotland to the verge of national bankruptcy. Long and bitterly did this wrong rankle in the Scottish heart. Even in relation to the Kirk, the monarch acted an ungrateful part. On this question he hesitated whether he should maintain Episcopacy, and it

was nothing but a sense of danger that turned the scale in favour of Presbyterianism. "Nothing can be more false and fulsome," says an honest Whig historian, "than the panegyrics that, by Presbyterian writers, have been poured out upon King William, whose conduct to the Scottish Church was in many instances impolitic, unjust, and tyrannical." The weight of Scottish grievances was still undiminished when Queen Anne came to the throne; the temper of the nation grew more and more exacerbated; and under such circumstances it was natural that the proposal of the Union when announced should arouse the keenest opposition throughout the northern half of the island. Town and country—all classes—united in reprobating a measure so odious in that age to patriotic instinct and principle; and the feeling waxed so intense that numbers began seriously to think of resorting to the sword as the best alternative left them. Public demonstrations of the most threatening character were held in various places. At one o'clock on a November afternoon, the Articles of Union were publicly burned at the Cross of Dumfries, "in the audience of many thousands, the fire being surrounded by double squadrons of horse and foot, in martial order." Parties who had recently been at deadly feud with each other, joined in formidable league against the Treaty, merging all their differences in the general cause. "The Jacobite and the Presbyterian," says Defoe, "the persecuting prelatie Nonjuror and the Cameronian, the Papist and the Reformed Protestant, parled together, joined interest, and concerted measures together against the Union." The conspirators projected a rising in the western shires, under Major Cunningham of Eckatt (a Darien adventurer), in conjunction with a descent of the Highland Clans, under the Duke of Athole. These armed masses were to march simultaneously upon Edinburgh, and there disperse the Parliament, set aside the Act of Succession, and restore the exiled house of Stuart under certain conditions and limitations. Eckatt professed to have great sway over the

Cameronians, and on that account was thought the fittest hand to lead them. To encourage him to play the man, he was presented with fifty guineas as earnest of higher reward, and he likewise received a guarantee to the effect that in the event of his losing his life by the enterprise, his wife and children should be suitably provided for. But this grand plot evaporated. The irresolution of the Jacobite chief, the Duke of Hamilton, and the treachery of the mercenary Eckatt, saved the nation from the miseries of civil war. Recourse was then had to a more legitimate mode of opposition. The table of the Scottish Parliament was loaded with petitions praying that the Legislature should "not allow of any such incorporating Union, but that you'll support and preserve entire the sovereignty and independency of this crown and kingdom, and the rights and privileges of Parliament, which have been so valiantly maintained by our heroic ancestors for the space of above two thousand years, that the same may be transmitted to succeeding generations, as it has been conveyed to us." Such appeals made no impression on the majority of the House, and some members, confident in the numerical strength of their party, went so far as to express doubts whether the petitions should be received at all! "The Parliament," says Lockhart of Carnwath (a stern and inflexible Jacobite), "had no more regard to these Addresses, which contained the inclinations and earnest supplications of the people, than if they had indeed served for no other use than to make kites, which was the use my lord Duke of Argyll was pleased to assign them publicly in Parliament. Nay, the Earl of Marchmont had the impudence to oppose their being allowed a reading in Parliament, alleging they were seditious; which was accordingly some time denied, till that worthy gentleman, Sir James Foulis of Collinton, ended the debate by acquainting the House, that if the Addresses were not received from those members that were entrusted with them, he did not doubt but those that subscribed them would come and own them at the

door of the house, and crave liberty to deliver them out of their own hands." But it was preposterous to think that the tabling of Petitions would move the majority in Parliament, most of whom were bribed, the English Government having bought them at its own prices! and thus—

What force or guile could not subdue,  
Through many warlike ages,  
Was wrought now by a coward few,  
For hireling traitors' wages.

The bribery practised was open and notorious: nobody cared to throw the flimsiest disguise over it. A Whig biographer of the Duke of Argyll characterises the dominant party as "wretches"—let us drop that epithet, and rather call them politicians—"who without consulting whether what they were acting was for the public good or not, were biassed in their votes by the sole force of bribes. Though what these persons acted proved for the interest of these kingdoms, yet as their motives were mercenary, the shame they ought to take to themselves is the same as if they had voted for the destruction of their country." In vain was it that the venerable Lord Belhaven addressed his patriotic eloquence to so venal an auditory. Such appeals were not adequately supported by the Opposition themselves, whose ostensible leaders shrank from pushing the contest to extremity. At a critical juncture, when the Duke of Hamilton should have been in his place in Parliament and taken decisive action, his Grace was conveniently seized with a palsy, first in his head, next in his right hand, and last of all in the roots of his tongue, which incapacitated him from duty. The Court party found no great difficulty in carrying their point. Corruption bore down and stifled Patriotism. About £50,000 sterling were expended in securing votes and otherwise. "One noble lord," remarks Sir Walter Scott, "accepted of so low a sum as eleven guineas; and the bargain was the more hard as he threw his religion into the bargain, and from Catholic turned Protestant to make his vote a good one." The Articles of Union were passed. The Treaty was sub-

scribed in a cellar in the Canongate of Edinburgh, it is said, to avoid the interference of the mob: and, as Chancellor Seafield observed, Scotland saw an end of that "old song," her national independence.

However much the Union ultimately conduced to the material progress and prosperity of Scotland, its first effects were considerably prejudicial to the country. The Government adopted no measures calculated to allay the general discontent. The Scots were entitled to a fair participation in the commerce of England; but this was denied them, while their own foreign trade, which was of some value, was engrossed by the English. Scotland was then anxiously directing her attention to the promotion of commerce: and the spirit of mercantile enterprise, which the Darien disaster had failed to extinguish, promised well should it be allowed freely and fully to develop itself: but the English threw every obstruction in its way. Farther, the Excise Laws, and the manner in which they were administered, aggravated the wide-spread discontent. The Commissioners of Excise are abusively described as "the refuse of both countries": while a host of employees were sent down from England,—“vast numbers,” says Lockhart, “of Surveyors, Collectors, Waiters, and, in short, all or most of the Officers of the Customs and Excise, and these, generally speaking, the very scum and canalia of that country, which reminds me of a very good story: Sometime thereafter a Scots merchant travelling in England, and shewing some apprehensions of being robbed, his landlady told him he was in no hazard, for all the highwaymen were gone; and his enquiring how that came about,—‘Why, truly,’ replied she, ‘they are all gone to your country to get places.’” Things seemed to go from bad to worse until “the people of all ranks and persuasions,” continues Lockhart, “were more and more chagrined and displeased, and resented the loss of the Sovereignty, and were daily more and more persuaded that nothing but the restoration of the royal family [of Stuart], and that by the means of Scotsmen, could restore them to

their rights. So that now there was scarce one of a thousand that did not declare for the King; nay, the Presbyterians and Cameronians were willing to pass over the objection of his being Paptist; for, said they, God may convert him, or he may have Protestant children; but the Union can never be good." In the heat of this ferment—which we have allowed contemporary authority to depict in its own excited language—the adherents of the exiled representative of the Stuart line, the Chevalier de St George, conceived the opportunity auspicious for an attempt to seat him on the throne of his ancestors. The French Court entered somewhat heartily into the scheme, and on 17th March, 1708, an expedition, with the Chevalier on board, sailed from Dunkirk for the Scottish coast. But this adventure was ill-conducted: the ships put back to France: and the struggle for the British Crown was postponed seven years.

During those seven uneasy years, Jacobite principles made way both in England and Scotland, and it is not too much to say that there were fair prospects of a peaceful Restoration of the Chevalier as soon as the throne should be left vacant by the death of Queen Anne. The Ministry—Bolingbroke and his colleagues—coquetted with James, and seemed bent on setting aside the Act of Succession in his favour. The Queen herself was unfavourably disposed towards her Hanoverian relatives (the Electress Sophia and her family), and appeared to wish her brother to succeed her; and the Chevalier, in a letter which he addressed to Her Majesty, spoke as if well aware of such a predilection on her part. "I am satisfied, madam," he wrote, "that if you will be guided by your own inclinations, you will readily comply with so fair and just a proposal as to prefer your own brother, the last male of our name, to the Duke of Hanover, the remotest relation we have; whose friendship you have no reason to rely on, or be fond of; who will leave the government to foreigners of another language, of another interest; and who, by the general naturalisation, may bring over

crowds of his countrymen to supply the defect of his right, and enslave the nation." But Anne died before the pear was ripe. Fierce dissensions convulsed the Cabinet. Bolingbroke confesses that immediately previous to the Queen's decease, the Ministers were in great uncertainty "whether they should promote the succession of the House of Hanover, or of the Pretender;" and "that they could not on that point bring Lord Oxford to a decision. After sounding him various times in private, the Duke of Shrewsbury was deputed by the others to entreat him to determine to what court they should go, and to assure him that his decision should govern theirs, which the Duke did at a Cabinet meeting, with much earnestness, and with tears in his eyes, but without being able to prevail with his lordship to decide." Of all the Chevalier's great friends in London, none had the fortitude to back Bishop Atterbury, when he offered, if attended by a guard of soldiers, to go in his lawn sleeves and proclaim James III. at Charing Cross. Not a man stirred, when decided action would have carried the palm: and so the "Duke of Hanover," son of the Electress Sophia, quietly succeeded to the throne.

George I. ascended the British throne quietly, we say: nevertheless the signs of the times were gloomy, foreboding a desperate struggle. The leaven of Jacobitism pervaded all classes of society. "Already Scotland was ripe for revolt," says Mr Heneage Jesse; "in England the alarming riots which were constantly taking place shewed how disgusted the people were with their new rulers. In London, those who celebrated the King's birthday were insulted by the populace; while on the anniversary of the Chevalier's birth, the mob paraded the streets, breaking the windows of those who refused to illuminate, and burning William the Third in effigy at Smithfield;" and in other towns, "the populace, encouraged by many of the magistrates and country gentlemen attached to the cause of the Stuarts, perpetrated the most daring acts of violence and outrage." In Scotland, previous to

Queen Anne's death, the Chevalier's birthday (10th June) had been celebrated in many places with much ostentation. Wodrow notes that on that anniversary in 1712, there were "great outrages" in Edinburgh; the Chevalier's health "was drunk early in the morning in the Parliament Close," and at night it "was drunk out of several windows," and "many windows were illuminated;" while at Leith a standard, inscribed "J.R. VIII.," was planted on the pier, and "stood a great part of the day." At Lochmaben, in the end of May 1714, a party of Jacobite gentry "went to the Cross, where, in a very solemn manner, before hundreds of witnesses, with drums beating and colours displayed, they did, upon their knees, drink their King's health." Altogether, there seemed little prospect of George of Hanover being suffered to wear the British crown for the space of a year and day. In fact, had the exiled Prince been animated by a spark of the heroic fire of his race, he would have instantly hastened to Scotland, on his sister's death, and mustering his adherents, might have fought his way to the throne. But James was unequal to his position. Incapacity marked him for its own: he could not rise to the measure of what was demanded of him. Read Bolingbroke's impressions after he had fled to France and entered the Pretender's service:—"The very first conversation," he says, "I had with the Chevalier answered in no degree my expectations. He talked to me very like a man who expected every moment to set out for Scotland or England, but did not know very well for which. . . I found a multitude of people at work, and every one doing what seemed good in his own eyes, —no subordination, no order, no concert. . . . The Jacobites had wrought one another up to look upon the success of the present designs as infallible; every meeting-house which the populace demolished, every drunken riot which happened, seemed to confirm them in these sanguine expectations; and there was hardly one amongst them who would lose the air of contributing by his intrigues to the restoration, which

he took for granted would be brought about without him in a very few weeks. Care and hope sat on every busy Irish face. Those who could write and read had letters to show; and those who had not arrived at this point of erudition—they had their secrets to whisper." Such was the Chevalier, and such was the Court of St Germain's—as appearing to the eyes of an eminent Jacobite statesman.

A crisis was hurried on by the indiscretion of King George and his advisers: that is to say, the ungracious reception given by that monarch to the advances of an ambitious, needy, and unscrupulous member of Queen Anne's administration, provoked the outbreak of an insurrection in the cause of "King James."

At the death of Queen Anne, the seal of one of the principal Secretaryships of State was held by John Erskine, eleventh Earl of Mar—a nobleman of undoubted talents, and a warm promoter of his country's advancement; but withal a supple and inconsistent politician, a chosen disciple of expediency and trimming. His repeated tergiversation of principle to suit his own ends, and his excessively courteous and insinuating address, combined to procure him among his own plain-spoken countrymen the homely and contemptuous soubriquet of "Bobbing John," by which he is sometimes designated in the Jacobite ballads. Like Dryden's Zimri, he was "everything by starts, and nothing long." "His fortune was embarrassed, in consequence of the loyalty of his ancestors during the Civil War," says Mr Robert Chambers, "which was perhaps the main cause of the peculiar figure he made in public life; for he was exactly one of those adventurers in the world, who are at once too poor, and too fond of what is to be purchased by wealth, to maintain an exact moral perpendicularity:" still, "it is but justice to the memory of a man who has been somewhat hardly dealt with by posterity, to say that, under better circumstances, he might have shone as one of the greatest and most unimpeachable characters." The Earl began his political career as a Whig of the Revolu-

tion stamp. This was in 1696, when he was created a Privy Councillor of Scotland and invested with the national Order of the Thistle. His attachment to the Whigs lasted for about eight years, or just as long as they were possessed of place and patronage. No sooner were they ousted by the Country Party, than he turned his sails, and threw in his lot with the new masters of the situation, preferring rather to hunt with the hounds than run with the hare. But we need not trace him through all his shifts and changes. He made himself an active and zealous advocate of the Treaty of Union, and was rewarded for his exertions by being appointed Secretary of State for Scotland, an office which he held only for a short time. Another revolution of Fortune's wheel, and the Union had not a bitterer enemy than the Earl of Mar. The Union was only a few years old when he took a prominent part in the British Parliament in an attempt to have it repealed. In 1713, he was again made Secretary of State for Scotland, and retained the post till the accession of George I., who thrust him out of it. His Secretaryship afforded him abundant opportunities of ingratiating himself with the leading Highland Chiefs, as he was the medium through which the Government "Bounty Money" was distributed amongst them. This "Bounty Money" was an annual allowance made from the Exchequer with the view of preserving the peace of the Highlands and attaching the Chiefs to the interests of the Government. But the Chiefs themselves regarded it in the light of bounty for their steady adherence to the Stuart cause: hence in their famous paper, called the "Sword-in-hand Address," they expressed their earnest hope that on Queen Anne's decease, "the Hereditary and Parliamentary sanction might possibly meet in the person of a lineal successor" — the import of which hope admitted of but one interpretation. When King George succeeded, the Earl felt his position extremely insecure, and therefore took the precaution of writing a letter to the new sovereign, in which, after dutifully congratulating His Majesty,

he recapitulated his own services to the Crown, and protested that he would always be found an active and faithful servant. At the same time, to inspire the King with a due sense of his importance and the influence which he exercised in the Highlands, he caused a number of the Chiefs to subscribe a Letter to himself, in which they declared their "loyalty to his sacred Majesty, King George," and entreated the Earl to advise them how they might best offer their duty to their sovereign upon his coming over to Britain, and further begged to receive on all occasions his lordship's "counsel and direction how they might be most useful to Government." With this specious epistle in his hand, Mar waited on the King at his landing in England, but was rudely repulsed. The King would have none of the letter, but telling the Earl flatly that he believed it had been concocted at the Court of St Germain's, commanded him forthwith to deliver up his seal as Secretary for Scotland, as there was no more occasion for his services. Thus fell Mar's house of cards about his ears. Office was barred against him. Royal favour he could no longer hope for. In an agony of disappointment, he retired from the inauspicious presence, and, brooding over the public insult, determined to revenge himself by unfurling the banner of rebellion.\*

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\* Struthers' *History of Scotland*, vol. i. introduction, p. 10; Lockhart's *Memoirs concerning the Affairs of Scotland*; Scott's *Tales of a Grandfather*; Campbell's *Life of the Most Illustrious Prince, John, Duke of Argyle and Greenwich*: 1745, p. 124; *The Marchmont Papers*, vol. iii., p. 437; Jesse's *Memoirs of the Pretenders and their Adherents*, p. 22; Wodrow's *Analecta*, vol. ii., p. 58; Chambers's *Rebellions in Scotland under Dundee and Mar*, p. 172; &c.

“MAR'S YEAR” IN PERTH.—Part 2d.

The standard on the braes o' Mar,  
Is up and streaming rarely ;  
The gathering pipe on Loch-na-gar,  
Is sounding lang and sairly.

*Alexander Laing.*

LOCKHART OF CARNWATH said of the Earl of Mar, that “his great talent lay in the cunning management of his designs and projects, in which it was hard to find him out, when he aimed to be incognito:” and this was manifested by the secret and leisurely manner in which he planned his insurrection. He lingered about London for another twelvemonth, corresponding with the Pretender and the leading Jacobites, untroubled by the British Government, which apparently remained ignorant of the progress of the plot until the mine was almost ready to be sprung. Mar strenuously urged the Chevalier to send over an auxiliary force of 20,000 French troops to ensure success. To do so, however,—or, in fact, to send any auxiliaries at all, or material help in any shape—was beyond the poor Prince's means; and ultimately he persuaded Mar to risk the chances of a rising in Scotland. But, although the Government, as we have said, seemed ignorant of the actual progress of the plot, the sayings and doings of the malcontent party were closely watched, particularly in Scotland, where disturbing rumours flew from mouth to mouth about an intended revolt, arming of Clans, enlisting of men, and so forth. The Jacobites themselves talked big and truculently. The homely Scottish Muse was pressed into the service, and inspired many a satirical and scurrilous strain against the Hanoverian interest and King George—the personal habits and failings of the monarch being dealt with unsparingly. In the Highlands of Perthshire, the Chevalier's friends were very busy, and Rob Roy was pointed out as one of the most active and daring.

The times, altogether, were fast getting out of joint. In 1715, a remarkable demonstration occurred in Dundee, in regard to King George's Birthday, the 28th May. The Magistrates, Jacobite to a man, prohibited, by proclamation, its public celebration; upon which a crowd of the inhabitants went out of town to Dudhope Castle, where they fully testified their loyalty by drinking healths and discharging firearms; but next day, being the anniversary of the Restoration, was held by the civic dignitaries with fulsome pomp and rejoicing! As the summer wore on, the apprehension of something about to happen was general. Thus, we read in the Kirk-session book of Monzie, under date the 19th June: "The Session being informed that there is a rebellion about to be in the nation, and that Alexander Drummond. . . . has joined that party, they can do nothing in that affair at this time."

The Earl of Mar, having received the Chevalier's orders to involve the kingdom in civil war, took a cunning but audacious step to cloak his purposes and lull asleep suspicion. He made his last appearance at King George's court on the first of August, 1715, and on the morrow, in disguise, and assuming the surname of Maule, he embarked at Gravesend, in a collier bound for Newcastle. He was accompanied by two friends, Major-General George Hamilton and Colonel John Hay, brother to the Earl of Kinnoull, and a couple of servants. The noble houses of Mar and Kinnoull were connected by matrimonial ties. Lady Margaret Hay, sister of Lord Kinnoull and Colonel John Hay, had been Mar's first Countess; and after her death he wedded Lady Frances Pierrepont, daughter of the Duke of Kingston, and younger sister of the celebrated Lady Mary Wortley Montague. The small party of Jacobites, on reaching Newcastle, engaged another vessel for the Firth of Forth, and again set sail. They landed safely at Elie, on the coast of Fife, and after passing a day or two in "the kingdom," which was then notorious for the pronounced Jacobitism of its Lairds and small gentry, journeyed to Dupplin, and

remained there another day, the 17th August. Thence they rode off, with about forty horsemen, and crossing the Tay some two miles below Perth, set forward to the Aberdeenshire Highlands. The day after their arrival at Kildrummy Castle—Mar's seat in the north—the Earl despatched letters to the principal Jacobites in Scotland, inviting them to a grand hunting-match at Braemar, on the 27th of the same month: for, be it observed, horse-races and huntings had already, on several occasions, formed convenient pretexts for conferences of the disaffected. Emissaries were sent in all directions to spread secret information, and urge the Chevalier's friends to join in the supreme effort now impending. The hunting-match came off at the time set, and was numerously attended: the Jacobitism of Perthshire being represented by the Marquis of Tullibardine, Viscount Stormont, Lord Rollo, Lord Drummond, and Lord Strathallan, and Campbell of Glendaruel for the Earl of Breadalbane. Mar addressed the assemblage, and stated that he had received a commission from King James VIII., constituting him Lieutenant-General and Commander of all his Majesty's forces in Scotland. Thereupon all present took the oath of allegiance to James, and pledged themselves to support his pretensions with their lives and fortunes. The most of the company afterwards separated to raise their men. The Earl, to hoodwink the Government, took some pains to make public that his journey to the north was solely on urgent private business; and it is said in the Wodrow Correspondence, that he "wrote a letter to his brother, the Lord Grange, that he wondered the Government were alarmed at anything he did, and that he was only retired, lest by the suspension of the Habeas Corpus Act he should be confined, and he had no wild designs," adding, in reference to the Braemar gathering, that it was caused merely "by his friends coming to wait upon him," and that "the house being little where he was, and the weather good, he had, for conveniency, set up some huts to accommodate his friends."

The Government was now fully alarmed, having received from Lord Stair, the British Ambassador at the French Court, exact intelligence of what was on the *tapis*. To meet the emergency various measures were hurried through Parliament. The Habeas Corpus Act was suspended. Additional forces were voted. A reward of £100,000 sterling was offered for "the Pretender." The penal statutes were ordered to be rigidly enforced against the Roman Catholics. An Act was passed, known as the Clan Act, which, in some degree, relieved the Highlanders from the arbitrary power of their Chiefs. And the King was empowered to command the appearance of certain suspected Scottish noblemen and gentlemen, at Edinburgh, there to give security for their behaviour under heavy penalties—an ill-judged measure which drove many into the ranks of the insurgents. Amongst those thus summoned were the following personages belonging to Perthshire, viz :—The Earls of Kinnoull and Breadalbane ; Viscounts Stormont and Strathallan ; Lords Rollo, Drummond, Nairn, and Glenorchy ; Sir Patrick Murray, of Ochertyre ; Master of Stormont, Master of Nairn ; James Stirling of Keir ; William Murray, younger, of Ochertyre ; Alexander Robertson of Strowan ; John Drummond, brother to Lord Drummond ; and others, including Rob Roy, *alias* Macgregor.

But just before the Chevalier's standard was set up, an event happened sufficient to damp the hopes of his most enthusiastic partisans. This was the death of Louis XIV. of France, who had long been the main prop and stay of the cause. He died on the 1st September 1715. "He was the best friend the Chevalier had," says Bolingbroke ; "and when I was engaged in this business, my principal dependence was on his personal character. All I had to negotiate by myself first, and in conjunction with the Duke of Ormond afterwards, languished with the King. My hopes sank as he declined, and died when he expired."

The heather was now kindling to a blaze. Throughout the north resounded the note of war. The Fiery

Cross was speeding on its mission; and the Clans in the Chevalier's interest generally made ready in response to the summons. But before the musters were completed, the Earl of Mar, attended by about 60 adherents, openly displayed the banner of revolt. This was done on the 6th September—the scene of the first overt act in the enterprise being the lower part of the Valley of the Dee, where stood the House of Invercauld, the two ruined Castles of Braemar, and the village of Castleton. Invercauld had apparently been turned into Mar's headquarters after the flight of its master, who favoured the Hanoverian cause, but whose clansmen nevertheless were Jacobitical. The house occupied an elevated plat of ground, backed by the hill of Crag Lick, which was densely clothed with forests of the dark fir; and the silver Dee went winding past the mansion. “The steep frowning glories of dark Loch-na-gar,” the masses of Crag Cluny, Scailloch-na-Moustard, and Crag Caonich, and the heights of Ben-y-Bourd, and Ben-Vrotachan, shut in the romantic Strath from all the world beyond. The Earl and his party, marching from Invercauld House towards the Bridge of Dee, distant about half a mile down the river, crossed at that point, and entered the mean village of Castleton of Braemar, through which ran a stream called the Water of Cluny. In the vicinity appeared two dilapidated castles, namely, the old Castle of Braemar, once a favourite hunting-seat of the Kings of Scotland, and the other the more modern Castle of Braemar, which had been burned by King William's troops during the Highland war of the Revolution. The martial company passed on to a green knoll and halting around it, the Earl ascended, and read the Chevalier's Manifesto, a document of considerable length—which was received with enthusiastic applause. Mar then proclaimed the Chevalier as King, and unfurled and erected the standard, which a clergyman of the Scottish Episcopal Church solemnly consecrated with prayer. The flag had been prepared by the fair hands of the Countess of Mar herself. It was

of blue silk having on one side the royal arms of Scotland wrought in golden embroidery, and on the other the Scottish thistle, with the words beneath—“*No Union,*” and over the top the national motto—“*Nemo me impune lacessit ;*” while two pendants or ribbons of blue silk were inscribed as follows:—the one, “*For our lives and liberties,*” and the other, “*For our wronged King and oppressed country.*” The day was gusty, and as the gale blew out the standard, and shook and swayed the staff violently to and fro, a circumstance occurred which struck every beholder as a bad omen. The gilded ball which surmounted the pole had not been properly fastened, for, during a fierce blast it loosened and fell to the ground. This accident, which made a grave and dispiriting impression upon the minds of all those who witnessed it, has been commemorated in one of the Jacobite ballads :—

When we gaed to the braes o' Mar,  
 And to the weapon-shaw, Willie,  
 Wi' true design to serve our king,  
 And banish Whigs awa', Willie.  
 Up and warn a', Willie,  
 Warn, warn a';  
 For lords and lairds came there bedeen,  
 And wow but they were braw, Willie.

But when the standard was set up,  
 Right fierce the wind did blaw, Willie:  
 The royal nit upon the tap  
 Down to the ground did fa', Willie.  
 Up and warn a', Willie,  
 Warn, warn a';  
 Then second-sighted Sandy said,  
 “ We'll do nae gude at a', Willie.”

The ceremony over, Mar returned to Invercauld House. Next day, he sent a circular letter to the gentlemen of Perthshire, intimating his appointment to the chief command of all King James' forces in Scotland, and requiring them to be in readiness to join him with their vassals. He also directed them to secure the arms of all such persons as were hostile to the cause, and that they would prevent their men from plundering, or living at free quarters upon, the country. “The King,” he said, “makes no doubt of

your zeal for his service, especially at this juncture when his cause is so deeply concerned, and the relieving of our native country from oppression and a foreign yoke, too heavy for us and our posterity to bear, and when now is the time to endeavour the restoring, not only our rightful and native King, but our country to its ancient, free, and independent condition under him, whose ancestors have reigned over us for so many generations." Copies of the Chevalier's Manifesto and a Declaration by Mar were also despatched to be scattered far and wide; and the streets of the lowland towns were strewed with them during the night-time.

Important news was expected from the south. On Thursday night, the 8th September, Lord Drummond and a party of Jacobites attempted to carry out a daring plan for seizing Edinburgh Castle. The project was originally contrived by a person named Arthur, who had formerly served as an ensign in the Foot, or Scots Fusileer, Guards, and been quartered in the Castle. He managed to corrupt a corporal and two private sentinels in the garrison, by promising the first an ensigncy when King James came to the throne, and bestowing a few guineas upon the others. Had the design taken due effect, the firing of three of the Castle cannons was to be the signal for the kindling of beacons on the hills of Fife, and thence onward to Braemar. On beholding the fiery heralds of success, the Earl of Mar was to hurry south with all his forces, occupy Edinburgh, and instal Lord Drummond as Governor of the Castle. Everything was well-planned; the authorities were quite in the dark; and the Castle might have been taken but for the weakness of one of the conspirators themselves. Ensign Arthur had a brother residing in Edinburgh, a medical man by profession, who was privy to the design; but as the appointed time drew nigh, he was seized with certain scruples of conscience, and in his great perplexity he, like a sensible husband, communicated the whole secret to his wife, and besought her advice in the matter. What counsel the lady gave him we cannot tell: probably she gave none, but asked

time to think. On the Thursday night, however, she sent anonymous information to the Lord Justice-Clerk, who was then in Edinburgh. That high judicial functionary promptly apprised the Constable of the Castle, Colonel David Stuart, of the danger, and furthermore, says a letter-writer of the day, ordered "a party of the Town Guard to patrol around the rock on the outside all night. Lieutenant Lindsay commanded the guard in the Castle: he immediately put the whole garrison under arms; doubled the sentries; and patrolled in the inside round the walls all night. The false corporal being upon the guard, had got one of the sentinels who had taken money, posted sentry next to the place designed, at which there was no sentry posted: the other he had kept off duty to do his work; and at this time all three were unsuspected. Lindsay, a few minutes before, had visited the posts, and ordered the false sentry to walk betwixt his usual station and the place designed, with orders, if he saw or heard anything, to challenge and fire." But Lord Drummond's men wasted too much time in a tavern, "powdering their wigs" (as they called fortifying themselves with brandy), so that when they proceeded to scale the Castle rock, intelligence of the plot had been received by the Governor. Nevertheless, they might have clambered into the fortress and overpowered the garrison had not another mischance occurred—the rope-ladders proved too short! Whilst this defect was being remedied in some way, the alarm was given from the ramparts above, and the conspirators fled, flinging everything from them. The Town Guard party scouring the base of the rock, captured only four out of the whole band. Thus the Castle was preserved to King George. But its capture, with the munitions of war and the treasure amounting to £100,000, which it was known to contain, would have imparted vast *prestige* and impetus to the Pretender's cause. From some cause or other unexplained, none of the four prisoners taken at the foot of the rock were ever brought to punishment; but Colonel Stuart was dis-

missed from his post, and “the false corporal” was hanged.

The rebel Earl, after erecting the Chevalier’s standard, was exceedingly annoyed by the reluctance and unwillingness of his own vassals and tenantry to rise in arms for the cause. He had empowered his Baron Bailie of Kildrummy to order out all the fencible men, and send them to the rendezvous at Castleton; but the number that came fell far short of expectation, and Mar therefore wrote the following letter to the Bailie— an epistle eminently characteristic of the relations which existed in those days between the superior and his vassals:—

Invercauld, September 9, at night, 1715.

JOCK,—Ye was in the right not to come with the 100 men ye sent up to-night, when I expected four times the number. It is a pretty thing, when all the Highlands of Scotland are now rising upon their king and country’s account, as I have accounts from them since they were with me, and the gentlemen of our neighbouring Lowlands expecting us down to join them, that my men should be only refractory. Is not this the thing we are now about, which they have been wishing these twenty-six years? And now, when it is come, and the king and country’s cause is at stake, will they for ever sit still and see all perish? I have used gentle means too long, and so shall be forced to put other orders I have in execution. I have sent you enclosed an order for the lordship of Kildrummy, which you are immediately to intimate to all my vassals: if they give ready obedience, it will make some amends; and, if not, ye may tell them from me, that it will not be in my power to save them (though I were willing) from being treated as enemies, by those who are ready soon to join me; and they may depend on it, that I will be the first to propose and order their being so. Particularly, let my own tenants in Kildrummy know, that if they come not forth with their best arms, I will send a party immediately to burn what they shall miss taking from them: and they may believe this not only a threat, but, by all that’s sacred, I’ll put it in execution, let my loss be what it will. You are to tell the gentlemen that I’ll expect them in their best accoutrements, on horse back, and no excuse to be accepted of. Go about this with all diligence, and come yourself and let me know your having done so. All this is not only as ye will be answerable to me, but to your king and country.—Your assured friend and servant,

MAR.

To John Forbes of Inverawe,  
Bailie of Kildrummy.

The Jacobites in Braemar looked in vain for the

beacon-fires which were to announce the capture of Edinburgh Castle. A somewhat similar attempt to surprise Stirling Castle also failed. But these disappointments were compensated in some measure by successes in other quarters. A bold deed of arms was performed by Macintosh of Borlum, otherwise styled Brigadier Macintosh. This experienced soldier, who stood in the relationship of uncle to the young Chief of the Macintoshes, then under age, was a devoted adherent of the Stuarts,—so much so, indeed, that he had never shaved his beard since the Revolution of 1688. As soon as the insurrection was on foot he mustered his nephew's clan to the number of 500 swordsmen, and seizing Inverness, proclaimed King James at the Cross. He then left a garrison in the town, and marched to join the Earl of Mar. The Chevalier was proclaimed in Aberdeen by the Earl of Marischal; at Castle Gordon by the Marquis of Huntly; and at several other places by gentlemen of distinction.

The Government seemed at first to under-rate the importance of the Highland movement, probably regarding it as a feint to divert attention from a rising in England; so that few additional troops were sent north of the Tweed. General Whetham, Commander-in-Chief of the Forces in Scotland, was directed to form a Camp in the Park at Stirling, with the view of defending the fords of the Forth; but scarcely had he fulfilled his instructions when he was superseded by the appointment of John, Duke of Argyll, to the chief command. The "army" at Stirling numbered about 1000 infantry and 500 cavalry; but subsequently it was reinforced by the national regiment of horse, the Scots Greys, and also by four foot regiments from England and Ireland. In some parts of the kingdom the friends of Government began organising Volunteer and Militia Regiments; but such levies were not of much value.

Mar descended towards the Lowlands at the head of 1000 men. He entered Athole, expecting to be joined by the strength of the country. On reaching Moulin-arn, he proclaimed the Chevalier: and while lying

there, he projected an important enterprise. Understanding that the Earl of Rothes, with 500 men of the Fife Militia, meditated taking possession of the city of Perth for King George, Mar determined to be before hand with him. Perth, being accounted the key of the Highlands, was a place of the last consequence to either party. It was already garrisoned by about 150 Highlanders whom the Duke of Athole had sent down at the urgent solicitation of the Magistrates—His Grace being a professed supporter of Government, though his eldest son, the Marquis of Tullibardine, had joined the Rebels. But it was confidently expected in the insurgent camp that the Athole garrison in the Fair City would at once change sides on a fitting opportunity presenting itself. Mar instructed Colonel John Hay to make a dash at Perth, at the head of 200 horse, before the coming up of the Fife men. A satirical story was told of these heroes. The place where they were embodied was called Cashmuir, and the name bringing back the remembrance of *Tibbermuir*, where their fathers suffered so severely in Montrose's first victory, their martial enthusiasm suddenly cooled down to zero, and they could scarcely be kept together. Not much, therefore, was to be dreaded from Lord Rothes' extemporized soldiers!

“*MAR'S YEAR*” IN *PERTH*.—*Part 3d.*

See the white rose in his bonnet !  
See his banner o'er the Tay !  
His gude sword he now has drawn it,  
And has flung the sheath away.

*Jacobite Song.*

It was on the 14th of September that Colonel John Hay, with a squadron of 200 cavalry, left the camp at Moulinarn to capture Perth for the Chevalier. The city, as already seen, was garrisoned by 150 Athole Highlanders, and the Earl of Rothes was advancing with the Fife Militia. But the Magistrates having good reason to doubt the fidelity of the former to the Hanoverian cause, and dreading a sudden descent of the Rebels, had armed 300 or 400 of the inhabitants as a Civic Guard. At this time the Burgh Magistracy was composed as follows :—

William Austin, *Lord-Provost.*  
James Chapman, *Dean of Guild.*  
William Fergusson,  
Thomas Scott,  
Francis Colvill,  
Walter Faichney, Glover,  
John Strachan, *Treasurer.*

} *Bailies.*

Provost Austin was a man of high local repute. He was the son of Thomas Austin, an Englishman, who came to Perth as a Cromwellian trooper during the Commonwealth, and at the Restoration settled in the town, devoting himself to mercantile pursuits, and becoming “the father of trade and navigation at this place.” The son followed in the sire’s footsteps, and throughout life was “greatly respected” by his fellow-citizens, being “a good man, the friend of the poor, an encourager of industry, a promoter of trade and the linen manufacture.” The Magistrates had begun early in the year to provide against troublous days; for, on the 28th March, a report was made to the Town Council that £432 (Scots) had been “paid for 48 new fire-locks with bagynets conform.” The Guard being

raised, its command was shared between Provost Austin and his immediate predecessor in office, Provost Robert Robertson, Junior. But even after the embodiment of this force, the Magistrates felt themselves in a critical position; for a considerable number of the town's people were Jacobites, and possessing a quantity of arms concealed in their houses, seemed ready to aid and abet any design of the Rebels.

Affairs were in this unsafe posture, when towards the evening of Wednesday, the 14th September, an alarm spread like wildfire through the town that the insurgents were at hand. Perth was quite an open place; for although still surrounded with the ancient walls, these were wholly ruinous, and none of the "ports" were capable of being defended against a serious assault. The two Provosts called out their Guardsmen and ranked them at the Cross; but this had scarcely been effected, when the revolution which the Magistrates had been anticipating broke out. The Athole-men rose in arms declaring for the Chevalier, and were promptly joined by a crowd of the Jacobite citizens, so that the Guard became intimidated, and shunning a conflict dispersed in dismay. When Colonel Hay burst into the town at the head of his horse, he was welcomed with transports of joy; and without a shot being fired or a blow struck, the Fair City was his own. The Magistrates fled precipitately, and seem to have taken their way towards Stirling. It became known in Perth next morning that the forces led by Lord Rothes had closely approached during the night, but had turned their backs when informed that the Rebels were in possession. In the course of the day, Colonel Hay proclaimed the Chevalier at the Cross with great parade and solemnity. The news of so cheaply-won a success gave Mar the highest gratification, and emboldened his partisans everywhere. The Chevalier was forthwith proclaimed in Dundee by the Laird of Duntroon; at Montrose, by the Earl of Southesk; at Brechin, by the Earl of Panmure; at Aberdeen, by the Earl Marischal; and at Castle Gordon, by the

Marquis of Huntly. On the 18th September, Mar signed a Commission creating Colonel Hay Governor of Perth, and next day sent him a letter of instructions to the effect that in the event of the Duke of Argyll advancing to recapture the town, Hay should defend it to the last extremity: that he should tender the Jacobite oath of allegiance to all the citizens, and expel from the town every one who rejected it—Mar's words being, "Such as refuse to comply with this you are to turn them out of the town, and immediately after to order a free election of Magistrates by poll:" farther, a new Postmaster was to be appointed; and all letters coming through Perth by the post were to be opened by the Governor.

The Earl also wrote, on the 20th, two letters to Hay, one of which was in reply to a communication from the latter mentioning a rumour that Argyll was proposing to offer terms of submission to the rebel leaders. Mar excused himself for lying so long with his forces at Moulin: the reason being that the Highlanders were so slow in joining the standard. "They are now coming, however, and this week we shall be a considerable army, and much superior to any which the enemy can bring against us." The Earl trusted that the Jacobite clans of the west were by that time hastening through Argyleshire in the direction of Glasgow, and that they would speedily be able to disperse the local forces which were embodying in the west of Scotland. As to Argyll's rumoured offer of terms, Mar said—"I believe there is nothing in it; no such message has come to me, nor do I believe there will. Perhaps he might have had some instructions when he came from London; but now that they know we are actually in arms, and our manifesto published, they will think, I believe, that anything of the kind comes too late. If any such message comes to me, it shall be made no secret; but it is impossible for any of us now to have such thoughts, and he's an ill man that would. I can answer for *one*, and I hope for a great many more. What can they offer us in lieu of all that's dear to mankind, which I

take to be the case with us? I hope ere long we will have another kind of message from that Duke and his folks—to ask terms for themselves. This you may tell to all the world, and shew my name to it.” The Earl now sent down to Perth a strong party of the Clan Donnachie, or Robertsons, under their Chief, Alexander Robertson of Strowan, a brave Highlander and devoted Jacobite, a gentleman of classical culture, and a respectable poet. In a letter to Governor Hay, dated the 22d, Mar thus wrote—“You must take care to please the *Elector of Strowan*, as they call him. He is an old Colonel; but, as he says himself, understands not much of the trade. So he’ll be ready to be advised by Colonel Balfour and Urquhart. As for money, I am not so rife of it as I hope to be soon; but I have sent some of the little I have—fifty guineas,—by the bearer.” He also sent down a Commission empowering Hay to appoint Patrick Davidson, who had been Provost of Perth in 1703, and other persons, as provisional Council and Commissioners for the management of the burgh affairs, until the ordinary elections at Michaelmas. This paper was read at the Market-Cross, and an invitation given to all those inhabitants who had fled from the town to return.

By the 20th September, the Jacobite forces at Moulinarn numbered 1500 foot and 1000 horse; but in other eight days, they had increased to 5000 men. During Mar’s stay at that place he was waited on by the most notable personage in the Highlands of Perthshire, namely, the aged Earl of Breadalbane, who had seen the Covenanting wars, the Commonwealth, the Restoration, the Revolution, and had been prominently mixed up with the dark intrigue which brought about the Massacre of Glencoe. He was in his eightieth year; and his political leanings being suspected by Government, he was summoned to appear at Edinburgh and answer for his loyalty; but the wily old noble, who had steered his devious way through many difficulties, was averse to such a step and fully equal to avoiding it upon feasible pretences. Although he had

strenuously supported the Revolution, he was now a Jacobite at heart; but he sent out his son, Lord Glenorchy, on the side of the Government, taking good care, however, that few of the Breadalbane clansmen should follow him: and the summons to surrender was met by a Medical Certificate. This paper was procured from Mr John Murray, Doctor of Medicine in Perth, and Mr Alexander Comrie, Minister at Kenmore, who did thereby "on soul and conscience testify and declare that John, Earl of Breadalbane, an old infirm man of fourscore years of age, is much troubled with coughs, rheums, defluations, and other maladies and infirmities which usually attend old age;" besides, that he is much subjected to stitches, and pains in his back; "and the stitches in his side have been so violent, that, notwithstanding of his great age, there was a necessity for bleeding him, which has not yet removed them; and he is so ill that he cannot travel from this to Edinburgh, without apparent danger of his health and life." The document was subscribed at Taymouth, on the 19th September, and next day, the invalid Earl, despite his violent stitches, travelled down to the Rebel Camp at Moulinarn, and held a conference with Mar, promising him all the aid in his power.

Exactly a fortnight after the seizure of Perth, the insurgent troops, numbering, as we have said, 5000 men, under Mar in person, entered the city from the Highlands. This took place on Wednesday, the 28th September. The forces were indifferently well armed, and all seemed in the highest spirits and eager to be led against the enemy. Considerable accessions were expected, and the Earl did not deceive himself in calculating that shortly he would have 10,000 men arrayed around the Chevalier's colours. The army encamped on the North Inch, and measures were directed to be taken for putting the town in a proper state of defence. It was apparently on this occasion that a Lowland gentleman, scanning the ranks of the rebels, was astonished to observe among the tartaned warriors an old Aberdeenshire Highlander, whose thin locks were

white with the snows of ninety winters. The gentleman "had the curiosity to ask how so aged a creature as he, and one who seemed so extremely feeble, had thought of joining the enterprise. 'I have sons here, sir,' replied the man, 'and I have grandsons; if they fail to do their duty, cannot I shoot them?'—laying his hand upon a pistol which he carried in his bosom." A similar spirit of determination in the cause was universal in the camp. The day was rendered still more auspicious by the arrival of letters addressed by the Chevalier to the Earl of Mar. They were brought from France, at much hazard, by a Perthshire gentleman, James Murray, the second son of Lord Stormont, and whom the Chevalier had created Secretary of State for Scotland. The letters held out the most flattering promises of speedy assistance in ships, stores, money, and officers: there were twelve ships coming with warlike stores and officers: and Mar was assured that James would avail himself of the earliest opportunity of passing over to Scotland, that he might put himself at the head of his supporters. This was brave heartening for the rebels. It inflamed their enthusiasm. They clamoured for action that they might cover themselves with glory before their King set foot on the Scottish shore.

The first aggressive movement directed by Mar from Perth was skilfully and successfully performed. News came that a small vessel had sailed from the port of Leith, with 400 stand of arms in cargo, for the use of the Hanoverian loyalists in the north of Scotland who were being mustered by the Earl of Sutherland; but a heavy gale having arisen, the ship was compelled to run in under shelter of the Fife coast, at Burntisland, until the storm should abate. It was instantly determined by Mar and his council that the wind-bound vessel should, if possible, be taken. For that purpose 500 horsemen, each carrying a footman behind him, were detailed off, and the conduct of the expedition was committed to the Master of Sinclair. He was the eldest son of Lord Sinclair of Dysart, and had

served in Marlborough's army, of which, however, he was obliged to take French leave, in consequence of killing two brothers named Shaw. It was only in 1712 that he obtained pardon for the double slaughter. He possessed high abilities; but withal he was the slave of fierce and ungovernable passions; and he soon conceived a violent antipathy to the Earl of Mar, which fully displays itself in his two works concerning the Rebellion: the *True Account of the Proceedings at Perth*, given to the world during his lifetime, and *Memoirs of the Insurrection in 1715*, printed by the Abbotsford Club. On the 2d of October, the heavily-weighted horse started from Perth, after dark, and so rapid was their progress that they reached the shore of the Firth of Forth about midnight. Sinclair acted his part admirably. The town of Burntisland was surrounded by the troopers to prevent any alarm being communicated to the neighbouring small towns on the coast, while 120 of the footmen hastening down to the beach, seized all the boats they could find, and boarded the vessel. They tried to bring her close into the harbour, but the tide was unfavourable; so all hands were set to work with a will, and the stores were unshipped and landed, and then stowed in carts which with horses had been collected in the vicinity. About 40 stand of arms were taken from another ship, and 100 more from the town, all of which were bundled with the rest in the carts; and the whole party returned to Perth with their booty safely and triumphantly.

The burgh elections took place at Perth, on Monday, the 3rd October, when the following persons were chosen as Magistrates:—

Patrick Hay,	<i>Provost.</i>	
Mark Wood,	<i>Dean of Guild.</i>	
Nathaniel Fyffe,		} <i>Bailies.</i>
James Smith,		
John Young,		
James Swells, barber,		
John Gourlay, maltman,	<i>Treasurer.</i>	

The Town Council directed that eighty men should be raised in the town and formed into two companies, exclusive of serjeants, &c. The Provost was to command

the first company, and the Dean of Guild the second. The force was intended to join any companies which might be raised by the Royal Burghs; but in the meantime it was to join Lord Drummond's "eldest company."

The Earl of Mar had now little reason to complain of lack of zeal on the part of his adherents. Powerful reinforcements reached the camp at Perth. Brigadier Macintosh of Borlum, the captor of Inverness, came with 500 clansmen; the Marquis of Huntly brought 2000 foot and 500 horse; and the Earl Marischal 500 foot and 300 horse—augmenting the insurgent army, under Mar, to 8000 men. Before his ranks had gathered this strength, the rebel general was urged by the more daring spirits around him to advance against Argyll at Stirling, and force the passage of the Forth; but to accomplish this, he thought, required a combination of manœuvres, which he described as "a hose net," and professed to be busily weaving it: but until it was completed, he refused to stir from Perth. By this time the county of Fife lay at the mercy of the Jacobites, and they had full control over the east coast of Scotland from Burntisland to Inverness. Moreover, the insurrectionary flame had kindled in the West Highlands. Mar, while on his march to the Lowlands, had despatched General Thomas Gordon of Auchintool, an officer of great skill and bravery, to raise the Jacobite clans of the north-west, and operate generally in the west country, eventually moving his forces towards the fords of Forth to facilitate Mar's southward progress. General Gordon set about his mission with good spirit. Mustering a body of Highlanders, he threatened Fort William, which was but indifferently garrisoned; but weak as it was, it defied his efforts: so, taking his next best step, he descended on Inverary, the family seat of the Duke of Argyll. The Earl of Islay, the Duke's brother, anticipating some such movement, assembled 2500 of the Campbell clan, whom he posted in the village of Inverary, and caused to draw entrenchments around it for their better defence. General

Gordon, on arriving, encamped his forces, 4000 strong, at about a mile's distance; but never ventured an attack, his men experiencing nothing more of warfare than mere alarms. One night, while the camp was buried in sleep, the sentries challenged and fired, and up rose every man. There was a mighty trampling of horses, and past rushed a wild crowd of several hundred steeds—everyone riderless, saddleless, and bridleless! The mystery was soon explained. A great number of horses had been brought from Kintyre for Islay's service, and were put out to pasture near the town; but not liking their quarters, or getting startled in the dark, they all set off, at full gallop, on the way home. That desertion put an end to Islay's cavalry. The next alarm was owing to a drunken sergeant of Inverary garrison, who, in going his rounds, fired his piece by accident, and to cloak his carelessness roared out that the Rebels were at hand! Out rushed the Campbells to their entrenchments, which speedily became a-blaze with musketry—volley after volley thundering through the midnight air and lighting up the murky sky. The firing went on for nearly an hour, and then dropped off. It did no harm, beyond wasting a great deal of powder and shot. But General Gordon conjecturing that the demonstration denoted the arrival of regular troops, gave orders to retreat, and by daylight the Jacobite camp was deserted!

Some days after, Rob Roy, at the head of his clan, came suddenly on Inverary; but the Campbells were prepared for him, and he retired. When he went back to his old quarters at the head of Loch Lomond, he so harrassed the Whig Lairds of that neighbourhood that they sent for sailors from the ships of war in the Firth of Clyde to endeavour to clear the country of him. The sailors came to Dumbarton, about 100 strong, in four pinnances and three boats, with some light pieces of artillery. The Volunteers of the shire were called in, and they and the warriors of the deep proceeded up the lake, by land and water, to root out the Macgregors. But the gallant expedition found no

Macgregors on the banks of the loch,—not a rag of tartan was to be seen, while the only prizes captured were a few leaky boats. Rob Roy held aloof, and saw his enemies return the way they came.

Mar was at length stirred into exertion by intelligence of the Jacobite rising in the North of England under the Earl of Derwentwater and Mr Forster, M.P. for Northumberland, and also of the corresponding movement in the South of Scotland, led by Lords Kenmure, Winton, and Nithisdale. It was part of Mar's original plan to despatch a body of troops across the Firth of Forth, to rouse the lagging spirit of the south country; and now such an expedition was imperatively called for to support his friends. He therefore selected a body of 2500 men, comprising the Braemar Highlanders, the Macintoshes, and the regiments of Lord Strathmore, Lord Nairn, and Lord Charles Murray—the Strathmore regiment being the only Lowland one in the corps. The service to be performed was peculiarly hazardous, inasmuch as the Firth of Forth was guarded by three English ships of war stationed there for the express purpose of frustrating any such venture. A valiant leader was chosen for the expedition—Brigadier Macintosh of Borlum: and it was arranged that the embarkation for the passage of the estuary should take place at several of the small fishing towns on the Fife coast, while the object of the march should be masked by parties of horse spreading about and proclaiming King James.

Borum's force left Perth on the 10th of October in two divisions: the one of 2000 men was destined to cross the Forth at the "East Neuk"; and the other of 500 men was to march straight to Burntisland, near which the war ships were lying, and to make a feigned attempt to cross at that place, with the view of drawing off attention from the proceedings of the main body. The ruse succeeded. Rumours of the intended movement having reached the vessels, they stood in close to Burntisland. Troops of rebel horse, under the command of the Master of Sinclair, Sir John Erskine

of Alva, and Sir James Sharp, grandson of the Archbishop who was murdered on Magus Moor, scattered themselves through Fife, beating up for recruits, and proclaiming the Chevalier. So far well. But the Brigadier's march was very disorderly; for as he imposed little or no curb upon the propensity of Highlanders in such circumstances to plunder, the conduct of his men was disgraceful, and all the more so seeing they were passing through what might be called a friendly country.

“MAR'S YEAR” IN PERTH.—Part 4th.

Come, boat me ower, come, row me ower,  
Come, boat me ower to Charlie.

*Jacobite Song.*

Will ye go to Sheriffmuir,  
Bauld John o' Innisture,  
There to see the noble Mar,  
    And his Highland laddies;  
A' the true men o' the north,  
Angus, Huntly, and Seaforth,  
Scouring on to cross the Forth,  
    Wi' their white cockadies?

*Jacobite Song.*

AT the close of day, Borlum's soldiers reached the coast of the East Neuk, and beheld the German Ocean and the estuary of the Forth heaving under the cold grey sky of eve. The Brigadier halting his division, separated it into parties for embarkation, and they hurried down to several of the small towns, such as Elie, Crail, and Pittenweem, where a sufficient number of boats had been privately provided for the occasion. Darkness came fast, and the beacon on the Isle of May, in the mouth of the Firth, kindled and shone like a brilliant star that had fallen on the bosom of the gloomy waste of waters.

The passage of the Firth was managed with consummate skill. It was an enterprise “so bold and daring,” says Argyll's biographer, “that nothing but the success of it could justify it; and so desperate that none but the people employed in it, Highlanders, would have attempted it.” The detachment of 500 men marched to Burntisland, and laying hands on all the boats they could find, made a feint of embarking, and having thus drawn upon themselves the fire of the three men-of-war, they hurriedly constructed a battery on the shore, and returned the fire as briskly as they could, for the sake of keeping up the ruse. The night passed, and when day broke, and the tide was

flowing, the Brigadier's swarm of vessels put to sea. The time was well chosen, as not a breath was stirring, and the tide, it was thought, would prevent the warships and their smaller craft coming down in pursuit. The expedition being fairly embarked, the rowers made all speed for the shore of Lothian. But as the morning cleared, the watch on the top masts of the vessels opposite Burntisland descried the scattered flotilla at the distance of about twelve miles, and the sullen boom of cannon announced the discovery. The enemy's boats were manned, and stoutly breasted the adverse tide, and now a breeze from the west ruffled the sea, and two of the men-of-war, with every stitch of canvas set, began the chase. The Jacobite rowers, knowing their danger, bent vigorously to their oars. Eight boats carrying the Earl of Strathmore's Lowland regiment, which counted 200 men, were considerably in the rear, and in fact the pursuers steadily gained upon them, so that his Lordship becoming convinced of the impossibility of making the Lothian coast, resolved to seek refuge in the Isle of May, which lay within easy reach. The word was given, and the eight boats steered for the black and precipitous shores of the May, on which the billows were fiercely breaking. A convenient place for landing being found, the men leaped out and waded through the surf, holding their arms and ammunition-boxes above their heads. The boats were got secured from the risk of damage by cannon-shot, and Strathmore disposed his men in advantageous positions about the cliffs to resist the enemy's debarkation. The enemy, however, made no attempt to land; but the Earl, dreading ultimate attack, threw up some entrenchments in the interior of the island. The remainder of Borlum's flotilla reached the Lothian side in safety, with the exception of one boat, which was captured with all on board and carried into Leith Harbour—the prisoners including the son of Sir David Threipland of Fingask, in the Carse of Gowrie; Mr Robert Wilson, a teacher of mathematics; and other gentlemen of mark. When night set in, Strathmore's

party quietly left the Isle of May, and returned to the Fife side of the water.

The passage of the Firth filled Edinburgh with consternation. Learning that such was the case, Brigadier Macintosh, although his orders strictly enjoined him to hasten southwards to the aid of the Border insurgents, took upon himself to essay the capture of the capital by a *coup de main*. He marched thither with all haste; but when he reached Jock's Lodge, about a mile distant from the city, he received intelligence which convinced him that his project was impracticable. The Duke of Argyll was rapidly advancing from Stirling! Borlum paused, held a Council of War, and turned aside to the town of Leith, which he entered without opposition. Taking possession of the ruined Citadel, which had been built during the Cromwellian occupation of Scotland, he set about putting it into a state of defence, and mounted upon the crumbling ramparts a number of guns which he obtained from ships in the harbour; and he also liberated the captured boat's crew, who had been immured in prison. Borlum lay in Leith all night; and early next morning he learned that Argyll was in Edinburgh with three battalions, and that Volunteers and Yeomanry were mustering. In a few hours, the Duke marched down to the attack of Leith Citadel, his troops comprising 200 Infantry and 400 Cavalry from Stirling, 550 of the Edinburgh Volunteers and Town Guard, and 500 Yeomanry—in all 1650 men, but without a single cannon. His Grace sent forward a trumpeter to summon the Citadel; but the Rebels returned a haughty and defiant answer. Their spokesman, an Athole gentleman, the Laird of Kynnachin, stated that "as to the Duke's summons, they laughed it to scorn: they were resolved and prepared neither to give nor ask quarter; and if His Grace deemed himself capable of taking the place, he had better just try his hand upon it and begin." Destitute of artillery, Argyll could do nothing. He drew off his men to Edinburgh, and directed that several pieces of ordnance should be brought down

from the Castle, as he intended to attack the Citadel next morning. But it was now Borlum's turn to draw off. Perfectly sensible that he could not make good his position against artillery, he evacuated Leith that same night, and crossing the mouth of the harbour at low water, advanced to Seaton House. This baronial mansion being pretty strong, the insurgents formed entrenchments, and remained there a day or two. The Duke followed, still without cannon, and was obliged a second time to return to Edinburgh. In the meanwhile, the Earl of Mar being duly apprised of the Brigadier's predicament, moved from Perth towards Stirling, a step which had the effect of bringing back the Duke to defend the fords of the Forth. Thereupon Borlum resumed his progress to the Border unmolested, and Mar went back to the Camp at Perth.

On Saturday, the 22d October, Macintosh and his troops entered Kelso. Only a few hours previously, the Viscount Kenmure's squadron of horse had reached the town, so that the two Jacobite leaders joined forces. Kenmure's banner was already flying in the market-place. It was similar to Mar's, and was the work of the gallant Viscount's lady and her maids. Although a portion of the inhabitants were staunch supporters of Government, and had, on the first news of Borlum's expedition, offered to form a Volunteer Corps for defence of the town, the Highlanders were well received by the populace, and the streets resounded with the cry of "No Union! No Salt Tax! No Malt Tax!" Next day, being Sunday, a sermon was preached in the old Cathedral, by a non-juring chaplain, from the very apposite text of Scripture—"The right of the first-born is his." (Deuteronomy xxi. 17.) It is recorded by the Rev. Mr Patten that "all the Lords that were Protestants, with a vast multitude of Papists, attended," and "it was very agreeable to see how decently and reverently the very common Highlanders behaved, and answered the responses according to the rubric, to the shame of many that pretend to more polite breeding." On

Monday, King James was proclaimed at the market-cross ; and on Thursday following, the 27th October, the rebels left Kelso. It was Borlum's design to advance into England, in support of the movement under the Earl of Derwentwater and Mr Forster ; but this course was strenuously opposed by certain of his brother-leaders, who contended in favour of a totally different scheme of operations, namely—"that they would go through the west of Scotland, join the clans there, and either cross the Forth some miles above Stirling, or send word to the Earl of Mar that they would fall upon the Duke of Argyll's rear, whilst he fell on his front." The question was keenly debated, and the Brigadier's scheme was carried ; but the decision caused a disruption in the camp. A body of about 500 of the Highlanders, violently averse to entering England, separated from the little army, resolving to march back to Perth. "All imaginable means," says Mr Patten, "were used to have prevented this desertion, but nothing could prevail on these men to alter their resolutions, neither fair promises, nor any arguments; so they went their way in parties over the tops of the mountains." Very few of them managed to reach Perth—the country people were so active in attacking them.

Still there was no conflict in the field ! "Hitherto," writes an annalist of the time, "one thing is very remarkable, viz., that notwithstanding all the risings in arms, marchings and counter-marchings on both sides, nay, though several times, as at Leith, at Seaton, at Burtisland, and several other places, the parties met, and came so near as to speak to one another, yet not one drop of blood was yet spilt, nor a piece fired, or a sword drawn, I mean not in fight."

As Mar would not venture to strike a decisive blow until his "hose net" was fully woven and put in play, he resorted to many devices to keep up the hearts of his supporters. For the purpose of circulating news he, on the advice of Lord Breadalbane, procured from Aberdeen a supply of printing materials and a press, which

he established in Perth and placed in the hands of Mr Robert Freebairn, who, though Printer to King George for Scotland, had come from Edinburgh to undertake the treasonable duty. From this press issued a profusion of broadsides and fly-sheets containing the most cheering accounts of the Chevalier's affairs. Yet, not unfrequently, for days together, Mar was himself destitute of the slightest scrap of reliable general intelligence. "Pray, send me newspapers," he wrote to a friend, "that I may know what the world is doing, for we know little of it here these eight days." His press, moreover, enabled him to carry on a furious paper war with Argyll. Counter manifestoes from the opposing camps flew thick as hail. The rebel leader commanded the public taxes to be paid in to him for behoof of King James, under the threat of poinding. The royalist general sternly prohibited the lieges doing any such thing, under the highest penalties. Mar by an order dated at Perth, the 4th October, commanded all landed proprietors, feuars, mortgagees, and liferenters, who had come out in arms for King James, to raise from their tenants an assessment of 20s Sterling upon every £100 Scots of valued rent; and further that all such proprietors and others as did not appear for the Chevalier by the 12th of the month, should raise an assessment of double the above amount; which order was repeated on the 21st inst., and carried out with a strong hand against all recusants. Whilst all this went on, the Magistrates of Perth were active in promotion of the cause. On the 18th of October, they being ordered to keep the town during Mar's march towards Stirling, appointed Mr John Paterson of Craigie, and Joseph Taylor, Deacon Convener, to be Captains; George Bayne, Wright, and George Stirling to be Lieutenants; and George Wilson and Robert Scott, to be Ensigns. The Magistrates also agreed that in order to make up men, 16 should be raised by way of Militia, 8 by the Guildry, and 8 by the Trades: and on the 27th it was resolved that persons enlisting in the burgh corps should be entitled to the freedom of the town on three months'

service; while officers unable to support themselves should be allowed subsistence, if asked, in the following proportions :—Captain 2s 6d per day, Lieutenant 1s 6d, and Ensign 1s. It is stated in one of Mar's letters that his army at Perth was "on a regular foot of pay, at threepence a day and three loaves, or that quantity of meal in place of the bread, which is fully as good as the pay of the soldiers at Stirling." As shewing that various weapons were used in the equipment of the Earl's troops, we may note that on the 14th October he sent to the town of Montrose requiring 150 Lochaber axes "for the use of his Majesty's forces;" and in order to provide shoes for a portion of said forces, Mar, on the 25th, wrote the following mandate to the Jacobite commander at Auchterarder :—

These are to empower you to search at Auchterarder, Dunning, Tullibardine, Muthil, and Crieff, for all the Leather and made Shoes which are fit for the use of the army, and to seize the said Leather and Shoes, and distribute the same proportionally among the respective corps under your command; and you are to direct the proprietors of the said Leather and Shoes to come here and receive the money due to them respective : an account whereof you'll transmit hither, distinguishing betwixt the whole hides and those that are cloven. Given at the Camp at Perth, the 31st October, 1715. The account of Leather is to be sent to Colonel Balfour, Governor of Perth, and the proprietors directed to wait upon him for their payment.

MAR.

The winter of 1715 set in suddenly, and with extreme severity : the snow fell thickly, and the frost was hard. It was a winter which became memorable for its protracted storm; and this keen season had set in before Mar commenced his campaign. By the beginning of November he found that he could reckon on almost 10,000 men, the most of which force occupied Perth and the adjacent country, while the Duke of Argyll had only about a third of that number in the Park at Stirling. Yet, Mar, notwithstanding his preponderance of strength, seemed to feel that he still lacked something essential to success. In a word, he could not disguise from himself that he had failed to enlist the sympathies of the great mass of the nation in favour of his cause.

Chiefs and Lords, brought their following to his standard; but generally the people of the Lowlands were against him and his King. The deep religious sentiment of the Presbyterians, who regarded the cause of the Pretender and that of Antichrist as identical, presented a formidable barrier to Mar's hopes. Fully aware of this, he laboured assiduously to overcome the bias of the popular mind. Jacobite publications, emanating from Freebairn's press at Perth, urged that "the King" had not the remotest desire to disturb the Protestant settlement of the kingdom; and that His Majesty would do nothing without the assent and consent of a free Parliament summoned according to the fundamental laws and usages of the realm. Further, Mar had recourse to the pulpit as well as to the press, and caused suitable sermons to be preached, by Non-juring clergymen, from texts of Scripture selected by himself. But it was unproductive work: and when the Earl set himself to compel the Parish Ministers to cease praying in public worship for "the Elector of Brunswick as king," he was equally unsuccessful. Irritated at their non-compliance, he ordered all officers, civil and military, to shut the churches of such recusants, and arrest the latter and bring them prisoners to the Camp—a measure which caused many clergymen to quit their charges, while others were seized and harshly treated.

Doubtless Mar looked for great things from Borlum's expedition; but there again was hope delusive. Borlum and his allies left Kelso on the 27th of October, and soon crossed into England—the forces being now under the command of Mr Forster, M. P. for Northumberland, by virtue of a Commission from the Earl of Mar, which was brought from Perth by Mr Robert Douglas, brother to the Laird of Finland. The auspices were accounted good; for the popular young Earl of Derwentwater was in the field, and his influence was deemed all potent. The Chevalier was solemnly proclaimed in various market towns; but recruiting for his service went on slowly.

Such recruits as offered themselves were generally disreputable characters, many of them adroit horse-stealers; hence the remark, that if once they got near enough to the Royal cavalry, they would not leave them a horse to mount. "An old Borderer was pleased to say, when he was informed that a great many, if not all, the loose fellows and suspected horse-stealers were gone into the rebellion—'It is an ill wind blows nobody profit; for now,' continued he, 'I can leave my stable-door unlocked, and sleep sound, since *Luck-in-a-Bag* and the rest are gone.'" At no time did this "army" much exceed 1400 horse and foot. Borlum, too, had a bad opinion of the English levies, and was heard to declare that he would beat ten thousand of them with but one thousand dragoons. The Government, however, seemed equally in want of troops. When General Carpenter was sent against the insurgents, he had barely 500 men—of which paltry force two regiments of dragoons were but newly raised, and not much to be depended on. Easily might the rebels have overpowered the General before he gathered additional numbers; but "there was a fate attended all their councils, for they could never agree to any one thing that tended to their advantage." They marched hither and thither, as if uncertain what to do: they wandered from town to town, proclaiming the Chevalier, and setting the bells a-ringing in the steeples: but proclamations and clanging bells did not stir the heart of the country. Bitter complaints were made about the pusillanimity of many gentlemen, who had pledged themselves to rise in arms so soon as they saw the Chevalier's colours flying on English soil, but who now hung back in the hour of need. Such gentry, we are told, had been in the habit of professing vast attachment to King James and his cause over a bottle in taverns and at their own firesides; but, "after having consulted their pillows, and the fume a little evaporated, it is to be observed of them that they generally become mighty tame, and are apt to look before they leap, and with the snail, if you touch their houses, they hide

their heads, shrink back, and pull in their horns." The insurgents eventually marched on Preston—a place of sinister associations; for it was there, in the preceding century, that the Scottish army, under Hamilton, was cut to pieces by Oliver Cromwell. A party of the Jacobite horse, entered the town on Wednesday, the 9th November, and the foot followed next morning.

On the same Wednesday, the 9th, a Council of war was held in Perth. The last reinforcement from the north had arrived—the Earl of Seaforth bringing 3000 foot and 800 horse; and General Gordon, with the western clans, had advanced to Drummond Castle. Mar addressed the Council announcing that he was ready to march against Argyll next day, and unfolding the following plan by which he hoped to effect the passage of the Forth, namely: when the army reached the neighbourhood of Stirling, and was joined by General Gordon's troops, three detachments of 1000 men each should pretend to attempt the crossing of the river at as many points, distracting the enemy's attention, while the main body should cross at a place some miles above Stirling where in all likelihood there would be no opposition. This proposal was received with unanimous approval: the Council broke up in good spirits; and the result being communicated to the troops, their acclamations made camp and city ring. A paper of intelligence, thrown off at Freebairn's press, was widely circulated, stating that Borlum's division and the English levies were carrying everything before them in the south, "while in and about London, the friends of King James had taken arms in such numbers that King George had been fain to retire out of the country." That Wednesday was a busy, anxious day in Perth. The country was covered with snow, and the frost was bitter; but all through the winter night the din of martial preparations resounded. Next morning the soldiers despatched a hasty breakfast, and struck their camp. The march began—about 7000 men quitting Perth. A strong garrison was left in the town, and

about 3000 men held quarters throughout the shire of Fife; but General Gordon's force was expected to make up Mar's strength to about 9000 men.

A march of fifteen or sixteen miles through the snow brought the insurgent army to Auchterarder, where it rested all night. On the following day General Gordon's corps appeared. A council of war was held, after which the whole troops were reviewed on the Moor of Auchterarder. On Saturday, the 12th November, Mar advanced to Ardoch, and halted at the Roman Camp. There he detached a body of 3000 men, under General Gordon, Brigadier Ogilvy, and the Master of Sinclair, to take possession of the old cathedral city of Dunblane, which lay in his intended route to Stirling. It was arranged that on Dunblane being seized, word should be sent back to Mar that he might immediately march thither. The Earl then set off to Drummond Castle to meet with old Breadalbane, who, laden with infirmities and in the face of the bad weather, had come to consult him.

When the expeditionary troops came in sight of Dunblane, what was their mortification to learn that Argyll had checkmated them! That very morning, the Duke, acting upon the secret advices with which he was regularly supplied from the Jacobite side, had broken up his camp at Stirling, hurried on to Dunblane, and taken a strong position on the neighbouring heights. The rebels halted, and General Gordon, agreeably to his instructions, sent intelligence back to Ardoch, and requested further orders. Mar, on his return from Drummond Castle, was confounded by the news. But he despatched instructions that General Gordon should await his advance with the main body, which would be in motion within an hour. It marched accordingly, and effected a junction with Gordon's corps on the verge of the Sheriffmuir—or *Shaura*, as this hilly waste is called in the Perthshire Rental-book of 1649.\*

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\* Browne's *Highlands*, vol. ii.; Chambers's *Rebellions*;

Rae's *History of the Rebellion*; Rev. Robert Patten's  
*History of the Rebellion*; Campbell's *Life of Argyle*;  
*Annals of George I* : 1716, &c.

“*MAR'S YEAR*” *IN PERTH*.—*Part 5th*.

“ Oh, cam ye here the fight to shun,  
Or herd the sheep wi' me, man?  
Or were ye at the Shirramuir,  
And did the battle see, man?”  
“ I saw the battle, sair and tough,  
And reekin'-red ran mony a sheugh,  
My heart for fear gaed sough for sough,  
To hear the thuds, and see the cluds  
O' clans frae woods, in tartan duds,  
Wha glaum'd at kingdoms three, man.”

*Burns.*

THE Earl of Mar having effected a junction with General Gordon's division near Dunblane, directed the whole forces to proceed towards the Bridge of Kinbuck, about four miles distant. This march having been accomplished, the troops were ordered to pass the night under arms, without pitching tents. Argyll, on hearing from his spies of this movement, quitted his position, and drew up his battalions on a height overlooking Kippendavie House, a couple of miles from the episcopal city,—also prohibiting tents; so that both armies spent an intensely-frosty night among the snow and under the sparkling galaxies of heaven. The Duke took up his quarters in a miserable sheep-cote at the bottom of the hill, and sat down with soldierly nonchalance on a bundle of straw.

The dawn of the 13th November, which was the Sabbath day, broke languidly. As the wintry morn brightened, a busy hum arose from the bivouac of the Jacobite host, and gradually swelled, with the discord of Gaelic and Lowland voices, the creak of waggon-wheels, the neighing and trampling of horse, the drone and screech of bagpipes, the ruffle of drums, the brazen call of trumpets, the clash of steel, all mingling in a wild medley, bodeful of coming battle and slaughter. Many of the Highlanders went and sharpened their claymores and axes on a great boulder in a thicket, which stone was girdled by a natural mark like a belt;

but it is said that the cincture never appeared complete till that very morning, and therefore it presaged an immediate conflict, according to an old and popular prophetic rhyme of the district :—

When the two ends of the belt embrace,  
A bloody battle shall take place.

Another augury also manifested itself. On the top of the flag-staff of the Robertsons of Strowan, or Clan Donnachie, was fixed an ancient talisman in the shape of a small globe of pure crystal, about two inches in diameter, which, according to tradition, had been brought from the East during the Crusades. It had ever remained without a flaw until this eventful morning, when it was discovered to be cracked—a circumstance regarded by the Clan as a bad omen.

The Jacobites stood to their arms, eagerly anticipating the inevitable struggle which should decide the fate of a dynasty; but as yet they and their leaders were ignorant that Argyll had left Dunblane. As the divisions were forming, much merriment was excited by the grotesque figure cut by a small body of the cavalry brought into the field by the Marquis of Huntly, and by him denominated “Light Horse.” But probably never before did such “Light Horse” fall into line of battle. The horses of the troop were of the shaggy, diminutive Highland breed, while the riders were brawny, burly, Strathbogie fellows, whose bodily bulk almost eclipsed that of their chargers. The men’s dress was of hodden grey, with blue bonnets, and they carried clumsy swords by their sides, and had muskets of antiquated make and unwieldy size tied to their backs with ropes! But doubtless these Light Horse hobbled into order with firm resolution to do their duty and acquit themselves bravely. Of the insurgent forces, ten battalions of the Clans, comprising chiefly the men of Clanranald, Glengarry, Glenbucket, Maclean, Macdonald of Sleat, Ogilvy, and Breadalbane, were drawn out as the first line, and placed under the command of General Gordon. These were the flower of the Highlanders who wore the white cockade. On

their flanks were posted some horse, the Perthshire squadron being on the left. It may be noticed that the Breadalbane men, 500 strong, were led by *Red* Colonel Campbell of Glenlyon, younger brother of the officer who commanded the troops at the Massacre of Glencoe : and next to the Red Colonel was Big Duncan, the Earl's eldest son, who had been set aside from the succession, in favour of his brother, Lord Glenorchy, in 1704. But Highland tradition asserts that the Earl, who came down to Drummond Castle, and conferred with Mar on the previous day, was desirous of putting himself at the head of his Clan, and was only, with much difficulty, persuaded by his friends to hold aloof from the impending conflict. So much for the first line. The second line consisted of other ten battalions—the men of Seaforth, Huntly, Panmure, Tullibardine, Strathallan, Drummond, and Robertson of Strowan—partly Highland and partly Lowland—flanked with cavalry, and commanded by General Hamilton. The grand total of the army in the field was about 8000 men, with a reserve of 400 horse in the rear ; while the royal General's strength was barely 3000. As the insurgent troops were settling into their formation, Mar (who still thought the enemy remained at Dunblane) perceived some horsemen suddenly appear on the brow of a hill in his immediate front. Conjecturing that Argyll was there in person reconnoitring (which really was the case), the Earl despatched a few of his cavalry to dislodge his antagonist, upon which the latter and his party retired down the back of the hill.

But now to the astonishment and disgust of his best supporters, the Earl of Mar, still undecided in his own mind, held a Council of War to determine finally whether battle should be given that day or deferred till “ a more convenient season ! ” One or two leaders, such as Huntly and the Master of Sinclair, were lukewarm enough to declare that the campaign should be postponed altogether until the following Spring !—and Sinclair had hitherto been the loudest of those that

clamoured for action. But fierce and threatening shouts of "Fight! Fight!" settled the question without the necessity of a formal vote. "Fight!" was the word, and every man prepared for battle. Mar rode to the front of his lines, and following immemorial usage, addressed his soldiers in a short speech, to rouse their courage. He spoke amid a silence disturbed only by the wail of the wind, and the flapping of the ancestral banners, which were so soon to mingle with the mortal shock and wave above the dead and dying; but when he ceased, the stormy air was rent with a burst of enthusiasm. He then dismounted, signifying his intention to fight on foot; and his example was followed by all the mounted officers of the infantry, with the solitary exception of the Captain of Clanranald, Allan Muidartach, who persisted in facing the encounter on horseback. An attendant now brought to Mar a splendid target of polished steel inlaid with bars of gold radiating from a spike which projected in the centre. The Earl braced it on his left arm. In his belt he carried a pair of pistols, as old as the time of James VI., richly chased, and set with pearls. Drawing his sword, and elevating it above his head, he gave the order to advance and seek Argyll. With another mighty cheer, the army advanced, and quickly crowned the height on which the reconnoitring party had been observed; but the movement had the effect of breaking each line into two columns—General Gordon's division falling to the right, and General Hamilton's to the left. Mar himself marched with General Gordon. Another hill, the broad summit of which formed the highest part of the Sheriffmuir, still lay beyond, with a deep hollow between. The four columns marched down steadily, crossed the low ground, and ascended the hill, making the welkin ring with their martial music. But when they reached the top they unexpectedly came front to front with the Royal army, which had marched up the other side at the very same time!

The surprise on both sides was great; and as neither

army had been aware of the motions of the other, the left wing of each greatly outflanked the opposite right wing—a mischance which could not then be rectified. The hostile masses, considerably disordered in their ranks by traversing difficult ground, stood for a little scanning each other—each General, Argyll and Mar, being at the head of his right wing. A large morass, lying on Argyll's left, which would have protected that wing from a flank attack, was found to have frozen during the night, so as to be perfectly passable for foot or horse. The Royal troops, in their scarlet coats and blue facings, were fixing their bayonets. The Rebels were preparing their firelocks, and loosening their broadswords in the sheaths. It was now mid-day: the clouds were dark and lowering, and snow-flakes were fluttering on the wind. The Royal lines were still in disorder, and the moment was just such as an energetic leader on the Jacobite side would have chosen for that onward rush of the Highlanders, which used to carry everything before it. But Mar was fatuous to the last. That he was allowing the fortunate moment to slip away was painfully evident to all his followers, the meanest of whom impatiently awaited the word to fall on. Tartan bonnets were pulled down over the flushed, corrugated brows, plaids were flung aside, and every man was ready to dash forward, and conquer or die. “Oh! for one hour of Dundee!” exclaimed a Highland warrior, who had shared the perils and the glories of Killiecrankie. The exclamation perhaps reached Mar's ear. He pulled off his hat, and waving it thrice around his head, gave the command to charge. A tumultuous cheer burst from the throats of his ardent soldiers, that would have drowned a salvo of artillery: and salvos came—the cannon on both sides beginning to vomit their destructive thunders. “Gentlemen!” cried the Chief of *Clan Gillean*—the Macleans—springing a few paces in front of his men: “this is a day we have long wished to see. Yonder stands Macallanmore for King George. Here stands Maclean for King James. God

bless Maclean and King James! Charge, gentlemen!" In the same wing, another mountaineer offered a brief but pithy prayer. Uncovering his head, he lifted his eyes and his armed right hand towards heaven, and thus made supplication, with deep fervour: "Oh Lord! be thou with us this day. But if thou be *not* with us, be not *against* us. *Only leave it between the red-coats and us!*"

The Jacobite host charged. The right wing poured on, in the style of Kilsyth and Killiecrankie, like a furious wintry torrent. Speedily the musketry rattled over the moor, and the smoke rolled in billows hither and thither on the wind. The Highlanders, as they ran, fired a straggling volley: and then a streak of fire darted from left to right along the Royal line. To escape the deadly hail, the clansmen, with one accord, threw themselves on the ground, and the storm of bullets passed harmlessly over them. As soon as it slackened, they started up, cast away their guns and pistols, and dashed against the serried ranks of Argyll with the claymore and the dirk, seeking that hand-to-hand fight in which they usually surpassed all other soldiery. The opposing fire opened anew; and the Captain of Clanranald, while leading on his hardy and devoted tribe, received a ball through the body. It was his ill-luck to charge on horseback: in fact, as already said, he was the only leader among the foot who did so; and he soon paid the penalty of his rashness. He dropped from his steed mortally wounded. His fall checked the career of the Macdonalds, seeing which he sprung to his feet, and waving his claymore, cried—"Fight on! Remember that your Chief beholds your deeds!" But when the clansmen beheld him bleeding, pale, and ready to faint, they could not stir a step. He would have sunk to the earth again had not two of them supported him. In a whisper, he requested to be conducted to the rear; and as he passed slowly through the confused crowd of Highlanders, there was loud lamentation. Mar met him. "What! not in the front, Clanranald?" ex-

claimed the Earl. "I have had my share," answered the dying Chieftain. "My family were ever the first on the field, and the last to leave it; and but for this bullet, I should now have been in the midst of yon red-coated battalions. God defend the cause of King James! And may heaven's curse light on the recreant of my race who deserts that sacred cause!" Speech failed him—his head drooped, his limbs yielded, and he fell dead to the ground. At that critical moment, when Clanranald's men, grief-stricken for the fate of their Captain, were standing irresolute, hewing at the snowy turf with their claymores, the presence of mind and intrepidity of another commander became eminently conspicuous. Young Glengarry, who led the Camerons (and who had borne Dundee's banner at Killiecrankie), rushed towards the sorrowing Macdonalds, and waving his bonnet, shouted—"Revenge! revenge! To-day for revenge, and to-morrow for mourning!" His words recalled the clan to their duty. He led them on like a roused lion. Raising a yell, "they followed him, like Furies, up to the muzzles of the muskets," says Argyll's biographer, "pushed by the bayonets with their targets, and with their broadswords spread nothing but death and terror wherever they came." The roar and clash of strife had now becoming deafening. The Royal left wing shewed here and there yawning gaps, which told tales of slaughter. It could not withstand the desperate onslaught: it was broken and scattered like chaff; and the Highlanders pursued the remnants, slaying all fugitives whom they overtook. The Royal dragoons gave no support to the foot—scarcely fought at all, but turned and fled in the direction of Dunblane.

Mar, exultingly viewing the wreck of half his enemy's force, despatched a message to General Hamilton on the left, desiring him to press on with every vigour, as the Duke's left wing was destroyed. It is asserted that this message was falsified by the bearer, who gave the General the exact reverse of the order. But Mar, instead of falling pell-mell upon Argyll's centre and

right wing, which would have decided the battle, chose to pursue the defeated left for miles from the field. General Hamilton's division charged with spirit, but failed to make the expected impression on the Royal infantry, who remained firm, and repelled the onset, as a ridge of rocks repels the waves. Here the target was ineffectual to dash aside the bayonet: here the steady, bristling line kept unbroken, although the claymore clashed against it. The Royal horse, seizing the favourable juncture, attacked the rebels in flank, and soon threw them into disorder. The Jacobite troopers flew to the rescue; but were gallantly met, and after a sharp conflict, forced to succumb to the disciplined force and superior weight of the dragoons. The rebel foot fell into disorder: their front line was driven back upon the second, and both became a huddled rabble of infantry and cavalry, pressing upon and treading one another down. All command was lost, and a cry arose that "the right was beaten!" Still, though in confusion, they retired slowly, stubbornly disputing every inch of ground. Had Mar come swooping down, in the flush of victory, Argyll must have been overwhelmed; but Mar was vain-gloriously pursuing his foes to the banks of Forth. The royalists, steadily making way, drove their opponents to the banks of the river Allan, a distance of about three miles from the place where the fight commenced. "On the banks of Allan water" the Jacobite horse made a last effort to retrieve the fortune of the day. Having with great difficulty disengaged themselves from the disordered masses of the foot, they charged Argyll's battalions with good effect, forcing them back for some space; but the royal dragoons dashed forward, and a bloody melee ensued. The insurgent troopers were repulsed and scattered, and their flag, the "Restoration Standard," was lost. The confusion was terrible. The dragoons bore down all before them. The Jacobite infantry attempted in vain to stem the tide; they were shattered by the shock, mowed down, and trodden under hoof. Argyll, beholding with pain

this pitiless slaughter, called out, amid the din—“Spare the blue bonnets! Spare the poor blue bonnets!” Feelings of country, of kindred, and of humanity had risen superior in his breast to the stern dictates of duty. Repeatedly did he strike aside blows aimed at Jacobite gentlemen who had flung down their arms and cried for quarter. But now an express rode up to him with the alarming intelligence that Mar’s division had returned to the field of battle. The Duke, fearing that he might be placed betwixt two fires, immediately gave orders to stop the advance and to retire slowly. This sudden order enabled the insurgents to draw off unmolested.

The victorious right wing of the Jacobites, having chased their enemies to the banks of Forth, retraced their steps to the Sheriffmuir, in confident expectation that the other half of the royal army was routed. But picture Mar’s amazement to find the field cleared of all but the dead and wounded, and his consternation to learn that his own left wing was in course of being driven across the Allan! Still, victory was not yet wrested from his grasp. He needed but to lead his men in the wake of Argyll, and the day would be his own. Ah! that indecision!—that miserable incapacity to take fortune’s current while it served! He marched his troops, with loud shouts, across the scene of strife, and then to the top of the Hill of Kippendavie, whence he could spy the surrounding country. After some reflection he seemed disposed to follow Argyll and contest the laurel with him; but instead of unanimity, jarring counsels prevailed amongst his chief friends. Not a few, probably disgusted with his behaviour, were decidedly averse to any more fighting at that time, alleging that they were not strong enough to assume the offensive, and advising that the position on Kippendavie Hill should be maintained, as Argyll could not attack it unless at great disadvantage to himself. They also pointed out that the men were destitute of their fire-arms, which, according to Highland custom, they had thrown away in the charge. It

was said, too, that one or two of the leaders had proved craven or false in the face of the enemy. Where was the Marquis of Huntly? What part had the Master of Sinclair borne in the battle? The truth was, that no sooner had the engagement opened than Huntly clapped spurs to his beautiful Italian steed, *Florence*, the gift of the Grand Duke of Tuscany, and fled from the field: and the hot headed and cynical Master, who commanded the troopers of Fife, on the right wing, though he did not desert, refused to join in the charge, and remained a mere spectator of the conflict. Another partisan had likewise proved a broken reed. This was the famous Rob Roy. At the head of a body of Macgregors, with whom were joined a number of Macphersons, whose Chief was prevented by age and infirmity from taking the field, Rob, who affected firm Jacobitism, had taken post on a hill overlooking the position of the hostile armies; but after the engagement commenced, he would on no account descend and take part in the fray—perhaps from a mean opinion of Mar's talents as a soldier, or from disinclination to oppose his patron, the Duke of Argyll. "While the favourable moment for action was gliding away unemployed," says Sir Walter Scott, "Mar's positive orders reached Roy Roy that he should presently attack. To which he coolly replied, 'No, no! if they cannot do it without me, they cannot do it with me.' One of the Macphersons, named Alexander, one of Rob's original profession, *videlicet*, a drover, but a man of great strength and spirit, was so incensed at the inactivity of his temporary leader, that he threw off his plaid, drew his sword, and called out to his clansmen, 'Let us endure this no longer! if he will not lead you, I will.' Roy Roy replied, with great coolness, 'Were the question about driving Highland stots or kyloes, Sandie, I would yield to your superior skill; but as it respects the leading of men, I must be allowed to be the better judge.' 'Did the matter respect driving Glen-Eigas stots,' answered the Macpherson, 'the question with Rob would not be, which was to be

last, but which was to be foremost.' Incensed at this sarcasm, Macgregor drew his sword, and they would have fought upon the spot if their friends on both sides had not interfered. But the moment of attack was completely lost": and Rob and his men remained stationary during the engagement.

Returning from Allan's banks, the Royal troops advanced on Kippendavie. One of the officers spoke to the Duke about the inconclusiveness of the action; but his Grace only replied by quoting a line of an old local song—

If it isna weel bobbit, we'll bob it again.

On approaching the rebel position, however, he soon convinced himself that an attack upon it would be extremely hazardous. He prudently posted his men behind some farm enclosures and old dykes, and planted several pieces of cannon, the better to guard against a surprise. But the Duke's apprehensions were not realized. As soon as night closed, Mar quietly retreated from the Hill of Kippendavie, and marched to Ardoch, leaving a portion of his artillery, as well as the field of battle, in the possession of Argyll, who thereby acquired a feasible-enough right to claim the victory. Under cover of the darkness, Rob Roy and his band descended from their height, and impartially collected all the plunder of both sides which they could lay hands on. Argyll kept his station till morning.

Between 1200 and 1400 men fell in the Battle of Sheriffmuir, of which number the smallest proportion belonged to the insurgent army, which lost, besides, a number of prisoners, cannons, and standards. Of the Jacobites, the Captain of Clanranald and the Earl of Strathmore were slain; Lord Panmure was severely wounded, but escaped capture; and among the prisoners were Lord Strathallan and his brother Thomas, the Laird of Logie-Drummond, and the Laird of Ochtertyre. Their right wing, however, took a number of prisoners and standards.

“MAR'S YEAR” IN PERTH.—Part 6th.

But whom will ye have over?  
But whom will ye have over?  
King James the Eighth, with all our might,  
And land him in our border.

*Jacobite Song.*

But see Argyle, with watchful eyes,  
Lodg'd in his deep entrenchments lies;  
Couch'd like a lion in the way,  
He waits to spring upon his prey.

*Tickell—“Prophecy of Nereus.”*

MAR'S “hose-net” had been woven with all his art, but the cast was an utter failure. Fortune was now against him. In singular coincidence with the blunder at Sheriffmuir, a disaster befel the Jacobite cause in the north of Scotland, and another across the Border. On Saturday, the 12th November, Inverness was recaptured for the Government, chiefly by the exertions of the notorious Simon Fraser, Lord Lovat: and on Sunday, the 13th, Borlum and the English Rebels were reduced to offer surrender at Preston.

When these insurgents entered Preston on the 9th, two Generals, Willis and Carpenter, were respectively gathering forces to oppose their progress. By Saturday, General Willis, with the “Cameronian Regiment” of foot and several horse regiments, appeared before Preston, intent on immediate attack. The Jacobites took no measures to impede his advance. They might have defended the bridge over the Ribble: and they could have rendered impassable a strait lane nearer the town, where Cromwell was within an ace of losing his life; but they did neither, allowing themselves to be hemmed in. Willis approached with caution, looking out circumspectly for ambuscades—of which none existed. Simple barricades in the way would have stopped him; for he had no cannon; but it was only at the last moment that the Rebels erected barricades, their only defences, at the four principal entrances to

the place. The assault was given in the afternoon, and fierce contests raged at three of the barriers. Borlum's men, stationed behind the first, beat back their assailants with heavy loss; and at the second and third, the English maintained their ground with great gallantry, compelling the enemy to fall back. Notwithstanding, however, their repulse, the royal troops contrived to gain possession of several houses at the ends of streets, beyond the barricades, and from the windows directed a galling fire. When darkness fell, there was no renewed assault. But Sabbath morning disclosed the fact of General Carpenter's arrival, with three regiments of dragoons: more forces were coming; and Preston would speedily be untenable. Nevertheless, the Highlanders were not dispirited, but rather ready to face another struggle at the barricades, or, as a last resource, to sally out sword in hand and clear a way of escape for themselves. They were permitted to do neither the one thing nor the other. Most of the leaders, perceiving that the game was lost, prevailed on Mr Forster to arrange the best capitulation he could. An envoy was sent out to treat—the precise object of his mission being concealed from the men for fear of a mutiny. The terms were not adjusted without much negotiation. General Willis insisted on unconditional surrender, which was ultimately agreed to; but when the insurgent soldiers behind the barricades were informed of their fate, they became furious, “declaring that they would die fighting, and that when they could defend their posts no longer, they would force their way out, and make a retreat.” Their commander, Mr Forster, durst not shew himself in the street, for fear of being cut to pieces: and the frenzy against him was so intense that one man broke into his quarters, and would have shot him dead out of hand, had not his Chaplain interposed. The surrender took place at seven o'clock on Monday morning. The total number of prisoners taken was 1489, or 1026 Scots and 463 English—an extraordinary disproportion, shewing the

miserable support given to the Chevalier by his friends of the south.

After Mar's forces had retired to Ardoch, General Hamilton, whose division had been ingloriously discomfited on the Sheriffmuir, proposed the following scheme of operations—as recorded by the Master of Sinclair—namely, “to send express to the Clans [who had not been in the action] [to join with all speed, to make chevaux-de-frize to cover themselves against the horse, and to encamp for eight days, in which time, he said, we might join all our troops together. As for the Duke of Argyll he had none to join, and if it was not a victory now, we ought to fight him once a week till we made it a victory, and that if we did so, though Argyll was to have such a victory every time, he would be ruined, and the country would be open to us. But,” as Sinclair adds, “Lord Mar and his Council were of another mind.” In the course of Monday, the 14th, it became known to the Earl that Argyll was returned to Stirling, which prevented the chance of a further encounter for the time; but, as was natural in the circumstances, both sides publicly claimed the advantage at Sheriffmuir. The Rebel army marched back to Auchterarder, and rested all Tuesday in that position. On Wednesday, it drew nearer to Perth; and Mar rode to the city, “to order provisions,” as he gave out, “the want of which was the reason of his returning.” He left General Hamilton with the horse to canton about Dupplin, and General Gordon with the Highlanders and other foot at Forgau and vicinity. Orders were issued, on Thursday, to bring the main body of the troops to Perth; but that main body was now greatly diminished by the departure of various Clans, according to their usual practice; for, as was well known, there were three cases in which the Highlanders were wont to forsake their colours: “if they were long without being brought to action, they would tire and go home; if they fought and were victorious, they would plunder and go home; if they fought and were beaten, they would run away and go home:” and,

in fact, somewhat of all three causes actuated the deserters in the present instance.

As to Mar himself, if his adherents formerly conceived him to possess military genius, his deplorable incapacity at Sheriffmuir must now have opened all eyes, and dissipated every vestige of confidence in his leadership. He had thrown away a golden opportunity, which would never be regained. But although he clearly enough perceived that the back of the rebellion was broken, he still assumed an undaunted front, and directed that relays of 200 men each should be employed in raising defences around Perth to resist attack. Secretly, however, he and his friends had no intention whatever of standing a siege in the town. Day by day the spirits of the party drooped, and the Master of Sinclair discloses that "the counsels which were followed immediately after the fight [at Sheriffmuir] were so foolish and so weak as evidently disgusted us all, and shewed the soldiers that they were under the conduct of such men whose abilities for the field were no way equal to what they had undertaken." Certain of the Earl's coadjutors began to advocate capitulation: they pressed him to communicate on the point with Argyll; and (as stated in the Journal subsequently published with Mar's authority) it was accordingly done; but the Duke had not sufficient powers; and so "the affair was put off." Nay, "after this, some, though but few, were discovered to have private dealings with the enemy; and some others went home, and never returned to the army." But the Magistrates of Perth do not seem to have lost heart; for, on the 29th November, they presented an address to Mar, assuring him of their unalterable loyalty to the cause of the Chevalier.

The Jacobite forces, though considerably decreased, still held the greater part of the east coast from Burntisland northwards, and retained a firm grasp of nearly all Fifehire. Little, however, save the excessive severity of the winter, prevented Argyll from again trying conclusions with them; for he was receiving

considerable reinforcements of Dutch troops from Holland. For weeks, therefore, a dull pause prevailed; while John Frost, scattering his tempests, appeared the most powerful General in the field. But towards the end of December an event occurred, for which the insurgents had eagerly longed, and which had it been earlier might have given a very different turn to their enterprise, and realised their highest hopes. As it was, it inspired the whole party, for a brief space, with fresh enthusiasm. This was the arrival of the Chevalier in Scotland!

James was now in his 28th year, having been born on the 10th of June, 1688. On hearing of the outbreak of the rebellion he had seriously intended crossing the sea to put himself at the head of his adherents; but want of funds and warlike supplies, together with the prospective hazard of his being captured on the voyage by some of the British war-ships, which were watching the French coast for that very purpose, detained him in France until the middle of December. Even then his resources were lamentably scanty, although he had obtained a loan from the King of Spain—part of which money was in gold ingots. Having engaged three small vessels, he embarked in one of them at Dunkirk, ordering the others to follow after a short interval. The ship in which he sailed was of 200 tons burden, and carried eight guns. His train consisted of only six persons, two of whom were the Marquis of Tynemouth, son of the Duke of Berwick, and Lieutenant Allan Cameron, son of Lochiel. The voyage lasted five days: all the British cruisers were eluded: and on the 21st December, the craft sighted Montrose, but held off the coast till next day, when it put in at Peterhead, and the Chevalier and his attendants, all in disguise, landed on Scottish ground. The adventure was rash and full of peril; and though the Royal party, crediting Mar's gasconading bulletins, viewed it in a far more favourable light, yet it evinced on the part of the Chevalier much personal courage and self-reliance. Hitherto he had seemed distinguished by no heroic

qualities—none of that spirit of chivalrous daring which afterwards shone so brightly in his eldest son : on the contrary, his nature was mild and equable, with a melancholy temperament, and a decided tendency to be swayed by favourites and flatterers; but certainly the fact of his coming, almost alone, in the dead of winter, to a strange country convulsed by civil war, shewed, if nothing more, a noble trustfulness in the attachment and fidelity of subjects whom he had never seen.

The good folks of Peterhead, an old-fashioned burgh of barony under the Earl Marischal, were staunch Jacobites, and had already formed an armed corps of the “fencible inhabitants” to “keep guard nightly,” with “guns and swords in good order;” and, singular to relate, the list of this martial body included the names of ten females, who presumably performed Amazonian duty ! Immediately on the arrival of the illustrious stranger, Young Lochiel was sent off to Perth with the intelligence. The Chevalier and the rest of his retinue were accommodated in one of the principal houses of the town: and the ship was despatched back to France, to hasten the departure of the other two vessels with the money and other supplies. On the following day, the royal party left Peterhead for Newburgh, a mansion belonging to the Earl Marischal. Thence they continued their route, passing through Aberdeen, still in disguise, and went on to Fetteresso, Marischal’s chief seat, where they made some stay. The Chevalier now laid aside his incognito, openly assumed the character of King, and received the Earls of Mar and Marischal with General Hamilton and about 30 other leading Jacobites who came on horseback from Perth. They were all introduced with due ceremony, and graciously permitted to kiss the hand of their sovereign, who, in consideration of the services of Mar, raised him to the rank of Duke. The Chevalier’s destination was Perth; but he was detained at Fetteresso for some days by a severe fit of the ague, apparently brought on by his voyage. Con-

gratulatory addresses were presented by the Jacobite magistrates of Aberdeen and the non-juring clergymen of the diocese. He spent New Year's Day of 1716 at Fetteresso; but on the 2d January resumed his journey, and entered Brechin. On the 3d he was at Kinnaird, and on the 4th at Glamis Castle, belonging to the brave Earl of Strathmore, who fell at Sheriffmuir. While at Glamis, where the party were obliged to abide two days, on account of a great snow-fall, Mar drew up a glowing sketch of his impressions of the Chevalier's person and deportment, which was sent to Perth, hurried through the press, and scattered broadcast over the country. The Earl wrote in this wise of "the King":—

People everywhere as we have come along are excessively fond to see him, and express that duty they ought. Without any compliments to him, and to do him nothing but justice, set aside his being a Prince, he is really the finest gentleman I ever knew. He has a very good presence, and resembles King Charles a great deal. His presence, however, is not the best of him: he has fine points, and despatches all his business himself with the greatest exactness. I never saw anybody write so finely. He is affable to a great degree, without losing that majesty he ought to have, and has the sweetest temper in the world. In a word, he is every way fitted to make us a happy people, were his subjects worthy of him. To have him peaceably settled on his throne, is what these kingdoms do not deserve; but he deserves it so much that I hope there's a good fate attending him. I am sure there is nothing wanting to make the rest of his subjects as fond of him as we are, but their knowing him as we do; and it will be odd if his presence among us, after his running so many hazards to compass it, do not turn the hearts even of the most obstinate. It is not fit to tell all the particulars, but I assure you he has left nothing undone that well could be to gain every body, and I hope God will touch their hearts.

On Friday morning, the 6th January, the Chevalier departed from Glamis, and proceeded to Dundee, which he entered in state, on horseback, with Mar and Marischal on either hand, and attended by a select company of 300 cavaliers. The entry was made about eleven o'clock in the forenoon. The streets were thronged, and the populace welcomed the cavalcade with hearty acclamations. So gratified was James

with his reception that for an hour he kept his saddle at the Cross, in the High Street, showing himself to the multitude, who seemed delighted to see him. He dined and lodged that night in the town-mansion of the Stewarts of Grandtully, which was situated at the head of the Seagate (and in which house, as we may parenthetically notice, Admiral Duncan, the hero of Camperdown, was afterwards born). The Laird of Grandtully, John Stewart, a firm supporter of the Jacobite cause, was then 72 years of age, and had been unable to take the field under Mar; but a party of the Grandtully men did so, led by the laird's cousin, John Stewart of Innernytie. Old Grandtully generally resided in Dundee during the winter season, and was there to receive the Chevalier under his roof. Next morning, James and his friends commenced a leisurely progress along the Carse of Gowrie towards Perth. They dined at Castle Lyon, otherwise Castle Huntly, another of Lord Strathmore's seats; and then rode on to Fingask Castle, belonging to Sir David Threipland, one of the most zealous adherents of the cause, where they were to pass the night. Lavish preparations were made for the royal stranger's entertainment. The country people of the district congregated at Fingask to see "the King." Their welcome was enthusiastic; and they pressed about him, fond to touch his hand, his dress, or his steed. The hall of the Castle rang with festivity; and, as related in a local ballad of the time,—

When King James to Fingask Castle cam',  
 To see Sir David and his lady,  
 There was a cod's head weel dressed wi' sauce,  
 Took a hundred pounds to mak' it ready.

On the following day, Sunday, the 8th of January, James VIII. again took horse, and reached Scone, the ancient seat of Scottish royalty.

The Jacobites had now their heart's desire. Their "rightful King" was in their midst; but his presence did little to retrieve their affairs, which were next to desperate. He had provided some money; but he brought no reinforcements; while the enemy was re-

cruiting his strength, and, as said before, only the frequent falls of snow, which blocked up all the roads, kept Argyll from forcing on the final issue. Still, the rebels strove to put the best face possible on things. The day after the Chevalier's arrival at Scone, being Monday, the 9th January, he made a formal visit to the city of Perth, where the Magistrates came forward with a loyal address which they had ordered to be drawn up on the 5th. But illusions on both sides were now to be dissipated. As James had expressed a strong desire to see "those little kings," the Highland Chiefs, "with their armies," a portion of the Clans manœuvred before him on the snow-covered expanse of the North Inch. The spectacle pleased him much. But when he knew the total number of Mar's forces, he was disconcerted, and could not conceal his chagrin. In fact, the meeting at Perth was mutually disappointing, as shown by the Master of Sinclair, who depicts the appearance of the King and its effect upon the mass of his adherents. "His person," writes Sinclair, "is tall and thin, seeming to incline to be lean rather than to fill as he grows in years; his countenance is pale, and perhaps he looked more pale by reason he had three fits of an ague, which took him two days after his coming on shore; yet he seems to be sanguine in his constitution, and has something of a vivacity in his eye that, perhaps, would have been more visible if he had not been under dejected circumstances and surrounded with discouragement, which, it must be acknowledged, were sufficient to alter the complexion even of his soul as well as of his body." The Master continues to say that James' "speech was grave, and not very clearly expressing his thoughts, nor overmuch to the purpose, but his words were few, his behaviour and temper seemed always composed. What he was in his diversions we know nothing of, for here was no room for those things—it was no time for mirth, neither can I say that I ever saw him smile. Those who speak positively of his being like King James VII. must excuse me for saying that it seems to tell me they either never saw this, or

never saw King James VII.; and yet I must not conceal that when we saw the person whom we called our King, we found ourselves not at all animated by his presence, and if he was disappointed in us, we were tenfold more so in him. We saw nothing in him that looked like spirit; he never appeared with cheerfulness and vigour to animate us. Our men began to despise him; some asked if he could speak. His countenance looked extremely heavy; he cared not to come abroad among us soldiers, or to see us handle our arms or do our exercise. Some said the circumstances he found us in dejected him; I am sure the figure he made dejected us, and had he sent us but 5000 men of good troops, and never come amongst us, we had done other things than we have now done."

Having spent the day in Perth, the Chevalier returned to Scone in the evening. Forthwith he begun to exercise the functions of royalty. He formed a Council, and issued several proclamations: one for a General Thanksgiving for his safe arrival; another directing that he should be prayed for in the churches; a third legalizing the currency of all foreign coinage; a fourth summoning a Convention of the Estates of Scotland; and a fifth commanding that all fencible men, from 16 to 60, should arm and repair to his standard. He also ordered his Declaration, dated the 25th October, 1715, to be read in all parish churches; and, further, appointed his Coronation to be solemnized at Scone, on Monday, the 23d January. All these orders were rapidly disseminated by means of Freebairn's press, which also issued other papers adapted to influence the mind of the country. An original copy of one of these latter publications—a folio sheet, dated 1716, and entitled "*The Miserable State of Scotland, since the Union, briefly represented; and the only way to render it happy plainly pointed out*"—is now before us, and forms a fair specimen of its class, containing strong appeals to national prejudices and patriotism, equally strong assertions of the Stuart right, and statements designed to tone down the undeniable fact of the

Chevalier's attachment to Popery. A single passage will suffice :—

Tho' the King had the misfortune by the inhuman cruelty of the P. of O. [Prince of Orange] and others at that time to be banished in his cradle, and to be educated in the communion of the Church of Rome, yet he is known to be a man of better sense and ingenuity than to believe the main things in which we differ from that Church, viz., the Infallibility of the Pope, Transubstantiation, and the like absurdities; as appears by his whole deportment hitherto, and especially since his happy arrival among us, which has given all men who have the honour of conversing with him occasion to see that he is no bigot, nor of a sour persecuting temper, but on the contrary, that he is one of the finest spirits, of the sweetest temper, of the greatest abilities, and of the greatest application; and in short, he is one of the best accomplished gentlemen in the world: so that we see plainly the character given of him by a great man abroad, viz., that he has all the good parts and mettle of his uncle, King Charles II., and the application of his father, fully verified in him to the admiration of all who behold him.

But, truth to tell, the Chevalier's "whole deportment" in Scotland proved conclusively that he was wedded, heart and soul, to Romanism, with all its "absurdities." He had his confessor, Father Innes, constantly with him. Although urged, for expediency's sake, to attend the Protestant worship in St John's Church of Perth, he obstinately refused to darken a Protestant church door. Nay, more, he began to raise scruples about certain clauses of the Coronation Oath, and would have probably insisted on taking it in a mutilated form. Could this be a "man of sense and ingenuity?"\*

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\* Browne's *History of the Highlands*, vol. ii.; Chambers's *Rebellions*: 1689-1715; Patten's *History of the Rebellion*; Thomson's *History of Dundee*, p. 114; Rev. Mr Pratt's *Buchan*, p. 56; Struthers' *History of Scotland*, vol. i.; *True Account of the Proceedings at Perth* (Spottiswoode Miscellany); *Red Book of Grandtully*, vol. i., Introduction, p. 149.

“MAR’S YEAR” IN PERTH.—Part 7th.

When the herd of frantic women  
Stumbled through the midnight snow,  
With their fathers’ houses blazing,  
And their dearest dead below!  
Oh, the horror of the tempest,  
As the flashing drift was blown,  
Crimsoned with the conflagration,  
And the roofs went thundering down!

*Lays of the Scottish Cavaliers.*

Will you still tempt the great avenger’s blow,  
And force the bolt—which he is loth to throw?  
Have there too few already bit the plains,  
To make you seek new Prestons and Dumblains?

*Sir Samuel Garth.*

TAKING prompt advantage of the sensation produced over the country by the Chevalier’s arrival, Rob Roy set to work, ostensibly in the Jacobite interest, though really and truly for his own, as at Sheriffmuir after the battle. With the Macgregors at his back, he, on 4th January, 1716, descended upon Fife, and established himself in the Palace of Falkland, assuming the office of Deputy-Governor thereof under the Chief of the Gregalich as Governor. There Rob kept his quarters for a month, diligently employing himself in uplifting contributions throughout a wide neighbourhood, in name of the pecuniary levies ordered by Mar; but of these collections not a penny ever reached the exchequer at Perth.

The Chevalier held Court at Scone, with all the state of a monarch. According to the Countess of Lauderdale, who wrote to the Duke of Montrose from Edinburgh, on 14th January, the services of gold and silver plate used at the royal table were supplied by the Laird of Grandtully; while Lady Panmure superintended (but apparently only for some days) the household arrangements of the Palace. The Countess also described the Pretender, on hearsay, as “a tall lean black man, looks half dead already, very thin, long-faced, and very ill coloured and melancholy,” which

portraiture essentially agrees with that drawn by the Master of Sinclair. For a brief interval the ancient glories of Scone seemed restored; and every effort was put forth to rouse the national spirit in favour of the descendant of a long line of Kings. In view of the Coronation, the Jacobite ladies of Perthshire raised a subscription for a golden coronet to be used at the ceremony in lieu of the ancient Scottish crown in Edinburgh Castle. The Jacobite troops were assured that their sovereign would soon lead them to victory: but it was difficult to maintain enthusiasm in camp and city. Perhaps the Chevalier was sometimes induced to anticipate that the strength of the country would ultimately rally round his standard. The stormy weather which continued to prevail was in his favour by preventing the immediate resumption of hostilities. But as the days went, affairs at Perth knew no improvement: the forces did not augment—rather decreased: the Duke of Ormond had sailed from France with an expedition to the coast of England, but failing to move English sympathy, had gone back: and hope sickened in the Chevalier's breast. Gloom and despondency marked all his utterances, as was painfully displayed to the world when, in the middle of the month, rumours reached Perth that the Duke of Argyll was about to open the campaign, notwithstanding the great depth of snow on the ground. A Council assembled at Scone, on Monday, the 16th January, to concert steps in the threatened emergency; and James opened the deliberations with a speech of unexampled lugubriousness. "I am now, on your repeated invitation, come among you," he said: "no other argument need be used of the great confidence I place in your loyalty and fidelity to me, which I entirely rely on. I believe you are altogether convinced of my good intentions to restore the ancient laws and liberties of this kingdom: if not, I am still ready to confirm to you the assurance of doing all that can give you satisfaction therein. The great discouragements which presented were not

sufficient to deter me from coming to put myself at the head of my faithful subjects, who were in arms for me; and whatsoever shall ensue, I shall leave them no room for complaint that I have not done the utmost they could expect from me. Let those who forget their duty, and are negligent of their own good, be answerable for the worst that may happen : for me, it will be no new thing if I am unfortunate : my whole life, even from my cradle, has shown a constant series of misfortunes, and I am prepared, if it so please God, to suffer the threats of my enemies and yours." Was this the strain of a heroic Prince about to combat for a throne? What courage and hope would not such language blight? Yet, with unaccountable folly, an address which breathed the sentiments of puling despair was printed at Perth and distributed with assiduity. The Council, after fully considering the position, adopted an extreme resolution with the view of hampering Argyll's advance. Along the route between Perth and Stirling lay several villages which it was determined should forthwith be burned to the ground, so as to prevent the royal troops finding any shelter in the bitter weather : and this barbarous measure was deemed justifiable by the necessities of war, while it was in accordance with the old Scottish practice of laying waste the country before an invader. The miseries of the poor people who were to be turned out among the snow excited no compunction. Auchterarder, Aberuthven, Dunning, Blackford, Crieff, Muthil, and other hamlets were marked out for destruction : Strathearn was to be enveloped in flames, and reduced to a desert! The order to that effect was formally issued :—

JAMES R.

Whereas it is absolutely necessary for our service and the public safety, that the enemy should be as much incommoded as possible, especially upon their march towards us, if they should attempt anything against us or our forces; and seeing this can by no means be better effected than by destroying all the corn and forage which may serve to support them on their march, and burning the houses and villages which may be necessary for quartering the enemy;

which, nevertheless, it is our meaning should only be done in case of absolute necessity; concerning which we have given our full instructions to James Graham, younger of Braco: these are therefore ordering and requiring you, how soon this order shall be put into your hands by the said James Graham, forthwith, with the garrison under your command, to burn and destroy the village of Auchterarder, and all the houses, corn, and forage whatsoever within the said town, so as they may be rendered entirely useless to the enemy. For doing whereof, this shall be to you, and all you employ in the execution hereof, a sufficient warrant.

Given at our Court at Scoon, this 17th day of January,  
in the fifteenth year of our reign, 1715-16.

By his Majesty's command,

MAR.

To Colonel Patrick Graham, or the  
Commanding Officer for the time  
of our garrison for Tullibardin.

No time was lost in the execution of this barbarous duty. The snow-covered valley of the Earn was converted into a dismal scene of conflagration, plunder and human misery—night made hideous, and clouds of smoke darkening the day. A narrative of how Auchterarder suffered is preserved in an extract from a contemporary letter by Mr John Stedman, minister of that parish, which is printed in the *Wodrow Correspondence*. Mr Stedman had not thought it consistent with his personal safety to preach in Auchterarder after rebel garrisons were planted in the vicinity; but the duty was fearlessly discharged there, for several Sabbaths, by Mr William Reid, minister of the adjoining parish of Dunning, who, exchanging pulpits with his timid brother, came to Auchterarder, and conducted divine worship with a loaded pistol hanging at his breast. This so incensed the rebels that they threatened to burn Dunning in revenge. Mr Stedman opens his relation by affirming that "the only way the Clans were employed while they were here was in traversing the hills, shooting and driving away all sheep, kine, and horse, they could get their hands upon, without ever asking the price, nor did they spare the very nolt that were for ploughing the ground, nor the cows of poor folk that were giving milk for nourishing their poor young infants, but these were brought into the town,

wherever they could find them, to the slaughter; nor were the rest of the rebels much better, taking poor people's corns out of their stacks, and what provision they found in people's houses, without so much as a promise of payment, except by and to a very few." He then proceeds with an "account of their management" in the burning of Auchterarder, "as a swatch of what they did elsewhere. Clanranald"—not Allan Muidartach, the Captain of Clanranald, who fell at Sheriffmuir, but his brother, Ranald, who succeeded him as head of the sept—"Clanranald came to Auchterarder, with about three hundred men with him, at three o'clock in the morning, in a very snowy and stormy night; and instead of warning people of their danger, never carried more friendly and kindly-like than they did, till they began to put it in execution; and the first advertisement they gave of it was Clanranald's orders to his men to kindle straw, and fall to their work, which immediately was done, so that the people had no time allowed them to carry out their effects, but anything they got preserved was, for the most part, with the hazard of their lives, which was the occasion of one Janet Miller her death. There was not one house in all the town but what was set on fire, except one or two, and very few of these got preserved." The correspondent who makes the excerpt from Mr Stedman's letter adds "that one Thomas Mitchell, who dwells near the town of Auchterarder in the parish, and who was eye-witness to the burning, and thereabout, told me that the Laird of Aberuthven got so many hands that he left nothing in his house before they set it on fire, but the Highlanders left not one prin's worth to him, but threw the very plenishing, sheets, tables, &c., into the flames. This Mr Clow confirms, having it from the Laird's own mouth; for Mr Clow went up to see his mother, who dwelt in Aberuthven, and has the mill in farming, where every stob was burnt, and her corns, and [the rebels] would not suffer her to take some corns that were both in the barn and kiln out of the same, but told her if she

offered to take them out they would throw them in again."

Dunning shared the like hard fate. So well did the incendiaries accomplish their task that only one house in the village escaped destruction, and that chanced by an artifice of the occupant, a miller. When he saw the conflagration begun he collected a heap of wet straw on the floor of his domicile, and setting fire to it, the thick smoke eddying from door and window deceived the rebels into the belief that some of their number had been there, and so they passed by. The correspondent last quoted says that Thomas Mitchell told him "that the Highlanders at Dunning helped the people to some of the effects in bundles, and to carry them out, but afterwards knowing what and where the best of the people's effects were, robbed them of the most part of them." And how fared the intrepid minister, Mr Reid? There was need for his loaded pistol now. On the day of the burning, he lay on his deathbed; and the news of the destroyers' approach threw his wife into great consternation; but he comforted her with the assurance that the Lord would not suffer a hair of his head to be touched. He directed his coffin to be hastily prepared, and soon expired, and was immediately interred, to prevent the enemy insulting his remains. The leaders of the party came to the Manse, and devoted it to destruction, declaring that they were "sorry they got not the old dog's bones to birsle in the flames of the house!" To commemorate this day of woe, the inhabitants afterwards planted a thorn tree (procured from the Den of Pitcairn), which has served as a memorial of the savage calamity for more than a century and a-half. Says a local poet:—

Around this thorn a wall was made  
 To guard its slender form,  
 And let it raise its tiny head  
 To battle with the storm.  
 The tree did thrive and grow apace,  
 In spite of every fate;  
 While mortals ran their earthly race,  
 It proudly grew in state.

Crieff, to which the children of the glens bore an old

grudge on account of its "kind gallows" with which so many of their race had made fatal acquaintance, was devoted to the torch; and the southmost arch of the bridge over the Earn was thrown down to obstruct the enemy's passage of the river. At Muthil the conduct of the Highlanders was atrocious. The parish minister was Mr William Hally, who had been settled there in 1704 in opposition to the wishes of the people—his ordination taking place in the kirkyard, because an armed mob refused to admit the Presbytery to the Kirk; but in after years he gained entirely upon the esteem and affection of his flock. When the Rebels came to fulfil their destructive mission, the grandmother of Mr Hally's spouse, who resided in the Manse, was at the point of death. "Those that burnt Muthil," says the Wodrow correspondent, "would not allow the house to be spared, but for some minutes, when Mr Hally, who is minister there, his wife's grandmother, was just a-dying, though the minister went out and told them that the old woman was just in the jaws of death, entreating them to spare the house only some minutes till she was expired, and they would carry her out. But not one minute would they delay, but set flames to the house, so that they were necessitate to carry the old dying woman in sheets and blankets out of the house, who died in the forth-carrying, and they laid her down on the snow, and streiked her, where the minister's wife, her oye [grandchild], sat beside her; and the Highlandmen pulled the blankets, which were lying beneath the old woman upon the snow, from beneath her, and took them with them." That last vile touch would have shamed a barbarian. Other villages suffered. Strathearn was ruthlessly ravaged. The people met with no compassion. Old and young, sick and infirm, were driven out to endure the inclemency of one of the hardest winters. They huddled in groups around the blackened ruins of their homes, with the snow lying deep and drifting about them, and the north wind, keen from the regions of eternal frost, howling over the desolate waste; while heaven's ear

was wearied with prayers and half-maddened execrations, the wail of women, and the plaint of infants. And even this merciless devastation did not really subserve the purpose for which it was perpetrated !

Having carried out their odious plan to check Argyll's advance, the Jacobite Council found themselves as hopeless as before. Several ships from France had brought warlike supplies, but no reinforcements; and the ship with the Spanish bullion had been stranded at St Andrews, and part of the ingots lost. But with prospects black enough, and privately resolving to evacuate Perth on the first real alarm, the Council strove to keep the soldiers in high expectation of a brave struggle and a victorious issue, although their available forces did not much exceed 4000 men. On Saturday, 21st January, a great excitement spread through Perth, some peasants having brought intelligence that Argyll was in full march. In truth, they had seen a reconnoitring party of 200 dragoons, under Colonel Guest, who traversed part of the intervening country, but did not approach within sight of the Jacobite garrison still retained at Tullibardine. The exact news was soon known, and allayed the alarm. Next day, the Chevalier had occasion to write a letter to Lord Panmure, who was wounded at Sheriffmuir. It will be seen from this epistle that the Pretender's adhesion to Popery had disquieted the minds of many of his Protestant adherents, leading them to question the result of his restoration to the throne.

Scoon, 22d January, 1716.

I received this day yours of the 19, by Mr Blair, who delivered your commissions to me, and am truly sensible of the zeal you shew me therein. I hope you will always continue to give me your advice and opinion, which on all other occasions I shall take as kindly as I do now. I believe our Catholics had no thoughts of doing anything extraordinary next Thursday, but my own modesty in those matters must and shall be their rule, as it ought to be a sufficient proof to all reasonable people, of the emptiness of those apprehensions they may have been prepossessed with in relation to religion. It is over the hearts of my subjects, and not their consciences, that I am desirous to reign; and if my moderation, and all the assurances they have received on that head, do not meet

with suitable returns, it may be my misfortune, but can never be my fault. They may be now, if they please, a free and happy people; and I am in great hopes they will at length open their eyes, and put themselves an end to all their misfortunes. The enemy make all preparations for marching, and we are preparing to receive them, but how the weather will allow of any motion on either side I do not well understand. However, in that particular we are on equal terms, tho' not in others; but courage and zeal, I hope, will supply the want of numbers. I shall be sure to consider of the other points of your message. Pray remember me with all kindness to Lady Panmure, and be assured, both of you, of my particular esteem and kindness.

JAMES R.

But the grand crisis of the insurrection was at hand. The Coronation was postponed *sine die*; and Argyll had to be reckoned with. He was now well reinforced, principally by several thousands of Dutch soldiers, and on Tuesday, 24th January, he personally led a second reconnoitring party of 200 cavalry to Dunblane, which had been previously occupied by his troops, and thence he went on, strengthened by other 200 horse, as far as the ruined village of Auchterarder. This movement caused the rebels to abandon all their outposts in that quarter except Tullibardine; and the Duke having surveyed the state of the country, retraced his steps. That day the weather changed: there was a sudden thaw; but snow again fell abundantly, and the frost returned harder than ever. At Perth all was martial bustle; and "there was nothing to be seen," says Rae, the historian, "but the planting of guns, marking out breast-works and trenches, digging up stones in the streets, and laying them with sand, to prevent the effects of a bombardment; and, in a word, all possible preparations were made, as if they had really intended to defend the place." Such defence was out of the question. As already mentioned, the available Jacobite army numbered about 4000 foot and horse; but of these, it was considered by Mar and his friends (as recorded in his *Journal*) that not above 2500 could be "relied upon as good fighting-men;" while "the rigour of the season, and the great fall of the snow on the hills kept in some measure the rest of the High-

landers from joining us;" and further, "most of those who before had excused themselves upon the Chevalier's not being come, kept still at home, now that he was come, waiting perhaps to see how his affairs were like to succeed." The town of Perth was untenable in the face of a well-appointed enemy. Mar's *Journal* speaks of it as "little better than an open village at any time; and at this, the river on one side, and a kind of fosse or ditch on the other"—the lade which ran along the outer base of the old wall on three sides—"were frozen up, so that it was easy to be entered on all quarters." Moreover, "the long-continued frost had kept the mills from going," and consequently there was a dearth of provisions. There was likewise a great dearth of coal and other fuel. "The enemy being then in possession of the most part of Fife, where the coal-pits are, there were no coals to be got; and wood being scarce in the country, there happened to be almost no fuel at all. Besides this, the Highlanders are not used to defend towns; nor had they where withal to defend this." In a word, the position of the Jacobites was desperate, and the leaders knew the fact well.

So did Argyll, and he hurried on his measures to strike the decisive blow. The wintry storm was at its worst, and the snow lay to the depth of about three feet; but the royal general ordered 2000 labourers to be pressed into service, and formed into gangs to open the roads. This was done: the men were told out, and the work began. On Sunday, the 29th of January, the Duke's army, fully 10,000 strong, with about 30 pieces of artillery, and carrying twelve days' provision and forage, took the route to Perth: and that same night the head-quarters were in Dunblane. The march was resumed on Monday—the labourers in front clearing away the snow—and the troops were able to reach Auchterarder, where, as no shelter existed, they had o bivouac in the open air. Intelligence of Argyll's intended advance was brought to Perth on the previous Saturday, and, of course, excited vast commotion.

But the Jacobite soldiers did not fall into a despondent mood: on the contrary, the prospect of speedy battle stirred their valour. "Never men appeared better disposed for action than ours of the Clans," says the Master of Sinclair. "The gentlemen embraced one another upon the news, drank to the good day, and prepared as men that resolved with cheerfulness to behave themselves as Scots gentlemen used to do. The common soldiers, the followers and dependants of the chiefs, were as gay and cheerful as if an extraordinary solemnity had been upon their hands. Nothing dejected or unpleasing was to be seen among us: our pipers played incessantly, and we shook hands with one another like men invited to a feast rather than called to a battle:" and immediate "measures were taken to bring our troops together, and post ourselves in such a manner, and to such advantage, as it might be easy to subsist, and yet easy to draw together, upon a signal." Such warlike fervour among the Jacobite forces while they were so much outnumbered by the enemy, is explainable by reason that the Highlanders despised the Dutch auxiliaries of whom the Duke of Argyll's army was so largely composed.\*

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\* *Third Report of the Royal Commission on Historical Manuscripts*, p. 378; Patten's *History of the Rebellion*; *The Correspondence of the Rev. Robert Wodrow*, vol. ii., pp. 135-137; Dr Hew Scott's *Fasti Ecclesie Scoticanæ*, vol. ii., pp. 747, 758, 780; Dr Wilson's *Dunning: its Parochial History: Statistical Account of Perthshire*; *Registrum de Panmure*, vol. ii., p. 351; Rae's *History of the Rebellion*; *True Account of the Proceedings at Perth*.

“*MAR'S YEAR*” *IN PERTH.*—*Part 8th.*

Three moons thy Jemmy shall command,  
With Highland sceptre in his hand,  
Too good for his pretended birth,—  
Then down shall fall the King of Perth.

*Tickell*—“*Prophecy of Nereus.*”

THE excitement in the town and Rebel camp of Perth, on Saturday, the 28th January, occasioned by the intelligence that Argyll was to open the war next day, increased as the hours sped their course. Those citizens who had overtly espoused the Jacobite cause became suddenly sensible of the desperate posture of affairs, and trembled for their own fate. A Council assembled at Scone, in the evening, when “every man was ordered,” says the Master of Sinclair, “with freedom to speak their minds of the method of resisting, and whether the army should post itself in the city and defend it, or march out and fight in the open fields?” A French Officer of Engineers, reputed to possess good ability, stated “that it was true, if it were open weather, and the enemy’s army were able to lay a siege to the place in the ordinary forms, he did not allow that the place was tenable, or could hold out above five days open trenches, and it would be but to sacrifice the lives of the men to offer to defend it; but that, as the case now stood, neither was the national army strong enough to besiege a town whose garrison would be superior to their whole army, neither was the season such as would permit the army to live in the field, no, not those few days requisite; nor if they could lie abroad, could they make any work of their siege, not being able to break the ground to dig trenches or raise batteries in order to carry it on; and, therefore, since the town could not be carried by scalade, he thought they would do well to suffer themselves to be attacked in the town, when he did not question they should give a very good account of them-

selves. He then proposed the posting the horse behind the river, which being then frozen over, and passable both for horses and carriages, might either receive those who might be pushed by the enemy, or advance to share of the advantage which might be made. He gave them notice of a little spot of ground without the town, which formerly had held a wind-mill, and on which there was a house, all which was encompassed in by a large old dry mote ; and that if a good body of foot was posted on that piece of ground with four pieces of cannon, the town could not be stormed till they were dislodged." The same officer, it seems, had "formerly advised the fortifying the town of Perth with a complete rampart, with five bastions, curtains, ravelins, and a double counterscarp, and offered to have made it tenable in five weeks' time:" which project was not carried out. But his present advice appeared to meet with acceptance, and the Council separated.

Next day, however, when Argyll had actually begun his march, the general opinion of the Council fell into a chaotic state: "they agreed in nothing," says Sinclair, and "broke in upon all they had done before." The members had been up all night, and were observed hurrying to and fro between Scone and Perth. It was a miserable Sabbath. Confusion and discord prevailed universally. Most of the military men wanted to make a stand against Argyll; whereas Mar and certain of his friends were decidedly adverse to such a resolution, declaring that it would imperil the personal safety of the Chevalier. The warlike party, while not denying the probability of this danger, were willing that the Chevalier should retire to some place of security in the north, when they, scorning to "turn their backs like scoundrels and poltroons" (as they broadly expressed themselves), would take the field or defend the city. The point was so hotly disputed, that several of Mar's supporters were insulted and "ruffled on the open streets," being denounced as cowards, and as meditating the Chevalier's betrayal

under pretence of saving him. Sinclair relates that one of Mar's intimates stopped and tried to persuade some of the more violent spirits, and enquired, at last, "What would you have us to do?" A Highlander answered him—"Do? What did you call us to take arms for? To run away? What did the King come hither for? To see his people butchered by hangmen, without being allowed to strike a blow for their lives? Let us die like men, and not like dogs." "What can we do?" cried the other. "Let us have a Council of War," responded the soldier, "and let all the general officers speak their minds freely, the King being present. If it be then agreed that we shall not fight, we will submit." Nay, further, a bold partisan from the northern regions of Aberdeenshire bluntly proposed that "the loyal Clans should take the Chevalier into their own hands, and that if he were willing to die like a Prince, he should find there were ten thousand gentlemen in Scotland who were not afraid to die with him!" In fact, matters were on the brink of tumult and mutiny; but some of the more discreet Jacobites succeeded in calming down the angry passions by announcing that a Council would be immediately summoned, and that the Chevalier had pledged his word to be implicitly guided by the vote, whatever it should be. A pause ensued, like the boding lull between the bursts of a storm.

The Council was called. It met, at Scone, on Sunday evening. The Chevalier introduced the business with a few words, hoping that the decision would be unanimous, as he was prepared to abide by it, whether to fight or fly. Mar—"whom some called Earl and some called Duke"—then delivered an elaborate address, in which he passed the whole circumstances under review, and concluded by strongly suggesting that the forces should retreat from Perth to such other part of the country as would afford a better chance of success. He also communicated the written intelligence which he received that day concerning Argyll's motions. The effect of the speech was to rouse the

blood of the Highland officers, one of whom gave voice to his sentiments with the warmest energy. "I am ashamed," he said, "to repeat what I hear in the streets, and what the town is full of, namely, that we are met here to resolve to run away like cowards from an enemy whom we have once already seen in the field like men. I hope none here will doubt whether we dare see them there again or no. I am persuaded there is not a man in the troops I have the honour to be at the head of but had rather fight and be killed than turn his back and escape. I beseech your lordships to consider whither we shall retreat—I should have called it *flee*, for if we turn our backs on the banks of Tay, we shall turn our faces nowhere else. If we flee to the coast, have we ships to carry us to sea? If we turn to the hills, can we subsist? How much less terrible is death in the field than in a ditch?—and how much rather had all our people die with their swords in their hands than starve in the mountains? But what need we speak of it in such a melancholy tone? Let us enquire of the engineers and men of judgment whether our situation is such as that we ought not to dispute it, and that we shall be forced out, though our men do their duty. For my own part, I am not a professed engineer, yet I am of opinion, as our few cannon can be placed, and as some of our men can be posted, we may not only defend the town, but post the rest of our army so as the enemy shall not be able to attack the one or the other, without the greatest disadvantage possible and evident hazard of being ruined; and if they cannot attack us and storm us sword in hand, we know very well they cannot lie before the place; the severity of the weather will make it insufferable, and they will not pretend to it; so that, for my share, I do not see the least reason for retreating." The French Engineer was the next to rise. Shaking his head, he repeated his former opinion that a defence could only be maintained while the intense frost lasted; for the town could not hold out five days' open trenches; but he added that, if he got "as much leisure as possible,"

and "as many workmen pressed in from the country as could be had," he would endeavour to find the enemy "some difficulty before they should be able to attack the town itself." Others spoke, and the debate warmed. It was prolonged far into the night, and ultimately adjourned. After the adjournment, however, a private cabal met, when Mar renewed his reasons for retreat, and assuming a confidential air, "opened" to his associates "the whole mystery." Certain was he that France would furnish effective aid to the Chevalier's cause as soon as Germany was embroiled in war with Turkey, which would be shortly. Besides, the dissolution of the British Parliament, under the triennial system, was approaching, and at the new elections, the Jacobite party throughout the country would return a majority of the representatives. But, mainly, he whispered the startling secret—which was probably a sheer fabrication—that the Marquis of Huntly, the Earl of Seaforth, and some others, meditated delivering up the Chevalier to the enemy, for the sake of securing their own safety. The conclave listened, and affecting to believe everything that was said, gave unanimous assent to Mar's policy of retreat, and pledged themselves to support the same course in the Council next morning.

That morning—Monday, the 30th January—was a black anniversary, being that of the execution of Charles I. The adjourned Council of War sat again at Scone, and after full deliberation, passed a final decision to retreat, the route being by way of Dundee and thence northwards along the coast. It was held out that the troops might post themselves in some part of the north-east country, where, in free communication with the sea, they could defy Argyll's attack until they were joined by the rest of their friends and enabled to assume the offensive: otherwise, it was open for them to advance, by Aberdeen and Strathspey, into the heart of the Highlands, where, if Argyll pursued, and gradually reduced his strength by placing garrisons, he would be overwhelmed by superior numbers.

“These,” says Sinclair, “were the specious pretences of those who were in the secret, and by these arguments they seemed to prevail upon the judgments of the rest who were for fighting, whereas in truth the resolution in the secret Council was taken before not only to retreat from Perth, but to give over the whole enterprise, to make to the seaside, and there, as many of them as could get shipping, should make off, leaving the rest to shift for themselves as well as they could.” To facilitate matters, two messengers, a French gentleman and a clergyman, were privately despatched to Dundee, with instructions to order three vessels, which had brought some supplies from France, and were lying in the estuary of the Tay, to sail round to Montrose, and await at that port the Chevalier’s arrival. When the fiat of the Council was promulgated in Perth, it produced much dissatisfaction, which became intensified by fresh intelligence of Argyll’s progress. The Jacobite burghers were in a dreadful plight. “The clergy,” says Sinclair, “the inhabitants of the city of Perth, the Magistrates, the gentlemen in the country, the merchants, tradesmen, and the like, who, though they had not taken arms, had yet publicly discovered themselves, had received the Chevalier, had owned him, had assisted in proclaiming him, and perhaps signed addresses to him, or some way or other had distinguished themselves against those whose hands they were now to fall into. These were all in an inexpressible consternation, enquiring every moment what was resolved on at Scone, and visibly preparing to get out of the way, even before the army made any motion.” After dark, portions of the army made motions: 800 Highlanders slipped out of the town, and marched for Dunkeld; and others soon followed. About midnight, the Chevalier left Scone for the last time, and riding across the frozen Tay, entered Perth, and took up his quarters in the house of Mr Patrick Hay, the Jacobite Provost, where he supped.

By ten o’clock on Tuesday morning, 31st January,

the rebel army began to evacuate the "Fair City"—the divisions crossing the Tay, and marching down the Carse of Gowrie. The severe frost still prevailed, and there was no sign of the storm breaking. At noon, the Chevalier left the town, along with Mar. As the royal fugitive paced slowly over the river, he glanced askance at his Lieutenant-General, and said, with a sickly smile—"You see, my lord duke, how you have brought me on the ice!" But the wan smile instantly faded, like a wintry sunbeam, and bursting into tears, he exclaimed, in the accents of despair—"Instead of bringing me to a crown, you have brought me to my grave!" When these words were afterwards repeated to the illustrious Prince Eugene of Savoy, he remarked that "weeping was not the way to conquer kingdoms." At noon, we say, the Chevalier bade farewell to the ancient capital of Scotland, and shortly after midnight on the following morning, Argyll and his soldiers were at its western ports. The royal troops, on Tuesday, had forced the rebel garrison of Tullibardine, consisting of 50 men, to surrender the House, which the Duke intended to occupy as his quarters during the night; but receiving an express from Perth intimating the retreat of the rebels, he took instant action. He ordered a detachment of 1000 foot and 400 horse to push on to the town, no matter though the snow lay deep and the road could not be cleared. He and his subordinate, General Cadogan, placing themselves at the head of the 400 dragoons, urged their difficult way, and reached Perth about two o'clock in the morning of Wednesday, the 1st February. On entering the city, the soldiers surprised a jovial party of rebels, who had stayed behind, carousing over brandy, and were now too drunk to attempt escape. They were made prisoners. It was also found that Mar had abandoned a few iron cannon and wheeled gun-carriages. There was no other spoil: and, indeed, there were barely two or three days' provisions for the inhabitants within the walls. Hours passed before Argyll's infantry detachment appeared. It was composed of Breadalbane and

Argyleshire Highlanders. The Breadalbane men had been recently posted at Finlarig, under Colonel Alexander Campbell of Finab and Campbell of Lawers, to overawe the district, and prevent succours being sent to the rebel camp at Perth, but by new orders they had joined Argyll on his march from Dunblane. The thousand Highlanders were so fatigued with the journey from Tullibardine, that they did not arrive at their destination till ten o'clock on Wednesday forenoon. They entered Perth in three bodies, each with a piper in front blowing his best. The foremost piper played—"The Campbells are coming:" the second—"Wilt thou play me fair, Highland laddie?" and the third—"Stay and tak' the breeks with thee." The main body of the royal forces made their way to Perth during Wednesday, but the men were so utterly exhausted with the toilsome march and the benumbing cold, that had the insurgents turned suddenly back and attacked them, it is believed they would have easily cut them to pieces.

The Rebel forces straggled down the Carse of Gowrie to Dundee, and from Dundee they shaped their retreat along the coast to Montrose. This route gave occasion for suspicion on the part of the soldiers that the Chevalier meant to escape by sea; but the leaders emphatically denied any such design, and declared that "by this march we should harass the enemy's army, render them unfit for service, and have them cheap when we come by North Spey and the Braes of Mar where their horse would be useless." Suspicion rekindled, however, when Montrose was reached on Friday, the 3d February, and some French ships were seen riding at anchor off the port. Like other towns in that quarter, Montrose was Jacobitical; but the disasters which had befallen the cause rendered the Chevalier's welcome back to it not very enthusiastic; for the citizens, knowing themselves to be compromised, already beheld, in imagination, their dwellings sacked by Argyll's soldiery. It was designed that the Jacobite army should rest at Montrose for the night, which

could be done with all safety, as Argyll's army was two whole days' march behind. The Chevalier's lodging was in one of the most ancient houses in the town, being that in which the great Marquis of Montrose first opened his eyes to the light of day; and Mar occupied the house adjoining; while it was a significant circumstance that there was easy access from both tenements to the sea-shore by a back-lane. But suspicion re-awakening, as we have said, order was given that the army, instead of halting in Montrose that night, should march towards Aberdeen: and the better to deceive the men, the Chevalier's baggage was sent forward with the rest, and the horses for himself and his suite were brought out in readiness before his quarters; seeing which signs the soldiers took to the road very cheerfully.

The Chevalier had now finally parted with them. It was determined that he should leave Scotland; and to this step, it is said, he was compelled by his chief advisers, after he had testified his desire to share the fortunes of the campaign. Immediately on arriving in Montrose, he had set himself to despatch business absolutely necessary previous to his embarkation, and accordingly he drew up a statement of his reasons for abandoning the enterprise and the kingdom — a copy of which document being preserved among the papers of the Blairdrummond and Ardoch family, has been printed in the *Red Book of Grandtully*, from which we extract it as a very interesting memorial of the time:—

*Coppie of the King's Letter upon his Retreat from Scotland.*

I believe none of you can doubt of the constant and ardent desire I have long had of doing all that was in my power for making this nation a free and happie people. Ever since, and even before, the last Dunkirk expedition, my thoughts were fully bent that way, and my heart was here, though I could not come in person amongst you. A series of unlucky accidents and misfortunes constantly interven'd to retard my passage, and the hopes of a more universall rising oblig'd me, much contrary to my inclination, to defer it, in the prospect of attaining at last our end with more security and less hazard to my faithful servants. But I had no sooner an account of your being

in arms for mee, but I laid aside all other motives and considerations, and came immediately to join you, to share in person with you the dangers and toil of so glorious an undertaking, full of hopes that wee might both soon reap the fruits of our labours, and that our friends, both at home and abroad, would concurr with us, without which hopes I should never have consented to your taking up arms, much less have encouraged you to it.

The dismall prospect I found here att my arrival did not discourage me. The same motives that brought me here made me neglect nothing when come for your delivery, and to stick to the last extremity by them who were so unanimously engag'd in my cause.

Since that time affairs have growen dayly worse and worse; many friends at home were slow of declaring. The defeat at Preston, and the securing many noblemen and gentlemen, depriv'd us of all succour from the south, and att the time wee wanted so much necessaries from abroad for maintaining ourselves here, the delay of them, and the vast inequality betwixt us and the enemy, made our retreat from Perth unavoidable, as all men must see who know our circumstances, and that to have stood it then would have only served to sacrifice you all, without any possibility of success. But however necessary that retreat was, it putts our affairs here in a most desperate condition. By abandoning all the south, we shall be block'd up in a corner of the country, without money, may be bread, and without any more hopes of succour from abroad, by our loosing almost all the sea-ports, join'd with the enemies' cruisers, who, having but a small coast to guard, could easily hinder any succour coming to us. I could not behold the extremity wee were reduc'd to without the last grief and concern, less on my own account than yours. Your safety and welfare was, I may say with truth, my only view, and towards the providing for that, all my thoughts were bent, and I resolv'd not to lett your courage and zeal carry you so far as to serve for your own entire ruine at last, without doing any good to me or yourselves: And whereas I considered that there were no hopes att present of retrieving our affairs, the whole business was to secureing your lives in such a manner as to be yet again in condition in appearing in a more favourable occasion. And as I look'd upon my remaining amongst you not only as useless, but as even destructive to you (convinc'd as I am that you would never abandon mee), and that therefor my stay could only serve to involve you in greater difficulties, I took the party to repass the seas, that by that I might leave such as cannot make their escape (towards which nothing on my side has been neglected) in fully liberty to take the properest measures for avoiding att least utter ruine, for which end I have given power to \_\_\_\_\_ in the meantime, to command the army till dispersed, to act, and in all things to contribute as much as in him lyes to your common safety.

It was nothing less than positive command could prevail on the Duke of Marr to accompany me on this occasion, but though his desires to remain and share with you in all your misfortunes were most vehement, and worthy of that character he has deservedly gott amongst you, yet I could not hearken to his repeated instances, his probity and experience making his presence absolutely necessary with mee. As for my own particular, a cruel necessity, 'tis true, obliges mee att this time to leave you, but with the view not only of your own welfare, but of obtaining such succours as may effectually relieve you, full of hopes that the justice of a cause which has been so generously supported by you will not forever be abandoned by that Divine Providence which hath hitherto never abandon'd mee, and that soon a more happy juncture may happen for our mutuall delivery. Towards it all my thoughts and application shall be turn'd. I shall be allwise equally ready to sacrifice both my pains and even my life, as long as it lasts. I shall ever pursue, with the utmost vigour, my just designs, and to the last moment of it retain that sence of gratitude, affection, and fatherly tenderness towards you, which you so justly deserve from me; for I can say, with great truth, that your misfortunes weigh more heavy upon me than my own; that I desire happiness only to make you share of it with me.

Scrutinize this production as we may—and we have quoted it *in extenso* for that very end—can the faintest trace be discovered of that friendly *compulsion* under which, it is asserted, the Chevalier acted in his flight?\*

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\* *True Account of the Proceedings at Perth*; Rae's *History of the Rebellion*; *Wodrow Correspondence*, vol. ii., p. 146; *Red Book of Grandtully*, vol. ii., p. 425; &c.

“MAR'S YEAR” IN PERTH.—Part 9th.

She look'd at a boat with the breezes that swung  
Away on the wave, like a bird of the main ;  
And aye as it lessen'd, she sigh'd and she sung,  
“Fareweel to the lad I shall ne'er see again !  
Fareweel to my hero, the gallant and young !  
Fareweel to the lad I shall ne'er see again !”

*James Hogg.*

THE Chevalier had made a selection of the persons who were to accompany him on his return to France. Mar, the first named, demurred to leaving Scotland ; but his objections were overruled. His companions were the Earl of Melfort, Lord James Drummond, Lieutenant-General Sheldon, and ten other gentlemen—a slender gleaner from among the numerous chiefs of the party. To General Gordon was assigned the command of what remained of the forces, with full authority to conclude terms, if possible, with the enemy. The Chevalier's last duty was one which spoke the native benevolence of his heart. Remembering what misery and suffering had been heaped upon the poor inhabitants of the burned villages of Strathearn, he endeavoured, as far as lay in his power, to alleviate their wants. Not much money was in his possession ; but what he had, after deducting something for his own expenses, he handed to General Gordon, with directions to pay his soldiers finally when they reached Aberdeen, and to get the balance conveyed to the Duke of Argyll, along with a letter, addressed to his Grace, of which the following was the principal portion :—

Among the manifold mortifications I have had in this unfortunate expedition, that of being forced to burn several villages, &c., as the only expedient left me for the public security, was not the smallest. It was indeed forced upon me by the violence with which my rebellious subjects acted against me, and what they, as the first authors of it, must be answerable for, not I : however, as I cannot think of leaving this country without making some provision to repair that loss, I have, therefore con-

signed to the Magistrates of \_\_\_\_\_, the sum of £ \_\_\_\_\_, desiring and requiring of you, if not as an obedient subject, at least as a lover of your country, to take care that it be employed to the designed use, that I may at least have the satisfaction of having been the destruction and ruin of none, at a time when I came to free all.

The written instructions to General Gordon were in these terms :—

General Gordon is hereby empowered, as soon as he has no other further occasion for the money left in his hands for the subsistence of the troops, to forward, if he thinks fit, the enclosed letter to the Duke of Argil, and to fill up the blanks of my letter with the name of the town where he shall leave the money, and the sum he shall leave.

JAMES R.

About nine o'clock in the evening of the 4th February, James and the Earl of Mar slipped down privately to the shore by the back lane from their lodgings, and taking a boat, embarked on board the French ship, *Maria Theresa* of St Malo. The others followed in two boats. The vessel set sail; and when morning broke, the coast of Scotland had disappeared. The voyage to France was safely made in five days, and the fugitives went ashore at Waldam near Gravelines.

Conducted by General Gordon, the Jacobite army marched to Aberdeen, where the commander, throwing off all disguise, disclosed the actual state of matters, and read aloud a letter in which the Chevalier stated that "the disappointments he had met with, especially from abroad, had obliged him to leave the country; that he thanked them for their services, and desired them to advise with General Gordon, and consult their own security, either by keeping in a body or separating; and encouraging them to expect to hear from him in a very short time." The General also announced that the men would henceforth receive no more pay. Their hopes being thus altogether quenched, indignation seized some of the weary, storm-beaten troops, while others were overwhelmed with dismay. All exclaimed against the ignoble fate to which they were consigned. Part immediately dispersed. About 1000 kept together, betaking themselves to the Aberdeenshire hills and wilds; but the rapid progress of Argyll

gave them no chance to recruit and rally. The Duke, having allowed his troops a day's rest at Perth, and appointed Colonel Readings to command the garrison there, set forth on the 2d February in pursuit of the rebels. The Argyleshire Highlanders, led by Finab, marched in advance, and plundered the country at their will. Their rapacious conduct has been fully proved. Colonel John Hope, in a letter to the Duke of Montrose, described these auxiliaries as "plundering heartily;" and Argyll's subordinate, General Cadogan, wrote to the Duke of Marlborough that the Highlanders "go before the army a day's march to take possession of the towns the enemy have abandoned, and to plunder and destroy the country, which enrages our soldiers, who are forbid under pain of death to take the value of a farthing, though out of the rebels' houses." But throughout Argyll's progress he never received either the Chevalier's letter or the balance of money left for the relief of the Stratbearn villagers; and what became of the sum is unknown. There was no more fighting. The insurgent clans retired within their own mountainous districts, whither generally the Royal troops did not follow: the principal gentlemen escaped to the continent: the last embers of the civil war died out: a general amnesty was passed by Government in favour of "the common people who had been in the rebellion," provided they delivered up their arms: and so speedy was the pacification that "a few months saw Scotland in almost the same condition as that in which it had been before the insurrection." When all was over, Argyll obtained his reward in the gross ingratitude of the Government, who accused him of having secretly favoured the Jacobite interest throughout the contest which he had brought to a successful termination!

But some of the Jacobite leaders and more of their followers expiated their treason by suffering the last penalties of the law on the other side of the Border. The clang of the headsman's axe was heard on Towerhill. Seven of the Rebel noblemen, namely, the Earls

of Derwentwater, Nithisdale, Wintoun, and Carnwath; Viscount Kenmure; and Lords Widdrington and Nairn, were impeached in January, 1716. It will be observed that five were Scottish Peers—one of them a Perthshire Lord. On the 9th February, they all received sentence of death as traitors. Only three of them, however, were selected for the scaffold—Derwentwater, Nithisdale, and Kenmure; but Nithisdale escaped from the Tower on the night preceding his intended execution, through the instrumentality of his Countess, who braved everything to save his life, and was happily successful. His two companions were brought to the block next day. The Earl of Wintoun subsequently made his escape, and the others were reprieved. Mr Forster and the brave Brigadier Macintosh of Borlum, who surrendered at Preston, broke their confinement at different times—the latter in company with 15 fellow-prisoners: and every one got clear off, notwithstanding high rewards offered for their re-capture. Lord Charles Murray, a younger son of the Duke of Athole, was one of six officers who were taken at Preston, and condemned by Court-martial to be shot; but he was reprieved, and subsequently found means to escape. Only two of the nobles belonging to Perthshire who were concerned in the Rebellion, were attainted:—

1. *James, Lord Drummond*, who was attainted by Act of Parliament; but the estate was saved by a Disposition thereof which he had executed on 28th August, 1713, in favour of his son, which was sustained by the Court of Session, in 1719, and on appeal was confirmed by the House of Lords, in 1720.

2. *William Murray, Lord Nairn*, was condemned to be executed on Tower-hill, in February, 1716, but was respited and afterwards pardoned. An Act of Parliament was passed in 1716, to make provision for Margaret Lady Nairn and her children out of her paternal estate, forfeited during the life of her husband. The Master of Nairn was also forfeited.

*Lord Rollo* surrendered and made his peace with

Government. *Viscount Strathallan* was taken prisoner at Sheriffmuir; but no proceedings were raised against him. He appeared in the Rebellion of 1745. Neither was the *Earl of Breadalbane* proceeded against.

Of the Jacobite gentry of Perthshire several were visited with the lash of the law. But our limits forbid reference to more than one or two cases.

*Sir David Threipland* of Fingask, and about 160 gentlemen, after hiding in the north of Scotland, found shipping to France. The Fingask lands were forfeited; and subsequently *Sir David* lived for some time as a tenant on his own estate. In 1782, however, Fingask was purchased back by his son, *Sir Stewart*, regarding whose baptism, in 1716, a characteristic anecdote has been recorded by one of his family:—

When the troops of the Government had possession of Fingask, in 1716, and some of the soldiers were quartered in the house, the good lady became alarmingly ill: and in the midst of much anxiety and care—her husband and sons at a distance, uncertain of their fate, and the cause in which they were embarked giving way on every side—my father was born. It was thought that, under the distressing circumstances of her situation, she could not survive, and a clergyman of the Episcopal Church in Perth was sent for privately, the clergy of that persuasion being marked men at that period, as known adherents of the Jacobite cause. He, having administered the Sacrament, proposed, as so favourable an opportunity might not occur again, to baptise the child. This suggestion, communicated in a whisper to the nurse and others who were in attendance, was at once assented to by them; but the difficulty consisted in knowing by what name the infant should be called, his father having left no directions, and his poor mother being thought much too weak to be consulted on the subject. The good lady, however, had heard a little of what was passing near her bed, and, drawing back the curtain, she called in a faint voice, “*Stewart! Stewart!*” This was enough, and by that name accordingly was my father christened before the clergyman left the house.

*Sir John Stewart* of Grandtully was taken roundly to task for countenancing the Chevalier, although unable, by age and frailty, to bear arms in his cause. By “entertaining and harbouring the Pretender,” in Dundee, says Mr Fraser in the *Red Book of Grandtully*, *Sir John* “rendered himself obnoxious to the Govern-

ment, and he was fined in the sum of £10,000. The estate of his cousin, John Stewart of Innernytie, who headed the Grandtully men at Sheriffmuir, was declared to be forfeited. There is a tradition that after the suppression of the rebellion of 1715, the Laird of Grandtully, to escape falling into the hands of the Government, concealed himself in the Old House of Murthly. To arrest him, a troop of horse, it is said, was quartered in the two outer courts of the House, but he was never apprehended." The Laird died, in February, 1720, in his Dundee mansion, in which he had received the Pretender five years before.

As previously mentioned, many of the parish ministers within the wide area of country dominated over by the Rebels, endured various hardships by their resolute refusal to obey the Earl of Mar's mandates. Not a few Perthshire ministers were among the sufferers, being obliged to abandon their charges. The Kirk-Session of Scone saw fit to record, on 5th February, 1716, that the Rebels had "banished many of the ministers of this corner from their flocks." In one instance, at least, the Highlanders behaved themselves scandalously at a Perthshire Parish Kirk; which example of "their irreligion as well as barbarity" is fully detailed by a contemporary in the *Wodrow Correspondence*:—

On a Sabbath day, marching from Perth towards Dunfermline or Inverkeithing, as they marched by the kirk of Arngask, where Mr James Gillespie is minister, and was preaching at the time, [he] proceeded in preaching till the Highlanders were within less than a short quarter of a mile of the kirk, not thinking they would come off the way, the kirk being about two bow draughts at most out of the road, and so they kept themselves close in the kirk till they saw a detachment sent off to the kirk, and then the honest people began to break off; but the Highlanders met them (the body of them halting with their commanders and looking on, and feeding their eyes with the godless and profane sport the whole time), and robbed them of plaids, Bibles, shoes, and money; yea, came to the kirk before the half got out, and took their clothes off, and their Bibles from them in the very kirk; yea, one of their commanders rode about the kirk, crying to the people to stand, and a person asking him what he wanted. "Shoes to his men." He was asked why he

was so rude. He swore dreadful oaths he should have shoes to his men; "for," said he "I see many good shoes here, and my men are going bare-foot." Let none take this as a misreport, for it is true matter of fact, and to confirm the truth of it, my wife's cousin-german, Janet Balfour, when she saw them going to lay hands on her husband, William Scot, tenant in Fordel, to take his shoes, fearing they had wronged her husband, he being valetudinary and indisposed at the time, prayed them to hold their hands off her husband, and they should get his shoes, which she loosed with her own hands, and threw them at them. The minister escaped with a bonnet on his head, among some others. Judge what Highland discretion this was!

But, on the other hand, it appears that two or three of the parish clergymen of Perthshire were zealous partisans of the Jacobite cause, and consequently incurred deposition.

1. *Mr Duncan Stewart*, A.M., minister of Blair-Athole, was stated, on 21st February, 1716, as having "intruded into the Kirks of Blair-Athole and Struan, these many years byegone; never having prayed for King George, but only in general terms for the sovereign; having read the proclamation for the thanksgiving for the Pretender's safe arrival on the 22d January last; having also a great hand in influencing the people to rebellion; and read all the proclamations emitted by the Earl of Mar." Another minister was presented in 1717; and Mr Stewart, retiring into private life, became afterwards known as author of *A Short Historical and Genealogical Account of the Royal Family of Scotland, and of the Surname of Stewart*, which was published at Edinburgh in 1739.

2. *Mr Alexander Robertson*, A.M., minister of Fortingal, was deposed, on the 26th October, 1716, for "reading traitorous papers issued by the Rebels," &c.

3. *Mr John Peirson*, A.M., minister of Kirkmichael, was deposed, on 4th June, 1717, for having "influenced his people to rebellion, pressed them to take arms against the reigning family, and mounted his horse himself with that view."

In some parts of the north country, schoolmasters and precentors were pretty generally charged with

“compliances” during the Rebellion, and rendered amenable accordingly.

Let us now return to the town of Perth, which had been so long the headquarters of Mar, and the focus of the insurrection. There is no record that any of the Jacobite citizens met with serious punishment for disloyalty to King George, they having probably come under the Government amnesty. As to the Jacobite Magistrates, it is to be supposed that they fled until the storm should blow over. On the 10th April, 1716, in terms of a warrant from the Privy Council, a new election of Magistrates took place,—those who had been in office in September, 1715, being chosen, with two exceptions:—

William Austin, <i>Lord-Provost.</i>	
James Chapman, <i>Dean of Guild.</i>	
William Fergusson,	} <i>Bailies.</i>
Thomas Scott,	
Francis Colvil,	
Patrick Reoch, shoemaker,	
Patrick Crie, <i>Treasurer.</i>	

On the 23rd of the same month, the Town Council ordained that the persons who had obtained tacks of the Town's Mills during the Rebellion—“pretended tacksmen,” as they were styled—should pay £1000 Scots. The Council, on 7th May, agreed to a congratulatory address to the King on the suppression of the Rebellion: and, their fulsome loyalty rising to fever heat, they, on the 21st May, passed an “Act for punishing the inhabitants connected in the late Rebellion, by prosecuting them to the extent of depriving them of their Freedom”—the utmost stretch of paltry civic power. On the 25th June, the Council ordered the filling up of “the ditches [trenches] made by the Rebels about the town last winter, as far as on the Town's property”: and a minute in the Council Book, of date 23rd July, states that 34 guineas, which had been collected by Andrew Malcomie, schoolmaster of Scone, during the Rebellion, had been paid to the Treasurer, for the Town's use, ay and till the Town was reimbursed of advances to the Duke of Athole's

men, and the price of gun-stones, &c., sent up to Blair-Athole.

It cannot be denied that the Fair City benefited very considerably from its occupation by the Earl of Mar. The rebels circulated a large amount of money in the town: and, on their retreat, they were guilty of no plundering—although the Ettrick Shepherd relates an anecdote about a Highland gentleman who, on the eve of the army's departure, ordered his servant to pack up all his property. The servant having done so—“Now, Donald,” said the master, “are you sure you have put up all my own things?” “*At least*, your honour,” replied Donald. But the inuendo conveyed in the response is unsupported by any tangible evidence. Pennant attributes “the flourishing state of Perth” partly to “the long continuance of the Earl of Mar's army here in 1715, which occasioned vast sums of money being spent in the place.” Heron, the historian, concurs, stating that the “great quantity of money expended here, upon that occasion, as well by that army as by the concourse of people whom their residence attracted hither,” had “enriched” the town. Not many months after the flight of the Chevalier and his troops, an impetus seems to have been given to the local manufactures. On the 21st August, 1716, the Council agreed to let the *Town's Lodging* to Provost Austin, for the purposes of a linen manufactory, at the rent of £8 sterling—“he having the glass windows in habitable condition, and paying the Light money.” This *Town's Lodging* was the historic *Gowrie House*, which the Council had formerly been in the habit of letting as a town-mansion to Perthshire families of distinction. The Council-books shew that on 5th May, 1701, “the roof of the Lodging, presently possessed by my Lord Glenurchy,” was ordered “to be repaired.” Lord Strathallan was the next tenant that year: he supplied the Council with “as many skailie slate as may thyke the *new Kirk*” (or, West Church): and on 29th December, 1701, the Treasurer was ordered to settle with his lordship “for his rent of the Town's

Lodging, and skailie slate received from him." In 1713, Lady Lovat was the occupant: on 4th May, the Council directed "a coach-house to be built for Lady Lovat, possessor of Town's Lodging." How long Provost Austin held his linen manufactory in this celebrated edifice we have not ascertained. But, on 3d December, 1722, an application from Government came to the Council, offering "to purchase the Town's Lodging for barracks;" and, on the 10th, an Act of Council was passed "agreeing to sell same." The House was carefully valued; and on 15th April, 1723, the Council offered the Town's Lodging at £1000, viz., houses £800, and yard £200. No bargain, however, was concluded—the Government probably thinking the price sought too high: and Gowrie House seems to have remained in the town's hands till 13th February, 1746, when it was presented in free gift to the Duke of Cumberland.

The Jacobite party were not long cast down by the disastrous issue of their struggle for the British crown. Mar, in his exile, as chief adviser of the Chevalier, soon turned his eyes towards the heroic Charles XII. of Sweden, who, as well as his old enemy, the Czar of Muscovy, Peter the Great, had become exasperated by the foreign policy of England, and were willing to retaliate. As a famine was then raging in Sweden, the wily Mar proposed to bribe Charles to invade Scotland or England, in the Chevalier's interest, by the present of 5,000 or 6,000 bolls of oatmeal: and when it was found impossible to collect and transport such a large quantity of victual, the tempter suggested an equivalent in money—to which Lord Eglinton offered to subscribe 3,000 guineas. Charles lent a willing ear; the Czar was not unfriendly to the project: and the Jacobites at home, easily elated, sang hopefully over their cups—

Here's a health to the valiant Swede,  
He's not a king that man hath made;  
May no oppressor him invade:  
Then let his health go round.

Here's a health to the mysterious Czar;  
I hope he'll send us help from far,  
To end the work begun by Mar:  
Then let his health go round.

But, the plot being discovered by the British Government, the Swedish ambassador in London was arrested, and his papers were seized and examined : so Charles abandoned his design. Mar, however, set to work in other quarters, and in 1717 had concocted another plan of insurrection in Wales and Scotland, concerning which he thus wrote, from Innspruck, on 7th April that year, to Lewis Price of Gogerthan :—

By permission of the King, who arrived incognito on the 3rd, I am ordered to acquaint you and other loyal men that (pursuant to the full result of our retinue in Council assembled) the last push for a happy restoration to Old England is to commence at or about 30th of Oct. next. . . . The advice is to be conveyed by a bark bound to England, who is to resign his charge to a conscientious persecuted clergyman, who is to dispense his Majesty's pleasure to all honest bonny lads in the Principality of Wales. . . . The expedition is to be regulated by our march from Millford to the west under command of Lord Ormond at the same juncture, as I have to bear the like station in North Britain as last year.

But this opportunity, anticipated with so much confidence, was likewise denied to the "honest bonny lads": and Jacobite machinations were next directed to the Court of Spain. Cardinal Alberoni heartily adopted the Chevalier's cause, and fitted out a fleet of ten ships of the line and frigates, with 6000 troops and 12,000 stand of arms on board; while the Earl Marischal sailed from San Sebastian with two Spanish frigates carrying 300 soldiers, arms, and money. The elements fought once more against Spain. A great storm scattered and disabled the fleet. Only Marischal's ships reached the north-west coast of Scotland, where the handful of troops disembarked; but few of the Highlanders rose to support them; and the invaders were defeated in a skirmish at Glenshiel. Alberoni's expedition had ingloriously failed!

From about this time Mar declined in favour at the Jacobite Court. Secret enemies persistently decried him, and waxing bolder, from the acceptance of their slander, accused him of systematic treachery to the cause. He had a violent and irreconcilable quarrel, too, with his brother-in-law, Colonel John Hay, how

had now been created Earl of Inverness. Every man's tongue was turned against the hero of Sheriffmuir. He retired from the Chevalier's service, and spent years in obscurity, occasionally employing his leisure in devising schemes for the material prosperity of his native country, one being a plan for the building of a new town of Edinburgh, which was afterwards realized. He died at Aix-la-Chapelle in the month of May, 1732. With his death our narrative naturally closes; and remembering the good old adage—*De mortuis nil nisi bonum*, we conclude by adding the generous Epitaph composed by the poet-chieftain of Strowan on the leader under whom he fought in the rising of 1715 :—

*EPITAPH ON THE EARL OF MAR.*

Here Loyalty supine with Valour lies,  
 And much 'tis fear'd, will never, never rise,  
 Since the great Mar has clos'd his wakeful eyes :  
 With him alive they rested and they toil'd,  
 Advanc'd with Prudence, or with Art recoil'd.  
 Alas ! that Love of Friends, or Hate of Foes,  
 No more can rouse them from their dull Repose.  
 Tho' Envy strives, at her inglorious rate,  
 To soil the Virtuous and debase the Great,  
 Mar's Worth shall endless, in those grateful Lays,  
 Shine thro' the longest stretch of future Days.  
 Farewell, who couldst our Doubts and Fears expell,  
 Thou great in Faith and Fortitude, farewell !\*

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\* Browne's *History of Scotland*, vol. ii.; Struthers' *History of Scotland*, vol. i., pp. 407, 409; Rae's *History of the Rebellion; Third Report of the Royal Commissioners on Historical Manuscripts*, p. 377; Chambers's *History of the Rebellions: 1689—1715*, p. 316; *Red Book of Grandtully*, vol. i. introduction, p. 149; *The Correspondence of the Rev. Robert Wodrow*, vol. ii., pp. 121, 133, 143; Rev. Dr Hew Scott's *Fasti Ecclesie Scoticanæ*, vol. ii., pp. 793, 803, 820; Hogg's *Jacobite Relics of Scotland*, second series, notes, p. 259; Perth Town Council Minutes; Pennant's *Tour in Scotland: 1769*, vol. i., p. 89; Heron's *Observations made in a Journey through the Western Counties of Scotland*, vol. i., p. 74; *Second Report of the R. C. on Historical MSS.*, p. 106; *Poems on Various Subjects and Occasions*, by the Honourable Alexander Robertson of Struan, Esq., p. 10.

*THE SENESCHAL OF STRATHEARN.*

But say on—  
What has occurred, some rash and sudden broil?  
A cup too much, a scuffle, and a stab?  
————— You have not  
Raised a rash hand against one of our order?  
If so, withdraw and fly.

*Marino Faliero.*

THE history of the Earldom of Strathearn, which became the only County Palatinate in Scotland, stretches far back, seemingly into the age of the fabulous. The first known line of potentates holding this noble domain were of Celtic race, and clung to Celtic habits and usages in the face of Saxon and Norman innovations. The territory over which they bore sway was of great extent—though perhaps scarcely so great as Scotstarvet described it, “the hail lands lying betwixt Cross Macduff at Newburgh, and the west end of Balquhiddy, in length; the Ochill hills and the hills called Montes Grampii, in breadth.” Gilbert, the third Earl, was the founder of the Abbey of Inchaffray, in 1198. He and his Countess Maude declared in their Charter that “so much do we love” the spot, “that we have chosen a place of sepulture in it for us and our successors, and have already buried there our eldest born.” The endowment was bountiful; and five parish churches (those of St Kattanus of Abbyruthven, St Ethirnanus of Madderty, St Patrick of Strogeth, St Mechesseok of Ochterardouer, and St Beanus of Kynkell) were included in the grant. To Earl Gilbert has also been attributed—though on slender grounds—the foundation of the Bishopric of Dunblane, — his demise being thus recorded in a Chronicle probably written in that see: “Gilbertus fundator canonicorum Insule Missarum et episcopatus Dunblanensis obiit Anno Domini 1223.” Some of his successors were generous benefactors of Inchaffray. One of them, Earl Malise, in 1258, pre-

sented the Abbey with certain of his slaves (*nativi* was their legal designation)—namely, Gilmory Gillendes, and John Starnes, the son of Thomas and grandson of Thore, with his whole property and children. For absolute serfdom was then a Scottish institution, comprising part of the labouring class, who were bought and sold with the land to which they were attached; and gifts of the *nativi* by their masters to the religious establishments of those times occur frequently in the records; but the Church must be credited with having gradually pursued a system of manumission.

The last four Earls of the Celtic house of Strathearn all bore the name of Malise, and their history is much confused, apparently defying thorough disentanglement. According to the recent researches of Dr W. F. Skene, the dignity of the third Earl was considerably enhanced by his acquisition, through marriage, of an additional Earldom—that of Caithness and Orkney. The Caithness Earldom was possessed for many generations by the Norwegian Earls of Orkney, who held the islands under the Kings of Norway, by the Norwegian custom, and Caithness under the Kings of Scotland, its tenure being in conformity with Scottish law. Previous to 1231, when Earl John, the last of these nobles, died, the southern half of Caithness, now called Sutherland, had gone to the family of De Moravia: and Earl John was succeeded by Magnus, a son of the Earl of Angus, who evidently deriving his right through a Norwegian mother, became Earl of Orkney and Caithness, obtaining only the other half of Caithness. The line of Magnus continued for a century, and ended in a female heiress, Maria, widow of Hugh de Abernetheyn who contracted second nuptials with the third Malise, Earl of Strathearn, and he consequently assumed the title of Caithness and Orkney. The fourth Malise—the last of the Celtic Earls—was attainted and forfeited; but before this misfortune, the Earldom of Caithness had passed by marriage to the Earl of Ross, and the Earldom of Orkney, also by marriage, to Sir William Sinclair of Roslin.

In 1343, the Strathearn Earldom was conferred by David II. upon Maurice, eldest son of Sir John de Moravia or Moray of Drumsergard, and Mary, daughter of that third Malise who obtained the Caithness and Orkney Earldom. Sir John's bride brought him various lands, including those of Abercairny; and he was the progenitor, through his second son, Alexander, of the Abercairny Morays. Earl Maurice accompanied his sovereign in the invasion of England, and fell at Durham, where King David was taken prisoner. Maurice left no children. On David's return from his English captivity, he granted the Earldom of Strathearn to Robert, High Steward of Scotland: and when the Steward ascended the throne, in 1371, as Robert II., he bestowed said Earldom, and also, in the same year, that of Caithness, upon his eldest son, David, by the second marriage. At this time, as would appear, the Strathearn Earldom was constituted a Palatinate—the only one, as already mentioned, that ever existed in Scotland. David died, leaving an only daughter, Euphemia. She resigned Caithness to her uncle, Walter Stewart, Lord of Brechin, and afterwards wedded Sir Patrick Graham of Kincardine and Dundaff, who, in her assumed right, took the title of Earl of Strathearn, although the grant by King Robert expressly restricted the descent to heirs male of his son, David.

The heritable jurisdiction, or power to judge in civil and criminal causes, pertaining to the Strathearn Earldom, was delegated by the Earls to a deputy, who was called the Seneschal or Steward of Strathearn, which office became hereditary in the family of the first Seneschal, Malise, younger brother of Earl Gilbert, who founded Inchaffray. The Seneschal's Court was held at what was known as the *Stayt, Schat, or Skeat of Crieff*—an artificial hillock, or sepulchral mound, extending to about twelve yards in diameter, in the middle of a field on the lands of Broich, near the town. The *Skeat* remained entire, distinguished by a couple of flourishing larches, till about eighteen years ago, when

it was levelled and ploughed over, and on its site being excavated, two cists were found, one of which contained human remains and a cinerary urn. The Court was shorn of its *civil* jurisdiction in the reign of James IV., but continued to be held for the trial of criminal causes down to the abolition of the Heritable Jurisdictions in 1748. It had its usual Officers, including a headsman or hangman, whose annual salary, in 1741, amounted to £27 9s Scots, payable in meal and money. Malise, the first Seneschal, was followed in succession by his son, Gillineff; his grandson, Malise; and his great-grandson, Henry. This Henry had an only daughter, who was married to Sir Maurice Drummond, first knight of Concraig (the ancient name of the rock on which Drummond Castle is built), who obtained with her the lands and offices of her father. The Seneschalship descended to their son, Maurice, who, in 1362, received from Robert, the High Steward, Earl of Strathearn, a Charter of the lands of Dalkelrach and Sherymare, with the Coronership of the whole County, and the keeping of the north catkend of Ouchtermuthil, with escheats and other privileges thereto belonging; in 1372, he had a Charter of the lands of Carnbaddie; and, afterwards, he obtained the superiority of the lands of Inner Ramsay, Pethie, and Newlands, in the shire of Marr. Maurice's eldest son, Sir John Drummond of Concraig, became third Seneschal of Strathearn of the Drummond branch; and a fatal feud in which he had the misfortune to be involved becomes now the subject of our narrative. He was twice married: first, to the daughter of Ross, Laird of Craigie, near Perth, by whom he had four sons: and second to Maude de Graham, sister to that Sir Patrick Graham, who by presumed right of his wife, Euphemia, the heiress of David, son of Robert II., made himself Earl of Strathearn. But eventually a quarrel broke out betwixt the two brothers-in-law, converting them into bitter foes.

Sir Alexander Moray, younger brother of Maurice, Earl of Strathearn, on whose death, at the Battle of

Durham, the Earldom reverted to the Crown for lack of a direct heir, married the lady Johanna or Janet de Monymuske, sister of the Scottish Queen, Euphemia Ross. The match was an ill-assorted and unhappy one; and within three years of its celebration, the lady abandoned the society of her husband. He attempted to force her back, and with that object entered into a singular paction. In the Parish Church of Perth, on the 20th April, 1378, it was covenanted between Sir Alexander Moray and Hugh de Ross, baron of Balyn-dolch (apparently the absconding lady's brother), that the latter should cause to be brought within the diocese of Dunblane the Lady Johanna, the wife of the said Alexander, before the ensuing feast of St John the Baptist, and should cause the said Alexander to be certified of her being there by a warning of seven days, for which he should pay to the said Hugh seven marks before-hand, with other seven on such warning being made, and to be paid on the completion of the deforcement (the forcible bringing of the lady within the diocese) : and if the said Hugh should fail to bring the said Johanna within the said diocese, he should restore the seven marks prepaid to him; and the said Hugh promised to further by his aid and counsel, and in no way retard, the deforcement. Such was the bargain. Whether the stipulated "deforcement" took effect or not is uncertain : perhaps it succeeded; for there is a subsequent document, in the form of a discharge by Hugh Ross of a sum of £17 6s 8d sterling received by him from Alexander of Moray, in which the said Alexander was indebted by reason of an agreement made between him and Lady Johanna of Monymusk, in the Parish Church of Fowlis, on 2d June, 1387. Ultimately, in 1398, the lady executed a Will, by which she constituted her husband to be her executor, and bequeathed to him and their children her whole estate, excluding her brothers, sisters, cousins, male and female, and whole kindred from the disposition of her goods.

Unfortunately, in the year 1391, Sir Alexander Moray

chanced to slay a person named William of Spaldyne, for which misdeed he was cited to appear in the Court of the King's Justiciar, to be held at Fowlis by the Justiciar's deputes, Sir John Drummond, the Seneschal, and Maurice of Drummond. The Court sat down, on the 7th December 1391, when Moray appeared, and by his forspeakers or counsel, Sir Bernard de Hawden and John of Logie, declined the jurisdiction, because he had once before been indicted for this slaughter, and had been repledged to the law of Clan Macduff by Robert, Earl of Fife, and was not bound to answer therefor before any other Judge, until the law to which he had thus been repledged had enjoyed its privilege : and he therefore craved to be acquitted from the present indictment and from all further pursuit thereanent. This declinature was founded on the privilege said to have been granted to the famous Thane of Fife by Malcolm Canmore, after the downfall of Macbeth, that he could repledge from other Courts all persons of his own clan and territory—or, as other accounts state, all persons within "the ninth degree of kin and bluid" to him. How did the Fowlis Judges deal with Moray's plea? It did not satisfy them ; but they pronounced no rash decision. The case was continued for the consideration of the Chief Justiciar, the Lord of Brechin. It came before him, and he gave his deliverance that the Law of Clan Macduff did not cover Sir Alexander, and therefore that he should abide trial at Fowlis. Moray obeyed, though doubtless unwillingly; and the Court found him guilty, but did not punish him "with such severities and rigour of law as might have been shewn" that is to say, in common parlance, he was let cheaply off. Notwithstanding, however, of the lenient sentence, he conceived that he was wronged, a burning hatred to the Seneschal arose in his breast, and he straightway devoted himself to the bringing about of revenge. As soon as Sir John's brother-in-law came to be Earl Palatine of Strathearn, Moray and his kindred began to importune him to divest Drummond of the Seneschalship. The Earl heard their insinuations and complaints,

and at length, pressed by their persistence, endeavoured to persuade Sir John, for the sake of peace and good neighbourhood, to resign his office ; but Sir John held fast by his rights. The brothers-in-law had high words on the matter, and parted with angry recriminations. By the efforts of their friends, a seeming reconciliation was effected, in solemn token of which the Earl and the Seneschal went to the altar and partook together of the Holy Sacrament, thus appealing to heaven that they were sincere in their bond of peace. But the hallowed rite had no permanent efficacy in preventing a recurrence of the quarrel. Moray renewed his sinister representations, and, the better to promote his object, enlisted the influence of his wife, who was the grand-aunt of Euphemia, Countess of Strathearn. Johanna undertook the ungenerous task, and plied her arts to such purpose that she finally prevailed on the Earl to pledge his word of honour that "he would dispose of the Steward's office as he chose, or he should not be Earl of Strathearn." Moray's end was now in a fair way of being accomplished.

The elements of discord and revenge combined to hurry on a catastrophe. Sometime in the year 1413, Sir John Drummond was holding his Court at the *Skeat* of Crieff, when he was suddenly apprised that the Earl of Strathearn was on the way from Methven at the head of an armed band of retainers, avowedly to break up the Stewartry Court, as the first open step towards depriving the Steward of his office. On this alarming news Sir John's thoughts probably reverted to the dark crime perpetrated, upwards of half-a-century before, by Sir William Douglas, the "Flower of Chivalry," who because the Sheriffship of Teviotdale, which he coveted and fancied to be his right, was given to his brave companion-in-arms, Sir Alexander Ramsay of Dalhousie, burst into the Sheriff Court at Hawick, assaulted and wounded Ramsay, and carrying him off a prisoner, flung him into the dungeon of Hermitage Castle, where he was [deliberately starved to death ! With that dread example, that "fatal remembrance,"

revolving in his mind, Sir John, a bold and intrepid man, determined to repel force by force. He was well accompanied by friends and attendants, to whom he announced the approaching danger. They flew to arms, declaring that they would make common cause with him. At their head, he hastened to intercept the enemy. The hostile parties soon met near a ruined Druidical circle at Ferntower. There was no parley. Sir John and his supporters rushed to the encounter, and he, singling out the Earl, struck him to the ground at the first blow. It was a mortal stroke. The Earl, without uttering a word, expired at his brother-in-law's feet! Confounded by the fate of their lord, his followers instantly scattered, leaving the redoubtable Seneschal in possession of the field.

Sir John and his chief adherents, on a little reflection, dreading the vengeance of the powerful houses of Graham and Moray, lost no time in consulting their own safety by flight from Scotland. They embarked for Ireland; but a storm drove their bark back upon the Scottish shore, where several of the fugitives were seized. The Seneschal eluded capture, and eventually escaped to Ireland. But two of his captured friends, William and Walter Oliphant, were brought to trial and suffered death for participation in the Earl of Strathearn's slaughter. Sir John himself was outlawed; but previously, in 1408, he had made over his estate and Seneschalship to his son Malcolm, who now entered into possession. The exile never returned to his native country, but spent his latter years in "Erin's isle," where he died.

The Earldom of Strathearn was resumed by James I., and given to the Earl of Athole, who forfeited it and his life by his share in the King's murder at Perth; and it was finally declared, in 1442, to have fallen to the Crown. The Seneschalship remained in Sir John Drummond's family until 1473, when his grandson, Maurice, sixth Laird of Concraig, under the pressure of pecuniary difficulties, disposed of the larger portion of his patrimony together with his hereditary office, to

Sir John Drummond of Stobhall, afterwards first Lord Drummond. It is said that "ever since the killing of the Earl of Strathearn, the family" of Concraig "had no settled peace, but were forced to keep house to so many friends and servants for their security, that it brought a consumption upon the fortune, engaged it in burdens, and made" Maurice "part with many of his lands to relieve his debts." The transfer of the office to Drummond gave umbrage to the Abercairny Morays. Maurice's wife was a daughter of Sir Andrew Moray of Abercairny, who had consented to the marriage mainly on the expectation of obtaining the Seneschalship; but Maurice disappointed such hope. In 1474, Winfridus de Moravia of Abercairny, Sheriff-depute of Perth, by virtue of a precept from Chancery, gave seisin, by delivery of a white rod, to Sir John Drummond, of the offices of Steward of Strathearn, and Coroner and keeper of the north catkend of Ouchtermuthil and forestries of Strathearn, with escheats, forfeitures, and fees thereunto belonging.

The knight of Stobhall was speedily disturbed in his acquisition of the Seneschal's office. Before seisin was given him, the Morays turned their hostility against the civil jurisdiction of the Stewartry, and strove to be exempted from it. On a representation to the King, Sir William Murray of Tullibardine obtained a charter, in 1473, making a fresh erection of his lands into a Barony, and granting an exemption of them from the jurisdiction of the Stewards of Strathearn. Shortly after, from some cause or another, Stobhall was displaced from the Seneschalship, and his successor was Tullibardine. Two documents are still extant connected with the procedure of the Court, in 1475, when Tullibardine was Steward. One is a Notarial Instrument, dated the 12th May, 1475, shewing that James Heryng, son and apparent heir of David Heryng of Lethendy, appeared as prolocutor for William Talzour, before Sir William Murray of Tullibardine, Steward of the Stewartry of Strathearn, and John Murray of Trewyne, his Depute, in the Court of the Stewartry,

declaring to be false a certain judgment given by the mouth of William Reid, Dempster of the said Court:—

“ I, James Heryng, forspeak for William Talzour, says to you, William Reid, dempster of the Steward Court of Strathearn, that the doom that thou hast given with thy mouth, saying that the brocht [pledge] that Master Thomas of Mureff found is of avail, and the brocht that I, James Heryng, forspeak for the said William Talzour, found in the Sergeand’s hand of the said Court, in the name and on the behalf of the said William, is of no avail, is false and rotten in the self, because it is given express in the contrary of the course of common law, protesting for may reasons to shew when myster is, and there to Sergeand of the said Court ane brocht in thy hand, and ane brocht to follow my brocht, and racontyr with in the term of law.” Whereupon the said James Heryng, prolocutor of the said William Talzour, asked in name and on behalf of the said William, from the said Judges, the said judgment to be enrolled in presence of the said Court, pledge and repledge, with the foresaid processes of the said Court, and all and sundry these things to be read in open Court before the said Judges ere the said Court should rise, and asked the said judgment and the said rollment to be sealed with the seal of office of the said Judge, and to be delivered to the said William, and offered the said William to procure, with instance, a seal to be affixed for closing and sealing of the said judgment, and all and sundry things which to the declaration of falsing the said doom could belong in order of law,

This is dry enough reading, and the other paper is not one whit more enlivening. It is another Notarial Instrument taken in the same Court on the same day, at the instance of the said James Heryng, as prolocutor of William Talzour, by which “ he asserted and found a broch in the hand of the Sergeant, or Officer of the Court, that Master Thomas Murray, alleged procurator for John Strang, in a certain cause moved between the said John Strang and the said William, could not be lawful procurator, nor was the said William Talzour bound to answer the said Master Thomas in a lawsuit, nor could the said Master Thomas judicially pursue the said William, because the said Master Thomas was not lawfully constituted procurator for prosecuting or pursuing the said William, neither was security found for the said William by the said John Strang, because he was not constituted procurator but by a certain roll shewn in Court, and not by any procuratory written

under the proper seal of the said John, nor under a seal procured, with other points of necessity required for procuratory." Thus we see that legal formality was as much imperative and as circumlocutory four centuries ago as it is now.

Tullibardine, apparently finding reason to deem his first Charter of Exemption not ample enough, procured another from the Crown in 1482. The civil jurisdiction of the Stewartry was now tending to its complete abrogation. In 1483, Umfra Moray appeared in the Court, in presence of Sir William Mureff (Murray), the Steward, and withdrew his suit—*levavit sectam suam de predicta curia*—which was transferred by Crown Charter to the King's Sheriff Court of Perth. But again there came a change in the office of Seneschal. Tullibardine was displaced, and Lord Drummond succeeding him, began at once to vindicate his jurisdiction in defiance of the other's Charters. Tullibardine was summoned to the *Skeat* Court, upon which he petitioned James IV. to discharge the Steward from such ultroneous proceedings. The petition, we may assume, was granted. Ultimately, the Scottish Parliament gave the last blow to the civil jurisdiction by ratifying, on 5th February, 1505, "the creation and making of the baronies of new create and made within the King's Earldom of Stratherne, within this three years last bypast, and relaxed the said baronies and lands annexed to them fra all service aucht thereof in the Stewart Courts of the King's Earldom of Stratherne, and will that the said service be paid in the King's Sheriff Court at Perth, in all times to come."

As to the criminal jurisdiction, it was exercised by the Drummond family until 1748. The last case which was tried in the Seneschal's Court at the *Skeat*, involving sentence of death, happened in 1682, when Mr Richard Duncan, A.M., Minister of the Parish of Trinity-Gask, was convicted and condemned by the Earl of Perth, as Steward, upon the charge of having murdered his own illegitimate child, whose remains were found buried under a hearthstone in the manse. Lord Fountainhall says that Mr Duncan "was con-

victed on very slender presumptions, which, however they might amount to degradation and banishment, yet it was thought hard to extend them to death." The unfortunate man was executed under singular circumstances. A reprieve had been obtained, through the influence of the Earl of Perth: the messenger bringing it was seen on the way about two miles distant: his horn was heard blowing just as the hangman performed his office: but the victim was twenty minutes dead when the courier reached the foot of the gibbet!\*

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\* Dr David Malcolm's *Genealogical Memoirs of the House of Drummond*, p. 22; *Third Report of the Royal Commissioners on Historical Manuscripts* (Papers of C. H. D. Moray, Esq., of Abercairney), p. 416; Paper on "the ancient Earldom of Strathearn," by W. F. Skene, LL.D., read before the Society of Antiquaries of Scotland, 11th March, 1878; *Liber Insulae Missarum*; Innes' *Sketches of Early Scotch History*, p. 204; *The Beauties of Upper Strathearn*; Dr Scott's *Fasti Ecclesie Scoticae*, vol. ii., p. 782.

*THE STEUARTS OF CARDNEYS AND DALGUISE,  
Part 1st.*

I have had the advantage of access to original Charters, . . . . . whereby I have been enabled to place my account in another light than many of our former Historians have.—*Symson's "Account of the Name of Stuart."*

A NUMBER of years ago we had the opportunity of making a transcript of MS. Genealogies of the Steuarts of Cardneys and Dalguise in Perthshire, which had been compiled by Mr David Steuart, sometime of Cardneys, and one of his friends, about the beginning of the present century. They were inserted at the end of a copy of Robertson's well-known *Index of Charters* (1798), along with copies of relative documents. As the Pedigrees appear to have been drawn up, after much research, and with great care, they cannot fail, we should think, to prove useful and interesting to enquirers into Perthshire family history: and therefore, we now insert them (adding some illustrative notes), in the hope that by their publication such results will be attained.

PEDIGREES OF THE FAMILIES OF  
STEUART OF CARDNEYS, CLUNY, AND AIRNTULLY;  
AND STEUART OF DALGUISE; both in the Shire of Perth.

I. FAMILY OF CARDNEYS, CLUNY, AND AIRNTULLY.

The etymology of the word Cardneys is *Card* or *Carden*, strong; *As* in composition *Es*, an augmentative particle, together signifying *very strong*. Vide — *Bullet's Celtic Dictionary*, vol. i., p. 398.

Edinburgh, 1st January, 1813.

It is evident from the Royal Charters in the Register Office, copies of which will be found bound up in this Collection, that the family of Cardneys is the most ancient of all those descended from the family of Steuart, after their accession to the Crown, their first Charter being dated in 1373, twenty-seven years before that of the first Charter of the Steuarts of Bute.

Duncan Stewart, author of the *History of the Royal Family of Scotland*, is of the same opinion; for he proposed placing his account of the family of Cardneys after that of Fynock, in page 148 of his book. Had he done

so, such account would have been a very imperfect one, as the then Laird of Cardneys would not let him see his Charters, which was also the case with my father, who refused to shew him those of Dalguise, as he assured me when I remarked to him how little there was said about both families in Duncan Stewart's book.

DAVID STEUART.

(1.) The first of this family was SIR JOHN STEUART of Cardneys, second son of King Robert II., by Mariotta de Cardneys of that Ilk, in the Shire of Perth, an opulent and powerful family at that time.

I am of opinion that the surname of De Cardney was assumed on the acquisition of this estate by John de Roos, who must have been a son of the Lord Roos, as he is designed in the Charter granted of the lands of Cardney by the King, dated at Inverkeithing, the 19th day of June, 1375, *delectus consanguineus noster*. And as there is no mention made of any males of this family, except the brother of Mariotta, who was Bishop of Dunkeld, it is probable she succeeded to the estate and transmitted it to John, her second son (who must have been her eldest son in life at the time) by the King. See the Charter by King Robert III., dated 12th February, 1399. This opinion is corroborated by a Charter of King Robert I. (No. 11 of Mr Robertson's *Index*, p. 1), in 1309, to Hew Ros and his spouse of an 18 merks furth of the Barony of Innerlunan, in Forfar, which belonged to the King, and were given to Alexander Steuart, the son of Mariotta de Cardney, per Charter, at Perth, 15th January, 1383.

By this lady, who was a relation of King Robert's [Robert II.], and to whom he must have been long attached, he had four sons, viz. :—Alexander, John, James, and Walter. He had by his Charter dated at Perth, the 27th day of March, 1373, still existing in the Register Office at Edinburgh, given her the lands of Tolyry, Burrelly, Easter Balnegat, Shinval, and Milnthort, in the Shire of Kinross; and by his Charter, dated at Ayr, the 1st day of October, 1373, he gives the lands of Clyntres of Weltoun, and of Watirtoun, in the Shire of Aberdeen, to her and the children pro-

created and to be procreated between him and her. These children must at that time have been at least three in number, as by his Charter, dated at Dumbar-ton, the 25th day of December of the same year 1373, he gives *Jacobo Senescallo*, who was his third son by Mariotta, an annuity of sixteen pounds sterling out of the Barony of Abernethy, and Shire of Perth, held by Margaret, Countess of Anegus (Angus), for his lifetime.

To all these sons, it appears by the Charters still extant in the Register Office, and noticed in Robertson's *Index*, he [Robert II.] had been very liberal; for

To Alexander, his eldest son by her, whom failing to his brother John, whom failing to his brother James, he gave the lands of Innerlunan, in the shire of Forfar, by Charter, dated at Dundee, the 4th day of January, 1378. This Alexander must have died before his mother, as the estate of Cardney descended to John, the second son, whose descendants enjoyed it till the beginning of the nineteenth, or rather the end of the eighteenth century, when it became the property, by purchase, of John, Duke of Atholl. I do not find that there are existing any descendants of Mariotta by her sons Alexander, James, or Walter.

To John, whom failing to Alexander, whom failing to James, he gave the lands of Kynclevin, Ervintolly (now Airtully), Tullibeltyne, and Dalmernock minor, in the shire of Perth, by Charter, dated at Perth, the 15th day of January, 1383. And to the said Alexander, whom failing to John, whom failing to James, he, by another Charter, dated also at Perth, day and year aforesaid, gives the lands of Lounan, in the shire of Forfar, and of Pitfour, in the shire of Aberdeen.

To the said John, whom failing to James, whom failing to Alexander, he, by a Charter, place and date as above, gives the lands of Ballochys, Juvernate, and Mukirsy, in the Thaneage of Kynclevin and shire of Perth.

To James, whom failing to Alexander, whom failing to John, he, by a Charter, place and date as the last, gives the lands of the east half of Kinfauns, of Ratte, and of Forteviot, in the shire of Perth.

King Robert III., by his Charter, dated at Cardeny, the 12th day of February, 1399, gives the lands of the two Cardenys, resigned by John de Roos, Johanni Senescalli fratri nostro dilecto, et heredibus suis de corpore suo legitime procreatio seu procreandis, omnibus forte deficientibus, Waltero Senescalli fratri suo juniore et heredibus, &c. This Charter, which I have seen and examined, was abstracted from the family papers by . . . . . and was by her given to an Irishman of the name of Kelly, who was afterwards put into the King's Bench Prison for debt. I greatly fear this valuable document, which has remained in our family part of five centuries, is thus irrecoverably lost. I took a copy of it some years ago, which will be found in my handwriting at the end of this book.

To return to John. He was knighted by his nephew, King James I., at his coronation, anno 1424, and is mentioned by Godscroft to have been imprisoned along with Murdoch, Duke of Albany, in 1425. He was succeeded by his son,

(2.) WALTER, who acquired the lands of Cluny, in the Stormonth, Petty, and several other lands in the shire of Perth, and was succeeded by his son,

(3.) JOHN, designed of *Cluny*, son and heir to the deceased Walter Steuart of Cluny. He was proprietor of several lands in the Stormonth, viz., Cluny, Con-craigie, Adamstoun, Barrowstoun (forte Butterstoun), and Milntoun, Over Cardney, Cardney between the Lochs (whence the name was used in the plural by his successors, being called Cardneys), Craigend of Cluny, &c. He was also Heritable Forester of the Bishopric of Dunkeld. He married Janet Wightman, by whom he had several sons, viz., 1st, George; 2nd, Peter; 3rd, John, of whom were the family of *Dalguise*; and 4th, Sir Walter Steuart, of whom were the family of *Dowally*.

In 1511, he exchanged the lands of Cluny with Bishop George Brown of Dunkeld for other lands, and seems afterwards to have designed himself of *Airntully*.

In 1536, he granted a Charter for thirteen merks yearly to be uplifted out of his lands of Airntully and Cardneys, to the Vicar and Choristers of the See of Dunkeld, for saying an annual Mass for the salvation of his soul. He died about 1540, having survived his eldest son

(4.) GEORGE, who married Catherine Liddel, by whom he had three sons—1st, John, who carried on the family; 2nd, David; and 3rd, James.

(5.) JOHN of *Airntully*, who purchased the lands of Easter Cardney and Cardney Inches, Rotmel, Craigillo, Ledpetty, Stralochie, &c. He married Margaret Ross, daughter of Ross of Craigie, whose estate lies near Perth, and had three sons—1st, George, who succeeded him; 2nd, James; 3rd, John; and one daughter, Elizabeth, who married George Leslie of Urquhill. He died about 1563-4, and was succeeded by

(6.) GEORGE, who married twice—1st, Margaret, daughter of William Steuart of Grandtully by his wife Isobel, daughter of John, third Earl of Atholl, in 1566. By her he had four sons, viz., John, his successor; 2nd, Duncan; 3rd, Thomas, designed of Craigton, of whom the family of Stenton is descended; 4th, James, a merchant in Perth. He had five daughters—1st, Margaret, married to George Leslie of Toldamff, Captain of Blair-Athole, *ancestor of the present Earl of Leven and Melville*; 2nd, Jean, married to Alexander Stewart of Foss, and had no issue; 3rd, Mary, married to Silvester Rattray of Persie; 4th, Grizel, married to Hugh Campbell of Scatt; and 5th, Mary, married to Walter Leslie of Moircloch, son to the Abbot of Cupar.

He married secondly Janet Robertson, relict of Campbell of Glenlyon. He got a Charter of the Milne lands and Church lands of Dowally from Sir Walter, his granduncle, which he afterwards sold to Thomas Stewart, son of the said Sir Walter. He purchased several other lands, and was Bailie of the Barony and Bishopric of Dunkeld, and Heritable Forester of all the woods thereof. He died about 1603-4, and was succeeded by

(7.) JOHN, his eldest son, who had in his father's lifetime married Barbara Hay, daughter of William Hay of Wester Gourdie, by whom he had two sons, 1st, John, and 2nd, George, and a daughter Elizabeth. He was by his cousin, the Earl of Atholl's commission, appointed Bailie of the Lordship of Cupar, in 1594. He sold the lands of Dalmarnock to his brother-in-law, Hugh Campbell of Scatt. He died in 1639, and was succeeded by his eldest son,

(8.) JOHN, who married Jean Blair, daughter of Alexander Blair of Balthayock, by whom he had an only son, John, and four daughters, viz: 1st., Barbara, married to Alexander Menzies of Carse (brother to the Laird of Weem), who purchased the lands of Rotmel and Craigilto from his father and brother-in-law; 2nd, Agnes, married to Henry Reid of Pitnacree; 3rd, Margaret, married to Robert Stewart of Dowally; and 4th, Elizabeth, married to Andrew Grant, younger of Balhagill. He died 1646, and was succeeded by his son,

(9.) JOHN, who married, first—Cecil Steuart, daughter of Sir Thomas Steuart of Grandtully, who died without issue—second, Agnes Rattray, daughter of David Rattray of Craighall, by whom he had an only son, Patrick, and a daughter, Agnes, married to James Graham of Garvock. He sold the barony of Airtully to Sir Thomas Steuart of Grandtully, in whose family it still remains, for sixty-one thousand merks, in the year 1657, and died in February, 1660, and was succeeded by his son,

(10.) PATRICK of Cardneys, who married Agnes Menzies, daughter of Colonel James Menzies of Culdairs, by whom he had two sons—1st, John; 2nd, Patrick, a merchant in Edinburgh—and three daughters—1st, Marjory; 2nd, Catherine; 3rd, Margaret, who married Mr Patrick Stewart, merchant in Edinburgh, third son of William Stewart of Balleid.

He died in 1686, and his relict married Major Duncan Menzies, brother to Thomas Menzies of Carse. He was succeeded by his eldest son,

(11.) JOHN, who was twice married—first, to Marjory Ogilvy, youngest daughter of Mr James Ogilvy of Cluny (the ancestor of the Earl of Airley), by whom he had a son, John, and a daughter, Agnes, married to Alexander Farquharson of Reidhall, brother to Broughdargue; secondly, to Euphan Young, second daughter of Mr David Young, minister at Lethindy. He died in April 1711, and was succeeded by his son,

(12.) JOHN, who married Isobel Robertson, youngest daughter of John Robertson of Lude, by whom he had three sons—1st, John, who succeeded him; 2d, Patrick; and 3d, George, who both died young—and four daughters—1st, Margaret; 2d, Jean, married to Thomas Panton; 3d, Charlotte, who died young; and 4th, Euphan, married to Dr Ogilvy. He died in 1740, and was succeeded by his eldest son.

(13.) JOHN, who married Elizabeth Macewen, eldest daughter of John Macewen of Muckly, by whom he had two sons—1st, John, and 2d, George—and one daughter, Amelia, married to —— Falconer, brother of Bishop Falconer. He died 16th August, 1757, and was succeeded by his eldest son.

(14.) JOHN, who went into the army. He succeeded to the estate of Culdairs, in Perthshire, as heir of entail, whereby he was obliged to assume the name of Menzies only. He married twice—first, Charlotte Robertson, eldest daughter of Robert Robertson of Tullibelton, by whom he had a son, John, who died young, and two daughters, 1st, Charlotte; and 2d, Maria: secondly, he married Maria Torley O'Brien, who survives him, and by whom he had two sons—1st, Steuart; and 2d, Johu McNaughton; and one daughter, Amelia, who died young. He sold the paternal estate of Cardneys to the writer of this Pedigree, it being a joint speculation with his nephew, Charles, now of Dalguise; and has since been resold to John, Duke of Atholl; so that no part of the extensive and valuable lands granted to this family by their ancestor, Robert II. or Robert III., Kings of Scotland, now remains in it,—excepting some pendicles formerly sold to Menzies

of Culdairs, and by him entailed with the other lands of Culdairs.

He died 23d September, 1799, and was succeeded by his eldest son.

(15.) STEUART, a minor, to whom and his brother he appointed the following Tutors, viz. :—

Mrs Maria Menzies, their mother;  
The Hon. Henry Erskine, brother of the Earl of Buchan;  
Hope Steuart of Ballechin;  
John Hagart of Cairnmuir;  
Alex, Keay, brother to Snaigow; and  
David Steuart, the writer hereof, who was appointed by the Tutors to take charge of the education of both Boys. For some particulars regarding this administration, see the Sederunt Book of the Tutors and my Letter-Book.

At Edinburgh, this twenty-seventh day of July, one thousand eight hundred and four years, I, David Steuart, certify that the Pedigree above-written upon this and the preceding seven pages of papers, was made up from a diligent examination of the charters and other papers of the family of Cardneys, partly by my nephew, Charles Steuart, Esquire of Dalguise, and partly by myself, who procured copies of such of the old charters of the family as are preserved in the Register Office, Edinburgh, from the late William Robertson, Esquire, one of the Deputy-Keepers thereof.

DAVID STEUART.

N.B.—The family burying-place is within the Cathedral Church of Dunkeld.

#### NOTES.

1. THE SURNAME "STEUART."—The anonymous author of *The Genealogy of the Stewarts Refuted*, in a letter to Andrew Stuart, Esq., M.P.,—Edin.: 1799,—has the following observations :—

Walter, the 5th Lord High Steward of Scotland, who died *An.* 1241, was the first who settled the name of Stewart on his posterity. Being obviously derived from the office, Stewart is, beyond question, the most ancient and most proper orthography. But different races, in process of time, have found it convenient to alter it, either in order to mark their particular descent, or to distinguish them from others of the same origin. Accordingly, we find that Stewart, Steuart, and Stuart have been common among numbers. The long and intimate connection between Scotland and France appears to have given rise to the idea of discarding the *w* from the word, and writing it Stuart, instead of Stewart; as the French, who first set the example, are without the *w* in their alphabet. The practice, it is supposed, originated with Sir John Stewart of Darnley, soon after the memorable campaigns which he

served in France, in the beginning of the 15th century. But it has been most generally, although improperly, applied to the Royal Family by historians. Queen Mary, from a natural partiality to the French manners, also contributed to bring this innovation into fashion; and during her reign it was extremely prevalent. But King James VI., her son, condemned the alteration from the former orthography, by introducing, in several of his charters and letters-patent, clauses tending to restore the latter. The rule seems to be, that when the name in general is mentioned, it should certainly be Stewart; the office, Steward; and, in the case of particular families, that method of orthography ought to be followed which they themselves have been long in the habit of using (p. 11.)

2. BISHOP CARDNEY OF DUNKELD. Canon Alexander Myln, in his "Lives of the Bishops of Dunkeld" (printed in the *Transactions of the Literary and Antiquarian Society of Perth*), gives an account of Bishop Cardeny, which in some particulars is evidently inaccurate.

Robert Cardeny who was made Bishop, by his sister's interest with the king. His father was Duncan Cardeny of that Ilk, who by marriage became Laird of Foss. He filled the see forty years, and did many good actions; he purchased the lands of Muklere, out of the rents of which he endowed a Vicar to say mass, in the quire, at the altar of St Ninian's which he had built and adorned. On the 27th April, 1406, he founded an aisle of the church, and afterwards finished it.

In his time the palace was thatched after the *Highland* form, and consisted of several long houses, which never passed the height of two floors. But as some wicked people designed to fall upon him, out of whose hands it was with difficulty he escaped to Duncan Cardeny's of Inchewen, his brother, to prevent accidents of this sort, he built a castle, which is the best place of defence thereabouts. He made in it a great hall, with vaulted granaries and larder under it.

He was at the expense of glazing all the windows of the quire, except the east one. He bought a handsome and very valuable mitre and bishop's staff. He was a great defender of the church in every cause, in which he had the assistance of his sister's son, the learned Donald M'Naughtane, Doctor of Laws, and Dean of Dunkeld. He gave the lands of Cammo, in the parish of Crawmund, in exchange for the castle of that place, and some lands adjoining to it. He feued out the lands of Loggy, ner Dunfermline, for a feu rent of two merks, without the consent of the chapter. Being full of days, he died suddenly of an apoplexy. It is said he fell from a bed in his great hall in the year 1436. He was honourably buried, under a stone monument in St Ninian's chapel, which he had built and adorned. — (*Transactions*, p. 49.)

3. MR DUNCAN STEWART'S ACCOUNT OF THE CARDNEYS FAMILY.—The following is the notice of the origin of the Steuarts of Cardneys, in Mr Duncan Stewart's *Historical and Genealogical Account of the Royal Family of Scotland, and of the Surname of Stewart*: Edin: 1739—to which reference is made in the foregoing Pedigree:—

K. Robert II. had four or five sons, by Mariota, or Marion de Cardney, daughter to John Cardney of that ilk (her brother, Robert de Cardney, was promoted to be Bishop of Dunkeld); 1. Alexander, of Innerlounan, in the Sheriffdom of Forfar; as testifies a Charter, dated at Dundee the seventh year of K. Robert's reign, to Alexander, of the lands of Innerlounan, and to his heirs; which failing, to 2. John, his uterine brother, and his heirs; which failing, to 3. James, his uterine brother, and his heirs; which failing, to return to the King. 2. John Stewart of Cardney, or Cairny, appears to be the second in this Tailzie. He had afterwards a Charter from K. Robert III., dated at Cardney, anno 1399, of the lands of Cairny; and failing of him and his heirs, to 4. Walter, his younger brother, and his heirs; which failing, to return to the King. So that it seems, Alexander of Innerlounan, the first in the former Tailzie, and James, designed of Kinfauns, the last in that Tailzie, died without issue. John Stewart of Cardney was knighted at King James I.'s coronation; and of him, in a lineal descent, is John Stewart, now of Cairny, of whom afterwards. K. Robert II. granted likewise a Charter, dated at Perth, in the twelfth year of his reign, to his natural son, John of Kinclavin, in these words, *Filio naturali de terris de Ballachye et Moncrief, in thanagio de Kinclavin*. This man is, by Sir James Dalrymple, in his *Historical Collections*, thought to be different from John Stewart of Cardney; and he is thought by some to be predecessor to Stewart of Ballechan. But this is groundless, for Ballachye and Ballechan are two different places; and Ballechan's predecessor was a natural son of K. James II. (P. 59.)

I designed to have placed my account of Cairdneys's family in page 148, immediately after Fynock. His original Charter of the lands of Cairdneys is dated at Cairdneys, the 12th of February 1399, granted by K. Robert III. to his brother, John Stewart, and his heirs male; which failing, to Walter Stewart, and his heirs male, &c. I have got no account of the series of succession of this family; only that John Stewart, now of Cairdneys, is lineally descended from the above John Stewart.

Dalguise's Charter is granted by George, Bishop of Dunkeld, in favour of John Stewart and Elizabeth Stewart, his spouse, dated 7th of December 1443; and of him, in a lineal descent, is John Stewart, now of Dalguise.—(p. 213.)

*THE STEUARTS OF CARDNEYS AND DALGUISE.*  
*Part 2nd.*

II.—FAMILY OF STEUART OF DALGUISE.

(1.) JOHN STEUART, the first of Dalguise, was, as has been seen by the pedigree of the family of Cardneys, the third son of John of Airtully and Cardneys. He married Elizabeth, daughter of Alexander Steuart of Grandtully, by whom he had two sons—1st, Alexander; 2nd, John; and three daughters—1st, Margaret, married to Thomas Macduff, of the family of Ballindean; 2nd, ———, married to John Baron; and 3rd, ———, married to Donald Reid of Easter Drummacorff. He died in 1570, and was succeeded by his eldest son,

(2.) ALEXANDER, who married Beatrix Forbes, daughter of James Forbes, vicar of Little Dunkeld, a son of the family of Craigievar, in the shire of Aberdeen, by whom, she having been an only child, he acquired the lands of Ladylands, near Little Dunkeld, which are now in the possession of the Atholl family. Alexander afterwards purchased the lands of Kinraigie, which the family were afterwards obliged to sell to the Earl of Atholl, on account of cautionary debt they had to pay for the Laird of Moness. He had three sons—1st, John; 2nd, Thomas; 3rd, George; and four daughters—1st, Grizel, married to James Menzies of Drumdiewan, of the family of Weem; 2nd, ———, married to Patrick Scott of Glenalbert; 3rd, Elizabeth, married to John Frizel, alias Fraser, in Dowally; and 4th, Christian, married to Patrick Robertson of Blairchrosk, predecessor of the present Robertson of Ladykirk. He died 1616 or 1617, and was succeeded by his eldest son,

(3.) JOHN, commonly called JOHN MORE MACALESTER, from his stature. The writer of this pedigree saw his bones when his own father was buried, and they were

remarked by all the assistants on account of their great size. He was Factor to the Bishop of Dunkeld, and married Isabella, daughter of William Stewart of Kinnaird, by whom he had four sons, viz.—1st, Alexander, who succeeded him; 2nd, William, afterwards Portioner of Middle Dalguise; 3rd, Thomas, of whom a great many of the Steuarts in Grandtully; and 4th, James. He had seven daughters—1st, Margaret, married to Alexander Menzies of Aberfeldie, of the family of Weem, by whom she had a son, William, who purchased the lands of Bolfracks, of whom the present Laird of Bolfracks is lineally descended, whose father gave Government the stone with which Tay Bridge is built, and on being required by Field-Marshal Wade to make a charge for the same, he told them he never sold stones, and that King George was welcome to build as many bridges over the Tay out of his quarry, as he pleased. The Marshal thanked him for his gift, and charged Government, it is said, £1500 for these stones. She [Margaret] had also another son, of whom the present Captain Menzies of Clayhills of Invergowrie is lineally descended. 2nd, Grizel, married to John Scott, eldest son of Alexander Scott in Kilmorich; 3rd, Christian, married to John M'Laren of Dalshian, of whom the present Alexander of East Haugh of Dalshian is lineally descended; 4th, Isabella, married to Patrick Keinie *alias* Scrimgeour of Sock, opposite to Logierait, and after his death she married William Menzies in Newbigging of Rotmel. There is no account of the other three daughters.

John More Macalester was much respected in the country, and was instrumental in making up differences among neighbours. There is a tradition in the country that when his tenants were at some of Montrose's battles, they should have said that if their Laird had been there he would have made up matters between parties. He purchased part of the lands of Middle Dalguise, which he gave as a patrimony to his second son, William, who was twice married; first, to Helen Menzies, sister of Alexander Menzies in Aber-

feldy, by whom he had a son, John, and two daughters —Isabella, married to Donald Steuart in Middle Cilntallich in Grandtully; and Catherine, married to Robert Low, Portioner of Easter Dalguise. He [William] afterwards married Grizel, daughter of Andrew Small of Durnanaine, by whom he had a son, James, a merchant in Dundee, of whom the present Dr Steuart, physician there, is descended; and a daughter, Janet. William's eldest son, John, was married to Janet, daughter of Patrick Scrimgeour of Sock, by whom he had an only daughter, who married her cousin, John Steuart of Dalguise. Thus, the lands purchased by John More Macalester returned to the family.

John More Macalester, besides the above children by his wife Isabella, who died in 1648, had near thirty children, of whom several of the name of Steuart in Atholl, Strathtay, and Strathbrand are descended. John More Macalester Steuart died in 1653, and was succeeded by his eldest son,

(4.) ALEXANDER, who married Christian Drummond, daughter of James Drummond, of Boigton, by whom he had a son, named Alexander, and two daughters, viz. : —1st, Janet, who married Malcolm Reid, second son of Adam Reid, of Eastertyre; 2d, Elizabeth, married to John Steuart, of Crofteurs, a cadet of the Grandtully family, from whom Thomas Stewart, at Carron, is descended. The said Alexander, after his wife's death, which happened in 1658, married Cecil, daughter of Adam Reid, of Eastertyre, in 1659, by whom he had three sons—1st, John, bred a Surgeon; 2d, Thomas, of whom the Steuarts, in Tombain, are descended; 3d, Gilbert. His second wife dying in 1665, he afterwards married Isabella Macnab, who survived him, but had no children. His son, John, above-mentioned, was predecessor of Mr William Steuart, Minister at Carnock, who married a daughter of Durie, of Craiglascar, in the Shire of Fife, by whom he had Dr Charles Steuart, a physician, who was one of the original proprietors of the Sun Fire Insurance Office, London. He acquired a

large fortune, which he left to Mr James Monteath, Rector of Barrowby, in Lincolnshire (to whom he was related, and in whose house he died), whom failing to John Steuart, of Dalguise (Vide, No. 7th). He afterwards altered the Will, leaving his fortune, above £30,000, to Mr Monteath, whose son is now called Charles Glanville Steuart Monteath, in Dumfriesshire.

(5.) Alexander, eldest son of the foregoing, died in 1669, before his father. He married Giles, daughter of Robert Fleming, of Moness, in 1663, by whom he had an only son, John, and a daughter, Beatrix, married to Neil Steuart, in Brae of Moness. He sold the lands of Kincaigie, in 1666, on account of his engagements for his brother-in-law, as already mentioned. His father, Alexander, died in 1675, and was succeeded by his grandson,

(6.) JOHN, who married Isabella, only daughter of John Steuart, Portioner of Middle Dalguise, by whom he got part of the lands of Middle Dalguise, and by her he had three sons—1st, John; 2d, Thomas; and 3d, Charles, who died young; and two daughters—1st, Giles, married to Neil Stewart, brother to Bonskeid—of whom John, who was late Provost of Perth, was the eldest son—of whom Richardson, of Pitfour, is descended, as well as many other respectable families in the neighbourhood of Perth. The 2d son of Giles was Gilbert, who married a daughter of Balnakeily; and 3d, Patrick, who married ——— Beveridge, by whom he had two daughters—1st, Margaret, who married William, the second son of ——— Elder, of Loaning, and brother to Thomas Elder, of Forneth, late Postmaster-General; 2d, Helen, who married ———; also a daughter, Margaret, married to Mr David Kemp, Minister at Gask, by whom she had Dr John Kemp, one of the Ministers of Edinburgh.

John died in 1706, and was succeeded by his son,

(7.) JOHN, who married, in 1710, Catherine, eldest daughter of Mr Mungo Murray, of Kincairney, a brother of Sir ——— Murray, of Ochtertyre, by whom he had six sons—1st, John, born in 1711, died

an infant; 2d, John, born in 1712, who succeeded to the estate; 3d, James; 4th, Patrick, who died young; 5th, Thomas, born in 1720, who died in 1792, Treasurer of the Bank of Scotland, and author of many useful Tracts: he discovered the mode used at present in all Bankers' and Merchants' Houses, of calculating interest by decimal arithmetic; 6th, Alexander; and a daughter, Anne,—these two died young.

Catherine, dying in 1726, John married, in 1727, Margaret, daughter of Mr Thomas Findlay, Minister at Preston Kirk. Having taken up arms in 1715, in favour of the family of Steuart, he was near losing his estate on that account, but got matters compromised by means of James, Duke of Atholl. This brought the estate very low at the period of his marriage. However, by improving his estate, and the good management of himself and his wife, he became very easy and inexpedient in his circumstances, and left his children well. These children, who were by their maternal grandmother connected with the families of Tweeddale, Stair, Balcarras, Castle Semple, Lochnew, Skeldon, Mochrum, Elderslie, and many other respectable families in Scotland of the names of Wallace, Ross, Dalrymple, &c., were:—

1st, Hew,—so named after his cousin Sir Hew Dalrymple, of North Berwick, Bart., Lord President of the Court of Session—was born in 1735, went to India in the Civil Service, and became Governor of Fort Marlbro', in the Island of Sumatra. He died in 1782, on board the *Glatton*, East Indiaman, now a man of war, and left some children, of whom the survivors are—David, settled in London, afterwards in the Customs, Edinburgh; Anne, married to Major Price, settled near Bristol; and Margaret, married to ——— Powell, a merchant in that city.

2, David, who was a merchant, and Lord-Provost of the city of Edinburgh, who married Anne, daughter of Robert Fordyce, Merchant in Aberdeen, of the family of Glack, by Anne, daughter of Hugh Reid, of Sydserf, in the Shire of Haddington, of which family the present Viscount Gosford, of the kingdom of Ireland, is descended. By her he had sixteen children, viz. :—1st, John Robert, settled in Naples as a merchant; 2d, Hew, a Lieutenant in the Royal Navy; 3d, Thomas David, a Lieutenant of Cavalry in the East India Company's service in the Presidency of

Bengal; 4th, William Fordyce, who was a Lieutenant of Infantry in that Company's service in the Presidency of Madras, and died at Trichinopoly, in 1802; 5th, Charles, who died young; 6th, George Fordyce, who also died young; 7th, James; and 8th, Claude Scott; 9th, a daughter, who died young; 10th, Anne, married to Hugh Moir, of Wyseby, in the Shire of Dumfries; 11th, Margaret Elizabeth Anne Frances, who died young; 12th, Janet Harriet; 13th, Julia Christina, who died young; 14th, Mary Sophia; 15th, Margaret; and 16th, Elizabeth.

By this second marriage of John Steuart, there were also three daughters:—

1st, Julia, married to Francis Redfearn, now at Gadgirth; and had three children—1st, William; 2d, Christina; 3d, John, who all died young.

2d, Margaret, married to Joseph Burnett, who was a Lieutenant-Colonel in the East India Company's service, in the Presidency of Bengal; and has two daughters—1st, Margaret; and 2d, Isabella.

3d, Anne, married to James Duncan, of Tippermaloch, in the Shire of Perth. She died in 1758, having a daughter, Anne, who died an infant.

John purchased part of the lands of Easter Dalguise. He died in 1776, in the 88th year of his age, his wife having died at an advanced age two years before. He was succeeded by his second son,

(8.) JOHN, was married Christian Graham, in 1746, by whom he had six sons, viz. :—1st, John, born 13th August, 1748, and died 13th April, 1758; 2d, James, born 13th January, 1750, and died 5th April, 1753; 3d, James, born 22d March, 1754, and died 7th July, 1755; 4th, Charles, who succeeded his father; 5th, John, who died young; and 6th, Thomas, who was Captain in the 5th Regiment of Foot. He married Agnes, daughter of ——— Dick, of ———, in Perthshire. He died in 178—, leaving two daughters: 1st, Agnes Donaldson; 2d, Helen.

John purchased the estates of Ballo and Glenalbert, both in Perthshire, and died 9th June, 1785, and was succeeded by his son,

(9.) CHARLES, now of Dalguise, who was twice married—1st, to ———, daughter of Robert Steuart, of Ballechin, who died ———, without issue; and 2d, to ———, daughter of Laurence Oliphant, of Gask, by whom he has two sons, John and Charles, and one

daughter, Margaret. He has greatly improved his estate, and is very much respected as a Magistrate and a country gentleman.

N.B.—The Burial-place of the family is in the Church of Little Dunkeld. They are the oldest Heritors in that Parish. The others are the Duke of Atholl, the Earl of Breadalbane, Sir George Steuart, of Grandtully, Charles Izett, of Kinslaird, &c.

Ross, of Carscruigh, in the Shire of Galloway, had several children. His eldest daughter, Margaret, married Sir James Dalrymple, afterwards Viscount Stair. His second daughter; Agnes, married Dunbar, of Mochrum, ancestor of the present Sir George Dunbar. Their daughter, Agnes Dunbar, married William Campbell, of Skeldon, in the County of Ayr; and Christian, the daughter of their marriage, married Mr Thomas Findlay, whose son, Robert, bought the lands of Drummore, in the Shire of East Lothian. Mr Robert's sister, Margaret, married my father.

Agnes Dunbar and Sir Hew Dalrymple, of North Berwick (known by the name of the old President), were cousins-german.

Christian Findlay, my grandmother, and the second Sir Hew, were second cousins. My mother and the late Sir Hew, were third cousins; and the present Sir Hew (1805) and I, are fourth cousins.

The above-mentioned Mr Thomas Findlay, was cousin-german of Mr Simson, Professor of Divinity in the College of Glasgow, whose youngest daughter married Dr Moore, father of the present General Sir John Moore, K.B. Of course, he and I are third cousins. This account I had from my sister, Mrs Steele, of Gadgirth, this 27th September, 1805.

DAVID STEUART.

#### NOTES.

4. THE CARDNEYS AND DALGUISE FAMILIES. A genealogical sketch of these families in the New Statistical Account of the Parish of Little Dunkeld, to which it was "communicated," supplies some additional particulars, which we may extract, along with some from other sources. It states that Sir John Steuart, first of Cardneys, obtained a pension "furth of the customs of Dundee." At the beginning of the Reformation, John of Airntully (third of Cardneys) embraced the new doctrines; for it was to him (as Bailie

of the Regality of Dunkeld) and the Laird of Kinvaid, that the Reformed Lords addressed the Order, dated at Edinburgh, 12th August, 1560, "to pass incontinent to the Kirk of Dunkeld, and tak doun the hail images thereof, and bring furth to the Kirkyard, and burn them openly, and siclike cast doun the altars, and purge the Kirk of all kind of monuments of idolatry;" but, on the other hand, to "tak gude heed that neither the desks, windocks, or doors be ony ways hurt or broken, either glassin wark or iron wark." The duty was performed with every zeal; but, it is asserted, that soon afterwards Airntully was instrumental in unroofing the Cathedral. In 1592, James VI. appointed George, son of the preceding, to hold the office of Bailie of Dunkeld "as his predecessors had bruiked the same." The Statistical Account states that *Ian Mor Macalastair* "was engaged, along with the Atholl Stewarts, in most of the military actions of the Civil War, under the gallant and unfortunate Montrose": and also that John Stewart of Dalguise (7th of the Pedigree) who fought at Sheriffmuir, "was subjected to fine and imprisonment" for his rebellion; but "built the House of Dalguise, which bears the date of 1716." His son, John (8th of the Pedigree) purchased the estate of Glenalbert, which afterwards became the scene of Mrs Brunton's novel of *Self-Control*. The Pedigrees shew that the Steuarts of Cardneys and Dalguise were connected matrimorally with several families who were related to the royal blood of Scotland. One of the matrimonial alliances referred to was that with a brother of the Laird of Bonskeid—the Bonskeid family being a branch of

5. THE STEWARTS OF GARTH, who claimed to have sprung from a son of the *Wolf of Badenoch*. Their descent, however, has been recently questioned, on the ground that as yet there appears to be no documentary evidence of the alleged fact. It may be interesting to pass under review the chief grounds on which the claim has been based. General David Stewart, the late representative of the family, deduces the Garth line from

“ James Stewart, son of Alexander Stewart, Earl of Buchan, second son of Robert II. ;” which James “ is said to have built the Castle of Garth, and settled there sometime after the year 1390.” (*Sketches of the Highlanders of Scotland*, vol. i., p. 24.) The Wolf had five sons, all of them illegitimate. The fourth, James,— according to Mr Duncan Stewart’s *Historical and Genealogical Account*, — was “ a witness in a charter granted by his brother, Alexander, Earl of Mar, in the year 1409, to Sir Alexander Forbes, wherein he is designed *frater noster* by his brother. He is said”—there being no more tangible authority for the statement than tradition—“ to be father of John Stewart of Forthirhill or Forthingale, who, anno 1465, got a Charter of Confirmation in his favours by John, Earl of Athole, of the lands of Eddirdageñát [now Edrady-nate, the property of James Stewart Robertson, Esq.], lying in the Earldom of Athole, in the shire of Perth. From this Forthingale, which is Garth, are many of the Stewarts of Athole come, viz., Bonskeid, Duntanlich, &c.” The author further says that “ what confirms the opinion that John Stewart of Garth was grandson to the Earl of Buchan is, that in his arms he carried that of Buchan” (pp. 135–137). The most of genealogists have implicitly adopted this opinion. “ The Stewarts of Athole,” says Dr James Browne, in his *History of the Highlands*, “ consist almost entirely of the descendants of Alexander Stewart, commonly called the Wolfe of Badenoch; and of these the principal was the family of Stewart of Garth, descended from James Stewart, a natural son of the same redoubted personage, who obtained a footing in Athole by marrying the daughter and heiress of Menzies of Fortingall” (vol. iv., p. 499). But the descent of Garth has also been assigned to the Wolf’s fifth son, Duncan, who was with the Clan Donnachie at the Battle of Glasclune. The question thus hangs until more light be thrown upon it from authentic records, which are being closely searched: and the notice we have now taken of it may perhaps awaken attention in various quarters, and tend to

the clearing up of an important point in Highland genealogy.

6. PROVOST JOHN STEUART OF PERTH. This scion of the families of Dalguise and Bonskeid (see No. 6 of the Pedigree) twice filled the office of Chief-Magistrate of the Fair City—first, for two years, from 1762 to 1764, and second for two years from 1768 to 1770—the elections being annually at Michaelmas. He was a merchant in Perth. Immediately before his first elevation to the Provostship, there had been a movement among the inhabitants for obtaining a supply of water to the town: and on the 19th July, 1762, the Town Council passed an “Act for bringing water in, in pipes;” but Bailie David Young, coppersmith, protested “against the pipes being of wood”—which they ultimately were. On the 15th of November, 1762, after Provost Steuart was elected, the Council resolved that “the practice of the Dean of Guild and Council riding St Dennis [Little Dunning] and St Andrews’s Fairs should be stopped as unnecessary”—which riding was a pompous civic cavalcade, headed by the Town Serjeants, progressing through the market: and further that “the 30 merks paid by the Town to the Guild Thesaurer should cease.” In 1765, under Provost Alexander Simson, the water question again emerged. On the 4th of February that year, the Council passed an “Act for bringing water from the Lead to the New-row, South Street, and Watergate in Perth—£150 being subscribed by the inhabitants.” Provost Steuart was brought back to office in 1768. On the 6th March, 1769, the Eight-hour Bell, which had been broken, was ordered to be sent to London to be new cast: the Music-Bells to be repaired, and those wanting supplied; and a new dial-plate placed on the south side of the steeple,” or tower of St John’s Church. The Bridge of Perth was then building, and Provost Steuart was a subscriber of £5 5s to the fund. He died in the summer of 1781, and was interred in the Greyfriars’ Burying-ground of Perth, where a stone, bearing the following inscription, still marks his grave:—

In Memory of John Stewart, Merchant, late Provost of Perth, who died on 9th June, 1781, aged 90.

In his manners gentle,

In his temper mild,

In his affections singularly warm and tender;

As a citizen, he was universally respected.

As a parent, most beloved.

In the uniform conduct of his life, he appeared the real Christian, and truly good man.

7. MR THOMAS STEUART, BANKER.—A curious relic of this ingenious gentleman, who invented the calculation of Interest by decimal arithmetic (see No. 7th of Pedigree), was in the possession of the writer of these transcript of the Pedigrees were Notes at the time the made. It was an oblong, little book, elegantly bound and gilded—written entirely in the Banker's own hand, and containing on 96 pages his whole system of calculation, and comprehending also "Four Tables shewing what day of the week any day of any month falls upon for 4299 years from the Birth of Christ, both according to the Old and New Stiles." On the fly-leaf was inscribed—"To John Robert Steuart, Esquire, from his uncle, Thomas Steuart. Edinburgh, 26th April, 1790."

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*APPENDIX TO "THE STEUARTS OF  
CARDNEYS AND DALGUISE."*

In continuation of the notices of the family of Steuart of Dalguise,—so as to bring these down to the present time,—we may add that the present representative of the family and proprietor of the estate is John Steuart, Esq., resident at the Cape of Good Hope, who is the son of Charles (No. 9 of the Pedigree); and farther referring to the notice of John (No. 8) that Thomas, the younger brother of Charles, therein mentioned, married Susanna (not *Agnes*, as there stated), daughter of Captain William Dick, of Auchnaguie, and left two daughters, Agnes Donaldson, who died unmarried, and Helen Christian, married to John Stewart, of Nether Persey, who had issue, James, who also died unmarried, and Susanna Dick Stewart, wife of Andrew Davidson, solicitor, Perth.

THE MASTER OF ROLLO'S FATE.

Prepare for death, if here at night you roam,  
And sign your will before you sup from home.  
Some fiery fop, with new commission vain,  
Who sleeps on brambles, till he kills his man;  
Some frolic drunkard, reeling from a feast,  
Provokes a broil, and stabs you for a jest.

*Dr Johnson's "London."*

THE surname *Edmonstone* is believed to have been territorial in its origin—that is to say, it was adopted from lands so called in Midlothian. It appears in the middle of the thirteenth century as borne by Henry de Edmonstone, whose descendant, Sir John de Edmonstone wedded Isabella, daughter of Robert II., and widow of the “dead Douglas” who won the field at Otterburn. Of this house came the Edmonstone branch which obtained the lands of Duntreath in Stirlingshire. Sir William Edmonstone of Culloden married Matilda, eldest daughter of Robert III.; and after that union, Isabella, Duchess of Albany and Countess of Lennox (eldest daughter of Duncan, the last Celtic Earl of Lennox, and widow of Murdoch, Duke of Albany, who was executed at Stirling in 1425), granted to them a Charter of the lands of Duntreath, in the Earldom of Lennox, dated the 15th February 1445, which was confirmed by James II., in 1452. Sir William's grandson, Sir Archibald, became, under James III., Captain of Doune Castle and Steward of Menteach and Strathgartney. His son, Sir William, was invested with the same offices by James IV.; but fell with the King at Flodden: and from one of his sons, James, sprung the Edmonstones who acquired the lands of Newton and Cambuswallace, in the parish of Kilmadock, on the south-western borders of Perthshire. When the “Rentall of the County of Perth” was made up by order of the Scottish Parliament, in August 1649, the following were the Edmonstones who held lands in the above Parish:—

James Edmonstone, for his part of Newton ...	£333	6	8
Good-wife of Newton, for her conjunct fee lands	313	6	8
John Edmonstone, for his part of Row, Mylne of Cambus, and Hermit's Croft.....	146	0	0
Mr William Edmonstone, for Cambuswallace, Over Callantowie .....	180	13	4

At the period of the Revolution of 1688, the Laird of Newton was James Edmonstone, the son, as we may suppose, of James who was entered in the Rentall forty years before. This Laird of the Revolution time was a man of turbulent and vindictive passions, and his proneness to catch at offence and to seek revenge for trivial or fancied wrongs, eventually implicated him in a deed of bloodshed for which he was sentenced to expatriation.

For more than a twelvemonth following the Revolution, Scotland was subjected to the miseries of Civil War—the provinces north of the Tay being the chief seat of hostilities. The struggle inaugurated by Dundee was finally closed by a paltry skirmish on the Haughs of Cromdale in April 1690. But although the Jacobite clans gave up the contest, much disorder continued to prevail. Predatory bands hovered along the Highland line, and made sudden forays on the adjoining Lowlands. In particular, these marauders occasionally descended on Glenalmond and Strathearn, and drove off considerable spoil in cattle to the mountains. In the month of August, 1690, they swept the lands of Duncrub, the patrimony of Andrew, third Lord Rollo; and on hearing that he was invoking the law against them, they threatened to return and repeat the ravage, so that the Duncrub tenants were kept in constant perturbation, looking for a fresh onfall every day. The dread of such depredations had previously caused the Laird of Abercairney, Sir Robert Moray, to take measures for the protection of the bestial on his property in Glenalmond and vicinity. He hired a party of watchers—six Highlanders, of whom three belonged to Clan Gregor: and they, in the course of their duty, having come to Monzie on a market day, learned there that a band of caterans had swooped down from the hills on a plunder-

ing expedition, and might probably harry Abercairney's lands on their homeward journey. The men, on receiving this information, set to work, and got all their master's cattle removed to places of security. When the robbers appeared, they found that part of the country bare, and great was their disappointment and hot was their wrath at being foiled. They soon got inklings as to who had anticipated them: and on they went, breathing vengeance, while driving the booty which they had lifted at Duncrub and elsewhere. Unexpectedly they came upon the six watchers, who were regaling themselves at Monzie after their labours. The marauders attacked and overpowered the men, and dragged them away as prisoners, but in a little while, on taking a soberer view of matters, released them without harm. The men came home; but Lord Rollo, who had lost cattle in this *spreath*, as already said, was seized with the suspicion that these watchers had been secretly playing into the hands of the banditti, and full of this idea he had them arrested and conveyed to Edinburgh, where they were immured in the Canongate Jail. On investigation, however, nothing was found to criminate them, and Abercairney himself becoming cautious for their appearance at any time if required by law, they were set at liberty, and the Governor of Drummond Castle was ordered to restore them their arms. Lord Rollo was probably satisfied that he had suspected the poor men unjustly; but, at any rate, he brought the subject of the "hershops" under the notice of the Scottish Privy Council, on the 22nd January 1691, representing that "in the harvest last, the Highland robbers came down and plundered his ground, and because of his seeking redress according to law, they threaten his tenants with another depredation, and affrights them so as they are like to leave the petitioner's lands and cast them waste." The Council referred the complaint to the Commander of the Forces; and perhaps the intervention of the military imposed a wholesome dread along the Highland frontier for some time; but leopards might as soon be expected to change their

spots, as caterans to abandon what they considered their natural vocation: and so the repression could only be temporary.

Early in the year 1695 there was a *creach* made in Strathearn, and the lands of Duncrub again suffered severely. Lord Rollo had two sons—the eldest, John, Master of Rollo, who was but a young man, his parents' marriage having taken place in 1670. The Master now applied himself energetically to the task of tracing the marauders and their disposal of the spoil. In the course of his quest, he discovered one of the stolen cattle in the possession of a tenant of Edmonstone of Newton. The beast was promptly reclaimed by Lord Rollo; but no blame in the matter seems to have been imputed to Newton, who was on terms of intimate friendship with the Duncrub family. The circumstance, however, deeply irritated the Laird, and inflamed him with a bitter, revengeful feeling against young Rollo, which soon manifested itself in the presence of one of Rollo's friends, the Laird of Clevage. The estate of Clevage, in the parish of Dunning, was then owned by a branch of the Mercer of Aldie family, connected matrimonially with the house of Duncrub. The Laird of Clevage was James Mercer, son of William Mercer and Anne, daughter of the first Lord Rollo; and William's sister, Helen, had become the third wife of Andrew, the brother of Anne, and minister of Dunning, from 1652 to 1668. Newton, happening one day to visit Clevage, turned the conversation on the Rollos and their recent loss by the caterans—derided the Master's activity about the cattle, and spoke generally of him in a scornful and indignant strain. Shortly afterwards, Patrick Græme, younger of Inchbrakie, was at Clevage, and he, too, having conceived a personal dislike to the Master of Rollo (from causes not sufficiently explained), alluded to him with expressions of contempt. "It has been noised over the country side," he said, "that I have courted the Master of Rollo and fawned upon him for his favour. But when fitting occasion comes I shall shew the world the very reverse." This language was probably regarded

by Cleavage as only the effervescence of a passing anger kindled by some trival misunderstanding betwixt the two young men. But it indicated something deeper. On Saturday, the 18th May, the Laird of Newton called on young Inchbrakie at his residence of Ryecroft, and staying there over Sunday is supposed to have practised upon his host's ill-will to Rollo with the purpose of instigating him to violent steps in requital of his grievances whatever they were. By Monday morning Newton and his dupe accidentally heard that the Master of Rollo was to ride, that afternoon, to Invermay House, there to spend the evening. Straightway, in pursuance of a sinister object, they determined to hasten to Duncrub, and accompany Rollo in his visit—they being ostensibly, as yet, on amicable terms with him, and all three were Jacobites. They took horse. Newton was armed with a sword; but Græme carried no weapon. On reaching Duncrub, they were well received. They met there the Laird of Cleavage and another friend named M'Naughton, who were going with the Master to Invermay. It was at once proposed by Edmonstone and Inchbrakie that they should join in the excursion, and their companionship was accepted without scruple.

Invermay had recently come into the hands of Alexander Belsches, of the family of Tofts, in Berwickshire. He was the nephew of Sir Alexander Belsches, Advocate, who in 1646 was made a Lord of Session with the title of Lord Tofts, and afterwards bore a prominent part in the political troubles of the nation. The natural beauty and the sylvan seclusion of Invermay had already invested the place with poetic associations, and its birchen shade was celebrated by the genius of Scottish melody, along with the "Bush aboon Traquair" and the "Broom o' the Cowdenknowes"—generations before David Mallet or his continuator saw the light. The old mansion of Invermay, in its foliaged glen, which was ever vocal with its little, struggling river, stood environed by scenes, which, smiling under the summer sky, seemed instinct with the spirit of pastoral romance.

The laverocks, now, and lintwhites sing,  
 The rocks around with echoes ring;  
 The mavis and the blackbird vie,  
 In tuneful strains, to glad the day:  
 The woods now wear their summer suits;  
 To mirth all nature now invites:  
 Let us be blythsome, then, and gay,  
 Among the birks of Invermay.

The five gentlemen were warmly welcomed by Laird Belsches, and remained to supper with him. But as the bottle began to circulate, the harmony of the party was disturbed by the insolent taunts and jeers which Newton and his coadjutor directed against Rollo, but which he quietly endured as if unwilling to believe that anything was meant beyond rough jesting. He has been described as "a young man of fine parts, and great hopes;" and certainly his demeanour at the supper table, under an infliction of insulting raillery, seems to have been gentle and forbearing. "Master," said Inchbrackie, evidently referring to incidents connected with the late cattle-lifting, "although John Stewart killed and salted two of your kine, you surely will not pursue him, since your father and Isabel Kininmont ate them." This was followed by a mocking laugh: and the gibe was all the sharper, because Lord Rollo was known to live unhappily with his lady. "Ah!" interposed Cleavage, "This is not table-talk!" "No," said Newton, with a sneer, "You are owning that." The Master gave no angry retort, but allowed the caustic humour of his false friends to have its course, and so precluded an open rupture with them. They whispered together, and Newton exclaimed unguardedly—"I will not baulk you, Inchie." Then they left the table, and withdrew for a short while. On their return to the room, their manner was calmer, and no farther offence was given.

Time was wearing on to ten o'clock, the hour for the guests' departure. It was a lovely summer night. In the western horizon lingered a glimmer of the sunset: the May moon was rising, and a soft breath whispered amid the woods. The visitors tossed off their parting cup, and rose to take their leave. Their entertainer

shrewdly suspecting some bad design in Newton's head, pressed him to make his quarters in the mansion until next day; but the invitation was refused. The party sallied forth, mounted their horses, and took the road towards Dunning. The sky was serene, sprinkled with a few faintly-sparkling stars: the night air was cool with the dews and sweet with the aroma of wild-flowers: and the gurgling voice of the May sounded louder than when the sunshine darted its broken splendours upon the stream through the trembling interlacery of the birchen boughs.

And gentle winds, and waters near,  
 Made music to the lonely ear.  
 Each flower the dews had lightly wet  
 And in the sky the stars were set,  
 And on the wave was deeper blue,  
 And on the leaf a browner hue,  
 And in the heavens that clear obscure,  
 So softly dark, and darkly pure,  
 Which follows the decline of day,  
 As twilight melts beneath the moon away.

The horsemen rode on leisurely. The Laird of Newton was a little in the rear; but he soon came up to the rest, and having done so, drew Inchbrackie aside. They both halted, and held a hurried converse in under tones. Edmonstone unbuckled from his waist the belt which sustained his sword, and gave both belt and sword to Inchie. They then continued their route, and Newton next contrived to urge Clevage and M'Naughton along the road with him, in advance of Græme and the Master, who therefore fell considerably behind. Thus they proceeded. Newton began talking in a loud key, and on indifferent subjects, wholly engrossing the ears of his companions, without allowing them the slightest opportunity to reply. After a few minutes, the sharp clash of steel was suddenly heard above Newton's loudest bawling! Clevage and his friend drew bridle—wheeled about, listened an instant, and galloped back, followed by their loquacious fellow-traveller. A turn of the path brought them upon a startling scene. Græme and Rollo were both dismounted, and their horses standing near. The

Master was down on his knees on the road, apparently wounded, and his sword lying beside him. Over him stood Inchie, bareheaded (for his hat had fallen off and blown away), brandishing Newton's blade, which was stained with blood! "He has got it!" he cried, as Newton caught his eye. The three riders threw themselves from their saddles, and Clevage hastened to support Rollo who was sinking. Newton ran and pulled Inchie away a few paces, and they both spoke in agitated whispers. Clevage perceiving that the luckless Master had received a mortal stab, ejaculated—"Heavens! such a horrid murder was never seen!" Edmonstone looked round. "A murder?" he cried. "I think not so. It has been a fair fight!" Rollo was incapable of uttering a syllable: the last convulsions shook his frame, and he expired in his friend's arms! When the cry was raised that Rollo was a corpse, Newton put his own hat upon Inchie's head, and forced him to mount. The homicide cast from him the fatal brand, and striking his steed with the spur, darted away at full speed.

Fast, as though the Furies had him in chase, fast sped the guilty fugitive through the solitudes of the summer night—perchance, in fancy, hearing the still small voice of innocent blood crying against him from the ground. The moon, resting, like a globe of silver, on the green hill-tops, seemed to have ascended to watch his flight with a ken like that of Eternal Justice. As he rode on, the vulture of remorse began to prey upon his inmost heart; for the foul deed was unprovoked: it had sprung from an ignoble motive: he had bullied his victim into the combat; and only God and his own conscience knew whether the fight had been fair. His "base revenge was vengeance on himself." He had thrown a stain upon the name he bore—upon the honourable house whence he sprung, and which had ever been held in high estimation by all honest men. Was his a crime which might be condoned? Could he defend it, and hope for acquittal, at his country's bar? If not, there would be no rest for the

sole of his foot on Scottish soil. Hard and far he rode, and at last, overcome with exhaustion of body and mind, he sought shelter in the house of a friend, named John Buchanan, whom he informed of the slaughter. From his own confession, it was evident that he had been practised upon by his more astute and malevolent confederate. "Wo worth Newton!" he cried, wringing his hands. "Wo worth Newton, and wo worth the company! I never wanted to fight the Master; but Newton forced his sword upon me, and egged me on!"

In the morning two swords were picked up from the road at Invermay. One—the Master's—was without a stain; but the other, which was clearly identified as having belonged to Newton, was dyed with blood from hilt to point.

Young Inchbreakie made his escape to the continent, thereby placing himself beyond the reach of Scottish law. The Laird of Newton, however, made no evasion, thinking, probably, that no share of the guilt could be brought home to him. But he was arraigned before the High Court of Justiciary for accession to the murder. The trial came on at Edinburgh on the 5th August, 1695. James Edmonstone of Newton was indicted, says the record, for being accessory to the murder of the Master of Rollo, who was killed by Patrick Græme of Inchbreakie. The counsel who defended the pannel were Sir Patrick Hume, Mr Cuningham, and Mr Walter Pringle, Advocates. The libel was sustained by the Court, relevant to infer an arbitrary punishment. After evidence was led, the Jury, all in one voice, found it proved, 1st—That Græme of Inchbreakie had no sword about him when he came from Invermay House; 2nd—That the sword with which he killed the deceased was the pannel's; 3rd—That after he was killed, the pannel said he thought it fairly done, and the pannel and Inchbreakie whispered together. The Court banished Newton for life, and ordered him to leave the kingdom betwixt and the 1st November then next, and to remain in custody till he found security not to

return, under the penalty of 1000 merks. He went into banishment.

But before the 1st November, the father of the ill-fated Master of Rollo had himself left Scotland for the Continent. In pursuit of his son's murderer? It might have been so; but the main cause soon appeared to be domestic infelicity. His lady, Margaret Balfour, daughter of Robert, Lord Burleigh, was necessitated, on the 14th January, 1696, to lay a petition before the Scottish Privy Council, representing that her union with his Lordship had relieved him of a debt of 40,000 merks (£2222 4s 2d sterling), due to her father, and which, had it not been wiped off, would have prevented his Lordship enjoying the family estate. The petition went on to say that in the month of October, 1695, Lord Rollo had deserted her Ladyship and their family, and gone abroad; and she, therefore, sought sufficient aliment. She estimated the annual income of the estate at 8000 merks (amounting to the sum of £444 8s 10d Sterling), the half of which she claimed for her maintenance, together with the House of Duncrub, which had been settled upon her as her jointure house. The Council, having considered the petition, appointed a day for Lord Rollo's compearance, and in the meanwhile ordered that the tenants should pay Lady Rollo £1000 Scots, and that she should occupy Duncrub House. On the day appointed, Lord Rollo failed to appear; and the Council denounced him as a rebel, and granted the lady's petition as craved. His lordship died in 1700, and (as the murdered Master left no issue) was succeeded by his second son, Robert, who, in 1715, took the field for the Chevalier, and fought at Sheriffmuir.

Strange that the banished Laird of Newton fought at Sheriffmuir likewise, on the same side! Having spent a number of years in exile, he returned to Scotland, and resumed his property without challenge, and became a prominent Jacobite. He had more than one quarrel with Rob Roy. "My late venerable friend, John Ramsay of Ochtertyre, alike eminent as a classical

scholar and as an authentic register of the ancient history and manners of Scotland, informed me," writes Sir Walter Scott, "that on occasion of a public meeting at a bonfire in the town of Doune, Rob Roy gave some offence to James Edmondstone of Newton, the same gentleman who was unfortunately concerned in the slaughter of Lord Rollo, when Edmondstone compelled MacGregor to quit the town on pain of being thrown by him into the bonfire. 'I broke one of your ribs on a former occasion,' said he, 'and now, Rob, if you provoke me farther, I will break your neck.' But it must be remembered that Edmondstone was a man of consequence in the Jacobite party, as he carried the royal standard of James VII. at the Battle of Sheriffmuir, and also that he was near the door of his own mansion-house, and probably surrounded by his friends and adherents. Rob Roy, however, suffered in reputation for retiring under such a threat."

The standard-bearer's dupe, Inchie, after the lapse of five-and-twenty years, obtained a remission, and came home to Scotland, in 1720,—doubtless, after all his trials and troubles in a foreign land, "a sadder and a wiser man." He now entered upon the Lairdship of Inchbreakie; for his father, George, had died in 1704. The political principles of the family being Jacobitical, the House of Inchbreakie was burned by Argyll's troops during the Rebellion of 1715. Patrick married Janet, daughter of Pearson of Kippercross, and on his death, in 1740, was succeeded by his grandson, Patrick.\*

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\* *Third Report of the Royal Commissioners on Historical Manuscripts*, p. 407; *The Scottish Nation*, vol. ii., p. 118, vol. iii., p. 685; *Rentall of the County of Perth*, p. 80; Chambers's *Domestic Annals of Scotland*, vol. iii., pp. 30, 117, 143; Dr Wilson's *Dunning*; Dr Scott's *Fasti Ecclesie Scoticanæ*, vol. ii., p. 757; Douglas' *Peerage of Scotland*; Maclaurin's *Criminal Cases*, p. 10; Introduction to *Rob Roy*.

*THE ATHOLL SOVEREIGNTY IN THE ISLE OF  
MAN.—Part 1st.*

Duke of Atholl,—King in Man,  
And the greatest man in a' the land!

*Old Rhyme.*

PERTSHIRE has many associations with royalty. In various instances the royal line of Scotland became connected with Perthshire families. Some Perthshire houses were founded by scions of the blood-royal. Two Perthshire ladies were raised, by marriage, to the Scottish throne—Margaret Logie, the Queen of David Bruce, and Annabella Drummond, consort of Robert III. The great Perthshire Earldom of Atholl was the ancient inheritance of the Scottish royal family: and, remarkably enough, in modern times, a nobleman of the Murray race, who held that patrimony, succeeded, as lawful heir, to the sovereign rights of a kingdom, which, though one of the British islands, had a constitution and laws of its own. Such was the case with James, second Duke of Atholl, in the year 1735. The kingdom was that of the Isle of Man; and its sovereignty was held by the house of Atholl for a period of thirty years, until 1765, when it was transferred, by purchase, to the British crown; but the subordinate manorial rights of the Dukes of Atholl continued to remain in their hands until 1829, when they were also purchased by the British Government. The Atholl sovereignty over Man forms a curious and unique episode in Perthshire history, a narrative of which, therefore, cannot be deemed incongruous in a series of sketches illustrative of our local annals: and, moreover, one of the leading incidents of olden Manx history was enacted in the Fair City itself.

The Isle of Man, lying in St George's Channel, nearly equidistant from each of the three countries forming the united kingdom of Great Britain and Ireland, has never been ruled by British laws. In remote

times, it was a small independent State, and afterwards it became a feudatory kingdom, but was always governed by laws different from those of England, Scotland, or Ireland. It is mentioned by Julius Cæsar : it is said to have been the last refuge of the Druids : and however much its consequence has been diminished by the revolutions of Time, its Princes made a considerable figure during the Saxon Hierarchy; while the remains of their castles, still existing, prove their former power. Cæsar says that in the "interval" between Britain and Ireland, "lies the isle of Mona, besides several other lesser islands, of which some write, that in the time of the winter solstice they have night for thirty days together. We could make out nothing of this upon inquiry, only discovered by means of our hour-glasses, that the nights were shorter than in Gaul." Probably this story about the thirty days' darkness may have had some share in originating the old tradition which represented Mona as having been first inhabited by the Fairies, and therefore for a long time concealed from the sight of strangers navigating the surrounding seas by a magical mist which enshrouded it. Collins, the poet, speaks of

Mona, once hid from those who search the main,  
Where thousand elfin shapes abide :

and a note is added to this passage in the "Ode to Liberty," relating a Manx legend how that a mermaid becoming enamoured of a youthful Manxman, and finding her affection spurned, was so enraged that in revenge "she punished the whole island by covering it with mist, so that all who attempted to carry on any commerce with it, either never arrived there, or were, upon a sudden, wrecked upon its cliffs, till the incantatory spell was broken by the fishermen stranded there, by whom notice was given to the people of their country, who sent ships in order to make a further discovery. On their landing, they had a fierce encounter with the little people, and having got the better of them, possessed themselves of Castle Rushen, and, by degrees, of the whole island." A kindred account of

the discovery of Man is told in a Celtic legend : " Some fishermen long ago arrived on the shore of an island which they had never seen or heard of, because it was always enveloped in a magic cloud, raised by little Manain, the Son of the Sea. They landed, and presently there came rolling on the mist, something like a wheel of fire, with legs for spokes, and the portent so frightened the men that they fled to their boats ;" but the landing of the men had dissolved the charm, and the island was thenceforth open to all comers. This wheel of fire with legs for spokes (or the " three spiral lines starting from a common centre comprised within a circle," so frequent in Celtic art, and apparently emblematic of the sun) is supposed to have suggested the armorial device of the island—the three conjoined legs in armour,—which, however, was not the earliest heraldic bearing of Man.

Willingly granting, for the sake of good neighbourhood with the Fairies, that they were the first colonizers of Man, we find that undoubtedly the Celts were the next; and their sea-sprung, little Manain seems to have given his name to the island. The Manx manners and customs always shewed the strongest similarity to those of the Scottish Hebrides; and in the description of the latter, drawn up by Mr Donald Munro, High Dean of the Isles, " who travelled through most of them in the year 1594," as the title of his work testifies, " the first isle " mentioned " of the said isles " is that " called in Latin tongue Mona and Sodora, in English Man, in Erishe Manain." The history of the island reaches back many centuries—dimly, of course, in its more ancient epochs. The lengthy bead-roll of Manx sovereigns begins with the magician Mannanan Beg Mac-y-Lheir, who is reported to have reigned in A.D. 440. Four years afterwards, St Patrick converted the island to Christianity. The magician is followed in the list by Maelgwyn, the nephew of King Arthur, who conquered the isle, and founded a Welsh dynasty about A.D. 517. The Welsh supremacy endured for four hundred years, until Harald Harfaager of Norway landed

in Man, and rapidly acquired the sovereignty. The Norwegian rule was broken by Orry of Denmark, who raised himself to the throne, and is credited with having established the Manx Constitution. Hacon, son of the Danish king of Dublin, becoming king of Man, in 973, is believed to have given the island its first armorial device, being a ship, or galley, with furled sails. After the middle of the eleventh century, the Norwegians conquered the island, and retained it for two centuries. The last but one of their sovereigns who held Man was Haco, king of Norway, who, in 1263, fitted out a powerful armada against Scotland, and making a descent on the western coast, at Largs, was defeated, in a desperate battle, by Alexander III., whose attack was seconded by a furious elemental storm, which cast away many of the enemy's ships. The baffled invader retreated with the remains of his fleet to Orkney, then part of his dominions, where he died. He was succeeded by his son, Magnus Lagabatter. In 1264, the Scottish forces were about to retaliate by an expedition against Man, when its feudatory king, also called Magnus, sent a pacific message across the sea, proffering allegiance to their crown. He even hastened to Scotland, and meeting King Alexander at Dumfries, made full submission—becoming the vassal of Scotland, and receiving a new investiture of his kingdom, under the tenure of furnishing to his Lord Paramount, when required, ten war galleys, five of 24, and five with 12 oars. In this way the Norwegian supremacy ceased in Man.

Peace was concluded between Scotland and Norway in 1266. The Treaty was sealed at Perth in presence of Alexander III. and his nobles and clergy, while the Norwegian monarch was represented by his Chancellor and one of his Barons. The terms were the following: the King of Norway should resign over to the Scottish crown, the Sodorians, or southern division of the Hebrides, including the Isle of Man, and that they should for ever after belong to the kings of Scotland, together with their superiorities, rents, services,

homages, and all other rights belonging to them, as also the Ecclesiastical Jurisdiction of the patronage of the Bishopric of Man and of the Isles; and that the inhabitants of the Isles so ceded to the crown of Scotland should enjoy every privilege granted to them by the kings of Norway, without being answerable for any action they had been guilty of while under the government of their old master; and that the said inhabitants should in future be under the government of the kings of Scotland, and be in subjection to its laws, unless they chose to reside in England, in which case they had full liberty to remove without molestation; and provisions were made for the security and protection of the persons, vessels, and cargoes of the vessels, which might be wrecked on the coasts: in return for which renunciation, King Alexander obliged himself and his successors to pay to the King of Norway 4000 merks (equal to £40,000 sterling) within four years after the date of the Treaty, together with an annual sum of 100 merks (£1000 sterling) to be paid in the Church of St Magnus in the Orkneys, by Alexander and his successors to the King of Norway and his successors for ever. Four years afterwards, in 1270, the Manx, headed by a Norwegian pretender to the crown, rose in rebellion against the Scots,—whom they inveterately disliked. A battle was fought, in which the insurgents were routed and their leader slain, when the island was speedily reduced to subjection. Another power eventually came upon the scene. Edward I. of England having acquired the predominance in Scotland, after the death of Alexander III., the Manx people sought his protection, in 1290, and accordingly surrendered the island to him. On the 4th June that year Edward gave it in vassalage to Walter de Huntercombe, who, in 1292, resigned it to John Baliol, king of Scotland, as a fief of the crown of England. It was seized again by the English when Baliol was overthrown. During the Scottish War of Independence, Robert Bruce led an expedition against Man, and conquering it, is said to have bestowed its crown upon his nephew, Randolph, Earl of Moray. On

Bruce's death, the Scots lost their hold of the island, and it finally reverted to England. Its annual revenue was rated in 1364 at 1000 merks (£10,000 sterling).

Although, however, the English crown appropriated to itself the paramount sovereignty, it never interfered in the Government of the island, but only transferred the regal power to those of its own subjects whom merit or favour pointed out for that high dignity. Edward II., in one year granted the little kingdom to three of his favourites successively—Peirs Gaveston, Gilbert de MacGaskill, and Henry de Beaumont. In 1390, Man was in the possession of Lord Scroope, who adhering to Richard II., forfeited his dominion to Henry IV. That monarch gave it to Henry Percy, Earl of Northumberland, and in his grant declares that "we conquered," the island, "which by reason of this our conquest fell to us." Percy was to hold the island "by service of carrying at every coronation day of us and our heirs, at the left shoulder of us and our heirs, either by himself in person or by some sufficient and honourable deputy, that sword (which we wore when we arrived at Holderness) called *Lancaster sword*." In the fifth year of Henry's reign, Northumberland was attainted of treason, and the Isle of Man was presented by Henry to that brave soldier and accomplished statesman, Sir John Stanley, ancestor of the Derby family (from whom the Duke of Atholl inherited by female descent), and the tenure was changed from bearing the "*Lancaster sword*" at the King's left shoulder at every coronation, to rendering a cast of falcous at every such solemnity. At this time the revenue of the island amounted to £400 per annum. The house of Derby held the grant for many generations. The title of *King of Man* is said to have been first waived by Thomas, Earl of Derby, in the reign of Edward IV.; and his successors thereafter styled themselves *Lords of Man and the Isles*; but without any diminution of their regal authority.

A family controversy about the Isle of Man arose on the death of Ferdinand, the fifth Earl of Derby, in

1594, between his three daughters and co-heirs and his widow, on the one hand, and his brother, William, the sixth Earl of Derby, on the other. Of this controversy and some important points which are said to have been resolved in a reference by Queen Elizabeth to certain of her Privy Council and Judges, there is an account in Coke's *Fourth Institute*, p. 283, Anderson's *Reports*, p. 115. and Dugdale's *Baronage*, p. 250. It was determined "that the Isle of Man is an ancient kingdom of itself and no part of England, nor governed by the laws of England, but like to Tournay, in France, and Gascony, in Normandy, when they were in the King of England's hand." The Derby dispute lasted some years, and in the meantime the Crown appears to have had possession of the island. At length, however, an agreement was made, whereby Earl William was to have Man; but was to pay various sums of money to Ferdinand's three daughters, and to his widow, who was become the wife of Lord Chancellor Egerton; and the future succession to the island was to be regulated in a particular way. It was to accomplish the latter part of this arrangement that the Parliamentary Entail of the island was passed in the seventh year of James I. The Act for this purpose is entitled "An Act for the assuring and establishing the Isle of Mann." By this Act the island was settled upon William, sixth Earl of Derby, and his Countess, for their lives, and the life of the survivor; remainder to the same Earl William's eldest son, James, Lord Stanley, and the heirs male of his body; remainder to the second son, Robert Stanley, and the heirs male of his body; remainder to the heirs male of Earl William's body; with remainder to *the right heirs of James Lord Stanley*. This grant, both in the Letters Patent and Act of Parliament is made in the most general and comprehensive terms. The sovereignty and absolute property of the island, with all its dependencies; the patronage of the Bishopric, and all the ecclesiastical benefices; all the greater and lesser regalities; all castles, abbeys, manors, fisheries, wrecks; the dominion

and profit of the land, the shores, the ports, and the seas, belonging to the island; all civil, criminal, ecclesiastical, and naval jurisdiction, are conveyed and assured by Parliament; and the right of the Crown is expressly barred.

The government of this little subordinate kingdom was composed of three Estates. First, the *King*, or *Lord*, who retained the rights of the ancient Kings in assenting to or rejecting laws, exercising an appellate jurisdiction, coining money, and other royal prerogatives. Second, the *Governor and Council*—the Council being composed of the Bishop, and lesser ecclesiastics, the two Deemsters, or Supreme Judges, and other officials. Third, the *House of Keys*, representatives of the people, consisting of 24 members,—hence the title “Keys,” a probable corruption of the Manx word *Kiare-as-feed*, signifying four-and-twenty; but they were also called, in olden days, *Taxiawi*, the meaning of which is obscure. The meeting of the three Estates was called a *Tynwald Court*: their united concurrence made laws, which could only come in force by being proclaimed from the Tynwald Hill; but the absolute power both of legislation and government, may be said to have remained with the *Lord*; for without his concurrence no law could pass. He nominated the Bishop and inferior clergy; and he appointed and displaced at pleasure the Governor and all civil and military officers of the island, whom he paid from his own revenues. The property of the soil was his, which he granted anciently to tenants; and it was not until 1703 that estates of inheritance were fixed upon payment of certain quit-rents and contingent fines. He appointed all Judges, civil and criminal; and maritime processes and decrees were executed in his name. He pardoned criminals. He coined money. He received, besides the land-rents, all customs upon imports and exports, and the profit of all seizures made within the isle and its dependencies. Fisheries, regalities, mines, unappropriated lands, seaports, escheats, forfeitures, treasure trove, tolls, customs, castles, and forts, were his ex-

clusive property. No jurisdiction of Judges in England, Scotland, or Ireland, extended to his island; nay, the British Sovereign's writs had no effect there. In his Court of Tynwald, the Lord sat in a chair of state, under a royal canopy, with his face to the east, and his sword borne before him. The Bishop and others in their degrees, sat beside him. The Deemsters sat before him. The Keys were ranged in their order; and the Commons stood without the circle, with three Clerks in their surplices. The Lord was guarded by his military establishment both horse and foot. In general, every act of dominion was constantly exercised by him and his officers, not only in the seaports, but in the seas adjacent; and all royal fish, wrecks of the sea, and the like, were his prerogative. When the Manx Sovereign was styled a *King*, he was crowned at his accession; but when the title was changed to *Lord*, he was only proclaimed and installed, without a coronation.

"The laws and statutes of the island," said Coke, "are such, the like of them are not to be found in any other place." Anciently the laws were unwritten, and preserved soldy by oral tradition, being delivered forth by the Deemsters: hence, the laws were termed *Breast-laws*, as being deposited in the breasts of the Deemsters and the Keys. The custom seems derived from the Druids, whose memory the Manx people long held in profound reverence. "To this hour," writes Toland, "the memory of the Druids is highly venerable among those of the Isle of Man; and their laws are infinitely preferred to all others by the Manxmen, who say the family of Derby comes nearest their excellence of any race of men now in the world." Various strange practices occurred in the Manx law-procedure. In regard to the recovery of debt, "when the debtor died, and was buried, and there remained no writings to prove the debt, the creditor came to the grave of the deceased, and laid himself all along with his back upon the grave, with his face towards heaven, and a Bible on his breast; and there he protested before God that is above him, and by the contents of the Bible on his breast, that the

deceased, there buried under him, did owe him so much money; and then the executors were bound to pay him. But in the year 1609 this custom was abolished, and such controversies ordered to be tried according to the form of law, by witnesses or otherwise." The Manx not only venerated the memory of the Druids, as has been said, but also cherished a profound belief in the Fairies. "I know not, idolizers as they are of the clergy," says Waldron, in his *Description of the Isle of Man*, 1731, "whether they would not be even refractory to them, were they to preach against the existence of Fairies, or even against their being commonly seen; for though the priesthood are a kind of gods among them, yet still tradition is a greater god than they; and as they confidently assert that the first inhabitants of their island were Fairies, so do they maintain that these little people have still their residence among them." The superstitious creed of the Manx was very comprehensive, including Fairies, Changelings, Brownies, Mermaids, Witches, Banshees, Water-horses, Second Sight &c. Their Witches sold winds to mariners, in knots upon a string, like the Lapland sisterhood. The Second Sight was common. "The natives of this island tell you," says Waldron, "that before any person dies, the procession of the funeral is acted by a sort of being<sup>s</sup> which for that end render themselves visible. I know several who have offered to make oath that, as they have been passing the road, one of these funerals has come behind them, and even laid the bier on their shoulders, as though to assist the bearers. One person, who assured me he had been served so, told me that the flesh of his shoulder had been very much bruised, and was black for many weeks after." There were vaulted chambers under Rushen Castle, the access to which had not been unlocked time out of mind, because said to enclose certain slumbering giants. Once a bold adventurer opened the entrance, passed in, and, proceeding a considerable distance, came at last to a magnificent mansion, which was brilliantly lighted with countless lamps in every apartment. Looking in at a window

“ he beheld a vast table in the middle of the room of black marble, and on it extended at full length a man or monster; for by his account he could not be less than fourteen feet long, and ten or eleven round the body. This prodigious fabric lay as if sleeping, with his head on a book, and a sword by him, of a size answerable to the hand which it is supposed made use of it. This sight was more terrifying to the traveller than all the dark and dreary mansions he had passed through,” and accordingly he made his way back. But space would fail us in noticing separately all the superstitions of the Manx.

The Derby family enjoyed their sovereignty of Man uninterruptedly until the close of the Civil War. The island was held in the royal interest by James, the seventh Earl, whose lion-hearted Countess, Charlotte de la Tremouille, a French Protestant, daughter of the Duke of Thouars, is celebrated in the history of the times for her heroic defence of Latham House against the Roundheads. She was akin by blood to the Emperor of Germany, the Kings of France and Spain, the Prince of Orange, the Duke of Savoy, and other great European houses. Lord Derby having died on the scaffold at Bolton, for adherence to the Cavalier cause, the Countess, for a short space, maintained her stand in Man, until she was betrayed by a false friend William Christian, who excited a revolt of the Manx, and surrendered the island to the Parliamentary troops, in 1651. The Countess and Christian's brother (or rather nephew) Edward, as will be recollected, figure in *Pevenil of the Peak*. The Parliament, on obtaining possession of Man, gifted it to the well-known General, Thomas, Lord Fairfax, who kept it till the Restoration, when the house of Derby regained it, and the Countess, who had nursed her wrath through long years, punished William Christian's treason by bringing him to trial and execution, in defiance of the Act of Indemnity—a dangerous stretch of authority for which a heavy fine was inflicted.\*

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\* Cæsar's *Commentaries*, book v. § 10; *Miscellanea Scotica*, vol. ii. (Dean Munro's Description of the Isles);

*Poetical Works of William Collins*; Campbell's *Popular Tales of the West Highlands*, vol. iv., p. 386; Tytler's *Lives of Scottish Worthies*, vol. i. pp. 53-55; Tytler's *History of Scotland*; *Chronicon Mannicæ*, Perth: 1784; Train's *History of the Isle of Man*; Rev. J. G. Cumming's *Story of Rushen Castle*; Toland's *History of the Druids*, p. 113; Waldon's *Description of the Isle of Man*.

THE ATHOLL SOVEREIGNTY IN THE ISLE OF  
MAN.—Part 2nd.

I shall conclude with the opinion of all the great lawyers in England who have had occasion to mention the Isle of Man; namely, that it is a royal fief of the crown of England, and the only one; so that I may venture to say without censure, that if his Grace the Duke of Atholl is not the richest subject the King of Great Britain has, he is the greatest man in his Majesty's dominions.

Nisbet's "*Heraldry*."

ABOUT ten years after the Restoration, the facilities which the Isle of Man afforded for smuggling foreign goods into Britain and Ireland encouraged a number of Liverpool men to form an adventure-company for the carrying on of such *free trade*. The project was started, and throve apace; and the island soon became a contraband entrepot, to the marked detriment of the British revenues. Smuggling rose to be what we may call the staple industry of Man—the sole occupation of the mass of the inhabitants. "The profits attending this iniquitous trade," says Mr Train, in his *History*, "soon induced many of the most wealthy of the Manx people to engage in it likewise. The great body of the people, who had no capital to embark in speculations, became carriers; for which hazardous employment they were qualified, being inured to hardships, and trained to a seafaring life. The island became the great storehouse for the French and Dutch to deposit vast quantities of Indian goods, which were carried off by the islanders in wherries built for that purpose. The loss to Great Britain, and the gains to the French, were inexpressibly great. In the surrounding countries, the spirit of industry was likewise checked by a passion for smuggling, which was nourished by their vicinity to the Isle of Man." The nefarious traffic continued lucrative, and things went from bad to worse so far as concerned British revenues, until the British Government, in 1726, introduced a Bill, by which a general

prohibition was laid upon the importation of all commodities from the Isle of Man into Great Britain or Ireland, not of the proper growth, produce, or manufacture of that island; but the Lord's Ports remained inviolate: he was not deprived of his forfeitures, and the jurisdiction of his Courts was not invaded. While this measure was in progress, the idea of purchasing the island altogether from the Earl of Derby occurred to the Cabinet. As the Manx revenue was leased or farmed from his Lordship by English merchants, who paid him £1000 per annum (which, however, was much under the value), the farmers petitioned the House of Commons against the Bill, and the petition produced a resolution, "That it be an instruction to the Committee that they have power to receive a clause to enable the Lords Commissioners of the Treasury to treat and agree with the Earl of Derby and others, for the purchase of their estate and interest in the Isle of Man for the use of his Majesty." Accordingly, a clause was inserted in the Bill authorising the Commissioners of the Treasury on behalf of his Majesty, and James, Earl of Derby, and all other persons claiming under him or his ancestors, to treat and agree for the absolute purchase of their estate and interest in the said isle or lordship, upon such conditions as should be thought fitting. The Bill passed into an Act with this clause; but the contemplated purchase went no farther, and the proposal was abandoned for some years.

James, tenth Earl of Derby, died without issue in the month of February, 1735; and his patrimony and honours were then divided. Edward, the eleventh Earl, succeeded to the Earldom by descent from a younger son of the Lord Stanley, who was made Earl of Derby by Henry VII., and he also became entitled to the Lancashire estates, as general devisee of the deceased Earl. But the Strange Peerage and the Isle of Man went to another heir. The island, the succession to which was regulated by the Act of James I., fell, along with the Peerage of Strange, to James, second Duke of Atholl, the maternal great-grandson of James, seventh

Lord Derby (who was beheaded at Bolton), by the marriage of Emilia, his third daughter, with John, last Earl and first Marquis of Atholl.

The second Duke had succeeded his father on the latter's death in November, 1724, and at the time of that event was M.P. for the County of Perth. His Grace was twice married: first, to Jean Lanoy, daughter of Sir John Frederick of Westminster, Bart., by whom he had a son, who died young, and two daughters, Ladies Jean and Charlotte Murray: and the second marriage was with Jean, daughter of Mr John Drummond of Megginch, who sat as M.P. for Perthshire from 1727 to 1734. This lady is the heroine of the Scottish song, "For Lack of Gold," which was composed by a disappointed suitor, Dr Austin, a physician in Edinburgh. Her nuptials with the Duke took place on the 7th May, 1749. Although, however, the poet had vowed in his lachrymose verses that no other fair one should ever move his heart, yet within five years—in 1754—he became the husband of the Hon. Anne Sempill. By the second marriage, the Duke of Atholl had no children: and after his death, in 1764, his Dowager gave her hand to Lord Adam Gordon, fourth son of the Duke of Gordon.

Soon after the Duke's accession to the Isle of Man, in 1735, some overtures were made to him from the Treasury for purchasing it; but they were not pushed. They were resumed by Mr Pelham, and then by the Duke of Newcastle, as they successively presided at that Board. The Duke of Atholl was reluctant to sell so ancient and important a patrimony, but at the same time submitting to the wishes of Government for the public accommodation, did not set a price on the Isle, but treated with the most unlimited confidence, and met with as candid a return, the two officials last named having both assured him that no proposals should come from them which they would not adjudge as arbitrators. The subject, however, was ultimately dropped by the Treasury. Still, the Duke did not lose sight of it; for in his family settlement he ordered the

insertion of an express clause enabling his trustees to alienate the island to the Crown (and to the Crown only) upon a sufficient consideration.

Between 1735 and 1764 the revenue of the Isle of Man largely increased. In general the surplus was £6000 per annum; but in some years it rose as high as £10,000. Smuggling was rampant, and defied all efforts to put it down, as the whole population had a vital interest in it. In England the number of people who engaged in the nefarious trade was enormous. A pamphlet on the Excise Duties, published at London, in 1743, speaks of "many thousands of poor, unhappy creatures, which have been or are still employed in the smuggling trade; and, I think, there were once, at the same time, no less than fifteen or sixteen thousand in several gaols of England."\* The Duke of Atholl died on the 8th January, 1764, and was succeeded in the Barony of Strange and the Isle of Man by his youngest daughter and only surviving child, Charlotte, who, in 1753, had married her cousin—the heir to the Atholl dukedom—John Murray, eldest son of Lord George Murray, who bore so prominent a part in the Rebellion of 1745. The Peerages of Atholl and Strange and the Lordship of Man thus remained united. About 1763 the perplexing question of the island sovereignty again forced itself upon the attention of the British Government: and in 1764, when the Lords Commissioners of the Treasury made a full investigation, they found that the annual loss to the British revenue from the irrepressible illicit traffic of the Manx amounted to £350,000. They decided, therefore, to enter immediately into terms with the Duke and Duchess of Atholl (who had just succeeded his late Grace), for the conclusion of a purchase, such as had been on the *tapis* before.

The Lords Commissioners accordingly wrote to the Duke of Atholl, on the 25th July, 1764, informing him

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\* This brochure on national finance deserves a passing notice. Its title thus states its object:—"Serious Considerations on the several High Duties which the Nation in general (as well as its Trade in particular) labours under :

with a Proposal for preventing the running of Goods, discharging the Trader from any Search, and raising all the Publick Supplies by One Single Tax. By a Well-wisher to the good people of Great Britain. London: 1743." The scheme is briefly as follows:—"I humbly propose that the Excise Duty of 4s per pound on Tea be repealed; and that, instead of it, the duty may be raised upon every family in England which drinks Tea, the highest 20s and the lowest 5s a-year, to be taxed in proportion to the number of persons in each family; and that of all Publick Houses which sell Tea in liquor, those in the City of London, and Westminster, pay £5 a-year, and in all other places in England 40 shillings. But then, will it be said, how shall we know what families drink Tea, for it would be hard to lay a Tax upon those who do not? To this I reply, in general, that no scheme can be thought of, from which a universal good is expected, but that will, at the same time, be liable to some difficulties. However, to avoid this particular inconvenience mentioned in the present scheme, I would propose that every officer, who is to levy this Tax, should be impowered, by Act of Parliament, to make every head of a family take his oath (which he should have ready printed by him) whether he, or any of his family, to his knowledge, drank tea, directly or indirectly, in his house, during the whole year, and that this, and no more, should be required; but that if the contrary could be plainly proved, a severe penalty should be laid on the offender, such as the Parliament should think fit." It was expected that this duty would realise more than £130,000 a-year, the latter being the sum which the Excise of 4s per pound produced; while it would "immediately, *ipso facto*, hinder the running of any sorts of tea; for where no profit is, there no running will be." Farther, the author proposes to raise the whole public revenue by one tax. "The exigencies of the State in times of peace" are stated thus:—

1. His Majesty's Civil List,.....	£800,000
2. Interest money to discharge the public debt.	2,000,000
3. Money for the current service of the year,...	2,200,000

In all,..... £5,000,000

Happy times, when this was all the revenue! In order to raise this money, a duty was to be laid on houses. In England alone there were 1,200,000 houses; but of this number there might be 100,000 uninhabited, and 500,000 more inhabited by the poorest sort of people, from whom no duty could be expected. Deducting both classes, there would remain 600,000, which would pay the whole duty, which, on an average of £10 per house, would realise £6,000,000. The rates of duty, however, would be proportioned on a scale from £5 to £100 per house annually. The surplus million would be applied in reduction of the National Debt; and "if, in future times, the publick should want to raise a greater sum for the current services of the year, it might easily be procured by adding to every

million they wanted, one-sixth part upon every house." Scotland had about 250,000 houses, and Wales 150,000; and if these were likewise taxed, and the money "faithfully laid out in clearing the publick debt, it would be surprising to see how much it would be lessened in the short space of ten or twelve years." Such were the hopeful projects offered for the consideration of the Treasury of the day.

that they were ready to treat for the purchase of the Isle of Man, or such parts of his rights there as it should be found expedient to vest in the Crown, for preventing the illicit trade carried on between the island and other parts of His Majesty's dominions; and that they were ready to receive a proposal from him for that purpose, specifying what parts of His Grace's property and rights of the island he was disposed to sell, and the value he put upon them. The Duke, who was then at his seat in Scotland, returned an answer, on the 29th August, in which he expressed his idea, "with regard to the sale of the island, to be the same with that of the late Duke, who always declared that no temptation of gain could induce him to give up so ancient and honourable a birthright, which had been in the family nearly four centuries; but that, if it was esteemed, upon full consideration, an important point for His Majesty's service, and for the good of the public, he was willing to enter into a treaty for the disposal of it; and as he had been but a few months in the possession of the Isle, and had never turned his thoughts towards a sale of it, it was impossible for him to fix upon what he should think an adequate price for a possession so very considerable, and as he had never heard of any motion to purchase a part only, he did not understand what it was, and would therefore have no proposal to make; but would always be ready to receive with respect any proposal which should come to him from their Lordships." The correspondence was continued, and the Duke went to London that he might the more conveniently treat with the Treasury.

The negotiations were still proceeding, when, on the 21st of January, 1765, a Government Bill was introduced into the House of Commons regarding the island. Parlia-

ment thought expedient that the sovereignty of Man, and the revenues of the customs thereof, with some of the rights of property therein, should be re-vested in his Majesty, upon compensation to be made by the public to the proprietor. The compensation was fixed at £70,000, which sum was to be invested in the purchase of lands in Scotland. The Duke considered the price too low, but allowed the transaction to be completed on these terms; and the Bill passed. "The island, castle, and peel of Man, with all the lordships thereto belonging, together with the royalties, regalities, franchises, liberties, and seaports appertaining to the same, and all other hereditaments and premises," particularly described in the Act, "as holden under the several grants thereof, or any other title whatsoever," were surrendered by the Duke and Duchess of Atholl, for the said purchase money of £70,000; but reserving to them "only their lands, inland waters, fisheries, mines, mills, minerals, and quarries, according to their present right therein, felon goods, decdands, waifs, estrays, and wrecks at sea, together with the patronage of the Bishopric, and of the other ecclesiastical benefices in the island, to which they were entitled." After the transfer, the Government becoming convinced that the price paid was really inadequate, an annuity of £2,000 per annum was granted to the Duke and Duchess of Atholl, for their lives, and the life of the survivor of them—this annuity being placed on the Irish establishment, "in consideration that the revenues of Ireland as well as those of Great Britain would be greatly improved by the surrender of the island." And so the Atholl sovereignty in Man, after existing for the short space of thirty years, became a thing of the past.

The anticipations of improved revenues were apparently realized for some time after the transfer; but the task of utter suppression of smuggling proved exceedingly difficult. The Manx people shewed themselves so much dissatisfied with the change of masters, that apprehensions were entertained of popular out-

breaks, to prevent which a military force was despatched to the island to maintain order. For a period the smuggling trade declined; but afterwards it began again, adapting itself to the altered circumstances; and towards the close of the eighteenth century it had risen to a greater height than ever, many men of capital being engaged in it. The free-traders successfully outwitting the Government, established secret magazines on the coast of Galloway, where they deposited cargoes for distribution over the country. "Immense quantities of smuggled goods," says Mr Train, "were occasionally concealed in caves, and among rocks on the shore, so as often to elude the most diligent search of the revenue-officers, unless pointed out by very direct information. The carriers from the coast to the interior were called *Lingtow-men*, from the coil of ropes, or *lingtows*, which they generally wore like a soldier's shoulder-belt, when not employed in slinging or carrying their goods. The fixed price for carrying a box of tea, or a bale of tobacco, from the coast of Galloway to Edinburgh, was fifteen shillings; and a man with two horses could carry four packages. Two hundred horses have been frequently laden in a night at Balcary, and at the Abbey-burn-foot of Dundrenan. Annan Water-foot was another noted landing-place. Many a large cargo of contraband articles was discharged there during the time our celebrated poet, Burns, was Excise-officer at Dumfries." In 1792, a Parliamentary Commission sat in the island, and reported that the annual loss to the revenue was still £350,000, while the value of seizures on the coast of Ireland was £10,000 per annum. Pitt's "Burning and Staving Act" was passed that year. But in process of time a better system of legislation accomplished more than repressive laws and armed cutters, and eventually smuggling became extinct.

John, third Duke of Atholl, died in 1774, and was succeeded by his eldest son, John, who lived to see the last link of his family connection with the Isle of Man severed. "His Grace," says Mr Train, "was an active,

liberal, and enlightened nobleman: he possessed considerable influence at Court, which he uniformly employed in advancing the real interests of the island." On many occasions his public spirit was manifested in promoting the benefit of his country and particularly of Perthshire. During the summer of 1800 famine was severely felt in this county. When the fact became known to the Duke, who held the office of Lord-Lieutenant, and was then in London, he immediately purchased there, at his own risk, 4000 quarters of corn, which he sent down to be distributed over all the parishes of the shire, according to their population, and in this way mitigated the sufferings of thousands of families. Professor Walker, the poet of *The Defence of Order*, thus records the good deed:—

At length the cry of fear and want assails  
 The noble master of the famished vales:  
 Who, from the scene withheld by public cares,  
 His rural charge in kind remembrance bears.  
 To rich Augusta's granaries he flies;  
 No wary doubts, no balanced scruples rise:  
 "Unlock your stores," he calls, "your ships prepare,  
 And instant succour to my people bear!  
 Pause not—nor urge the cost—though tripled thrice,  
 I pledge my name and fortune for the price.  
 Wealth I but feel a trust, till it provide  
 Relief for want, in scenes where I preside."  
 The mandate thus repeated, grainy stores  
 Are soon diffused through Tay's exhausted shores:  
 Reviving regions lift their gladdened eyes,  
 And grateful prayers from rival clans arise.

When the Duke returned home, he was met by a multitude assembled from all the country-side to testify the general gratitude; and the people would have harnessed themselves to his carriage, and drawn him to his own gate, had his Grace permitted.

Yet, brighter still the flame of duty burns,  
 To Grampia's mountains when their lord returns,  
 Whom, as advancing through his native vale,  
 Redeemed from ruin, thousands throng to hail.  
 Remotest hills their simple dwellers pour,  
 Who ne'er had visited the plains before;  
 Babes in their arms the weeping mothers raise,  
 On him, who saved their little lives, to gaze;  
 And age extols the well-directed power,  
 That yields its closing day another hour.

At the coronation of George IV., on the 19th July,

1821, the Duke, according to his Manx tenure, personally presented two falcons to the King. But the time was now at hand, when the Manx tenure was to cease. In 1824 an Act was passed "empowering the Lords of the Treasury to purchase all the manorial rights of the Duke of Atholl in the Isle of man:" and in 1829, it was carried into full effect by payment to the Duke of the sum of £416,144. His Grace died at Dunkeld, on the 29th September, 1830, in the 76th year of his age.

It has been already stated that the original arms of Man consisted of a galley with sails furled. This cognizance was changed in 1270 for the three legs, with the motto *Quocunque Ieceris Stabit*. The Kings of Man issued their own coinage. Various coins of ancient Manx sovereigns, from the beginning of the eleventh to the end of the twelfth centuries, have been frequently found. It is said that while the isle was subject to King Robert Bruce, a copper coin was minted, with the King's head on one side, and a cross on the other, with the motto, *Cruz est Christianorum gloria*. The earliest money coined by the Derby family is dated 1723, according to Mr Noel Humphreys, the numismatist. It was of copper. It bore, on the obverse, the Manx legs and motto with I.D. for Jacobus Darbiensis, and on the reverse, the Derby crest, and the motto *Sans changer*. The same writer mentions a coin of 1758, the reverse of which bore a cipher formed of the initials A. D., beneath an imperial crown. After the sale in 1765, copper money was coined for Man, with the head of George III. and the device of the three legs, the royal superscription and the local motto being *sunk* round the edge. A halfpenny of this description, dated 1798, is now before us, as also two later Manx coins—one, a half-penny token of 1831, with the local legend and an additional motto, *Pro bono publico*, both sunk round the edge; and the other, a halfpenny of Victoria, dated 1839, with the Queen's head and superscription, and the Manx legs and motto, but the lettering on both sides is in relief.\*

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\* Train's *History of the Isle of Man*; Blackstone's *Commentaries on the Laws of England*, Introduction, § 4;

Cumming's *Story of Rushen Castle*, p. 24; H. Noel Humphreys' *Coinage of the British Empire*, p. 167. The information regarding the Atholl sway in Man up to the sale in 1765 has been obtained from copies of several documents connected therewith (printed and in MS.) which were drawn up for the Atholl family.

## STORIES OF THE SUPERNATURAL.

In rangles round, before the ingle's lowe,  
Frae guidame's mouth auld warld tales they hear,  
O' warlocks loupin' round the wirriekow ;  
O' ghaists that win in glen and kirkyard drear ;  
Whilk touzles a' their tap, and gars them shake wi' fear !  
*Robert Fergusson—"The Farmer's Ingle."*

### 1. THE GHOST OF MAWSE.

IN the days of our great-grandfathers, when the telling of stories of the supernatural was the favourite entertainment of the long winter evenings, around the cottage hearth—the tales being oft alternated with old songs and ballads of love and war, many of which, escaping the note-books of the Jonathan Oldbucks, have now perished in oblivion—no legend was more popular or better known in eastern Perthshire than that of the Ghost of Mawse. The scene of the exciting narrative lay in the hilly region on the west side of Glenericht, in the parish of Blairgowrie, called generally the Maws or Mawse; portions of which being designated according to their respective natural characteristics, such as the Braes of Mawse, the Cloves (cliffs) of Mawse, and the Heughs of Mawse. It was said that a Drover or Cattle-dealer from the south country was on his way, through this wild district, to the northern markets, with a large sum of money in his possession, when he was murdered and robbed by a man who had dogged him a considerable distance. The dead body was committed to the earth in the heart of a wood at Rochallie, not far from the Bridge of Cally; and the assassin, having obliterated all traces of the crime, hastened from the spot. As he proceeded, he felt himself somewhat faint for lack of food, and therefore ventured to approach a lone cottage, where he expected to obtain refreshments. It was the dusk of the evening, and a hush as of death pervaded the dreary scene. He tapped at the door, which was presently opened by a young matron with an infant boy

in her arms. The man was quietly preferring his request, when the woman started back in dismay, exclaiming that there was blood on his face! Conscience-struck, he fled, without another word, and never slackened his speed until far from the house. He was seen no more: and the murder — as both assassin and victim were strangers—remained undiscovered.

Years on years followed each other. The young matron's child grew to manhood — was active and industrious—throve in the world—became a substantial farmer in Mawse, and an Elder of the Kirk. No one of his degree had so much weight and consequence in the parish as William Soutar. But at length an extraordinary visitation befel him. He had attended a sederunt of the Kirk-session, and was travelling home by himself, in the gloaming, when, on crossing the bridge over the Lornty, a tributary of the Ericht, he perceived an indistinct object, somewhat in the shape of a great black dog, shambling slowly on the road before him. Instinctively the Elder judged that this was no earthly animal. He paused, and the shadowy form paused: he resumed his pace, and the dog passed on, ever keeping a few yards in advance. Night fell fast, the road grew dark, and the dog disappeared with a long, low howl. Soutar reached home in agitation, and told his story. It was easy to suggest that there was nothing *uncanny* in the matter: the dog had probably lost its master. But if the Elder was persuaded to lay this flattering unction to his troubled mind, he was soon undeceived; for the very next night when he chanced to be abroad, the canine apparition again met his view. Night after night, in all his walks about his grounds, or elsewhere in the open air, the dog was visible—hovering a little way off—gambolling about the road—or suddenly bounding past him—and always vanishing with a howl, which gradually waxed louder and more fearsome. What did all this portend? What was to be done? The Elder, thus sore bested, durst scarce venture from his own door after dusk, except in com-

pany, in which case the spectre never appeared; for it seems to have been a rule in supernaturalism that a ghost could never be seen by more than one person at a time. In much distress of soul, William made known his tribulation to the Minister and brethren of Session. They deliberated upon it—held prayer meetings at his house—and had him prayed for in the Kirk, so that the whole parish rang with the terror-striking story. Still no good resulted from these well-meant endeavours: the dog-fiend refused to be exorcised. Finally, the Session counselled their afflicted brother—what they might have thought of at first—that when next the apparition manifested itself, he should adjure it, by the sacred name, to shew why he was so tormented. Full of this advice, he speedily had an opportunity of acting upon it.

Night came, and William, not far from his own stead-ing, beheld the dog. He immediately demanded, with a solemn invocation, why it haunted his footsteps. Strange to tell, it acquired speech, and answered him that it was the ghost of a villain who had expiated his crimes on the gallows, but could get no rest in the grave until Christian burial was given to the bones of one of his victims, a south-country Drover, whom he had murdered and interred in Rochallie wood: and farther, that he (the ghost) would now conduct the Elder to the exact place where the body lay hid. Soutar was constrained to follow the spectral guide, and was taken to a particular part of the wood, which he carefully marked, and the dog disappeared in silence. On the following morning, William Soutar, and a party of parishioners repaired to Rochallie, and finding the marked spot, dug down until they came to a number of bones, which they lifted and transferred to the kirkyard. It was now to be hoped that the Elder was no more to be troubled. But alas!—the first time he was out after nightfall, doubtless congratulating himself that he was rid of his grim visitant—there was the dog again! It upbraided him for having left the skull in the grave in the wood! To remedy this oversight,

however, was easy. The grave at Rochallie was again searched, and the skull being found, it was laid beside the other remains of the body: and the black dog was never again seen.

Such is the story as it was told at the cottage fire-sides. But it has another version, from which the supernatural element is wholly eliminated. There was no Drover murdered and buried in Rochallie wood. William Soutar, in his capacity as a member of Kirk Session, had given offence to a retired army-officer who lived for some years in Rochallie House, and who in revenge resolved on frightening and ridiculing him. The officer's servant, an old soldier, up to many tricks, being taken into the plot, wrapped himself in a black cow's hide, and enacted the part of the spectre-dog. The bones in the wood were those of a calf, which had died of murrain. The head, however, was removed, as it would have exposed the deception; but when the bones were unearthed, the absence of a skull was remarked by some of the people; and to save appearances, the old soldier secretly purloined a skull from the churchyard, and deposited it in the wood. Here we leave the two versions of the legend to be reconciled, or otherwise, at the reader's pleasure.

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## 2. THE DEMON IN HUNTINGTOWER CASTLE.

Huntingtower Castle was long famed as the haunt of a ghostly lady, popularly known as *Lady Greensleeves*, various traditions of whose appearances we chronicled in a former series of antiquarian sketches. Regarding this mystic dame we have nothing farther to tell. But we read in the *Analecta* of the Rev. Robert Wodrow (vol. 1, p. 113) a curious relation of a different apparition, which is little known and well worth rehearsing. It appears that some time during the year 1698, the Rev. William Leslie, who was Chaplain to the Earl of Tullibardine, the lord of Huntingtower, was living in the Castle, when one night he was subjected to an appalling intrusion. "Being all alone in his chamber, which was on the top of the tower, while he was close

at his book, reading with the candlelight," says the account, "and the fire in the chimney giving a good light likewise, about twelve o'clock of night, when all the servants were in their bed, and far from him, without reach of cry, there came something and chapped at his door. Mr Leslie says 'Come in;' upon which it lifted the sneck, and opened the door, and came in; and when he saw it, it was ane apparition of ane little old man, about the height of the table, with a fearful ugly face, as if it had been all burnt, which spake to him thus—'Mr William, you bade me come in, and I am come in:' which, to be sure, did not a little affright him; but yet he had the liberty and boldness to say—'In the name of the Lord, whence?'" This was a plain question, and the ugly little man, despising evasion, gave a plain and straightforward answer, stating in just a couple of words that he was come from Pandemonium. "Why art thou come here to disturb and affright me?" asked Mr Leslie. "It said—'I am come to warn the nation to repent.' He replies—'God never uses to send such messengers upon such an errand.' It says—'This will render them the more inexcusable.' Presently, there being a good number of Irish Bibles, standing all in a row upon a high shelf in the room, which my lord was designing to distribute among his Highland servants and tenants, it scrambled up the wall with unaccountable nimbleness, and threw them all down on the floor, and scattering them through the room." The cloven foot was now fully out. Something else than the preaching of repentance was in the ugly little wretch's head. "Then, there being a block standing in the chamber, on which one of the gentlemen used to dress my lord's wigs, it lifted it up, and came towards Mr Leslie with it, holding it above his head, saying—'If, Mr William, I had a commission or permission, I wad brain you with this;' and so it vanished." No wonder that the worthy chaplain fainted! "As the poor clergyman recovered out of one swoon, he fell presently into another; and in this condition he lay till to-morrow morning, at which time he

was found almost dead." The likelihood, we should say, is that the whole scene was a vivid dream.

### 3. GREENGOWN OF BALMANNO.

Balmanno Castle, situated at the foot of the Ochills, in the parish of Dron, was also long credited with a ghost female of the same order as that of Huntingtower. The Balmanno lady was named *Greengown*. She sometimes acted as a Banshee, in giving premonition of approaching mortality in the family; but, on the other hand, she was often seen without any remarkable event for good or evil following her appearance. When the Castle verged on decay, the Lairds of Balmanno changed their seat, and the ancient pile was given over to become the residence of the farmer who leased the neighbouring lands. Still *Greengown* went her rounds, and in summer gloamings and winter nights frequently startled the rustics of the homestead. One night an alarm was given by a ploughman that he had seen, by the light of the moon, *Greengown* on the summit of the Castle. The whole household rushed out of doors—the master with his fowling-piece loaded. Nothing, however, was to be seen. The agitated group gazed in bewilderment, and the hind was about to be sharply reproved for falsehood, when he pointed to an open upper window, on which the moon was shining,—and there, sure enough, stood *Greengown*, who seeing herself discovered, uttered a derisive laugh, which was answered by shouts of consternation, while the gudeman elevated his gun to his shoulder. "Haud your tongues, ye gaping gowks!" cried the spectre. "Siccan a pack o' feckless fools to be fleyed for Lizzie Connel o' Abernethy! Come awa', Laird, and gi'e me my supper, afore I tak' the road hame!" A moment's dead silence followed this unexpected speech, and then the simple folks burst out with a hearty roar of laughter: for none other was the ghost than whom she said—a wandering mendicant, bereft of her wits, who belonged to the capital of Pictavia, and was "a daily stranger" at many a dwelling. She had

slipped into the old Castle unperceived, and had taken a fancy to ramble in the dark upstairs. This was probably the best authenticated instance of Greengown's appearance.

But Balmano once could boast of a fair lady, whose witcheries and glamour seem to have surpassed even those of Greengown. The muse of our old friend, Charles Spence, the Gowrie poet, was attracted by her youthful charms, and he composed a lyric in her honour, with which we may appropriately close this brief notice of the Castle:—

*THE FLOWER OF BALMANNO.*

*Air—Maggie Lauder.*

Fair shines the sun on Earn's banks,  
Clear flow the winding streamlets,  
Where lawny mountains tower aboon  
The lowly smiling hamlets :  
The lilies white and roses red  
Bloom bonny there, but canna  
Bloom half so sweet 's the lovely maid  
O' the Castle o' Balmanno.

Nae cauld rife frown deforms her face,  
She 's ever mild and pleasant ;  
Though rich she be, wi' manne's free  
She cheers the humble peasant.  
Wi' neck so sleek, and dimpled cheek,  
And fairer than Diana,  
She smiles out ower the castle wa,'  
The flower o' a' Balmanno.

O happy may the mither be  
Wha to the warld brocht her;  
And proudly may the faither boast  
O' sic a winsome dochter !  
But happier he weel may be,  
The happiest in Britanna,  
Wha gains the favour o' the maid  
O' the Castle o' Balmanno.

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*4. THE URISK OF THE LEDNOCH.*

One of the tributaries of the Earn is the Lednaig or Lednoch, which falls into the larger river near the vile lage of Comrie. The course of the Lednoch, extending to about five miles, is exceedingly wild and romantic, the channel being full of rocks and deep pools, and the torrent dashing down here and there in roaring cascades. One of these falls is called *Spout Rollo*, and another,

and more remarkable, is the *Deil's Cauldron*, where the waters, after plunging over a precipice, boil in foam and fury within a craggy basin, overhung with thick woods. At each of these cataracts, in the days of old, abode a *Urisk*, or "lubbar fiend," of the *Brownie* species. Such goblins, says Dr Graham, in his *Sketches of Perthshire*, "were supposed to be dispersed over the Highlands, each residing in his own wild recess; but the solemn stated assemblies of the order (whether annual, or more frequent, is not said) were regularly held in" a cavern of Benvenue, called the *Coir-nan-Uriskin*—the Cave of Goblins. "This current superstition, it may be permitted to add, probably alludes to some circumstances connected with the ancient history of the country: perhaps, like the popular superstition of the *Daoine Shi*, the men of peace, or fairies, it may have originated in the abolition and proscription of the Druidical Order under the Fingallian dynasty."

The *Urisk* of the *Deil's Cauldron* was of a terribly-sanguinary nature, constantly luring mortals to destruction, and devouring them in his darksome den. Far and near was he known and dreaded. Now and then when some wanderer had fallen into his clutches, the voice of the destroyer was heard calling to his brother at Spout Rolla, in tones which sounded high above the tumult of waters—" *Urisk dh'ess Rolleigh, cuir Ghaighidh mo choira, 'gus am bruich mi an scollar so h'air mi*"—"Spirit of Rollo, send home my cauldron, that I may dress this prey I have taken"); and the borrowed vessel was promptly sent home. The *Cauldron Urisk* was also in the habit of making surreptitious visits to the houses of the neighbouring peasantry. On a cold wintry night, when the snow lay thick, he entered a cottage, the gudwife of which happened to be tending her cows in the byre adjoining. There was a glowing fire on the hearth, at which the frightsome being seated himself, and basked his limbs in the warmth. When the woman returned, she was startled to behold her unbidden guest; but suppressing her alarm, she took no notice of his presence, and proceeded about her

ordinary duties for some minutes, though with a beating heart. Determined, however, to be rid of him, she turned to the fire, and on pretence of stirring it, contrived to scatter a quantity of the red-hot embers upon the goblin's feet. Up he sprung with a hideous yell, rushed to the door, and vanished : and from that good hour he abandoned his abode on the Lednoch.

##### 5. *THE FAIRY-STOLEN MINISTER OF ABERFOYLE.*

The Rev. Robert Kirk, A.M., minister of Balquhidder, was translated to the parish of Aberfoyle, on the 9th June 1685, on a presentation from the Earl of Menteith. Mr Kirk was then a widower—his spouse, Isabel, daughter of Sir Colin Campbell of Mochester, whom he married in January 1670, having died in 1680, leaving him a son, Colin, who became a Writer to the Signet. The minister married, secondly, a daughter of Mr Campbell of Fordy, and had by her another son, Robert, who studied for the Church, and obtained the parish of Dornoch. Mr Kirk was possessed of considerable talents, being esteemed as “a man of good parts.” He had so thorough a knowledge of the Gaelic language that, in 1684, he published at Edinburgh the first complete Gaelic version of the Psalms; and in 1689, he was selected to proceed to London for the purpose of superintending a republication of the Irish Bible in the Roman letter for the Highland population of Scotland, to which he added a short Gaelic vocabulary. The work appeared in 1690. With all his learning, however, Mr Kirk had a weakness, and this was a decided conviction of the existence of Fairies, concerning whom he produced a small treatise, in 1691, entitled *The Secret Commonwealth*, being “an Essay of the nature and actions of the Subterranean and (for the most part) Invisible People, heretofore going under the name of Elves, Faunes, and Fairies, or the lyke, among the Low-country Scots, as they are described by those who have the Second Sight”—intended “to suppress the impudent and growing Atheism of this Age, and to satisfy the desire of some choice friends.” In this production, the

credulous author deals minutely with Fairy-land and the character and habits of its denizens. The Fairies had "light and changeable bodies of the nature of a condensed cloud;" and their voice resembles whistling. They dwelt under small hillocks, and had fair, well-lighted houses, in which they were "sometimes heard to bake bread, strike hammers, and do such like services." They are obliged to change their abodes every quarter of the year, at which terms they have been observed on their way, floating near the surface of the earth. They use the language and dress of the country in which they reside, wearing "plaids and variegated garments in the Highlands, and suanochs [skins] in Ireland." They were believed to have "many toyish books," provocative of mirth and laughter; they had also books of deep science, but no Bibles. They vanish at the name of God. The Highlanders prevented spells being cast upon themselves or their cattle by attending church the first Sunday of every quarter, though they might stay at home during the intervening period. Such is a sample of Mr Kirk's discoveries. The *Commonwealth* was printed, in 1815, by the Bannatyne Club.

The decease of Mr Kirk happened on the 14th May, 1692, he being then about 51 years of age. His death was very sudden. In the evening he was walking in the neighbourhood of his Manse, when he dropped down, apparently from an apoplectic stroke, and expired in about 28 minutes. He was interred in the Churchyard of Aberfoyle, near the east end of the Church, and his gravestone bore the following inscription:—"Robertus Kirk, A.M. *Linguae Hibernæ lumen.*" But the rev. gentleman had so identified himself with the faith in Fairy mythology, that the common people would not believe that his death was actual. They declared that he was taken away by the Elves. It was in the gloaming—

—————Between the night and day,  
When the Fairy King has power——

that the minister went out to take a short stroll: he

heedlessly walked on the *Dun-shi'*, or Fairy Knoll, near the Manse: he fell down in a swoon,

And 'twixt life and death, was snatch'd away,  
To the joyless Elfin bower.

In accordance with this fancy, a singular tradition was long current in the district, and has been preserved by Dr Graham in his *Sketches of Perthshire*. Mr Kirk, it is stated, was closely related to Mr Graham of Duchray, and, a few days after his funeral, appeared in the dress in which he had fallen to a mutual friend. "Go to my cousin, Duchray," said the minister, "and tell him that I am not dead. I fell down in a swoon, and was carried into Fairy-land, where I now am. Tell him, that when he and my friends are assembled at the baptism of my child, I will appear in the room, and that if he throws the knife which he holds in his hand over my head, I will be released and restored to human society." The story goes on to say that the friend "neglected, for some time, to deliver the message. Mr Kirk appeared to him a second time, threatening to haunt him night and day till he executed his commission; which, at length, he did. The time of the baptism arrived. They were seated at a table. Mr Kirk entered, but the Laird of Duchray, by some unaccountable fatality, neglected to perform the prescribed ceremony. Mr Kirk retired by another door, and was seen no more. It is firmly believed that he is, at this day, in Fairy-land"—along with King Arthur, Thomas the Rhymer, and other worthies fairy-stolen.

*THE LORDS OF KINNAIRD.—Part 1st.*

———Eastward yonder, where the trees  
Thick cluster up their narrow glen—  
Stout oaks and beeches—where the breeze  
Would make love in its fondness, when  
Kinnaird's dark strength o'er Gowrie's plain  
Towered bravely in baronial pride—  
Where still it towers, although they strain  
The weakness of its years to hide,  
And sad disgrace, for now its walls  
Are roofless, and its cold dark halls  
Were the dull nightbird's home, long ere  
Fair Ballindean arose to cheer  
Yon uplands with her smiles.

*David Miller—"The Tay."*

IN this summer weather, when so many, weary of being "long in populous city pent," amid the artificialities, the cares, and distractions of busy life, hasten to enjoy the free pure air, the glorious sunshine, the ever charming sights and sounds, and the exhilarating influences of the country—in this heyday and flowery time of year, we say, the excursionist who makes the delightful trip from the Fair City to Bonnie Dundee by steamer instead of by rail, will be enabled to feast his eyes on a panoramic succession of scenes which, once seen, can never fade out of remembrance. The tranquil sail between the shores of the Carse of Gowrie and the "Kingdom" of Fife affords rich and varied prospects, combining hills and plains and lordly river, the romantic braes of the Carse, the hills of Fife, the towering Lomonds, and the broad stream swollen from bank to brae with a full tide, curled by the rising breeze that wafts the aroma of the apple-blossom, and sparkling like molten gold in the unclouded effulgence. As the boat glides onward, the expanse of the Carse and its back-ground continually evolve new beauties: the cultured green fields pleasantly diversified by cots, hamlets, villages, baronial seats, plantations, orchards—and bounded behind by romantic heights, wooded or pastoral, where now and then appears a ruin of other

days or a castellated mansion: the whole landscape more than ever meriting the old appellation of "The Garden of Scotland." When the channel of the Tay widens to about three miles in breadth, the eye, which, scanning the Carse side, has marked Evelick Hill, and Fingask Castle crowning the summit of an abrupt crag, will next perceive an opening among the hills, and in the mouth of the ravine an ancient keep, roofless and desolate, surrounded with great densely-foliaged trees, whose mighty branches the wanton wind sways and tosses as in pastime. This is the old Castle of Kinnaird—its name, descriptive of the configuration of the parish, being composed of two Celtic words signifying in conjunction the *high end* or *head*, and which designation was adopted as a surname by the family who acquired the lands almost seven centuries ago. The age of the Castle is unknown, but is believed to reach back to the times of the early Kinnairds. Tall and stately is the dismantled strength. Its walls are of immense thickness, and the different floors are arched with stone, as though the builders who reared the massive pile had built for eternity. This venerable fortalice, however, has long passed out of the hands of the family whose ancestors erected it, and is now, with the barony of Kinnaird, the property of the Knight of Fingask, Sir Patrick Murray Threipland. Further to the east, on the slope of Rossie Hill, is the modern seat of the Lords of Kinnaird, the spacious, monastic-seeming edifice of Rossie Priory, overlooking the neat village of Inchtute, which occupies an elevated position rising from the level land of the Carse, and shewing from its name that in remote times it was an *Inch* or island amid swamps daily overflowed by the tides of the Tay. Halfway between the village and the Priory stand the mouldering remains of the Castle of Moncur, which belonged to a branch of the Kinnairds, and near which, in A.D. 728, according to the *Annals of Ulster*, Hungus the Pict swept one obstacle from his path to the throne, by defeating his rival, Nectan, in a bloody battle.

The founder of the Kinnaird family was *Radulphus dictus Rufus*—so surnamed from the red colour of his locks. To him King William the Lion, in some unspecified year of his reign, granted a charter of the lands and barony of Kinnaird, in the shire of Perth. Among the witnesses to this document were Matthew, Bishop of Aberdeen; Andrew, Bishop of Caithness; and William de Bosch, Chancellor of Scotland. As the Bishop of Caithness died in 1184, the charter must have been executed in or prior to that year. Consequent on this acquisition, the new Baron assumed as a surname the designation of his lands in preference to the cognomen taken from the hue of his hair. He had a son, Richard de Kinnaird, and a daughter, Isabel. The family, however, held other lands than those of Kinnaird; for after the demise of Radulphus, which took place about the beginning of the thirteenth century, Richard, who had succeeded him, granted a charter to his brother-in-law, John of Invertuyle, who had married Isabel de Kinnaird, of all and haill the lands of Dunort and others, but reserving to himself the superiority of said lands, as appears by a charter of William the Lion, given in or before 1214, the year in which the King died. Richard left a son, named Radulphus after his grandfather. About 1249, Radulphus, having come to his inheritance, confirmed to his cousin Richard, son of his aunt, Isabel, the charter by his father to John of Invertuyle, of the lands of Dunort, &c.,—the witnesses being Galfred, Bishop of Dunkeld (who died in 1249); Alexander, Abbot of Coupar; and William, Abbot of Scone. Radulphus left two sons—Richard and Thomas. The first succeeded to the family patrimony; and Thomas is recorded as one of the witnesses to a donation by Hugo de Arbuthnot to the monastery of Arbroath in 1282. Richard's lot was cast in troublous times. Pretensions of supremacy over Scotland being asserted by King Edward I. of England, his power became predominant in the weaker and distracted nation. The vassal-sovereign, John Baliol, was set up, and then insulted,

and speedily dethroned: and in 1296, Edward [compelled the Scots to swear allegiance to his own crown. This was done by Richard de Kinnaird. His son and heir, Radulphus, also swore fealty, at Kincardine in the Mearns, on the 4th August, said year. Richard died early in the following century, and was succeeded by Radulphus, who seems to have been the first of his race who was *Dominus de eodem*, or Lord of that ilk. He died about 1350, and was succeeded by his son, Richard, who died before 1379, leaving a son behind named Richard.

About the year 1372, the Church or Cathedral of St Andrews, perched on a rock overhanging the stormy Bay, seemed to be threatened with ruin from the incessant beating of the waves of the German Ocean on the crag below: and to provide for its upholding it was necessary that funds should be raised. The Bishop of St Andrews, casting about in his mind for the wherewithal to defray the expenditure, bethought himself of the Parish Church of Inchtute and the Chapel at Kinnaird thereto belonging, both situated within his diocese. Straightway he bestowed both upon St Andrew's church in perpetuity. The episcopal Chapter, however, apprehending that the gift might subsequently be questioned and involve them in serious trouble, resolved to be satisfied with much less than a perpetual grant, and therefore applied to Pope Gregory XI., to confirm them in their possession of said church and chapel for the space of twenty years—the revenues during that period to be applied towards the repair and upholding of their own church. To this petition the Pontiff was pleased to accede, and accordingly the following decree was issued:—

GREGORY, &c., to our beloved sons the Prior and Chapter of St Andrews in Scotland, &c. Seeing your petition, lately presented unto us, contained that our venerable brother, William [de Landel], Bishop of St Andrews, fearing that, from the violence of the sea beating against the rock on which the church of St Andrews is situated (a great part of which rock the continual action of the waves had demolished), the foundation and superstructure of the said church were threatened with total ruin; and seeing

that the rents and revenues appropriated to the upholding of the fabric were insufficient, on account of the war and pestilences in those parts, to protect the rock and sustain the church; and the said Bishop being desirous, as a provision against such danger, to grant the parish church of Inchtute, with its chapel of Kinnaird, situated in the diocese of St Andrews, being one of the mensal churches belonging to him and his predecessors, and which he then peaceably possessed, with all its rights and pertinents, he accordingly, with the advice and consent of certain jurists, gave and bestowed the same in perpetuity on the said church of St Andrews. But as your petition to us contains that you doubt whether a grant of this kind may hold good in time coming, and that you may hereafter be molested in regard to it; therefore we, moved by your prayers, and anxious as far as possible to provide against this danger, will, and by our apostolical authority permit, that you retain the aforesaid parish church of Inchtute, with its chapel and other pertinents, for a period of twenty years, reckoning from the date of these presents: and that you apply the same to the upholding of the said church of St Andrews, provided always that you take care that the said parish church of Inchtute be not thereby defrauded of its dues, and that the cure of its souls be not neglected, but that it be served by a good and sufficient Vicar who shall receive an adequate portion of its revenues for his maintenance. Therefore, let no one infringe this our Decree &c. Given at Avignon, Id. April, the second year of our Pontificate [1372].

Doubtless the Inchtute ecclesiastical revenues were applied in the manner and for the period above set forth, and works were undertaken to protect the stability of the Cathedral; but the same danger, from the action of the sea, recurred more than once in after times.

Richard Kinnaird of that Ilk, who succeeded to his father in 1379, was honoured with the dignity of knighthood, and obtained from Robert II. a Charter of all and hail the lands and barony of Kinnaird, with their pertinents, lying in the sheriffdom of Perth, dated the 7th December same year. He also received from King Robert a Charter of Confirmation of the lands of Chickenrawath and Kinnyndmond, in Aberdeenshire, upon the resignation of Thomas de Hay, Constable of Scotland, and the said Richard of Kinnaird, dated the 30th September, 1380. Sir Richard left two sons, Thomas and Reginald. The former, Thomas, inherited his father's lands, and in his time two new branches of

the family sprung from the parent stock, one of them eventually becoming, as at this day, the main line of Kinnaird. Thomas married Egidia, daughter and heiress of Walter Murray of Cowbin or Culbin, an estate on the coast of Morayshire, and Skelbol in Sutherlandshire, and with her obtained the lands and baronies of Culbin and Skelbol. Two sons were born of this union, Alan and Walter. To Walter, the youngest, was given in his father's lifetime, his mother's lands of Culbin, and from him proceeded a northern branch of the Kinnairds, of whose history we shall speak in the sequel. Alan became his father's successor, and his descendants carried on the main line of Kinnaird until a second branch, whose rise we now reach, finally took its place.

Reginald de Kinnaird, second son of Sir Richard, and brother of Alan, won the hand of Marjory, daughter and heiress of Sir John Kirkcaldy of Inchturre in the shire of Perth; and she brought with her the Inchturre lands and barony. On the 28th January, 1399, Robert III. granted a Charter in favour of Reginald de Kinnaird, son of the deceased Sir Richard Kinnaird, and Marjory Kirkcaldy, daughter and heiress of the deceased Sir John Kirkcaldy, and the said Reginald's spouse, of all and hail the lands which the said Marjory was possessed of in the barony of Inchturre, and to the longest liver of them and their heirs. On account of this marriage, Reginald and his successors quartered the arms of Kirkcaldy (a fess wavy *or*, between three stars *gules*) with their own. It has been supposed that previously some younger son of the Inchturre Kirkcaldies founded the famous house of Kirkcaldy of Grange in Fife, of which came the brave and indomitable Sir William, Governor of Edinburgh Castle in the interest of Mary Queen of Scots.

The oldest Charter now existing in the Kinnaird repositories is one by Reginald de Kinnaird, *dominus particularis* de Inchturre, by which he confirmed to his cousin, Andrew de Muncur of that ilk, the lands of Muncur in the shire of Perth, as held by the said

Andrew and his predecessors “*prout per veredicum proborum et discretorum patrie sum vesaciter informatus.*” The lands were held blench, with the singular reddendo by the vassal of a chaplet of roses yearly to be presented at the Law of Inchtüre, on the Feast of St Margaret, Queen, “*cum oris osculo utriusque nostrorum in signum pacis et concordis,*” with a pair of white gloves. The Charter is undated, but, besides the granter’s seal, is authenticated with the seals of Patrick Gray, Lord of Broxmouth; Andrew Gray, Lord of Fowlis; and Andrew Gray, “*ejus filius naturalis femoris*”—men who flourished in the end of the fourteenth and early part of the fifteenth centuries. Afterwards Andrew de Muncur obtained from Walter Haliburton of that Ilk and Balligirnach, a Charter of the lands called Threpland and Mireflat of Muncur, held blench on payment of a mark at the Castle thereof, at the Feast of Pentecost yearly, if asked; dated at Balligirnach, on the Feast of St John Baptist, 1422.

Reginald of Inchtüre died in the time of James I., and was succeeded by his son, Walter. The latter had a son, named Reginald, who predeceased his father, leaving a son, John. The Inchtüre inheritance went to John, as heir to his grandfather, who had made a resignation of the barony in his favour, on the 17th October, 1486. This resignation was confirmed under the Great Seal.

Among the Kinnaird charters is one, dated the 10th May, 1476, under the Great Seal of James III., confirming a charter by Alan de Kinnaird of Cowbin, with consent of his mother, Egidia de Moravia, and his other relatives and friends, to his brother-german, Thomas of Kinnaird, and his heirs male, of the lands of Cowbin, Dalpotty, Esterbin, Myreton, and Aikenhead, in the shire of Forres, of date the 1st September, 1465, and witnessed by John Scrimgeour, Constable of Dundee; James Maitland of Queensbery; William Kinnaird of Kynninmond; John Scrimgeour, son of the late Nicholas Scrimgeour, burgess of Dundee, and others. Next in date is a procuratory by Alan of Kinnaird of that

Ilk, to his son and heir apparent, Thomas of Kinnaird, for giving seizin to John, Abbot of Scone, of certain lands in the barony of Kinnaird, dated at Scone, the 28th April, 1478. There is also a reversion by James Ogilvy of Inchmartine to Thomas Kinnaird of Skelbo, relative to a right of annualrent out of the lands of Kinnaird, granted by Alan Kinnaird of that Ilk. father of the said Thomas, to David Ogilvy of Inchmartine, on payment of 120 merks on the high altar of the Parish Kirk of Perth, dated at Inchmartine, the 6th January, 1506. Farther, there is an Indenture, dated at Kinnaird, the 4th March, 1511, between Thomas Kinnaird of Skelbo and Andrew Kinnaird of that Ilk, touching the marriage of the late Thomas Spalding, burgess of Dundee. In the following year, Thomas Kinnaird of that Ilk obtained Letters of Manrent from Rore Murray of Spangdale, whereby Murray bound himself to be Kinnaird's servant, and to ride and gang with him all the days of his life, excepting his allegiance to the King and the Bishop of Caithness, "because that the said Thomas has given me a competent fee therefor in liferent for all the days of my life, to do to him my best service I can within the bounds of Sutherland, and farther within the sheriffdom of Inverness, upon the said Thomas' expenses, unless I have a lawful excuse." The letters are dated at Dornoch, 10th June, 1512,

John Kinnaird, who, as we have seen, succeeded his grandfather, Walter, in the lands and barony of Inchture, was one of the inquest upon the service of Andrew, Lord Gray, in 1505. John is last heard of in 1513, when on the 28th June he was one of fifteen Perthshire jurors who, by absenting themselves from the Court of Justiciary, prevented the trial that day of Malcolm Drummond and his accomplices, delated of art and part of the slaughter of Gilfillan Crichton. The absentees were fined in the usual penalty of £10 each. John must have died in 1513 or the following year, as his son and heir, George, designed of Inchture, was, with his eldest son, George, among the witnesses to a Charter, dated in 1514, whereby Andrew Kinnaird of

that Ilk gave the Castle of Kinnaird to William, Lord Ruthven. George of Inchtute had two sons, George and Patrick. The former predeceased his father, and Patrick succeeded to the barony, obtaining a charter thereto, under the Great Seal, in 1542. He married Margaret, daughter of the Laird of Moncur, by whom he had a son, also named Patrick.

At the Battle of Pinkie, fought on 10th September, 1547, Patrick, Laird of Kinnaird, was slain on the field. His son, Patrick, succeeded to the lands. He, too, displayed a martial spirit. In the end of the year 1552, the Scottish Government resolved to furnish a military contingent of foot and horse to assist the King of France in his wars, "conform to the auld lieges, bonds, amity, and alliance which has stood of lang time betwixt the realms of Scotland and France, renewed and confirmed by every king and princes since the time of Achaius, King of Scotland, and Charlemagne, King of France." The Privy Council ordered the country to be stented, and an able man raised for every forty merk land of old extent. It was farther ordained that 300 footmen hagbutiers (musketeers) should be raised by the burghs; 400 horsemen of "the Borders and lawland of the realm," by the ecclesiastical order and the temporal nobility; and two "ansaingyeis" of footmen in the Highlands. The Commissaries for superintending the enrollment of the footmen in Perthshire were declared to be, from Tay east, the Laird of Inchmartine, and from Tay west, the Laird of Innerpeffray. The Council also decreed that all legal proceedings against those persons joining the force should be suspended during their absence in France, and for eleven days after their return: and among the Perthshire men included in this privilege were the following:—"Patrick, Lord Ruthven; James Ruthven, his brother; Patrick Ruthven of Ardonachie; William Moncrieff, young Laird of that Ilk; William Ruthven of Bandene; Thomas Ross of Craigie; James Ruthven; Patrick Murray of Tippermuir; John Murray, his brother; the *Laird of Kinnaird*; the Laird of Balhousie," &c.

Patrick of Kinnaird died in 1567, as on the 3d November that year, his son, of the same name, was retoured as heir to him in the lands and barony of Kinnaird, and in the following April as heir to his grandfather (who was slain at Pinkie), in the lands of Easter and Wester Laws, in said barony.

According to the genealogy which we have been following, Patrick Kinnaird of Inchtur, who married the daughter of Moncur, was succeeded by his son, Patrick. The latter, in 1565, received from Queen Mary a Charter of the lands and barony of Inchtur. He married Euphemia, daughter of James Gray, Laird of Baledgarno; and in 1570 obtained a Charter of the lands and village of Laik &c. By his marriage he had a son, Patrick, who succeeded him. But in the year 1562 we find a *John Kinnaird of Inchtur* mentioned in the Criminal Records. Before the Court of Justiciary, on 2d May, Thomas Blair of Balthayock; Alexander Blair, apparent (heir) of that Ilk; William, Patrick, and John Blair, sons to the said Thomas; Alexander Blair, Tutor of Balnyill; Thomas, son to Alexander Blair, younger of Balthayock; William Kymmond of Hill; Thomas Frisell of Kynnell; William Haldane of Keillour; John Moncur of Chapelton; James Monorgan, apparent (heir) of that Ilk; and forty one others, found Gilbert Monorgan of that Ilk, and *John Kinnaird of Inchtur*, sureties for their entry on the 15th May to underly the law for the cruel slaughter of the deceased Alexander Ray, burgess of Perth, and divers others crimes.

In April 1569, a Bond of loyalty and obedience to the young king, James VI., and the Regent Murray, was subscribed by several of the nobility (Huntly, Craufurd, Cassillis, &c.) and various others; and among the signatories was Thomas Kinnaird of Cowbin.

We meet again with a John Kinnaird of Inchtur, in 1571, when a number of parties belonging to Perthshire and elsewhere were delated before the Justiciary for "abiding from the Raid of Leith:" or, in other words, from not coming to assist the forces of the Regent

Lennox, commanded by the Earl of Morton, when they occupied the town of Leith, and attempted to besiege the Castle of Edinburgh, then held by Kirkcaldy of Grange. On the 30th of November, John Kinnaird of Inchturre, and several others, were "discharged" by the Court.

Patrick Kinnaird of Inchturre, son of Patrick and his wife, Euphemia Gray, succeeded his father, and wedded Euphemia, the daughter and co-heiress of Gilbert Gray of Balindoran, a son of Lord Gray, by whom he had three sons, John, George, and James, and a daughter. The eldest son, John, died unmarried. The second son, George, obtained the family inheritance. Of the youngest son we shall afterwards hear. The daughter, Margaret, was united to Sir Andrew Hay of Keilour, and their son, John, lived to become the twelfth Earl of Errol. In the year 1590, Patrick of Inchturre met his death by the hand of William, son of Patrick Ogilvie of Inchmartine. It does not appear that young Ogilvie was brought to trial; but in 1594, he obtained a Remission, under the Great Seal, for the slaughter. Patrick Kinnaird was succeeded by his son, George, who in 1603 got a Royal Charter of the lands of Deanscroft and others in the parish of Inchturre.\*

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\* Douglas' *Peerage of Scotland; Fifth Report of the Royal Commission on Historical Manuscripts* (The Manuscripts of Lord Kinnaird at Rossie-Priory), p. 620; *Statistical Account of Perthshire* (Parishes of Kinnaird and Inchturre); Roger's *History of St Andrews*, p. 85; Pitcairn's *Criminal Trials in Scotland*, vol. i., part 1, pp. 88, 424, part i. p. 28; *Register of the Privy Council of Scotland*, vol. 2, pp. 129-136, 654.

*THE LORDS OF KINNAIRD.—Part 2d.*

Titus Andronicus, for thy favours done  
To us in our election this day,  
I give thee thanks in part of thy deserts,  
And will with deeds requite thy gentleness :  
\_\_\_\_\_ to advance  
Thy name and honourable family.

*Titus Andronicus.*

IN the month of July, 1603, James Kinnaird, younger brother of George, Laird of Inchtute, and William Kinnaird, son of the Laird of Kinnaird, along with two associates, William Haitlie, in Balgavie or Balgay, and James Ramsay, in Flawcraig Miln, were concerned in a cruel and seemingly unprovoked slaughter, the story of which we shall now relate in the manner we find it detailed in the criminal records of the period. The two Kinnairds, with Haitlie and Ramsay, upon the 5th day of July, had come to the town of Rait, on the braes of the Carse of Gowrie, where it so happened that John Sharp, servitor to the Laird of Ruthven, was awaiting the arrival of certain of his friends and gentlemen who were at the burial of the Laird of Ballindean,\* and doing of his other lawful affairs and business, expecting no harm, injury, or pursuit of any persons, but to have lived under God's peace and the King's. His peaceable expectations, however, were woefully disappointed; for the Kinnairds and Haitlie came to him, in all homely and friendly manner, and requested him to pass with them to the village change-house. He, upon mere simplicity and benevolence, passed thither with them, and there, after

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\* This funeral took place in St John's Church, Perth, and is thus recorded in the *Chronicle of Perth*: "1603, July 12. The Laird of Ballandene, wha was slain in Dundee, was buried in the Kirk of Perth, be east the Council-house door, under a blue stone of the Ryne." As will be observed, there is a discrepancy of a week in the date of the funeral--the error being doubtless in the *Chronicle*.

sitting down, they began to argue with him about some speeches which had taken place between him and the said James Ramsay a few days before. Meanwhile, one of their party was directed to go in search of Ramsay, and to bring him to the tavern, upon a private assurance, it was alleged, that they would assist him to be revenged upon the said John Sharp. Ramsay was not far to seek. He was brought to the house, and upon his coming in, the Kinnairds, Haitlie, and himself, being all well armed—"bodin in feir of weir," as it was called—with swords, whingers, gauntlets, plate-sleeves, and other weapons invasive, contrary to the tenor of the Acts of Parliament, "set upon the said John Sharp, under trust, and most traitorously and barbarously, every one of them with their drawn weapons foresaid, pursued him for his slaughter: and as murderers, thieves, and brigands, having drawn the said John to drink, as said is, struck the said John in divers parts of his body, and gave him nine bloody and deadly wounds, viz.:—three strokes in his head, three in his back, one through his body, another under his oxter, and two upon his shoulder-blade"—the strokes counting *ten*, by our reckoning, instead of nine—"of the which strokes and cruel wounds the said John immediately deceased among their hands." Such was the foul deed done in the Rait public-house, on the day of the funeral of the Laird of Ballindean.

The perpetrators of the murder were forthwith proceeded against by the law which they had outraged. It was declared that "the said persons, and ilk ane of them, are art and part of the said cruel murder and slaughter, committed under trust, upon set purpose, provision, and forethought felony, in high and manifest contempt of our Sovereign Lord, His Highness' authority and laws, and to the evil example of others, His Majesty's obedient subjects, to commit the like shameful and barbarous cruelty and murder, in times coming, if the foresaid persons, committers thereof, be suffered to remain unpunished." Ramsay seems to have become fugitive from justice. The two Kinnairds and

William Haitlie found caution or bail for their appearance to answer the charge laid against them. They were indicted to stand their trial before the Court of Justiciary, on the 17th of November following; but they failed to attend; consequently, Patrick Bruce of Fingask, and John Kinnaird, fiar of that Ilk, the sureties, were amerced in the pain of 100 marks, for either of the said James and William Kinnaird and William Haitlie, "for not entry of them to have underlien the law for art and part of the felon and cruel slaughter of umquhil John Sharp, servitor to the Laird of Ruthven:" and the three accused were denounced as Rebels, and ordered to be put to the horn. A year and a-half elapsed; but the victim's relatives—his mother, Marion Chopman (presumably a widow); his sister, Margaret Sharp; and his maternal uncles, Silvester Chopman, in Kinclaven, and Thomas Chopman, in Ragolny—had exerted themselves by means of proceedings raised at their instance, to bring the alleged criminals to trial; and ultimately a diet was fixed by the Court of Justiciary, for the 27th June, 1605. Before the day appointed, however, ways and means were found to pacify the resentment of the aggrieved parties. A private arrangement was concluded, whereby the criminal pursuit was to be abandoned; and on the 27th June, the two Kinnairds and Haitlie appeared at the bar; but Marion Chopman and her friends absented themselves. "Lawful time of day bidden," says the record, "and the pursuers not compearing, the Justice-Depute put the said William, &c., to the knowledge of an Assize, who all in one voice, by the mouth of Robert Hog, in Gally, some time servant to my Lord Marischal, Chancellor, found the said William, &c., to be clean, innocent, and acquit of art and part of the felon and cruel slaughter of the said umquhile John Sharp, and haill circumstances above-written. Whereupon the said defenders asked instruments": and so the case ended.

But the time was now approaching when the ancient barony from which the Kinnairds had derived their

surname should pass to other masters. Part of the Kinnaird lands had already been alienated. In 1514, the Castle was given to Lord Ruthven. The Ogilvies of Inchmartine obtained Smithshope and certain other portions of the barony. Finally, between 1617 and 1620, Sir John Livingstone, of the Callander family, obtained Charters, under the Great Seal, of the whole barony of Kinnaird, with the Parish Church and tithes. He was succeeded by his son, Sir James, whom Charles I., in 1647, created Viscount Newburgh. After 1620, the Inchtire branch was entitled to assume the position of the main line of the house of Kinnaird.

George Kinnaird of Inchtire died, leaving a son and heir, Patrick, who, in 1615, got a Charter of the lands of Millhill, &c. In 1624, Patrick got two Charters of the lands of Drimmie, the half of the lands of Baledgarno, &c.; in 1630, he had a Charter of the lands of Polgavie, &c.; and in 1643, a Charter of other lands. He was succeeded by his son, George, in whose person the name of Kinnaird was exalted to high honour and dignity. He came to his patrimony in the midst of the Civil War era; and the extent of said patrimony, in the Carse of Gowrie, is ascertainable from the *Rentall of the County of Perth*, made up in 1649:—

*Longforgan Parish.*

Laird of Inchtire, for Drymmie, Whelplaw,  
Unthank, and his part of Rawes,..... £549 6 8

*Rossie Parish.*

Laird of Inchtire, for Rossie, with the Mill,  
and his part of Ballegirno,..... 784 0 0

*Inchtire Parish.*

Laird of Inchtire, for the Mains of Moncur,  
West Mains of Inchtire, Clochindarge,  
Blaines Mains, Polgavie with the teinds  
thereof, and of Homes his acres in Balgay,  
and Feu-duties,..... 2350 0 0

*Abernyte Parish.*

Laird of Inchtire, for Kirkton and Milntoun  
of Abernyte,..... 266 13 4

*Errol Parish.*

Laird of Inchtire, for his lands in this parish, ... 2200 0 0

From the same Roll we also extract the following:—

*Kinnaird Parish.*

Viscount of Newburgh, for the Barony of  
Kinnaird,..... £2550 0 0

George of Inchtute was loyal to the cause of Charles II. during the unavailing struggle against Cromwell and the English Regicides. Towards the close of the Commonwealth sway in Scotland, the Laird of Inchtute, from his proved worth and abilities, was the representative of the Perthshire nobility and gentry in their intercourse with General Monk—particularly at the critical juncture when that commander was about to march into England. On the 10th October, 1659, a Commission was granted by the noblemen, gentlemen, and heritors of Perthshire, appointing George Kinnaird of Rossie and Mr John Nairne of Muckersie to meet General Monk at Edinburgh, and treat with him about the affairs of the County. Relating to this critical period two curious documents are preserved in the Kinnaird repositories, namely, the “double” or copy of a letter, dated at Perth, 26th October, 1659, addressed to General Monk by a Correspondent (whose signature has been torn off the paper) regarding the position of public affairs, and especially those of Perthshire,—enclosing a paper of 15 suggestions for the General’s consideration, as to the best methods of securing the peace and welfare of the country: the tenor of which may be gathered from the following:—

1. If your Lordship march away and give up all the garrisons to the owners of them; that care may be taken that they be not biassed by the gentleman that ye know of, for there is some that has relations to him.

2. That your Lordship may send to get intelligence what he is presently doing, in respect that we have some suspect and surmises that he is making preparations for some mischief to us, and your Lordship’s interest, and some of his military friends in our shire has been with him this fortnight.

3. If he should rise, he and his people being armed and we not; what is and shall be the best to prevent this?

4. If he should rise, that ane fit person may be thought upon by your Lordship to command us, and that there be so many English officers and Scots noblemen and gentlemen benorth Tay thought upon by your Lordship that ye may trust to, for to regulate affairs in your absence, and to be ready upon ane call either to oppose him or to assist your Lordship as may fall out.

6. In all thir former respects that your Lordship may not leave this country desolate and comfortless, having all their hopes upon your Lordship, and the justness of your

intentions and straightness of your ways, but to take in all faithful and honest men, who will spend to the last drop of their blood with you for the freedom of the people, you being their stock and hopes, whereupon they rely, should be overthrown, then all their friends and well-wishers are ruined and destroyed without being in any capacity to help themselves.

On the 3d of December following, a Commission, signed by many of the Perthshire nobility, was given to the Laird of Inchtire, as Commissioner for the County, to repair to General Monk at Berwick and treat with him on matters concerning the shire.

General Monk marched to London: the Commonwealth fell amidst universal jubilee: and the King landed at Dover. Shortly after the Restoration, Charles II. created Viscount Newburgh as Earl of Newburgh, *Viscount Kinnaird*, Lord Livingstone of Flawcraig &c., 'The "Merry Monarch" likewise signified his appreciation of the Laird of Inchtire's services in the royal interest by conferring on him the honour of knighthood. In 1662, Sir George obtained a Charter, under the Great Seal, of the lands and baronies of Forgan and Foulis, &c. Subsequently, he was chosen to represent Perthshire in the Scottish Parliament. But he was marked out for still higher rank. He was appointed a member of the Privy Council, and lastly raised to the peerage under the title of *Lord Kinnaird of Inchtire*, by patent dated the 28th December, 1682. His Lordship married Margaret, daughter of James Crichton of Ruthven, by whom he had six sons. The eldest of these was Patrick. The second, third, fourth, and fifth died without issue; and the sixth, George, had descendants who ultimately heired the estate. Lord Kinnaird died on the 29th December, 1689, and was succeeded by his son Patrick. Both father and son concurred in the Revolution of 1688.

In the month of April, 1690, the lands and barony of Kinnaird became the property of Sir David Threipland of Fingask.

Whilst the sun of prosperity shone steadily on the house of Inchtire, a strange and irremediable misfortune gradually befel the branch of the Kinnairds es-

tablished in the barony of Cowbin or Culbin, on the Morayshire coast, whereby that family was brought to utter decay. The story of this calamity is an interesting one, and we shall relate it at some length. Formerly various portions of arable land bordering the sea on the north-east coast of Scotland were overblown with sand raised by furious winds, so that, from time to time considerable tracts of fertile soil were reduced to sheer sterility. Forvie, extending four miles along the Buchan coast, was thus laid waste,—according to some accounts, about the year 1688—and remains to this day in the same condition—an arid desert, without a human dwelling, or even a trace of vegetation to enliven the dreary scene. A local tradition represents this desolation as the fulfillment of a righteous curse. Generations before the catastrophe, the Forvie lands were the inheritance of three orphan sisters; but they were ruthlessly despoiled of their rights and thrust forth penniless and friendless upon the world. In vain they sought justice; it was denied them. Driven to despair, they implored heaven to render their lost possession worthless to those who had reft it from them. The prayer passed into a popular rhyme—

If ever maiden's malison  
 Did light upon dry land,  
 Let nought be found in Forvie's glebes  
 But thistle, bent, and sand !

The curse was not causeless, and therefore it came, though after many, many years had rolled away. The finger of retribution pointed to the destined hour at last. The east wind blew : a frightful storm arose over land and sea, raging for nine days; and when it ceased, the orphan sisters were avenged by the destruction of Forvie, which lay buried for ever under a dense mass of driven sand ! It was a similar disaster which overtook the estate of Culbin. In the course of the twenty years from 1675 to 1695, about two-thirds of the property were entirely covered with blown sand from the beach, so that the manor-house, yards, orchards, or Mains thereof totally disappeared, though formerly they

had been "as considerable as many in the county of Moray." In 1695, the Laird of Culbin, Alexander Kinnaird, was compelled to make a representation to the Parliament of Scotland, which assembled at Edinburgh, on the 9th May that year, stating that although two-thirds of his lands were lost to him, he was still charged with Cess for the whole, the sum of which impost amounted to nearly as much as the rent of the remaining third of the estate; for which cause he petitioned the House to grant him exemption from payment of Cess altogether. The Parliament took up the general question in July; and upon the assumption that this overblowing of coast lands was attributable to pulling up of the furze, they passed an Act prohibiting said practice under a penalty :—

XXX.

*ACT for preservation of Meadows, Lands, and Pasturages lying adjacent to sand-hills.*

July 16, 1695.

Our Sovereign Lord considering that many lands, meadows, and pasturages lying on the sea-coasts have been ruined and overspread in many places of this kingdom by sand driven from adjacent sand-hills, the which has been mainly occasioned by the pulling up by the root of Bent, Juniper, and Broom-bushes, which did loose and break the surface and scroof of the said hills; and particularly considering that the Barony of *Cowbin*, and house and yards thereof, lying within the Sheriffdom of Elgin, is quite ruined and overspread with sand, the which was occasioned by the foresaid bad practice of pulling the Bent and Juniper: Therefore his Majesty, with advice and consent of the Estates of Parliament, for preventing of the like prejudices, in time coming, does strictly prohibit and discharge the pulling of Bent, Broom, or Juniper off sand-hills for hereafter, either by the proprietors themselves, or any other whatsoever, the same being the natural fences of the adjacent countries to the said hills; certifying such as shall contravene this Act, they shall not only be liable to the damages that shall there-through ensue, but shall likewise be liable in the sum of ten pounds of penalty, the one half thereof to belong to the informer, and the other half to the Judge within whose jurisdiction the said contravention shall be committed.

As concerned Culbin, however, things had gone too far to be affected for the better by any remedial measure. Hungry ruin had it in the wind. During the next three years the pressure of misfortune was so

heavy upon the Laird that he had to part with the remaining third of his property. It was sold, in 1698, for the benefit of his Creditors : and even this sacrifice, it seems, did not satisfy them ; for he was necessitated to apply to the Parliament, which sat at Edinburgh, on the 19th July same year, for a personal protection against arrest, which was granted. From that date we hear no more of the Culbin family. The third of the lands turned out a bad bargain ; for the sanding rapidly progressed until the whole estate was overspread to a great depth. So it is still to be seen. " I have wandered for hours," says Hugh Miller, " amid the sand-wastes of this ruined barony, and seen only a few stunted bushes of broom, and a few scattered tufts of withered bent, occupying, amid utter barrenness, the place of what, in the middle of the seventeenth century, had been the richest fields of the rich province of Moray ; and where the winds had hollowed out the sand, I have detected, uncovered for a few yards-breadth, portions of the buried furrows, sorely dried into the consistence of sun-burned brick, but largely charged with the seeds of the common corn-field weeds of the country, that, as ascertained by experiment by the late Sir Thomas Dick Lauder, still retain their vitality. It is said that an antique dove-cot, in front of the huge sand-wreath which enveloped the manor-house, continued to present the top of its peaked roof over the sand, as a foundered vessel sometimes exhibits its vane over the waves, until the year 1760. The traditions of the district testify that, for many years after the orchard had been enveloped, the topmost branches of the fruit-trees, barely seen over the surface, continued each spring languidly to throw out bud and blossom ; and it is a curious circumstance, that in the neighbouring churchyard of Dike there is a sepulchral monument of the Culbin family, which, though it does not date beyond the reign of James VI., was erected by a lord and lady of the lost barony, at a time when they seem to have had no suspicion of the utter ruin which was coming on their house. The quaint inscription runs as follows :—



Huntly; and to this Lodge additions have been made from time to time, as necessity dictated; but its situation is so little calculated for becoming a fit residence for the family that no regular plan appears ever to have been adopted for beautifying or laying out the grounds." In 1692, Lord Kinnaird, after his removal to Drimmie, presented the Parish Church of Inchturre with a set of silver Communion Cups, which bore the following inscription:—"GIFTED. BE. P. L. K. TO. THE. KIRK. OF. INSHTRE. 1692." His Lordship married Anne, daughter of Hugh, ninth Lord Lovat, by whom he had three sons, George, Patrick, and Charles; and a daughter, Anne. The eldest son, George, died without issue in 1698, leaving the succession to his immediate younger brother, Patrick. Anne became the wife of Thomas Drummond of Logiealmond. Lord Kinnaird was a member of the Darien Company to the extent of £700, and his brother was also a member to the extent of £300. His Lordship died in February, 1701, and Patrick, his second son, became third Lord Kinnaird.\*

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\* Pitcairn's *Criminal Trials*, vol. ii., pp. 427, 472; Douglas' *Peerage; Fifth Report on Historical Manuscripts; Rental of the County of Perth*; Chambers's *Domestic Annals of Scotland*, vol. iii. p. 119; *Acts of King William's First Parliament* (Fifth Session, 1695); Hugh Miller's *Sketch Book of Popular Geology*, p. 13; Myles' *Rambles in Forfarshire*, p. 150; Sinclair's *Statistical Account of Scotland*, vol. xix., p. 479; Rev. Mr Pratt's *Bnchan*, p. 24.

*THE LORDS OF KINNAIRD—Part 3d.*

Of such descent,  
Of such possessions, and so high esteem.  
*Taming of the Shrew.*

PATRICK, third Lord Kinnaird, was twice married—first to Lady Henrietta Murray, daughter of the Earl of Dunmore, by whom he had no children; and second to Lady Elizabeth Lyon, daughter of the Earl of Strathmore, who brought him a son and heir. Lord Kinnaird took a decided stand in opposition to the Treaty of Union with England while it was under discussion in the Scottish Parliament: and his name is found appended to several of the Protests taken by his party against the chief clauses of the measure, and also to Lockhart of Carnwath's Protest against the Government proclamation prohibiting public meetings on the subject of the Union during the sitting of Parliament. Probably on the passing of the Treaty, Lord Kinnaird withdrew from the troubled political life of his time: and we cannot speculate as to how he might have viewed the Jacobite rising of 1715,—one of the declared objects of which was the repeal of the Union,—as he died in the month of March that year, while the Earl of Mar was hatching his project in the dark. Lord Kinnaird's son, Patrick, became the fourth Lord, and enjoyed his patrimony for thirteen years,—his demise taking place in September, 1728. He had no children, so that the succession reverted to his uncle, Charles, third son of Patrick, the second Lord. Charles, fifth Lord, married, in 1729, Magdalene, daughter of Mr William Brown, merchant in Edinburgh. His Lordship died on the 16th July, 1758, and there being no child of his marriage alive, the representative of George, the youngest son of the first Lord Kinnaird, became heir. This George left a son, also named George, who wedded Lady Helen Gordon, daughter of Charles, Earl of

Aboyne, by whom he had a son, Charles. The latter now inherited the lands and honours of Kinnaird, as the sixth Lord. He was united to Barbara, daughter of Sir James Johnston of Westerhall, Bart., who bore him two sons, George and Patrick, and three daughters. His Lordship died on the 2d August, 1767, and his eldest son, George, became seventh Lord of Kinnaird. Four years afterwards—in the month of July, 1771—the younger son, Patrick, who was an officer in the service of the East India Company, was killed by a tiger on the coast of Coromandel.

George, seventh Lord Kinnaird, married, on the 23d July, 1777, Elizabeth, daughter of Griffin Ransom, Esq., banker, London, of which union there were six sons and four daughters. His Lordship devoted much time and money to promoting the permanent improvement of his estates. Drimmie House being insufficient as a residence, he contemplated the erection of a mansion commensurate with the position and requirements of the family. The writer of the old Statistical Account of Longforgan states that, in 1795, Lord Kinnaird “made some considerable repairs about the house” of Drimmie, “for the purpose of rendering it a more comfortable abode, until a fit and suitable family residence shall be built, in a park not far distant, in the adjoining parish of Rossie, which his Lordship has enclosed at a great expense, and is of considerable extent, containing in it great variety of ground, plantations, water, &c., all of which have been improved with much cost and taste; thus, that which requires the hand of time to render perfect, being so far completed, a house fit for so fine a situation and place may be erected, whenever it may suit the inclination or convenience of the family.” The improvements are also noticed in the Additions to the contemporary Account of Inchtute:—“His Lordship has of late years made out a beautiful park at Rossie, including hilly and low grounds. On the higher part of the grounds there is a great deal of planting, in a very thriving state, which serves greatly to beautify the country. And he intends a family house, on a

most delightful situation, overlooking a great part of his large estate, the view terminated by the Tay and the hills of Fife. A little east from the spot on which his Lordship intends to build, and within the park, there is a beautiful den, called Rossie Den, and a great deal of thriving planting in it. Of late years he has planted a great many fruit trees of various kinds on the east side of the den, which are in a very thriving state. There is another den on the west side of his Lordship's park, running up from Balledgarno about a mile; in it there is also a great deal of fine planting. Both dens are his Lordship's property." But the noble Lord did not live to realise his extensive plans. He died at Perth on the 11th October, 1805. Six sons and four daughters were born of his marriage. He was predeceased, however, by his eldest son, who died in infancy: and the second son, Charles, became heir. By a heavy dispensation of Providence, the family of Lord Kinnaird, in the midst of their grief for his loss, were subjected to another bitter bereavement. Their mother was passionately attached to her husband, and his death fell upon her affectionate and susceptible heart with so depressing a weight that, overwhelmed with inconsolable affliction, she yielded up her gentle spirit on the tenth day of her widowhood.

Charles, eighth Lord Kinnaird, was five-and-twenty years of age when he succeeded to the family inheritance. He was well educated, having studied at the Universities of Edinburgh, Glasgow, and Cambridge. At the General Election of 1802, he was elected M.P. for Leominster, and, in accordance with the politics which had been adopted by his family, gave his support and vote to the Whig party, then led by Fox, Sheridan, &c. He was at Venice, in October, 1805, when he received the news of his father's death. In 1806, Lord Kinnaird was chosen as one of the sixteen Representative Peers of Scotland. On the 8th May that year, he was married to Lady Olivia Letitia Catherine Fitzgerald, youngest daughter of the second Duke of Leinster. Lord Kinnaird had the satisfaction

of carrying out the designs of his father in regard to the erection of a new manorial seat. This spacious edifice, known as Rossie Priory, was founded in 1807, on the slope of Rossie Hill, at an elevation of 132 feet above the level of the sea,—the situation being admirably chosen as commanding a far-stretching and delightful prospect of which the eye can never weary. The architect was the well-known Atkinson. In digging the foundations several veins of copper ore were discovered. The building, which was erected of stone quarried from the estate, was completed in 1817; but it was considerably improved and extended by Lord Kinnaird's immediate successor.

Lord Kinnaird's brother (the fifth son), the Hon. Douglas James William Kinnaird, will be remembered as the trusted friend of the greatest British poet of his day. Mr Kinnaird was born on the 26th February, 1788, and, after receiving a classical education, took the degree of M.A. at Cambridge in 1811. He began the practical business of life as a partner in the banking-house of Messrs Ransom & Morland, London; but already he had formed a close intimacy with Lord Byron, who to the end of his career retained a constant and warm regard for him,—the name of Douglas Kinnaird being among the last words uttered by the noble poet while he lay dying at Missolonghi. It will be interesting to recal some of the more prominent incidents in an intercourse which endured for years, and was closed only by the hand of Death. Mr Kinnaird was conjoined with Lord Byron, the Hon. George Lamb, and Mr Peter Moore, in the Drury Lane Theatre Committee in 1815. That year saw Byron's *Hebrew Melodies* given to the world, and the Advertisement prefixed states that "the subsequent poems were written at the request of my friend, the Hon. Douglas Kinnaird." Such association confers lasting fame on Mr Kinnaird's memory. He seems to have justly appreciated the noble bard's lyrical powers: and it is to be regretted, we think, that Byron did not devote himself more to that walk of poesy, in which, as shewn by

what he did, he was so well qualified to excel. But, indeed, he did not take *con amore* to the task of composing his *Hebrew Melodes*, most of which were the product of haste, and after their appearance he persistently undervalued them. "Have I not told you," he said to Tom Moore, "it was all Kinnaird's doing, and my own exquisite facility of temper?" One of the lyrics was dashed off, to "try how a madman could write":—

*MY SOUL IS DARK.*

My soul is dark, Oh! quickly string  
 The harp I yet can brook to hear;  
 And let thy gentle fingers fling  
 Its melting murmurs o'er mine ear.  
 If in this heart a hope be dear  
 That sound shall charm it forth again:  
 If in these eyes there lurk a tear,  
 'Twill flow, and cease to burn my brain.

But bid the strain be wild and deep,  
 Nor let thy notes of joy be first:  
 I tell thee, minstrel, I must weep,  
 Or else this heavy heart will burst;  
 For it hath been by sorrow nursed,  
 And ached in sleepless silence long;  
 And now 'tis doomed to know the worst,  
 And break at once—or yield to song.

"It was generally conceived," we are told, "that Lord Byron's reported singularities approached on some occasions to derangement; and at one period, indeed, it was very currently asserted that his intellect was actually impaired. The report only served to amuse his Lordship. He referred to the circumstance, and declared that he would try how a madman could write: seizing the pen with eagerness, he for a moment fixed his eyes in majestic wildness on vacancy; when, like a flash of inspiration, without erasing a single word, the above verses were the result."

In 1820, Byron published his tragedy of *Marino Faliero*. He intended at first to inscribe it to Mr Kinnaird, and, in fact, drew up the Dedication:—

*To the Honourable Douglas Kinnaird.*

MY DEAR DOUGLAS,—I dedicate to you the following tragedy, rather on account of your good opinion of it, than from any notion of my own that it may be worthy of your acceptance. But if its merits were ten times greater than they possibly can be, this offering would

still be a very inadequate acknowledgment of the active and steady friendship with which, for a series of years, you have honoured and obliged your affectionate friend,  
 BYRON.

But, somehow, the noble author changed his mind,—wrote a new dedication to Goethe,—cancelled that too,—and finally sent forth his work without a dedication at all. Mr Kinnaird was useful to Lord Byron in his arrangements with Mr Murray, the publisher, as will be seen from one of the poet's letters to the bibliopole, dated 23d August, 1821 :—

Can't accept your courteous offer. These matters must be arranged with Mr Douglas Kinnaird. He is my trustee, and a man of honour. To him you can state all your mercantile reasons, which you might not like to state to me personally, such as "heavy season,"—"flat public,"—"don't go off,"—"Lordship writes too much,"—"won't take advice,"—"declining popularity,"—"deduction for the trade,"—"make very little,"—"generally lose by him,"—"pirated edition"—"foreign edition,"—"severe criticisms," &c., with other hints and howls for an oration, which I leave Douglas, who is an orator, to answer.

Early next year, Douglas was nearly brought into serious trouble by the poet. The quarrel betwixt Byron and Southey, which had long raged, came to fever heat after the appearance of the latter's *Vision of Judgment*, which was mercilessly ridiculed by the noble bard. Southey, exasperated by the criticism, wrote an elaborate letter to the *London Courier*, in which he turned upon his literary enemy with absolute ferocity. Take the closing paragraphs :—

His Lordship has thought it not unbecoming in him to call me a scribbler of all work. Let the word *scribbler* pass; it is an appellation which will not stick, like that of the *Satanic School*. But, if a scribbler, how am I one of *all work*? I will tell Lord Byron what I have *not* scribbled—what kind of work I have *not* done. I have never published libels upon my friends and acquaintance, expressed my sorrow for these libels, and called them in during a mood of better mind,—and then re-issued them, when the evil spirit, which for a time had been cast out, had returned and taken possession, with seven others, more wicked than himself. I have never abused the power, of which every author is in some degree possessed, to wound the character of a man, or the heart of a woman. I have never sent into the world a book to which I did not dare to affix my name; or which I feared to claim in a Court of Justice, if it were

pirated by a knavish bookseller. . . . None of *these things* have I done; none of the foul work by which literature is perverted to the injury of mankind. My hands are clean; there is no "damned spot" upon them—no taint, which "all the perfumes of Arabia will not sweeten."

Of the work which I *have* done, it becomes me not here to speak, save only as relates to the Satanic school, and its Coryphæus, the author of *Don Juan*. I have held up that school to public detestation, as enemies to the religion, the institutions, and the domestic morals of the country. I have given them a designation *to which their founder and leader answers*. I have sent a stone from my sling which has smitten their Goliath in the forehead. I have fastened his name upon the gibbet, for reproach and ignominy, as long as it shall endure. 'Take it down who can!'

One word of advice to Lord Byron, before I conclude. When he attacks me again, let it be in rhyme. For one who has so little command of himself, it will be a great advantage that his temper should be obliged to *keep time*. And while he may still indulge in the same rankness and virulence of insult, the metre will, in some degree, seem to lessen its vulgarity.

Oddly enough, Byron had already begun an attack in rhyme—a caricature *Vision of Judgment*; but when Southey's letter reached the noble poet's hands at Ravenna, where he was staying, it stung him to the quick. In a gust of wrath, he flung aside his poem, resolved on sending his traducer a challenge. He wrote the challenge, and enclosed it in the following letter to Mr Douglas Kinnaird, dated 6th January, 1822 :—

I have got Southey's pretended reply: what remains to be done is to call him out. The question is, would he come? for, if he would not, the whole thing would appear ridiculous, if I were to take a long and expensive journey to no purpose. You must be my second, and, as such, I wish to consult you. I apply to you as one well versed in the duello, or monomachie. Of course, I shall come to England as privately as possible, and leave it (supposing that I was the survivor) in the same manner; having no other object which could bring me into that country except to settle quarrels accumulated during my absence.

But Mr Kinnaird was not to be driven into such folly. Knowing his friend's excitability and waywardness of temper, he rightly judged that this wild step, the outcome of a passing fit of indignation, would be regretted when time brought reflection. Accordingly, he quietly laid aside the Byronic thunderbolt to cool: and the angry bard, after an interval, came to see how the whole

thing was ridiculous,—abandoned all idea of his challenge,—and resumed his *Vision*, which was published that same year in the periodical called *The Liberal*,—several London booksellers having declined the poem on any terms.

The ninth canto of *Don Juan* opens with a satirical apostrophe to the Duke of Wellington :—

Oh, Wellington ! (or “ Villainton ”—for Fame  
 Sounds the heroic syllables both ways ;  
 France could not conquer your great name,  
 But punn'd it down to this facetious phrase—  
 Beating or beaten, she will laugh the same),  
 You have obtained great pensions and much praise :  
 Glory like yours should any dare gainsay,  
 Humanity would rise, and thunder “ Nay ! ” (Query, *Ney* ?)

The author then proceeds—

I don't think that you used Kinnaird quite well  
 In Marinet's affair—in fact, 'twas shabby,  
 And like some other things won't do to tell  
 Upon your tomb in Westminster's old abbey.

The allusion here is not to Mr Douglas Kinnaird, but to his brother, Lord Kinnaird : and “ Marinet's affair ” is explained in a note in Murray's editions of Byron's Works. Lord Kinnaird, it is stated, “ was received in Paris, in 1814, with great civility by the Duke of Wellington and the Royal Family of France, but he had himself presented to Buonaparte during the Hundred Days, and intrigued on with that faction, in spite of the Duke's remonstrances, until the restored Government ordered him out of the French territory in 1816. In 1817, he became acquainted at Brussels with one *Marinet*, an adventurer mixed up in a conspiracy to assassinate the Duke in the streets of Paris. This fellow at first promised to discover the man who actually shot at His Grace, but, on reaching Paris, shuffled, and would say nothing ; and Lord Kinnaird's avowed cause of complaint against the Duke was, that he did not *protect* this creature from the French police, who, not doubting that he had been one of the conspirators against his Grace's life, arrested him accordingly. He was tried along with the actual assassin, and both were acquitted by the Parisian jury.”

Lord Kinnaird died on the 11th December, 1826, leaving three sons and four daughters. The sons were George William Fox, born 14th April, 1807; Graham Hay St Vincent de Ros, born 27th October, 1811; and Arthur Fitzgerald, born 8th July, 1814. The eldest son succeeded his father, and held the lands and honours for upwards of half-a-century, during a considerable portion of which he occupied a more prominent position in the eyes of his countrymen than probably any of his predecessors had done. His uncle, Mr Douglas Kinnaird, died on 12th March 1830, unmarried. On 20th June, 1831, Lord Kinnaird was created Baron Rossie, in the Peerage of the United Kingdom. He was married, on 14th December, 1837, to Frances Anna Georgiana, only daughter of William, first Lord de Mauley, and grand-daughter of Frederick, third Earl of Bessborough. Of this union there were two sons and a daughter, who all predeceased their father; and by the death of his Lordship's immediate younger brother, Graham Hay, in 1838, the prospect of succession was opened up to the next brother, Arthur Fitzgerald. For some period Lord Kinnaird held the office of Master of the Buckhounds to her present Majesty, but resigned it in 1841. He was created in 1860, Baron Kinnaird of Rossie, in the British Peerage, with remainder, in default of heirs-male, to his brother, the Hon Arthur Fitzgerald, and the heirs of his body. His Lordship was subsequently appointed Lord-Lieutenant of Perthshire, which office he continued to occupy till his death, on the 7th January, 1878. Of Lord Kinnaird's character we need not speak. He was an exemplary landlord, and an excellent man of business. His unwearied exertions in the cause of Christian philanthropy are well known; while his many services to agricultural improvement have been appreciated all over the country. He has been succeeded by his brother, the Hon Arthur Fitzgerald Kinnaird, who from 1837 to 1839, and from 1852 to 1878, represented the burgh of Perth in Parliament. On the 28th June, 1843, Mr Kinnaird married

Mary Jane, daughter of the late William Henry Hoare, Esq., of The Grove, Mitcham, Surrey; and of this union there have been one son and six daughters. This son, now the Master of Kinnaird, was born on the 16th February, 1847, and was married, on the 19th August, 1875, to Mary Alma Victoria, daughter of Sir Andrew Agnew, Bart.

It has been previously stated that the lands and barony of Kinnaird were acquired, in 1690, by Sir David Threipland of Fingask. But they only remained a quarter of a century in his possession. He was one of the most zealous of the Jacobites, and perilled everything for his principles. He joined the Earl of Mar in 1715,—feasted the Chevalier de St George at Fingask,—and speedily became a proscribed fugitive. All his lands were forfeited for his Rebellion. But after the lapse of nearly 140 years the estate of Kinnaird was re-purchased by Sir David's worthy descendant, the present Sir Patrick Murray Threipland.\*

About a mile and a-half westward from the old Castle of Kinnaird there is a romantic little glen among the Sidlaw hills, where a rivulet forms a fine cascade called Linn-ma-gray (*Linne-mo-Ghraidh* — “Linn of my darling”) Approached from the neighbouring heights, the deep chasm of the Linn, between two confronting precipices, is unobservable till the visitor finds himself close to the edge of the rock. The situation of the fall is only indicated from a distance by the tops of tufted elms appearing in a hollow, and seeming a number of stunted bushes shading a small burn; but seen from below, these trees, which strike their roots in the fissures of the overhanging precipices, tower high above the spectator's head, and in summer their leafy screen ex-

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\*Lockhart's *Memoirs Concerning the Affairs of Scotland*; Douglas' *Peerage of Scotland*; Anderson's *Scottish Nation*, vol. ii., p. 608; Sinclair's *Statistical Account of Sootland*, vol. xix., p. 480, vol. xxi., p. 81; *Poetical Works of Lord Byron*; Sir Bernard Burke's *Peerage and Baronetage of the British Empire* (1876), p. 681.

cludes the sunbeam. In the end of last century, the Linn was much resorted to by a band of smugglers, who carried on their work within the gloomy recesses of the rock. For a long time they eluded the vigilance of the excisemen, but at last received a summary notice to quit. It was the winter time, and the snow lay deep. But a sudden thaw taking place upon the hills, a spate of unusual magnitude and violence came rushing down the narrow gorge, in the absence of the smugglers, and when they returned, their "wark-looms" were nowhere to be found. Pots, pans, and kegs had been swept down with the stream, and some of the wooden utensils stopped not their headlong career till they were stranded in the level country, some miles from where they had set out. The beauties of this secluded spot have been sung by the Gowrie Bard, Charles Spence, whose simple stanzas will form a conclusion to our historical retrospect concerning Kinnaird and its Lords:—

*LINN-MA-GRAY.*

LINN-MA-GRAY, I long to see  
Thy heathy heights an' broomy lea;—  
Whaur linnets lilt and lavrets play  
Around the gulph of Linn-ma-gray.

Linn-ma-gray, when to the street  
Crowds follow crowds, in crowds to meet,  
I wend my solitary way,  
An' climb the cliffs of Linn-ma-gray.

Linn-ma-gray, each mountain spring  
From age to age doth tribute bring,  
And rushing onward to the Tay,  
Augments the stream of Linn-ma-gray.

Linn-ma-gray, round Baron Hill  
I've aften gane wi' richt gude will,  
An' sat an' seen the dashing spray  
Lash the dark rocks of Linn-ma-gray.

Linn-ma-gray, when in yon ha'  
The merry wassailers gather a',  
In vain their weel-trained bands essay  
The minstrelsy of Linn-ma-gray.

Linn-ma-gray, an' ye were mine,  
Wi' birk, an' beech, an' yew, an' pine,  
An' ash, an' aik, I would pourtray  
The loveliness of Linn-ma-gray.

Linn-ma-gray, high on thy crest  
 The wagtail builds her felty nest,  
 And down amid the misty spray  
 The snipe finds hame at Linn-ma-gray.

Linn-ma-gray, the cushats cool  
 Their pinions, fluttering in thy pool,  
 Where sunbeam never found its way,  
 Far ben the glack of Linn-ma-gray.

Linn-ma-gray, thy hazels green  
 Lodge the thrush an' finch at e'en,  
 Lodge me, too, at close o' day—  
 I tune my harp at Linn-ma-gray.

Linn-ma-gray, anither linn,  
 May hae its beauties, hearts to win;  
 But never can they wile away  
 My wish to muse at Linn-ma-gray.

Linn-ma-gray, if I might have  
 A wish—some friend would dig a grave  
 Where they my cauld remains might lay  
 Beside the Fall of Linn-ma-gray.

My coronach would be its cry—  
 Its stream the lack of tears supply;  
 And soundly till the *rising day*  
 I would sleep on at Linn-ma-gray.

Linn-ma-gray, a lang farewell;—  
 Nae mair thy solitary dell  
 Shall listen to my roundelay—  
 Nae mair I visit Linn-ma-gray.

One of the three steel-plate illustrations to Knox's *Topography of the Basin of the Tay* is a view of this waterfall, with the poet and his Jean sitting at the foot of the rocks. A stanza of the poem is appended to the engraving.

*THE CASTLE OF DOUNE.—Part 1st.*

They rise, the banner'd towers of Doune.

*Lady of the Lake.*

WHEN Captain Waverley was rescued from the clutches of the Gifted Gilfillan and his Volunteers, on the march to Stirling, he was hurried away to a secluded hut, in the bottom of a glen, where he was tended for a long week. On the evening of the seventh day, the friendly Highlanders conducted him on an unknown journey: and after travelling all night, the party, at the dawn of morning, reached the banks of "a rapid river," the Teith. "The country around was at once fertile and romantic. Steep banks of wood were broken by cornfields, which this year presented an abundant harvest, already in a great measure cut down. On the opposite bank of the river, and partly surrounded by a winding stream, stood a large and massive castle, the half-ruined turrets of which were already glittering in the first rays of the sun. It was in form an oblong square, of size sufficient to contain a large court in the centre. The towers at each angle of the square rose higher than the walls of the building, and were in their turn surmounted by turrets, differing in height, and irregular in shape." Such is Sir Walter Scott's sketch of the Castle of Doune. "This noble ruin," he adds, "is dear to my recollection, from associations which have been long and painfully broken. It holds a commanding position on the banks of the River Teith, and has been one of the largest castles in Scotland. Murdoch, Duke of Albany, the founder of this stately pile, was beheaded on the Castle Hill of Stirling, from which he might see the towers of Doune, the monument of his fallen greatness." But Scott was under a misapprehension when he ascribed the erection of the castle to Murdoch of Albany; for the main portion of the edifice is evidently of higher antiquity than the era of the ill-fated Regent.

Doune Castle seems to have been originally the baronial seat and stronghold of the ancient Earls of Menteith, the first of whom, on existing record, was Murdoch, in the beginning of the reign of David I., who ascended the Scottish throne in 1124. The second Earl was Gilchrist, named in a Charter of Donation by Malcolm IV. to the Monastery of Scone, and also appearing as a witness to several of William the Lion's charters. His successor was Maurice, third Earl, who flourished in the end of William's reign, and during part of that of Alexander II. Earl Maurice left two daughters, the eldest of whom wedded Walter Comyn, second son of William, Earl of Buchan, her husband assumed the title of Earl of Menteith. He rose to great power in the kingdom,—bore a conspicuous share in the national convulsions which followed the accession of Alexander III.,—died suddenly in 1258,—by poison, as was alleged, which his faithless Countess had administered to him. She was imprisoned on the charge,—disgraced,—and driven from the kingdom. There was only one child of their unhappy union—a daughter, who married her father's relative, William Comyn. But he was not suffered to attain the Menteith Earldom. His lady's aunt, the younger daughter of Earl Maurice, was the wife of Walter Stewart, called *Bailloch*, or the Freckled, third son of the High Steward of Scotland, and he, immediately on Earl Walter's death, claimed the Earldom, and it was confirmed to him by authority of the Scottish Parliament. He also achieved greatness in the realm, and left two sons, both of whom, for some reason, adopted the surname of Menteith. The eldest, Alexander, succeeded his father, as sixth Earl, in 1295. The other, John, acquired a name which has been held in abhorrence by his countrymen from generation to generation; for, by his craft and vile treachery he became "the false Menteith" of Wallace's latter days.

Alexander, the sixth Earl, fought under John Baliol's banner in the war of 1296 against the English. He and the Earls of Ross and Athole led a Scottish army on a devastating inroad across the Border, after the fall

of Berwick. He was at the Battle of Dunbar; but the enemy took him prisoner; and he only obtained his freedom by coming under an obligation to serve King Edward in his foreign wars. He was succeeded by his son, Alan, who joined Bruce at the outset of his struggle for independence, but was speedily taken by the English, and died a captive in England. He left a son, who deceased without children, and a daughter, Mary, who should have been Countess of "the varied realms of fair Menteith;" but she was opposed by a competitor, Murdoch, who is said to have been her paternal uncle,—though the point of his relationship (if he was related to her at all) is dubious. At all events, Mary found herself unable to vindicate her rights, and therefore took the alternative of compromising the dispute with Murdoch, who consequently obtained the object of his ambition, the Earldom. He was slain at the battle of Halidon Hill, in 1333.

Some one or other of these Earls of Menteith must have raised the Castle of Doune. The situation of the fortress was admirably chosen for defence,—being on an eminence, supposed to be partly artificial, forming a peninsula at the confluence of the Teith with the Ardoch,—the latter a stream which issues from Loch Maghaig, in the Braes of Doune, and, afterwards joined by the Garwell, is known as the water of Kilbryde, and then changes its name to the Ardoch. After the foundation of the baronial pile, the usual village gathered its cluster of thatched huts in the immediate vicinity, and eventually became famous for certain manufactures, which were in high request all over the country. In the days of King Robert Bruce, a native of Doune (perhaps a scion of Menteith), appeared as a sea-rover. Archdeacon Barbour relates that during the war of the Scots in Ireland, Edward Bruce, although he had gained several victories, was forced by stress of circumstances—reduced numbers and want of provisions—to retreat before the enemy towards Ulster, which province, however, he found difficulty in reaching, as the River Ban, an arm of the sea, interposed in

his way, and he had no flotilla to transport his weary troops across. The Scots might have been surrounded and destroyed on the shore; but, fortunately, at this crisis of the campaign, a bold "scoumar of the sea,"—a freebooter or privateer,—called Thomas of Doune, commanding four vessels, sailed into the estuary with his ships, and conveyed his countrymen to the other side. Barbour tells the story thus:—

In great distress there were they stad,  
 For great default of meat they had:  
 And they betwixt great rivers two  
 Were set, and might pass none of tho.  
 The Ban, that is an arm of the sea,  
 That with horse may not passed be,  
 Was betwixt them and Ulister,  
 They had been in great peril there,  
 Were not a scoumar of the sea,  
 Thomas of Doune called was he,  
 Heard that the host so straitly than  
 Was stad, he sailed up the Ban:  
 While that he came near where they lay,  
 They knew him well, and blythe were they.  
 Then with four ships that he had tane,  
 He set them over the Ban ilk ane,  
 And when they came in bigged land,  
 Victual and meat enough they fand.

On the fall of Earl Murdoch at Halidon Hill, Mary, who had married Sir John Graham, recovered her rights to her paternal inheritance, and her husband became ninth Earl of Menteith. He accompanied David II. in his invasion of England in 1346, and, being taken prisoner at the Battle of Durham, was condemned to death as a traitor by Edward III., to whom he had sworn fealty. To the disgrace of the English Sovereign, this barbarous sentence was carried into execution, with the view of striking terror into the hearts of the patriotic Scots. The Earl left a daughter, Margaret, who gave her hand to Robert, third son of Robert II. by Elizabeth Mure. This marriage brought him the title of Earl of Menteith. But titles, in fact, were heaped upon him. By the resignation in his favour of Isabella, Countess of Fife, widow of his brother, Walter, he obtained the Earldom of Fife. He was created Duke of Albany; and he was made Governor and then Regent

of Scotland. All power centred in his hands. Not only was Albany ambitious: he was wholly unscrupulous, — delivered over to dark and remorseless passions, which spared not his own kindred in the path of his aggrandisement. “His person,” says Pinkerton, “was tall and majestic, his countenance amiable; temperance, affability, eloquence, real generosity, apparent benignity, a degree of cool prudence bordering upon wisdom, may be reckoned among his virtues. But the shades of his vices were deeper: an insatiate ambition, unrelenting cruelty, and its attendant, cowardice, or at least an absolute defect of military fame, a contempt of the best human affections, a long practice in all the dark paths of art and dissimulation. His administration he studied to recommend, not by promoting the public good, but by sharing the spoils of the Monarchy with the nobles, by a patient connivance at their enormities, by a dazzling pomp of expenditure in the pleasures of the feast, and in the conciliation of munificence. As fortune preserved his government from any signal unsuccess, so it would be an abuse of terms to bestow upon a wary management, which only regarded his own interest, the praise of political wisdom.” Albany, availing himself of the weakness of his royal brother, engrossed the ruling power in Scotland, and probably aimed at the Crown itself. The princes, his nephews, stood in his way; but he consigned the Duke of Rothesay to death by famine in the Palace of Falkland; and if he did not plot with the English for the interception of the young Prince James on the voyage to France, history shows that he manifested satisfaction at the fortuitous event, and never once sent a formal demand for the royal captive’s liberation. The removal of the two Princes served to consolidate Albany’s position. Borne down by accumulating sorrows, Robert III. found rest in the grave; and his crafty brother became Regent. This was in 1406; and Albany’s power was supreme for the next thirteen years. He died in the Palace of Stirling, on the 3d September, 1419, in the 80th year of his age. He was twice married. By his

first wife, Margaret of Menteith, he had a son, Murdoch, and several daughters; and by his second marriage with Muriel, daughter of the Marischal of Scotland, he had four sons.

Murdoch succeeded his father in his honours and as the Scottish Regent. His Duchess was Isabel, daughter and heiress of Duncan, Earl of Lennox, by whom he had four sons--Robert, Walter, Alexander, and James--and two daughters; but the eldest son, Robert, died early. The new Regent possessed none of his father's capacities for government, and was altogether unfitted for the elevated station in which he was placed. Not only was he unequal to the duty of ruling a kingdom; he was incapable of ruling his own family: and at length the insolence and turbulence of his sons induced him to adopt measures for the restoration of King James to his native kingdom, which was accomplished in 1424. It is Murdoch who is conjectured by some authorities to have been the founder of Doune Castle, which he chose as his favourite residence. But, as already said, the supposition is erroneous, from the greater antiquity of the principal portion of the structure; though there is every probability that he or his father, or both, repaired and extended the building. As the second Albany only held the reins of power for the short space of five years, he could scarcely have had time sufficient for the erection of such a stronghold.

The Lord of Doune brought home King James, laid down the Regency, and enthroned his Sovereign at Scone. But that Sovereign speedily called upon him to expiate his father's guilt and his own. A long and neglected captivity had filled the soul of James with a deep revengeful feeling against the house of Albany, and little was needed to develop his secret resentment into stern action. Perchance the ex-Regent and his friends saw reason to regret the King's return, and conspired together to dethrone or hold him in pupilage. We cannot tell. A dense mystery overhangs the springs of the events which were about to astound the nation.

The King's first Parliament assembled at Perth, on the 26th May, 1424, and passed a number of beneficial enactments. No cloud as yet darkened the horizon; but soon the family of Albany received a startling token that their evil star was rising to the ascendant. The Duke's second or eldest surviving son, Walter, and his father-in-law, the aged Earl of Lennox, along with Sir Robert Graham, afterwards the chief assassin of King James, were suddenly arrested. Walter was imprisoned in the Castle of the Bass, and the other two in the Castle of Dunbar. A second Parliament was summoned to meet at Perth, on the 12th of March, 1424-5. The Estates met, and sat for eight days engaged in the business of legislation. But on the morrow burst the storm. The King, whose plans were fully matured, threw off the mask and appeared in all his implacability. Albany and his third son, Alexander, were seized,—according to tradition, as they were passing between Doune and Dunblane, on the banks of a small stream, at a spot thence called *Murdoch's Ford*, which name it has since retained. This blow was followed up by the arrest of twenty-six nobles and barons. Without delay, the roused Monarch sent and took possession of the Castle of Doune and the Castle of Falkland, both of which were in Albany's hands. In the former stronghold abode the Duchess, who was straightway carried a prisoner to Tantallon Castle.

His alleged enemies now wholly in his power, James prepared to consummate his vengeance or to render them the justice which was their due. A Court was constituted at Stirling, on the 24th of May. The King presided, sitting on his throne. Walter Stewart was the first arraigned. Unhappily no record of the Court exists; but the crime charged against him is stated in an old Chronicle to have been "robbery." The summer day was spent in the trial, which concluded with the condemnation of Walter to death. Next day his father, his brother, Alexander, and his grandfather, Lennox, came to the bar, and were likewise condemned. All four were brought out to the "sad and fatal

mound," called the "Hurly-Hawky," part of the Gowling or Gowane Hill, facing Stirling Castle on the north-east. There,

On Gowland's whin-beflowered hill,  
And rocky brae,

the block was placed, and the headsman stood ready: and from that elevation, the eye, ranging over a wide and lovely landscape, through which the silvery Forth slowly wound its waters, could rest on the towers of Doune rising proudly above the surrounding trees. It is said that, with a refinement of cruelty, the Gowane Hill was selected for the execution, that the last moments of Albany and his sons might be embittered by the scene of their recent power and state. They looked their last on Doune. Albany and his sons—all stately men, approaching in height to the gigantic, with the mien of high birth and command—and Lennox, grey-headed and tottering with the weight of years, bowed their necks to the death-stroke. It was a dread example of the mutability of all worldly grandeur. Albany's youngest son, James, would have shared the like fate, but he eluded arrest, and, after sacking and burning the town of Dumbarton in revenge, fled to Ireland. Forfeiture followed the executions. The Earldoms of Fife and Menteith reverted to the Sovereign; and in 1427, the latter Earldom was conferred on Malise Graham, Earl of Strathearn. But Doune Castle formed no part of the grant, and continued as a royal appanage throughout the century.

James, the youngest son of Albany, spent the remainder of his days in Ireland, where he married, and had a family of several sons and a daughter, all of whom on his death were recalled to Scotland by James II., and distinguished by many marks of favour. The eldest son, Andrew, was, in 1456, created Lord Evandale, and was also, in 1460, appointed Lord Chancellor of Scotland, which office he held for 19 years. He left no issue, and his nephew, Alexander, the eldest son of his brother, Walter, became his heir. Matilda, daughter of James above-mentioned, married a Stirlingshire

knight, Sir William Edmonstone of Duntreath, whose mother was the Princess Mary, daughter of Robert III. Of this union came two sons, Archibald and William. Archibald succeeded his father, and was appointed by the Crown to the offices of Captain or Constable of Doune Castle and Steward of the Stewart-ries of Menteith and Strathgartney, which he enjoyed till his death in 1502, when they were devolved upon his heir, Sir William, who also held them till his decease. But in 1502, a new disposal was made of the Castle of Doune. In that year James IV. was united to the Princess Margaret of England, on which occasion Doune Castle and certain lands in Menteith were granted to her in life-rent; and in 1503, Sir William Edmonstone appears as Captain and Steward aforesaid in witnessing a legal deed by the Queen. Ten years passed, and then came hostilities against England,—the march of King James across the Border,—and the sanguinary Battle of Flodden, in which Sir William Edmonstone fell, with his King and the flower of the Scottish nation. By his wife, Sybilla, of the family of Buillie of Lamington, Sir William left three sons—William, his heir; Archibald, ancestor of the Spittal branch; and James, ancestor of the Newton and Cambus-wallace branches. In 1516, Sir William and his brother, Archibald, were appointed to their father's offices as joint Captains of Doune Castle and Stewards of Menteith and Strathgartney, which they held till the year 1528, when they were deprived with scant ceremony. How this happened, we shall now relate.

The Dowager-Queen Margaret of Scotland did not wear her weeds of widowhood for the space of a year; but on the 4th of August, 1514, wedded the Earl of Angus. It was an unhappy match. Ten years afterwards, in 1524, she was divorced, after a lengthened separation. She then took for her third husband Henry Stewart, second son of Andrew, third Lord Evandale, and first Lord Ochiltrie. In 1528, James V. raised Henry to the Peerage by the title of Lord Methven, and at same time the Queen-mother pre-

vailed upon her son to displace the Edmonstones from their appointments under the Crown in connection with Doune Castle and Menteith, and to bestow these upon her husband's younger brother, known as Sir James Stewart of Beith, the third son of Lord Ochiltree. This change accordingly took place, and laid the foundation of a bitter and unappeasable feud between Stewart and the Edmonstones. Subsequently the King confirmed this new grant, and rendered it a feu in perpetuity. Stewart was a favourite at Court, and became a Gentleman of the Bedchamber and Lieutenant of the Royal Guard. His lady was the daughter of Lord Lindsay of the Byres, and one of their daughters married Robert Crichton of Ellick and Cluny, and was the mother of the Admirable Crichton.

Beith's feud with the Edmonstones subsisted for fifteen years, and culminated in bloodshed. On the Whitsunday of 1543, the three Edmonstones, with a party of friends and followers, all in arms, were passing near *Murdoch's Ford*, the place where, as tradition avers, the second Albany was taken prisoner. At the same moment, they discovered their rival, Sir James Stewart, approaching with an armed retinue. The meeting appears to have been accidental. But whether it was so or not, both parties, instigated by mutual hatred, rushed against each other, and a fierce battle was fought, in which the Knight of Beith fell dead on the field. His fate disheartened his supporters, who were routed with heavy loss. Yet, what could this great success avail the victors? It could not restore their lost offices: and it roused the vengeance of the Stewarts. The Edmonstones, however, contrived to hold their ground against the utmost efforts of their enemies; and in three years Sir William had influence with the Duke of Chatelherault, Governor of Scotland, to procure a remission or pardon for the slaughter at *Murdoch's Ford*.

The slain Captain of Doune was succeeded by his eldest son, James, who acquired the Abbey of St Colme *in commendam*, and was an adherent of the Lords of the

Congregation. He sat in the Parliament of 1560 as one of the Lords of the Articles, when the Reformation of Religion was established. In 1561, he was appointed Ambassador to England to demand a safe-conduct for Queen Mary on her voyage from France to Scotland; and afterwards, in the same year, he was sent as Ambassador to France. At Stirling, on 15th May, 1565, when Darnley was created Earl of Ross, the Commendator of St Colme received the honour of knighthood. This year he also obtained a charter in his favour, under the Great Seal, erecting certain lands into a free barony, to be called the barony of Doune. In her happiest days, Mary sometimes honoured Doune Castle with a visit, where she laid aside the cares of State. Sir James Stewart, however, ill repaid the favour of his royal mistress. He must have been present at Rizzio's assassination; for his name is in the Royal Proclamation of the 19th March, 1566, containing the names of those accused of the deed. During the subsequent troubles he acted a double part, endeavouring to stand fair with both sides. To the Regent Murray he was ostensibly attached, but meanwhile secretly leaned to the Queen's interest, and made the Castle of Doune a refuge for her proscribed adherents. He attended the young King's Coronation at Stirling in July, 1567. But when Mary escaped from Loch Leven, on the 2d May, 1568, he somewhat openly espoused her cause; and the name of the "Abbot of St Colme's Inch" appears adhibited to the Bond of Defence in the Queen's favour, dated at Hamilton, on the 8th of the same month; but Stewart was not present at the Battle of Langside. A few days after the battle, the Privy Council, sitting at Stirling, on the 23d May, ordered a number of persons to surrender their places of strength, to which the King's enemies, "disappointed of their cruel enterprise, yet continuing in their obstinate rebellion," were resorting; "minding to repair their forces, and so far as in them lies to dispossess his Majesty of his royal crown, both against the law of God and nature;" and among the rest, James Stewart, of Doune, knight,

was commanded to render the castle and fortalice of Doune.\*

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\* Scott's *Waverley*; Douglas' *Peerage of Scotland*; Tytler's *History of Scotland*; Baillour's *Bruce*, Book 10; Sinclair's *Statistical Account of Scotland*, vol. xx., p. 56; Anderson's *Scottish Nation*, vol. ii., p. 118; vol. iii., pp. 148, 202; Rogers' *Week at the Bridge of Alan* (1851), p. 163; Duncan Stewart's *History of Stewart*; Nimmo's *History of Stirlingshire*; Bishop Keith's *History of Church and State in Scotland* (1734), p. 47<sup>o</sup>, Appendix, p. 130; *Register of the Privy Council of Scotland*, vol. i., pp. 538, 625.

*THE CASTLE OF DOUNE—Part 2d.*

This gentleman of mine hath served me long;  
To build his fortune, I will strain a little.

*Timon of Athens.*

THAT the Castle of Doune was surrendered in obedience to the Privy Council's order does not clearly appear. Doubtless the Captain found means to conciliate the ruling faction; but at the same time he continued secret relations with that of the Queen. Indeed, Mary seemed to have good reason to regard him in the light of an assured friend; for she had not been many weeks in England when she urgently invited his correspondence. One of her letters to him (undated, and in French) from Bolton Castle states:—"I have written several times, and have had no answer; and now Clemet's Hob has written to me that he had a letter from you, but has lost it. . . . Rischy is in Scotland. I have written to you by him. . . . I dare not write more than that you are to be of good courage. . . . Make me a cipher, and send it to me, and I will inform you more fully." Another letter which she wrote to him from Bolton, on 23d July, 1568, is here presented (in modernized orthography):—

*Mary Queen of Scots to the Commendator of St Colme's Inch.*

Gude friend, I marvel meikle you write no more to auld friends, for they will not forget you. As for news, I dare not write unless I have a cipher; therefore, send me one. I am in gude hope there is an Ambassador to come out of France shortly for me. I refer all tidings to the bearer, and press you to write all news to me. When I wist the bearer found you himself, I would write farther. My Lord Fleming will shew you all news. I pray you write off yours to me, and be not so langsome from this forth. Commend me to your wife, and solicit her to be constant. I doubt it not, nor of yourself. I pray you commend me to your brother that married your sister, and desire him to come to me, for I will have ado for him. After your next advertisement, I shall write farther. Your auld friend, and so shall be to the end. From Bolton, this 23rd of July.

To my gude friend, St C.

Mary wrote him in December same year, and subsequently; so that there can be no question of his professed adherence to her cause, while he kept on fair terms with her enemies. Doune Castle would seem to have been in his possession in 1569; for in August that year he got into trouble on account of two Borderers, Robert Elliot, *alias* Clement's Hob, in Goramberg (the emissary named in one of the Queen's letters), and Archibald Elliot, *alias* Archie Kene, who had been ordered by the Privy Council into "ward" or confinement in the Castle. Stewart had become security for them to the amount of £500 each, that they should not escape; nevertheless they took leg bail, "and also has ridden in theftuous manner against our Sovereign Lord's true subjects, wherethrough the said James, surety foresaid, has incurred the said pains." The Privy Council, at a meeting on the 31st August, ordered him to appear before them at Stirling on a short notice. He so appeared on the 3d September, when the Council pronounced decree against him, but suspended execution for a few days that he might, if possible, produce the prisoners, and thereby relieve himself. It may be shrewdly suspected that Hob and Archie did not escape without their cautioner's knowledge, and probably the Council were a little of that opinion. How the affair terminated the record sayeth not.

Opportunity presenting, the Commendator availed himself of it to foment estrangement betwixt the Regent Moray and his ablest supporter. After the Battle of Langside, Sir William Kirkaldy of Grange, whose military genius had decided the victory, was appointed Governor of Edinburgh Castle. But he was not the ready tool required by his faction. Shortly the Regent and his familiars conceived suspicion of Maitland of Lethington, and also of his friend and admirer, Kirkaldy, and would fain have had the Castle placed in more subservient hands. The Knight of Grange, however, was dangerous game to fly at; but Maitland's ruin was deemed an easy task; and, therefore, it was resolved to bring him to the scaffold upon an accusation

of complicity in Darnley's murder. These machinations becoming known to Sir James Stewart, through his intercourse with the plotters, he sent more than one private warning to Kirkaldy. Maitland was already arrested, when (as stated by Sir James Melvil in his *Memoirs*) "my Lord of Doune wrote to the Laird of Grange to be upon his guard, for the Regent was resolved to take the Castle of Edinburgh from him, and make the Laird of Drumwhasel captain thereof. Which advertisement he had formerly given to Grange, as also of the design to take the Secretary and Sir James Balfour." Kirkaldy, fully awakened to a sense of danger, descended from his rock with a party of the garrison, and, taking Maitland out of ward, placed him in safety within the walls of the fortress. A breach of amity between Grange and Moray was the result; and many of the Queen's declared adherents flocked to the Castle, where they were gladly received. Kirkaldy had taken the first step towards that change of sides which rekindled the flames of civil war. Moray's career as Regent was destined to be brief. On the 23d February, 1570, he was shot down in the High Street of Linlithgow; and the Earl of Lennox was appointed in his stead. Sir James Stewart was now held in such suspicion that the new Regent, in August, marched against the Castle of Doune, and obtained its surrender. Lennox did not keep it long. He was shot in Stirling streets on the 4th September, 1571. The Earl of Mar was elevated to the ill-omened Regency; and he, too, was suddenly cut off, after attending a banquet given by the Earl of Morton in the Castle of Dalkeith. Then Morton climbed to the eminence from which, as was popularly whispered, he had displaced Mar by means of a draught of poison.

Although Doune Castle was seized by the Regent Lennox, it was speedily restored to its Captain; for we find that in Mar's time Sir James Stewart had the charge of keeping in it such "State prisoners" as hostages ("pledges" they were called) for the peace of the Borders, &c. The Earl of Eglinton, who had been

confined in Doune, came to an agreement with the Privy Council, on the 7th September, 1571, for his liberation, upon condition of leaving his brother in custody in his stead, and placing his son in Stirling Castle, as pledges. Mar, in a letter dated from Leith, 1st April, 1572, addressed to Sir James Stewart, states that having by a previous letter commanded him, as Captain of the Castle of Doune in Menteith, to keep Sir Walter Scott of Branxholme, Knight, in a close house within the said castle, without having intelligence or receiving of letters in or out, he was now authorised to release his guard, and to permit Sir Walter to have the same freedom which he had previous to the issuing of the said order for his restraint. Sir Walter was released on the 7th July following, upon caution that he should re-enter ward in Doune, on the 1st of August. The castle was useful to the Regent Morton's Government. On the 26th September, 1573, he wrote to the Commendator of St Colme's, the Captain, requesting him to receive into his house David Elliot of Braidlie, as one of the pledges taken for the peace of the Borders, and to keep him until he is relieved by the Regent; but Stewart was not to be careful for Elliot's "strait and sure keeping," provided he remained in his company, seeing that the prisoner had found security that he "shall keep his ward, and not escape or eschew till he be relieved." Again, on the 17th May, 1574, the Regent, writing to Stewart from Holyrood House, intimated that Rob Billie, pledge for the gang of Gorramberry, was now relieved by the entry in his place of the bearer, "named Archie Elliot, called Archie Kene," whom Stewart was "required to receive and keep in sure firmance, because no surety has been found that he shall keep his word." Farther, the Regent, on the 4th June, 1576, wrote from Dalkeith to the Captain of Doune, setting forth that "it was thought good and concluded in the convention of the nobility that the lords, barons, and gentlemen of the in-country should have in their keeping the broken men and pledges as they come in, and impute the pain of two thousand

pounds to the keepers that they let them not liberty, wherefore we desire, and in our Sovereign Lord's name charges you to receive the bearer, Eumond Armstrong of Whiesilgillis, and keep and detain him, on nowise letting him to liberty out of your house and company, till ye receive our express warrant for his relief." Once more, in consequence of quarrels amongst the friends and dependants of the Lords Mar, Erskine, and Livingstone, the Privy Council, on the 21st December, 1577, ordered John Livingstone, younger of Dunipace, to enter in ward in the Castle of Doune.

During Morton's tenure of office, a reconciliation was effected between the Duntreath and Doune families, who had been at long and violent enmity. Sir James Stewart, who superseded the Edmonstones in the castellanship of Doune, was slain by them at Murdoch's Ford in 1543, and for many years after that fatal conflict, the feud raged fiercely. Time, however, the great Soother as well as Avenger, gradually deadened the old hatreds, and brought about an amicable understanding between the parties, upon which they shook hands. In 1576, when Sir William Edmonstone of Duntreath was far advanced in years, he and his son and heir, James, agreed to grant a Bond of Manrent to Sir James Stewart, son of the slain knight, upon condition of all past grievances being buried in oblivion. Such obligations having been declared illegal by the sixth Parliament of Queen Mary, cap. 43, the proposed Bond required the royal permission, which was obtained in the following terms :—

By witness, consent, and authority of our right traist cousin, James, Earl of Morton, Lord Dalkeith, Regent to us in our realm, and to whom it is understood that for the reconciliation of the deadly feud and enmity contracted through the slaughter of umquhil James Stuart of Baith barony, father to our well-beloved James Stuart of Doun, knight, committed by William Edmestoun of Duntreath, his friends, servants, and complices, and in assythment and satisfaction, in ane part, to the said James Stuart, son and heir of the said umquhil James, and his friends, there is ane Bond of Manrent to be made and given by the said William Edmestoun, and James Edmestoun, his son and apparent heir, to the said James Stuart

and his heirs, conform to the contract and appointment made betwixt the said parties anent the said slaughter; therefore, and for divers other resolves, causes, and considerations moving us and our said Regent, we grant and give license to the said James Stuart to receive the said Bond of Manrent for assythment and satisfaction, in ane part, for the slaughter of his said unquhil father, conform to the said contract and appointment, and will and grants that the said James, nor his heirs, nor yet the persons givers of the said Bond of Manrent, nor their heirs, shall not incur any pains, peril, danger, or skaith, in their persons, lands, or goods, either through receiving or giving thereof, notwithstanding our Act of Parliament, other Acts called ordinances, statutes, or proclamations whatsoever, made, or to be made, in the contrary, or any pains contained thereintill, anent the which we dispense with the said James Stuart and his heirs, and with the persons givers of the said Bond of Manrent, and their heirs, for ever, by these presents, which we ordain the Lords of our Council and Session to insert and register in the Books of Council *ad perpetuam rei memoriam*, Given under our Signet, and subscribed by our said Regent, at Dalkeith, the 29th day of March, and of our reign the ninth year, 1576.

JAMES, REGENT.

The Bond of Manrent being duly subscribed by the Edmonstones, and accepted by Sir James Stewart, the feud was finally stanchied.

Through all the perplexities and dangers of the Regency days the Captain of Doune generally (and by dint of double-dealing) steered a safe course. Being near-related to the Royal house, he was able to ingratiate himself so much with the youthful King James as to become a chief favourite, with the best prospects of future promotion. The young Monarch occasionally, while on hunting expeditions,—for he early evinced a great liking for the chase,—honoured Doune Castle with his presence. In the month of March, 1577-8, the Earl of Morton, environed by enemies, suddenly resigned the Regency: and bright days seemed at hand for the courtiers who kept the King in leading-strings. There was a short interval of public disquietude; and Sir James Stewart availed himself of it to authorise a violent breach of the peace, in the shape of an eviction. The sufferers by his lawlessness were Robert Clark and Katherine Barclay, his spouse, residing in the barony of Beith, and hold-

ing certain of his lands in tack. They sought justice at the hands of the Privy Council, setting forth a long detail of the wrong done them. They stated that—

For divers years bygane they had been in possession of all and hail the lands of Croftgarie and Brago, with their pertinents, lying in the barony of Beith, and sheriffdom of Fife, by tilling and sowing of corns, pasturing of their cattle and goods thereupon, and using of the said lands as their room and steading otherwise at their pleasure, as they thought expedient; and so, conform to their possession foresaid, they had sown the wheat seed on the same, and two chalders of oat seed, that year, and had occupied the same as their room and steading during the space above specified without impediment; until of late, betwixt the demission of the Government of this realm by the Earl of Morton and the acceptation thereof in the King's own hands, that Bartholomew White, Chamberlain to James, Abbot of St Colme's Inch; Lindsay of Dowhill; Patrick Lindsay, his brother; John Tyrie, elder; John Tyrie, younger, his son; Alexander Tyrie; and Andrew Tyrie, with others, to the number of fourscore persons, or thereby, all bodin in feir of weir, with jacks [leather doublets defended with mail], spears, swords, dags [pistols], axes, and other weapons invasive, contrary to the Acts of Parliament,—by the special hounding, sending, command, assistance, and ratihabitition of the said Abbot of St Colme's Inch, and James Stewart, his eldest son, and apparent heir,—came upon the 11th day of March to the complainers' lands and steading aforesaid, and to their dwelling-houses there, and proceeded to open outrage. The party, with fore-hammers, broke up the doors of the dwelling-houses, entered therein, and spulzied and took forth the whole insight goods and gear, with four horses, ten oxen, and four kine, together with a stack of oats unthreshed, and another stack threshed, being within the barn; and also took forth of the barnyard three stacks of oats and another of bere, and carried the same away with them. They seized a large ark full of meal, and dang out the bottom thereof, and skailed the meal in the burn running by: they also broke up kists standing in the chamber, and spulzied the complainer's hail gold and silver, with their clothing, so that the complainers had been put to extreme poverty. Yet the reivers had not completed their work. They returned to the dwelling-house, and proceeded to demolish it,—tirred the riggings thereof, overthrew, cast down, and destroyed to the ground the built walls thereof, and ejected and put the complainers forth of the same, although they had never been warned by the Abbot of St Colme's, or his son, to flit therefrom,—at least they were never called to hear decree given, and no letters or charges were passed or executed upon them for removal forth thereof. Moreover, the party still remained upon the ground of the steading foresaid, boasting and menacing

the complainers daily to leave the same, and would not suffer them to manure, bruik, enjoy, and sow the remnant of their bere seed, and use the room and steading foresaid. On this lamentable tale of wrongs being presented, the Privy Council charged the Commendator, his son, and others, to compear and answer; and on 13th May, 1578, the Commendator and John Tyrie, younger, appeared, and put in their defence; upon hearing which the Lords remitted "the said matter to be pursued civilly or criminally before the Judge Ordinary as accords:" and we know no more of it.

Morton's sudden resignation of the Regency was as suddenly followed by his resumption of power, though not under his former title; and the Scottish Court continued a hot-bed of political intrigue and warring jealousies. Sir James Stewart's fortunes, however, were on the rise. The King, in November, 1579, appointed him a Privy Councillor; but the records bear that Sir James sat in the Council on 2d December, 1571, and 6th August, 1577, as Commendator of St Colme. At a crisis, in the year 1580, the King projected a plan of escape from the cabal who ruled in his name, on the pretext of a hunting-match at Doune; but the scheme misgave. Morton finally fell, expiating his misdeeds on the scaffold, and the King assumed full regal sway. Sir James Stewart was not forgotten. The Parliament which met at Edinburgh, on the 24th October, 1581, passed an Act raising him to the dignity of a Peer by the title of *Lord Doune*. The Act narrates that the lands of Doune and others were feued by Queen Mary to Sir James Stewart of Doune, Knight, and his heirs; and the said Sir James being descended of the blood-royal, therefore the King, with advice of his three Estates, erected, created, and incorporated all the foresaid lands, offices, &c., into a Lordship to be called the Lordship of Doune, and conferred the same on Sir James, who should have the dignity and place of a Lord in Parliament, with arms effeiring thereto; but the Peerage was expressly limited to heirs-male. Lord Doune was next appointed Collector-General of the King's Revenues in Scotland; and on

the 23rd January, 1583, he was named an Extraordinary Lord of Session, which office he resigned on the 27th January, 1585. He was one of the Assize or Jury who condemned William, first Earl of Gowrie, at Stirling, on the 4th May, 1584.

Lord Doune was married to the Lady Margaret Campbell, daughter of Archibald, fourth Earl of Argyle, by whom he had a family of three sons—James, Henry, and John,—and two daughters—Anne, who became the wife of Sir John Wemyss of that Ilk; and Jean, married to Simon, Lord Lovat. The demise of Lord Doune occurred on the 20th January, 1590, and he was succeeded by his eldest son, James, who had previously attained to an Earldom.

The career of James, second Lord Doune, is a romantic and tragical episode in the history of Scotland. In person he was tall and handsome, with every manly grace. Trained in all the accomplishments of the age, he was the acknowledged ornament of the Scottish Court, and no one apparently stood higher in his Sovereign's good graces. In 1580, the King granted him a gift of the ward and marriage of the two daughters and co-heiresses of the late Regent Moray. A short while afterwards, the young noble married his eldest ward, the Lady Elizabeth Stewart; upon which marriage he was created Earl of Moray, and obtained a Charter under the Great Seal confirming to him and his heirs various lands and baronies which had pertained to the Regent. The fate of "the bonny Earl of Moray" is well known. He was slain at Dunibristle Castle, in 1592, by the Marquis of Huntly, who bore the Royal Commission—not to murder the Earl, but to bring him to Holyrood. The desperate deed was never avenged by the King. It was long and bitterly remembered by the people, and ballads which popular sorrow and indignation called forth have lived to our day.

*THE BONNY EARL OF MORAY.*

Ye Highlands, and ye Lawlands,  
 Oh! where ha'e ye been?  
 They ha'e slain the Earl of Moray,  
 And ha'e lain him on the green.

Now wae be to thee, Huntly !  
 And wherefore did ye sae ?  
 I bade you bring him wi' you,  
 But forbade you him to slay.

He was a braw gallant,  
 And he rode at the ring ;  
 And the bonny Earl of Moray,  
 Oh ! he might ha'e been a king !

He was a braw gallant,  
 And he played at the ba' ;  
 And the bonny Earl of Moray  
 Was the flower amang them a'.

He was a brave gallant,  
 And he played at the glove ;  
 And the bonny Earl of Moray,  
 Oh ! he was the Queen's love.

Oh ! lang will his lady  
 Look ower the Castle Doune,  
 Ere she see the Earl of Moray  
 Come sounding through the toun.

The Earl left two sons and three daughters. His immediate younger brother, Henry, received from his father the Commendatory of St Colme's Inch, which was erected by James VI. into a temporal Lordship to him and his heirs-male. Henry, Lord St Colme, married the Lady Jean Stewart, daughter of the Earl of Atholl, and died on the 12th July, 1612, leaving a son, who was the second Lord. He deceased without issue, and thereupon his lands and title went to his cousin, the second Earl of Moray.

Of Lord Doune's youngest son, John, a sad story remains to be told. The bonny Earl of Moray fell a victim to Huntly's fury ; but Moray's brother stained himself with a crime equally bloody, and even more cowardly, which brought him to the headsman's hands. This base deed is graphically narrated in the Books of the Scottish Justiciary.

On an evening in the month of June, 1608, John Stewart, son of the deceased James, Lord of Doune, and brother-german to Henry, Lord St Colme, having conceived a deadly feud, hatred, and malice against John Gib, in Over Lessedie, Fifeshire, causeless, without any occasion given by the latter, except on account of

a sudden discord falling out between Stewart's horse-boy and servant, whereof Gib was altogether innocent and ignorant,—he the said John Stewart, being drinking at Keltieheuch, in the house or tavern of John Grieve there, avowed or threatened most cruelly and maliciously to bereave John Gib of his life, and for performing thereof got up to go immediately to his dwelling. Some persons, and particularly one James Crawford, who happened to be in Stewart's company, interposed to stay his mad intent; and he, finding that he could not shake himself clear of them, and that they would mar his purpose, assumed another tone, and faithfully promised and gave his hand to Crawford that he would not go that night towards John Gib's house, but would ride towards the Brig of Gairny. With these fair speeches he rid himself of his bottle-companions, mounted his horse, and rode off; but as soon as he was out of their sight, he changed his course, and galloped straight and rapidly, in the gathering gloaming, towards Over Lessedie, where dwelt his intended victim. Coming to Gib's house, Stewart dismounted, and, finding the door locked, began chapping at it, and calling on John by name. The poor man was then lying in his bed, taking his night's rest, and dreading no injury, invasion, or harm to be done to him, especially by Stewart, who in all time preceding had been in professed friendship with him, and had received divers pleasures of him. As soon, therefore, as he heard the knocking and the untimely visitor's voice, John sprang out of bed, undressed as he was, and went and opened his door. Thereupon, Stewart, without any cause, upgiving of friendship, or advertising Gib of his skaith or danger, drew a dagger, and struck him with it in the breast, near the heart,—giving him a deadly wound, under trust, friendship, and credit: of which wound he departed this life within less than forty-eight hours thereafter: and so the said John Gib was most cruelly and unmercifully slain, under cloud and silence of night, within his own house, by way of ~~hamesucken~~ and under trust, to the great contempt of

the King, his authority and laws. Immediately on giving the stab, Stewart resumed his saddle, and returned to John Grieve's house at Keltieheuch, where he called forth an individual named Nicol Rowan, and enquired—"Whose man is John Gib?"—meaning, whose feudal vassal is he? "He is my Lord-Chancellor's man," answered Rowan,—the Chancellor of the time being the Earl of Dunfermline. "My Lord-Chancellor's man!" echoed the assassin. "An' he were the devil's man, I have given him this night what will slocken him." Stewart rode off, and probably roamed about the roads till morning.\*

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\* *Sixth Report of the Royal Commission on Historical Manuscripts* (Report on the Muniments of the Earl of Moray), pp. 635-638; Miss Strickland's *Lives of the Queens of Scotland*, vol. vi. p. 189; *Memoirs of Sir James Melvil of Halhill* (1751), p. 191; Stewart's *History of the Surname of Stewart*, p. 123; Lord Hailes' *Catalogue of the Lords of Session*; Tytler's *History of Scotland*; *Register of the Privy Council of Scotland*, vol. ii. pp. 22, 25, 78, 98, 156, 529, 622, 660, 694; Pitcairn's *Criminal Trials in Scotland*, vol. i. part 2d, p. 116; vol. iii. p. 74.

THE CASTLE OF DOUNE—Part 3d.

Those same noble Scots  
That are your prisoners.

*King Henry IV., Part First.*

AT an early hour next morning, the assassin appeared in the town of Aberdour, and went to an ale-house where James Beveridge, belonging to Keltiebeuch, and another man, Alexander Kellock, were drinking together. Stewart was eager to know if his crime was blown abroad. "What news?" he enquired, addressing Beveridge. "I have heard nae news that are gude," answered the latter, drily: "and I think," he added, with a shake of his head, "you micht ha'e been in your bed this last nicht rather than ha'e gi'en siccan a hurt to John Gib, whereof it's feared he will dee." Stewart's wild passions had now cooled down. He made no more boast of his disregard as to whose man John Gib was—the Chancellor's, or the devil's. Unsheathing his dagger, which was still dyed with blood, he held it out, and replied—"John Gib cannot be the waur: I gave him but one purr" (or stroke). Having said so, Stewart took his way, hoping against hope. But John Gib's wound, like Mercutio's, though "not so deep as a well, nor so wide as a church-door," was enough—it served. John died of the purr: and the murderer was speedily ordained to find caution for his compearance to undergo trial for the crime. Failing to come to the bar, he was put to the horn. At length, he was brought before the Court of Justiciary, at Edinburgh, on the 22d November, 1609, charged with hamesucken and murder under trust—the prosecutors being the King's Advocate, and Bessie Dick, widow of the victim. The panel being accused of the said slaughter, made no defence. Most humbly, upon his knees, he, in presence of the Justice and Lords of Secret Council, confessed the deed, and craved pardon of God and the King; and offered to the party aggrieved (the widow) what satisfaction he was able to content her with, by

the advice of his friends : whereupon the Advocate asked instruments. The Court adjourned further procedure in the matter until the 24th, that the advice of the Privy Council might be taken. But, although the prisoner was so highly related, the Council's advice was unfavourable, and on the 24th, the Court ordered the panel to be put to an assize, notwithstanding of his coming in will at the last diet. The Jury being chosen, the prisoner again confessed his guilt and craved pardon : and the following verdict was brought in:—" After accusation of the said John Stewart, by dittay, and the said John's judicial confession, made in presence of the Justice and Assize, granting the said fact; and most humbly, upon his knees, craving God, our sovereign Lord the King's Majesty, and the party, pardon therefor; the said Assize, by the mouth of the said John Johnstoun, Chancellor, all in one voice, found, pronounced, and declared the said John Stewart, according to his own judicial confession, to be fyled, culpable, and convict of the cruel murder and slaughter of the said umquhil John Gib, committed in manner and at the time specified in his dittay." The Court then pronounced sentence that the prisoner was "to be tane to the place of his execution, and there his head to be strucken from his body; and all his moveable goods to be escheat and inbrought to his Highness' use, as convict of the said crime. Which was pronounced for doom." There was no respite: and John Stewart, son of Lord Doune, died by the "Scottish Maiden," at Edinburgh Cross.

As the seventeenth century advanced, the village of Doune acquired celebrity and a good share of material prosperity from certain branches of industry in which it was found to excel. The skinning trade was an old craft in the place: there was also the making of Highland purses or *sporans*: and to the production of purses was added that of pistols—the sporan being an indispensable appendage of "the garb of old Gaul," then universally worn north of the Highland line, and the pistol having become almost as indispensable a weapon of the Gael. The Doune pistols were generally fabri-

cated entirely of iron, and displayed artistic form and ornamentation, and were highly prized throughout the country. We learn from the old Statistical Account of Kilmadock or Doune parish that pistol-making was introduced in Doune, about the year 1646, by a tradesman, named Thomas Caddell, who had made himself master of the art at Muthill, where it had been long practised. This man, after establishing himself in Doune, "brought his work to so high a degree of perfection that no pistols made in Britain excelled, or perhaps equalled, those of his making, either for sureness, strength, or beauty. He taught the trade to his children, and several apprentices, of whom was one John Campbell, whose son and grandson carried on the business successively with great repute. While the ancient dress of Caledonia,—that is, the philabeg, belted plaid, pistols, and dirk,—was worn, the pistols made in Doune excelled all others, and acquired superior reputation over France, Germany, &c." The grandson of Campbell supplied pistols to many of the first nobility in Europe. The price varied from four to four-and-twenty guineas a-pair. The trade was latterly carried on by John Murdoch, who fully maintained its character; but the demand declined after the '45; and for many years back both purse and pistol making have been totally extinct in the village.

The Castle of Doune, which continued for some time as one of the seats of the Earls of Moray (and has remained in their hands to this day), seems to have had very little connection with national events for about a century and a-half after the Lordship of Doune was united to the Moray Earldom. The stately edifice was gradually neglected by its masters, and allowed to fall to decay. During the times of the Covenant and the Civil War, James, third Earl of Moray, although attached in principle to the Royalist side, took no part in the contentions which rent the kingdom, and died in 1653. Probably the Castle was held by General Monk's troops to facilitate their operations against the Royalist insurgents in south-western Perthshire. But

to arrive at any notable association of Doune Castle with Scottish history, we must come down to the Rebellion of 1745, when the hoary fortress had longed ceased to be a residence of the noble family to whom it still belonged, and was in a decidedly ruinous and forlorn condition.

Prince Charles and his Highlanders, having descended into the Lowlands and entered Perth, soon took the route towards Stirling, intending to cross the Forth at the Fords of Frew, and thence march to Edinburgh. At this juncture the Rebels seized and garrisoned Doune Castle, with the view of defending and keeping open their communications with the north, if these were threatened by the garrison of Stirling. On Friday, the 13th September, as the Prince was passing Doune, he was invited to partake of some entertainment in the neighbouring mansion of Mr Edmonstone of Cambus, a gentleman related to the Edmonstones who once held the Captaincy of the ancient Castle. A bevy of fair ladies from all the surrounding country had assembled at Cambus to welcome Charles; but he would not alight, pleading want of time; nevertheless, he accepted of a glass of wine, and pledged the youth and beauty present. He was served by the Misses Edmonstone, who, on receiving back the wine-glass, begged that he would grant them the honour of kissing his hand. This request he readily complied with, and the ladies were exceedingly proud of the boon; but their cousin, Miss Clementina Edmonstone, then on a visit at Cambus, craved a higher favour—namely, that she might “pree his Royal Highness’ mou!” As she expressed herself in the vernacular, the Prince did not clearly understand her, but immediately on the mystery being explained, he bent from his saddle, took the fair petitioner in his arms, and gave her a hearty kiss,—“to the envy, no doubt, and mortification of those coyer friends who had contented themselves with a more moderate share of princely grace.”

The duty of garrisoning Doune Castle was entrusted to the Macgregors. A portion of that clan joined the

insurgents, under Macgregor of Glencarnoch, who claimed the dignity of Chief. But it was another potentate of the same sept, Gregor Macgregor of Glengyle (called also James Graham, in compliance with the law abolishing the clan name), but better known by the soubriquet of *Ghlun Dhu*, or Black-knee (from a black mole on one of his knees), who was appointed to hold Doune. He was nephew of the famous Rob Roy, and was advanced in life, having been married in 1703. For many years he had carried on his uncle's system of *Black-mail*, or *Watch-money*, for protecting the cattle of a wide district,—entering into formally-drawn contracts with the landed proprietors and tenantry for that purpose. He was raised to the rank of Colonel in the Prince's army, as well as invested with the Governorship of Doune Castle. The veteran, at the head of his following, marched into the Clachan of Aberfoyle, on a Sunday, on the way to his garrison, and halted, for a little rest, at the bridge over the Forth. Notwithstanding the sanctity of the day, the young ladies of the vicinity quickly assembled on Aberfoyle green, and with deft and busy fingers prepared white cockades for the bonnets of the Gregalich. That same Sunday, the minister of Drymen was conducting divine worship at Chapelaroch, on the borders of his parish, distant about four miles from Aberfoyle. A child was to be baptized—a boy, the father of whom, one of Glengyle's dependants, gave the name *Gregor* as that which he wished for his son. But the clergyman, although he knew that *Ghlun Dhu* was in arms, acted up to the letter of the statute suppressing the name of the Macgregors, and absolutely refused to confer it on the infant, so that the father was obliged to substitute another, against which no objection existed.

*Ghlun Dhu* and his men having decorated their bonnets with the white cockades, resumed their march, and took possession of Doune Castle. The chief is described in a manuscript of the period as “in person, a tall handsome man, and has more of the mien of the

ancient heroes than our modern fine gentlemen are possessed of. He is honest and disinterested to a proverb—extremely modest—brave and intrepid—and born one of the best partisans in Europe.” His honesty and disinterestedness were exemplified on his entry into Doune. The Castle, being much dilapidated, could not accommodate all his force, which is said to have numbered 60 Highlanders, and he was therefore under the necessity of quartering the remainder in the village. It was suggested to him by a Jacobite pistol-maker of the place that he should billet the men exclusively upon such of the inhabitants as were known to be disaffected to the Prince’s cause. Glengyle listened, and said nothing. The quartering proceeded: and speedily he was waited on a second time by his former adviser, who, in high dudgeon, complained that some of the soldiers had actually been billeted upon his own house—surely by an egregious mistake. But there was no mistake in the matter. Glengyle, with a twinkle in his eye, quietly answered him—“I only wish to learn how my friends like what one of themselves has prescribed for my enemies.” Probably the pistol-maker’s Jacobitism became of a milder type in the course of the experiment. Ghlun Dhu also took means to strengthen his position in the Castle by mounting a few pieces of artillery upon it. A twelve-pounder was planted in one of the windows, and several swivel-guns were hoisted to the battlements. But this armament was never brought into serious play, as no attack was made on the post.

The rebel garrison held Doune until the army of the Prince retreated to the north after the Battle of Falkirk. All the time of the occupation, the Macgregors—according to the manuscript already quoted—conducted themselves in the most inoffensive manner towards every class of the inhabitants of the locality: “in short, the whole people of that country declared that never did men live under so mild a government as Glengyle’s, not a man having so much as lost a chicken

while he continued there.”\* Numbers of prisoners taken by the Rebels were kept in the Castle; and the last days of Ghlun Dhu’s garrison-duty were rendered memorable by the escape of several of these captives, who succeeded in effecting their liberation with a daring worthy of Jack Sheppard or Baron Trenck.

On the outbreak of the Rebellion, the city of Edinburgh had raised a body of Volunteers in support of King George; but the capture of the city prevented them being called into active service; and the first fair opportunity of their appearing in the field of Mars was in January, 1746, when General Hawley prepared to advance from Edinburgh against the Rebels, who were besieging Stirling Castle. The Lieutenant of the Volunteers, who were now reduced to a company, was John Home, a young man of three and twenty, a Divinity Student, who was destined to a high place in dramatic literature as the author of the tragedy of *Douglas*. After Hawley’s arrival in the capital, Home waited on him with a request that he would allow the Volunteers to march with the Royal troops. The General, who undervalued the civic soldiers, gave a rather indefinite answer; but eventually the Company, under Captain William Macghie and Lieutenant John Home, accompanied the army to Falkirk, and witnessed the battle. In the confusion which prevailed during Hawley’s retreat from the scene of his discomfiture, Macghie, Home, and four privates of their corps, lagging considerably in the rear, were seized by the Rebels. The four privates

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\* Sir Walter Scott, in a Note to *Waverley*, states that the Rebel Governor of Doune Castle was Mr Stewart of Balloch, “a man of property near Callander;” but in the Introduction to *Rob Roy* the assertion is corrected, upon the authority of the contemporary MS., from which it clearly appeared “that Glengyle—not Stewart of Balloch, as averred in a Note on *Waverley*—commanded the garrison of Doune. Balloch,” it is added, “might, no doubt, succeed MacGregor in the situation.” But other writers shew that Glengyle held the chief command from first to last, although, perhaps, Balloch filled some subordinate office.

were Thomas Barrow, an English student of medicine at Edinburgh University; Robert Douglas, also a student of medicine; Neil Macvicar, a law student, son of the minister of Isla; and Robert Alexander, son of a wealthy Edinburgh burgher. The six Volunteers were brought to Falkirk by Lord Kilmarnock and a party on the morning of the 18th January,—the morning after the battle. From Falkirk they were taken to Stirling: and on the 25th, the two officers and three of their men were removed to Doune Castle,—the other one, Alexander, being retained in Stirling, as his captors hoped his father would pay a ransom of £5000 for him. When these five comrades reached the Castle of Doune, they found it, says Home, “in a most ruinous condition.” It was full of prisoners: there were above 100 soldiers of the Royal army, many Argyleshire men, and some men of the Glasgow Regiment,—the whole number who had carried arms being about 150. Of those who had not carried arms there were at least 11,—one of whom was the Rev. John Witherspoon, minister of the parish of Beith, a youth of four and twenty, who, led by eager curiosity, on hearing that an engagement was impending between the forces of Prince Charles and General Hawley, had travelled to Falkirk in time to view the battle, and was made captive by the Highlanders who scoured the skirts of the moor after their victory. Mr Witherspoon, in after days, rose to popularity as a divine and theological author. He was honoured with the degrees of D.D. and LL.D., and died President of Jersey College, in the United States of America.

Home has left a vivid narrative of his prison life and escape. His confinement lasted nearly a week. The Volunteers, as already stated, were brought to Doune on the 25th of January. The place of durance allotted to them was “a large ghastly room” at the summit of the Castle, and next to the battlements. At one end were a couple of small vaulted cells, one of which became the sleeping-quarters of the Volunteers and of

three other prisoners,—Mr Witherspoon, and two Aberdeen citizens who had been seized in the north as spies, and were threatened with execution. The other cell was occupied, in like manner, by eight inhabitants of Falkirk who had gone out to see the battle, and were seized (like Mr Witherspoon) in “the general sweep” made by the Rebels after the action. Each cell had a door which could be made fast by the inmates on retiring to rest. They had straw for their beds, and blankets to cover them, which they had purchased in Doune village. It may be taken for granted, Home tells us, that after the Volunteers were immured in the Castle, they thought of nothing but how to contrive to break out: and their first scheme was to establish communications with the military prisoners; but this led to no satisfactory result. There was a general guard of 25 Highlanders, who were daily relieved from the main body of Glengyle’s men in the village. A sentinel was posted a few paces from the door of the Volunteers, but he allowed any of them to go out upon the battlements, which were more than 70 feet from the ground. In fact, they could pass thither in the night-time without his knowledge at all.

Seeing that nothing could be done in conjunction with the military prisoners, one of the Volunteers proposed making a rope of their blankets, by which they and their fellows in the “ghastly room” might descend from the battlements on the west side of the Castle, where there was no sentinel. This proposal met with the approval of all: only Mr Witherspoon said that he would go out with them and see how they fared, and, if they were successful, he would follow their example. They now set to work: and, to prevent suspicion, some of the Volunteers always kept with the other prisoners in the large room during the day, while the rest of the former barred themselves in their cell, preparing the rope, which being finished on the night of the 31st January, they resolved to put their grand attempt in execution before morning. Captain Macghie

and Lieutenant Home claimed their right to hazard themselves first in the descent, so as to test the strength of the rope; but this was objected to, and the drawing of lots was substituted by general consent. All the Volunteers and the two Aberdeen spies accordingly drew for the order in which they were to descend. One of the spies drew No. 1, the Lieutenant No. 2, Douglas No. 3, and the Captain No. 4; but the latter exchanged for No. 1. The party came out on the battlements about one o'clock in the morning. The moon was shining, but everything was quiet—no sound in the air save the brawl of the rushing Teith. The rope was fastened, and the adventurers proceeded to try their fortune. Barrow told Lieutenant Home that if the rope should break after the two officers and Douglas got down, he would follow at all hazards rather than he left where he was. The Captain went down first,—Home, Douglas, and one of the Aberdeen men after him,—and all four reached the ground in safety; but the fifth man, the other spy, was tall and stout, and as he slid down in a hurry the rope broke just as his feet touched the firm earth. It was Barrow's turn next: and his presentiment had been fulfilled. The Lieutenant, standing under the Castle wall, cried up to him not to risk his life, as 20 or 30 feet of the rope was broken off. But Barrow was not to be deterred. He came over the battlements, and committed himself to the rope, and, descending it to the end, then dropped. Home and Douglas, who were both above the middle size, placed themselves so as to break his fall; but, though he was of a slender figure, he knocked both of them to the ground, dislocated his ankle, and broke several of his ribs. The remaining Volunteer, Macvicar, witnessed this disaster from the battlements, and, immediately pulling up the rope, ran with it to his cell to lengthen it with some blankets which were still unused. Meanwhile his friends could not wait for him. Home took Barrow upon his back, and made with what speed he could for the Alloa road, accom-

panied by his comrades. When Home became exhausted with his burthen, two of the others took each one of Barrow's arms, and helped him to hop along on one leg. But in this way they made but slow progress, and, fearing that they would be overtaken, they resolved to seek assistance at the first house they reached. Fortunately, they came to the farm-steading of a Whig, who, on hearing their story, ordered one of his sons to bring out a horse from the stable, take the lame gentleman behind him, and go with him as far as necessary. The party set forward by Alloa to Tulliallan, a village near the sea, where they hired a boat to carry them off to the *Vulture* sloop-of-war, which was lying at anchor in the Firth of Forth. They were received on board the sloop with great kindness, and sent on in a barge to Queensferry. The only other prisoner who escaped that morning was Macvicar. He lengthened the broken rope, carefully thickening it, for better security, at the part where it had given way. This done, he returned to the battlements, fastened the rope, and went down it quite safely till he came to the part which he had thickened, when his hand being unable to grasp its bulk, he lost his hold, and fell the same distance as Barrow, sustaining grievous hurt. This mischance he never recovered. He was taken to his father's house in Isla, where he died. Mr Witherspoon remained in Doune, but soon obtained his liberation.

Mainly in Mr Home's own words, such is the story of the Volunteers' escape—the last historical incident of any importance connected with the Castle of Doune.\*

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\* Sinclair's *Statistical Account of Scotland* (Parish of Kilmadock or Doune), vol. xx., p. 86; Nimmo's *History of Stirlingshire* (Second Edition), pp. 564, 701, 723, 746; Chambers's *History of the Rebellion of 1745-6* (Sixth Edition), p. 69; Rev. Dr Graham's *Sketches of Perthshire*, pp. 54-56; Introduction to *Rob Roy*; Home's *History of the Rebellion in Scotland, in 1745*.



THE ENGLISH JUSTICIAR AT SCONE.

Rise, Sun of Valour ! on thy native land,  
As bursts the day-spring on the pilgrim's way;  
For, lowly sunk beneath a wasting hand,  
Her proud tow'rs moulder, and her chiefs decay—  
Her wealth, her palaces the tyrant's prey—  
While, thick as leaves on Winter's sweeping blast,  
Edward pours far around his proud array :  
Lo ! as along you plain the warrior pass'd,  
Ruin rais'd high his voice, and howled amid the waste  
*Finlay's "Wallace; or, The Vale of Ellerslie."*

“ BRIGHT was the summer of 1296. The war which had desolated Scotland was then at an end. Ambition seemed satiated; and the vanquished, after having passed under the yoke of their enemy, concluded they might wear their chains in peace.” These are the opening sentences of a national romance, which for nearly seventy years has tended to foster the patriotic feeling in many a youthful bosom. Burns said that the “ story of Wallace,” as told by Henry the Minstrel, “poured a Scottish prejudice into my veins, which will boil along there till the floodgates of life shut in eternal rest.” When the Minstrel's rude but nervous verse was falling into comparative neglect, the *Scottish Chiefs* of Miss Jane Porter came to assume much of the pristine influence of the old favourite, and was speedily installed as a household classic throughout the land. Probably it will never cease to be popular with the masses of the Scottish people, until they have lost the bold spirit of independence, the ardent love of fatherland, and the honest pride in their ancestors' achievements and their country's glory, without which national greatness cannot long exist. Believing that few themes more closely touch the Scottish heart than the “acts and deeds” of our “great patriot hero—ill-requited chief!”—we have chosen to relate one of his early exploits—what seems to have been the first which he performed in the neighbourhood of the Fair City.

“Bright was the summer of 1296. The war which had desolated Scotland was then at an end.” That war had been short, but bloody and decisive. On the 28th March, King Edward of England crossed the Tweed with a well-appointed host; and on the 30th, Berwick was stormed and given over to savage sack and massacre—the day devoted to the atrocity being Good Friday. Before another month was out, the military power of Scotland was utterly broken. The Battle of Dunbar was fought in the end of April; and the Scots, by a foolish movement (which they repeated nearly four centuries later, at the bidding of the Covenanted ministers), drew upon themselves a crushing defeat, which laid their country and its independence and liberties at the feet of the aggressor. Edward then reduced the Border fortresses, and advanced upon Edinburgh. After a siege of eight days the Castle succumbed to him. Stirling Castle followed. Many of the Scottish nobles submitted, to save their lives and lands. The genius of Freedom seemed to have forsaken his ancient abode. The conqueror bent his march towards Perth,—passed through Auchterarder,—and entered the Fair City, which held the position of capital of Scotland, on the 21st of June. He remained there three days, to keep the Feast of St John the Baptist, which was held with much solemnity and splendour,—with regal shows and banquets,—and many aspirants to the honours of chivalry received knighthood from the Monarch’s victorious sword. While Edward, in the flush of triumph, was so employed, messengers arrived, bringing with them John Baliol’s submission and his humble petition craving peace. The King laughed the abject message to scorn, and returned for answer that he would not treat personally with Baliol; but that within fifteen days he would be at Brechin, and if the vassal-king then repaired to Brechin Castle he would hear from the lips of the Bishop of Durham the decision of his Lord-paramount.

From Perth, Edward moved, on the 25th June, along the Tay, and reached Kinclaven. Next day he was at

Cluny, and he abode there till the 1st of July. Thence he proceeded on, receiving the allegiance of the Scots; and in order to obliterate every available proof of Scottish independence, abstracting and carrying away from all religious houses and other repositories whatever national muniments and records they contained. While this was doing, Baliol appeared before the Bishop of Durham, and was deprived of the crown with every mark of ignominy. Edward having reached Moray, returned along the east coast to Dundee. He came back to Perth, on the 8th of August, and stayed there only one day; but he improved the time by removing from the Abbey of Scone the "Fatal Stone" of Sovereignty. Already the Scottish crown and sceptre, and a huge mass of ancient documents, were in his possession. These relics, emblems, and records he ordered to be conveyed to England. On leaving Perth, he halted two days (9th and 10th August), at the Abbey of Lindores, and resuming his progress, reached Berwick on the 22d of the month. His whole expedition in Scotland lasted twenty-one weeks; but only three months elapsed from the fall of Berwick to the degradation of Baliol from kingly power.

Edward called a Parliament at Berwick, that he might obtain the formal homage of the subjugated nation and see its future system of government settled. The Parliament assembled there on the 28th August, when the Scottish Nobles, Barons, and Burghs tendered their fealty to their new King. Their oaths filled four long rolls, consisting of thirty-five skins of parchment sewn together, and forming what has been subsequently known as the *Ragman Rolls*. Among the civic representatives who attended the Parliament were those of Perth, whose Deed of Submission runs in the following terms,—as translated from the Norman-French of the original :—

SUBMISSION of the BURGH OF PERTH to KING EDWARD THE FIRST OF ENGLAND : 28th August, 1296.

To all who shall hear or see these letters, John de Perth, burgess and Alderman [Provost] of the town of St John of Perth; John fiz Richard de Perth; Duncan de Celer;

Richard de Nevill de Perth, Rauf Tundeman; William Alicht; John Tresor; William fiz John de Perth; Bernard le Mercer; John Serle de Perth; Donald Brid; Robert Fulke; Philip Taket; Warin de Whiteby; Wadyn de Perth; Thomas de Wyth; Simon le Glover, —burgesses and whole community of the town of St John of Perth, greeting: Whereas we are come to the faith and to the will of the most noble prince and our lord Sire Edward, by the grace of God King of England, lord of Ireland, and Duke of Aquitaine: We promise for us and for our heirs, upon the pain of body and all that we have, that we shall serve him well and leally against all men who shall live and die, as often as we shall be required or warned by our foresaid lord the King of England, or by his heirs; and that we shall not hurt them nor disturb them; to the utmost of our power we shall keep them safe: And to hold and keep these things we oblige us and our heirs and all our goods; and besides this we have sworn upon the Holy Evangelis. This being so, we all, and each of us by himself, have made fealty to our lord the King foresaid in these words: "I shall be feal and leal, and shall bear faith and loyalty to King Edward, King of England, and to his heirs, with life, and with member, and worldly honour, against all mortal men; and shall never on any account carry arms nor give counsel nor aid against him, nor against his heirs, in no case that can arise; and shall loyally render and leally do the services which appertain to the tenements which I claim to hold from him: So God and the Saints help me." In testimony of which things we have caused these letters patent to be sealed with our common seal. Given at Berwick-on-Tweed, the twenty eighth day of August, the year of our lord the King of England foresaid the twenty fourth.

This document is valuable from its embodying a list of the earliest Magistracy of Perth existing on record: the designation of the burgh as "the town of St John of Perth," is worthy of notice: and the occurrence of the name of "Simon the Glover" is curiously suggestive.

The Parliament of Berwick enacted a number of laws for Scotland. Generally, the policy adopted by Edward was not so tyrannical or void of regard for the well-being of the country, as might have been expected from his conduct in the conquest. The castles and places of strength were garrisoned by English soldiers—the chief castles of the kingdom being then reckoned the following (twenty-three in number):—Roxburgh, Jedburgh, Berwick, Dumfries, Kirkcudbright, Wigtown, Ayr, Dumbarton, Stirling, Edinburgh, Dundee,

Cluny, Aboyne, Forfar, Kincardine, Aberdeen, Cromarty, Dingwall, Inverness, Nairn, Forres, Elgin, and Banff. To gloss over the more odious features of the usurpation, various Scots who had occupied subordinate offices of trust under Baliol were retained in their places; but the chief duties of administration were put into the hands of English dignitaries. John de Warenne, Earl of Surrey, was appointed Guardian of Scotland: Walter de Agmondesham was chosen Chancellor, and had delivered to his keeping a new Great Seal bearing the arms of England, in room of Baliol's Seal, which was broken at Brechin: Hugh de Cressingham became Treasurer: and William de Ormesby was made Justiciar. In Scotland the office of Justiciar was of ancient date, and sometimes separate Justiciars were placed over separate provinces of the country. In England, however, the office of Justiciar had been for some time abolished. It was introduced after the Norman Conquest, when the person holding it was named *Capitalis Justicia*, or *Justiciarius Angliæ*; and such Judges continued till shortly after the erection of the Courts of King Bench and Common Pleas. The last Justiciar in England was Philip Basset, who received an annual salary of 1000 merks. The Chancellor and the Treasurer of Scotland appointed at Berwick took up their official residence at Scone,—according to Harding the metrical English chronicler:—

The Chancellor at Scone, and Treasurer  
Abiding were, to rule the land full clere.

When King Edward returned to London with the Scottish honours and submissions as the trophies of his triumph, he doubtless fancied that his northern conquest was complete: that thenceforth the British Isles should own but one sovereign: and that the glare of his renown would dazzle the imagination of his English subjects. But it proved otherwise. Although the cupidity, cowardice, and treachery of many of the Scottish nobles had betrayed their country, the general body of the population were still bitterly opposed to

the foreign dominance, and needed only a little breathing time to recruit their energies and appreciate their strength. There was a dead calm; but it was the calm before the storm. Troubles, too, were fermenting in the south. Edward found widespread discontent at home; and soon its open manifestation emboldened the Scots to resist his rule, which was harshly and oppressively administered by the Chancellor, the Treasurer, and the Justiciar. The foremost who drew the sword for liberty was Wallace of Elderslie. His father, Sir Malcolm, had never formally owned the conqueror's sway, and shortly after the Parliament at Berwick he was slain in a casual broil with the English. This fatal event was sufficient to rouse the spirit of the patriot. "In the year 1297," writes Fordun, "that distinguished warrior, William Wallace, the hammer and scourge of the English, the son of an illustrious knight of the same name, began to act a conspicuous part. Seeing the afflicted state of his country, and the possessions of the Scots given into the hands of their enemies, he was deeply pained, and he grieved exceedingly. He was a man, indeed, tall in stature, gigantic in body, of serene countenance, agreeable features, broad shoulders, large bones, of broad and full chest. While his countenance was pleasing, his eye was keen and penetrating. He was of great strength in the arms and legs, firm and well-knit in all his joints, and very powerful in fight. Moreover, the Almighty had so distinguished him by a countenance brightened with a peculiar gracious smile, that all his words and actions were graced as if by a heavenly quality; so as by his looks and presence alone to win to confidence and trust in himself the hearts of all faithful Scotsmen. And no wonder; for he was most bounteous in his gifts, in his decisions most upright, in consoling the distressed most compassionate, in his counsels most sagacious, in suffering most patient, in speech most persuasive; he was equally severe in repressing falsehood and deceit, and 'abhorred a traitor like the gates of hell.'" He was soon involved in strife with the invaders.

The insolence of some of the soldiery belonging to the garrison of Lanark provoked him to a conflict on the streets of that town. Nearly overpowered by numbers he was driven for shelter to the house of his betrothed, the heiress of Lamington, who, in the face of danger, favoured his escape. The rage of the enemy knew no bounds, and led to a ruffianly barbarity. Next day the lady was murdered by the hand of the Sheriff or Governor of Lanark, William de Hezelrig. The swift vengeance that overtook the assassin was the first blow in the War of Independence. Wallace, collecting a number of trusty adherents, burst into the town under cloud of night, attacked the Sheriff's residence, scattered his guards, penetrated to his bed-chamber, and slew him there. The deed of justice done, the resolute band retreated in safety to the adjoining fastnesses. Wallace now devoted himself to his country's cause. He was proclaimed a traitor; but the proclamation announced Scotland's Deliverer. "From that time," says Fordun, "all who were in bitterness of spirit, groaning under the intolerable yoke of English tyranny, flocked to him as bees to a hive, and he became their leader. For he was, as we have premised, a man of remarkable fortitude and courage, of pleasing countenance, of a generous and bountiful liberality, and of illustrious descent." With his increasing forces he began a systematic course of harassing the English,—by interrupting their communications, seizing their convoys of provisions and stores, and cutting off their detached and straggling parties,—a sort of guerilla warfare in which the patriots, from their intimate knowledge of the country, and the skill and bravery of their leader, proved invariably successful.

Spring was clothing the woods in green, and breathing fragrance and harmony over the earth; but a severe famine—the consequence of the previous war, which had for the time stopped the labour of the fields—was felt throughout Scotland; and the English garrisons were necessitated to draw supplies of food from their

own country. At this juncture, Surrey, the Guardian, had retired, in broken health, to the north of England; and Cressingham, the Treasurer, an ecclesiastic abhorred for his unblushing rapacity, was also absent across the Border. It chanced that the Governor of Ayr, Henry Percy, was obtaining a large quantity of provisions and warlike munitions from Carlisle, and the long train of heavily-laden waggons, escorted by a party of soldiers commanded by John de Fenwick, was on the way, when Wallace and his band determined to capture it. With this purpose, they hastened to Loudon, and posted themselves in a narrow and difficult defile, through which the convoy would pass. The English appeared: the lurking foe emerged from concealment, and attacked them with great fury, scattering the escort, and killing Fenwick, the commander. The whole of the convoy, including 200 horses, and an abundance of arms and accoutrements, became the booty of the Scots.

This victory brought Wallace many new followers, animated by his own indomitable spirit. Among the rest he was joined by the gallant Sir William Douglas, who had retracted the oath of fealty which he had been constrained to swear to Edward, and now gladly threw in his lot with the company of patriots who had drawn their swords to regain their country's rights. Immediately after the fight at Loudon, news came to Wallace that Ormesby, the Justiciar, who had already rendered himself odious to the Scots by his severities, was making a progress through the kingdom, and had gone to Perth with the view of holding a Court at Scone. The resolution of Wallace and his friends was instantly taken. They would make a rapid march to the banks of the Tay, and assault the Justiciar on his judgment-seat, and sacrifice him as they had sacrificed Hezelrig. It was now the merry month of May, and young summer was scattering flowers on a land yet cursed with famine. The Scots buckled on their arms, and, full of fiery enthusiasm, journeyed fast and far, taking unfrequented routes so as to conduct their expedition in secrecy. When they reached the vicinity of Perth,

they learned that Ormesby proposed opening his Court on the morrow. The city of Perth was a strong garrison: its walls were thick and high, and around three sides of the fortifications ran a deep moat supplied with water by the aqueduct from the River Almond, while the fourth side was defended by the broad Tay. Wallace carefully avoided the town; but from the western heights he beheld the topmost tower of the Castle near the North Port surmounted by the Royal banner of England, which then displayed "three leopards courant of fine gold set on, red, fierce, haughty, and cruel; thus placed," says the poet of the *Siege of Carlaverock*, "to signify that, like them, the King is dreadful, fierce, and proud to his enemies; for his bite is slight to none who inflame his anger." Doubtless as the hero warily gazed, the presentiment possessed him that on no distant day he should tear down that leopard-standard, and exalt the red lion in its stead.

Shrouded in the gloom of night, the Scots forded the Tay above the town, and plunged among the leafy woods of Scone, where they lay quiet and unseen till morning. The fated hour drew on. Amid the twitter of birds, the sigh of balmy breezes, and the rustle of waving boughs, they heard the clang of trumpets, sounding nearer and nearer,—sure sign of the Justiciar's approach along the road from Perth, attended by various barons and other personages of the locality, who were bound to shew him all respect and duty, and also by guards whose arms flashed in the sunbeams. The imposing procession reached the venerable Abbey, and Ormesby, preceded by his mace-bearers, passed in, and took his place. The concealed Scots glided to the edge of the wood, whence they saw the Abbey surrounded by English soldiers and a motley crowd of people. The Court had just opened, when the Scots gave the proceedings a sudden interruption. They burst from their sylvan covert, with a resounding shout. The Southrons, startled at the clamour and the apparition of an enemy, had barely time to seize their arms,—they could not throw themselves into warlike forma-

tion,—ere the Scots were upon them,—the defenceless spectators flying on the first alarm. The assailants spearing, stabbing, and hewing down, with resistless fury, overwhelmed the panic-stricken Southrons. Ormesby, seated in state, heard the tumult, the mingling cheers, the clash of weapons, and the death-cries, but could not believe that he was attacked, until several of his attendants rushed breathlessly into his presence, and declared in stammered words that a band of Scottish outlaws had broken through his guards, and were forcing their way to put him to the sword. In sore consternation he descended from the bench, and, tearing off his judicial robes and trappings, fled by a back passage, whence issuing, he flung himself upon a horse, and galloped at headlong speed from the scene of slaughter. Fortunately for the Chancellor, he was not at Scone that day, else he might not have escaped so readily. The patriots were baulked of their main aim, which was to destroy the unjust Justiciar; but their exertions were abundantly rewarded by a rich booty. Ormesby's whole travelling equipage and appointments, his horses, carriages, money-chest,—everything fell into their hands.

This plunder they secured with all haste; for there was good reason to fear that the news of the catastrophe, travelling fast, as is the manner of ill news, would very speedily reach the town of Perth, and bring out a force from the garrison. But no such force appeared during the stay of the Scots at Scone. They retired with their spoil unmolested, and the valley of the Tay was soon left behind them; but they likewise left behind them an example that would stir the hearts of all true Scotsmen.

We have now told the story of Wallace's first achievement in the neighbourhood of the Fair City. He came and went like a meteor. But on his next visit to the banks of Tay his sword fell with heavier force, and the flames of Kinclaven Castle gave warning that a spirit and a might had arisen in Scotland to break the yoke of slavery and restore the national independence which

Edward of England vainly imagined he had for ever overthrown. The tale of the Scottish struggle for freedom has never tired listener or reader, and never will tire so long as the soul of patriotism animates a nation which owes everything to the glorious efforts of its champions in the olden days.

Still as around the fire the rustics throng,  
 When wintry storms thick desolate the grove,  
 As rings the harp by Minstrel Henry strung,  
 To notes that truth and fiction rudely wove,  
 Oh! may their souls in thrilling transports move,  
 And pause to list the wonders of the strain;  
 How oft on war's red field, The *Wallace* strove,  
 And strode in terror o'er the heaps of slain,  
 Till death with night came down o'ershadowing the plain.\*

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\* Tytler's *History of Scotland*; and *Lives of Scottish Worthies*; Sir Francis Palgrave's *Documents and Records illustrating the History of Scotland*; Rev. Alex. Low's *Scottish Heroes in the Days of Wallace and Bruce*.

*THE BATTLE OF METHVEN.—Part 1st.*

Thence to imperial Scone they bend their way,  
The far-famed seat of Albin's ancient sway.  
Arrived, they enter, guards surrounding wait,  
Whilst Bruce is seated on a throne of state.

In Bertha's towers the crafty Pembroke stayed,  
And twice ten hundred his command obeyed.  
Before the town, then girt with walls around,  
The King approaching marked the proper ground.  
Near to the works encamped the squadrons lay;  
Commissioned thence, two trumpets take their way;  
Straight to the gates the martial heralds came,  
Required the place in good King Robert's name;  
Summoned the haughty Pembroke soon to yield,  
Or bravely meet their master in the field.

*Harvey's "Bruciad."*

It was in the Spring of 1297, when Wallace came prominently into the field as the champion of Scottish rights; and in the month of May he surprised the English Justiciar at Scone. Nine years elapsed: and in the Spring of 1306, Robert Bruce was crowned King of Scotland in the same old Abbey. Those nine years brought much glory and much woe and suffering to Scotland, ineradicably stamping the national character with the noblest traits that could distinguish a people. Had domestic treachery not aided the foe, Wallace would have established the independence of his country upon the firmest foundation. But his victories seemed won in vain. He, the only leader who could rule and mould the crisis, was displaced from command; and under his unworthy successors, the power of Scotland was again beaten down. Deep gloom and despair settled over the scene. Wallace was betrayed, and perished as a martyr of freedom. But the darkest hour ever precedes the day-spring. Soon a lurid glare broke the dull obscurity: a dying groan echoed from an altar: and the cry rang through the land that Bruce had drawn his sword, and flung down the gage of battle to the usurper.

Sooth to say, the antecedents of the new soldier of liberty were not very favourable to the success of his pretensions. All through the wars of Wallace, the Bruces supported (now actively, now passively) the English side. Their claim to the Scottish Crown, their hatred of the Baliol family, and the circumstance of their being English as well as Scottish barons, distorted their sense of duty. They beguiled themselves with false hopes that King Edward's favour would ultimately raise them to vassal-sovereignty. The elder Bruce, on the death of Alexander III., had asserted his title to the throne against the Maid of Norway, by force of arms, and for about two years kept the flame of internecine war burning in Scotland. The fact of this contest has been wholly ignored by our elder historians, and it is only ascertainable from one or two documents of the time. Thus John Baliol, pleading in the competition before King Edward, in 1291, declared "that when the bishops and great men of Scotland had sworn to defend the kingdom for their Lady, the daughter of the King of Norway, and that they would keep the peace of her land, and when they had done fealty to her as to their lady-liege, Sir Robert Bruce, and the Earl of Carrick, his son, attacked the Castle of Dumfries with fire and arms and banners displayed, and against the peace expelled the forces of the Queen, who held the same. Hence, Sir Robert advanced to the Castle of Botil. He then caused a proclamation to be made by one Patrick M'Guffok within the bailiary of the said Castle," the result being that good subjects quitted the land and were banished therefrom: "furthermore, the Earl of Carrick, by the assent and power of his father, took the Lady of Scotland's Castle of Wigtown, and killed several of her people there." The Scottish Exchequer Rolls furnish evidence of such hostilities: and there is a Bond for mutual defence and assistance entered into by Bruce's adherents at Turnberry, on the 20th September, 1286, which, without an allusion to the infant Queen, contains a saving clause in favour of the King of England, and of him who

agreeably to hereditary rights and ancient usages ought to occupy the Scottish throne. At length, Bruce, finding the strife unavailing, agreed to own the Maid. When she died, he renewed his claim to the throne, and, being unsuccessful, his proud spirit could not brook the rendering of homage to John Baliol, which was incumbent by the feudal law. "I am Baliol's Sovereign, not Baliol mine," said the Competitor; "and rather than consent to such a homage, I resign my lands in Annandale to my son, the Earl of Carrick." The lands were so resigned; but Robert of Carrick was equally haughty and inflexible, and, to avoid the feudal ceremony in his own person, he in turn made a new transfer,—giving over all his Scottish possessions to his eldest son, Robert (born in 1274), who without any scruple yielded fealty to Baliol.

Robert Bruce, the Competitor, died at his Castle of Lochmaben, in 1295. His son attended King Edward in the campaign of 1296, expecting to be awarded the Crown, which, indeed, had been promised him by the English Monarch on the outbreak of the war with Baliol. But Edward had no such intention. After the Battle of Dunbar, Bruce reminded him of his words. "What?" exclaimed the victor. "Have I nothing to do but to conquer kingdoms for you?" In the Berwick Parliament of 1296, young Bruce (the Competitor's grandson) made submission to Edward. But although Baliol was deposed, his kindred were still numerous and powerful in Scotland, headed by the House of Comyn. John Baliol's sister, Marjory, had married John, the *Black Comyn*, Lord of Badenoch, of which union came a son, John, the *Red Comyn*. The ambitious views of the Comyn family were wholly inimical to those of the Bruces;—hence the latter gave no countenance to the struggle led by Wallace, who acted throughout in the name of John Baliol. In 1299, after Wallace laid down the Guardianship of Scotland, the Red Comyn and Sir John de Soulis were appointed Governors, and professed to rule in the national interest; but the Brucian party appeared so powerful that

mediation was opened, with the result that young Robert Bruce and William Lamberton, Bishop of St Andrews and Primate of Scotland, a prelate warmly devoted to his cause, were conjoined with Comyn and Soulis in the Governorship. This coalition, however, was utterly hollow, and soon fell through. Thereupon Bruce hastened to make his peace with Edward, and, by an affectation of firm adhesion to the English side, regained the confidence of the King. The resistance of the Scots was once more overcome: the Comyns submitted: and the sway of the usurper was fully restored. Bruce's father died in 1304, all his English and Scottish possessions falling to his eldest son. That year Edward designed to nominate the young Earl as one of three Commissioners for regulating the future Government, but this honour fell far short of Bruce's aim, which was the Throne of Scotland.

The betrayal and death of Wallace, in 1305, probably decided Bruce to the final abandonment of the English cause. He held out the right hand of reconciliation to the Red Comyn, and the two rivals came to an amicable understanding. They discussed the miserable condition of their country. Comyn professed himself as much opposed as Bruce to the English supremacy. But what was to be said of their conflicting pretensions to the Crown? Bruce offered a compromise. "Support my title to the Crown," he said, "and I will give you my lands; or, give me your lands, and I will support your claim." Comyn closed at once with the first alternative; and a bond to that effect was written out and sealed in duplicate, each party retaining a copy.

What followed is a well-known story. Bruce returned to the English Court, with the view of lulling suspicion asleep, and watching the opportunity for revolt. Comyn, to whom treachery was habitual, sent his duplicate of the agreement to King Edward, in hopes of ingratiating himself. The King was struck. He showed the document to Bruce, who calmly pronounced it a forgery, and craved a little time to make

his word good. Time was given, which he improved by a rapid flight to Scotland along with a few friends. On the Border, the party encountered a mysterious horseman hurrying into England. Bruce, recognizing the man as a retainer of Comyn, stopped and questioned him. His answers being evasive and suspicious, he was cut down, and upon him were found despatches from his master to King Edward, laying bare the designs of Bruce, whom the traitor counselled should be laid under arrest. The baseness of Comyn being thus disclosed, Bruce pressed on to Dumfries, where, as he knew, the two Justiciars appointed by Edward for the province of Galloway—Roger de Kirkpatrick, a Scotsman, and Walter de Broughton, an Englishman—were about to hold a Court, at which both Bruce and Comyn, as freeholders within the province, were obligated to attend. Bruce reached Dumfries on the 4th February, 1305-6, and, finding that Comyn was already there, sent requesting an interview with him. Comyn, believing his treason unknown to Bruce, readily assented. They met in the Church of the Greyfriars, and the conference suddenly terminated with Comyn receiving a stab before the high altar. The wounded baron, and his uncle, Sir Robert Comyn, who ran to his assistance, were despatched by the hands of two of Bruce's followers, Lindsay and Kirkpatrick. The bloody deed done, Bruce and his adherents expelled the Justiciars from the town, and then rode to the Castle of Lochmaben, the seat of the Lordship of Annandale. There they concerted measures for Bruce's assumption of the Crown. Some prophetic utterance of the poet-seer, Thomas of Ercildoun, now flashed back, with clear and encouraging import, upon the recollection of one of Bruce's friends, the Bishop of St Andrews. When he was told of the death of Comyn, he exclaimed—"I hope the prophecy of True Thomas is near its fulfilment. May heaven help me! but I believe Bruce will yet be King, and govern all this land!" Such an impression was worth something to the good cause at that crisis.

During February and the greater part of March, the

patriots exerted every nerve in preparing for the arduous contest before them. Their success was meagre; still, their resolution was fixed, and they would not draw back. In the end of March, they took the field, passing from Lochmaben to Glasgow, and from Glasgow to Perth. As Wallace, shortly before his exploit at Scone, was joined by the brave Sir William Douglas, who at last died in an English prison; so Bruce, on his way from Lochmaben to Glasgow, was joined by that patriot's son, Sir James—the *Black Douglas* of many a bold and chivalrous deed. The hero was eagerly welcomed, and received into a confederacy, which was as yet but weak in numbers, including no more than the following men of mark:—William Lambert, Bishop of St Andrews; Robert Wishart, Bishop of Glasgow; David Moray, Bishop of Moray; the Abbot of Scone; Malcolm, Earl of Lennox; John, Earl of Athole; Bruce's four brothers, Edward, Nigel, Thomas, and Alexander; his nephew, Thomas Randolph, and his brother-in-law, Christopher Seton; Gilbert de la Hay of Errol, and his brother Hugh; David Barclay of Cairns; Alexander Fraser, brother of Simon Fraser of Oliver Castle; Walter de Somerville of Linton and Carnwath; David of Inchmartin; Robert Boyd; and Robert Fleming: to whom was now added the Black Douglas. "With these," says Fordun, Bruce "had the courage to raise his hand, not only against the King of England and his allies, but against the whole accumulated power of Scotland, with the exception of an extremely small number who adhered to him, and who seemed like a drop of water when compared to the ocean." The patriots bent their course, in the open face of day, to Scone, where, despite the English garrison in the city of Perth, they determined to proceed with Bruce's coronation.

The ceremonial took place in the old Abbey, on Friday, the 27th March, 1306; but it was unavoidably shorn of much of the august splendour that should have graced it. The palladium and regalia of the Monarchy were gone: King Edward having carried away the *Fatal Stone* and the Crown and Sceptre ten years before.

Make-shifts had now to be resorted to, and they served the end. The Abbot of Scone lent his chair of state for the enthronement: the Bishop of Glasgow gave his best robes: a golden circlet was removed from the head of one of the saintly images in the Abbey Church, and this hallowed coronet was placed on Bruce's brow by the Archbishop of St Andrews. No other national banner could be procured than one which bore the armorial device of John Baliol. It was put in Bruce's hand. As he stood up, anointed and crowned, but environed with mortal peril, there was the gleam of triumph in his countenance, and he looked every inch a King. He was in his thirty second year. His stature was tall—exceeding six feet: his form was cast in a manly and vigorous mould, indicating great strength and endurance: short hair curled about his temples: his eyes were bright and piercing; and his marked features expressed firmness united with benignity. His adherents and their followers, with the crowd of common spectators, gave hearty homage to their monarch, and the Abbey resounded with the shouts of congratulation. The solemnity was undisturbed by the enemy,—the garrison of the Fair City being too weak and timid to venture beyond their embattled ports. The patriots abode at Scone over Sunday; and on that day a singular event occurred, confirming Bruce's sovereignty. The Countess Isabella, wife of the Earl of Buchan, and sister of Duncan, Earl of Fife, unexpectedly arrived at Scone with a great train. She put in an important claim. Since the accession of Malcolm Canmore, the Earls of Fife had possessed the privilege of placing the Scottish kings upon the throne. The lady's brother (to whom this right of installation pertained) and her husband were attached to the English party; but she, zealous for the cause of Bruce, had fled secretly from her husband, bringing off all his war-horses and many of his retainers; and she now insisted that she should instal Bruce of new. There was much in the ancient custom which was likely to impress the minds of the people in favour of Bruce, and accord-

ingly he complied. On that Sunday, the 29th March, the Countess installed him in his regal chair with all the old ceremony. Rumour whispered that the lady cherished a tender attachment to King Robert; but whatever were her secret motives, whether they sprang from love and ambition or ardent patriotism, let us say this of her, that she acted the part of a brave-hearted Scotswoman.

The second installation over, the King and his party quitted Scone. An army was to be raised; but this, at first, seemed no easy task. Bruce had to contend with adverse prepossessions which the former policy of his family had created. The people could not be blamed for looking coldly and askance on the man who had recently been one of King Edward's friends. The Scottish Regents had so bitterly disappointed their country's hopes, that the country's confidence was hard to win. Even taking the best view of things, the prospects of Bruce were gloomy. England was beginning to arm for another invasion. The tidings of Comyn's death and Bruce's coronation had filled Edward with rage. Mortal disease was on the old oppressor: he had lost the use of his limbs, and could only move from place to place in a litter or a chariot: yet, as "in our ashes live their wonted fires," so his implacable spirit blazed up fiercely at the mouth of the sepulchre: and he resolved that he would himself march against Bruce, and trample out in blood and destruction this daring rebellion. He ordered vast military preparations,—sending letters throughout his dominions, declaring "that Robert de Bruce, late Earl of Carrick, in whom the King, till now, reposed the fullest confidence, leaguering himself with certain traitors and evil-disposed persons, his accomplices and friends, had wickedly slain John Comyn of Badenoch, the faithful subject of England, in the church of the Friars Minors at Dumfries; and that, not content with this dark and unheard of wickedness, he had audaciously made war upon the kingdom, seized and imprisoned the King's sheriffs, violently occupied various towns and castles, and at-

tempted to usurp the government of the land, to the scandal of the Catholic Church, and the invasion of the rights of the English Crown." Aymer de Valence, Earl of Pembroke, was selected as Governor of Scotland, probably because his sister, Johanna, was the widow of the Red Comyn. Further, the incensed tyrant despatched a letter to Pope Clement V. detailing Bruce's crime at Dumfries, and praying that the thunders of the Church should be fulminated against the sacrilegious homicide. At Westminster, knighthood was conferred on the Prince of Wales and 300 noble youths, who were to flesh their maiden swords in the coming war. A magnificent feast was held, presided over by the King, when two swans profusely decorated with golden adornments were presented at table, and Edward, before all the assembly, took a solemn vow to God and to the swans—one of the highest vows of chivalry—"that he would execute the severest vengeance upon Bruce for the daring outrage which he had committed against the Church; and that when this duty was performed, he would never more unsheath his sword against a Christian enemy, but should hasten to Palestine, and devote the remainder of his days to wage war against the Saracens for the recovery of the Holy Land, thence never to return from that sanctified warfare." He then turned to the Prince of Wales, and made him swear that if death overtook his father before he entered Scotland, he should "carry his father's bones about with him in some coffin till he had marched through all Scotland, and subdued all his enemies:" the King adding—"For none shall be able to overcome you while my skeleton marches with you!" These were dread resolves with which to open a war. The Prince also swore that in the event supposed, "he would not remain two nights in the same place until he reached Scotland." The army was summoned to muster at Carlisle fifteen days after Midsummer. The King was to lead the main body. But Pembroke, along with Henry de Percy, Robert de Clifford, Philip de Mowbray, and Ingelram de Umphra-

ville, hurried into Scotland with a body of troops, and occupied Perth.

Leafy June was come, the darling of the year, bringing blue skies, bright sunshine, fragrant flowers, and the melody of the woods, — bringing also back the horrors of war to an enslaved and wasted country, whose wounds were still fresh. The long days and the short nights facilitated every variety of military operations. Bruce, during the interval since his coronation, had been employed in collecting soldiers : many of the veterans of Wallace's bands had joined his standard : a few more men of note were with him, and among the rest, Sir Simon Fraser, of Oliver Castle. At the head of a small army, the King approached Perth, and boldly offered battle,—his forces, according to Barbour, being 1500 fewer than those of Pembroke. To attempt a regular siege or assault of the city, was not Bruce's plan : he sought rather to wile the Southrons from their defences ; and, therefore, on the 19th of June, he marshalled his troops on the level country near the walls ; but the enemy merely manned their battlements, awaiting attack—they would not stir forth. The day was drawing to a close, and Bruce sent a herald to the garrison, bearing a challenge to Pembroke to come out and fight. The herald was admitted, and delivered his challenge, which the Earl, on the spur of the moment, was disposed to accept ; but he was checked by his more crafty companion-in-arms, Sir Ingelram de Umphraville, who drew him aside. " Beware of rash steps," said the knight. " The soldiers of Bruce, though not very numerous, are tried men, well posted and arrayed : their leader is brave and skilful, and he has valiant knights with him. I fear me much we might not be able to beat them from their ground. Be counselled, my Lord of Pembroke. Meet this Rebel-King with subterfuge. Plead the lateness of the hour : pledge your word to fight him to-morrow. Well content, he will withdraw his troops some short distance for the night. Our scouts will follow, and spy his harbourage and order of encampment. If the report

seem promising, as doubtless it will, we may sally out and fall upon the unwary foe in the dusk of the evening." This advice prevailed with Pembroke. He returned to the herald, and pointing to the sun, which was then declining upon the distant Grampians, said : — "See you not that the day is far spent? Tell Robert Bruce that I shall meet him on the morrow, and fight him on his own ground."

The herald conveyed the message to Bruce, who, suspecting no deceit, rejoiced that he was about to gain his point in trying conclusions with Pembroke beyond the walls. The news was communicated to the soldiers, and all rejoiced with the King in the near prospect of battle and victory. Bruce accordingly led off his men from the vicinity of the town, and, marching westward for some miles, reached Methven Wood, intending to bivouac there till morning, thinking of no danger, as he believed Pembroke's word unimpeachable. This was exactly what the astute De Umphrville had anticipated: and whilst the Scots were lulled in false security, the garrison of Perth marched out in full strength to fall upon them in the twilight.

*THE BATTLE OF METHVEN.—Part 2d.*

———— The Southron chiefs for fight prepare,  
And from the walls lead forth the embattled war;  
The wavy lances shoot a beamy light,  
And doubly gild the glories of the night ;  
To Methven, where the Scots securely lay,  
The crafty leaders shape their silent way.

————— The action on the plain,  
The Bruce's rout, the captives and the slain.

*Harvey's "Bruciad."*

A CALM June eve—the close of a lovely summer day. The effulgence of sunset burnished all the earth, and suffused with glory the few thin clouds that streaked the azure welkin. The sun, resting on the shadowy Grampians, shed a golden haze over the hills, and a mellow radiance athwart the open country, kindling into dazzling brilliancy the streams that wandered through green plains, flower-bespangled, and through brown moors flushed with the yellow tassels of the broom. Methven wood was a-glow with the setting orb behind it—the broken splendour glancing down the leafy vistas and between the tree-bolls, and creating innumerable alternations of light and shade which would have enraptured the eye of a poet or a painter. Now came a gentle breeze, balmy, breathing freshness and fragrance, and awakening the leaves into a soft rustle which harmonized with the parting song of the choristers in every bush and on every bough—a sweet, clear symphony, ever and anon disturbed, however, by the jarring outburst of the rooks high among the branches that sought the sky. Sounds of labour and pastime were not wanting—the wood-cutter's cheery whistle and the clank of his axe: the ringing laugh and shout of children from the neighbouring hamlet, bird-nesting, hunting the squirrel, and tracking the wild bee to its secret hive in some hollow oak. But the voices of Nature—all the sounds of the wood seemed hushed by the martial clangour and tumult when

Bruce's soldiers approached. One division of the troops—about a third of the whole number—was sent out to secure forage; and the main-body was appointed to bivouac for the night under the sylvan shade.

Busy was now the scene along the skirts of the wood. The men gladly disencumbered themselves of their armour, in which they had passed the day under a broiling sun: helmets, and shields, mail-coats, and sheafs of arrows were piled on the grass: spears and furled banners were disposed against the trees: and the horses were unsaddled, and turned loose to crop the turf. Soon the smoke of camp-fires curled upwards through the foliage. The soldiers cooked their frugal supper. The leaders, seated apart on the great hillocky root of an aged monarch of the forest, reviewed the fortunes of the day and calculated the chances of the morrow. The sun had gone down, but the heavens, chequered by the interlacing boughs, were resplendent with the gorgeousness of purple and crimson and gold. The dews bathed the thirsty herbage, and the air became odorous with the sweet-briar. The birds had sung their farewell hymns, and only stray notes thrilled on the ear; but the rooks were in commotion,—flitting restlessly overhead, and inconstantly clamorous because of the invasion of their solitude. The soldiers enjoyed their repast: and then flowing cups went round in hearty pledges to their King and commanders, to freedom and their country. Jests excited merriment: songs were sung. Each man's mood found free expression. Veterans who had fought their way through all the campaigns of Wallace became garrulous with their experiences. There were recollections of home and better years,—of familiar scenes desolated by the wars, and familiar faces now covered by the sod: manly regret for dead comrades, broken hopes, and forsaken hearthstones,—for households scattered, and never more to know re-union under the dear old roof-tree: there were vows of vengeance for wrongs which vengeance to the full would never rectify, and vows to the saints for success in the impending conflict.

Songs, jests, tales, and reminiscences sad or wrath-inspiring,—the loud laugh, and the fierce oath, scarce fiercer than some of the laughter,—died away as gloaming gathered, and the bivouac in the wood was yielding to silence and repose. Far from the enemy's reach, —six long miles intervening,—the fear of danger entered no man's mind, and watches around the camp were deemed a needless precaution,—so none were set.

The soldiers were disposing themselves to rest,—and the foraging party had not returned,—when, in the midst of the confidence of security, a startling alarm was given that the Southrons were approaching! It was the eagle eye of the King, as he strolled, solitary and meditative, on the verge of the wood, that first discovered the coming peril. He ran in among the men, exclaiming in trumpet-tones—“To arms! to arms! Pembroke is upon us!” There was terrible confusion. The surprise was complete, yet no one blanched with fear, or flinched from duty. Most of the Scots had horns, —it was a custom in their armies, —and they began to blow them,—the strength of sound increasing, mingled with the rattle of drums, until the air was rent with the hollow multitudinous roar, as though the wood had suddenly filled with wild beasts maddening for prey. What was the clamour of the frightened rooks in the tree-tops to that? Bruce and his friends flew hither and thither, hastening the formation of their ranks: and by their orders the soldiers put on white tunics over their armour that they might be distinguished in the duskiess of the twilight. The advance of the Southrons was now plainly visible to all—a strong force, horse and foot, led by Pembroke, and his knights, pressing on to burst, like a whelming wave, upon the Scots, ere the latter had time to fall into order of battle. But Bruce succeeded in hurrying his men into some array within the verge of the wood; and displaying his banner, he commanded silence, and addressed them in a few well-chosen words:—“Now you may see the value of Southron honour,” he said. “Pembroke, despite his plighted word, has planned to attack us un-

awares. But be not dismayed by his numbers. Multitudes do not ensure victory : and God will bless the just cause. Fight bravely, soldiers of freedom, ever remembering that he who dies for his country earns high reward in heaven." He was answered with a shout, and the conflict began.

The English charged in their divisions, and were stoutly received. The cavalry recoiled before the bristling line of the long spears, many steeds and their riders biting the dust. Again and again they dashed forward, and the struggle deepened on all hands. The clashing of swords and axes on the head-pieces and mail-coats seemed like the hammers and anvils of Vulcan and his Cyclops in full operation. Foremost fought the Bruce and his captains like Paladins of romance, hewing down right and left with indomitable valour. Ever as the King perceived his men give way to the outnumbering power of the enemy, he cried to his standard-bearer to advance, that the soldiers might make renewed efforts to support their flag. Victory yet hung doubtful. The Scots fought like lions. By a surge of the contest, Bruce found himself within reach of the Earl of Pembroke,—spurred irresistibly towards him, and at one blow, delivered with all his vigour, struck him from his saddle. The Earl was stretched prone on the bloody turf, but was speedily succoured by his men, and mounted anew : King Robert was driven back, and his horse transfixed with lances. Another was ready for him; but it soon fell. Scarce was he remounted on a fresh steed, when it was laid low, and the enemy thronged about him, and made him prisoner. None recognised him, however, save a Scot, named John de Haliburton, in the English service, who proved himself more a patriot than a mercenary by suffering the King to break from his captors, in the furious melee, and escape. A fourth time Bruce mounted on horseback, by the aid of Sir Simon Fraser, and once more mingled in the strife; but its issue was now decided. The Scots were overborne and in disorder—beaten at all points. The King, whose rash bravery had already carried him

too far, was loth to confess defeat: but he strove vainly against the tide. As he still refused to turn the rein, a crowd of the enemy assailed him, and his bridle was seized by Sir Philip de Mowbray, who exclaimed in triumph—"I have taken the new-made King." He had not; or if he had, it was but for an instant. Sir Christopher Seton galloped to the spot, cut Mowbray down, and brought off Bruce, who, convinced at last that the battle was lost, exerted himself to draw off the remains of his force into the depths of the wood. He succeeded in this movement; for the Southrons, having suffered severely, gave no pursuit. They contented themselves with their dear-bought victory; and they had captured several valiant Scots—Randolph, the King's nephew; Sir Alexander Fraser; Sir John de Somerville; Sir David de Barclay; Sir Hugh de la Haye; and Sir David Inchmartin. Bruce's chaplain was also one of the prisoners.

Bruce's troops, reduced to about 500 men, made good their retreat through Methven wood, without the least molestation from the English, and bent their course towards the Grampians, intending to seek refuge in Athole. The Earl of Pembroke returned in triumph to Perth, and sent an account of his victory to King Edward. When the joyful news reached the royal invalid, his worst passions assumed the mastery. He had been exasperated by the attempt to wrest from him a crown which had cost England so much blood; and now, in the hour of success, he gave way to that remorseless vengeance which so frequently disgraced his career. He wrote, commanding Pembroke to put all the Methven prisoners to death. But the Guardian's feelings revolted from the perpetration of so insensate a barbarity. He allowed several of the knights to ransom themselves, and only gave up the Chaplain and some others to execution. As for Randolph, he saved himself otherwise than by ransom. He was but young: he pled the seductive counsels of his uncle, and, professing sincere repentance of his folly, procured pardon. King Edward further promulgated an ordinance, ad-

dressed to the Guardian, who was directed to make open proclamation " that all the people of Scotland should search for and pursue every person who had been in arms against the English Government, and who had not surrendered themselves to mercy; and should also apprehend, dead or alive, all who had been guilty of other crimes " : and all who might be negligent in executing this duty should be subject to forfeiture of their castles, and imprisonment during pleasure : while the Guardian was ordered to punish, at his own discretion, all who might harbour any of the offenders described in this ordinance. It was also ordered that all who were present at the slaughter of the Red Comyn, abettors of the deed, or who voluntarily and knowingly harboured any of the guilty persons or their adherents, should be drawn and hanged; that all those already in arms, or who might afterwards be so taken, and all who harboured such persons, should be hanged or beheaded : the most distinguished and dangerous of those who had been in arms, and had surrendered themselves to mercy, were ordered to be imprisoned during the King's pleasure : all persons, ecclesiastical as well as laymen, who had willingly espoused the party of Bruce, or who had procured or exhorted the people of Scotland to rebel, were, on conviction, to be imprisoned during the King's pleasure : and a discretionary power was confided to the Guardian, to fine or ransom such of the common people as had been constrained to take up arms.

Soon afterwards more prisoners of importance were seized by Pembroke's soldiers, who traversed the country hunting down the patriots. The Abbot of Scone and the Bishop of St. Andrews were both arrested in armour, and sent in chains to England. The Bishop of Glasgow, also wearing armour, was taken in Cupar Castle, and carried fettered across the Border. The tyrant's hate was as bitter against Scottish women as against Scottish men. Bruce and his band entered the country of Athole, but endured there much privation. Want and misery became their portion, and

their numbers daily decreased by desertion. The English troops were on their track. A price was set on Bruce's head; no man dared to help him. The fugitives sought the wildest and most desert fastnesses, wandering barefooted and in rags, famished and faint. Peter Langtoft, an English metrical chronicler, compared the life led by Bruce to that of a frenzied man called Dan Waryn, who ran to the woods and ate grass like a beast. Compelled by need, the party forsook the inhospitable hills, and drew towards Aberdeen, where Bruce was met by his brother, Nigel, who brought along with him, Elizabeth, the Queen, daughter of Richard, Earl of Ulster; Christina and Mary, the King's sisters,—(Christina being the wife of Sir Christopher Seton); Marjory, the King's daughter by his first marriage with Isabella, daughter of Donald, Earl of Mar; and other ladies. This female train, deprived of all shelter, followed the King's fortunes; and the company entered the country of Breadalbane, where they subsisted chiefly by hunting and fishing. In the procuring of sustenance by these means, the Black Douglas excelled all his compeers. Such is the testimony borne by Barbour :—

———— Worthy James of Douglas  
 Aye travelled he, and busy was  
 For to purchase the ladies' meat.

But of all that ever there were  
 There was not one among them there,  
 That with the ladies more praised was  
 Than was Sir James of Douglas,  
 And the King oft comforted was  
 Through his wit and his business.

When King Edward learned that the ladies so accompanied their husbands and friends, he was unmanly enough to issue a formal proscription against them! The patriots on coming down by the head of Loch Tay were exposed to new dangers. They were beset in a rugged pass of the mountains by the Lord of Lorn, who defeated them with considerable loss. In this distress the ladies were escorted northwards to the Castle of Kildrummie, which was garrisoned under Nigel Bruce.

There for a short season they abode in security; but the advance of an English force to lay siege to the fortress caused them to flee for safety to the "Girth of Tain," or Sanctuary of St Duthac at Tain, in the shire of Ross. It proved, however, to them no sanctuary at all. A wretched minion of the usurper, the Earl of Ross, broke into the Chapel, dragged forth the Queen and her companions, and delivered them over to the enemy. Edward, of course, was scarcely so debased as to embrue his hands in the blood of helpless women; but the Scottish knights and esquires who had formed their guard of honour at Tain were butchered out of hand. The Queen, the Princess Marjory, and Christina Bruce were confined in England; and Mary Bruce was placed in a strong cage constructed in one of the towers of Roxburgh Castle. They languished in captivity for eight years. The Queen, however, was treated with consideration befitting her rank, and so also were the Princess Marjory and Lady Seton.

The Castle of Kildrummie was besieged, and the garrison, after a gallant defence, were reduced to severe straits, and ultimately surrendered. Nigel Bruce became a prisoner. He was conveyed as a traitor to Berwick, and executed there. The old Earl of Athole, who had been at Methven, was intercepted in making his escape from Scotland by sea, and died the death. Sir Christopher Seton and Sir Simon Fraser were both betrayed, and laid down their lives on English scaffolds. Thus the Southron vampire revelled in blood,—utterly blind to the certainty that such atrocities, cowardly and vile, would intensify the hatred of the Scots, and rouse them to throw off a yoke which was more detestable than that of an unchristened savage.

Another female prisoner fell into the tyrant's power. Isabella, Countess of Buchan, had installed Bruce on his throne at Scone. Her husband was exceeding wroth at what he deemed so daring a treason, and threatened to murder her. The Southron bloodhounds traced her out, and she was carried to Berwick, and condemned to a degrading mode of imprisonment, which Edward's own ordinance will explain:—

Be it commanded, that the Chamberlain of Scotland, or his Deputy at Berwick-upon-Tweed, shall cause a cage to be constructed in one of the towers of the Castle of Berwick, and in the place which he shall find most convenient for the purpose. This cage shall be strongly latticed and cross-barred with wood, and secured with iron; and in it he shall confine the Countess of Buchan; taking special care that she be therein so well and safely guarded, that in no sort she may issue therefrom. He shall appoint one or more women of Berwick, who shall be English, and liable to no suspicion, who shall minister to the said Countess in eating and drinking, and in all things else convenient, in her said lodging-place. He shall cause her to be so carefully and strictly guarded in the said cage, that she may not be permitted to converse with any person whomsoever of the Scots nation, or with any one else, saving with the women who attend upon her, and the guard who may have the custody of her person. The cage shall be so constructed that the Countess may have therein the convenience of a decent chamber; yet all things shall be so well and surely ordered, that no peril may arise respecting the secure custody of the said Countess; and the person into whose custody she may be committed shall be responsible, body for body; and he shall be allowed his reasonable charges.

The cage, it seems, was fashioned, in mockery, like a crown. "That most impious conspiratrix, the Countess of Buchan, being likewise apprehended," writes Matthew of Westminster, "the King commanded that, since she had not used the sword, her life should be spared; but, in regard of her illegal conspiracy, she should be confined in a building constructed of stone and iron, having the shape of a crown, and suspended in the same at Berwick, in the open air; that she might thereby become a spectacle to all passengers, both during her life and after her death, and a perpetual example of opprobrium." The opprobrium, however, rested elsewhere than with the Countess. She inhabited her cage for four years, when she was removed to a milder durance in the Monastery of Mount Carmel at Berwick. After other three years, she was transferred to the custody of Henry de Beaumont. King Edward contrived, moreover, to get his clutches over the crown which was used at the coronation of Bruce. The relic appears to have been acquired and secreted by a certain Geoffrey de Coigniers, who, delivering it up to Edward, was reprimanded but pardoned.

The rout of the Brucean forces at Methven, and the consequent collapse of the war, served, along with increasing bodily weakness, to delay King Edward's march into Scotland. But though his motions were very tardy, he kept tenaciously to his purpose. His ruling passion strengthened as his life ran to an end. In the end of February, 1306-7, he was lying at Carlisle with the main-body of his army. Thither came the Papal Legate, Cardinal St Sabinus, who, with bell, book, and candle, excommunicated Robert Bruce and all his abettors for the murder of the Red Comyn. Edward laid great store by this master-stroke, flattering himself that the terrors of superstition would detach the Scottish people from the cause of Bruce. But the cunning tyrant was never more deceived in all his life. The excommunication produced no effect whatever: it fell powerless on Scotland. Bruce and many of his friends had made their way to the sea-side, and sailed for the Isle of Ràthrin, on the Irish coast, expecting probably to obtain aid from the Earl of Ulster. They spent the winter in the island, concocting future operations; and with early spring they landed on the west of Scotland, and renewed the war. They were joyfully welcomed back. Fortune began to smile on their struggle. They won castles—they routed squadrons in the field. Their success stirred King Edward into activity. His illness—which seems to have been a dysentery—had confined him for months at Carlisle, and he was gradually growing weaker. News of his death flew abroad. To counteract the false report, he forced himself from his couch, appeared on horseback, offered up his horse-litter in Carlisle Cathedral in professed gratitude for his recovery, and resumed the march which had been so long delayed; but he advanced no farther than six miles in four days. He reached the hamlet of Burgh-on-the-Sands, within sight of Scotland, on the 6th of July, 1307, and there he was finally prostrated. His breathing grew laborious, and his speech faint. Yet he employed the fleeting moments in denouncing vengeance upon Bruce and the Scots.

Next day, feeling that his last hour drew nigh, he called his nobles and his son, Edward, to his bedside, and entailed upon the Prince various injunctions. He directed that after his death his heart should be taken out, embalmed, and sent to Jerusalem, and that a hundred English knights should perform military service in the Holy Land, for one year, in honour of the Cross and in defence of the Holy Sepulchre. Farther, the dying king, according to Froissart, made his son swear "by all the saints, that as soon as he should be dead, he would have his body boiled in a large cauldron, until the flesh should be separated from the bones; that he would have the flesh buried, and the bones preserved; and that every time the Scots should rebel against him, he should summon his people, and carry against them the bones of his father, for he believed most firmly that as long as his bones should be carried against the Scots, these Scots would never be victorious." Having imposed this insane oath, he was assisted by his attendants to rise on his couch that he might partake of a repast. But Death now struck the final blow: and the King sank back, and breathed his last.

"The just hand of Providence," said Redgauntlet to Darsie Latimer, "overtook him on that spot, as he was leading his bands to complete the subjugation of Scotland, whose civil dissensions began under his accursed policy. The glorious career of Bruce might have been stopped in its outset; the field of Bannockburn might have remained a bloodless turf, if God had not removed, in the very crisis, the crafty and bold tyrant who had so long been Scotland's scourge. Edward's grave is the cradle of our national freedom."

The tyrant's dying injunctions were wholly neglected by his successor, whose imbecile reign closed with savage assassination. Bruce was enabled to consolidate his power in Scotland, and ultimately to establish the national independence. But we leave his triumphs to history,—our main object having been

merely to record how he first appeared, as a patriot-King, in the vicinity of the Fair City.\*

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\* Tytler's *History of Scotland*, and *Lives of Scottish Worthies*; Palgrave's *Documents and Records Illustrating the History of Scotland*, Introduction, p. 80; Stevenson's *Historical Documents*, vol. i., p. 22; Kerr's *History of Scotland during the Reign of Robert I.*, vol. i.; Low's *Scottish Heroes*, vol. i.; Barbour's *Bruce*; Matthew of Westminster's *Flowers of History*; Froissart's *Chronicles*.

*THE BARONY OF GORTHY.—Part 1st.*

His name is Tristrem trewe.

Tristrem with gret honour  
Bicom the kinges knight.

*Romance of "Sir Tristrem."*

ONE of the knights of King Arthur's Round Table was Sir Tristram, or Trystan, the hero of the metrical romance ascribed by Sir Walter Scott, on very sufficient grounds, to Thomas of Ercildoune, otherwise the Rhymer, whose fame still lives in Scottish history and popular traditionary lore. Tristram was the son of Roland Riis and Blanchefleur, sister of Mark, King of Cornwall. Soon after his birth his mother died of sudden grief on receiving tidings of her husband's fall in battle, and the infant was on that account named Tristram—the Sorrowful, or the Sad. But the word Tristram in the form of Trystan, as belonging to the ancient British or Welsh language, signified originally noise, tumult, "the Tumultuous," or "the Proclaimer,"—although through the influence of the Latin tongue upon the Welsh, the name subsequently came to bear the meaning of "Sad." According to the Welsh *Triads*, Tristram was one of the three Heralds of Britain, who were absolute authorities on the laws of war: he was one of the three mighty Swineherds: he was one of the three Stubborn Chiefs, whose purpose was inflexible: he was one of the three Faithful Lovers: he was one of the three Compeers of King Arthur's Court: and he was one of the Bards of Britain:—

Arthur, with broken shield, and Trystan woo'd  
The Muse; but Llywarch was the most below'd.

Moreover, the mediæval romancists attributed to Tristram the institution of the laws regulating hunting; and he was also credited with having introduced

the proper fashion of cutting or breaking up the stag after it was run down. "He began good measures of blowing of blasts of the chase," says Sir Thomas Malory, in *La Morte D' Arthur*; "and therefore the book of hunting and hawking," he proceeds, "is called the book of Sir Tristram, wherefore, as me seemeth, all gentlemen that bear old arms, of right they ought to honour Sir Tristram, for the goodly terms that gentleman have and use and shall unto the world's end." For these cogent reasons, Sir Tristram, who was fabled to have flourished in the sixth century, was commemorated during the Middle Ages as not less a valiant Arthurian paladin than as "a mighty hunter," who rivalled, if he did not surpass, Nimrod of old.

We have been led to speak of Sir Tristram from the circumstance that his name was adopted in an ancient Perthshire family, and was retained in it, almost invariably, from generation to generation, for the space of nearly 400 years. The family alluded to was that which, for about the same period, was designated of Gorthy—an estate in the parish of Fowlis-Wester. In this parish stood the Castle of the Earls of Strathearn; and there was also an old Castle of Gorthy, every vestige of which, however, has now disappeared, and only the site is traceable on a commanding position near the Den of Gorthy, while some aged trees, which have battled with the blasts of many centuries, still remain to show the line of the avenue by which the baronial keep was approached. The lands of Gorthy are met with in records as far back as the beginning of the thirteenth century, and for long were held by the race in whose possession they first emerge into notice, but subsequently they underwent various changes of mastership. A good deal of interest attaches to the history of the Gorthy Lairds; and we now intend pointing out its more salient features, without venturing far upon the dry and dusty paths and byeways of family genealogy, which in this case, as in most others, are somewhat labyrinthine. We shall mark the gradual decay of the old Tristram stock. Deeds of violence and bloodshed

will occasionally fall within the scope of our retrospection. Gorthy will appear for a season as a seat of the Muses, and we shall hear the courtly strains of a Perthshire poet of the British Solomon's times. Again, its fortunes will be darkened by the Covenant troubles and the Civil Wars. We shall find one laird the faithful friend of Montrose, and another embroiled in feud with Rob Roy.

In the beginning of the thirteenth century the estate of Gorthy was owned by a laird who bore the Christian name of Tristram, and used as a surname, when surnames were not very common, the designation of his lands. Many of his successors, in the same line, for nearly four hundred years after (as already said), were christened Tristram—a peculiarity which suggests the enquiry why this name, an unusual one in Scotland, should have been kept up in the family for so long a time? Certainly, in this respect, these Gorthies were utterly antipodal in opinion to Mr Walter Shandy, the retired Turkey merchant, who, “of all the names in the universe, had the most unconquerable aversion for *Tristram*; he had the lowest and most contemptible opinion of it, of anything in the world, thinking it could possibly produce nothing *in rerum natura* but what was extremely mean and pitiful :” nay, more, “he was at the pains of writing an express dissertation simply upon the word *Tristram*,—showing the world, with great candour and modesty, the grounds of his great abhorrence to the name:” yet, as we all know, this mean and pitiful name was actually conferred, through a foolish servant's blunder, upon worthy Mr Shandy's youngest son! But to pursue our enquiry:—Did the name originate among the Gorthies out of some great grief?—or from some office which they came to hold under the Earls of Strathearn, perchance that of Herald or of Huntsman? Or was the name perpetuated in affectionate memory of some celebrated ancestor, such as the founder of the house? Speculation, however, on such a topic, is altogether profitless, and we must just take the name as we find it, and try to make progress

with our history. Tristram of Gorthy appears as a witness to certain Charters of the Abbey of Inchaffray, which famed religious establishment was founded, in his day, in the near neighbourhood of his Castle, and he was also one of its benefactors. A Charter by him, without date, is in the following terms:—

Let both present and future men know that I, Tristram, have given and granted, and in this my writing have confirmed, to God and to St John the Apostle of Inchaffray, and to the canons who serve and shall serve God at that place, one croft in my territory of Eddardoeneth, which closely adjoins the pond of the mill-house of Gorthy, towards the east, through the same divisions which Prior Malise held in his life, in free and continual gift, for the love of God and the salvation of my soul, to be kept by him, and had and possessed from me and my heirs in freedom and quietness from all secular service, or servile work. The following are witnesses:—Abraham, Chaplain of the lord Earl of Strathearn, and Arthur, his son; Isachar, Chaplain of Fowlis; Lord Reginald, Canon of Strathearn; Henry and Tristram; and William, Tristram's son; and Tebald; Foglias; Christina, wife of Tristram, and his daughter, Anni; and many others.

Gilbert, Earl of Strathearn, who founded Inchaffray about 1198, and died in 1223, confirmed this Charter,—one of the witnesses to the Confirmation being Henry, son of Tristram. In a subsequent grant by Robert de Mekfen to the Abbot and Convent of Inchaffray, of two tofts and four acres of land in Kenandhem, otherwise called Dolpatrick, “Magistro H., filis Trestram,” and “Trestram de Gorty,” are among the witnesses. They are also entered in the same capacity in the Confirmation of the preceding by Robert, Earl of Strathearn: and to the Confirmation, after the year 1247, by Malise, Earl of Strathearn, to the monks of Inchaffray, of all gifts made to them by his grandfather, Gilbert, and by Robert, his father, the name of Trestram de Gorty is appended as one of the witnesses.

We pass on, and in 1266 reach the formal arrangement of a dispute which had been pending between the monks of Inchaffray and Tristram of Gorthy. They had fallen into differences concerning lands and privileges; but eventually the whole matters of disagreement were submitted to arbiters, who having pro-

nounced their award, the parties thereupon entered into the following agreement:—

*INDENTED AGREEMENT between the CONVENT OF INCHAFFRAY and TRISTRAM OF GORTHY: Dated, 14th February, 1266.*

To all the faithful in Christ who shall see or hear this writing, Alan, by the grace of God, Abbot of the Convent of Inchaffray, greeting: Be it known to you all that whereas controversy was moved between Tristram of Gorty, on the one part, and us on the other, concerning the lands of Cambinch, which by the judgment of prudent men was considered and adjudicated for ever to lie in common between us, as in the writing made upon the said decision is more fully contained, and of the other lands possessed by us, in which the said Tristram for himself and his heirs claimed right, and chiefly of our Infirmary and Chapel, and other lands thereabout, as the ditch is on every side: at length all strife regarding the said lands was settled in this manner, namely, that the said Tristram for himself and his heirs quit-claimed for ever, to us and our successors, all right to the foresaid lands, saving in all things the right of our lord the Earl of Strathearn: renouncing also all molestation of the said Abbot and his successors upon the said lands, granted to them in pure and perpetual and free charity, and possessed by them for a long period, in any manner, or in any Court, lay or clerical. The said Abbot also, for himself and his confreres, charitably grants to the said Tristram and Christina, his spouse, and their heirs, the brotherhood of the Monastery in prayers, alms, martyrology, and generally in all other good things which may belong to them: granting also to the said Tristram and his heirs that, so far as it is in the power of the said Abbot and Convent, the said Tristram and his heirs shall have their chapel in which they may celebrate Divine worship, the safety of Mother Church being in all respects preserved: To the observance of all which faithfully, without deceit, fraud, or plot, the said Tristram bound himself and his heirs by his faith, and, the Sacred Scriptures being touched, also by his corporal oath, and we for us and our successors did the same. In witness whereof to [the part of] this Charter, done in writing according to the manner, perpetually to remain with us and our successors, the seals of the said Tristram and of Lord Malise, Earl of Strathearn, are appended; and to the part remaining with the said Tristram and his heirs for ever, the common seal of our Chapter, and of Robert, Bishop of Dunblane, are appended.

Given at Inchaffray, on St Valentine the Martyr's Day, 1266.

By this agreement, Tristram obtained the important right to have a chapel of his own at Gorthy, served by

a chaplain or priest of his own appointment. The chapel stood about 300 yards to the west of the old manor-house of Gorthy. The portion of lands allotted for its maintenance is still called the "Chapel Isle," and is situated at the angle formed by the junction of the Perth and Madderty roads,—south of the former and east of the latter,—within a few yards of the old Toll-House. Five years after 1266, the name of Tristram of Gorthy is repeatedly found in the Inchaffray Chartulary. He witnesses the following grants to the Abbey:—

Charter by Bricius de Ardrossan, for the welfare of his soul and of the soul of Malise, late Earl of Strathearn, to the Abbot and Convent of Inchaffray, of 16 acres of land beside the Bridge of the Abbey, on the east side, in the field called Langflath, which the granter had received from Malise, late Earl of Strathearn, in exchange for the land of Cullath. Dated at the said Abbey, St Clement the Martyr's Day, 1271.

Grant by Luke, son of Theobald of Petlandy, to the said Abbey, of the Brewhouse of Petlandy.

Grant by Bricius de Ardrossan to the Monastery of Inchaffray of a particle of land in the territory of Petlandy, which he held at feu-farm from Luke, son of Theobald. Dated at the Abbey, St Clement's Day, 1271.

Grant by Bricius de Ardrossan to the Monastery of Inchaffray, of four merks yearly out of the land of Mukracht, and confirming also a grant of one merk out of the lands which the granter had in the territory of Petlandy. Dated on St Clement's Day, 1271.

Grant by Bricius de Ardrossan of the land which he held in feu-farm in the territory of Petlandy, and which he had demitted to Michin and Martyn, his servants, willing the monks of Inchaffray to be put in full sasine thereof. Dated at the Monastery, St Andrew's Day, 1271.

A blank ensues—a century and a-half elapses: more than that: and the next Tristram de Gorthy we hear of witnessed a charter in 1428: and subsequent to 1433, he witnessed a charter by Walter, Earl of Strathearn, Athole, and Caithness. Farther down—on the 31st May, 1454—the same Tristram (as we presume) founded the Chapel of Gorthy, a new erection reared on the old site after the original edifice had become ruinous. The Deed of Foundation exists, and has the seal entire, the armorial bearings being a chevron between three fleur-de-lis. On the 24th of June, this

year, Tristram was a witness to a charter by Robert Mercer of Innerpeffray of certain fishings in the Pow in favour of the Abbey of Inchaffray; and on the following day he witnessed an Instrument of Ratification by Alexander Mercer, son and heir of the said Robert. Next, there is a leap of other three-and-twenty years, and then, on the 28th April, 1477, Tristram Gorthy and George Gorthy (father and son, we suppose) appear with other persons as Attornies of Andrew Murray, son and heir of Humphrey Murray of Abercairny. According to our view, the Tristram who re-founded the Chapel in 1454, had three sons—Tristram, George, and John—and a daughter, Elizabeth. By this time difficulties had begun to overtake the house of Gorthy. The family were evidently falling into the sere and yellow leaf. Their hold upon their lands was considerably relaxed: their patrimony was undergoing a process of disintegration,—neighbouring Lairds claiming and appropriating portions. When we reach the year 1480, the Gorthy lands are described as having been intromitted with by the Colquhouns and Moncrieffes, in consequence of a delay in the entry of Tristram of Gorthy, as heir to his father, the second founder of the Chapel. The Lords of Council, on the 13th June, gave decret that Humphrey Colquhoun of that Ilk, as heir to his father, should free and relieve Tristram of Gorthy of the sum of £26 of the resposion of the latter's lands due to the King for the time they were in the King's hands for default of entry of the heir, because the said Humphrey's father had intromitted with the said lands and taken the maills and profits thereof during that time; and also that George of Moncrieff should pay to the said Humphrey, 7½ marks taken up by him of a term's maill of said lands. It might be thought that Tristram was now put into possession of all his lawful patrimony. This, however, appears not to have been the case; for on the 22d October, 1484, Gorthy, or, at least, part thereof, was claimed as belonging to the Colquhouns of Luss. Of that date, an "action and cause" was pursued, before

the Lords Auditors, by the executors of the deceased Sir John Colquhoun of Luss, against Sir William Murray of Tullibardine, John Murray, his son, and Robert Balmaclone, for the wrongous spoliation of certain corn out of the lands of Innerpeffray and Gorthy pertaining to the late Sir John. Four years later—on the 11th October, 1488,—Lord Oliphant appeared before the Lords Auditors, and asserted right to the Mill of Gorthy. He protested that whatever Peter Mercer and John Murray did in the action betwixt him anent the tack of the Mill of Gorthy, should turn him to no prejudice anent his right to the said Mill. But we may state plainly that we are able to offer no explanation of these conflicting claims. We merely record them as they occur.

Tristram, as we have seen, had two brothers, George and John, and a sister Elizabeth. About the year 1491, Elizabeth became the wife of Felanus or Fillan, son and heir of John of Strageith, in the prospect of which union, her brother made over to her the lands of Over Gorthy, as a marriage portion. In this transaction Humphrey Murray of Ogilvy had much interest, arising probably from affinity to the Strageith family; for in 1491, he executed a Charter in favour of Tristram Gorthy of that Ilk, of the four-mark land and forty-penny lands of Bordland of Ogilvy, for relief and exoneration of the said Tristram, and his heirs, of 100 marks usual money, for which sum the said Humphrey was bound to relieve him and them, on account of the burdens of a marriage to be contracted and solemnized in face of Church between Felanus, son of Strageith of that Ilk, and Elizabeth Gorthy, sister of the said Tristram, who, by his charter, on which possession followed, alienated his lands of Over Gorthy, with their pertinents, from himself to the said Felanus and Elizabeth: to be held the said four-mark land and forty-penny lands of Bordland, with their pertinents, by the said Tristram, his heirs and assignees. But this relief did not satisfy Tristram. He repented of his liberality to his sister, and proceeded to resume his gift by seiz-

ing at his own hand the lands of Over Gorthy, which he forthwith let out to tenants called John Craggan, Thomas White, Toppo Man, and Thomas Duly. Against this open injustice, Felanus appealed to the law; and on the 24th October, 1495, the Lords of Council pronounced Decreet, finding "that Tristram Gorthy of that Ilk does wrong in the vexation and troubling of Fulane Strageith, son and apparent heir to John of Strageith of that Ilk, in the peaceable bruiking and enjoying of eight marks' worth of land and a-half mark's worth of land of auld extent, of the lands of Over Gorthy, with the pertinents: and, therefore, ordained him to desist and cease therefrom: said lands in time to come to be bruiked and manured by the said Fulane and Elizabeth Gorthy, his spouse, after the form of the charter and sasine of conjunct-infetment made to them thereupon, shown and produced before the Lords: and also that the said Tristram shall content and pay to the said Fulane the value and profits of the said lands since the term of Whitsunday last bypast, like as he granted in presence of the Lords:" and the new tenants were ordered to quit occupation of Over Gorthy.

After this family quarrel, Tristram's position in the world seems to have improved. He became a fast friend of the noble house of Oliphant, giving, in 1497, a Bond of Manrent, pledging himself, all the days of his life, "to my special lord, Lord Oliphant": and subsequently succeeded in obtaining the dignity of a Baron. At Edinburgh, on the 15th October, 1507, a charter was granted by James IV. to Tristram Gorthy of that Ilk, of the lands of Gorthy and Mill thereof, and half of the lands of Dalpatrick, in the Stewardry of Strathearn and Shire of Perth, upon resignation by the said Tristram for new infetment; erecting the said lands into a free barony, to be called the Barony of Gorthy: to be held for rendering three suits at the three head courts of the Shire of Perth: also with the ward and relief of the said lands and mill, and the marriages when they shall happen. Sasine followed on this charter on the 27th of the same month. The

Baron of Gorthy was married, and had children; but in 1511 he was a widower, and contemplated second nuptials; for, on the 5th December, he executed a charter in favour of Egidia Tyry, daughter of Walter Tyry of Drumkilbo, as his future spouse. He died in a year or two afterwards, leaving four sons—George, Roland, John, and William. The eldest, George, was, on the 14th November, 1513, infeft in the lands and Barony of Gorthy, and half-lands of Dalpatrick, as son and heir of the late Tristram Gorthy of that Ilk,—the witnesses being Master Thomas Petyr, Chaplain, and Roland and John Gorthy.

The career of George, the second Baron, was very unfortunate,—chequered with crime, and consequent disaster. His wife was Catherine Arbuthnot, and he had three sons—Tristram, George, and John. In February, 1532, he was one of the jury (chiefly Perthshire men) summoned to act upon the trial of Lady Glamis for sorcery, but all of whom refused to attend, and were fined for their contumacy. That same year Gorthy involved himself and his sons in bloodshed, which brought them all under the highest penalty of the law. The Baron fell out with Robert Murray, of Newraw or Drumdewan, a neighbouring laird, and the feud waxed so hot that Gorthy, with his three sons, and Sir William Stobo, his chaplain, attacked Murray, and put him to death. The hue and cry arose, and the Gorthies, knowing that they could offer no justification for the slaughter, took to flight. They were summoned to undergo trial, but, failing to appear, were put to the horn, and doom of forfeiture was pronounced against them. They continued to evade the clutches of the law. But on the 28th August, 1536, the Baron and another of his name were permitted to leave the country. Of that date a Protection was granted to Lord Lochinvar purporting that he and many others, amongst whom were George Gorthy of that Ilk and a certain William Gorthy, were going on the King's service "beyond sea." On the 2d December following, William, Lord Ruthven obtained a Letter of Gift "of all goods, moveable and

unmoveable, &c., which pertained to George Gorthy of that Ilk, and to Sir William Stobo, Chaplain of Gorthy, escheat through being of the said persons fugitive from the law, and at the horn, for the slaughter of Robert Murray of Newraw, &c.” The Laird of Moncrieff then came forward with claims upon Gorthy, and obtained an Apprising against the fugitive Baron. The Precept of Sasine thereon was dated 3rd July, 1539. All was not lost, however, with the Gothies. They recovered their ground. On the 26th September, 1540, a Remission was granted “to George Gorthy of that Ilk; Tristram, his son and heir-apparent; and George and John, also his sons, for the slaughter of Robert Murray of Drumdewan,” &c. In the same year, the Baron issued a Presentation to the Chaplaincy of Gorthy.\*

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\* *Sir Tristrem*; Jones' *Welsh Bards*; Yonge's *History of Christian Names*, vol. i., p. 143; *La Morte D'Arthure*; *Liber Insule Missarum*, pp. 14, 27, 29, 46. 59; Methven MSS.; *Acta Dominorum Concilii*, p. 50; *Acta Dominorum Auditorum*, pp. 114, 150; Register of the Great Seal, Lib. 14. No. 405; Register of the Privy Seal, vol. 10, p. 170; Pitcairn's *Criminal Trials*, vol. i., part 1, pp. 158, 248, 255.

*THE BARONY OF GORTHY.—Part 2d.*

Per varios casus, per tot discrimina rerum  
Tendimus.

*Virgil's "Eneid."*

(Through various cases and events we move.)

How much of change there lies in little space!

*L. E. L.*

By the time George Gorthy and his son procured their Remission for Newraw's slaughter, some portion of their lands had gone, by process of law, into the hands of the Laird of Moncreiffe, at whose instance there had been an Apprising, and on the 3d June, 1540, a charter under the Great Seal was granted to Sir William Moncreiffe of Moncreiffe, of the lands of Nether Gorthy. On the 27th June, 1541, a charter was executed by George Gorthy in favour of Henry, Lord Methven; and on the 19th November, 1542, a Gift under the Privy Seal was made to Henry, Lord Methven, of the non-entry of Gorthy and Dalpatrick since the death of — Gorthy of that Ilk, "guidsire" to George Gorthy now of that Ilk. Farther, the Protocol Book of Robert Rollok, dating from August, 1541, to May, 1550, preserved in the General Register-House, contains copies of two documents connected with the lands of Gorthy:—1. Sasine, dated 22d October, 1546, proceeding on a Crown Precept, dated at Haddington, 18th December, 1545, in favour of Robert Drummond, son of the late Alexander Drummond of Carnok, of the third part of the barony of Gorthy and half of the Eastertown of Over Gorthy, extending to five merks of land, with the Mill of Gorthy; reserving to Gelis Tyre her life-rent of the rents of the said third part, and said half lands, and third part of the profits of the mill, with houses, barn, &c. 2. Under date 1551, is a Redemption to the effect that Mr David Gourlan, Parson of Torry, and Sir John Wright, Chaplain, procurators for William, Bishop of Dunblane, and Elizabeth Chisholm, his

“cousignace” (cousin) confessed to two Notaries that they had received on that day, “betwixt the sun rising and to-ganging of that ilk, upon Our Lady altar situated within the Cathedral Kirk of Dunblane,” from the lands of Henry, Lord Methven, the sum of 600 marks in gold and silver, in name of the said Bishop and Elizabeth, for the redemption of the lands of Wester Gorthy, then occupied by John Forester, Thomas Scobe, Andrew Murdoch, Patrick Dow, John Gray, and William Maxtoun, and of the eighteenth part of Easter Gorthy, occupied by the said William Maxtoun, with the fortalice, manor place, &c., which had been sold by the said Lord Methven, under reversion for the said sum, on the 2d October, 1550. These papers are left to speak for themselves.

George Gorthy is heard of again on the 28th March, 1551, when Letters were issued in name of Queen Mary, declaring that the half lands of Damside, in the shire of Forfar, belonged to George Gorthy in life-rent, as husband of his deceased wife, Catherine Arbuthnot. During the course of the next six years, George paid the debt of nature: and his eldest son, Tristram, also deceased previous to April, 1557, leaving an only child, a daughter, named Catherine. With Tristram the male line of Gorthy ceased—appositely enough, as doubtless it had begun with a Tristram.

Catherine, on the 27th April, 1557, was served as heiress general of her father in the lands of Gorthy. Shortly afterwards she was married to Mr George Lundy—who seems to have sprung of the family of Lundy of that ilk, in Fife, and who subsequently became a minister of the Reformed Church of Scotland. On his seal he bore a palle of six and on a bend three fleur-de-lis: while his wife’s seal bore three fleur-de-lis, without the chevron of her family arms. The marriage is first mentioned in an Instrument, dated the 16th April, 1558, at the instance of Catherine and her spouse against Henry, Lord Methven. The wedded pair very properly applied themselves to the recovery, by legal means, of such parts of the Gorthy patrimony as were

wrongously in other possession, and it would appear that they succeeded in their endeavours. A Precept was granted by Queen Mary, at Edinburgh, on the 12th March, 1564-5, proceeding on the narrative that the third part of the Mains of Gorthy and messuage thereof, which belonged to the late George Gorthy and Tristram, his son, and were apprised from them at the instance of William Moncreiffe of that Ilk, and the late Henry, Lord Methven, who were afterwards infeft therein, yet by contract between the said parties it was agreed that the said Henry, Lord Methven, should deliver to the said George and Tristram a letter of reversion of the said lands for 590 marks, with the expenses incurred by the said William Moncreiffe in the said process and infeftment, in virtue of which contract, Catherine Gorthy, only child and lawful daughter of the said Tristram, and Mr George Lundy, her spouse, obtained two decreets of the Lords of Council against Henry, now Lord Methven; Andrew, Lord Stewart of Ochiltree, then his tutor; Lady Janet Stewart, his mother; and Patrick, Lord Ruthven, her spouse; one of which decreets decerning them to deliver to the said Catherine and her spouse a reversion of the said lands; and the other decerning the said lands to have been lawfully redeemed: wherefore the Queen commands the said Henry, Lord Methven, his tutor, and his mother, and Patrick, Lord Ruthven, to renounce the said lands to the said Catherine Gorthy and her spouse. On the following 6th of April, Catherine, as daughter and heiress of the deceased Tristram, who was son and heir of the deceased George, was duly infeft in the lands of the Barony and Mains of Gorthy.

Next year the husband of the Gorthy heiress was in bad health; for, on the 9th July, 1566, a License was granted, under the Privy Seal, to Mr George Lundy of Gorthy to remain at home from all hosts, raids, &c., because he was "vexed with divers infirmities and sicknesses." These ailments having abated, he was enabled to enter into active life in connection with the Church. On the 2d February, 1568, he became Reader

in the house of the Regent Moray. Prior to 1573 he was Parson of Newburn, in the vicinity of the seat of the Lundy family in Fife; and he was translated to Dalmeny prior to 1574. On the 25th May, 1576, a crown charter was granted at Dalkeith, in favour of Mr George Lundy and Catherine Gorthy of that Ilk, his spouse, in conjunct fee, and their heirs, whom failing to the nearest and lawful heirs whomsoever of the said George, of the lands and barony of Gorthy, with the manor thereof; which barony, &c., belonged heritably to the said Catherine, and were resigned by her, with consent of her said husband, in the hands of James, Earl of Morton, for this conjunct investment. Mr George Lundy had a numerous family by his wife: and we may now enumerate the names: George, who succeeded his father; David, who was killed in 1598; Robert; Humphrey; John; Walter, who entered the Church, and was made Chaplain of Gorthy in 1586; Marion; Martha; and Helen. In 1589, the eldest son, George, obtained a gift of the escheat of Alexander Balbirnie of Innernoctie. But nine years afterwards a dread calamity befel the house of Gorthy by the slaughter of David, the second son, which happened near a place called Inglis-Tarbet, on the 25th March, 1598; and the slayers were Andrew Murray of Balvaird, and his servant, Anthony Murray. What gave occasion to the homicide was a deed of the same stamp. For some time previous there had been ill blood between the families of Lundy and Murray: the Lundies of Fife and the Murrays of Tullibardine were concerned in the feud; and David Lundy had killed a certain John Murray, evidently connected with the Tullibardines. Andrew Murray was the only son of Sir Andrew Murray, fourth Baron of Arngask, Kippo, and Balvaird, by Margaret Crichton, his spouse, daughter of Sir John Crichton of Strathord, by the Lady Jean Ruthven, daughter of the Lord Ruthven, who was present at Rizzio's assassination. Sir Andrew died on the 13th November, 1599, and was succeeded by his son. A couple of years elapsed before the latter and his man

were indicted to stand their trial for young Lundy's death : and during the interval an endeavour was made to quash prosecution by arbitration,—as shewn by the following Minute in the Privy Council Books :—

At Edinburgh, 21 February, 1600.

The whilk day, John Lundy of that ilk and Mr George Lundy of Gorthy, on the one part, and Andrew Murray of Balvaird, on the other part, compearing personally before the King's Majesty and Lords of his Highness' Secret Council, conform to a charge given to them for submitting of the feud, quarrel, and controversy standing betwixt them, according to an Act and ordinance of the Estates : the said parties, in presence of his Majesty and his Council, submitted all feuds, quarrels, bloods, and controversies whatsoever standing betwixt them, with the assythment and satisfaction whilk shall be made for the said slaughters and bloods *hinc inde*, together with all actions and causes criminal and civil whilk either of them has to propone or allege against others, to the persons underwritten, viz. Sir Michael Balfour of Burley, knight; — Boswell of Balmute; Arthur Forbes of Reres; and David Kininmonth of Craighall, or any three of them conjunctly, judges, arbitrators, and amicable compositors, chosen for the part of the said Lairds of Lundy and Gorthy; and to Sir John Murray of Tullibardine knight; — Murray of Blackbarony; — Balfour of Montquhany; and Sir David Murray of Gospartie, knight, Comptroller, or any three of them conjunctly, judges, arbitrators, and amicable compositors chosen, for the part of the said Laird of Balvaird,—to be amicably composed, agreed, and packit up by the said judges as they shall think expedient ; and in case of variance betwixt the said judges and arbiters, both the said parties gave power and commission to them to elect and choose an oversman, likeas the said parties promised to cause their said judges convene and meet at Cupar, upon the 27th day of February instant, and there to give in to them their particular clauses and griefs ; and bound and obliged them to stand, abide, underly, and fulfil whatever the said judges, or, in case of variance betwixt them, the said oversman should pronounce and deliver herein, but (without) appellation, reclamation, or contradiction whatsoever.

This submission, however, must have failed in its purpose; for the criminal charge against Balvaird and his servant took the usual course of law. On the 12th March following, they were called to answer for the crime before the Court of Justiciary, in Edinburgh, It was charged against them that they had done the deed "upon set purpose, provision, and forethought felony." The pursuer was Walter Lundy, elder brother of the

deceased. Neither of the accused appeared; and the Justice continued the case until next day. The panels, however, were still absent next day; whereupon Sir John Crichton of Invernytie, as cautioner for them, was unlauded and amerced for not entering the said persons, namely, for Andrew Murray in the pain of 1000 marks, and for Anthony 200 marks : and the Court also adjudged the said Andrew and Anthony to be denounced as the King's rebels, and all their moveable goods to be escheated. The sentence, probably, never took effect; and there was another, and apparently successful, attempt to arrange matters amicably. The King was chosen arbiter, and pronounced his decision; but the terms of the decision have been lost, owing to a hiatus in the Privy Council record : —

At Falkland, 16th September, 1602.

Decision is given by the King, as arbiter chosen between Sir John Murray of Tullibardine, knight, William Murray, his son and apparent heir, for themselves, and for all of the name of Murray within Strathearn, and ——— Murray of Balvaired, for himself, kin, and servants, on the one side, and George Lundy, apparent (heir) of Gorthy, for himself, and for Mr George Lundy of Gorthy, his father, on the other side, for composing the quarrel between the said parties for the slaughter of John Murray, by David Lundy, brother of the said George, and for the slaughter of the said David Lundy by the Laird of Balvaired.

Unluckily the rest of the document containing the terms of the decision is wanting, as the page, which is the last of the volume, breaks off abruptly. But we may presume that the King's word prevailed, whatever it was. As to the knight of Balvaired, we may mention that he married Catherine, daughter of Sir William Monteith of Carse, and died on the 14th December, 1624, without issue.

Two or three months subsequent to the proceedings in the Court of Justiciary respecting David Lundy's death, the Laird and Lady of Gorthy made a family settlement, which shews very clearly that their affairs were in a backward condition, heavily burdened with debt. George, the heir, was now married to Helen Lundy (perhaps a cousin), and kept separate house, which evidently the family income could ill support.

He had a son, George, and a daughter, Catherine: and a regard to his interests seem to have induced his parents to make the settlement referred to. Accordingly, a contract was executed, on the 9th July, 1600, between the "right honourable" Mr George Lundy of Gorthy and Catherine, his spouse, on the one part, and George Lundy, their son and apparent heir, on the other part, whereby, "for the great affection and natural love" which they bore towards their said son, and because "the lands and living of Gorthy" were greatly burdened with wadsets and annualrents (mortgages and interest), the said Mr George Lundy and his spouse secluded themselves from making any further provision or security for the rest of their children, besides what was already secured to them out of the said estate, viz.:—3,000 marks to Marion Lundy; 2,000 marks to Robert Lundy; 1,000 marks to Humphrey Lundy; £1,000 to John Lundy; and to Walter Lundy the liferent of the lands of Dalpatrick: they also engaged to borrow no more money on the estate, which they assigned to the said George Lundy, junior, who ratified the foresaid provisions, and agreed "to retire himself from all further dwelling in Denesyde, and to remain in house with his father," and to join his living with theirs, and to redeem the lands of Gorthy, &c. The deed was subscribed at Gorthy on the above date; and the witnesses were Alexander Spens, brother-german to Arthur Spens of Lathallane; George Ramsay, fiar of Langrow; William Lundy, in Fafields; and James Lundy, brother-german to the said Mr George Lundy of Gorthy. We have just read how the laird and lady desired their son, George, to give up his separate living, and to come and "remain in house with his father." George probably did so; but family jars would seem to have been the ultimate result. Seven years afterwards his father made a singular complaint to the Privy Council. Perhaps the laird had fallen into dotage in his latter years; but at all events, his eldest son was accused of having placed him under personal restraint, and also of seizing his

living,—against which treatment the old man rebelled, and took steps at law to obtain his freedom: or, at least, some of his family so acted in his name and behalf. This is stated in a minute of the Privy Council, dated the 1st January, 1607, when the case was taken under cognizance. George, the younger, against whom the process was levelled, presented himself, producing his copy of the charge served upon him; but his father not appearing to support the application, George protested that he should not be any more troubled in the matter:—

At Edinburgh, 1st January, 1607.

The whilk day, in presence of the Lords of Secret Council, compeared personally George Lundy, apparent (heir) of Gorthy, and gave in a copy of our Sovereign Lord's letters, raised at the instance of Mr George Lundy of Gorthy, his father; by the whilk the said George alleged that he was charged to have brought, presented, and exhibited his said father before the Lords of Secret Council this present day, viz., the first day of January instant, to have heard and seen him decerned to have put him to liberty and freedom, and suffered him to pass where he pleased, as his Majesty's free subject, or else to have shewn a reasonable cause why the same should not be done, and siclike to have answered to a complaint made by the said Mr George upon him, touching his alleged possessing himself with the said Mr George his haill living, but likewise seizing upon his person, and taking of him as prisoner, and detaining of him in strait firmance, suffering none of his friends to have access unto him, nor yet permitting the said Mr George to have the free use of his said living,—under the pain of rebellion, and putting of him to the horn, with certification to him if he failed, letters should be directed simpliciter to put him thereto; like as at more length is contained in the copy foresaid of the said letters. And the said George Lundy compearing personally, and being ready to have answered to the said letters: and the said Mr George Lundy oftines called, and not compearing, by himself, nor none in his name, to insist in the said pursuit,—the said George therefore protested, in respect of the absence and not compearance of the said Mr George, his father, that he should not be held to answer any further to the said letters, nor that nothing should be proceeded against him by virtue thereof until he was newly warned by other letters: whilk protestation the said Lords admitted.

This procedure may have been quite in accordance with Privy Council law and practice; but it looks scarcely consistent with common sense; for surely the

non-appearance of a party who alleged himself as being kept in durance, was good enough presumption of the truth of his complaint.

George had got rid of his father's action; but he was soon involved in another plea, which was heard before the Privy Council in the following month of May. A messenger-at-arms, named Patrick Ross, had gone to Gorthy to execute pointing on a decret at the instance of one Gorthy man against another. The active officer, having pointed a stack of oats, proceeded to thrash the same out of hand, when he was suddenly set upon by George Lundy, younger; his brother, John; his son, George; the miller of Gorthy, and others, who, as he asserted, forced him to desist, and chased him off the lands, causing him the loss of his black cloak, worth £30; a hat, worth £4; and a great number of papers. For this alleged deforcement the parties were cited before the Privy Council:—

At Edinburgh, 21 May, 1607.

Anent our Sovereign Lord's letters raised at the instance of Patrick Ross, messenger, making mention that where he being employed by Andrew Anderson, in Over Gorthy, in the execution of a decret obtained by him against David Dow, in Gorthy, before the Commissary of Dunkeld, and the said complainer having, by virtue of the said decret and precept directed thereupon, passed upon the 10th day of April instant to that part of the Mains of Gorthy occupied by the said David, and with consent of George Lundy of Gorthy, master of the ground, pointed a stack of oats being in the said David Dow's barn-yard pertaining to him; and upon the same day having casten the said stack out of the said barn-yard, within the said David Dow, his barn, and being entered to thrash the same in peaceable and quiet manner, lipping for no harm, trouble, nor injury of any persons; but it is of truth that George Lundy apparent (heir) of Gorthy; John Lundy, his brother; George Lundy, younger, son to the said George; John Anderson, miller in Gorthy; and Robert Alexander there; with convocation of his Majesty's lieges, to the number of — persons, or thereby, all bodin in feir of weir with swords, lang staves, and other weapons invasive, set upon the said complainer with drawn swords, and shamefully, cruelly, and unmercifully invaded and pursued him therewith of his life, of set purpose and provision to have slain him, whilk they had not failed to have done, were not of the providence of God the said complainer wan to his ain horse and fled his way; likeas the said persons intromitted with a black cloak

pertaining to him, worth £30; a hat, worth £4; a great mass of letters, with the haill corns being within the said barn, and so deforced the said complainer in the execution of his office, committing there-through a most open riot and avowed oppression upon the said complainer, for the whilk they ought to be pursued and punished in their persons and goods with all rigour, to the terror of others to commit the like hereafter, &c.

The defenders appeared personally, and George Lundy of Gorthy, for himself and the rest, and witnesses having been heard, the lords assoilzied simpliciter the defenders, on the ground that the proof on the part of the pursuer had failed.

Whether the old Laird of Gorthy enjoyed his full liberty and his "living" during the remainder of his days, is not stated; but there is no word of any farther family disagreement. His daughter, Marion, was married, in 1605, to Patrick Inglis of Byres, and received from her father a charter, dated the 10th May, proceeding on her contract. Again, the laird's grandson, George Lundy, was married, in 1606, to Euphemia Bruce, eldest daughter of Alexander Bruce, fiar of Cultmalundie. On this occasion the grandfather gave a charter in the bridegroom's favour, dated 15th December, that year, in fulfilment of the contract of marriage, to which latter document both the young man's parents were parties. About three years afterwards, the laird's granddaughter, Catherine (sister of George), was married. At the place of Gorthy on the 21st July, 1609, a contract of marriage was executed between George Oliphant of Bachilton, on the one part, and George Lundy, younger of Gorthy, and George Lundy, youngest, his eldest lawful son and apparent heir, for themselves, and taking burden for Catherine Lundy, daughter of the said George Lundy, younger, on the other part, by which the said George Oliphant bound himself to marry the said Catherine within forty days thereafter, and in the meantime to infest her in an annualrent of eight chalders victual furth of the lands of Arquhailzie, in the parish of Methven; and, on the other hand, the said George Lundies engaged to pay 3000 marks of tocher with the said Catherine. This

tocher seems to have been procured by borrowing; for at Denesyde, on the 24th August, 1610, an obligation was granted by George Lundy, apparent of Gorthy, and George, his son, to Sir William Graham of Claverhouse, for 3000 marks, — the exact sum which had to be paid to Bachilton.

In 1610, other two marriages took place in the Gorthy family, and were followed by a death. Robert, one of the sons, married Margaret Sibbald. George, the heir, who had been for some time a widower by the decease of his wife, Helen, which occurred subsequent to her son's union with Euphemia of Cultmalundie, entered into second wedlock by obtaining the hand of Jean Stirling, daughter of Stirling of Ardoch. Next, George became "Laird himsel." His father died, leaving him an inheritance loaded with liabilities. On the 5th May, 1610, George was retoured as heir of his father, in the lands and barony of Gorthy and half of the lands of Dalpatrick, with the advowsons of certain churches and chapels formerly in the Seneschalate of Strathearn.

The new laird did not long wear his new honours. He was deep in debt, and, his creditors being clamorous, he found it impossible to keep his head above water. His lands were sold to Sir David Moray, brother-german of Sir William Moray of Abercairny. On the 17th May, 1611, George Lundy of Gorthy, granted a Charter to Sir David, of an annualrent of 1000 marks out of the Mains of Gorthy, &c., which was confirmed by royal Charter dated at Edinburgh, 30th August, 1611. At Perth, on the 26th February, 1614, a charter was given by Andrew Grant, merchant-burgess of Perth, to Sir David Moray, of the Mains of Gorthy, Over and Nether Gorthy, &c., in the Lordship of Methven, appraised at the instance of the said Andrew Grant from George Lundy, for 4252 marks, 6s 8d, by decret dated at Edinburgh, 31st July, 1612; which charter was confirmed by royal charter, dated the 20th March, 1630. Again, at Edinburgh, on the 3d August, 1614, a royal charter was granted to Sir David Moray, of the land, and barony of Gorthy, &c., formerly belonging to George

Lundy of Gorthy, and by him, with consent of Catherine Gorthy, his mother, relict of Mr George Lundy of Gorthy; also with consent of Jean Stirling, spouse of the said George Lundy, senior, of George Lundy, junior, his son, and Euphame Bruce, his spouse, were resigned in the King's hands.\*

Here we bid farewell to the Lundies, and shall next enter upon a far more interesting stage of our history.

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\* Douglas' *Baronage of Scotland*, p. 45; Methven MSS.; Register of the Privy Seal, vol. xv., p. 75; vol. xxxiii., volr xxxv.; Pitcairn's *Criminal Trials*, vol. ii., p. 112; Register of the Great Seal, Lib. 14, No. 384; Lib. 46, No. 252; Lib. 47, No. 246; Lib. 52, No. 178; General Register of Deeds; vol. lxxxvii.; Register of the Privy Council, vol. 1598-1601, p. 255; vol. 1601-2; vol. 1606-7, pp. 144, 319; Register of Retours in Perthshire.

*THE BARONY OF GORTHY.—Part 3rd.*

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Old-fashioned poetry, but choicely good; I think much better than the strong lines that are now in fashion in this critical age.

*Isaak Walton's "Angler."*

THE new Baron of Gorthy, Sir David Moray, was the second son of Robert Moray of Abercairny and his spouse, Catherine, daughter of William Murray of Tullibardine (the progenitor of the Athole family), who were married in 1560, and had a family of six sons and two daughters. David was born in 1563 or 1564. His elder brother, William, being about the same age as James VI., was brought up and educated in Stirling Castle with the young King, who was under the care of the old Countess of Mar, William Moray's maternal aunt. The heir of Abercairny succeeded his father in 1594, and was knighted by the King, who made him Master of the Horse to Queen Anne. The one brother probably introduced the other to the notice of the royal circle. David, who was distinguished by prepossessing qualities, obtained preferment at Court, and ultimately the honour of knighthood. He filled several offices in the household of Prince Henry,—becoming Gentleman of the Bedchamber, Groom of the Stole, Gentleman of the Robes, and Keeper of the Privy Purse, to which latter post he was "appointed by His Highness, special direction and commandment." Moray's emoluments from these offices, however, appear to have been upon rather a humble scale; for we know that as Groom of the Stole he had a salary of £22 6s 8d, with his living and board wages; and as Gentleman of the Robes, £20 in name of livery, and £6 13s 4d in fees. As already said, he displayed prepossessing qualities: he had learning and talent such as to commend him to the friendship of eminent men. He gained the warm attachment of the young

Prince, whom he is believed to have greatly assisted in his studies, as well as in the acquirement of the leading accomplishments of the age. Moray's intellectual endowments were of a high order, and his personal character was adorned by the love and practice of virtue. He had a taste for poetry, and cultivated the Muse with such success as to merit the applause of contemporary authors whose praise was fame itself.

A romantic episode in Roman history attracted the attention of our Perthshire poet. Sophonisba, the Carthaginian heroine, was the daughter of Asdrubal, the brother of Hannibal. In the second Punic War, her hand was bestowed upon Syphax, who having expelled Masinissa, rightful king of Numidia, usurped his throne: and the marriage was designed to engage Syphax in the struggle against Scipio, who was leading the Roman legions into Africa, and with whom Masinissa had formed alliance. Asdrubal's daughter, a woman of matchless beauty, in whose bosom burned all the fierce hatred of her race to the Roman name and power, urged Syphax to the field. She drove him to his ruin. He encountered Scipio in a great battle, and was overthrown. Gathering another army, Syphax renewed the contest, but with still worse fortune. His troops were utterly routed, and he himself was taken prisoner. He fell into the hands of Masinissa, who hurried on to Cirta, the Numidian capital, and exhibited to the citizens and soldiers on the walls their tyrant in chains. The gates were immediately thrown open, and Masinissa entered the city with his victorious forces. Sophonisba was there, and became a captive. But a strange conquest was now wrought over the conqueror. Masinissa, on proceeding to the royal palace, was met by the fallen Queen, who, dissolved in tears, and lovelier in her distress, knelt at his feet, and implored him not to deliver her up to the Romans, who, she feared, would avenge themselves in her degradation for what they had suffered from the hostility of her father and uncle. Masinissa had a gentle spirit. He was moved by her deep sorrow, but more so by her ravishing

charms. He was love-smitten : and ere the interview ended he avowed himself the slave of her beauty, and, as the only apparent means of saving her from being dragged, a spectacle of ignominy, in the Roman triumph, he proposed that they should wed ! Doubtless he thus acted from the recollection of Scipio's generosity in Spain, when he restored a young princess, who had fallen into his hands, to her affianced lover. Sophonisba, of course, was the wife of Syphax ; but this fact was no bar to second nuptials ; for by the laws of both Rome and Carthage, the husband's captivity severed the marriage tie. To Masinissa's suggestion, Sophonisba gladly yielded, and the ceremony was performed that very day. Intelligence soon reached Scipio, and produced in his mind an effect the reverse of what was anticipated. He called Masinissa to his camp, and sternly reprobated the folly which he had committed, — counselled him to abandon the Queen, — and then, finding persuasion vain, declared that, as she was a Roman prisoner, she would inevitably be carried to the Eternal City to grace the triumph. Masinissa withdrew in despair from the presence of his implacable chief, and straightway despatched to his bride a letter and a doze of poison. He told her that Scipio's resolve was unalterable, and that by death alone could she escape the disgrace allotted for her. Sophonisba drank the poison, and, like Pierre of Venice, “deceived the Senate.”

This was the episode which Sir David Moray adopted for a poem. “The same tragic story,” says Dr Irving, in his *History of Scottish Poetry*, “had already been treated of by many other writers, and particularly by the dramatic poets of Italy and France : the *Sophonisba* of Galeotto del Carretto, Marquis of Savona, which was completed about the year 1502, is described as the first attempt at tragedy in the Italian language ; and the *Sophonisba* of Trissino, which was represented at Rome in 1515, is commonly regarded as the first regular tragedy composed in any of the languages of modern Europe.” We may add that a century after Moray's death the

same story was woven by the poet of *The Seasons* into a tragedy, which was acted in 1729, and is chiefly remembered for the bathos of the line (now expunged from it):—

O Sophonisba! Sophonisba O!

which the wicked wits of the day parodied into

O Jemmy Thomson! Jemmy Thomson O!

and set the town laughing at both author and play.

Moray's genius was not of the dramatic cast; but he had a lively imagination, considerable descriptive powers, and an easy flow of versification; so that his poem, with all its defects, its strained and false "conceits" peculiar to the poetry of that age, can yet be perused with pleasure. It was published in London in 1611,—the title being as follows:—" *The Tragical Death of Sophonisba*. Written by David Murray, Scoto-Brittain. At London, Printed for John Smethwick, and are to be sold at his shop in Saint Dunstan's Church-yard in Fleet Street, under the Diall. 1611." The volume seems to have also included "*Cælia. Containing certain Sonnets*. By David Murray, Scoto-Brittain." *Sophonisba* was dedicated to Prince Henry in a couple of sonnets,—the first of which we shall quote:—

To the high and mighty Prince,  
HENRY, Prince of Wales, Duke  
of Cornwall and Rothsay, Knight  
of the most noble Order of the Garter.

Thrice noble Prince, by birth, by blood, by fame,  
Renown'd by all, whom all men do adore,  
Not so much lov'd for greatness of your name,  
As for those virtues does your name decore:  
Young *Hæros*, whose heroic actions soar  
Beyond the limits of your yet-spent years,  
Brave stately mind, wherein this time doth glore,  
Whose praises praising parts the world admires:  
Under the shadow of your eagle's wings  
(Since no where else she can for safety fly),  
My humble Muse, most royal imp of Kings,  
In tragic verse, presents your princely eye  
With a true story of a Queen's sad case,  
Who gave her life to flee a foul disgrace.

The work is prefixed by "The Argument of this Poeme," and by three sonnets addressed in commenda-

tory strains to the author by three friends, namely, his "loving cousin, John Murray," a gentleman of the King's Bedchamber; Michael Drayton, author of the *Polyolbion*; and Simon Graham, author of the *Anatomie of Humours*, which is thought to have suggested Burton's far more celebrated *Anatomy of Melancholy*.

Moray's poem opens with Masinissa sending his letter and the poison to Sophonisba :—

Sad Masinissa, swollen with grief and rage,  
 When all his credit served not to entreat  
 His brave victorious friend to disengage  
 His late-spous'd Lady from a servile state :  
 Half mad, distraught, confus'dly doth he write,  
 To show the Roman Conqueror thinks to send  
 Her as a slave his triumph to attend.

"But lo (quoth he) t' avoid this unkind doom,  
 And that my oath inviolate remain,  
 Made once to thee, thou never shouldst see Rome :  
 That her proud dames might glory in thy pain,  
 And point their fingers at thee in disdain :  
 I send thee here a potion with my letters,  
 To save my faith from foil, and thee from fetters.

"Yet if my unfeign'd tears can have the force,  
 (Dear idol of my soul), with thee so much,  
 I pray thee only have this small remorse  
 Of thine own life, this cup thou never touch,  
 Till that thou see thy helpless fortune such  
 As nothing else can serve : I say (though loth)  
 Drink this to save thine honour and my oath."

He summons a messenger, and entrusts him with the "gifts of death." The man "hastes to his journey" when "golden Phœbus hides his glorious beams low in the western ocean." Masinissa is left alone, a prey to the most harrowing sorrow—the fall of night, with its stillness, seeming to intensify his mental sufferings.

A sable darkness did the earth o'ershadow,  
 And busy labourers left their daily toil ;  
 Wayfaring pilgrims wished periods made  
 To that day's journey, wearied with turmoil ;  
 The pearly dew besprinkled all the soil :  
 And chaste Diana gan for to arise,  
 And thrust her forked head into the skies.

Masinissa's remorseful grief finds vent in bitter self-accusation :—

And after long spent hours, his tongue at length  
 In piteous sort those woeful words did breathe—  
 "Wretched Masinissa, had thou not the strength  
 To save one poor distressed dame from death,

Brought under by unconstant Fortune's wrath?  
 Who only under safety of thy shield,  
 Poor lady, life and liberty did yield.

" Ah! who had seen her, when thou didst behold her,  
 Heaving her fair and snow-white hands to thee,  
 Craving thy pity, as thyself then told her,  
 (Though in the extremest state of misery)  
 Became much rather her sweet self to be  
 A pity giver than to beg the same,  
 That so with looks the conqueror overcame.

" Thrown down by fortune, plung'd in deep distress,  
 Cross'd with affliction, overcome with sorrow:  
 Touch'd with each passion, could a mind oppress;  
 Captiv'd ere night, that was a Queen at morrow,  
 Yet her sweet looks, though sad sweet looks did borrow,  
 Both pity and compassion, to her grief,  
 Deferring present evil to a worse mischief.

" For, oh! this grieves me more than death tenfold,  
 To think that one of such desert must die,  
 And that I have not power to control't,  
 Yea, that I must the author thereof be,  
 Oh wondrous! wondrous contrariety!  
 Oh woeful chance! grief past compare to give  
 Death to that life by which I only live."

All night long he bewailed himself. Morning came.  
 It shone into Sophonisba's chamber. Her sleep had  
 been disturbed by ugly dreams. She arose from her  
 couch, and arrayed herself; but as if in presage of  
 approaching evil, the dress which she found was of  
 "death's livery," funereal black,—

In which her heart-bereaving beauty shin'd  
 Like fair Diana in the sable night,  
 Or like a polished diamond of Ind  
 Set in black jet, to give a glance more bright,  
 Or like the great bright Pattern of the light,  
 When that his glorious glistening beams do chase  
 Some overshadowing clouds that mask his face.

Her conquering eyes were in ambuscade laid  
 Of golden glittering hair, where twinkling they  
 Send forth such dazzling glances from that shade,  
 As Phœbus brighter never did display:  
 There wanton Cupid sporting himself lay—  
 In those pure streams which from those eyes dis-  
 till'd,  
 From whence un'wares the haughtiest hearts he  
 kill'd.

Her smooth cheeks whiter than the whitest lawn,  
 Or winter snows which cover Atlas' face,  
 Where Nature artificially had drawn  
 Her fairer nose, that fairer part to grace;  
 On whose each side a little distant space,  
     Vermilion roses and sweet lilies grew,  
     Which checker'd that fair face with crimson hue.

Her teeth like ranks of oriental pearl,  
 With coral-dyed lips were compass'd round,  
 From whence far sweeter than the well-tuned merle,  
 Her heart-bereaving tongue did softly sound,  
 Words of such force the flintiest heart to wound:  
     Her balmy breath, in worth, in taste, in smell,  
     Did civet, musk, and ambergrease excel.

Thus deck'd (sweet lady) both by art and nature,  
 View'd, wondered at, admired by each eye,  
 She leaves her chamber like some heavenly creature,  
 Adorn'd with all the pomp of majesty:  
 But, ah! who can avoid the Fates' decree?  
     What power can fly death, when he list to strike,  
     In court and cottage privileged alike?

Masinissa's messenger now arrived, and did "his letters and his credit shew." Sophonisba enquired after the sender's health,—yet with qualms of dread and apprehension,—and was answered that he was well. She received the letter:—

She takes the letter, and with smiling cheer,  
 She opens and unfolds the seals with speed,  
 At the first view whereof it did appear  
 The crimson beauty of her cheeks did fade,  
 Which straight returns into a brighter red,  
     In scarlet colour dying all her face,  
     Which to pale whiteness soon again gave place.

But howsoe'er her blood thus went and came,  
 Uninterrupted she reads out the letter,  
 And having read it still reads o'er the same:  
 The more she reads, it seems she likes it better;  
 The standers-by thought it some lovely matter,  
     Which in the reading bred her so great pleasure,  
     Leaves her alone to read it at more leisure.

She took the poison in her hand, and remarked it well. After some period of cogitation,—“a combat in her soul betwixt her honour and her fearful life,”—her honour prevails, and she, viewing in her mind's eye the Roman triumph, resolves to seek refuge in death.

“The gods and nature to the world did give me  
 Most free by birth, and so I’ve liv’d as yet,  
 And of my birthright would they now bereave me,  
 To curb me with captivity’s hard bit?  
 I mind not so from Nature’s gift to flit.  
 My freedom’s lease till death doth not expire,  
 Which I to forfeit never shall desire.

“Thrice happy ye that spent your blessed breaths]  
 In the defence of country liberty,  
 Who, by your glorious and renowned deaths,  
 Express’d your minds’ great magnanimity,  
 And left sad tokens to the enemy  
 Of your great valour and courageous spirits,  
 While each his death with his foe’s death acquits.”

Of Masinissa she spoke tenderly, exonerating him of all part in her fate: and, casting her eyes on the wall, she there beheld pourtrayed the death of Queen Dido, a picture which inspired her with resolution to drink the potion, and she swallowed it.

Now while this powerful potion in her veins  
 So fiercely wrought, her life began to fail,  
 Which no more lordship in her breast retains,  
 So bitterly death did it there assail,  
 Which having bidden to her heart farewell,  
 Her chiefest dwelling straight for fear she flies—  
 For safety upwards to her lips and eyes.

There as if death had come a while to play  
 Under the shadow of dishevell’d hair,  
 Which dangling o’er her face and shoulders lay,  
 She yet retains a countenance most fair;  
 Her gesture did her willing death declare:  
 And as her breath by intermission dies,  
 So piece by piece her beauty fades and flies.

Most like unto a tender lily fair  
 That’s over-blasted with some raging storm,  
 Whose savoury blossoms late perfumed the air,  
 Hangs down his head, losing his wonted form,  
 Or as a flower chok’d with a canker-worm,  
 Even so the native beauty now o’erblown—  
 Of this fair Queen seems borrowed, not her own.

And so she died—and the poem closes.

Of the *Cælia* sonnets, —the name being borrowed from that of the poet’s mistress, —we give one as a specimen:

*10th Sonnet.*

My Cælia sat once by a chrystal brook,  
 Gazing how smoothly the clear streams did slide,  
 Who had no sooner her sweet sight espied,  
 When with amazement they did on her look;

The waters sliding by her seemed to mourn,  
 Desirous still for to behold her beauty,  
 Neglecting to the ocean their duty,  
 In thousand strange meanders made return :  
 But oh ! again with what an heavenly tune  
 Those pleasant streams that issued from the spring,  
 To see that goddess did appear to sing,  
 Whom having viewed did as the first had done.

If those pure streams delighted so to eye her,  
 Judge how my soul doth surfeit when I see her.

The only other publication of our poet was—"A Paraphrase of the CIV. Psalm. By David Murray. Edinburgh, Printed by Andrew Hart. Anno Dom., 1615." It is dedicated to the King. To shew the style of the paraphrase we quote the four concluding stanzas :

All living things, O Lord, do wait on Thee,  
 That in due season Thou may'st give them food,  
 And Thou unfolds Thy liberal hands most free,  
 And gives them everything may do them good:  
 Thy blessings Thou so plenteously distills  
 That Thy abundance all things breathing fills.

But if Thy face Thou do withdraw in wrath,  
 Thy creatures all then languish, grïeve, and mourn;  
 Of if Thou angry take away their breath,  
 They perish straight, and unto dust return:  
 But when Thy Sprite Thou sends them to renew,  
 All fresh doth flourish, Earth regains her hue.

In His most glorious works let God rejoice,  
 Who makes the earth to tremble with a look;  
 Let men admire, and angels with their voice  
 Extol His name, whose touch makes mountains smoke:  
 To this thought-passing, speech-expressless Lord,  
 While breath extends, will I still praise afford.

He will receive my humble suit in love,  
 And in His favour I shall ever joy;  
 The wicked from the earth He will remove;  
 And wholly heaven-despising worms destroy.  
 But whilst they buried lie in endless shame,  
 My soul praise thou Jehovah's holy name.

Sir David also penned a sonnet in praise of Drummond of Hawthornden, which was prefixed to the edition of the latter's poems issued at Edinburgh, in 1616 :—

*To the Author.*

The sister nymphs, who haunt the Thespian springs,  
 Ne'er did their gifts more liberally bequeath  
 To them, who on their hills suck'd sacred breath,  
 Than unto thee, by which thou sweetly sings.  
 Ne'er did Apollo raise on Pegase wings  
 A Muse more near himself, more far from earth,  
 Than thine; if she do weep thy lady's death,  
 Or sing those sweet-sour pangs which passion brings.

To write our thoughts in verse doth merit praise,  
 But those our verse to gild in fiction's ore,  
 Bright, rich, delightful, doth deserve much more,  
 As thou hast done these thy delicious lays:

Thy M<sup>u</sup>se's morning (doubtless) doth bewray  
 The near approach of a more glist'ring day.

D. MURRAY.

The whole of Moray's poems were reprinted, in 1822, by the Bannatyne Club. Previously they had become so scarce that in 1819 a copy of the volume of 1611 produced the sum of 32 guineas at the sale of Mr Bindley's library.

Prince Henry died on the 6th November, 1612, to the great grief of the nation. Sir David Moray retained to the last the regard and confidence of his royal patron, and was, it is said, "the only man in whom he (the Prince) had put choice trust." Little is known of Moray's subsequent career. In 1613, the King gifted him £2,000; and again, in 1616, the sum of £5,200, to assist him in discharging certain debts in which he was involved. Sir David and several of his brothers, &c., were made burgesses of Perth, in September 1615, at which time, David Murray, Lord Scone, held the office of Lord-Provost of the city. The following is the entry in the Guild-Book :—

7th Sept 1615. Quo die Dominus Willielmus Murray de Abercairney, militis; Dominus David Murray de Gorthie, militis; Dom. Robertus Murray de Ogilvy, mil.; Mag<sup>r</sup>, Will. Murray de —; Mag<sup>r</sup>, Johannes Murray, Minister verbi Dei apud —; et Jacobus Murray, frater germanus dicti Dom. Will. Murray, facti sunt burgenses et confratres gilde Burgi de Perth.

Sir David died, unmarried, in February, 1629.

*THE BARONY OF GORTHY.—Part 4th.*

But one Puritan amongst them.

*Winter's Tale.*

Am not I a prelate of the Church?

*Henry VI., Part First.*

THE poet of Gorthy was succeeded in his heritable possessions by his elder brother, Sir William Moray of Abercairny, who was retoured as his heir on the 7th April, 1629. It would appear that Sir David at one time intended that his succession should pass to a younger brother, the fourth son of the family, Mr John Moray, minister of the Gospel; but owing probably to the position of resolute and unyielding antagonism which the latter assumed for many years to the ecclesiastical policy of the Court in relation to the Church of Scotland, consequently exposing himself to many troubles and much danger,—Sir David was deterred from making any settlement in his favour. Nevertheless, Mr John is found to have speedily acquired the Gorthy barony after the poet's decease. At Edinburgh on the 19th June, 1629, a charter was granted by Charles I., to Mr John Moray, brother-german of Sir William Moray of Abercairny, of the lands and barony of Gorthy, which belonged to the latter as elder brother and heir-of-conquest of the late Sir David Moray of Gorthy, knight, and by him resigned, for new infeftment to the said Mr John, in special warrandice of certain sums of money.

Mr John Moray was a prominent actor in the ecclesiastical controversies and struggles of his time. Having studied for the Church, he was ordained as minister of Borthwick parish, where he remained seven years; after which, he was called to Leith—according to Calderwood, the Kirk historian, “at the earnest suit of the town of Leith and Presbytery of Edinburgh, assisted by the Synod.” He laboured in Leith for four years

and a-half. During this period he entered the field of polemical strife on the side of the party in the Church who opposed all innovations upon the Presbyterian system. That he was well esteemed among the brethren is evident from the circumstance of his having been put upon the leet for the Moderatorship of the General Assembly which met at Aberdeen, in July, 1605; but he did not obtain the chair. His colleague in the Leith charge was Mr Daniel Lindsay, who rose to be Bishop of Ross. Bishop Lindsay's son-in-law was Archbishop Spottiswoode, and he "often resorting to him," says Rowe, the Kirk historian, "and for their cause other Bishops also coming to Edinburgh for their business, remained much in Leith; and some of them being now and then invited to preach in Leith for Mr David Lindsay, the Bishop (who now was a man of good age), if any of them had uttered any unsound or unwarrantable doctrine, or if they pressed to confirm the authority of Bishops above presbyters or pastors, Mr John Moray never failed to confute such corrupt doctrine in his next sermon." Zeal such as this could not fail to annoy and irritate the episcopal dignitaries; but Mr John had taken his stand, and feared no man's displeasure. He likewise gave offence by his hospitality, inasmuch as certain obnoxious ministers, under sentence of banishment from Scotland, got shelter in his house for some few days while the wind was contrary, and prevented their ship leaving the port of Leith. In 1607, the Provincial Synod of Lothian sat in Edinburgh, and Mr John, being the retiring Moderator, delivered the opening sermon, "wherein," says Calderwood, "he taxed the avarice and ambition of some of the ministry claiming to higher places in kirk and commonweal than Christ had appointed." The sermon excited fresh ill feeling against the preacher; but in all likelihood nothing material would have taken place had not some foolish busybody to whom Moray had given a copy, sent it, without the author's knowledge, to London, where it was published, in 1608, under the title of "*A Godlie and Fruitful Sermon, preached at Leith, in Scot-*

land, by a faithful minister of God's holy gospell"—being issued in conjunction with a tract intituled—*“Information, or a Protestation; and a Treatise from Scotland, &c., all suggesting the usurpation of Papal Bishops.”* The pamphlet attracted notice in high quarters. It was put by Archbishop Bancroft into the hands of wise King James, who being peculiarly gifted in the detection of witchcraft, heterodoxy, and treason, brought his whole critical acumen to bear upon the publication, and discovered much “perilous stuff” in it. He immediately sent it down to the Scottish Privy Council, with instructions that they should examine the suspected author, Mr John Moray, upon three heads: “If that sermon was his; what copies he had given out of it; and if he did put it to the press?” Mr John being brought to task, “acknowledged the sermon to be his; confessed he had given one copy of it to a friend, who importuned him to write it after he had preached it; and that it was printed without his knowledge; but as for any error in it, he would acknowledge none.” The Council seemed satisfied with the answers, and reported to the King “very favourably” in the case. Moray also addressed the following humble epistle to James.

Please your most excellent Majesty,

My Lord President, according to your Majesty's direction, convening me before him, declared your Highness' offence conceived against me, which as it has made me bold, in all reverence and submission, to present this letter to your Majesty, so it has begotten in my heart no small grief; for the Lord and my conscience bears me record that my desire and endeavour is, both to practise and preach obedience unto your Majesty next unto the God of heaven, in him, and for him, whose vicegerent I acknowledge your Majesty to be in your dominions: likewise that I send up before his glorious throne, out of the deep of my affection, earnest supplications, both in private and public, for your Majesty's happy reign in this life, and most happy in the life to come: so that there is nothing further from my affection and intention than your Majesty's offence. As to that Sermon which of late has come into your Highness' hand, I confess it is mine in the preaching of it; but in the publishing and printing I deny and disclaim it, and am grieved thereat; for I protest, by my knowledge, consent, or deed, directly or indirectly, I am innocent thereof, as the inscription of it may testify,

for it was not preached at Leith but in Edinburgh, at our Provincial Assembly, a year since and more. In it I protest, and itself bears witness, that neither words nor meaning touches your Majesty but in good. What I delivered, it was of ourselves to ourselves, both words and meaning included within ourselves, for the truth sake, in modesty and love, free of all purpose to offend the meanest. It was approved by the brethren: there was two Bishops present, who, by their silence at least, seemed not to have been offended. It was and is buried in silence and oblivion with us: so it would continue, and elsewhere also, if it were your Majesty's pleasure to pass by it. I have been uncharitably and untruly reported of to your Majesty, both as concerning my public prayer, wherein I gave satisfaction, according to the truth, to your Majesty's honourable Council, as also concerning my preaching at Leith: the informers of your Majesty passed from it, so I was not called to trial. My care and study shall be (with God's grace) to take just matter from misreporters, if not malice, which maun be the Lord's work; to keep my heart and my hand free of the course the conscience directed by the Word mislikes; to entertain inward peace in the soul, and maintain outward peace in the Kirk, so far as the measure of my knowledge and duty of my calling will carry me; but above all, to instruct the people, among whom the Lord has placed me, in the way of their salvation, and sincere and right obedience to God, and dutiful submission to your Majesty, praying earnestly and constantly that Religion and Righteousness may be the two strong and stable stoups of your Majesty's throne, that you may honour Him who has honoured you here with an earthly crown, and will hereafter with an heavenly and everlasting. In this disposition and duty I shall (by God's grace) always remain and prove,

Your Majesty's most loyal and loving servant  
and subject,

JOHN MURRAY, *Minister.*

From Leith, 9th February, 1608.

The matter might have ended with this submissive letter; but the indignation of the Bishops was not to be so easily appeased. They extracted various passages from the sermon, which they considered "as chopping upon the King's civil authority," and these they laid before the Privy Council, who, on the 25th February, cited Moray to appear and answer. He did so: and the selections with his answers are fully engrossed in Calderwood's *History* (vol. vi., pp. 691-700), where the curious may peruse them at leisure. The Council were evidently desirous of quashing the whole business, and Mr John was "favourably dismissed, and sent home to

his charge." But "the Bishops were mightily incensed," and applying direct to the King, he wrote the Privy Council, on the 20th March, in the following terms:—

Ye are to return to us with speed some advertisement of the punishing of the said Mr John Murray, or else we will take some speedy order for the punishing of him for his commission, and you for your omission.

Upon receipt of this peremptory and menacing order, the Council had Mr John apprehended and committed to ward in the Castle of Edinburgh. He lay there a prisoner for about a year, notwithstanding that the General Assembly petitioned in his behalf and that of other ministers imprisoned and banished.

At length Mr John's persecutors relented a little. Through the advice of Archbishop Spottiswoode, the Bishops made a representation to the King, upon which Moray was released from durance in the Castle, and ordered to retire to Newabbey, in the vicinity of Dumfries, and to confine himself within a circuit of four miles. After Moray had been presented to the Council and removed, the Earl of Dunbar "dealt earnestly with him," says Calderwood, "to go the Bishops' way, for the King's pleasure, and his own peace and profit, which he promised should be large, and that he would not still insist in offending the King." But Mr John's mind was fully made up. "I will not dissemble with your Lordship, nor deceive his Majesty," he said: "that is the way wherein I will never walk, seeing in my conscience, and to my knowledge, I am persuaded it is wrong." He was equally determined when again introduced before the Council, who, it is said, "were sorrowful for such rigorous dealing against him, and would gladly have mitigated some circumstances of his confinement, but feared, because the Bishops were as captors and delators among them." He accordingly went with his wife and children to Newabbey. His wife was Margaret Leslie, eldest daughter of John, Master of Ross, and she had a son, David, and a daughter. The family suffered severe hardships in their place of exile. They were "in great strait through

want of fire," says Rowe : food was also scarce; and both of the children, "that had been tenderly educated, were taken away by death." The bereaved parents then removed to Dumfries—within four miles of New-abbey. They abode in Dumfries for about a year and a-half, during which space, Mr John, despite the King's prohibition, "helped the minister in preaching:" and afterwards, "without license of King or council," he went to Dysart, where he remained privately half-a-year, and then changed his quarters to Prestonpans, "where," says Calderwood, "he came forth in public, preached every Sabbath day, and was never challenged by the Bishops; for they had gotten a proof that hard dealing could not daunt him." At Prestonpans he continued to stay until 1616, when the people of Dunfermline called him to minister to them in the second charge of that parish, they being dissatisfied and at variance with their pastor, Mr Andrew Forrester, who held both charges. For the sake of promoting peace in the Church, the Bishops were disposed to agree that the call should take effect. They asked the advice of the King, who, in a letter to the Primate, dated 22nd June, same year, wrote:—"Whereas ye desire the declaration of our pleasure concerning Mr John Murray, seeing by his conformity he has given you satisfaction, we are well pleased that ye place him in Dunfermline, or elsewhere, as ye shall think most fit." Moray had not conformed, and would not conform: nevertheless he was allowed to go of his own accord to Dunfermline,—the Bishops taking no open notice of his proceedings. "Four years," says Calderwood, "he ministered freely as a voluntary, without a stipend." In a short time, Mr Forrester deserted his incumbency, having confessed robbing the poor's box, and other scandals: and eventually, about 1620, Moray was formally admitted as minister of Dunfermline. On the 12th of June that year he was left a widower. In the end of the same year he published a small anonymous treatise,—"*A Dialogue betwixt Cosmophilus and Theophilus, auent the urging of new Ceremonies upon the Kirke of Scotland,*"

—which was probably printed in Holland. He afterwards contracted a second marriage with Mary Melville, who bore him a daughter, named Jean.

Mr John did not long retain his Dunfermling benefice. He again fell under the hot displeasure of his ecclesiastical superiors. He was summoned to appear on the 12th December, 1621, before the Court of High Commission, at St Andrews, but refused;—he “preached the day he should have compeared.” A second time was he cited, for the 3d January, 1622, and appearing, was deprived of his ministerial charge for refusing to conform to the Five Articles of Perth, and was further sentenced to confine himself within the parish of Fowlis-Wester, in Strathearn, his native parish, and two miles around it. He delayed proceeding thither, and on the 6th February following, he was charged on Letters of Horning to repair to the place of his banishment within fifteen days. Forced to obey the imperious mandate, he went to the house of Gorthy, the seat of his brother, Sir David, the poet. There Mr John took up his residence. But the old spirit was still strong within him. He would not be debarred from preaching the truth. Many of the recusant Presbyterians were in the practice of holding private meetings for worship, which was conducted by proscribed ministers. Against these conventicles a proclamation was issued on the 10th June, 1624. Our friend, Mr John, had, of course, taken part in them; and, therefore, he was summoned to appear before the Privy Council, on the 24th of said month; but he “compeared not,” says Calderwood, “because he was hurt by a fall off a horse.” A letter was produced, under Mr John’s hand, “testifying his infirmity and inability to travel by a dangerous fall he lately received, wherewith his legs are hurt.” The Council contented themselves with a prohibition that he should not pass beyond the bounds of Fowlis-Wester.

From that time, Mr John seems to have kept himself altogether retired,—presumably in consequence of bodily ailment. No more summonses for contumacy

were sent him. He lived at Gorthy until the death of his brother, Sir David, and then—obtaining, as may be supposed, some relaxation of the terms of his banishment—returned to Prestonpans, where he spent the remainder of his life. But he did not long survive. Death's citation reached him, and he closed his days in January 1632. He was then about 57 years of age. His second wife and daughter survived him. Previous to his decease he had become divested of the estate of Gorthy; for, on the 23d December, 1631, a crown charter was granted to George, Bishop of Orkney, and David Graham, his eldest son, of the barony of Gorthy, &c., upon resignation by Sir William Moray of Abercairny, Gilbert Moncrieffe of Myreside, and John Graham of Balgowan. Thus Gorthy passed out of the hands of the Morays.

Mr John Moray was the friend of the famous Andrew Melvill, who speaks affectionately of him in several letters. Moray had two sisters, who were married respectively to Sir Robert Douglas of Spot and Sir William Moncrieffe of that Ilk: and the death of one of these ladies is lamented by Melvill, in an epistle to his nephew, James:—

I cannot refrain from bewailing the death of my friend, Myrrha, and the loss which I, in common with all good men, have sustained by the removal of that most pious woman. How dearly I loved her you know, and our friend Godscroft knows better than any other man. Remember me kindly to him, and say that his letter and poems have at last reached me. Often has the decease of that choice woman drawn tears from my eyes since I received the affecting tidings. And at this moment my grief breaks out afresh,—but I restrain myself.

After Mr John's death, his library was estimated at £200. His free gear (deducting debts) amounted to £296. His daughter Jean was served heiress to him, on 4th May, 1633.

Within the short space of twenty years the "whirligig of Time" had brought about surprising changes in Gorthy. The estate was acquired by the author of *Sophonisba*: the manor-house became the place of durance (as it might be called) of the poet's brother, an

inflexible Presbyterian, almost a martyr, and he in turn was laird for a brief season : and before he was laid to his rest he was succeeded in the barony by one of those very prelates whom he had zealously opposed ! We now approach an era when Presbytery, suddenly gaining the ascendancy, overturned the system against which it had long and vainly contended.

The Bishop of Orkney, George Graham (or Græme,) was a younger son of George Graham of Inchbrakie, and Margaret, a daughter of Rollo of Duncrub—or, according to one account, the son of David Graham of Myreside. He studied for the clerical profession at the University of St Andrews, and was laureated there in 1587. Two years afterwards, in 1589, he was ordained as minister of the parish of Clunie, Perthshire. He sat in the General Assembly of 1590. He remained in Clunie six years, and was translated, in 1595, to Auchtergaven, which charge included Logie-bridge. In 1601 he was translated from Auchtergaven to Scone. He was a member of the General Assembly of 1602. While settled in Scone, he undertook the task of tutor to Patrick and Andrew Smythe, the sons of Alexander Smythe, of Braco—a small property in the vicinity of Scone Palace, and held of the Bishops of Brechin. Mr Graham discharged his duty to the two young men with great fidelity, and, on the death of their father, watched over their interests with paternal care. He had hitherto distinguished himself as one of the extreme Presbyterian party in the Church; but he was now won over to the other side, and in 1603 he accepted the Bishopric of Dunblane, retaining for several years the Scone charge in conjunction with it. This tergiversation inflamed the wrath of his former friends. It was eagerly remembered against him that he had once publicly said—“I would he were hanged above all thieves, that presseth not to the utmost to see these cautions kept, to keep out of the Kirk the corruptions, pride, and tyranny of Bishops.” Two of the brethren, former associates of his, attacked him bitterly. Mr William Cowper, minister of Perth,

wrote him a letter, in which he told him:—"Ye scare at them whom sometime ye were blythe to see: ye cannot abide the light which ye once loved: ye count those preachings unpleasant wherein once ye was wont to rejoice. These may tell you ye have fallen away and apostatized. Consider with yourself where ye was, and where ye are now." But Mr Adam Bannatyne, minister of Falkirk, was far more insolent:—"I see nothing in thee but a mansworn man," he said. "If the brethren would follow my counsels, we should presently give thee over to the Devil; but because they pity thee, let this advertisement move thee, that thou mayest cast off that unlawful place and calling which thou hast taken to thee." Surely these two castigators were purists of the first water. Yet alas! for vaunted consistency of principle!—alas! for poor human nature! Mr William Cowper scared at his old professions, and lived to become Bishop of Galloway in 1613; and Mr Adam Bannatyne chose to imitate Bishop Graham as "a mansworn man" by stepping in as his successor in the See of Dunblane!

In 1615, when the Archbishopric of Glasgow fell vacant, Bishop-Graham made suit for it. He was unsuccessful; but the See of Orkney was given him on the 26th August same year, and he was installed in October. A number of years before this time he had married Marion Crichton, and of this union came four sons,—David, Patrick, Mungo, and John,—and three daughters,—Jane, Marjory, and Catherine. When he removed to Orkney with his family, his two pupils, the Smythes, accompanied him. The Bishop was a member of the Court of High Commission on the 21st December, 1615: also on 15th June, 1619; and again on 21st October, 1634. He was present in the Scottish Parliament on 4th August, 1621, and voted in favour of confirming the Five Articles of Perth.

The Bishop and his family and pupils throve well after they went to Orkney, and under his judicious care the Smythes acquired considerable possessions in the islands. He himself and one or two of his sons

became landed proprietors there. Patrick, the second son, was settled as minister of Holm and Paplay. In the year 1618, Catherine, the Bishop's youngest daughter, was married to Patrick Smythe. The estate of Gorthy was purchased by the Bishop in the end of 1631. After a few months—on 10th December, 1632—his wife died. In the following December, his eldest son, David, married Catherine Morton, sister of Thomas Morton of Cambo,—their contract being thus entered in the Scone Register:—

8 December, 1632. The whilk day compeared before the Session, David Graham of Gorthy, within the congregation of Fowlis, and was contracted with Catherine Morton, within this congregation of Scone. Consigned pledge conform to order to solemnization of marriage within forty days.

Marjory, David's sister, was married on 17th August, 1633, to George Drummond of Blair. On the 22d February, 1634, a royal charter was granted, at Edinburgh, to Catherine Morton, sister-german of Thomas Morton of Cambo, and spouse of David Græme, fiar of Gorthy, confirming a charter by George, Bishop of Orkney, and the said David Græme, his eldest son, to the said Catherine, of all and whole the dominical lands of Gorthy, the shadow half of the town and lands of Over Gorthy, and the shadow half of the lands of Newtoun, and an annual rent of four chalders victual from the sunny half of Over Gorthy, in terms of their marriage contract, dated in 1632, to which contract, Mungo, Viscount Stormont, was a party on the side of Catherine Morton. In May, 1635, Catherine Graham, wife of Patrick Smythe of Braco, obtained sasine of life-rent granted to her by her husband over his lands in Orkney. But she died previous to 8th January, 1638, of which date a letter of reversion was executed, at Kirkwall, by Patrick, in favour of his third son, Patrick, by his deceased spouse; whom failing, to the second son, George; whom failing, to the fourth son, William; whom all failing, to return to the granter and his heirs,—of an annual rent of 100 marks Scots furth of the granter's lands in Orkney, in contentation to the

said Patrick, younger, of all that should fall to him of gear through the decease of his mother. Patrick Smythe of Braco, the husband of Catherine Graham, was the founder of the family of the Smythes of Methven, which lands he purchased at a subsequent period of the seventeenth century.

We have now reached 1638,—a memorable year for Gorthy,—a memorable year for Scotland as well. The long pent-up religious storm burst forth. The introduction of Laud's Service-Book was like the casting of a blazing torch into a powder magazine. The Covenant was signed: the Glasgow Assembly was held: and the whole fabric of Scottish Episcopacy was levelled with the dust. Bishop Graham bent to the tempest. Besides the sin of episcopal office, he was accused of curling on the ice on the Sabbath-day; of neglecting preaching and Church discipline; of being indifferent about witchcraft; of withholding stipends to build his cathedral; of giving tacks to his sons in prejudice of Church property. He took the best course for his own safety;—he made humble submission to the Assembly.\*

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\* Register of Perthshire Retours; Register of the Great Seal, lib. 52, No. 201; lib. 54, No. 144; Paper, vol. iii., p. 9; Calderwood's *History of the Kirk of Scotland* (Wodrow Society), vols. vi. and vii.; Rowe's *History of the Kirk of Scotland* (Wodrow Society), pp. 252, 255, 269, 292, 305; *Original Letters relating to the Ecclesiastical Affairs of Scotland* (Bannatyne Club), pp. 122, 747; Dr Scott's *Fasti Ecclesie Scotice*, vol. ii., part 1, pp. 566, 664, 789, 799; *The Autobiography and Diary of Mr James Melville* (Wodrow Society), pp. 571, 671, 761-765; Dr M'Crie's *Life of Andrew Melville*, pp. 310, 324; Methven MSS.

*THE BARONY OF GORTHY.—Part 5th.*

The gallant Montrose has his pennon unfurl'd,  
His foot in the stirrup, his face to the world;  
He spurs to the Highlands his liege-men to bring,  
And marshal his clans to the aid of the king.

*Song.*

Here is the head; I'll carry it myself.

*Measure for Measure.*

THE BISHOP OF ORKNEY had a clear perception of the futility and peril of opposition to the newly-risen power of the Covenant. Several of his brother-prelates formally declined the jurisdiction of the Glasgow Assembly, but he acted with more prudence. The declinature inflamed the wrath of the Presbyterians and caused them to visit recusants with sentence of excommunication in addition to deposition. Bishop Graham avoided the higher penalty. In the Assembly, on 3d December, 1638, "there was a letter from the Bishop of Orkney, and produced by his son, wherein he submitted himself to the Assembly." At a subsequent diet, on the 11th, the process against the bishop was brought forward, when the Moderator remarked that the bishop "hath by his letter offered a kind of submission to the Assembly, in saying, if God spare his life, he will be ready to do and answer whatever the Assembly shall impose and require; and likewise he has not subscribed the declinature, and therefore it would seem that he deserves not such a sentence as some others." Mr Walter Stewart objected that "there was nothing in his letter which could import a formal submission, but was rather to be understood of his intention to answer to what was to be laid against him." But it was answered by Lord Loudon, that "it was a material submission, howbeit not formal:" and this opinion the Assembly applauded. On the 13th December, the Assembly passed sentence of deposition upon the whole hierarchy of Scotland, and also of ex-

communication against the two Archbishops and some other Prelates. Orkney was one of those who were simply deposed; and he made amends for the informality of his first letter by sending a submission to the General Assembly which sat at Edinburgh in 1639 :—

August 17, 1639.

*Master George Graham his renouncing and abjuring of  
Episcopacy.*

The which day was given in to the Assembly, direct from Master George Graham, sometime pretended Bishop of Orkney, an abjuration of Episcopacy, subscribed with his hand, which was publicly read in audience of the Assembly; and thereafter they ordained the same to be registrat in the Assembly Books, *ad perpetuam rei memoriam*, whereof the tenor follows :—

To all and sundry whom it effeirs, to whose knowledge these presents shall come, specially to the reverend and honourable members of the future Assembly to be holden at Edinburgh the twelfth day of August, 1639 years: me, Master George Graham, sometime pretended Bishop of Orkney, being sorry and grieved at my heart that I should ever, for any worldly respect, have embraced the order of Episcopacy, the same having no warrant from the word of God, and being such an order as hath had sensibly many fearful and evil consequences in many parts of Christendom, and particularly within the Kirk of Scotland, as by doleful and deplorable experience this day is manifest, have disclaimed, like as I, by the tenor hereof, do altogether disclaim and abjure, all Episcopal power and jurisdiction, with the whole corruptions thereof, condemned by lawful Assemblies within the said Kirk of Scotland, in regard the same is such an order as is also abjured within the said Kirk, by virtue of that National Oath which was made in the years 1580 and 1581; promising and swearing by the great Name of the Lord our God, that I shall never, whiles I live, directly or indirectly, exercise any such power within the Kirk, neither yet shall I ever approve or allow the same, not so much as in my private or public discourse; but, on the contrary, shall stand and adhere to all the Acts and Constitutions of the late Assembly holden at Glasgow, the 21 of November 1638 last bypast, and shall concur, to the uttermost of my power, sincerely and faithfully, as occasion shall offer, in executing the said Acts, and in advancing the Work of Reformation within the land, to the glory of God, the peace of the country, and the comfort and contentment of all good Christians, as God shall be my help. In testimony of the which promises, I have subscribed thir presents with my hand at Brecknes in Stromness, the eleventh day of February, the year of God 1639 years, before thir witnesses, Master Walter Stuart, Minister at South-ronnaldsay, Master James Heynd, Minister at Kirkwall, Master Robert

Peirson, Minister at Firth, and Master Patrick Graham, Minister at Holme, my son.

This submission (which bears every mark of having been drawn up under the eye of the dominant party) undoubtedly preserved to the Bishop his Gorthy estate and other property : and he was suffered to close his days in peace.

The national troubles thickened fast. The sky grew black with tempest-clouds. Bellona's trumpet was blown. Arms were collected: soldiers mustered: war broke out. Rebellion and Revolution were on foot. Covenanting forces marched against the northern Royalists, and against the King himself on the Border. In such a season of public turmoil and confusion, it is singular to find the heritors on the banks of the River Pow, in Strathearn, turning their attention to the cleaning, deepening, and general improvement of the channel of that stream, so as to prevent inundations from which their lands had frequently suffered. About the year 1640, a "Mutual Band" was entered into by the "Heritors, Liferenters, Conjunctfiars, and owners of the lands adjacent to the Pow of Inchaffray, on both sides thereof, betwixt the west end of the Red Moss and the ford of Dollerie," who considered "that our lands adjacent to the said Pow within the bounds foresaid are often-times overflowed with water, whereby the corn and grass growing thereupon are frequently destroyed, drowned, and made unprofitable to us, und that this hurt and skaith might be prevented, at least made much less nor it is, if the said Pow and current thereof were kept clean, casten, and dight by us, our heirs and successors in our several possessions"; for which causes, the parties became bound and obliged, "that ilk ane of us fornent and within the bounds of our own several lands adjacent to the said Pow, within the bounds thereof foresaid, shall delve and dight away the grass and sward growing in the said Pow, within the bounds foresaid, and cast the same Pow and current thereof—deep and—broad, and thereafter of new redd and dight the current of the

said Pow, and keep it clean to the deepness and breadth above specified as oft as need be", and that under a penalty for remissness and negligence. The parties subscribing were Tullibardine; Madderty; Anna Hay, liferenter; Abercairny; John Gray, Welcroft; John Drummond; Bachilton; *Gorthy*; Balgony; L. Oliphant; Wm Blair, Williamstone. On the 9th November, 1641, an Act of the Scottish Parliament was passed ratifying the above agreement.

There can be no question that the deposed Bishop of Orkney and his family lived at peace, for some years, with the Covenanting government. The Bishop seems to have deceased, or to have denuded himself of his property, prior to August, 1643; for in the Scottish Parliament, on the 23<sup>rd</sup> of that month, his eldest son, David Graham, was named as "of Gorthy," and was appointed one of the "Commissioners of War" for the shire of Perth. He was again placed on this Commission in July, 1644. But affairs now took a sudden and portentous turn. The Marquis of Montrose espoused the cause of the King, and, secretly crossing the Border from England, hurried on in disguise to the foot of the Perthshire Grampians, and found a quiet shelter in the house of Tulliebelton, the residence of Patrick Graham, younger of Iuchbrakie. There a few of the hero's friends gathered about him, and among others was David Graham of Gorthy. The chances of a rising in the King's interest were discussed, but seemed altogether discouraging. Soon, however, the hearts of the little circle were gladdened by news that Alaster MacCollkeitach was making his way through the Highlands. Montrose and his adherents repaired to Blair-Athole, where they met Alaster, and unfurled the Royal Standard. Then came the rapid march to the Lowlands, and the Battle of Tibbermuir. The great Marquis sped on from victory to victory. He conquered at Aberdeen and Inverlochy. But before Argyll reached Edinburgh with the news of his defeat, the Covenanting Parliament, on the 11th February, 1645, had passed decree of forfeiture against Montrose, MacCollkeitach, Lord

Airlie, David Graham of Gorthy, Patrick Graham, fiar of Inchbrakie, and others. This was ultimately no mere *brutum fulmen*. It was followed up—after the Battles of Auldearn and Alford—by an Act, on the 7th August same year, which declared that all “ingoes to the rebellion” should be incapable of succeeding to titles of dignity, lands, bonds, annual rents, &c., unless they submitted within a specified period; but from the benefit of this Act, Montrose, Patrick Graham, younger of Inchbrakie, David Graham of Gorthy, and some others, were specially excluded. The struggle ran its course. The victory at Kilsyth, on 15th August, laid Scotland at the feet of the Royalist General, and the Covenanting rulers scattered in dismay. But the exigencies of the King in England urged Montrose to the Border; and then dawned the misty morning of Philiphaugh, when his slender bands were surprised in their bivouac, and utterly routed, by David Leslie’s squadrons of horse. The Marquis and a number of his chief adherents effected their escape through the midst of the slaughter, and made for the North—for Athole, where their old soldiers began to gather about them. The Covenanters doomed various prisoners of rank to the scaffold; but the re-appearance of Montrose at the head of some forces compelled a pause in these butcheries, and he needed only a little time to regain his former strength and ascendancy. Events in England, however, showed that the downfall of the Monarchy was near, and all attempts to avert the catastrophe were idle as beating the air.

David Graham of Gorthy, the faithful follower of Montrose and sharer in his exploits, was forfeited, as we have seen, on the 11th February, 1645. The Covenanting Government carried out the decret to its due conclusion. The Earl of Balcarres, one of their supporters (though he afterwards abandoned the cause), obtained the estate of Gorthy, in liquidation, as was said, of some claims which he had upon “the public.” The Parliament of 4th February, 1646, made this transfer. An Act was passed, by which the lands of

Gorthy and others in Perthshire, some time pertaining to David Graham, and then pertaining to the Estates by his forfeiture, were sold and disposed to Alexander, Lord Balcarres, in payment and satisfaction to him of the sum of £20,000 Scots due to him by the public; but without prejudice to the Lady Gorthy of her liferent right of the lands wherein she was infeft, and also without prejudice to the creditors of her husband. Some of these creditors came forward to protect their interests. A supplication by Alexander Blair of Corbs, Mr James Blair, and William Rutherford, was presented to the Parliament, desiring course to be taken for their payment and security of the sums owing to them by Graham of Gorthy, and was remitted to the "Committee of the Monies" to take course thereanent. It is a singular fact that Gorthy was the only forfeited estate which was gifted away by the Covenanting Government. Perhaps the unfortunate laird owed the extreme measures used against him to his being the son of a Bishop?

Ruin inexorable overtook the cause of the King. Reduced to extremities, he fled to the Scottish camp at Newark. This was his first step towards the scaffold at Whitehall. He was immediately induced to send an order to Montrose, commanding him to disband his troops. It was sent,—and afterwards confirmed through a private channel. Negotiations respecting the disbandment were opened between Montrose and the Covenanting General, Middleton. The Royal forces were encamped on the banks of the Isla, and there the two captains met, on the 22d July, and entered into a convention whereby it was stipulated that Montrose should disband his soldiers, whose lives and fortunes should be secured; but that he himself, the Earl of Crawford, and Sir John Hurry (who had deserted the Covenanting side) were excepted from all pardon, yet allowed to leave the country by sea, before the 1st of September, the Government providing them with a vessel; while Graham of Gorthy was to be restored personally from the forfeiture, but his estate would remain with Lord

Balcarres. Such were the terms concluded. But as soon as they were made known to the Commission of the General Assembly, that reverend body denounced the pacification, and furiously excommunicated the principal Royalists, including Gorthy. The disbandment of the troops took place on a field near Old Rat-tray, on the 30th July : and Montrose and his two companions sailed from Scotland by the time appointed. But Gorthy was exposed to danger from a new quarter. His fame as a staunch Scottish cavalier had reached the ears of the English Roundheads, who, in the Propositions for Peace which their Commissioners presented to the King, in July, classed Gorthy with Montrose and other Scottish Royalists, who, it was demanded, should be excluded from pardon. The Propositions, however, took no effect.

The Scottish Parliament, on the 29th March, 1646, gave power and warrant to the Committee of Monies to deliver to the Earl of Balcarres a formal and valid disposition of the lands of Gorthy, &c., which was speedily done. But as Gorthy's wife and family were apparently left without maintenance, a new arrangement was rendered necessary. In March, 1647, the Parliament passed an Act which, after recapitulating previous Acts, sold and disposed of new to Lord Balcarres the lands and barony of Gorthy; the lands of Callendar; the lands of Myreside, and lands of the West Wood of Methven, with the pendicles thereof; and an annual-rent of £81 Scots out of the lands and Mains of Methven ; but, seeing that Lady Gorthy could have no benefit of her life-rent and conjunct-right during her husband's lifetime in respect of his forfeiture, the Parliament, out of bounty and pity to her and her children, found and declared that she should have a third part of the hail feu-duty of the lands for the entertainment of herself and her children, and that during her husband's lifetime allanerly, and after his decease she to have the benefit of her liferent. She seems to have had four children—two boys, Mungo and David, and two girls, Anna and Marjory or

Margaret. In the same year, on 17th June, we find her husband, despite his forfeiture, served heir-special to his father in the lands of Myreside, Callandermoir, and Callanderbig; but how this came about is not clear. Did his father survive till 1647? or did he die in 1643, as already supposed? There is no distinct notice of the Bishop's death.

In March, 1649, the Parliament took into consideration the great amount of debt due by the public to the Laird of Lawers, who had "sealed his affection and fidelity to the cause by the loss of his life:" said debt consisting of £98,000 Scots of arrears for his service in the kingdom of Scotland; £96,855 8s Scots for burning and wasting; and £17,500 for his service in Ireland: and seeing that the great sums owing to him for the service of Ireland, and the sum assigned to him for his losses to be paid by the Parliament of England were become "ineffectual and desperate," it was agreed that 40,000 marks and 20,000 marks should be paid to account, which monies were to be raised by way of loan: and "in respect there be divers persons who have not lent any money to the public in the time of the troubles and distresses of this kingdom, who may do it better than many who have lent," it was ordered they be called on "to lend, not exceeding the half of a year's rent." A list was drawn up of the persons who were to be called on for this forced loan; and amongst the Perthshire names are the following:—Earl of Tullibardine; Lord Drummond; the Lairds of Aldie, Grandtully, Balgowan, Luncarty, Monzievaird, Monzie, Cultequhey, Inchtuthil, Lethendy, Invernethy younger, Strowie, Balthayock, and *Gorthy*.

The vortex of disaster was soon to engulf the Covenanted power. The execution of the King had caused an irreparable breach between the revolutionary parties in Scotland and England. The Scots proclaimed Charles II., and invited him to cross the sea and receive the crown. But before the royal exile sailed, his chivalrous partisan, Montrose, empowered by

a special commission, descended upon the north coast of Scotland with a handful of foreign troops, in April, 1650. He was surprised,—defeated,—betrayed,—and dragged to Edinburgh, where he suffered death with all the ignominy which the malice of his enemies could heap upon him. His head was set upon the Tolbooth; his quarters sent to be fixed over the ports of Perth, Stirling, Glasgow, and Aberdeen; and the trunk of his body was buried under the gallows in the Borough-moor of Edinburgh. The King set foot in Scotland, on the 23d June, 1650. Previous to that date, and during the alarm caused by Montrose's advent, it would appear that David Graham of Gorthy and his friend, Patrick of Inchbrakie, were both arrested and confined as suspected persons; but when the danger was over, they were released,—the Parliament giving orders, on 7th June, to Colonel Pitscottie “to put Inchbrakie and Gorthy to liberty.” King Charles was crowned at Scone: Cromwell invaded Scotland, and destroyed the Covenanting host at Dunbar: the King's western army poured across the English Border, and fought and lost the Battle of Worcester. Irresistible after that “crowning mercy,” Cromwell subjugated Scotland.

David Graham of Gorthy doubtless bore his part in the contest with England; but he seems to have lived quietly under the Commonwealth. In 1657, his eldest son, Mungo, was married to Helén, daughter of Sir William Moray of Abercairny, by Ann, daughter of George Hay of Keillor. By this time the Gorthy family had bought back a portion of the forfeited estate. On the 17th July, 1657, a Confirmation was granted by Oliver Cromwell in favour of Mungo Graham, elder son of David Graham of Gorthy, and Helen Moray, his affidat spouse, in conjunct fee, of the lands of Easter Over-Gorthy, forfeited by the said David Graham in 1645, since which period these lands had been disposed to Alexander, Lord Balcarres, and by him to Patrick Smythe of Braco (who, in 1618, married the Bishop of Orkney's daughter, Catherine), and were afterwards disposed by his son, Patrick Smythe, then of Braco, to

the said David Graham of Gorthy, and Mungo, his son : which confirmatitn was dated at Edinburgh. Great changes were now about to develop themselves. Cromwell quitted the scene, amid the fury of a tempest that swept land and sea, — emblematic of the troubles which his death called forth. The weak Richard was pushed from the protectorial chair; and the “Merry Monarch,” was seated on the throne of the three kingdoms.

All this while the head of Montrose had blackened in the sun on the spike of Edinburgh Tolbooth. Ten years had flown. The day of revolutionary and regicidal tyranny had passed. Montrose’s head was still exposed on the Tolbooth; but his mortal enemy, the “fause Argyle,” lay in Edinburgh Castle awaiting the doom of treason. Orders came from the King that the mortal remains of Montrose should be honourably collected and deposited in a coffin to await suitable funeral honours. Joyfully was the royal mandate obeyed. The dispersed portions of the body were brought together in the capital—all except the heart, which had been early abstracted by friends under cloud of night. It was embalmed and enclosed in a little steel-case, made out of the blade of the hero’s sword, and then the case was placed in a gold filagree box, which had been presented to the Inventor of Logarithms, John Napier, while in Italy, by one of the Doges of Venice. But the box having been sent to Montrose’s son, on the Continent, was now amissing.

Monday the 7th of January, 1661, saw a solemn ceremonial in Edinburgh. “This day,” says the *Mercurius Caledonius*, “in obedience to the Order of Parliament, this city was alarmed with drums and nine trumpets, to go in their best equipage and arms, for transporting the dismembered bodies of his Excellency the Lord Marquis of Montrose, and that renowned gentleman, Sir William Hay of Dalgety, murdered both for their prowess and transcending loyalty to King and country, whose bodies to their glory and their enemies’ shame, had been ignominiously thrust in the

earth, under the public gibbet half-a-mile from town." The young Marquis of Montrose, "with his friends of the name of *Graham*, the whole nobility and gentry, with Provost, Bailies, and Council, together with four companies of the Trained Bands of the city," repaired to the Borough-moor, and raised the bodies, which, being coffined, were borne back to Edinburgh. The procession reached the Tolbooth, where a scaffold was erected to the height of six storeys. "The Lord Napier, the Barons of Morphy, Inchbrackie, Urchill, and Gorthy,"—all *Grahams*,—with "several other noble gentlemen," ascended to the summit; and the ghastly relic was removed, "with sound of trumpet, discharge of many cannon from the Castle, and the honest people's loud and joyful acclamation." To David Graham of Gorthy was assigned the honour of taking down the head from the spike. "No small reverence was given to that relict," writes Kirkton, the historian, "there's some bowing, some kneeling, some kissing it." The remains, adds the *Mercurius*, "all joined, and crowned with the crown of a Marquis," were then "conveyed with all honour befitting such an action to the Abbey Church of Holyrood House, a place of burial frequent to our Kings, there to continue in state until the noble Lord his son be ready for the more magnificent solemnization of his funerals."

This was a proud day for the kinsmen and the surviving brethren-in-arms of the Great Marquis. Yet the day was fatal to Gorthy. "It was observed in the meantime," says Kirkton, "that the Lord of Gorthy, the gentleman who took his (Montrose's) head from the iron spike upon which it was fixed, died within some few hours, and the Laird of Pitcur, one of Montrose's great adherents, after he had drunk liberally in the Advocate's house that same day, went to bed in health, but was taken up stark dead to-morrow mornig; and such was the testimony of honour heaven was pleased to allow Montrose's pompous funerals." But, as another writer has remarked, this "mysterious circum-

stance " might be " cleared up if we had a return o the quantity of brandy which Gorthie and Pitcur had drank on the occasion."\*

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\* Peterkin's *Records of the Kirk of Scotland*, pp. 27, 159, 171, 204. *Acts of the Parliaments of Scotland*, vol. v., p. 640; vol. vi., part 1st, pp. 55, 203, 317, 465, 595, 603, 640, 737; part 2d, pp. 575, 709. Bishop Guthry's *Memoirs* (1748), pp. 222, 226; Register of the Great Seal, Lib. 59, No. 51; Napier's *Life and Times of Montrose*; *Mercurius Caledonius*, No. 1, Tuesday, 8th January, 1661; Kirkton's *Secret and True History of the Church of Scotland*, p. 124; Chambers's *Domestic Annals of Scotland*, vol. ii., p. 269.

*THE BARONY OF GORTHY.—Part 6th.*

*Glaud.* Our laird's come hame,  
And his estate, say, can he eithly claim?

*Symon.* Good Sir William sall enjoy his ain.

*The Gentle Shepherd.*

BY the sudden death of the faithful Cavalier of Gorthy, his eldest son, Mungo, became head of the house. In the Parliament, on 29th March, 1661, an annuity of £40,000 was granted to the King: the share whereof to be paid by the Sheriffdom of Perth and burghs within the same was £2374 16s, and among the Commissioners appointed for raising the money in Perthshire was Mungo Graham of Gorthy. On the 9th of May following, Parliament formally rescinded the forfeiture under which the Gorthies had lain since 1645:—

At Edinburgh, May 9, 1661.

Act rescinding the pretended forfaitour of David Graham of Gorthie.

FORASMUCH as the deceased David Graham of Gorthie, from the beginning of these troubles, did give public testimony of his loyalty to his Majesty's authority, and in the year 1643 and 1644 freely engaged himself in his Majesty's service by joining in arms with the Marquis of Montrose, his Majesty's Lieutenant-General for the time, and by a constant adherence to his Majesty's service and opposition to all such as withstood his Majesty's authority during the late troubles, was thereafter forfaitured by sentence given out against him, in a pretended meeting of Parliament, upon the eleventh of February, 1645: and his Majesty being desirous to witness his sense of the loyalty of his good subjects and his regard of their sufferings for the same, therefore his Majesty, with advice and consent of his Estates of Parliament, rescinds, casses, and annuls the foresaid decret of forfaitour pronounced against the said deceased David Graham of Gorthy, and declares the same, with all acts and deeds following thereupon, to have been from the beginning, and to be in all time coming, void and null; and that it is and shall be free to the heirs and executors of the said deceased David Graham to enter presently and without process of law to his estate and fortune and all other privileges and immunities belonged to him, as if the said decret of forfaitour had never been,—anything contained therein to the contrary notwithstanding.

Thus the blot on the Gorthy escutcheon—a blot, however, which at its worst redounded to the honour and zealous loyalty of the family—was wiped away, though much of the losses and oppression of the past sixteen years had still to be repaired. These losses were brought before Parliament, and a committee reported that they amounted to 106,595 merks; but nothing further was done.

Two days after the reversal of the Gorthy forfeiture came the final funeral of Montrose. Old Edinburgh, on the 11th of May, celebrated the obsequies of the “gallant Graham,” whose scattered remains were collected together in January. The procession marched from Holyrood to St Giles’ Cathedral,—the route being lined with soldiers, and crowded with an immense multitude of spectators, most of whom were animated by a profound feeling of reverence to the memory of the illustrious hero, as well as by a high sense of triumph over the fallen faction who had wrought his doom. All the bells of the capital tolled out muffled peals, and minute guns thundered from the battlements of the Castle. The chief of the Scottish nobility took part in the stately pageant. Mungo of Gorthy had his place, bearing the helmet of the Marquis on the point of a lance; and Patrick of Inchbrakie carried the Garter. Amid volleys of musketry, the roar of cannon, and the hollow clang of bells, the cortege slowly moved on its way, and the bones of the valiant champion of the Crown were consigned to their resting-place in the south transept of the venerable Cathedral. It was long remembered that the Cavaliers that day looked more like wedding guests than mourners attending the dead to the grave.

Justices of Peace for the different counties were appointed by Parliament, on the 9th October, 1663, and among those for Perthshire was Mungo Graham of Gorthy. Again, on 23d January, 1667, he was named by Parliament as one of the Commissioners in Perthshire for raising its proportion of the national benevolence of £72,000 granted monthly for the space of twelve months

to the King,—Perthshire paying £5038 14s; the burgh of Perth, £480; and the burgh of Culross, £54.

Gorthy was left a widower by the death of his spouse, Helen Moray, Abercairny's daughter, who had no issue. Sometime before the year 1669 he married again,—his bride being Mary Murray, second daughter of Sir William Murray of Ochtertyre (the first baronet) by Isobel, daughter of John Oliphant of Bachilton. Of this union came two sons and a daughter. In 1669, a Charter of Novodamus was granted to Mungo Graham of Gorthy and Marie Murray, his spouse, and the survivor of them, in conjunct fee and liferent, and to their heirs-male; whom failing, to the said Mungo Graham and his other heirs-male, &c., of those parts of the lands and barony of Gorthy called Easter Over Gorthy, Middlethird, and Newtoun thereof, with the pertinents, lying within the barony of Fowlis, and Sheriffdom of Perth; as also the remnant of the said lands and barony of Gorthy, with the manor-place, miln, milnlands, &c.; the lands of Dalpatrick; the lands of Pitmurchlie; and siclike the office of Serjandrie of the lands and lordship of Methven, and the lands thereof called the Serjand lands. This charter was dated at Edinburgh, the 12th February, 1699, and was ratified by Parliament on the 23d December following. It completed the rehabilitation of the family in lands and position: but their losses remained without any equivalent. Mungo Graham died prior to the 14th February, 1673, leaving a widow and two children. There had been two sons, William and Mungo, and a daughter, Helen; but William having predeceased his father, the younger brother, Mungo, still a child (he was baptized on 23d December, 1670) took his place, and was retoured as heir-male of his father on the last-mentioned date. The young heir's uncle, David Graham, was appointed one of his tutors and curators. The widowed lady of Gorthy afterwards wedded a second husband—James Graham of Grahamshall in Orkney, to whom she bore children. Regarding the two sisters of the deceased Gorthy, we may state that Anna became the wife of George

Drummond, eighth Laird of Colquhalzie; and Marjory married George Drummond, second Laird of Ledcrieff or Blairdrummond, ancestor of the present Charles Stirling Home Drummond Moray, Esq. of Blairdrummond, and Abercairny.

The tutors of Gorthy made application to the King and Parliament setting forth the pecuniary losses which the Gorthy family had sustained, in consequence of their prominent and unswerving loyalty throughout the Civil Wars, and craving such compensation therefor as might be deemed reasonable. This petition was presented in 1681. It stated that—

The deceased David Graham of Gorthy, the petitioner's grandfather, during the late unhappy troubles and usurpation, having, by a close and constant adherence to the King's service, exposed himself, his estate, and family, to the malice and rapine of the inveterate rebel enemies of the royal line and monarchy, he suffered all the hardships and cruel usages the fury and rage of these times could devise; had his lands forfeited and gifted by the pretended Estates; and was excepted furth of the Capitulation, 1646; and by plundering, fining, and otherwise, was redacted with his wife and children to a most deplorable condition, and even almost sunken in misery and despair; whereof his Majesty's sacred father, King Charles the First, of ever-blessed memory, and his Majesty who now reigns, under the happy influence of whose government we live, did express a most grateful sense, by their missive letters direct under their royal hands, to the petitioner's said grandfather. And when these kingdoms were by his Majesty's miraculous Restoration raised out of dreadful and horrible confusion into a glorious and flourishing estate of peace and order, the deceased Mungo Graham of Gorthy, the petitioner's father, his grandfather being dead, applied to the Earl of Middleton, then his Majesty's Commissioner, and Estates of Parliament convened in the year 1661; whereupon the pretended forfeiture was rescinded, and a Committee appointed to take trial and examination anent the losses of the family, which were found to extend, in the haill particulars, to the sum of 106,595 marks, conform to ane report approven and appointed to be recorded in the books of Parliament, bearing the opinion of the Estates, then assembled, that the petitioner's case was most singular, in respect of the eminent sufferings of the family, which did almost bring it to ruin, and that therefore his Majesty and Estates of Parliament should seriously recommend to his Majesty some effectual course for satisfaction and reparation: And the said Report and decret of Parliament having taken no further effect through the death of the petitioner's

father, his own minority and less age, and other intervening accidents; and the loyalty and allegiance of this kingdom being so much revived and refreshed by the presence of his Majesty, who are the great hopes of all honest men, the petitioner conceives a humble assurance from the native principles of justice, virtue, and honour which shadows all his actions, that the notour and signal sufferings of a family, which hath hazarded all that ever was near or dear in defence of the Crown and Government, and are acknowledged to be singular by the foresaid Royal Letters and the judgment and approbation of the Parliament, 1661, and wants nothing but a stroke of his royal hand, will be duly weighed in the scale of his princely thoughts, and have a just consideration suitable to the greatness of a royal presence, the wisdom of a loyal Parliament, and the singular merits of the case. And therefore humbly supplicating that the sufferings and loss of the petitioner's family might be recommended to his sacred Majesty; and in regard the circumstances of the petitioner's case are without parallel; and that his grand-sire was the only subject of this kingdom whose forfeiture was gifted by the pretended Estates and excepted furth of the capitulation 1646; and that he transacted with and paid 45,000 marks to the donator of the forfeiture by warrant and appointment of his Majesty's royal father; and that a general Recommendation may be an occasion of farther trouble and expenses, and prove ineffectual; therefore beseeching a Committee might be appointed to consider upon the most proper and effectual way towards his reparation; to the end the same may be represented to his Majesty, and the family preserved by the justice and bounty of princely gratitude and favour.

The Parliament, on the 17th September, 1681, passed the following Act and Recommendation :—

The King's Majesty and Estates of Parliament having heard and considered the foresaid petition, with the principal Letters and Report approved by the Parliament, 1661, produced for instructing thereof, with the opinion of the Lords of the Articles thereanent, do find the supplicants desire reasonable, he being stated in most favourable and singular circumstances, in respect of the great losses and eminent sufferings of his family: and therefore do hereby recommend to the Lords of his Majesty's Privy Council to consider upon the most proper and effectual way how he shall be repaired, and to represent the same seriously to his sacred Majesty, that such speedy course may be taken towards the petitioner's satisfaction as appertains to the special merits of his case.

Fair enough words, and good intentions to boot: but what resulted we have not ascertained; though we may well believe that nothing "effectual" was ever done.

On the 9th February, 1684, David Graham, the

tutor, who was an advocate (and to whose pen the petition to Parliament may be attributed), obtained the office of Joint-Clerk of the Bills from Sir George Mackenzie (afterwards Lord Tarbat), the Lord Clerk-Register; which appointment was ratified by Parliament on 6th June, 1685. David acquired the lands of Tulchan, *alias* Cloche-le-grene, now called Glen-Tulchan. He married Margaret Murray, daughter of William Murray of Keillor. In the Parliament, on 13th May, 1685, "Mr David Graham, Tutor of Gorthy," was appointed one of the Commissioners of Supply for Perthshire.\*

Mungo of Gorthy was educated at the University of St Andrews. The youth attending that ancient seminary of learning were accustomed to practise archery, golf, and other games on the Links; and to quicken emulation in the first of these sports, silver arrows were provided as permanent prizes for annual competition,—the winners being entitled to append silver medals to the arrows, with their names and arms engraven thereon. Three arrows with various medals attached are preserved to this day in the University amongst other relics of bygone times. These competitions began about the year 1618. The Great Montrose, while studying at St Andrews, gained the archery prize in 1628, and his medal bearing his inscription is still to be seen hanging at the second arrow. Subsequently the same arrow was gained by his fellow-student and future rival, Argyle. The sports fell into abeyance during the

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\* In the Parish Register of Fowlis-Wester (which commences in 1674), there is an entry, dated 14th March, 1675, in which Mr David Græme, tutor of Gorthie, is named amongst the heritors who enact that any person who shall "sit in the windows of the church, high or low," shall be poinded by the officer for 12s Scots. Next year, there was more trouble about a window. On the 6th February, 1676, the minister did desire the officer to remove out of the Session, by reason of his miscarriage when reproved for letting one of the windows of the church stand open one windy night. The man refused absolutely, saying—"Fiend a foot! He was here before him" (the minister, who was presented in 1674), "and likewise he would abide him." At next meeting of Session, the officer was dismissed. but refused to give up the keys.

national convulsions, but were revived after the Restoration. At an archery match in 1687, Mungo of Gorthy won the second arrow: and his medal was accordingly attached to the prize, inscribed with his name and armorial device,—the latter displaying *Or* three roses within a bordure *gules*, on a chief *sable* three escalops of the field. The crest shows the two arms and hands of a man lifting up a human skull encircled with two branches of a palm-tree, and over the head the coronet of a Marquis. The motto is *Sepulto Viresco*. A crest so remarkable challenges attention. It was obviously granted to the family as a heraldic mark of honour, in commemoration of Mungo's grandfather having removed Montrose's head from the spike of Edinburgh Tolbooth. "It is a curious and interesting fact, affording matter of melancholy reflection," observes Mr Mark Napier, "that when these sports came to be renewed at St Andrews after the Restoration, the very next scion of the house of Graham who gained that prize should have to display in his armorial shield, engraved as usual upon a silver medal, an heraldic distinction from the main stock singularly commemorating the tragedy which had intervened."

Chronological sequence brings us next to the Pow of Inchaffray. On the 9th October, 1696, a second Act was passed by the Scottish Parliament in favour of Sir Robert Moray of Abercairny, Sir Patrick Murray of Ochtertyre, Mungo Graham of Gorthy, and James Oliphant of Williamstone, ratifying the "Mutual Band" of 1640, for draining the Pow from the Red Moss to the Ford of Dollerie.

The Laird of Gorthy—the expert bowman on St Andrews Links—lived a long and active life. He came of age in the end of 1691. But it is not known that he was ever married. He was one of the Commissioners or Members of Parliament for Perthshire from 1702 to 1707, when the Treaty of Union with England was concluded. On 19th July, 1703, he approved of the Act of Security; and on 13th September following he dissented from the importation of foreign wines. On

4th November, 1706, he approved of the first Article of the Union; on the 12th of same month, he approved of the Union; and on 31st January, 1707, he approved of expenses being allowed to the Commissioners of the Union. The Union closed Gorthy's parliamentary career. But he afterwards obtained new offices of consequence and trust. He was made Chamberlain to the Duke of Montrose, and partly in that capacity came in for a full share of the resentment of Rob Roy, after the great feud arose betwixt the quondam drover and his ducal patron. Whilst Rob was a peaceful and thriving cattledealer, Gorthy had sundry transactions with him in that line on his own private account; but when Rob fell into difficulties through (it is said) the absconding of a fraudulent agent or partner, he failed to implement his bargains with Gorthy and others for the delivery of cattle, and so became bankrupt. A bill which Gorthy granted him on credit formed the ground of a Court of Session litigation, the following report of which occurs in the Decisions:—

16 January, 1713.

*Campbell of Glenderowall against Graham of Gorthie.*

Robert Campbell, *alias* Rob Roy, draws a bill upon Graham of Gorthie, payable to the drawer, which Gorthie accepted; and the drawer having indorsed that bill to Hamilton of Bardowie, about the same time the indorser broke and fled. Gorthie thereupon raised Reduction and Declarator against Bardowie, setting forth the matter of fact and occasion of drawing and accepting the bill, viz., that the cause of the bill was a contract of the same date, whereby Rob was obliged to deliver to Gorthie a certain number of Highland cattle; that he had made the like bargains with a great many gentlemen, who had trusted him with money in contemplation of receiving the value in cattle; and having thus amassed a great sum of money in his hands, he did most fraudulently withdraw, and fled, without performing anything on his part, and thereby became unquestionably a notour and fraudulent bankrupt under the description of the Act of Parliament, 1696, anent bankrupts; and about the same time indorsed this bill to Bardowie, against the faith of this contract. Bardowie having indorsed the bill to Campbell of Glenderowall, he charged Gorthie upon the accepted bill, who suspended on this reason, that the subject of the bill was rendered litigious against Bardowie upon the Act of Parliament, 1696.

The Lords found the said Act of Parliament takes place, the pursuer proving the indorsation to have been made, not for present value, but in satisfaction or security of a prior debt.

The animosities springing out of Rob's desperate circumstances impelled him to lawless reprisals upon those whom, according to his peculiar notions of *meum* and *tuum*, he considered his oppressors. On one occasion the "bold outlaw" and a band of his clansmen made a sudden swoop upon Gorthy estate, designing to attack and pillage the manor-house, and perhaps hold the laird to ransom. The laird, however, happened to be absent from home; but the servants, on short warning, barricaded the doors and windows. Macgregor, finding access difficult, despatched a few of his men to fetch the smith of the barony, named Morris, whom, when brought, he ordered, on peril of his life, to break up the backdoor with a sledge-hammer. The assault began; but the door was stout and its fastenings good; and probably Vulcan did not ply his blows with all his vigour, for they proved ineffectual. A cry was now raised that the front entrance had been forced, and thither the marauders around the smith gladly ran, leaving him by himself. He instantly threw down his hammer, and fled towards the wooded ravine behind the mansion; but his flight was detected by a backward glance of Rob Roy, who fired a pistol shot after him. The smith was unhurt, and escaped to the glen. The Macgregors thoroughly rifled the house, and retired with their booty. The fugitive Vulcan crept from his concealment, and returned to the mansion, where he found on a table in one of the rooms the pistol which Rob Roy had fired at him, and which had been inadvertently laid down and forgotten in the hurry of the plundering. The weapon—an iron pistol, ornamented with silver, perhaps of French make—was kept by Morris, and it remained with his descendants till our day, when it was acquired by the present Mr Mercer of Gorthy, in whose possession it still remains. The Morris family have been smiths on the Gorthy estate for upwards of three hundred years.

When Mar's Rebellion broke out, Gorthy acted on the Government side, supplying the Duke of Montrose, who was Secretary for Scotland, with all the news he

could gather concerning the movements of the Rebels; and a bundle of his letters during that stirring period exists among the family papers at Buchanan House. In 1718, he appears as Receiver-General of the Customs of Scotland, which appointment he seems to have held till about 1753. He lived till 1754, and on his decease at Buchanan, on 26th November that year, his estate passed to a grandson of his uncle and tutor.

As already stated, David, the tutor, acquired Tulchan. In 1708, he obtained Braco estate—not the Braco near Scone Palace, but the other Braco, then in the parish of Muthill, but now in the parish of Ardoch. He died previous to the 24th April, 1716, of which date there is an appraisement of household plenishing of West Mains of Gorthy, “whereof Mr David Græme of Braco died in possession.” His wife survived him, and he left two sons, James and Patrick. James, who succeeded his father, was twice married—first, to Margaret, daughter of Sir James Dunbar of Mochrum, Bart., who had no issue; and second to Catherine, daughter of Sir William Stirling of Ardoch, who had four sons, the eldest of whom was David, and four daughters, the eldest of whom, Mary, became the wife of David Smythe of Methven. James Graham died in 1724. His son and heir, David, adopted the military profession, and rose to great distinction. He acquired Gorthy in 1755, after the death of Mungo Graham. In 1761, Colonel Græme was selected to act as proxy for George III. at his Majesty’s marriage in Germany with the Princess Sophia Charlotte of Mecklenburg-Strelitz. But it must also be noted that the Colonel had a very important share in bringing about the proposals for this union. He had been “confidentially entrusted” by the king, said Mr Heneage Jesse, “to visit the different Protestant Courts of Germany for the purpose of reporting on the relative mental and personal accomplishments of the various unmarried Princesses to whom he might succeed in obtaining an introduction. Græme would seem to have discharged his delicate mission

with singular tact and judgment. The Princess who pleased him most, and who was thus indebted to him for a sceptre, was Sophia Charlotte." She was accordingly preferred. The Colonel, once a keen Jacobite, and deeply involved in the plots of the party, was congratulated on his return from Germany by David Hume, the historian, as having exchanged the dangerous employment of making kings for the more lucrative trade of making Queens! In the year of the marriage, Colonel Græme was made secretary to the Queen, and in 1765 Comptroller of her Household, both of which appointments he held till 1774. On 23d March, 1764, he was elected to represent his native county of Perth in Parliament, (defeating Mr George Drummond of Blairdrummond, on a keen contest, by 40 votes to 27), and continued as member till June, 1772. He attained the rank of General in February, 1783. He married Catherine, daughter of James Congalton Hepburn of Keith, Haddingtonshire, by whom he had an only child, a daughter, Catherine. The affairs of General Græme became much involved some time previous to his death, which event took place at Edinburgh, on the 19th January, 1797. He left a deed nominating trustees, and they found it necessary to dispose of Gorthy. On 27th December, 1797, they executed a minute of sale of the estate to the trustees of David Stuart Moncreiffe of Moredun, Baron of the Exchequer. The General's daughter, Catherine, who survived her father, married the Hon. Mr Hampden, son of Lord Trevor.

Baron Moncreiffe was brother of Sir Thomas Moncreiffe of that Ilk, and had purchased from Sir James Stewart the estate of Goodtrees, in Liberton parish, near Edinburgh. After the purchase, the name of the lands was changed to Moredun. The Baron having died, his trustees, on the 3d February, 1795, executed an Instrument of Resignation of the lands and barony of Gorthy in favour of Sir Thomas Moncreiffe of that Ilk, a grand-nephew of the deceased. Sir Thomas married Lady Elizabeth Ramsay, daughter of George, ninth

Earl of Dalhousie. Her dower was settled on the barony of Gorthy. Sir Thomas died on 26th March, 1818, and a dispute arising as to his succession between Sir David, his successor, and George Augustus, second Earl of Bradford, who, on 5th March same year, had wedded Georgina, the only daughter of Sir Thomas, matters could only be adjusted by another sale of Gorthy. A private Act of Parliament was passed in 1819 providing for the sale; and in one of the schedules appended, the extent of the estate is given at 1338 acres Scots, and the rental at £1320. The lands and barony of Gorthy were then purchased by Mr George Mercer, at the sum of £36,000.

Mr George Mercer's descent was from the ancient house of Aldie and Meikleour. He was the eleventh in direct lineal descent from John Mercer, who, in the latter half of the fourteenth century, was Provost of Perth, and held offices of State under the Scottish Government. Mr George Mercer was the youngest son of William Mercer of Pitteuchar and Potterhill, who held the office of Sheriff-Substitute of Perthshire. Mr George Mercer had been a merchant in Calcutta, and was one of the original founders of the Colony of Victoria. He married, in 1810, Frances Charlotte, daughter of John Reid, Esq., of the Bengal Medical Service. The children of this marriage were six sons and six daughters. In Mr Mercer's time,—27th July, 1846,—an Act of Parliament was obtained repealing that of 9th October, 1696, and appointing, as Commissioners for draining the Pow, the following Commissioners, viz.:—Lord Elibank; Sir William Keith Murray of Ochertyre; William Moray, Esq. of Abercairny; George Mercer, Esq. of Gorthy; and Alexander Henry, Esq. of Woodend. Mr Mercer died on the 7th December, 1853, and was succeeded by his eldest son, Græme Reid Mercer, Esq., the present proprietor of Gorthy,—one of the most amiable and esteemed of our county gentlemen, and an accomplished and zealous friend of historical and antiquarian studies.\*

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\* *Acts of the Parliaments of Scotland*, vol. vii., pp. 89-91,

197, 506, 543, 588; vol. viii., pp. 366, 467, 563; vol. x., p. 67. Register of the Great Seal, lib. 62, No. 134; Register of Perthshire Retours; Napier's *Memoirs of James Graham, First Marquis of Montrose*, vol. i., pp. 45-46; Nisbet's *Heraldry*; *Third Report of the Royal Commissioners on Historical Manuscripts*, p. 377; Methven MSS.; Jesse's *Memoirs of the Life and Reign of George III.*, vol. i., p. 87.

*AN OLD PERTSHIRE BURGH.—Part 1st.*

I kent a wee toon, and a queer toon it was,  
Auld Mouldybrugh, that was its name;  
A dreary, dull village, wi' battered grey wa's,  
Where onything new never came;  
Just twa or three houses, a' dismal and black,  
And twa or three shoppies sae sma';  
A market, where whiles the folk gathered to crack,  
And drive a bit bargain or twa.

Besides an auld jail, wi' the court-house hard by,  
A cross, and a mossy stane well;  
A kirk and a steeple, that dinlit the sky  
Wi' a clinkin' auld timmer-tongued bell.

*Whistle-Binkie.*

PERTSHIRE is a compact, circular-looking county in its configuration, as delineated on the map of Scotland; but on the south it has a small, outlying portion, wholly detached from it by the intervention of the county of Clackmannan,—said portion comprising two parishes, Tulliallan and Culross, abutting upon the Forth where that river has begun to broaden into a noble estuary. In respect of possessing one of the two royal burghs in Perthshire, Culross parish can claim no small dignity in the county and also in the kingdom. Picturesque is the situation of the Royal Burgh of Culross, stretching its main street up the ascent of a brae which slopes back from the Forth, while part of the town straggles at the foot of the acclivity east and west along the shore. Viewed from the water, the aspect of the place, rising from the beach and basking in the sunshine, is pleasant to the stranger's eye. Nearer acquaintance will shew that the burgh wears a thorough air of antiquity, and is thickly overspread with the mildew of decay. All progress seems to have been long paralysed. The visitor traversing the steep and narrow thoroughfares, can find little that belongs to modern days. Most of the houses date (not a few by legible inscriptions) from the seventeenth century. Some were built in the times of James I. Many more in those of his three Stuart

successors. Here and there stand old-fashioned tenements which witnessed the prosperity of Culross in its fullest blow, and they have survived its decline. About two centuries and a-half ago, Culross was a centre of thriving industry and commerce. Coal-pits, lime-works, salt-pans, fishings, shipping, gave busy employment; and from morning till night the burgh rang with the anvils of the girdle-makers, who enjoyed a legal monopoly of their useful handicraft. The Culross coal was exported in large quantities to Holland, whence were brought back various sorts of merchandise, which, after being delivered at Culross harbour, were distributed throughout the adjacent country. But royal burghs are equally subject with great commercial marts and mighty empires to the laws of mutability. Nineveh and Babylon, Tyre and Sidon, Carthage, Rome itself—all succumbed: and Culross is now only the ghost of what it once was.

Our elder historians speak of Culross in connection with the Danish wars. Traces of the camps and entrenchments of the Norse invaders have been pointed out in the vicinity of the town. Westward, by the shore of the Forth, was Dunnemarle Castle,—“The Castle by the Sea,”—the stronghold of the Thanes of Fife, where Macbeth’s ruffianly bands butchered Lady Macduff and her children, after her husband’s flight to England. Culross is better noted in ecclesiastical annals. It was the seat of an Abbey of Cistercians, founded and richly endowed by Malcolm, Earl of Fife, on the 7th of the Kalends of March, in the year 1217,—as the *Chronicle of Melrose* records. The convent of White Monks, *Monachi albi*, came from the Cistercian Abbey of Kinloss, in Moray (founded by David I. in 1150); and Hugo was the first Abbot. In July, 1229, died the founder, Earl Malcolm, and his body was interred in the Abbey Church. The *Kalendar* of Culross is still preserved, its colophon ascribing it to Richard Marchel, who was Abbot in 1305; but the MS. may be of a later date. “Culross,” we are told, “even after the invention of printing, was a great school of ecclesi-

astical caligraphy." The ruins of the Abbey, far more dilapidated and diminished than when the Reformation storm had spent its rage, still stand near the town in hoary desolation, indicating the extent of the ancient buildings and the beauty of their architecture. But the ecclesiastical history of Culross reaches much farther into the past than the early years of the thirteenth century. It commences with the missionary labours of St Serf or Servanus, nearly seven centuries before. He well deserves remembrance. According to the hagiologists,—who were inveterately fond of giving royal parentage to favourite Christian heroes,—St Serf was a son of the King of Canaan; but he laid aside his princely state and hopes of kingly inheritance that he might devote himself to the preaching of the Gospel in other lands. He journeyed to Jerusalem, where he was made Patriarch. After seven years, he went to Italy,—was conducted by an angel to Rome, about A.D. 571,—and, on the death of Pope John III., was elevated to the Papal throne, which he occupied for seven years, and then, weary of the spiritual sovereignty, he resigned the keys of St Peter, and resumed his wanderings over the world. He sailed into the Firth of Forth, landed at Inch-keith, and afterwards at Kinneil, on the southern shore,—embarked again and crossed to the opposite side,—as related by his successor in Loch Leven, Andrew Winton:—

Syne at Kinneil he came to land,  
 There ower the water he cast his wand,  
 That suddenly grew in a tree,  
 And bare of apples great plenty :  
 And that stead after ay  
 Morglas was called mony day.  
 And ower the water, of purpose,  
 Of Forth he passed till Culross,

where was probably a small cluster of fishermen's huts; but the spot pleased him, and, as he stood on the height facing the Forth, he resolved to build there a hermitage and a church:—

There he begouth to redd a ground  
 Where that he thought a kirk to found.

But Brude, King of the Picts, a fierce tyrant, opposed

the design, until, having been struck down with heavy sickness, he was restored to health by the holy stranger's prayers; and then his mood was changed, and he thankfully gave Culross, with all its rents and profits, to Servanus, who thereupon built a cell, and founded a church, and laid out a cemetery beside it. At Culross, too, an infant, destined to become Bishop of Glasgow, was thrown upon the saint's care. This was Kentigern,—whose mother, Thametes, a Pictish princess, fleeing from the wrath of her kindred, was shipwrecked in the Forth, and cast ashore, with her child, on Culross beach. Servanus adopted the boy,—trained him in the paths of piety,—and “loving him beyond others, was ordinarily wont to call him *Mongah*, which in the Norish tongue signifieth a *dear friend*; and this way came he to be called *Mungo*.” On the shore, a little east from the town, at the place where Thametes was washed to land, there was afterwards erected a little chapel in honour of her saintly son, and its ruins existed till within the present century.

Servanus went about teaching the Gospel, and is reputed to have frequently wrought miracles, which Winton carefully recounts in his *Chronicle*. In Tullibody, the saint cast out an evil spirit that possessed a man. In Tullicoultry, he raised a woman's two sons “from death to life.” At Airthrey, a sheep-stealer was wondrously convicted of his guilt in having made away with a pet ram belonging to the saint:—

This holy man had a ram,  
That he had fed up of a lamb,  
And used him to follow aye  
Wherever he passed in his way :  
A thief this sheep in Athron stole,  
And ate him up in pieces all.  
When Saint Serf his ram had miss'd,  
Who that it stole was few that wist :  
On presumption nevertheless  
He that it stole arrested was,  
And till Saint Serf syne was he brought.  
That sheep he said that he stole not,  
And theretill for to swear an oath,  
He said that he would not be loth.  
But soon he worthyd (became) red for shame—  
And with good reason; for the eaten sheep bleated

audibly, in his condemnation, out of his stomach!  
This was proof positive with a vengeance.

Sae was he tainted shamefully,  
And at Saint Serf asked mercy.

Servanus also built a cell, for his occasional retirement, at Duncing, near which village he slew "a fell dragon" with a blow of his pastoral staff, and so relieved the country of a pestilent terror. He encountered the "old serpent" himself, in a cave at Dysart, and discomfited him in a theological discussion;—after which, the abashed fiend,

Frae that stead he held him away,  
And never was seen there till this day.

Thus overlaid with a profusion of monkish fable, do we find the life-story of a simple, earnest, and powerful preacher of the Truth,—who was of Pictish blood, at least by his mother's side, and one of the chief Culdee apostles of Western Fife and the country on both sides of the Ochil hills. By the favour of King Brude, the large island called the Inch of Loch Leven, then extending to about 32 acres, was gifted to St Serf, who founded a religious house upon it—a Culdee establishment, where the lamp of pure religion was long kept burning amid the gloom of barbarous ages. It is said that St Serf ultimately became Bishop of Orkney. But it was in the cell at Dunning that his days were closed. After a protracted career of zealous Christian work,—“after many miracles, after divine virtues, after founding many churches,” says an old chronicle, “the saint, having given his peace to the brethren, yielded up his spirit in his cell at Dunning, on the first day of the Kalends of July :” whereupon (as we are told) his disciples and the people of the province carried his remains to Culross, and buried him there with psalms and hymns and canticles. Thenceforth he was adopted as the patron saint of Culross, and his festival was held on the 1st July.

The fame of the humble Church of St Serf at Culross evidently induced Earl Malcolm to plant his Cistercian Abbey in the same place. The house was dedicated to

the Virgin Mary, and also to the saint of the locality. After the Abbey was established, the village doubtless increased and thrived under the care of the monks, upon whom daily labour devolved by their own ascetic rules. Generally over the kingdom it was to be remarked that the Church lands were better cultivated, and the Church vassals enjoyed a happier lot, than those of the lay barons. While a large proportion of the peasant population of Scotland were absolutely slaves,—*nativi*, as they were denominated,—and were sold along with the lands on which they toiled and moiled,—the Churchmen gradually gave manumission to their own serfs, and often freed by purchase the serfs of other masters. The existence of the numerous class of *nativi*, and the manner in which they were included in the sale and transfer of land, may here be illustrated by a charter of the thirteenth century. It was granted by Alexander III. of Scotland, in favour of the Earl of Mar, of the lands of Tullicoultry, which had been resigned by Aleumus (Alwin ?) de Mercer, apparently on account of his being unable to fulfil the tenure by which he had held the lands, namely, to furnish a knight for the King's service. Aleumus and his father were probably progenitors of the Mercers, who subsequently acquired Meikleour and Aldie. The deed was first printed, in the original Latin, in the Old Statistical Account of Tullicoultry, and is there said to be "elegantly written on parchment, with a very fair hand, and fine ink, and is in every respect a remarkable curiosity. The whole parchment is near a square of 9½ inches, and the writing only measures 6 inches by 8." The following is a translation :—

ALEXANDER, by the grace of God, King of Scots, to all good men of his whole land, greeting: Let those present and to come know that Aleumus of Mercer, son and heir of the late Aleumus of Mercer, in presence of many nobles of our kingdom, namely, Alexander Cumyn, Earl of Buchan, then Justiciar of Scotland; Hugh of Abernethy; Mr William Wischard, then Chancellor; Fergus Cumyn; Walter of Abernethy; William of Lysurser; and Nicholas of Ruthyrford, and many others, on the day of the Holy Trinity [19th June] in the year of grace 1261, at the Castle of the Maidens, by staff and baton, resigned all his

lands of Tullicoultry, with the pertinents, in the fee of Clakmanan, which he held of us heritably, by defect of the service of the said land due to us, and for ever quit-claimed all his right which he had in the said land with the pertinents: we have given, granted, and by this our present charter have confirmed without any reserve, all the said land of Tullicoultry, with the pertinents, to William, Earl of Marr, our beloved and faithful, for his homage and service; to be held and had to the said William, and his heirs, of us and our heirs in fee and heritage, by those same divisions by which Walter, son of Alan the Steward, then Justiciar of Scotland, and Roger Avenel, then Sheriff of Stirling, assigned and delivered to the foresaid Aleumus, father of the said Aleumus, by precept of our dearest father, King Alexander of renowned memory, with the increase which was made by the same Walter, son of Alan and Roger Avenel, to Mathew the Clerk of Tullicoultry, in groves, in forests, in plains and rough grounds, in lands and waters, in meadows and pastures, in muirs and marshes, in lades and mills, with sock and sack, with gallows and pit, with tol and them and infangthief, and with all other just pertinents, and *with all natives of the said land, who were dwelling on the said land on the day of the grant* made to the foresaid Aleumus, father of the said Aleumus,—freely, quietly, fully, honourably, by the service of one knight, saving our alms: we have granted also to the said William that himself and his heirs may have and hold the said land in free forest: wherefore we strictly prohibit every one, without their license, from cutting or hunting on the foresaid land, under our full forfeiture of ten pounds. The witnesses being the venerable father, Gamelin, Bishop of St Andrews; Alexander Cumyn, Earl of Buchan, Justiciar of Scotland; Walter, Earl of Monteith; John Cumyn; William of Brechin; Eustace of Tours; Reginald of Chene:

At Forfar, 21st December, 1262.

The introduction of one of the leading industries which distinguished the town of Culross—namely, coal-mining—must be ascribed to the monks of its Abbey. Indeed, the earliest notices of coal in Scotland, as well as in England, occur in connection with ecclesiastical houses. It is believed that coal was first worked in Scotland by the monks of Newbattle Abbey, who, about the close of the twelfth century, obtained from Seyer de Quinci (afterwards created Earl of Winchester) “the half nearest their own tilled land, of the marsh which stretches to the burn of Whytrig on the east, and also the coal-work and quarry (*carbonarium et quarrarium*)” between the said burn of Whytrig and the bounds of

the lands of Pontekyn and Inveresch, and in the ebb and flow of the sea." Those ancient coal-works were originally carried on by scraping and scooping out the seam of coal which cropped up on or near the surface: and when this was exhausted, the sinking of pits was resorted to. The monks of Dunfermline Abbey had coal-works in the same neighbourhood, at Pinkie and Inveresk, besides others near their own town. In the year 1291, the Abbot and Convent of Dunfermline obtained from William de Oberwill, lord of Pittencrieff, in the vicinity of the town, a charter bestowing upon them the privilege of working one coal-pit, wherever they chose, on any part of his property, except the land which was arable; and when one was exhausted, of opening another at their pleasure, as often as they considered it expedient, but for their own exclusive use, and with an express prohibition to sell coals to others. But such coal-workings were not extensive, and the value of the mineral as fuel was appreciated by comparatively few beyond the monks themselves. Peat and wood were the common fuel throughout all parts of the kingdom; and long after the Preston, Tranent, and Pinkie coal-fields were opened, wood was exclusively burned in the salt-pans of Preston. The Scottish Chamberlain's Accounts bear that in 1288 the sum of 36s 6d was paid for 250 horse-loads of firewood for Stirling Palace, and £13 17s 5d for eight waggons of peats; but in the reign of David II., the sum of £26 was paid for 84 chalders of coal for the Queen's household. Apparently the smoke of coal was one great cause why the mineral was generally disliked, until the scarcity of wood, consequent on the gradual disappearance of the ancient forests, rendered the substitution of coal a necessity. A learned Italian ecclesiastic, Æneas Sylvius Piccolomini (afterwards Pope Pius II.), who visited Scotland about the middle of the fifteenth century, states that he saw "the poor people, who in rags begged at the churches, receive for alms *pieces of stone*, with which they went away contented. This species of stone," he proceeds to explain, "whether

with sulphur, or whatever inflammable substance it may be impregnated, they burn in place of wood, of which their country is destitute." Half-a-century later Hector Boece wrote, in the description of Scotland prefixed to his *History*, that "there are *black stones* also digged out of the ground, which are very good for firing; and such is their intolerable heat that they resolve and melt iron, and therefore are very profitable for smiths and such artificers as deal with other metals." Thus, then, we have seen the small beginnings of an industry which in its vast development has proved a main source of British greatness. In addition to coal-working, the monks of Culross devoted a share of their attention to fishing, and had cruives in the Forth at Kincardine, which yielded good produce.

Continuing the history of Culross Abbey, we find that in the Chamberlain Rolls for 1329, the Abbot is credited with having paid £8 as his contribution towards the Indemnity of 20,000 merks stipulated by the Treaty of Northampton to be paid by Scotland to England. John Hogg was Abbot on the 14th April, 1484, at which time the town of Culross was erected into a burgh of barony. On the 28th August, 1504, "ane reverend father, Andrew, Abbot of Culross, his Abbey and Convent," were included in a Special License, Respite, and Protection granted to the tenants and friends of the Bishop of Glasgow, until his return from Rome, whither he was to proceed as an Envoy from the Scottish King. The object of such Licenses was to protect the parties named, in their persons and properties, from all legal diligence, until forty days after the principal's home-coming. A bloody fate befel one of Father Andrew's successors. James Inglis was Abbot of Culross in the year 1531, and had the misfortune to give high umbrage to his near neighbour, John Blackader, the Laird of Tulliallan. The laird conceived mortal offence "because, when he was absent in Edinburgh, the said Abbot gave an tack above his head to the Lord Erskine of the lands of Balgownie." It seems that Tulliallan's quarrel with the Abbot was fomented

by the evil tongue of a priest or monk of Culross Abbey, called William Lothian, who had his own private pique against his superior. On the 1st of March, 1531, Blackader, shortly after his home-coming from Edinburgh, happened to be riding with sixteen mounted retainers, and also attended by Lothian, when the party encountered the Abbot and a similar number of horsemen, at the Loanhead of Rosyth, near Culross. Blackader's wrath boiled up at sight of his enemy, and immediately he drew his sword, and gave the word for attack. His followers obeyed, and in the melee which ensued the Abbot was cut down and slain. Leaving him dead on the ground, the assailants dispersed. But the slaughter was not to be tamely borne by the ruling powers. Blackader and the priest were denounced, arrested, and taken prisoners to Edinburgh. They could expect no leniency,—and none was shown them. The murder of a churchman was an unpardonable crime. On the 27th of March, Lothian was brought out upon a public scaffold, and degraded from his sacred office, so as to put him beyond the pale of the ecclesiastical law,—King James V., with his nobles, and a multitude of the people, beholding the spectacle. Next day, Tulliallan and his accomplice, the false priest, were brought to the Justiciary bar before the Earl of Argyle, Lord Justice-General, and were “convicted by an assize of art and part of the cruel slaughter of James Inglis, Abbot of Culross, committed upon forethought felony.” They were both sentenced to be beheaded. As soon as they were removed, three of Blackader's followers, Robert Manderstone, James Mitchell, and William Hutton, who had taken sanctuary at Torphichen, in the Hospital or Preceptory of the Knights of St John of Jerusalem, were also accused of the same murder, but were acquitted of forethought felony. Wherefore they were restored to the privilege of the Sanctuary of Torphichen by the Justice-General, and judicially delivered to George Lord St John, Master of the said Sanctuary. Tulliallan and Lothian were immediately decapitated in terms of their sentence.

After this date, in 1542, an Abbot of Culross was appointed a Senator of the College of Justice. Members of the Colville family obtained the offices of Abbot and Commendator. William Colville, Abbot of Culross, appears as a member of the Privy Council of Scotland from 1545 to 1553. At Edinburgh, on 22d January, 1553-4, the Lord Governor of Scotland (the Earl of Arran), "with advice of the Lords of Secret Council, ordains James Aitchesoun, master-coiner, to imprint all silver to be brought and delivered to him by ane venerable father in God, William, Commendator of the Abbey of Culross, Comptroller to our Sovereign Lady, in *bawbees*; providing always that the silver inbrought or to be inbrought to the coining-house by my Lord (Bishop) of Ross, Secretary to our Sovereign Lady, be first coined in *bawbees*" to meet the expenses of his mission to France. But the monkish days of Culross were now numbered—the Reformation was drawing nigh. When the preaching of Knox roused the heart of the nation, and the populace spent their fury in pulling down the "crows' nests," Culross Abbey shared in some measure the common doom. At this crisis, its revenues consisted of £768 16s 7½d in Scots money; wheat, 3 chalders, 2 bolls; bear, 15 chalders, 10 bolls, 2 firlots; oats, 13 chalders, 12 bolls, 3 firlots, 3½ pecks; salt, 1 chalders, 2 bolls; with ten wedders, 12 lambs, 7 doz. of capons, 26½ doz. of poultry, 7½ stone of butter, 79½ stone of cheese, and eight trusses of straw. The Abbot, who sided with the Reformers, reported that there were then nine monks in the convent, five of whom had recanted from the Romish faith, to whom he had given an allowance for their support; but the other four would not recant "by any persuasion," and, therefore, he gave them nothing.\*

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\* Spottiswoode's *Account of the Religious Houses in Scotland*; Archbishop Spottiswoode's *History*; Winton's *Chronicle*; Bishop of Brechin's *Kalendars of Scottish Saints*; *Chronicles of the Picts and Scots*, p. 412; Sinclair's *Statistical Account of Scotland*, vol. xv., p. 211; Innes' *Scotland in the Middle Ages*, and *Sketches of Early Scotch History*; Chalmers' *Historical and Statistical Account of Dunfermline*;

*Exchequer Rolls of Scotland*, vol. i.; Pitcairn's *Criminal Trials*, vol. i., Part I., pp. 41, 151; Balfour's *Annals of Scotland*, vol. i., pp. 46, 261; Crichton's *Memoirs of the Rev. John Blackader*, p. 8; Lord Hailes' *Catalogue of the Lords of Session*; *The Register of the Privy Council of Scotland*, vol. i.; Bishop Keith's *History*—Appendix, p. 184.

AN OLD PERTHSHIRE BURGH.—Part 2d.

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Fiery heart ! and liest thou *here* ?  
May this narrow spot inurn  
Aught that so could beat and burn ?  
Heart ! that loved'st the clarion's blast,  
Silent is thy place at last ;  
Silent—save when early bird  
Sings where once the mass was heard.

*Mrs Hemans.*

IN consequence of the rebellious movements of the Earl of Moray and his adherents after Queen Mary's nuptials with Darnley, the Privy Council, on 19th October, 1565, appointed well-affected persons to keep watch over the "havens and common passages" in Lothian, Fife, and Angus; and for those of Culross, Torryburn, and bounds adjacent, deputed Wardlaw of Torry, James Erskine of Little Sauchy, and Archibald Prestou.

During the time of the Queen Regent, Mary of Guise, a royal pension of £500 had been granted to Mr James Haliburton, Provost of Dundee, in respect of his services to the realm, and "specially in withstanding of England in time of war:" for which pension the Privy Council, on 21st March, 1566-7, gave security over the thirds of various benefices held by the Crown, and among the rest the third of the Abbey of Culross.

Shortly before the latter date a new Commendator was appointed to Culross. William had died, and his successor was Alexander Colville, second son of Sir James Colville of Easter Wemyss, by his wife, Janet, daughter of Sir Robert Douglas of Loch Leven. On the 4th February, 1566-7, Alexander was appointed Commendator, obtaining a charter under the Great Seal whereby Henry and Mary, King and Queen of Scots, granted him the benefice of the Abbey of Culross all the days of his life. From this gift, it may be inferred that the Commendator was esteemed a firm friend of the

royal donors; but it was soon seen that his loyalty altogether depended on his interest. A sudden revolution changed the aspect of Scottish affairs. Darnley was murdered on the night of the 4th February: the widowed Mary made her fatal matrimonial alliance with Bothwell, on the 15th May: then arose rebellion: and the Queen surrendered herself at Carberry Hill, and was hurried away to captivity in Loch Leven Castle. Her infant son was crowned at Stirling, on the 29th July. This solemnity was attended by the Commendator of Culross, who had thrown in his lot with Moray's party. He was also present at the Convention held at Perth, on the 27th July, 1569, for settling the peace and commonweal of the country. At this meeting, Lord Boyd tabled a Procuratory from Queen Mary, addressed to her son, desiring him to direct the Commissary Court to take action for the purpose of pronouncing her divorce from Bothwell; but the Convention decided by a majority of 40 to 8 that the proposal should be refused; and the Commendator of Culross gave his vote with the majority. In the same year, on 12th September, he appears as "Econimus" of Melrose Abbey. He was further promoted, being nominated, under the Regency of the Earl of Mar, as one of the Senators of the College of Justice. He is designed as such in a minute of the Commissioners of the Kirk, dated at Leith, on 23d January, 1571-2, by which they, "for divers gude considerations moving them, has granted and disponed to Alexander, Commendator of Culross, one of the Senators of the College of Justice, the third of his benefice of the Abbey of Culross, . . .

. . . . he paying yearly therefor the sum of 500 merks; that is to say, the sum of 200 merks to Agnes Scott," as a pension during her widowhood, "and the rest to the Collector of the thirds in these parts." The Commendator subsequently got into difficulty about his thirds, and was even subjected to a charge of horning. At a meeting of the Privy Council, on 20th March, 1573-4, he presented a Supplication setting forth "that the rentals of the Abbacy of Culross was given up other-

wise and more rigorously nor any rental of any other prelacy," and the late Commendator, William, "gave up in rental sundry things of the which the place has not been in use of getting payment thir thirty or forty years bygane, such as unpaid annuals, and presently no payment is gotten of the same;" besides, that he was overcharged in regard to the butter and cheese. The Council agreed that 500 merks should be the sum due by him yearly, and ordered all apparent arrears to be deleted. But it is not needful that we should follow out the remainder of the Commendator's career. On his death, his eldest son and heir, John Colville, succeeded him as Commendator. John married Elizabeth, daughter of Sir James Melville of Halhill, who brought him three sons. He afterwards resigned the Commendatorship in favour of his uncle, Sir James Colville of Easter Wemyss (his father's elder brother), a stout soldier, who had fought in the French wars. In 1589, Sir James obtained a charter of the manor of Culross and other lands; and in 1604 he was raised to the Peerage by the title of Lord Colville of Culross.

The little town of Culross was meanwhile busy and thriving, with its coal and salt works, and its manufacture of *Girdles*,—thin round plates of iron for firing oatmeal cakes and barley-bannocks. In the year 1573, Culross owned seven salt-pans. It was a season of dearth, and the price of salt had then risen to what was considered an exorbitant rate, by reason, as was alleged, of export abroad. The matter of the salt being forced on the attention of Regent Morton and the Parliament, they dealt with it according to their ideas of political economy, by enacting that no salt should be exported out of the realm for the next three years under pain of confiscation. Upon this it was represented by the saltmasters "of certain pans on the coast sides, that in respect of the present dearth standing within this realm, and multitude of servants entertained by them, they were not able to live nor to have sale unto their salt without license and liberty to sell and transport sa mickle of the same as

rested attour [remained over and above] the furnishing of the realm itself and subjects thereof; and thereupon offered and made surety to serve the subjects of this realm of salt at 8s the boll, having liberty to sell and transport out of the realm otherwise the remanent." But as the panmasters of Culross, Kinneil, and other places on both sides of the Forth, were not parties to this arrangement, the Privy Council, on the 13th October, 1573, prohibited the lieges, under heavy pains, from buying their salt at a higher price than 8s per boll. The Culross salters immediately conformed. On the 30th October, they and the Fordall panmasters gave caution that they should sell salt to the lieges at 12s per boll, according to the mett of Culross; and that for any surplus which they might ship for abroad, they should bring home nine ounces of silver for every chalder of salt,—said silver to be delivered at the Scottish Mint, and paid for at the rate of 30s per ounce. New arrangements were made in the end of 1574 and beginning of 1575. The Privy Council and the saltmasters of Preston, Dysart, Bo'ness, Culross, and Fordall, agreed temporarily that a certain weekly quantity of salt—three bolls from each "ganging pan"—should be delivered, at 10s per boll, to persons appointed by Government for the purpose of retailing it to the country at 10s 4d per boll. At the next sitting of Parliament, regulations were prescribed for the salt trade, and the Privy Council, on the 16th March, 1574-5, ordered all the panmasters to give security for obedience to the same; which order was renewed as to Culross and some other places, on the 31st March; and it was probably attended to, as the subject disappears from the Council Register of the period.

So much for the salt trade. The Culross coal-mining rose to great importance under the auspices of Sir George Bruce of Carnock, a younger brother of the house of Blairhall, which family acquired lands at Culross. Sir Edward Bruce of Blairhall, in Fifeshire, had four sons,—the second and third of whom were Edward

and George. Edward (second son) was bred to the legal profession, and became highly distinguished by his talents both as a lawyer and as a statesman. He enjoyed much favour with James VI., who, in 1603, gave him a grant of the dissolved Abbey of Kinloss, in Moray, erecting it into a temporal lordship for him and his heirs. Edward, now Lord Bruce of Kinloss, built a fine mansion adjacent to the ancient Abbey of Culross,—appropriating, it is said, quantities of the abbey stones for the new house. The latter was called “Culross Abbey,” and the mansion (which has been restored in modern days) still occupies its terrace overhanging the Forth. Although the old abbey was thus dilapidated, the central tower remained entire, and at an after date the church was repaired, and converted into the church of the parish. Lord Bruce died in London, in January, 1611, leaving two sons, Edward and Thomas, and four daughters. Edward succeeded his father as second Lord Bruce of Kinloss, and of him we have a “strange, eventful,” tragical story to tell. Sir George Bruce of Carnock, younger brother of the first Lord, and uncle of the second, devoted himself to trading pursuits. In 1575, he obtained a lease of the Culross collieries from Alexander Colville, the Comendator, and by his indefatigable spirit of enterprise rendered the works famous throughout the kingdom.

The prosperous condition of Culross brought civic advancement to the industrious little town. James VI., by a charter, dated 1st March, 1588, elevated Culross to the dignity of a Royal Burgh, “with full and special power to the free inhabitants and burgesses of said burgh, and to their successors, of making, choosing, constituting, and creating three Bailies, inhabitants of the same, and James Colville of Easter Wemyss, and his heirs, in the office of Provost, they being of fit and legal age for exercising and executing said office, together with a Treasurer, Dean of Guild, Councillors, Burgesses, Sergeants, and other necessary officers within the said burgh, for the government of the same; and also with power, as often as it shall

seem expedient for reasonable causes, of laying them aside." The King also, on the 28th November, 1599, granted special privileges to the Girdle-smith craft of the burgh. But besides civic dignity, and the right of being represented in the Convention of Burghs and the Parliament, Culross was honoured by being the residence of a poetess, Elizabeth Melvill, called by courtesy Lady Culross, wife of John Colville, the quondam Commendator. She was a woman of great piety, and widely known for her poetic talents, which were exercised in the cause of religion. The Scottish poet, Alexander Hume, Rector of Logie, dedicated to her his *Hymns or Sacred Songs*, published in 1599. "I have seen your compositions," he said, "so copious, so pregnant, so spiritual, that I doubt not but it is the gift of God in you." The work which spread her name was "*Ane Godlie Dream*, compylit in Scottish Meter, by M[rs] M[elvill], Gentlewoman in Culross. Edinburgh : 1603." The poem—which embodies a vision of the unseen things that await the saint and sinner after death—attained much popularity, particularly amongst the humbler classes. To afford a specimen of its style, we select the opening stanzas :—

Upon a day as I did mourn full sore  
 For sundry things wherewith my soul was grieved,  
 My grief increased, and grew more and more,  
 I comfort fled, and could not be relieved;  
 With heaviness mine heart was sore mischieved,  
 I loath'd my life, I could not eat or drink;  
 I might not speak, nor look to none that lived,  
 But mused alone, and divers things did think.

This wretched world did so molest my mind,  
 I thought upon this false and iron age,  
 And how our hearts were so to vice inclin'd,  
 That Satan seem'd most frightfully to rage.  
 Nothing on earth my sorrow could assuage,  
 I felt my sin most strongly to increase;  
 I griev'd the Sprite had want to be my pledge,  
 My soul was plunged in a most deep distress.

All merriness did aggravate my pain,  
 All earthly joys did still increase my woe;  
 In company I could no way remain,  
 But fled resort, and still alone did go.

My silly soul was tossed to and fro  
 With sundry thoughts, which troubled me full sore;  
 I press'd to pray, but sighs o'erset me so,  
 I could do nought but groan, and say no more.

The trickling tears most abundantly ran down,  
 Mine heart was eas'd when I had mourn'd my fill:  
 Then I began my lamentation,  
 And said, "O Lord! how long is it thy will  
 That thy poor saints shall be afflicted still?  
 Alas! how long shall subtle Satan rage?  
 Make haste, O Lord, thy promise to fulfil;  
 Make haste to end my painful pilgrimage."

At the distance of forty years, the poem was reprinted at Aberdeen, with the following title:—"A *Godly Dream*, by Elizabeth Melvill, Lady Culros, younger. At the request of a speciall friend. Aberdene, Imprinted by E. Raban, Laird of Letters: 1644." And long after that date, the poem (according to Armstrong's *Essays*) was generally sung by the peasantry of Scotland to a plaintive melody.

About the close of the year 1613, a singular interment (whereby hangs a stirring tale of deadly feud) took place in the old Abbey of Culross. The first Lord Kinloss was succeeded, as already said, by his eldest son, Edward. This youth—one of the Scottish nobles who fluttered about the English Court of King James—was made a Lord of the Bedchamber, and a Knight of the Bath. In London, he contracted a strong intimacy with Sir Edward Sackville, younger brother of the Earl of Dorset. Their tastes and follies accorded: they were gay gallants,—votaries of pleasure and fashion,—and for a space appeared as inseparable boon companions. At length their ties of friendship were rudely snapped asunder. Sackville professed affection for one of Lord Edward's sisters, but soon deserted her. The insult was keenly felt by her brother, who upbraided Sackville for his perfidy, and provoked a violent quarrel. The bitterest hatred animated their breasts. They never met but with frowns and deadly menaces. The whole Court was moved. King James himself in January, 1613, undertook the office of mediator, and laboured with great assiduity to bring about a reconci-

liation. His efforts were spent in vain. If, indeed, any pacific promises were given, they were speedily broken, and the feud raged hotter than ever. At Canterbury, where Kinloss and Sackville were amongst the nobles escorting the Elector Palatine on his departure from England, there was a scandalous outbreak. Kinloss, to prevent bloodshed, surrendered his sword to the Elector; but was immediately struck on the face by his adversary. The spectators interfered, and, with extreme difficulty, constrained the mutual foes to shake hands. They shook hands to satisfy the Elector; but the cowardly blow had roused in Bruce's soul "the vengeance blood alone could quell:" he reserved his heart, he said, for a truer reconciliation; and he waited his time. He went abroad to acquire complete mastery of the rapier: and when he conceived himself perfect in the art, he despatched a challenge from Paris, by the hands of a Scottish gentleman, inviting Sackville to come over and fight him in France. It ran thus:—

I that am in France hear how much you attribute to yourself in this time, that I have given the world leave to ring your praises, and for me, the truest almanack, to tell you how much I suffer. If you call to memory, whereas I gave you my hand last, I told you I reserved the heart for a truer reconciliation. Now be that noble gentleman my love once spoke you, and come and do him right that could recite the trials you owe your birth and country, were I not confident your honour gives you the same courage to do me right, that it did to do me wroug. Be master of your own weapons and time; the place wheresoever I will wait on you. By doing this you will shorten revenge, and clear the idle opinion the world hath of both our worths.

EDW. BRUCE.

Sackville received the cartel in Derbyshire, and his answer was prompt, brief, and to the point:—

As it shall be always far from me to seek a quarrel, so will I always be ready to meet with any that desire to make trial of my valour by so fair a course as you require. A witness whereof yourself shall be, who, within a month, shall require a strict account of time, place, and weapon; where you shall find me ready disposed to give you honourable satisfaction by him that shall conduct you thither. In the meantime, be as secret of the appointment as it seems you are desirous of it.

ED. SACKVILLE.

Sir Edward crossed the Channel, and repaired to Ter-

gosa, in Zealand, whence he announced himself to his rival. All preliminaries were satisfactorily arranged; and the duellists went to Bergen-op-Zoom, agreeing to meet and fight at a village near the frontier, without seconds, but each accompanied by a surgeon. "It was further concluded, that in case any should fall or slip, that then the combat should cease, and he whose ill fortune had so subjected him, was to acknowledge his life to have been in the other's hands. But, in case one party's sword should break, because that could only chance by hazard, it was agreed that the other should take no advantage, but either then be made friends, or else upon even terms go to it again." On the morning of the day appointed, Lord Kinloss is said to have had a supernatural warning. He "saw distinctly the figure or impression of a mort-head [a death's head], on the looking-glass in his chamber;" and asking some persons who stood by if they saw it, was answered that they did not. Yet he was not daunted. He went forth on horseback with his surgeon, and met his antagonist, who was similarly attended, in a meadow lying ankle-deep in water. The principals dismounted, and having ordered their surgeons to withdraw some distance, and not to interfere in the combat, drew their swords, and engaged together. They fought desperately, and Kinloss was slain. His successful opponent thus described the deadly struggle in an epistle to a friend:—

We being fully resolved (God forgive us!) to dispatch each other by what means we could; I made a thrust at my enemy, but was short; and in drawing back my arm, I received a great wound thereon, which I interpreted as a reward for my short shooting; but in revenge I pressed in to him, though I then missed him also, and received a wound in my right breast, which passed level through my body, and almost to my back. And there we wrestled for the two greatest and dearest prizes we could ever expect trial for, honour and life. In which struggling, my hand, having but an ordinary glove upon it, lost one of her servants, though the meanest, which hung by a skin, and to sight remaineth as before, and I am put in hope one day to recover the use of it again. But at last, breathless, yet keeping our holds, there passed on both sides propositions of quitting each others' sword. But when amity was dead, confidence could not live; and who should quit first was the question; which on neither part either would

perform; and re-striving again fresh, with a kick and a wrench I freed my long captive weapon. Which incontinently levying at his throat, being master still of his, I demanded if he would ask his life, or yield his sword; both which, though in that imminent danger, he bravely denied to do. Myself being wounded, and feeling loss of blood, having three conduits running on me, which began to make me faint; and he courageously persisting not to accord to either of my propositions; through remembrance of his former bloody desire, and feeling of my present estate, I struck at his heart, but with his avoiding missed my aim, yet passed through the body, and drawing out my sword, repassed it again, through another place, when he cried, "Oh! I am slain!" seconding his speech with all the force he had to cast me. But being too weak, after I had defended his assault, I easily became master of him, laying him on his back; when being upon him, I redemanded if he would request his life; but it seemed he prized it not at so dear a rate to be beholden for it; bravely replying, "he scorned it." Which answer of his was so noble and worthy, as I protest I could not find in my heart to offer him any more violence, only keeping him down until his surgeon afar off, cried "he would immediately die if his wounds were not stopped." Whereupon, I asked if he desired his surgeon should come, which he accepted of; and so being drawn away, I never offered to take his sword, accounting it inhuman to rob a dead man, for so I held him to be. This thus ended, I retired to my surgeon, in whose arms after I had remained a while, for want of blood I lost my sight, and withal, as I then thought, my life also. But strong water and his diligence quickly recovered me; when I escaped a great danger. For my Lord's surgeon, when nobody dreamt of it, came full at me with his Lord's sword; and had not mine, with my sword, interposed himself, I had been slain by those base hands; although my Lord Bruce, weltering in his blood, and past all expectation of life, conformable to all his former carriage, which was undoubtedly noble, cried out, "Rascal, hold thy hand!" So may I prosper as I have dealt sincerely with you in this relation; which I pray you, with the enclosed letter, deliver to my Lord Chamberlain.—And so, &c. yours,

EDWARD SACKVILLE.

*Louvain, the 8th of Sept., 1613.*

The unfortunate Lord Bruce died of his wounds. After death, his heart was extracted, embalmed, and enclosed in a silver case, which was transmitted to Scotland, and buried in his family vault in the ruined Abbey of Culross. "His remains," says the writer who relates the warning vision, "were interred at Bergen-op-Zoom, over which a monument was erected, with the emblem of a looking-glass impressed with a

mort-head, to perpetuate the surprising representation which seemed to indicate his approaching untimely end. I had this narration from a field-officer, whose honour and candour is beyond suspicion, as he had it himself from General Stuart, in the Dutch service. The monument stood entire for a long time, until it was partly defaced, when that strong place was reduced by the weakness or treachery of Cronstrom, the governor."

The duel made a profound sensation over Europe; and Sackville, on returning home, was ill received by King James. Lord Kinloss, having no issue, was succeeded by his brother, Thomas: and as to his sisters, Janet was married to Thomas Dalziel of Binns, and became the mother of the famous General; and Marjory obtained a coronet by marrying the Earl of Devonshire. Thomas, in 1633, was created Earl of Elgin.

Nearly two centuries after the duel, and when the burial of the heart was passing into a doubtful tradition, a deliberate search was made for the relic, in 1808, within the Church of Culross Abbey. After the pavement had been dug to the depth of two feet, two stones, four feet by two, clasped with iron, were found, and on being separated a silver case or box, of foreign make, shaped like a heart, was disclosed in a hollow betwixt them. The box had a lid, hinges, and clasp,—the lid being engraved with the arms and name of *Lord Eduard Bruse*: and when the relic was opened, it contained an embalmed heart lying in a brownish-coloured liquid. In another cavity of the stones was a small leaden box, without any inscription, but its contents had mouldered to dust, and could not therefore be ascertained. The old tradition being thus signally verified, the silver heart and the leaden box were replaced as before in the earth.\*

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\* *The Register of the Privy Council of Scotland*, vol. i., pp. 381, 502, 538; vol. ii., pp. 2, 8, 30, 113, 114, 286, 293, 348, 427, 439, 442; *Douglas' Peerage of Scotland*; *Lord Hailes' Catalogue of the Lords of Session*; *Constitution of the Royal Burghs of Scotland*. Glasgow: 1818, p. 89; *Chambers's Life of King James the First*, vol. ii., pp. 199-209; *Miscellanea Scotica*, vol. iii.—“Treatises on the

Second Sight." By Theophilus Irsulanus, &c., p. 65. Heart-bequests and burial are heard of in Europe after the first Crusade, and were common during the Middle Ages, —several instances of which being familiar to every reader. But modern times have not been without examples. Mrs Grant of Laggan, in one of her *Letters from the Mountains*, dated Perth, May 6, 1777, thus writes:—“Did I tell you of an excursion to Scoon, which we made in company with a large party of the *beau monde* of Perth? I think I caught cold while contemplating the forsaken mansions of departed greatness. Yet I do not repent going; I love originals dearly, and antiquities *vastly*: I was pleased, too, with a monument of conjugal affection in the chapel belonging to the palace. Lord Stormont, it seems, was first married to a foreign lady, who had the strongest desire to accompany him to Scotland; but, dying abroad in the prime of life, she earnestly requested that her heart might be brought here, and deposited in his family burial-place, that it might repose near to the object of her former attachment. It is deposited in a white marble urn, with a Latin inscription, expressive of her virtues and her lord's affection. I was pleased to think how good that heart must have been which could retain such warmth, amidst the frozen formalities and frivolous dissipation of a court.” (*Letters from the Mountains*, Third Edition, vol. ii., p. 15.) The Lord Stormont spoken of was the seventh Viscount Stormont, and second Earl of Mansfield. His first lady was Henrietta Frederica, daughter of Henry, Count Bunau, whom he married at Warsaw, in August, 1759. She died in March, 1766, leaving two daughters.

AN OLD PERTSHIRE BURGH.—Part 3rd.

I sing not of great Cæsar's might,  
How brave he led his men to fight;  
Nor shew how haughty Cato died,  
Or what could make him satisfied:  
I choose to sing, in strains much lower,  
Of *Collier lads*, unsung before.

*The Collier's Wedding.*

The hammermen of Edinburgh are no that bad at girdles for carcakes, neither, though the Cu'ross hammermen have the gree for that.

*Heart of Midlothian.*

SIR GEORGE BRUCE of Carnock having obtained a lease of the Culross coal-pits which had belonged, time out of mind, to the old Abbey, he devoted all his energy to the improvement of the mining process. He ventured money freely in the undertaking, and enlisted the valuable aid of machinery. In fact, he was the first coal-master in Britain who made use of machinery in the draining of the pits. A little westward of Culross he erected what was called an Egyptian wheel, acting on the chain and bucket principle, for the purpose of drainage. By dint of thorough and sustained enterprise he largely developed the capabilities of Culross as a coal-producing centre. His principal work was regarded as nothing short of a wonder, unparalleled in the kingdom. This was a shaft which he caused to be excavated a considerable distance under the Forth—at least under that part of the shore which was flooded at high water. The outer end of the shaft opened within a strongly-constructed circular "moat," at the sides of which the coals were shipped. The walls of the moat were built so high as to prevent the sea, either when at full tide or during storms, breaking over the top of the bulwark, and pouring down the mouth of the access to the coal-mine. Sir George also engaged in the manufacture of salt, and his operations gave great impetus to the trade and industry of the whole district.

The Culross coal-pits were so highly famed that wise King James VI., while on his Scottish progress in the summer of 1617, visited the works of which he had heard so many flattering accounts. He came to Dunfermline, intending to proceed to Falkland where he wished to resume his favourite sport of hunting in the chase of the old Palace; but when he quitted the former town, he bent his course towards Culross, telling his attendants, with an air of mystery, that he would take them to dine that day at a *Collier's house*—meaning the new Abbey of Culross, which was then the residence of Sir George Bruce. Thither the gay cavalcade repaired. The knightly Collier welcomed and sumptuously entertained his Majesty and the royal train. After the banquet, James, whose curiosity was on keen edge, expressed a desire to see and explore the celebrated shaft. Straightway he was led through the narrow, darksome tunnel, and then ascending some way, suddenly emerged into the open air, upon the moat, which at that moment was surrounded by a swelling tide. The king, dazzled by the sunshine, rubbed his eyes, and stared about in bewilderment, which soon became consternation when he clearly perceived his isolation and the shore so distant. Childishly timid by nature, and rendered nervously suspicious by the “plots” which had been practised against him in former years, he was now seized with the apprehension that he had been decoyed to the moat for some villainous design upon his liberty or his life. Under this delusion he bawled out “Treason! treason!” with all the force of his lungs—just as he had done, seventeen years before, at the turret window of Gowrie House. The merest chance might have entailed bloodshed and slaughter, as happened in Perth,—and then a miserably-disjointed story of conspiracy would have been concocted to cloak the loss of innocent lives. But the event fortunately fell out otherwise. The knightly collier, perchance shaking his sides with uncontrollable laughter, allayed the monarch's terror by pointing to a handsome pinnacle

moored alongside the bulwark, which was waiting to take the company ashore. The King, recovering his composure, doubtless passed off his undignified alarm as a jest: and he and his suite embarked, and soon reached *terra firma*—not soon to forget the black, stifling Plutonian regions through which they had passed.

In the following year, 1618, Scotland had two literary visitors from “the great metropolis.” One was rare Ben Jonson, whose bourne was Hawthornden: and the other, honest John Taylor, the Water Poet, who came on what he called a “penniless pilgrimage,” to view the country at large and pay his respects to his Scottish patrons. Like his sovereign, John was desirous of seeing the famous mine of Culross, and therefore on arriving at Dunfermline he settled with himself to follow the king’s route and endeavour to inspect the wonder of the age. What he saw he thus records in his *Pennyless Pilgrimage* :—

I taking my leave of Dunfermline, would needs go and see the truly noble knight, Sir George Bruce, at a town called the Culross: there he made me right welcome, both with variety of fare, and after all, he commanded three of his men to direct me to see his most admirable coal-mines; which (if man can or could work wonders) is a wonder; for myself neither in any travels that I have been in, nor any history that I have read, or any discourse that I have heard, did never see, read, or hear of any work of man that might parallel or be equivalent with this unfellowed and unmatchable work: and though all I can say of it, cannot describe it according to the worthiness of his vigilant industry, that was both the occasion, inventor, and maintainer of it: yet rather than the memory of so rare an enterprise, and so accomplished a profit to the commonwealth shall be raked and smothered in the dust of oblivion, I will give a little touch at the description of it, although I amongst writers, am like he that worse may hold the candle.

The mine hath two ways into it, the one by sea and the other by land; but a man may go into it by land, and return the same way that he please, and so he may enter into it by sea, and by sea he may come forth of it: but I for variety’s sake went in by sea, and came out by land. Now men my object, how can a man go into a mine, the entrance of it being into the sea, but that the sea will follow him, and so drown the mine? To which objection thus I answer, that at low water mark, the sea being ebbd away, and a great part of the sand bare; upon this

same sand (being mixed with rocks and crags) did the master of this great work build a round circular frame of stone, very thick, strong, and joined together with glutinous or bituminous matter, so high withal that the sea at the highest flood, or the greatest rage of storm or tempest, can neither dissolve the stones so well compacted in the building or yet overflow the height of it. Within this round frame (at all adventures) he did set workmen to dig with mattocks, pickaxes, and other instruments fit for such purposes. They did dig forty feet down right into and through a rock. At last they found that which they expected, which was sea-coal, they following the vein of the mine, did dig forward still: so that in the space of eight and twenty, or nine and twenty years, they have digged more than an English mile under the sea, so that when men are at work below, an hundred of the greatest ships in Britain may sail over their heads. Besides, the mine is most artificially cut like an arch or a vault, all that great length, with many nooks and byeways: and it so made, that a man may walk upright in the most places, both in and out. Many poor people are there set on work, which otherwise, through the want of employment, would perish. But when I had seen the mine, and was come forth it again; after my thanks given to Sir George Bruce, I told him, that if the plotters of the Powder Treason in England had seen this mine, that they (perhaps) would have attempted to have left the Parliament House, and have undermined the Thames, and so to have blown up the barges and wherries, wherein the King and all the estates of our kingdom were. Moreover, I said that I could afford to turn tapster at London, so that I had but one quarter of a mile of his mine to make me a cellar, to keep beer and bottled ale in.

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The sea at certain places doth leak or soak into the mine, which by the industry of Sir George is all conveyed to one well near the land; where he hath a device like a horse-mill, that with three horses and a great chain of iron, going downward many fathoms, with thirty-six buckets fastened to the chain, of the which eighteen go down still to be filled, and eighteen ascend up to be emptied, which do empty themselves (without any man's labour) into a trough that conveys the water into the sea again; by which means he saves his mine, which otherwise would be destroyed with the sea; besides, he doth make every week ninety or a hundred tons of salt, which doth serve most part of Scotland, some he sends into England, and very much into Germany: all which shows the painful industry with God's blessings to such worthy endeavours. I must with many thanks remember his courtesy to me, and lastly how he sent his man to guide me ten miles on the way to Stirling.

The "unmatchable" colliery was worked for other seven years, until it was irretrievably destroyed. In

1625, there was a violent tempest, during which the furious lashing of the sea upon the moat dislodged portions of the thick masonry, and the billows rushed through the breaches, and drowned the mine! By a singular coincidence, Sir George Bruce died in the same year, on the 6th of May. He was elected, in 1603, to represent the burgh of Culross in the Scottish Parliament, which body chose him, in 1604, as one of their Commissioners to treat concerning a union with England—a proposal originating in the accession of King James to the English throne. By the death of Sir George Bruce, whose extensive employment of labour and promotion of commerce conferred upon this country important benefits, Scotland lost an enlightened national benefactor. He was succeeded by his eldest son, George, whose eldest son, Edward, became first Earl of Kincardine, and he, in turn, was succeeded by his brother, Thomas, who was created, in 1633, first Earl of Elgin. From time to time vigorous attempts were made to recover the drowned colliery, but they all proved abortive; and a portion of the building materials of the moat were sold to the Magistrates of Edinburgh to be used in the repair of Leith pier. The inundation was a heavy blow to the Culross coal-trade, which was reduced to very little consequence. But the salt manufacture went on without any check; and throughout the seventeenth century, 50 pans were in operation, turning out about 100 tons weekly. It is stated that when Culross was at its briskest, 170 vessels could occasionally be counted in the roads at one time, loading with coal and salt for home and foreign markets.

Other interesting points in the history of Culross remain to be glanced at. On 22d July, 1631, the Court of Teinds considering that the old parish kirk was both decayed and inconveniently situated, decerned that the Church of the Abbey should be the parish kirk in all time thereafter, and accordingly a portion of it was put under repair. The days of the Covenant soon came on: and the "good old cause" which convulsed the

nation was popular in Culross ; for the Kirk Session Book notes that the Covenant had received the signatures of 700 of the parishioners. When the Plague ravaged Scotland in 1645, Culross suffered severely. Passing on to the era of the Restoration, we find that in July, 1661, the Scottish Parliament granted the burgh two additional yearly Fairs, and in 1663 entrusted it with the keeping of the standard coal-measure for Scotland—the *Culross Chalder*,—according to which the duty was directed to be paid. This standard was lost in the next century; but the Scottish Book of Rates, printed in 1670, mentions the great and small chalders of Culross, which were in the proportion of 5 to 2 : and the dimensions of the standards may be guessed from the following facts. In Culross and the neighbourhood, coals were sold by two measures or carts, whereof the larger contained 27 trone, or  $33\frac{3}{4}$  Scots troye stones, 12 of which carts, amounting to 405 Scots troye stones, were reckoned the Great Chalder : and the smaller cart contained 27 stones Scots troye, 6 of which carts, amounting to 162 Scots troye stones, were reckoned the Small Chalder : which dimensions are in the proportion of 5 to 2, as stated in the foresaid Book of Rates. For a long time previous to 1663, however, the Scots troye weight was adjusted at Culross, by means of a single weight stamped with the inscription—*Lanark Scots Troyes*. 1618., which, when examined in 1826, contained 122,105 Imperial grains : hence the Scots troye or Dutch pound, deduced from it, ought to weigh 7631·56 Imperial grains. Farther, the Scottish Parliament, on 23d December, 1669, confirmed the privileges of the girdle-smiths of Culross by an Act of Ratification. We select its principal clauses. It ratified, approved, and confirmed—

To the Deacon and remanent members of the Society for manufactory of making of girdles within the burgh of Culross and their successors in the foresaid trade and work from time to time perpetually in all time coming, the sole and only liberty of making of girdles of all sizes within his Majesty's said burgh of Culross, with the hail profits and commodities thereof; together with power to the members of the foresaid Society from time to time to elect and

choose their Deacon, Boxmaster, and hail remanent necessary members for governing of the same manufactory, and to set down such laws for that effect as may best subsist by the laws and practice of his Majesty's said kingdom, and may conduce for the promoting of the said manufactory; and specially that no member thereof shall work any other kind of smith work but only making of girdles, least he thereby occasion the neglect of his calling in attaining to the art thereof; and that it shall not be leissum (lawful) to any of the members of the said manufactory from time to time to make sale of their girdles till the same be seen and appoven by the Deacon and his Council, or any other to be deputed by them, to be sufficient and receive their stamp . . . . . and farther his Majesty by the foresaid gift prohibited and discharged all others his subjects, who are not members of the said Society, to assume to themselves the liberty of making of girdles of whatsoever size under all highest pain and charge that after may follow; and likewise commanding the Lords of his Majesty's Council and Session to direct letters of horning at the instance of the Deacon of the foresaid manufactory from time to time, to command and charge all those whose names shall be given to them in roll to desist and cease perpetually in all time coming from making of the foresaid girdles of whatsoever size, under the pain of rebellion and putting of them to the horn, and all other execution requisite to follow against the disobeyers . . . . . likeas his Majesty, with advice and consent of the Estates of this present Parliament, wills, grants, and ordains that the foresaid manufactory and trade be only made use of, used, and exercised by the Deacon and remanent members of the foresaid Society within the foresaid burgh of Culross, and in no placè else within this kingdom by no other person or persons.

But we shall subsequently find the Society's claim of monopoly beyond their own burgh disputed, and set aside at law.

The hardships and miseries of the "Persecuting times" were felt in Culross, though not in such measure as they were experienced in many other quarters of the country. In 1677, the burgh magistrates were accused of dealing leniently with certain persons whose nonconformity rendered them obnoxious to the Government, as appears from a "Report to the Privy Council by the Committee for Public Affairs," dated the 28th June, 1677, containing the following passages, which will suffice for illustration of those melancholy days:—

The Committee having called the magistrates of Culross, who were cited for permitting one Mr Michael Potter, a fugitive person, to be schoolmaster there, and for

resetting one William Adam, a fugitive and banished person, and others; one of the Bailies compearing declared, that the magistrates knew not the said schoolmaster was fugitive, and that he is gone to Holland twenty days since, and that sensine the school is planted with a regular person: that William Adam had a house in the town, and his wife kept a shop, and that he was very seldom seen himself, and that the Bailie undertook, that if he could be found within their liberties, to apprehend and present him.

There being a Conventicle kept in Culross, Sabbath was eight days, which was dissipated by Captain Buchan, and about eighteen persons seized upon and imprisoned in Culross, upon examination the Committee finds, that the magistrates had set some of them at liberty at their own hand. The Committee has ordered the magistrates to call them all back to prison, and hath condescended upon the persons most substantial of them, and appointed the magistrates to produce them before the Council this day se'ennight; and if the rest who are mean persons will give bond to keep their own parish churches, and not keep conventicles, they have appointed them to liberate them, otherwise to continue them in prison. The Committee find the magistrates are culpable, and deserve to be fined; but it is their opinion, that the Council shall delay to punish them for some time, that they may see what will be their future carriage, and have time to search for and apprehend the said William Adam, which the Bailie present undertook to do.

The witchcraft mania during its long prevalence gave the good folks of Culross much trouble, and occasionally they devoted their tormentors to fire and faggot. We have already, in a previous article—"The Weird Sisters of Perthshire"—recounted the cantrips of Culross witches. On the 29th July, 1675, four women of the place—Katherine Sands, Isobel Inglis, Agnes Henry, and Janet Henry—were convicted, upon their own confession, of the imaginary crime, and executed at the stake. And we have yet to show that some of the latest manifestations of this odious superstition in Scotland occurred in the close vicinity of the burgh.

Culross can claim another native favourite of the Muses. The authoress of the *Godly Dream* had three sons, the youngest of whom was Samuel Colville, who inherited his mother's poetical fancy, though in him it took a satirical turn. He was a bitter scoffer at Presbytery and the Covenant, and produced *The Whigs' Supplication; or, The Scots Hudibras: A Mock Poem,*

which was published at London in 1681. It is an imitation of *Hudibras*, but coarse, and with scarce a sparkle of the Hudibrastic wit.

Shortly before the Revolution the Girdle-makers of Culross saw necessary to apply to the Court of Session in vindication of their exclusive privileges under the Act of 1669. A neighbouring proprietor, Preston of Valleyfield, had kept Girdle-smiths in his barony, whose wares competed in the market with those of the burgh : and accordingly the Culross fraternity besought the Supreme Court to interdict and suppress the rival manufactory. The case was defended by Valleyfield, and on 22d July, 1688, the Court ordered that trial should be made to find "if the Girdle-makers of Culross have any other trade or craft than that of making girdles, and at what prices they sell the same; and likewise to try if the men at Valleyfield do make sufficient girdles, and at what prices they make the same, and if they have any other trade than making of girdles" &c. The issue of this litigation is not recorded in the books. A case of a similar nature arose in 1727, when the Court declined to homologate the Culross monopoly over any other royal burgh : and from that date, it is said, the Culross girdle-trade rapidly declined to extinction. But according to the Old Statistical Account, the decline was "not so much to be ascribed to the loss of the patent, as to the cheaper mode of making girdles by the Carron Company from the power of machinery; the more frequent use of ovens; together with the preference now pretty generally given to wheat bread in every part of the country."

The year after the Revolution, a famous Presbyterian minister who had weathered the storms of the Persecution—the Rev. James Fraser of Brea—came to Culross, and was allowed, on 13th May, 1689, by the Committee of Estates, to use the parish church. Mr Fraser has left autobiographical *Memoirs* replete with his spiritual experiences, and also with details of his sufferings for the Covenanting cause. He says that in his boyish days he "loved not to be dawted:" and certainly

he was not "dawted" by fortune in his riper years. He was kept a prisoner in the dismal, sea-girt Castle of the Bass from January, 1677, till July, 1679, and endured a subsequent imprisonment in Blackness Castle. He seems to have laboured several years in Culross as parish minister, and was then sent to supply the north. He died at Edinburgh on 13th September, 1699. Another minister of Culross enjoyed great celebrity for his peculiar gifts of witch-detection and prophecy. The Rev. Allan Logan was translated from Torryburn to Culross, on 17th July, 1717, and ten years afterwards—in March, 1727—succeeded his brother in the estate of Logan, and thereby became chief of the name. He died in September, 1733. Both at Torryburn and Culross he was the terror of witches. "He had," we are told, "an amazing gift of foreknowledge and discernment of persons' fates and states on sight of their faces; and still more he did truly predict the fates of others whom he never saw." Instances are given of his discernment enabling him to discover witches and thieves at the Sacramental Table. On one occasion, as he was ministering "at a neighbouring solemnity," he suddenly exclaimed—"Thou servant of the devil, thou witch-wife, I adjure thee to rise from the Lord's Table, and go from amongst his people! I will not name thee, nor will I touch thee; but may the terrors of the Lord touch thy conscience, and lead thee forth from amongst his sons and daughters. And you, man, who have the stolen Bible in your hand, open the door, and let her out." Then—as the relation proceeds—"a woman rose, who never was suspected for any such thing, and with great horror and trembling, cried out that she was the person he meant, and so staggered to the door, where the man with the stolen Bible (being convicted also) met her, and opened the door; so they went both out together." While Mr Logan was minister at Torryburn, there arose in the summer of 1704 a great fama of witchcraft against one Lilius Adie, a residenter. It was alleged that she had "tormented" a neighbour, Jean Bizzet, a married woman, who, falling into fits, made

use of strange ejaculations—"Now, now, I'll be felled! Three blue doublets! O Lily with her blue doublet! O keep me, keep me, there she is coming! There is Lily coming to take me and three blue doublets!" The minister was very active in expiscating evidence: and at length Lily confessed meeting with and selling herself to the Devil, and that she had been present at a meeting of twenty or thirty witches, when the foul fiend "came on a pony, with a hat on his head, and they clapped their hands and cried, 'There our Prince! there our Prince!' with whom they danced about an hour." Lily was clearly on her way to the stake; but she died before trial, and was buried within sea-mark at the west-end of the town. Mr Logan's part in the matter did not please all his parishioners; for one of them, Helen Key, was charged with saying "that when she heard Mr Logan speak against the witches, she thought that he was daft, and she had up her stool to go out of the kirk." As to the rev. gentleman's prophetic powers, he is said to have predicted that "from the year 1753 to 1793, one judgment shall follow close on the back of another: the six vials of God's wrath will be poured out on the inhabitants of this lower world, which will cause great tribulations and commotions, such as earthquakes, famine, universal wars, and blood-shedding through all the world." He also repeatedly expressed his conviction that a King of Prussia would become the champion of the Protestant interest, and accomplish the utter overthrow of the Papacy.

Owing to the connection of Culross with coal works and salt pans, it cannot be out of place to mention that colliers and salters, the last *nativi* or slaves in Scotland, were finally emancipated by Act of Parliament in 1799. More facts might be added, concerning the burgh, the parish, and local families of eminence. But our space is exhausted. And as the history of Culross begins with St Serf, we shall close with an account of his festival as it was kept in the burgh last century. "There was an annual procession on his day, viz., 1st

July, early in the morning of which," says the Old Statistical writer, "all the inhabitants, men and women, young and old, assembled and carried green branches through the town, decking the public places with flowers, and spent the rest of the day in festivity. The procession is still continued, though the day is changed from the Saint's day to the present King's birthday."\*

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\* Sinclair's *Statistical Account of Scotland*, vol. x., p. 131, vol. xviii., p. 649; *New Statistical Account of Perthshire*, p. 597; Fullarton's *Gazetteer of Scotland*, vol. i., p. 279; Chambers' *Life of King James the Sixth*, vol. ii., p. 235; Taylor's *Pennylesse Pilgrimage; A Proposal for Uniformity of Weights and Measures in Scotland*: Edin., 1779; *Reports on Perthshire Weights and Measures*: 1826; *Acts of the Parliaments of Scotland*, vol. vii., p. 616; Wodrow's *History of the Church of Scotland* (Second Edition), vol. ii., pp. 317, 363; Chambers' *Domestic Annals of Scotland*, vol. ii., p. 493; *Select Biographies* (Wodrow Society), vol. ii.; Scott's *Fasti Ecclesie Scoticanæ*, vol. ii., part 1, pp. 583-589; *A Collection of Tracts on Witchcraft and the Second Sight* (Minutes of the Session of Torryburn); *Remarkable Predictions of Mr Christopher Love and the Rev. Mr Allan Logan*. Glasgow: 1801.

## MICHAELMAS—ITS ELECTIONS AND FEASTS.

—————Haste to the muster,  
The Trades i' the Green ha'e this hour been convenin',  
And our wits we maun use, a good Deacon to choose;  
'Tis a day "big with fate," at your post then be leanin'.  
*Whistle-Binkie.*

By ecclesiastical authority, in the ninth century, the Church festivals of St Michael and all the Holy Angels were conjoined into one, which was appointed to be held on the 29th of September. This change was observed throughout Western Christendom,—although the Romish Kalendar still retains a separate festival for the 8th May, in commemoration of what is called the "Apparition of St Michael." But it was not until the twelfth century that the Feast of St Michael was adopted by the Greek Church, and this was done at the command of the Byzantine Emperor, Manuel Commenus,—a different day in September being fixed for it. That the archangel Michael and the heavenly host should have obtained place in the Church Kalendar was the natural result of the ancient belief that those exalted intelligences interceded for mankind at the Eternal Throne, and moreover attached themselves in closer relation to this lower world by becoming ministering and guardian spirits, one of whom watched over every human being from his cradle to his grave: nay, further, the special guardianship of countries, cities, ranks, and professions of men was assigned to tutelary saints and angels. The Feast of St Michael and all Angels is recognized by the Church of England, for the purpose—according to Archbishop Wheatley, in his work on the *Book of Common Prayer*—"that the people may know what blessings are derived from the ministry of angels"—a doctrine which, in its pure, Protestant shape, must exert a beneficent influence over the mind, and promote the growth of virtue and piety: and it is in this elevating sense that Spenser

speaks of it in two exquisite stanzas of the *Faerie Queen*:—

And is there care in heaven? And is there love  
 In heavenly spirits to these creatures base,  
 That may compassion of their evils move?  
 There is:—else much more wretched were the case  
 Of men than beasts: but O! th' exceeding grace  
 Of Highest God that loves His creatures so,  
 And all His works with mercy doth embrace,  
 That blessed angels he sends to and fro,  
 To serve to wicked man, to serve his wicked foe!

How oft do they their silver bowers leave  
 To come to succour us that succour want!  
 How oft do they with golden pinions cleave  
 The fitting skies, like flying pursuivant,  
 Against foul fiends to aid us militant!  
 They for us fight, they watch and duly ward,  
 And their bright squadrons round about us plant;  
 And all for love and nothing for reward:  
 O, why should Heavenly God to men have such regard!

Incongruous as the association may at first sight seem, it is nevertheless agreed among authorities on the subject, that the theory of tutelary spirits gave occasion to Michaelmas being chosen as the term for election of Magistrates and other civic office-bearers. Rulers were looked upon as representatives of the higher guardians and patrons, by reason of their presiding over and protecting the people, and striving to guide them in the paths of rectitude. Viewed in this light, the association, strained as it is, does not appear so very incongruous after all. As to the elections spoken of, we presently intend depicting those of a subordinate character, connected with the Crafts of the Burgh of Perth, as conducted in former times, when such elections derived much of their importance from the circumstance that the Deacons of Incorporations were entitled to sit and vote as members of the Town Council.

Merchant Guilds and privileged Fraternities or Societies of Craftsmen originated at early periods of burgh history. The Fraternities of Trades were generally formed or incorporated by the authority of the Magistrates, who for that end issued documents styled "Seals of Cause," which conferred monopoly or exclusive privileges, with powers of self-government. At

what time, however, the Deacons were admitted to seats in Town Councils has not been ascertained. The second Parliament of James I., which was held at Perth on 12th March, 1424, ordained "that in ilk town of the realm, of ilk sindry craft used therein, be chosen a wise man of that craft, and by consent of the officer of the town, the which shall be held Deacon or Master-man over the lave for the time, to govern and assay all works that be made, before the craftsmen of that craft, so that the King's lieges be not defrauded and skaithed in time to come as they have been in time bygane through untrou men of crafts." This reads like the original institution of Deacons; although there is every probability that the office of Deacon was not then instituted for the first time, but had been in use before in various towns, and that the object of the Act was to ensure uniformity throughout the kingdom. In two years more the Parliament changed its mind, and abolished the office of Deacon, as having become dangerous to the peace and security of the commonwealth. Another opinion began to prevail ere long, and Deacons were gradually restored: but eventually the keen rivalry in Town Councils between the Guild brethren and the Craftsmen culminated in 1555, when the latter were excluded. An Act of Parliament was passed in June of the same year, to the effect that it having been clearly understood that the choosing of Deacons was right dangerous, and had caused great trouble in burghs, therefore "that there be no Deacons chosen in times coming," but that the Town Councils should have the power to appoint annually at Michaelmas a "Visitor of Craft" for each trade; that all Craftsmen should be under the Council; and that no Craftsman should hold office within the burgh. This was a short-lived measure; for it was by far too oppressive. The Craftsmen of Perth were reponed against it by a charter of Queen Mary, dated 28th May, 1556, which declaring that the Queen, "having respect that the said burgh of Perth doth daily increase, and is chiefly upheld by the fortune, order, and policy of the tradesmen, and that they exceed the

rest of the inhabitants and indwellers of the said burgh in number, and do equal the merchants themselves thereof in paying all manner of stents," &c., now restored them to "their ancient and entire state in all things," including "the using and having of Deacons of Crafts, who may have suffrages and votes in electing, and may elect officers of burgh," and so forth. The Crafts, now reinstated in their former rights, were represented in the Town Council by a full half of the membership. But the inveterate jealousy and dominating spirit of the merchants, though baffled for a time, finally triumphed in their rivals being reduced to a minority, which was effected in a high-banded manner, when the Great Charter of James VI. debarred the Weavers and Waulkers from the Council by stigmatising them as incapable of becoming Guild brethren.

According to what was long the *Set*, or political constitution of the burgh (the various intricacies of which we have not space to unravel), the Town Council was composed of 26 members—14 of whom were Merchant Councillors (including the Lord-Provost, Dean of Guild, and three Merchant Bailies) chosen from the Guildry; and the remaining 12 were composed of the 7 Deacons of the Incorporated Trades; 3 Trades Councillors chosen from the Hammermen, Bakers, and Glovers, and one who represented the four Incorporations of Wrights, Tailors, Fleshers, and Shoemakers, denominated the "Small Trades;" with a Trades Bailie chosen annually in rotation from the Hammermen, Bakers, and Glovers, and Small Trades. By this arrangement, the Guildry had a perpetual majority of two; but when, as alternately happened, the Treasurer was chosen from the Trades, and so created an equality of 13 members on either side, the craft to which he belonged was allowed no Trades Councillor for that year, so that the preponderance of Guild votes was not disturbed. The election of the Magistrates and Council took place on the first Monday after Michaelmas, when the Trades' Bailie and Councillors were chosen from lists or *leets* sent in by the Trades: and the latter elected their Deacons and Boxmasters on the following Wednesday.

It is curious to notice *en passant* that for a lengthened period none of the Trades seem to have possessed any hall for their meetings and elections, and were consequently in the habit of assembling in the open air. For example, the Wrights met in the South Inch,—as witness one of their minutes :—

The third day of February, the year of God 1541 years, the whilk day convened Walter Turner, Deacon, and his hail brethren of Craft, into the South Inch, and has fundin Patrick Mar, officer of the said Craft, and has ordained that the said Patrick Mar shall sit down on his knees, and ask the Deacon of Craft forgiveness at his booth door, and to offer an two pund candle afore the Deacon and Craft to Our Lady's Altar, for blaspheming of the said Deacon and hail Craft oft and sundry times done by him before : and the Craft has ordained that if the said Patrick Mar fail to his Deacon and Craft afterwards, and it may be proven, the fault to be fundin in him, he shall pay ane stane of wax unforgiven ; and this we give for deliverance, but (without) discrepance of any of the said brethren of Craft.

In some other towns (perhaps many) the self-same practice of open-air meetings prevailed. Down to the year 1778, the Trades of Dundee had no hall whatever, but generally held their sederunts in a very sombre and forbidding spot—the *Howff*, or burying-ground ! Their last assemblage among the sepulchres was on the 24th September, 1778, when, having mustered there, they marched in procession to their newly-erected hall, at the east end of the High Street, which contained accommodation for each Craft. The first Trades' Hall in the Fair City was probably that of the Glovers in Curfew Row,—they having acquired "Simon Glover's House" in 1629. About the middle of last century the Weavers had a hall on the ground behind the present "Weavers' Land," in South Street.

The position of Deacon was much coveted by those members of Crafts who aspired to distinction in the eyes of their fellow-citizens. A seat in Parliament possesses scarcely greater attractions just now than a Deaconship had in former days. "Hech, sirs !" ejaculated a worthy, on being elevated to the chair in his Incorporation, "I maunna be ower proud ! I'm but a mortal man when dune !" Stiff and dour were the annual contests for

such posts of honour as were in the disposal of the Trades. A vast amount of canvassing—or *booing*, as it was familiarly styled—had to be conducted,—canvassing assiduous and expensive,—to ensure a fair chance of success. It usually began six weeks before the day of election, keeping half the town idle, disputative, acrimonious, and tipsy, all the while. Nothing could be done without a profusion of good liquor. Taverns reaped a golden harvest. The candidates, with their chief backers, went round amongst the brethren from day to day, plying every art of persuasion and adulation, and dispensing drink galore, to obtain pledges of support. A glorious season for drouthy wights! By the time it was over they had lost all relish and aptitude for work. This state of things was an old evil. Early in the seventeenth century, the Glovers, at least, tried to grapple with it and put it down. On the 9th June, 1609, they enacted “that Freemen seen *bowing* about the Election time, and asking Votes, should lose their freedom.” Evidently this heavy penalty was not more effectual in suppressing the abuse than Dame Partington’s mop in sweeping back the waves of the Atlantic. After the lapse of nearly seventy years, the same Incorporation saw needful to draw up another code of penalties for this offence; but it was modelled on milder principles, — the severe measures of 1609 having failed in their object. They enacted, on 13th January, 1677, that “Members *bowing* about Election times, either in a direct or private manner, to be punished as follows, viz. :—If present Bailie, or hath been Bailie, Treasurer, Councillor, or Deacon, or if he be of the Council of the Calling, to be fined in £20 Scots: other members to pay a fine of £10 Scots: and members using subtle means of taking single persons one by one to avoid proof, to be excluded from voting for a year. If they happen to be Eleemosynars, not to get any charity for a year. The Deacon to imprison contraveners till the fines be paid.” This law was “ratified and confirmed” by the Trade on 6th October, 1711, shewing that *bowing* had gone on in the interval

as briskly as ever, being quite in accordance with the manners and habits of the age. All through the eighteenth century it continued inveterately rampant. In fact, so long as the Incorporations retained their representation by Deacons, &c., in the Town Council, *bowing* was practised vigorously, accompanied with its immemorial libations. The struggle for the Trades Bailiership was usually severe. The contending parties frequently opened "free tables" in public-houses for the regalement of their partisans; and to such excess was all this carried, "that individuals in affluent circumstances," we are told, "often brought themselves to poverty, besides acquiring dissipated habits, and destroying their own health and family comfort." Even the office of Boxmaster, though it gave no seat in the Council, was fought for with extraordinary heat.

The first Wednesday morning after Michaelmas witnessed the final tug of war. The Deacons and Boxmasters were then elected. To secure order and decorum in their proceedings, the Glovers, as far back as the 7th October, 1665, enacted that "at the election of Deacon, the Freemen should sit in their seats until they are called in the Roll to give their vote, and after giving their vote they should sit down again peaceably; and those who contravene this Act to pay £10 Scots for each transgression, and be put out of the Court." But speaking of later times,—if contests were expected to be close (as, indeed, they generally were),—the most outre and ludicrous plans were concocted by both sides to kidnap or incapacitate adverse voters. Some were filled dead drunk on the previous evening, and carefully watched until the election was decided: some were locked up bodily: others sent on urgent false errands, or spirited away, to the country: a thousand cunning tricks were played; but occasionally a resolute fellow broke through all the meshes thrown around him, and succeeded in giving his suffrage. About six o'clock in the morning, the Trades congregated in their respective halls, where more liquor was provided—foaming ale (the famous twopenny),—"Athole brose,"—rum and

milk,—whatever happened to be the favourite. Amidst much bustling and general excitement, the voting began; and its result was hailed with triumph and chagrin. The brethren dispersed, and spent the forenoon in fresh carousals. In the afternoon each Craft re-assembled to a plentiful dinner, the cost of which was defrayed from the common funds. Next day, the Deacons, who formed the Convener Court, met by themselves, and elected a Convener, and another luxurious feast was provided in the evening. “At this dinner,” says the author of the *Traditions of Perth*, “all those who at any time had held office as Deacon, Trades’ Bailie, or Trades’ Councillor, were entitled to attend during life, by payment of a guinea, on their entrance, to the funds of the Convener Court. This sumptuous entertainment was of course always well attended; and many of the *ci-devant* deacon bodies, that seldom allowed themselves the indulgence of a full meal, here threw away their cares, and swelled the saturnalia. Friday was redolent with aching heads and qualming stomachs. Saturday was a day of repentance; and the Sabbath arrived as a blessed day to put an end to the debauch. But severe was the ordeal which many of the penitents had yet to undergo, before Dissenting Sessions, for drinking to excess, and swearing the Burgess Oath.”

It was an old custom with most of the Incorporations that every new Deacon presented his Trade with a musket, and every new Boxmaster gave a sword. These weapons were useful in troublous times, when the Craftsmen were accustomed, as in duty bound, to muster in arms at the unfurling of the *Blue Blanket*, of which the Convener was custodier. The Glovers’ presents were at first pikes; but the body on 7th October, 1631, made an alteration, by enacting that “Deacons elected, who have not been so formerly, must give to the Calling, in a present, a sufficient musket, and necessary articles thereto belonging.” The Wrights adopted the same system on 4th October, 1660, when they, “considering that it is the custom of most part of the Trades of the Burgh that each entrant Deacon

gives ane firelock, and each Boxmaster ane sword, or £3 Scots;" and seeing that "the present Deacon hath voluntarily offered and gifted to the Calling ane firelock, therefore the Calling unanimously ordained his successor entrant Deacons to do the like; and the succeeding Boxmasters to give the calling ane sword, or £3 therefor." On 1st October, 1690, the Glovers resolved that "a Boxmaster, after the first year of his Boxmastership, shall give to the Calling a sufficient musket or firelock, in lieu of the pike formerly given in." But ultimately, when the reign of Peace seemed to be inaugurated, after the union with England, the gifts of arms were commuted into money,—the Glovers enacting "each new-elected Deacon to pay £5 Scots in place of the gun or musket; and each new Boxmaster £4 Scots."

One of the most amusing elections that perhaps ever occurred in Perth was that of Trades' Bailie at Michaelmas, 1825. We have already stated that the Trades' Bailie was chosen annually from among the seven Incorporations: the "three great Trades"—Hammermen, Bakers, and Glovers—having the nomination of Bailie in rotation, and the "Small Trades" having it amongst them every fourth year. The Trade or aggregated Trades which had the nomination in any given year made out a list or *leet* of two members, and this being submitted to the Council on the Monday after Michaelmas, they selected one of the parties as Bailie, and the election was completed. The person whom the nominators wished to be Bailie was well understood, as the other was usually the most insignificant member whom they could name. Now, it so happened that Mr George Pentland, coachbuilder, Canal Street, a member of the Hammerman Incorporation, of which he had been Deacon, took much interest in burgh politics, talked loudly about reforming abuses, and was very ambitious of the honours for a magistrate, that he might air his theories, and maul the "Beautiful Order" from a civic chair. Mr Pentland, as may easily be surmised, was peculiarly obnoxious to the ruling

party in the Council by his violent diatribes against them, and his expressed determination to promote changes in the management of burgh affairs: and, therefore, through the machinations of his enemies, he was repeatedly defeated in his attempts to gain the position which he fancied would enable him to achieve great things. He might be returned to the Council as Deacon; that was out of the Council's power to prevent; but a firm resolution was formed that he should never sit as Bailie. At Michaelmas, 1825, however, the nomination of Trades' Bailie came round to the Hammermen; and our hero's supporters—"Pentland's Band," as they were denominated,—a valiant phalanx,—commanding a majority in the Trade, believing that now their opportunity was arrived, placed their chief's name on the list, in conjunction with that of "perhaps the most unfit person," it is said, whom "they could have pitched on in Perth to perform the duties of a magistrate," being "a journeyman smith at a foundry, and so addicted to the bottle that he had hardly a coat to put on his back." This leet was sent down, and "Pentland's Band" chuckled over their anticipated victory, concluding that the Council were now fairly tied up to elect their man. But the Council triumphed once more. They elected the drunken Vulcan, and thus at one blow dashed Mr Pentland's hopes to the ground. Search being made for the new Bailie, he was found, highly mellow, in a pot-house, divested of his coat, and, with his shirt-sleeves tucked up keenly engaged in a "sparring match," of which manly diversion he was very fond. He was told of his wonderful luck, and forthwith conveyed to the Council-Room by a merry mob; but behold! on his ascending the broad stair, admittance was denied him,—the door was locked,—the Council had gone home with the Provost. Still, the Bailie would assert his rights. He retired for the time to finish his game of fisticuffs, and towards evening made his way to the inn where the Council were at dinner. There, again, he was excluded from joining the company, but not

from sharing the feast. He was directed to betake himself to the kitchen, where an abundance of good things awaited him. He did so contentedly, sat himself down, and ate and drank his fill. This Magistrate held office for the allotted year, but appeared only once in the Council,—the reason of his appearance being a special occasion which required the attendance of all the members. This famous contest has been commemorated, with considerable humour, in the *Original Miscellaneous Poems* of a local poet, Mr James Bisset, who for sometime carried on the coachmaking business in Loretto Court, at the top of South Street, and whose volume was published in 1826.

Such were the Michaelmas Elections, when the Crafts of Perth were in their glory. All the commotion and contention disappeared when Deacons no longer sat in the Town Council by virtue of their office: and for upwards of forty years the attention of Incorporations has been wholly devoted to the management of their own private affairs and funds.

We have left ourselves scant room to refer to other old-world usages connected with Michaelmas. The goose was universally immolated on the dinner-table at that time,—probably, as an antiquarian conjectures, for “no other reason but that Michaelmas-Day was a great festival, and geese at that time most plentiful.” It is said that Queen Elizabeth was dining that day on goose, when news reached her of the destruction of the Spanish Armada. The day was also observed in some of the Hebrides. Martin, in his *Description of the Western Islands*, (1698) tells that in Skye, the Protestant natives keep Christmas, Easter, Good Friday, and Michaelmas, on which last they have a cavalcade in each parish, and several families bake a cake called “St Michael’s Bannock.” All strangers, together with the family, must eat the bread that night. From Macaulay’s *History of St Kilda* (1764) we learn that a Michaelmas cavalcade or horse-race took place in that remote isle. “The ablest horsemen among them ride their little high-mettled nags, like so many Numidians or old Britons,

without saddles, stirrups, or bridles. Those who distinguish themselves in these races are supremely happy in the rewards of honour and glory which they obtain, though strangers to the royal plates of the moderns, and the palm crowns of ancient times." Farther, this author states there was once a custom among the islanders, at Michaelmas, "to prepare in every family a loaf or cake of bread, enormously large, and compounded of different ingredients. This cake belonged to the archangel, and had its name from him. Every one in each family, whether strangers or domestics, had his portion of this kind of shew-bread, and had, of course, some title to the friendship and protection of St Michael."

## MUNICIPAL PROCEEDINGS IN FORMER DAYS.

“ Describe the Borough ”—though our idle tribe  
May love description, can we so describe,  
That you shall fairly streets and buildings trace,  
And all that gives distinction to a place?  
This cannot be; yet, moved by your request,  
A part I paint—let Fancy form the rest.

*Crabbe's "Borough."*

UNDER the above title—which perhaps is not sufficiently perspicuous, and therefore requires a word of explanation—we now submit a selection of curious and amusing notices of burgh business from the Minute-books of the Town Council of Perth, between the year 1529 and the latter part of last century. The extracts will be found to throw considerable light upon municipal management in former days, and the manners of our ancestors.

1. A document in the Council Books, dated in March, 1529–30, shows very plainly that considerable malversations in regard to the burgh funds had taken place during the Provostships of Patrick and John Charteris of Kinfauns. William, Lord Ruthven (who came to the titles and estates of his grandfather in 1528), had now succeeded John Charteris as Provost of Perth: and after his election the following paper was subscribed by, the Magistracy and Town Council for the better security of the public monies from peculation:—

4 March, 1529.

The whilk day the Provost, Bailies, Council, and Deacons of Craft underwritten, pressing consideration that thir divers years bygane, and especially in the time that Patrick Charteris and his brother was within the said burgh and jurisdiction, divers inconvenients has been granted to by compulsion of the Council and Deacons of Crafts for the time: that is to say, in giving of private discharges and thereupon subscriptions of the common good of the said burgh, and other privileges, in hurt of the commonweal thereof, without reasonable causes therefor,—the said Provost, Council, and Deacons of Craft, moved of good zeal and conscience, and having regard to the entertainment and maintaining of the said commonweal in time to come, has cassed and annulled, and by the tenor

of this present Act, casses and annuls all the said discharges, and decerns the same of no avail, force, nor effect, for causes foresaid; and in likewise all others sicklike to be given in time coming, without that it be perfectly understandin to the said Provost, Bailies, Council, and Deacons of Crafts, that the same is to the utility and commonweal of the said burgh; and whilks of the persons foresaid, of favour, feid, bid, or solicitation, shall happen till come in the contrary hereof, to be excluded of his freedom and office within the said burgh for ever. Subscribed by the said Provost, Bailies, Council, and Deacons of Crafts.

WILLIAM, LORD RUTHVEN, *Provost.*  
&c.

Lord Ruthven occupied the civic chair for two years, and, after an interval, was again elected Provost at Michaelmas, 1546. In October following, an obligation appears in the Council Book, the tenor of which would seem to bear that the good folks of the town were afraid of their Chief Magistrate attempting to make free with the public documents. The obligation is by Lord Ruthven, binding himself not to come within the loft-house where the Common Chest lay, nor to touch the writings therein during the year then current!

2. Our next excerpt from the books is somewhat imperfect, but explains itself clearly enough:—

16 November, 1541.

Whilk day the Provost, Bailies, Council, and Deacons of Crafts of this burgh being convened in the Council-house, having consideration of the great and exorbitant drink silver taken in times bypast by the Bailies of this burgh from the multurers of the common Mills, small customers, the tenants of the common Weigh-house . . . . &c., in great prejudice, hurt, and skaith to the said tenants; herefore they have statute and ordained that in all time to come that ilk Bailie of this Burgh shall have but 20s of the multurers, the Weigh-house 20s; of the small customers, ilk Bailie 20s, and the Clerk 20s of the small (customers); 20s amongst all the Bailies, and 5s to the Clerk of ilk net of the . . . . the Clerk of ilk net 6d.

Really it had been something worth while being a Bailie, when a perquisite of the office was "great and exorbitant drink silver" from the tacksmen of fishings, small customs, multures, &c. How long this *black-mail* was levied upon the tacksmen to the manifest disadvantage of the burgh revenues, we have not ascertained. But nearly two hundred years later an entry occurs which

shows that the Magistrates were in the habit of getting the "drink siller" which they incurred in public-houses recouped out of the town's funds. The Council, on the 11th January, 1731, "agree and appoint the Town Treasurer to pay all expenses the Magistrates shall happen to spend on the town's account in taverns from time to time as they are expended, without running annual accounts."

2. Attendance at Council meetings and at the church on Sundays was enforced under equal penalties. An "act" was passed, on 14th March, 1609, ordaining that in future the ordinary Council meetings should be held on Mondays, and that those Councillors who should come in later than nine o'clock, should "pay precisely 6s 8d." In the following September, an "order" was issued to put up anew the seat in the kirk for the Provost, Bailies, and Council, and that those who did not attend during the "preaching" should pay 6s 8d *toties quoties*.

4. The Council had a rough-and-ready way of dealing with workmen who threatened a strike for higher wages. On the 30th April, 1610, the burgh Sanhedrim passed an act ordaining that if the masons, wrights, coroners, (quarriers), and barrowmen work not to the town for reasonable wages, they be discharged, and prohibiting the inhabitants from employing them.

5. For some time previous to October, 1610, the Fish Market appears to have been held at the Cross. On the 2d of that month there is a "consent" by the Council to remove the Fish Market from the market-cross to the Green-yard beside the Spey Tower. The market was subsequently removed to another part of the town. On the 11th March, 1678, we find an act for the proprietors of the houses above the Meal Vennel in the Southgate repairing the causeway, and the Fish and Herring Market to be kept there. There is an order, dated 12th August, 1667, to remove the Iron Market so far up the south side of the Highgate as that the eastmost end thereof may come no further down than James Croy's gate.

6. On the 31st June, 1614, the Town Council nominated the Town Treasurer, Andrew Grant, merchant, as their Commissioner to the Convention of Royal Burghs, which was to be held that year at Kirkcaldy. Shortly afterwards—on the 4th July—a report was made to the Council that the Commissioner refused to accept the appointment, and the missive and commission were laid on the table. One of the town-sergeants made a full statement regarding the Treasurer's refusal. "Andrew Ramsay, sergeant," says the record, reported "that he yesterday delivered to Andrew Grant, in his ain hand, the commission with the missive, who received the same, and said he would not ride, but cast the letters on the form, and gif I would not receive them back, he would cast them over the stair after me. Thereafter," the sergeant "delivered the same letters to his (the Treasurer's) woman, who received the same: thereafter his (the Treasurer's) son followed him (the sergeant), and cast the letters after him on the causeway." This was high contempt of the Council's nomination. On the same day a report was given in on behalf of the refractory Treasurer, stating "that he cannot ride to the Convention for his disease, but he desires Mr Harry Anderson or Andrew Conqueror to supply his room." The Council, taking the excuse in good part, appointed the last-named person "to be Commissioner to the Burghs in the room of the Treasurer by reason of his disease."

7. In March, 1636, by the mediation, counsel, and advice of William, Earl of Errol, Lord Hay, High Constable of the Realm,—as the minutes bear,—an Agreement as to ferry-boats was concluded between the Town of Perth and Lord Stormont.

AGREEMENT between the Community of Perth and Viscount Stormont as to the tolerance of two Ferry-boats at the head of the North Inch, granted to him during his life allenary: dated 25th and 27th March, 1636.

AT PERTH AND SCONE the twenty-fifth and twenty-seventh days of March, the year of God ane thousand six hundred and thretty six years: it is appointed and agreed betwixt the parties following, to wit, the Provost, Bailies, Council,

Dean of Guild, Treasurer, and Deacons of Crafts of the Burgh of Perth, under-subscribing, on the ane part, and ane noble Viscount, Mungo, Viscount of Stormont, Lord Scone, &c., Heich Constable of the Realm of Scotland, in manner following: that is to say, the said Provost, Bailies, Council, Dean of Guild, and Deacons of Crafts, of the said burgh, all in ane voice, but [without] variance, for them and their successors, have given and granted, and by thir presents gives and grants, tolerance and license to the said noble Viscount, Mungo, Viscount of Stormont, during all the days of his lifetime allenary, the passage and service of two Boats at the head of the North Inch of the said Burgh of Perth where they have served this several years bygane by olerance and permission of the said burgh, for serving of hi lordship's family, servants, and others, our Sovereign Lord's lieges, during that ilk space, as they have done thir several years bygane by tolerance and permission foresaid, but [without] obstacle, impediment, trouble, or molestation, and but prejudice always of the said burgh, their rights and liberty, whilk shall nowise be hurt nor prejudged hereby. In Witness Whereof, &c.

8. The Magistrates of the olden time appear to have been regularly supplied with newspapers at the town's cost. Thus, we find an entry, dated 29th January, 1666, recording the passing of an order to the Treasurer to pay ten rix-dollars yearly for the weekly News Letter. On 2d November, 1674, the Council passed an order to the Provost to agree for the *Weekly Intelligencer* for six months. Another entry occurs on 16th February, 1681, as to Henry Reid furnishing "the town with intelligence, it not being convenient on account of his other business;" and the Provost was directed to write to him to continue till Whitsunday. On the 16th of the following May, an act was passed for payment of 30s sterling to Henry Reid and his "comrade" for furnishing of News Letters. Again, on the 22nd April, 1700, the Council appointed the Treasurer to pay Charles Jackson, vintner in Edinburgh, £7 sterling, for "his furnishing the town with public intelligence from Martinmas, 1698, to Martinmas, 1699;" and the Clerk was instructed to write him to cause insert in the public Gazette that Midsummer Market that year was to begin the sixth of June. Next year—10th February 1701,—the Clerk was ordered to write Charles Jackson to discontinue the News Letter. But the "furnishing of

news" to the Magistracy did not now cease : the agency only was changed : and we understand that down to about the year 1840,—even under the reformed state of things,—the Magistrates continued to be supplied with newspapers at the public expense.

9. Magistrates, like lesser men, were sometimes exposed to discourtesy and slander. Bailie Alexander Orme complained to the Council, on 17th June, 1667, against the Deacon of the Hammermen, who had told him to his face that "he knew none to compare with him in his office but the hangman." The complaint being duly investigated, the Deacon was found guilty, and was consequently deposed from his seat in the Council, and also from his Deaconship, "during pleasure." Next year, on 13th April, we find this same Bailie Orme directed by the Council to speak with Patrick Hay, merchant, "to behave himself in times to come to the present Provost (Patrick Threip-land) and to the rest of the Magistrates: that is to say, to lift his cap when he comes by them, or else to go aside to the other side of the street; otherwise the Magistrates will take course therein as they think fit." The selection of Bailie Orme for the performance of such a duty would almost lead us to suspect that the Deacon of the Hammermen's slander had not been altogether devoid of truth. A few years afterwards the Magistrates appear to have become altogether crazy in the punishment of libels against them. They passed an act, on 6th June, 1676, for "imprisoning John M'Ghie *until he puts his wife in his place* for abusive language towards the Magistrates."

10. There is an act of Council, dated 15th December, 1668, ordering Lord Gray to pay £24 for his seat in the Lord's loft for himself and his family; and Sir William Stewart of Innernytie and his family to have the back seat in said loft for payment of £20 money yearly. On 20th November, 1671, an act was passed as to abuses committed in bringing in servants to sit in the body of the church, to the exclusion of "many honest men's wives;" the same to be prohibited upon pain of re-

moving the chairs upon which the persons themselves sit. The grievance was not speedily removed. The Council had to deal with it again, resolving, on 1st September, 1679, to visit the seats in the church, in order that "honest men's wives who want seats may be provided." But the next entry is of far more importance. On the 23d January, 1693, "the Council, by plurality of votes, for the better ease and accommodation of the burghess and other inhabitants' wives, they have agreed and condescended that the body of the Church, where the choir is, be all pewed, and the second minister's stipend for crop 1692, vacant in their hands, and at their disposal as patrons, by Act of Parliament and Act of their Majesties' Privy Council, be made use of for that present use, so far as the same may extend to in defraying the charges of building of the said pews, and after the same is built, to be rentalled and set out by the Magistrates and Council for the time, and *the yearly rent thereof to be applied for the maintenance of such poor within the said burgh as the said Magistrates and Council for the time shall judge most charitable to be bestowed.*" This resolution was duly acted upon; for, according to a minute of 5th August, 1695, "the Treasurer reported that he had received £136 Scots as the feu mail of the new pews in the body of the church, and the Council appoints him to give the same to William Austin, the Guild Box-master, and William Chapman, convener, *to be equally divided and distributed by them betwixt the poor of the Guildry and Trades.*" An order to the same effect is found under date, 13th May, 1700. The West Church was seated in the year 1720, when certain portions of it were allocated to the Guildry and Trades that they might erect pews at their own expense; and at that time the Council expressly provided "that the Guildry and Trades give up all claim to any part of the pew-money of the old church, formerly allowed them *for distribution amongst their poor.*" Seeing that the support of the poor was the original destination of the seat-rents, by what right do the Council now appro-

pritate these rents to other purposes, without spending a single penny of them upon the poor? What if the congregations of the Middle, West, and East Churches were to refuse to pay seat-rents to the Town Council until assurance were given that the money should be wholly devoted to its original purpose?

11. The town officers fell under grave accusation in 1670. Their lords and masters, the Council, on 14th December, took into consideration certain complaints made against the serjeants "for not putting decreets into execution," and ordained that when such faults are proved, the said officers should be taken to the Cross, and their coats to be pulled off their backs, their halberts to be taken from them, and themselves to be imprisoned during the pleasure of the Council.

12. The stent was heavily in arrear in 1671. The Council resolved, on 20th February, to intimate to the inhabitants that for every shilling sterling they were stented, an additional sixpence should be imposed, if the same was not paid by next day at ten o'clock.

13. The Council passed an Act on 26th August, 1678, for the admission of John and George Gibb, masters of the ship *John* of Borrowstownness, then lying at the South Shore, to be burgesses gratis "for their encouragement hereafter to resort to this burgh, and in hopes they will also much befriend this place, either at home or abroad, as lies in their power; the town being at no expense at delivery of the burgess ticket." There can be no doubt whatever that the John Gibb here mentioned was the same individual who three years afterwards originated the sect of the *Sweet Singers of Israel*. In the spring of 1681, during the heat of the Persecution, "John Gibb, once a master of a ship in Borrowstownness," as Wodrow describes him, drew three men and twenty-six women along with him to the muirs, where they conducted themselves like maniacs. From their frequent singing of "the mournful Psalms," they obtained the above distinctive name. They put forth a declaration whereby they renounced the Old and New Testaments as translated, the Catechisms, the

Covenants, "all authority throughout the world," the names of the months and of week-days,—with Sabbaths and all manner of holidays, including New-Year's Day and Handsel-Monday; they renounced all "registers of lands and houses," and all law documents, with "story books and ballads, romances and pamphlets, comedy books, cards and dice;" they renounced "all the customs and fashions of this generation, their way and custom of eating and drinking, sleeping and wearing:" and in the midst of their mad orgies they burned the Bible! Mr Donald Cargill tried to wean them back to reason, but failed. They were ultimately taken by the soldiery and brought to Edinburgh, whence Gibb and his three male confederates were transported to the American plantations. John, says Patrick Walker, the Cameronian martyrologist, "was much admired by the heathen (Indians) for his familiar converse with the Devil bodily and offering sacrifices to him: he died there about the year 1720."

14. The Magistrates, as shown in Gibb's case, were desirous of encouraging the resort of shipping to the port; but, on the other hand, they were in terror lest country carts, with iron-bound wheels, coming into the town (manifestly for the benefit of local trade) should damage the streets. On 16th June, 1701, the Council enacted that all carts shod with iron should be prohibited coming into the town under a penalty of 40s, as prejudicing the causeways and biggings; and old acts on that head were revived. On the 28th June, 1703, the causeways were ordered to be repaired with whinstones from "Stannars." A quarter of a century subsequently the Council were considering of the deepening of the Tay, for the advantage of the port; and on 9th September, 1728, the Magistrates were empowered to commission from London a water-plough for deepening the fords on the river.

15. On the 9th June, 1682, the Council ordered the jailor to find new caution for fidelity in his office, and, failing thereof, to deliver the jail-keys nightly to one of the Bailies, at eight o'clock, to be kept by him till the

like hour in the morning. It was not until the 11th of September following that David Wilson, jailor, produced a proper "Bond of Warrandice," and relieved "one of the Bailies" of the not very reputable duty of being custodier of the jail-keys in the night-time. To ensure the safe-keeping of desperate criminals, the Council, on 12th May, 1733, directed strong "timber cages to be put up in the Tolbooth for malefactors." The subsistence of prisoners was raised by the Council on 9th December, 1770, from 1½d to 2½d per day.

16. The minutes contain, of date 31st March, 1684, a nomination by the Town Council in favour of John Alexander, elder, tailor, to be "grave-maker" in the Greyfriars Burying-Ground, in room of James Kilgour, deceased. The dues payable to him were declared to be 13s 4d for a man's grave, and 6s 8d for a child's; and the grass in the place was reserved, for that year, to the widow of the late grave-maker. In the end of the year 1724 alarming rumours pervaded the town about the doings of body-snatchers or Resurrectionists, and the Council issued the following resolution:—

26 October, 1724.

The Magistrates and Town Council of this burgh, considering the many complaints made by the inhabitants upon the Chirurgeons and Apothecaries, and their servants, of their violating the graves, &c., they therefore hereby strictly prohibit and discharge the foresaid wicked practices, and they hereby enact that whatever physician, chirurgeon, or apothecary, shall be at any time hereafter convicted as being guilty of, or in any sort directly or indirectly accessory to, such violation of the graves of the dead, shall *ipse facto*, demit, lose, and be deprived of their freedom and privileges of burghership or residence within the burgh, and forfeit a fine of £20 sterling; and if the servants of physicians, chirurgeons, or apothecaries, or any other person or persons whatsoever, their accomplices, shall be found guilty art or part of the said inhuman and barbarous crimes, they shall forfeit a fine of £5 sterling, and be whipt round the town and put upon the pillory by the hands of the common executioner, and then banished the town, never to return to it.

17. Finding the want of a printing office in the town or within reasonable distance, the Council, on the 23rd March, 1702, "allowed £12 Scots to Daniel Gaines, printer in Dundee, to assist him in setting up a print-

ing-house, and to help making up the loss of his press and types coming from London." The printing-house was to be established in Dundee, and Gaines was patronized by the Presbytery of Dundee, who recommended a collection throughout the bounds to assist him, as shown by the following extract from the Kirk-session Book of Fowlis-Easter:—

Sabbath, April 18, 1703.—Given out to Daniel Gaines, to help him in setting up the art of printing in Dundee, by the Presbytery's recommendation,..... £1 4s  
How Daniel succeeded, is not known.

18. A notice of the postal communication betwixt Perth and Edinburgh appears on 19th June, 1704, when the Council allowed £5 sterling to Gilbert Gardner, keeper of the Post Office, "for his encouragement in furnishing one foot-post twice a-week betwixt this and Edinburgh,"—said grant to be paid yearly during pleasure.

19. A Public Library being considered a desideratum in Perth, the Council, on 23d December, 1723, "agreed that a Library be erected within the burgh, and recommend to a former Committee to consider further of the said affair, and lay proposals before the Council concerning the erection and manner of managing the said Library." We cannot tell whether the proposal was carried out; probably it fell to the ground; but at all events the Perth Library was not formed until the year 1786.

20. We shall close our excerpts with an enactment against Sabbath desecration. The Council, on 9th December, 1770, passed an order prohibiting dressing of hair, and of wigs, and shaving, in barbers' shops, on the Lord's Day. A fine of 10s each transgression was imposed on masters for themselves and their servants.

## LUNCARTY AND PITMURTHLY.

—————By what methods may be found  
The faint-marked footsteps of this long-past guilt?  
\* \* \* \* \*

But I will bring them into light again  
From their first cause.

*Sophocles' "Edipus King of Thebes."*

THE present parish of Redgorton was formed, after the Reformation, by the conjunction of three ancient parishes—namely, Redgorton, which belonged to the Abbey of Scone; St Serf's, pertaining to the Diocese of Dunkeld; and Luncarty, an independent parsonage. It is said that the term Redgorton commemorates the great victory achieved by Kenneth III. over the Danes about the year 980. The word has assumed a varied orthography,—Rogortewyn, Rothgortan, Rogortoun,—one form being held to signify, in the Celtic tongue, a field of corn, and another the red field or field of blood, alluding to the Danish overthrow. Some writers argue that no such battle was ever fought in that locality, and that the story must be classed with the fictions which fill so large a space in the early Scottish annals. On this question, however, we are disposed to reject the sceptical view, believing that the concurrent testimony of history, the constant voice of tradition, and the tumuli of the slain on the field, afford evidence sufficient to prevent the glorious battle-roll of Caledonia being robbed of one of the most brilliant triumphs of our ancestors. But it is not our purpose just now to rake up and renew the controversy. We merely avow that we adhere to the old opinion: and having said so, we proceed at once with our real object, namely, to detail some remarkable occurrences which took place in Redgorton parish, in the years 1619 and 1620, connected with the families of Pitscottie of Luncarty and Shaw of Pitmurthly.

The lands of Luncarty, erected into a barony, were

long in the possession of the Pitscotties. A Letter of Regress, dated 30th April, 1542, in the Register of the Privy Seal of Scotland, was granted to David Pitscottie, great grandson and successor of Finlay Pitscottie of Luncarty, on the fourth part of the Haltoun of Luncarty, in the shire of Perth, alienated by the said Finlay to Sir Andrew Whitehead. Twenty years later, David, pressed by want of money, was necessitated to alienate portions of his heritage. He granted a charter, on 5th March, 1562, to John Anderson of Drumhar, and Christian Watson, his spouse, in liferent, and to John Anderson, their son, heritably, of an annual rent of thirteen bolls victual furth of Luncarty; which annual rent, John, the son, on coming to his heirship, disposed to James Drummond of Cardneis and Elizabeth Robertson, his spouse, by charter, dated at Perth, 13th May, 1581, and ratified by the said David Pitscottie. David also alienated the Haltoun lands, but under power of reversion or redemption. At Perth, on 28th July, 1578, he granted a charter of Haltoun to the aforesaid James Robertson and spouse; and legal documents were subsequently executed by the latter parties, granting power of reversion to David Pitscottie and also to Edmund Pitscottie, who was probably his heir. The reversion, however, did not take place during David's life. We find that at Perth, on 13th November, 1588, Robertson and his spouse contracted to dispoise to Colin Eviot of Balhousie, the lands of Haltoun of Luncarty, teinds of the barony thereof (except Pitmurthly), and annual rent of thirteen bolls victual furth of the said barony. Charters were accordingly granted. The lands were in Balhousie's hands in 1596; but at an after date they were evidently redeemed. In 1615, there appear a John Pitscottie of Luncarty, and Colin Pitscottie, his eldest son, who were both charged, before the Court of Justiciary, with a cruel and unmanly crime. On 30th June, they were delated of art and part of the mutilation of Margaret Stewart, spouse to Thomas M'Duff of Glenelwart, of her right arm, committed upon the 29th day of August, 1613. The pursuers

were the injured woman and her husband. But the case did not go to trial: the parties had come to a amicable understanding out of doors: and therefore the pursuers passed from the pursuit of the panels, for the crimes contained in the letters or indictment, *pro loco et tempore*: whereupon the panels asked instruments. The Justice continued the case to the third day of the Air or Court at Perth, or sooner, upon 15 days' warning; and Robert Crichton, brother to the Laird of Innernytie, became cautioner for the appearance of the Pitscotties. Nothing more is heard about the matter.

Colin Pitscottie was not deterred from further violence and bloodshed. In 1619, he was guilty of a blacker crime than the demembration of the goodwife of Glenelwart's arm. He became a murderer—whether from previous design or in a sudden quarrel we cannot tell. At night, on the 19th of November, within the dwelling-house of Walter Whytock, smith, in Redgorton parish, the heir of Luncarty fell foul of one Alexander Lamb, described as residing in Benchill, and killed him outright. Doubtless much commotion was excited in the district; but, strange to say, the only judicatory which took cognizance of the slaughter was the Presbytery of Perth, to whom it was formally reported, at a meeting, on 1st December, 1619, held in the Revestry of St John's Church, Perth, under the moderatorship of Alexander Lindsay, Bishop of Dunkeld. The informant was Mr William Young, minister of Redgorton—the second of the reformed incumbents of the parish whose names are found on record. He was a minister in 1589; and his only predecessor mentioned was Mr Andrew Colt, entered in the Roll of the Assignation of Stipends in 1574—at which time the stipend was £62 2s 2<sup>3</sup>/<sub>4</sub>d Scots and the kirklands, while the Reader at Luncarty, Alexander Moncur, had a salary of £16 Scots and kirklands. The case being brought before the Presbytery—solely, of course, as a matter of ecclesiastical discipline,—the reverend body (whose minutes we shall closely follow) ordained the said Colin Pitscottie to be summoned “*literatoris*” to compear be-

fore them on the 8th of the month, at the time of meeting, to hear and see himself ordained to satisfy the discipline of the kirk, for the removing of the slander arising out of the murder, with certification that whether he compeared or not, they would proceed against him with ecclesiastical censure.

At the meeting of Presbytery on the 22d December, there was produced a summons duly executed and endorsed, bearing that Colin Pitscottie, apparent (heir) of Luncarty, was lawfully summoned, at his dwelling-house in Myretown of Luncarty, to compear that day before the Court, to answer to the discipline of the Kirk, for removing of the slander arising from the fore-said murder, with certification that if he compeared not, the Presbytery would proceed to the sentence of excommunication against him, as the summons and execution thereof bore. Excommunication was a heavy sentence in those days when it was followed by civil penalties. Colin did not choose to make his appearance. He was oft and divers times called at the revestry door, but neither he nor anybody in his name gave answer; whereupon "the brethren finding him to continue in his disobedience, ordains the censure of the Kirk to proceed against him, and to that effect public admonitions to be given to him in the Kirk of Redgorton, that he pretend no excuse, and with the admonitions, public prayers to be joined, that God may bring him to the knowledge of his sin, and repentance therefor, that he incur not the fearful sentence of excommunication;" and the first admonition was directed to be given on the following Sabbath. From some cause or other, the proceeding was delayed for nearly two months. When the Presbytery assembled on the 16th February, 1620, the minister of Redgorton reported "that he gave the first public admonition on Sunday last to Colin Pitscottie foresaid, with prayers joined therewith." The admonition may have been postponed on account of Colin's absence from the church; or, perhaps—what is more likely, the minister had been induced to delay discharging his duty on a feasible prospect that the

delinquent would make full submission. At all events, nothing had resulted; and the Presbytery ordained their brother to proceed with the second admonition. But more dilatoriness ensued; and at the meeting of Presbytery on 1st March, Mr William Young declared that he did not admonish Colin Pitscottie on the preceding Sabbath-day in respect that "the said Colin's father promised to send his letter subscribed with his own hand." This was deemed a loose and unsatisfactory excuse, and the Court would yield to no further dallying. "The Presbytery," says the minute, "finds fault with the said William Young that he proceeded not against him, without that he had received his letter before Sunday last. Therefore ordains him to proceed on Sunday next, and give him the second admonition." We may suppose it was given; but months passed before another formal step was taken; and we are left to infer from the sequel that during this time private communings were held with Colin with the view of bringing him to satisfy his ecclesiastical superiors, and so save him from being cast out of the pale of the church. On the 19th July, the Presbytery met, when Colin presented himself, and confessed the murder. "He began his repentance before the brethren, and promises for removing of the slander to declare his repentance publicly as shall be enjoined to him;" but he stated "that he has such urgent affairs that he may not be in this country for the space of six weeks, and therefore desired that his public repentance might be delayed to his return." The Presbytery demurred to so long a delay; but "the Moderator and brethren granted him the space of one month, and ordains him to compear again before the Presbytery the 16th day of August next to come, which he promises to do:" and having given that promise, he went about his "urgent affairs."

The appointed diet in August comes, but no Colin. There is no trace of him in September. The Presbytery meet on the 18th October, when they hear news of him from his father. "Whilk day compeared John Pit-

scottie of Luncarty, and declared that Colin Pitscottie, his son, was not in this country, nor will not be before Martinmas next;" in which circumstances, he "most humbly besought the Moderator and brethren to continue the proceeding of the process and censures of the Kirk against him, and faithfully promises that at Martinmas he (Colin) shall compear, and shall obey their wisdoms in declaring his repentance for removing of the slander of that unhappy fact of the murder of umquhill Alexander Lamb committed by him." The Presbytery had nothing for it but to wait. "After advisement upon the said John Pitscottie his promise," they continued all proceedings against his son until the said term of Martinmas as craved. The Pitscotties, however, kept good faith with the Presbytery. When that Court met, on the 21st November, Colin came forward and was all compliance. He "confessed his offence in committing of the murder of umquhil Alexander Lamb, and promises for removing of the slander to make his public repentance as shall be ordained to him." What the Presbytery ordained was that he should "make his public repentance ane day in the Kirk of Redgorton, on ane Sabbath afternoon, conform to the ordinance set down in the Book of Discipline anent murders, which" adds the record, "he promises to do:" and we make no question that he did it. The affair was thus got rid of. But its most extraordinary feature is that the offender seems never to have been troubled by the criminal authorities of the country. He "murdered" a man, and openly confessed the "murder." Perhaps there was much to be said in extenuation of his guilt: the deed might not have been attributable to malice prepense, but, on the contrary, may have chanced in a brawl. Still he was never indicted and brought to trial. No trace of any such procedure exists in the Justiciary Books. Had he been tried and acquitted, he would certainly have pled his acquittal and consequent innocence of "murder," when summoned before the Presbytery: and we can only suppose that he had come to terms with the

relatives of his victim (as in the Glenelwart case), and thereby prevented all legal pursuit for the crime.

But lawless violence seemed to be contagious in Redgorton. Another Laird of the parish was Henry Shaw of Pitmurthly, who, while Pitscottie's process was pending before the ecclesiastical court of the bounds, rashly provoked the wrath of that judicatory by an outrage which came home to every one of the members. An accusation of immorality having been laid against him, he was ordained, on the 12th July, 1620, to be summoned before the Presbytery at Perth. The usual summons was given; but he disobeyed it, because he was afraid of going to Perth lest his clamorous creditors, whose maws he had no means of satisfying, should lay hold of him. On the 19th July, Mr Young, the minister, reported that John Bennet, beadle of Redgorton, had summoned Harry Shaw, who declined appearing, upon the ground that being in debt within burgh, he durst not shew his face there. The Presbytery, willing to accommodate him as far as they could, granted commission to Mr John Strachan, minister at St Martins, and Mr David Weemys, minister at Scone, to try him elsewhere than at Perth, and to report. These two clergymen set to work in the business, but repeatedly reported their inability to get the Laird before them. Pitmurthly, however, did not content himself with quietly eluding the inquisitors. Evidently a hot-brained personage, and irritated by the threats of his creditors, and more so by his involvement in a disreputable breach of Church discipline, his fiery temper hurried him into a gross assault upon his parish minister, Mr Young, who had really done nothing but his duty in regard to the Laird's fault, and the neglect of which, from fear or favour, would have subjected him to severe reprimand from his brethren.

At a meeting of the Presbytery, held on the 13th September, Mr Young made a startling complaint. He said that on Thursday, the 7th of the month, he was among the stooks of his own glebe, in a solitary and quiet place called the "Howe of the Park," engaged in

sober meditations, looking for no evil to have been done or said to him by any person or persons, but to have lived under God's peace and the King's. While so musing, he was suddenly confronted in his seclusion by Shaw of Pitmurthly, who had conceived a deadly hatred against him for making the report to the Presbytery upon which the current proceedings were founded. The Laird was in a rage. He had a "rung" or cudgel in his hand, and also a long dirk or a dagger. Thus armed, he pressed towards the minister, "of set purpose, provision, and forethought felony," threatening, or apparently threatening, his life. In great dread of this terrible intruder, whose furious passions glowed in his visage, Mr Young turned and ran away as fast as he could, but was pursued by his enemy, who shouted after him—"Thief! thy feet shall not bear thee from me!" while the fugitive minister, being an aged man, and fearing being felled with the rung, ejaculated many times "God's mercy!" After running "a great space," he was overtaken by the Laird, who called him "Traitor," and demanded to know what he had said about him to the Presbytery. Mr William told him that "he might speir at Mr John Strachan, his good friend;" but Pitmurthly commanded him to swear that he should never speak of him again to the Presbytery, otherwise (using a deep oath) "he should presently die!" At this juncture, some men who had been shearing in a neighbouring field of corn, and had witnessed the scene, hastened to the minister's assistance, and with great difficulty stayed his assailant from farther troubling of him. The Laird took his way, and reaching a company of reapers on his own land, vaunted to them of what he had done, and especially "that he had caused the minister swear, and cry many times, 'God's mercy!'" Such was the complaint. The Presbytery were indignant, and resolved to invoke the higher powers. It was ordained that information should be sent to the Archbishop of St Andrews in order that he might raise a summons against Pitmurthly before the Court of High Commission. The terrors of

that Court brought the unruly Laird to his senses. He attended before the Presbytery, on 18th October, and confessed the assault; upon which he was ordained to make his public repentance in the Kirk of Redgorton, one day in linen clothes, and there duly confess that he did the minister wrong—the day appointed being the following Sabbath. Mr John Guthry, one of the Perth ministers, was instructed to ride to Redgorton, teach there on the Sunday, receive the said repentance, and confront Shaw with a party in the other case. On the 25th, Mr Guthry reported to the Presbytery that Pitmurthly had “obeyed the ordinance conjoined,” but was obstinate in the other case, and “offered his oath.” The Presbytery would have nothing to do with his oath, and ordered his compearance within seven days. He failed to appear on the 1st of November, excusing himself on the ground of sickness; but that day week he came in the penitential garb of linen, and humbly on his knees confessed what was alleged against him, and promised to satisfy the kirk.

Having thus seen how effectually the Presbytery dealt with the offending lairds, bringing them into submission to Church law and order, we may notice how the reverend Court, a few months before Pitscottie’s case arose, promoted an important public improvement in the parish—namely, the building of the middle or “old Bridge of Almond,” which consists of one arch springing from two rocks. The structure was erected in 1619 by heritors and others, the most energetic of whom in carrying out the scheme was the Laird of Balgowan: and the following minute shews the co-operation of the Presbytery in the work:—

The Presbytery of Perth, hauldin in the revestry of the Parish Kirk thereof, the 26th day of May, 1619, Mr John Guthrie, Moderator.

Whilk day compeared John Graham of Balgowan, and exponed to the Presbytery that the water of Almond being ane great river, wherein by the violence thereof many are yearly perished (as is mair nor notorious), for remeid whereof he and certain other gentlemen has concerted with certain masons to set ane stone big over the same, whilk is ane wark very dear and costly, and cannot be gotten

performed without that godly and well-affected gentlemen, and others, contribute to the same: and in respect that it is ane necessary work for ane common weal, and very costly, he desires that the brethren of the ministry every ane will deal with their ain parishioners for help to the same with as great diligence as possibly they can, that the work may be ended before winter come. Whilk desire, as godly and reasonable, the brethren promises to obey, every ane for their ain part.

Not many years elapsed, and the Pitscotties and the Shaws had disappeared from among the Lairds of Redgorton,—their lands having been acquired by others. In 1638, Isobel Crichton, eldest daughter of the Laird of Strathord, was retoured as heir-portioner of her father, in the lands of the Hilton of Luncarty, Mylnetown of Luncarty, and Pitmurthly, all united into the barony of Hilton. She married Sir William Stewart of Innernytie, who on 10th July. 1643, obtained a charter of the lands of Luncarty. When the *Rentall of the County of Perth* was drawn up in 1649, the Redgorton proprietors were as under :—

Lord Balgowan, for Nether Pitcairn, Craighall, Barneshaw, Pitmurthlie, and Brier-toune of Errol,	£500	0	0
Robert Arnot, for Benchills, and others,	600	0	0
Mr William Marshall's Heirs, for Over Pitcairn,	180	6	0
Laird of Strathure, for Ragortoune and Teynds of Mulzing,	444	9	0
Laurence Chapman, for Luncartie and Kirkhill,	400	0	0
Earle of Tullibardine, for Mulzing,	222	6	8
Laird of Inchmartine, for fewduties of Benchills,	10	13	4
Laird of Cromlix, for fewduties of Over Pitcairns,	9	6	8
	<hr/>		
	* £2367	11	8

\* Sinclair's *Statistical Account of Scotland*, vol. xv., p. 523; *New Statistical Account of Perthshire*, p. 162; Pitcairn's *Criminal Trials*, vol. i., part 1, p. 258; vol. iii., p. 363; *Chronicle of Perth* (extracts from the Kirk Session Books of Perth), pp. 81-83; *Rentall of the County of Perth*.

### THE CLACHAN OF ABERFOYLE.

With anxious eye he wandered o'er  
Mountain and meadow, moss and moor,  
And ponder'd refuge from his toil,  
By far Lochard or Aberfoyle.

*Lady of the Lake.*

IN the days of Bailie Jarvie, "about a dozen miserable *bourocks*," as he termed them, "formed the village called the Clachan of Aberfoil:" these miserable hovels being "composed of loose stones, cemented of clay instead of mortar, and thatched by turfs, laid rudely upon rafters formed of native and unhewn birches and oaks from the woods around. The roofs approached the ground so nearly, that Andrew Fairservice observed" to Francis and the Bailie, that they "might have ridden over the village the night before, and never found out they were near it, unless their horses' feet had 'gane through the riggin'." But the hamlet was not more insignificant or wretched than many another Highland clachan: and later times, with their "march of improvement," have given it a very different aspect. The name "Aberfoyle" describes the confluence, near the village, of a small stream, the Poll (pronounced *Foyle*) with the Forth; and clachan signified originally a circle of stones, and was derived from a Druidical circle of ten upright monoliths, which formerly crowned an eminence in the immediate vicinity; but the word came afterwards to bear the Christian meaning of the place of worship, or Kirktown.

History gives but a meagre record concerning Aberfoyle. The parish, though bordering south and east with the Lowlands, was a wild country, a fastness of the predatory Gael, whose feuds and forays are for the most part unchronicled. Few events connect it with the national annals. In the autumn of 1653, during the Commonwealth in Scotland, the Earl of Glencairn, at the head of a band of Royalist clansmen, fought and

defeated Colonel Kidd, Governor of Stirling Castle, with a body of Roundhead soldiery, who sought to force the Pass of Aberfoyle : and when the insurrection was suppressed, General Monk found it necessary to order the cutting down of the woods by which parts of the district were covered, and which afforded refuge to rebels and marauders. Until 1694, the whole parish of Aberfoyle belonged to the Earls of Menteith; but then on the death of William, eighth and last Earl of Menteith and Airth, without an heir-male, the possessions of the family passed to that Duke of Montrose against whom Rob Roy long waged war.

This wild country had rugged hills, and deep glens, and lovely lakes; but searchers for the picturesque never thought of penetrating its recesses. They all ignored "the land of kilts and dirks" beyond the Clachan. One day, however, an Edinburgh Writer's apprentice came with a Messenger-at-Arms and a military escort from Stirling, to see a Court of Session diligence executed somewhere north of the Trossachs. That chance visit produced wondrous results. The Writer's apprentice grew to manhood, but never ceased to treasure in his memory the matchless scenery of Loch Katrine. Suddenly Aberfoyle was irradiated with a blaze of genius. The Writer's apprentice, transformed into a Wizard of the North, raised the curtain of obscurity which had hung over south-western Perthshire : and behold ! a region of romance and beauty was disclosed, peopled with the creations of his own inexhaustible fancy—Ladies of the Lake, haughty Chieftains of Clan-Alpire, banished nobles, and disguised Kings. It seemed as if a new Columbus had discovered a new world : and thither the stream of sight-seers turned in full flow. This "land of the mountain and the flood" became a popular pilgrimage surpassing any other within the four seas of Britain : and from that time to this the attractions of the Trossachs have never known decline. The Tour of the Scottish Highlands would lose its chief features of interest if the scenes where Fitzjames and Roderick

Dhu, Rob Roy and Bailie Nicol Jarvie, played their parts, were left out.

To attempt description of such scenes, in the face of readers who have Walter Scott by heart, would be impertinent. Our task in hand is the humbler one of pointing out how Aberfoyle has been celebrated by other votaries of the Scottish Muse. The Clachan can claim a bard of its own—namely, Professor Richardson of Glasgow University, who tuned his harp in praise of his birthplace before Walter Scott saw the light. In October, 1743, the Rev. James Richardson, Minister of Aberfoyle, had a son born, who was christened William, and who in after years rose to be Professor of Humanity in Glasgow; which position he occupied till his death, in November, 1814. William Richardson, besides being a man of learning, possessed some share of the poetic “vision and faculty,” which were matured by Nature’s silent teachings as he roamed amid the Highland solitudes around his early home. As he says, in a “Hymn to the Muse”—

Often have I left the plains,  
Left the rural sports and play,  
Careless of the nymphs and swains,  
Of their games and pastime gay:  
By thee of every care beguiled,  
Thoughtful I ranged the pathless wild,  
Where lonely lakes reflect the skies,  
And groves and hoary rocks arise.

He gave various original works to the world—poems, plays, essays on dramatic literature and Ossianic mythology,—and was a contributor to the *Mirror* and *Lounger* of the Man of Feeling. In 1768, Richardson went to Russia, as Secretary to Lord Cathcart, the British Ambassador, and also as tutor to his Lordship’s two sons. Before embarking, he composed an “Ode on the prospect of leaving Britain,” in which he sung his

*FAREWELL TO ABERFOYLE.*

To thee my filial bosom beats,  
On thee may heaven indulgent smile,  
And glad thy innocent retreats,  
And bless thee, lovely Aberfoyle.

How pleasing to my pensive mind  
 The memory of thy bold cascade;  
 Thy green woods waving to the wind,  
 And streams in every vocal glade!

The simple church, the school-house green,  
 The gambols of the school-boy crew,  
 Meadows and pools, that gleam between,  
 Rush on my retrospective view:  
 Shades, too, and lanes by old age sought,  
 To wander in at close of day,  
 To ruminate the pious thought,  
 And pray for children far away.

Timely descend, ye fost'ring showers!  
 With plenty bless that humble vale;  
 And fair arise, ye fragrant flowers,  
 And healthful blow, thou western gale.  
 And there, meand'ring Avendow,  
 By no invidious fin defiled;  
 Clear may thy youthful current flow!  
 And love to linger in the wild!

A Glasgow "son of song" found occasion, once and again, from the promptings of youthful love and conjugal affection, to associate his genius with Aberfoyle. William Glen, born in Glasgow in 1789, was trained to a commercial career, which, through no fault of his, proved unsuccessful. His business led him to the West Indies, where he abode for some time, prosperous and happy enough; but on his return, disaster overtook him, and he retired from active life. He died at Glasgow, in December, 1826. But during the last eight years of his life he spent the summers at Aberfoyle, along with his wife, Catherine M'Farlane, who, though her family originally belonged to that parish, was, like himself, a native of Glasgow. It was at Aberfoyle that Glen wrote the simple but pathetic lyric, which instantly found its way to the Scottish heart, and will immortalise his name—"Wae's me for Prince Charlie." At the period, however, when the waves of the Atlantic rolled between him and "Scotia's shore," his thoughts oft wandered to Aberfoyle, and he gave them utterance in a song to the honour of one of its fair maids:—

*MARY OF SWEET ABERFOYLE.*

The sun hadna peep'd frae behind the dark billow,  
 The slow-sinking moon half-illumin'd the scene,  
 As I lifted my head frae my care-haunted pillow,  
 An' wander'd to muse on the days that were gane.

Sweet hope seem'd to smile o'er ideas romantic,  
 An' gay were the dreams that my soul would beguile;  
 But my eyes fill'd wi' tears as I view'd the Atlantic,  
 An' thought on my Mary of sweet Aberfoyle.

Though far frae my hame in a tropical wild-wood,  
 Yet the fields o' my forefathers rose on my view;  
 An' I wept when I thought on the days of my childhood,  
 An' the vision was painful the brighter it grew.  
 Sweet days! when my bosom with rapture was swell'ng,  
 Though I knew it not then, it was love made me smile;  
 Oh! the snaw-wreath is pure when the moonbeams are  
 dwelling,  
 Yet as pure is my Mary of sweet Aberfoyle.

The orange was bathed in the dews o' the morning,  
 An' the bright draps bespangled the clustering vine;  
 White were the blossoms the lime-trees adorning,  
 An' brown was the apple that grew on the pine.  
 Were I as free as an Indian chieftain,  
 Sic beautiful scenes might give pleasure the while,  
 But the joy o' a slave is aye waverin' and shiftin',  
 An' a slave I'm to Mary of sweet Aberfoyle.

When the mirk cloud o' fortune aboon my head gathers,  
 An' the golden shower fa's where it ne'er fell before;  
 Oh! then I'll revisit the land of my fathers,  
 An' clasp to this bosom the lass I adore.  
 Hear me, ye angels, who watch o'er my maiden  
 (Like ane o' yoursels she is free frae a' guile),  
 Pure as was love in the garden o' Eden,  
 Sae pure is my Mary of sweet Aberfoyle.

We cannot say whether this Mary was a real or an  
 maginary charmer; but as a companion to the effusion  
 we give the stanzas which the poet afterwards addressed  
 to the lady who became his bride:—

#### *THE FLOWER O' ABERFOYLE.*

Sweet is the blink o' simmer's morn,  
 When zephyr wantons o'er the lea,  
 An' on its balmy wings are born  
 The breathings o' the scented pea.  
 Oh, fair is morning's rosy smile,  
 Whan greetin' Spring (the world's darlin'),  
 Sweet is the breeze on Aberfoyle,  
 But sweeter far is Kate M'Farlane.

Had I the richest diadem  
 That ever blessed a monarch's e'e,  
 What wad avail the glittering gem,  
 If Katharine wadna share't wi' me?  
 Had I the globe within my grasp,  
 Could I reign there without my darlin'?  
 I'd spurn the throne, could I but clasp  
 To my lone heart sweet Kate M'Farlane.

Could I but win her spotless heart,  
 An' catch the love glance o' her e'e,  
 What rapt'rous joy wad it impart !  
 This earth wad be a heaven to me.  
 Go, Fortune, deal your treach'rous smile,  
 Gie wealth to him wha is your darlin',  
 Leave me the Flower o' Aberfoyle,  
 My bonny lass, sweet Kate M'Farlane.

Mrs Glen survived her husband for the lengthened space of fifty-two years, which she spent, with her only daughter, in conducting an Orphan Institution in the vale of Aberfoyle; and after a life of benevolence, she died at Craigie Cottage there, on the 21st June, 1878.

Aberfoyle is indebted to another Glasgow Bard for a tribute of his genius. Thomas Atkinson was born in the capital of the west in 1800. After serving apprenticeship to the bookselling business, he went into partnership with David Robertson, the well-known publisher of the *Laird of Logan* and *Whistle-Binkie*. Mr Atkinson was a keen politician of the Reform Bill school: and at the General Election he was urged to stand as a candidate for the representation of the Stirling Burghs against Lord Dalmeny, who also avowed Whig principles. Mr Atkinson accordingly offered himself; but the exertions which the canvass entailed upon him proved highly prejudicial to his health, and he was compelled to retire. He fell into pulmonary consumption, which cut him off in October, 1833, while on his voyage to Barbadoes to try the effects of a warmer climate. He evinced poetic powers of much promise, and published various of his productions in prose and verse; but one of the best of his songs was ostensibly inspired by the charms of a blooming face in Aberfoyle.

*BONNY JEAN O' ABERFOYLE.*

The heather waves in mountain pride,  
 The broom is bonny owre the knowe,  
 The birk grows green by yon loch side,  
 'The hazel where the burnies row ;  
 The brackens sugh far down the glen,  
 The gowans on the brae-face smile,  
 And far awa' frae sinfu' men  
 Wons artless Jean o' Aberfoyle.

Oh, weel I mind the gloaming hour,  
 When coming owre the langsome hill,  
 I first was taught how mickle power  
 A lass may hae that minds nae skill ;  
 For guileless as the lammie's sell,  
 That ken's na e'en a mither's will—  
 But winsome as was Eve hersel,  
 Is artless Jean o' Aberfoyle.

And then ye've seen the mountain doe ?  
 Her form's as fair—her foot's as free !  
 Ye ken the blue the harebells show ?  
 It's naetbing to her sky-like e'e !  
 Ye've heard the lavrock in the lift ?  
 Her voice gangs nearer heaven a mile !  
 And every grace in Nature's gift,  
 Is bonny Jean's o' Aberfoyle !

When panting owre some burning way,  
 O ! is't nae sweet to hear the rill  
 Come tricklin' caller doon the brae—  
 And rest and drink, and hae to spill !  
 Sae, when I'm weary o' this life,  
 Wi' a' its waefu' care and toil,  
 I think she'll aiblins be my wife,  
 And I be Laird o' Aberfoyle !

The next flower which we add to the chaplet of Aberfoyle is supplied by a nameless votary of the Muse. In Whitelaw's *Book of Scottish Song* (1845) appears a lyric entitled "Loch Cathrine;" but there is no author's name, nor is the song marked as original : nothing whatever is said about it. Its merits, however, will doubtless commend it to the reader.

#### LOCH CATHRINE.

Amid Loch Cathrine's scenery wild  
 Is seen my lassie's dwelling,  
 Where cavern'd rocks, on mountains pil'd,  
 Howl to the sea-breeze swelling:—  
 She's fairer than the snaw that fa's  
 On mountain's summit airy;  
 The sweetest mountain flow'r that blaws  
 Is not so fair as Mary.

'Tis sweet when woodland echo rings,  
 Where purling streams meander,  
 But sweeter when my Mary sings,  
 As through the glens we wander.  
 The wild deer on the mountain side,  
 The fabled elf or fairy,  
 Or skiff that skims the crystal tide,  
 Moves not more light than Mary.

From Lowland plain I've wandered far,  
 In endless search of pleasure;  
 Till, guided by some friendly star,  
 I found this lovely treasure.  
 Although my native home has charms,  
 Among these hills I'll tarry;  
 And while life's blood my bosom warms  
 I'll love my dearest Mary.

Last of all we open a volume entitled *The Highlands; The Scottish Martyrs; and other Poems*. By the Rev. James G. Small, Bervie. Edin: 1852. The book has achieved popularity; for it is its third edition which is now in our hand, and we believe that this is not the latest. The following stanzas are selected from the opening poem :—

#### THE LAKES OF ABERFOYLE.

Once more among the mountains let me trace  
 The varied beauties of each green retreat.  
 Let Fancy lead me on from place to place,  
 For many a lovely valley may I greet,  
 Where I may rove in musings calm and sweet.  
 These proud peaks rise no more in distant view.  
 The blooming heather is beneath my feet,  
 Loch Katrine lies before me, still and blue,  
 Guarded by heath-clad hills whose king is Benvenue.

Come, ye whose mourning hearts by grief are torn,  
 Amid these scenes with Faith, your teacher, rove ;  
 List the glad songs that, at the rise of morn,  
 Burst, as yours yet shall burst, amid the grove ;  
 See emblems in the hills that tower above,  
 And seem the peaceful lake's repose to guard,  
 Of the unchanging strength of heavenly love,  
 And of that power which from your souls can ward  
 Each fierce, disturbing blast—blow it howe'er so hard.

Yes, let your eyes, in pensive grief dejected,  
 Gaze on the bosom of this placid lake,  
 Where heaven's ethereal glories are reflected.  
 Let your afflicted soul its impress take ;  
 And, guarded by that rock which nought can shake,  
 Unmoved let wrathful tempests o'er you sweep.  
 Let no rude gusts of fretful anger break  
 Your soul's repose; and—be your grief as deep  
 As that calm lake—oh ! still your hearts as tranquil keep.

Thus, freed from passion's wild and lawless sway,  
 Even in the depths of your unfathomed woe,  
 Cheered by Religion's pure and peaceful ray,  
 Much of the joy of heaven you here may know ;—

Thus, in their holy calm, your hearts may glow  
 In that most pure and purifying light ;  
 And, 'mid the bleak, dark scenes of earth below,  
 May draw their comfort from that sacred height  
 Which else the inward storm had hidden from your sight.

With fair Loch Katrine two most beauteous lakes  
 Are linked by winding Teith's rejoicing stream ;  
 And each such kindred loveliness partakes  
 That oft, methinks, hereafter shall they bear  
 In sweet, harmonious vision on my dream ;  
 Like three fair sisters who, though each apart,  
 Lovely and pure, yet purer, lovelier seem,—  
 Not from the vain embellishments of art—  
 But from the flow of soul that links them, heart to heart.

To these mild smiling lakes a thousand rills  
 With joyful purlings wind their destined way,  
 For, 'mid the bristling woods and rugged hills,  
 So calm and pure and beautiful are they,  
 To them each mount his tribute loves to pay ;  
 Even as rough Valour and uncultured Might  
 To Beauty's gentle, yet resistless sway,  
 And to fair modest Purity, delight  
 To pay an homage felt to be their sacred right.‡

And, as amid this sinful world the heart  
 Of Faith sends forth its silent prayers and sighs,  
 That Heaven its richest blessing would impart  
 To all around, from that pure lake arise  
 Soft, genial exhalations to the skies,  
 That thence in plenteous showers may come again  
 The dew that to the drooping flower supplies  
 New life,—the early and the latter rain,  
 That cheer the barren mount, and fertilize the plain.

Less sweet my musings as o'er moss and moor  
 I take my drear and solitary way ;  
 But yet not long these gloomy thoughts endure,  
 For soon I see the fair Loch Ard display  
 Her placid bosom, 'mid a rich array  
 Of skirting woods, and isles that calmly rest  
 On the bright waters, gleaming in the ray  
 Of the descending sun ; while in the west  
 The dark Benlomond rears far off his snowy crest.

The meditative poet abruptly passes from the banks  
 of Loch Ard to the "peaceful shore" of "Menteith's  
 sweet lake" : and we, too, now bid adieu to Aberfoyle,  
 leaving behind a poetic garland, the bloom and fragrance  
 of which will not soon decay.





## APPENDIX.

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THE following account of "Our Lady's Chapel" was published in the *Perthshire Constitutional* of 13th February, 1878; but while it was judged advisable to insert the article in this volume, it has been placed as an Appendix, by reason that the greater portion of the historical facts relating to the Perth Council-house of 1696-1839 appeared in the *Perthshire Antiquarian Miscellany*, a former volume of this series, issued in 1875.



LAST DAYS OF "OUR LADY'S CHAPEL."

ALL hail! thou ancient, tottering, bruckle biggin,  
Thou mouldie mass o' timmer, lime and stane;  
Thy in-kneed base, and bent three-neukit riggin,  
A' mouldering down, can scantly stand alane;  
Wi' a' thy time-worn hoary cronies gane,  
And thou thysell just lootin to thy fa',  
Foul fa' the heart that winna mak a mane,  
And mourn thee sairly when thou art awa;  
Alack! we'll soon no hae an Auld Toon mark ava.  
*James Ballantine—"The Gabertunzie's Wallet."*

A FEW days ago, operations were commenced for the demolition of the ancient edifice at the bottom of the High Street, known as "Our Lady's Chapel," preparatory to the erection of new, commodious, and elegant municipal buildings. The work is still going on, and its progress is daily watched by numerous onlookers, who evince much interest in the fate of what they had been long accustomed to regard as, with the exception of St John's Church, the oldest structure in the Fair City. For many a day it formed the main portion of the Tolbooth; and latterly, as everybody knows, it contained the Town-Hall or Council-Room and the Police Office and cells. But the great want of adequate accommodation for the police department (so often urged upon the Police Commission by the Government officials, who characterised the Perth cells as "the worst in the kingdom," and "a disgrace to any civilised commuuity") has necessitated the entire removal of this architectural relic of bygone ages. We readily acquiesce in the necessity, which was, indeed, imperative, though we must say that in many instances, historical fabrics in Perth have disappeared one by one before that "march of modern improvement" which should rather be designated the unmitigated Vandalism of civic rulers, indifferent to historic sentiment and association, and unrestrained by an apathetic public. In the present case, as we admit, the local authorities

have acted for the best, and they intend to replace the venerable building with one worthy of the city, retaining also the most remarkable ornament which distinguished the former—namely the antique portion of the octagonal tower.

Very little concerning the history of this time-honoured edifice can be gathered from records. It was styled “Our Lady’s Chapel” from the fact that an ecclesiastical building under that name occupied nearly the self-same site at a very remote period. In 1210, a great and destructive inundation happened in the Tay, as narrated in Fordun’s *Scotichronicon*, which we shall now quote :—

In the year 1210, and, as some would have it, about the time of the feast of St Michael, there happened such a great fall of rain as made the brooks and rivers exceed their usual channels, and carry off much of the harvest-crop from the fields.

The water of Tay, with the water of Almond, being swelled by the increasing rain, and by a spring-tide from the sea, passed through a great part of that town, which of old was called Bertha, now also Perth, in Scotland. In consequence of a mound or rampart giving way, not only some houses, but also the large bridge of St John, with an ancient chapel, were overthrown.

William the king, David Earl of Huntington the King’s brother, Alexander the King’s son, with some of the principal nobility, went into a boat, and sailed quickly out of the town, otherwise possibly they might have perished. Of the burgesses, and other persons of both sexes, some went into boats, and others fled for safety to the galleries or balconies which were over their houses.

The site of the Bridge, which was thus overthrown, was most likely at the foot of the High Street, the spot where other bridges were successively thrown across the Tay. The “ancient chapel,” which was also destroyed, presumably stood on a site betwixt that of the Town-Hall (now being taken down) and the river. It was probably a monastic institution, and one of the first erected in the town. It was subsequently rebuilt: and the Town-Hall building being evidently ecclesiastical, and of a date certainly not later than the middle of the thirteenth century, may have been connected with the chapel when the latter was restored and extended. The arched ground floor, which was used as the

Police Office, proved its antiquity and ecclesiastical character; and the entrance to the Council-Room was by a fine old Norman doorway with sculptured heads. It would appear that the slender octagonal tower attached to the south-west corner of the structure was added during the reign of James III.,—its lower part being in the style which distinguished the architecture of that monarch's favourite builder, Cochran, who was hanged by the Scottish nobles over Lauder Bridge,—but the upper portion with the spire was modern. Scanty notices of "Our Lady's Chapel" occur in the fifteenth century. The Scottish Exchequer Rolls for 1400-1 contain an entry—"Pro reparacione gradus capelle Beate Marie juxta pontem de Tay, de novo facte, 9s 4d." James IV. was in Perth on 19th December, 1497, and, according to the Scottish Treasurer's Accounts, there was given "to the Priest of the Brig-end of St Johnstoun to say ane trental of masses for the King, by the King's ain command, 20s." The trental of masses (being 30 masses for the dead, usually performed on 30 successive days) was obviously to be sung for the repose of the soul of James III. On 6th February, 1497-8, James IV. gave another sum to this religious house:—"Item, that same day, to the King's offering at the Brig-end of St Johnstoun, 11s 6d."

Nothing farther can we find regarding the Chapel of the Blessed Mary at the end of St Johnstoun's Bridge till nearly forty years after the storm of the Reformation had passed over the land, annulling and devastating all Romish establishments. In the year 1596, the Kirk-Session of Perth, as managers of the benefaction of James VI. to the "poor and indigent" folks of the burgh, resolved to establish an Hospital for the reception of their eleemosynaries. On the 15th November, 1596, "the Session all in one voice thinks it expedient that an Hospital House for the entertainment of the poor within our own congregation be erected and builded, the place to be in the chapel called Our Lady's Chapel at the Shore: and for

this effect ordains James Adamson, Master of the Hospital, with all diligence, to buy timber and other materials for the furtherance of this work." There can be no doubt that the first Hospital House, under the Charter of King James, was in use early in 1598; for, on the 24th April that year, a woman, named Janet Cairnie, was expelled "furth of the Hospital House" for improper behaviour. From that period frequent entries appear in the Register of persons being admitted to the establishment. On 5th November, 1599, some "honest failed men" were put therein and entertained. On 1st January, 1602, an aged craftsman, David Dickson, was ordained to be put therein, at the expense of one merk per week for his sustentation, until further provision should be made for him and the others who were in the Hospital. Various notices of this kind occur in the Books, until 1616, when the Managers resolved that all the poor under their care should reside in the House; for, on 3d December that year, "the Session ordains the persons that get weekly alms of the Hospitality, to compear before them the next Thursday, to be enjoined to abide in the Hospital House, or then to get nothing of the Hospitality." How long the Hospital was kept in "Our Lady's Chapel at the Shore," we cannot tell: we can find no mention of a removal; and there is a blank in the Register from 7th March, 1642, to 1st August, 1665. History relates, however, that in 1651, when Cromwell's troops took possession of Perth, they pulled down a great number of buildings in the town to obtain ready materials for the erection of their Citadel on the South Inch, and among others thus demolished was "the Hospital containing many large rooms, and three stories high;" but this perhaps was a different edifice from the ancient chapel.

We might suppose that, in olden days, the present Town-Hall was the place where the Town Council stately assembled. But it seems that in the beginning of the seventeenth century the burghal Sanhedrim held their meetings in some building adjoining St John's

Church. Thus, an entry in the *Chronicle of Perth*, under date 12th July, 1603, records the fact that “the Laird of Ballandene, quha was slain in Dundee, was buried in the Kirk of Perth, be eist the Council-house door, under a blew stone of the Ryne.” Certainly, at a later date the place of meeting was the “Session-house of the Kirk;” and during a period of nearly a century and a half, from 1696 to 1839, the Town Council met in another house which stood across the foot of the High Street, at a right angle with the Tolbooth.

This Council-house was a building which possessed little elegance, and its antiquity was not such as to make it worthy of preservation. It formed a barrier towards the river, on the site of the old Bridge Port or “Stations,” having two arched-ways or “pends,” which could be shut up and defended in times of danger. On 18th June, 1694, the Magistrates were authorised to agree with wrights, masons, and others, concerning the erection of a new Council-house, Clerks’ Chamber, and Pack House (or Weigh House), upon the North Shore, and to do the same for a sum not exceeding 7000 merks (about £387 sterling); and on the 29th September, a contract was entered into with William Mylne, wright, at Dupplin, on the above terms. At this meeting a protest was taken against the work by ex-Provost Oliphant and his adherents; and Matthew Robertson, Deacon of the Wrights, also protested against William Mylne being employed before he was entered Freeman of that Incorporation. This opposition retarded the work till the Magistrates obtained a decret from the Lords of the Privy Council, dated 25th March, 1695. One of the reasons for their Lordships granting the Magistrates’ request was—“the Council having to meet in the Session-house of the Kirk.” The building being completed towards the end of 1696, an entry appears in the Council books regarding its furnishing and decoration:—“A large table, and carpet for the same; and if the carpet cannot be procured in Edinburgh, to send to London for it. Three dozen rushie-bottom leather chairs. Also, to

get a Landscape painted above the chimney-piece." In 1696 the second "pend" was ordered to be built over the waste land between the south gable and a ruinous tenement on the shore. Between the north pend and the Weigh-house door stood a pump-well of stone, with a long perpendicular iron handle, having a round mass of lead attached, which, on being propelled by the hand, swung like a pendulum. The entrance to the Council-house was by a broad covered stair ascending in room of the recent tower. Behind the Council-house, and towards the north, several fine trees were planted, at some time, in the space between the buildings and the wall of the river, and were intended, says tradition, to represent the Lord-Provost and his bench of Magistrates. Only three of these trees still remain. It was in this Council-house that, on the night of the birthday of George II., in 1745, a mob of the loyal citizens besieged Mr Oliphant of Gask, the Rebel Governor of Perth, and his guards: on which occasion an unsuccessful attempt was made to blow up the building by placing a barrel of gun-powder under one of the pends. In the month of December, 1834, a house erected over the south pend was burned, and it continued in a ruinous state for about five years, when the Council having purchased it, held a meeting on 16th September, 1839, at which Mr Mackenzie, city architect, presented a plan and report for accommodating the Burgh Court and Council in the Old Jail, and removing the Weigh-house to the Meal Market. This report, being adopted, the buildings were removed, and a circular tower or stair-case erected in accordance with the style of the Tolbooth.

The Council-house now being demolished was long used as part of the common Tolbooth of the town until the erection of the County Jail in 1818: and before accommodation was provided in the County Buildings, the Sheriff Court and the Circuit Court of Justiciary were usually held in the present Town-Hall, which was then fitted up with a gallery for the public at the east end. The old Jail was dark, filthy, and

noisome, like other prisons of its day : and there was a grim cell, called the “Laigh Iron-house,” on the ground-floor, behind the octagonal tower, while there was another, secured by a low grated door in the north side of the north pend. This Jail sometimes shewed itself a very insecure place of durance,—several prisoners of desperate character—gipsies, robbers, and smugglers—frequently breaking their prison and escaping, and this oftener than once in spite of a guard, consisting of street porters and the like, hired on special occasions to watch outside all night when danger was apprehended. Late on the 5th of August, 1772, a mad prisoner nearly set the whole place on fire. “Last Wednesday night,” says the *Perth Magazine* of the time, “betwixt the hours of ten and eleven, one of the prisoners in the Tolbooth here, thought to be delirious, set fire to the straw of his bed, and threw two of his fellow-prisoners above the same, by which one of them was terribly scorched in the shoulder, and himself in the face and arm. The fire was happily extinguished before the fire-engine and military came to their assistance.”

Three inscriptions courted men’s observation on the front of the old Council-house. Over the arch of the “braid stair,” which gave access to the Court-room as well as to the civic chamber of assembly, appeared the couplet :—

This house loves peace, hates knaves, crimes punisheth,  
Preserves the laws, and good men honoureth.

The north pend was surmounted by an emphatic warning to debtors :—

Think with thyself whilst thou art on the way,  
And take some course thy Creditor to pay,  
Lest thou by him before a Judge be called,  
And by an Officer be here enthralled :  
Till utmost farthing shall by thee be paid,  
Thou shalt be close within this prison staid.

And the following passage from the Proverbs of Solomon was over the Weigh-house :—

A false balance is abomination to the Lord; but a just weight is his delight.

The *first* of these inscriptions was restored above the door in the circular staircase of the Town-Hall

facing the street. The *second* one—the warning to debtors—was obliterated for many years before the old Council-house was pulled down.

On the 4th September, 1818, Perth and its prisons were visited by two large-hearted but lynx-eyed strangers—Mr Joseph John Gurney and his sister, Mrs Elizabeth Fry, both eminent members of the Society of Friends. They came to Perth in the course of a tour through Scotland and the north of England to inspect the state of the various prisons. While Mr Gurney had not much to say in commendation of the new Jail of Perth, he thus described the condition of the Tolbooth as a place of confinement:—

The Old Jail of Perth, which we inspected on the same day, is built over a gateway in the middle of the town. Although this dark and wretched building had been for some time disused as a prison, it was not at the period of our visit without its unhappy inhabitants. We found in it two lunatics in a most melancholy condition; both of them in solitary confinement;—their apartments were dirty and gloomy, and a small dark closet connected with each of the rooms was filled up with a bed of straw. In these closets, which are far more like the dens of wild animals than the habitations of mankind, the poor men were lying with very little clothing upon them. They appeared in a state of fatuity, the almost inevitable consequence of the treatment to which they were exposed. No one resided in the house to superintend these afflicted persons, some man living in the town having been appointed to feed them at certain hours of the day. They were in fact treated exactly as if they had been beasts. *A few days after our visit, one of these poor creatures was found dead in his bed.* I suppose it to be in consequence of this event, that the other, though not recovered from his malady, again walks the streets of Perth without control. It is much to be regretted that no medium could be found between so cruel an incarceration, and total want of care.

For some time during the last quarter of the eighteenth century and also during part of the first quarter of the present, all public executions took place at the foot of the High Street. The former place of execution was on the Burgh Muir. “The last criminal who suffered on the Moor was a fine-looking young woman for stealing clothes from a washing-house, about the year 1776—the only instance of the execution of a female

that had occurred in the county for a long period before; neither has there been one since." Frequently the corpse of a criminal was hung in chains on the Muir; and it is said that one of the last bodies exposed in that manner was taken down, under cloud of night, by a drunken soldier.

When the place of execution was changed to the bottom of the High Street, "a door was broken out from the Sheriff Court-room (the late Town-Hall), and a scaffold erected on the street, with a drop beneath a beam set out through the wall." Various criminals expiated their offences upon that beam. Subsequently, there was another change from the front of the Court-Room to the front of the Council-House. On the 28th June, 1811, Hans Heigelson, a Danish sailor, twenty-six years of age, belonging to a ship which had come to Burntisland, being convicted at Perth of a capital crime, was executed at the new place. "A scaffold was erected in front of the centre window of the Council-Room, over which a beam was fixed, on the side of the window, with the same length of beam within as without. To the end of the beam within, a rope was attached and a hole was cut in the floor, through which a rope descended into the Weigh-house, where a heavy weight was fastened, about three feet from the ground. When the signal was given, this weight descended, and the beam rose on the outside, raising the body from the scaffold."

Much more might be added; but we fancy we have sufficiently expatiated. The plans of the new buildings, which are to supersede the old, are highly creditable to the taste and abilities of Messrs Heiton, the architects. The proposed structure will be Tudor in its character, with a frontage to Tay Street of 72 feet, and to High Street of 57 feet, the windows of the present Town-Clerk's offices being adapted to agree with the general design. A leading feature in the elevation will be a reproduction of the octagonal tower, so as to meet, in some way, the views of those who have advocated its preservation; but the new tower, which is to occupy

the corner, will have a more substantial and elegant appearance. A balcony is also provided, which will be made serviceable on public occasions, such as the declaration of an election, &c. The main entrance to the building will be where the octagonal tower had stood, the principal architectural feature being a handsome tower, corresponding with the reproduction of the other. On the ground floor there is a City Chamberlain's Office, 17 feet by 13 feet, and a public office, 25 feet by 23 feet. The Police Office will front Tay Street, the office being 30 feet by 22 feet; and the Superintendent's room, 16 feet by 12 feet. Behind the Police Office there are two ranges of cells, four on each side, entering from a large corridor, and shut out from the main office by an iron gate. A room is also provided for the mustering of the policemen, &c. The Council-Room is situated on the second floor, and will be a spacious room of 41 feet by 25 feet, being larger than the present one. The new Burgh Court-Room, 30 feet by 22 feet, will be on the same floor, having a public entrance from Tay Street and a private entrance from the Council-Room. Adjoining the Council-Room is a Committee-Room, 24 feet by 21 feet, and a Provost's Room, 17 feet by 13 feet. It is proposed to construct the building of Huntingtower stone, with white freestone dressings; and, wherever practicable, the old stones will be utilised. The buildings altogether will be such as, we are sure, must meet with the approval of the citizens and be greatly admired by visitors.







