

John Carmichael of Medowflat, the Captain of Crawford.

IN the Southern angle of the county of Lanark where the Clyde, still a modest limpid stream, hurries down from the lonely hills where it has its source, is situated the village of Crawford, and across the river at no great distance stood the Castle of Crawford. As its name implies, it was at an early date the home of the Crawfords, thereafter of the Lindsays, who in their turn made way for the Douglasses, when on the forfeiture of David Lindsay, Duke of Montrose, in 1496 James IV. bestowed the lands and lordship of Crawford with its castle upon Archibald, Earl of Angus, commonly known as 'Bell the Cat.'¹ Throughout the sixteenth century it remained in possession of the Douglas family except for the incidental forfeitures of rebellious earls, when for a time it reverted to the crown, but uninterruptedly the office of castellan or captain remained hereditary in the family of Carmichael of Medowflat, whose head, by an arrangement which sorely worries the genealogist, always bore the name of John. Of the old castle little now remains, but as late as the end of the eighteenth century it was still sufficiently weather-proof to afford accommodation for a rural dancing class in its deserted banquetting hall.² In this country the forces of disorder were never so rampant and the laws so ineffectual to cope with them as during the last half of the sixteenth century, from the close of the reign of Mary Stuart till the re-establishment of governance under her son. The causes of these disorders were many, and it may suffice here to mention the long minorities of James V. and Mary and the absence of religious control prior to and at the time of the reformation. Besides the notorious thieves, broken men, and vagabonds who flourished in such a state of anarchy, there was no small number of men of respectable

¹ *Douglas Book*, vol. iii. p. 152.

² Mitchell's *Old Glasgow Essays*; article, Katherine Carmichael: Glasgow, 1905.

birth and ancestry, proprietors of considerable estates who openly, in defiance of the law, indulged their taste for adventure at the cost of their neighbours when occasion offered, and such appears to have been that John Carmichael, Captain of Crawford, the subject of this article. He was a man of good family, possessed of powerful friends and connections; Katherine Carmichael—whose pathetic story has been told so well by the late J. O. Mitchell in one of his Old Glasgow Essays—was a daughter of an earlier generation of his house; she fell a victim to the royal charms of James V. when that monarch came a-hunting to Clydesdale and bore to him a son, John, afterwards prior of Coldingham—the father, in his turn, of the notorious Francis Stewart, Earl of Bothwell. He was closely related to the house of Buccleuch, his mother being Elizabeth Scott, a sister of Sir Walter Scott, and he, consequently, a cousin of the first Lord Scott of Buccleuch. In 1594 he succeeded to the family estate of Medowflat and to the hereditary office of Captain of Crawford,³ and almost immediately thereafter we find his name figuring in the records.

The sources of information drawn on for what follows in this article are two, viz., the Records of the Privy Council—accessible to all—and a single sheet of fragile paper on which are written fifteen charges, dated between the years 1596 and 1607, in the possession of the author. Between these two a distinction must be observed. The first are charges pursued in proper form before a regular tribunal, with a record of the sentences pronounced; the second is a mere list of indictments without any statement of the court before which they were called nor of the verdict, if any, that followed thereon. But the latter are related with such realistic detail that they appear to bear on the face of them the impress of fact. With this list we shall deal hereafter.

Now it happened that the Earl of Angus, being the owner of Crawford Castle as well as the Captain's superior, was to some extent responsible for his good behaviour, and so long as he merited his friendship he could exert himself to shield him from the interference of the higher powers. Thus it may be that, previous to the year 1607, we find in the *public* records few accusations against the Captain for deeds of violence, and observe on his part a singular disregard of the sentences passed on him. A short glance at these will suffice. In 1595 he has to find caution to suffer the tenants of Mark, Lord Newbottle, to live

³ *Ab. Ret. Lanark*, 6. 7. 8.

in peace, also to refrain from harming Jean Hamilton, 'Lady Lamington.' Two years later he and his mother, Elizabeth Scott, are denounced rebels for not appearing to answer a charge of theft and reset of the cattle, to the number of forty-two head, which belonged to a poor woman, Janet Williamson. The denunciation being of no avail, the rebellious persons are charged, the following year, to enter themselves in ward in Dumbarton Castle and to render up their dwelling-house under pain of treason; this charge likewise they 'most treasonably and contemptuously disobeyit,' in consequence of which the Earl of Angus is ordered to present his vassal before the council. This charge the Earl himself disregarded, wherefor, and for having spoken with the Captain since the time of the charge, he too is put to the horn. Thus far the hornings have been utterly ignored. Now the date of the manuscript indictment is obviously either 1607 or subsequent thereto, and it is noteworthy that in that very year the friendly relations hitherto existing between the Captain and his Superior were rudely sundered by the murder of William Carmichael, the Captain's brother, at the hands of the sons of Walter Weir of Nether Newton, tenants and friends of William Lord Douglas, the representative of his father the Earl of Angus, who had for some years been living abroad.⁴ The result of this murder was the breaking out of a deadly feud between the Carmichaels, their friends and tenants, on the one part, and the Weirs, and Inglis of Braidlie, Lord Douglas's baillie at Douglas, and their whole kin and friends on the other part.⁵

Further, in 1610, because of the frequent stouths, riefs and slaughter of black fish in forbidden 'time within the Lordship of Douglas, etc.,' two commissions of justiciary for trying and punishing all offenders within the said bounds were granted to William Lord Douglas. By virtue of these commissions a number of the captain's tenants were summoned to answer various charges before a court to be held in the castle of Douglas, but by reason of the feud, not daring for their lives to venture there, they petitioned the Council to have the Commission in respect to them discharged.* It seems therefore highly probable that this indictment was framed against Carmichael after the outrage on his brother, and that the tribunal was this, or a similar court to be held in the castle of Douglas. Though his offences might be condoned while he remained on good terms with his Superior,

⁴ *Reg. of Priv. Coun.* viii. 765.

⁵ *Ibid.* ix. 463.

* *Ibid.* ix. 463-465.

when the breach occurred his old crimes were brought to light and every endeavour used to bring him to justice. Hence also it happened that from 1607 onwards he was summoned more frequently before the Council.

The charges in the manuscript have not been hitherto published and they afford a vivid picture of the life of the time. '1. The Captane of Crawford cam to the Southwood he and his compleices and there stall fra Barnard Tynto xxxviii scheip in September the year of God 1596 and that to the taikin the said Barnard cam to desiré him to follow them and he bad him giv fourtie pounds fallow' (*i.e.* apparently a fee) 'that he would have borrowit and he stowit the scheip in his awin seller in the castle of Crawford and to the taikin there was ane of the scheip put the heid furthe at the windo and John Tynto his brother's son persawit the scheip and desirit him to let them go and he schoirit' (*i.e.* threatened) 'him for that and the scheip was never gottin agane.' Next, in the same month, other twenty-seven sheep were driven off from the same unfortunate Barnard, and yet again for the third time the same year, the Captain, his 'compleices' and servants paid another visit to the Southwood and 'drift eftir drift' they denuded the pasture till they had the number of fourteen score of sheep all taken from 'Barnard his wife, and bairnes.' But worse was to follow on this occasion, for Andro Bell, one of the servants, 'granted the hail stewthe to Thomas Jardine in Byrnok,' wherefor the Captain, with 'Mungo Carmichael of the Myll, and Mungo Park in the Westhaw, tuik the said Andro and callit him ane theif and drounit him on the nycht forout ane syse' (without a trial) 'where nane knew bot thair selffis.' The same year from other poor tenants in the Nether Southwood in the night-time he 'cruellie reft' twelve cows, which, however, were returned 'at the king's plesoure and the king spak with his awin after the complaint was maid gif evir he hard the lik in onny tyme cuming of that he suld gar hang hym.' Next, in August 1595, under the silence and the cloud of night, a visit was paid to the Rilbank upon Clyde, belonging to 'the Lady Stonebyres,' and nineteen cows and oxen removed. All day long the 'compleices lay in the Neipland Wood callit Oxenmalbenschaw and the Capten and James of Longbodome cam to Lanerk and drank all day quhill nycht, and met all at the fairsaid wod and then to thair purpose.'

How realistic is this next narrative. 'Sicklik in the next yeir eftir in the moneth of Nowembir he cam to the Falside and Hilend

and there thifteouslie stall fyve scoir of scheip he and his servands and brought thame to the Watter of Clyd it being ane flud and drounit fyftene of them and they horssit our the wattir fourtein upone thair horss necks and left the rest because of the gritness of the watter, this committed be the Capten and his complices.' The next four charges merely recounting thefts of sheep and cattle call for no particular comment. The eleventh, however, relates to an act of violence of a different nature. '1596. Attour the Capten of Crawford cam to the town of Crawford togidder with Mungo Carmichael of the Myll and ther cruellie schot and slew with ane hagbut John Mackkynrick tailzeour in the sextene yeir of God and that to the taikin he tuik Johnne Gibssone and Gideone his brother and put thame in pressone for the space of twentie days because thay resisted his furrie and wald haif saiffit the man's lyf.' The fifteenth, the last charge in the indictment, that of the year 1607, is for a crime of another character. 'Item in the sevynt yeir of God the Capten of Crawford is delattit to the prespetre of Lanerk for wichecraft and consulting with Crestene Beg and Janet Makmorone in the art of wichecraft and convenit with thame dyvers tymes in privie places quhill in the chappell of Crawford upone the nycht and at thair awin houss thinking by theredoin to haif procreatioune of childrene.'

To return now to the Records of the Privy Council for this period, we find John Carmichael called to account for resetting sundry fugitives and outlaws, including his brother Walter, who played a part in many violent escapades, and he is again at the horn for not paying his taxation. But the authorities have got their eye on him, and he and such as he are having the special attention of the king. In 1607, for quieting the middle shires, his Majesty 'thought mete that some of the ringleadaris suspected for thair bigane conversation or for thair present disordered courses should be confined in some pairt removed from thair ordinary residence,' and under this ordinance the Captain was ordered to betake himself to Dundee to enter within six days under pain of rebellion, and there to remain till relieved by George, Earl of Dunbar. But it is very doubtful if Dundee ever enjoyed the society of the pushful captain, for the following year a complaint is lodged by Mark, Earl of Lothian, and Andro and David Johnston, his tenants of Crawfordmure, against John Carmichael and others, all at the horn, for not finding caution, for coming armed with swords, lances, hagbuts and pistoletts to the said

lands in the month of July, pursuing the tenants and their families with hagbuts, chasing them off the lands, removing their goods and houghing their sheep and horses, and even threatening to burn them in their houses if they continued in possession. Though to this charge the Captain alone was present to answer, yet in respect that neither he nor his fellows were able to find caution to underly the law, the Sheriff of Lanark was ordered to apprehend them and keep them in safe custody till they should satisfy the complainers.

With the relation of one more picturesque incident we shall conclude this list of crimes. Again it is against one of the Earl of Lothian's tenants that the outrage is committed. Accompanied by his brother Walter, John Tynto, in Southwood, and others to the number of four score, including a burgess and one of the bailies of the town of Crawford, all armed as usual with hagbuts and other weapons, the Captain proceeded on the 9th June, 1609, to the Kirktoun of Crawford Lindsay and to the lands of Glen-caple and there sought out Umphra Jerdane, one of the tenants, 'for his slaughter.' Umphra very prudently was from home, so on the 11th, being Sunday, the same party and others to the number of two hundred, armed as usual, arrived at the parish kirk of Crawford. Here their victim was worshipping in his 'ordinary parich kirk sitting in an aisle whereof he had been in possession thir aucht years bygane and being upon his knees at his prayers and Mr. Williamson the minister being in the pulpit saying the first prayer and the said Umphra's back being turned towards the said John his face,' the Captain charged and 'bendit' his hagbut and presented the same to 'Umphra his body.' But ere the tragedy could be accomplished, for the Captain must have been slow at discharging his weapon, the minister shouting a warning to the worshipper and a timely word to the Captain caused a diversion, otherwise the latter 'had not failed to have cut off Umphra from his natural life.' So once more the Captain is summoned before the Council, and being found guilty of the comparatively innocent offence of wearing hagbuts and pistollets is ordered to be committed to ward in the castle of Edinburgh. But good friends are at hand to help him in the persons of Sir John Murray of Blackbarony and Sir Edwin Murray of Elibank, who become surety for him to the extent of £2000 to keep good rule in the country, not to carry hagbuts and pistollets, and to appear before the Council when charged. What power the Murrays had over him does not appear, but it was sufficient,

for no further notice of his misdeeds appears; on the contrary, he seems to have mended his ways and even to have enjoyed a certain amount of royal favour.

On 30th October, 1612, the king interferes on his behalf in a letter to the Earl of Mar, objecting that a lease of the teinds of Crawford Lindsay had been wrongly granted to the Earl of Angus in place of John Carmichael of Medowflat, whose lease had not expired and who, with his predecessors, had been in continual possession thereof 'these fourteen score of years bygone,' and a new tack is ordered to be given to him.⁶ In later years we once or twice get a glimpse of him, not as Captain of Crawford, but as Sir John Carmichael, knight. On 24th June, 1621, a warrant was issued to the Treasurer not to dispoise his escheat to any one before Martinmas following, by which time he was to 'take final order with his creditors.' 'Wee sold be loth,' the kind added, 'that his house whereof so manie honest men and faithful servants to our selfe and our predecessoures are descended should by the cruelty of a hard hearted creditour be utterly overthrown.'⁷ In September of the same year, under reservation of a liferent to himself and his wife, dame Sara Douglas, he resigned certain of his lands to the Earl of Angus, who three years thereafter obtained a charter to them under the great seal.⁸ In the spring of 1637 he died, the last male representative of his line; he was survived by an only sister, Margaret, who after being served heir to him⁹ sold Medowflat and the remainder of the family estate.¹⁰⁻¹¹

⁶ *Douglas Book*, iv. 43.

⁷ *Hist. MSS. Rep. Mar & Kellie*, 95.

⁸ *Reg. Mag. Sig.* 1624. 700.

⁹ *Ab. Ret. Lanark*, 196.

¹⁰ *Reg. Mag. Sig.* 1640. 953.

¹¹ Although in the 'Upper Ward of Lanarkshire' (iii. 471) it is stated that John Carmichael, Captain of Crawford, alive in 1612, and Sir John Carmichael, who died in 1637-8, were different individuals, I can find no evidence of this in any published record, and have, therefore, considered them as the same person.

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