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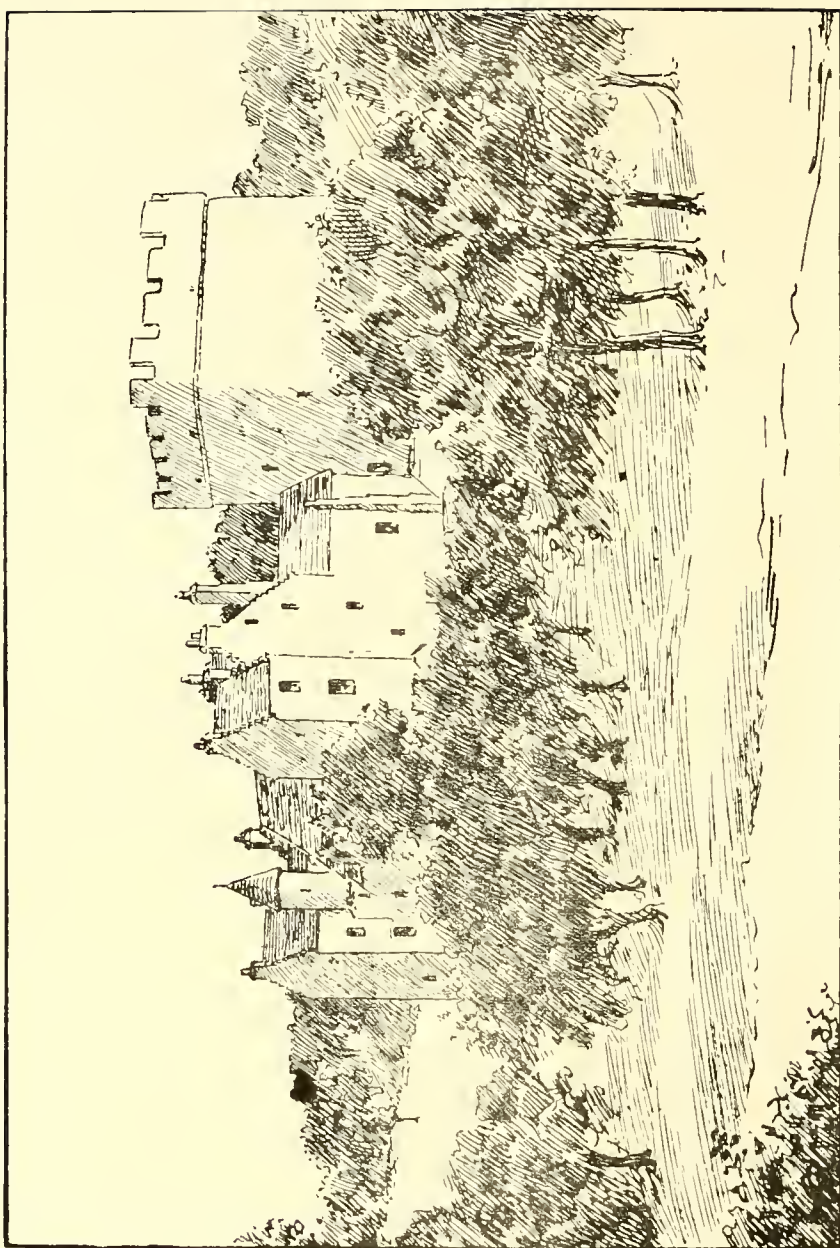


THE IRVINES OF DRUM.









DRUM CASTLE, ABERDEENSHIRE.

A SHORT ACCOUNT

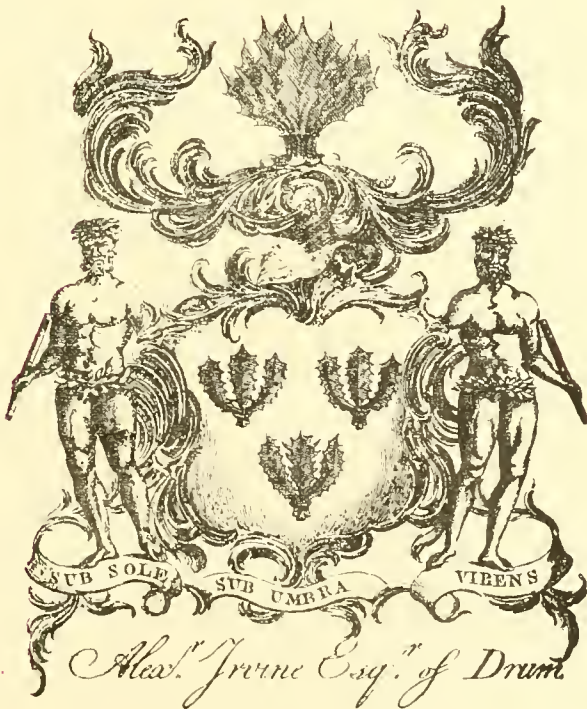
OF THE FAMILY OF

IRVINE OF DRUM

IN THE COUNTY OF ABERDEEN.

BY CAPTAIN DOUGLAS WIMBERLEY,

LATE OF THE 79<sup>TH</sup> OR CAMERON HIGHLANDERS.



*STIRPS REDIVIVA.*

PRINTED FOR THE AUTHOR AT THE OFFICE OF THE "NORTHERN CHRONICLE,  
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## PREFACE.

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THE following short account of the Irvines of Drum is necessarily to a large extent a compilation from various sources, and a very considerable number of extracts from various books and papers are brought into the narrative.

**1385441**

The sources from which I have borrowed include a short MS. genealogical account of the family, kindly granted to me by Mrs Forbes-Irvine, senior of Drum; "Browne's History of the Highlands;" "The Castellated Architecture of Aberdeenshire," by the late Sir Andrew Leith Hay, K.H., of Leith Hall and Rannes; several volumes of the Spalding Club Transactions, especially "The Trubles in Scotland;" "Douglas' Baronage," "Douglas' Peerage," edit. 1764, and "Douglas and Wood's Peerage;" "The New Statistical Account of Scotland," and in particular "State of the Process, Improbation, Reduction and Declarator, Alexander Irvine of Drum, Esq., and his Curators against the Earl of Aberdeen and others relative to the judicial sale of the estates in 1737."

From the last I got the terms of various old Charters and Deeds, and much information as to various members and branches of the family and their marriages.

I believe the two pedigrees given are fairly correct, and they are interesting as showing at a glance many inter-marrriages with families in the North.

Several appendices with extracts relative to the Drum family are annexed: for the last of these I had not an opportunity of seeing the Spalding Club volumes referred to until most of the book was printed.

I have to thank Mr W. Leiper, architect, Glasgow, for a drawing of the old Castle and Mansion-house, taken from a pencil sketch by Mr Hugh Irvine (date about 1820), which, reproduced by photo-zincography, forms a frontispiece.

As a descendant of this ancient family through my mother, I have found the work of compilation most interesting, and have little doubt that others, members of or relative to it, will derive pleasure from a perusal of these Memorials.

DOUGLAS WIMBERLEY.



# PEDIGREE OF IRVINE OF DRUM.

I. William de Irwyn, son of Irwyn of Bonshaw, Co. Dumfries, and armour-bearer to Robert Bruce, from whom he got a grant of the lands of Drum, Aberdeenshire, 1323. Lived 1260-1335. He also got a grant of Whiteriggs and Redmyres from David Bruce, 1332.

II. William (otherwise Alexander), his son, lived 1317 to 1390

= A daughter of Sir Robert Keith, Great Marischal, who was killed at the battle of Durham, by Margaret, dr. of Sir Gilbert Hay, Lord High Constable. Marriage mentioned in Wood's Peerage, edit. 1764, but omitted in Douglas and Wood's Peerage.

III. Alexander, his son, held a command in the Lowland force at Harlaw, 1411, where he was killed.

= A daughter of Sir Thomas Montfort, of Lonnay. *Vide* note in text.

IV. Alexander, his son, present at Harlaw, 1411. His monument in Drum's Aisle, where he is entitled, "dus Alexander de Irwyn seeneid." He and his brother Robert witnesses to exchange between Reginald de Irwyn and Patrick de Ogilvy of Auchterhouse in 1422. *Vide* Spald. Club Collect., Auld, and Banff, and note in text. Captain and Governor of the Burgh of Aberdeen, 1440.

= Elizabeth, 2nd dr. of Sir Robert Keith, Great Marischal, who gave as her dowry the lands of Strachan in Kincardineshire, by charter 16th October, 1411.

Robert Reginald, exchanged lands with Ogilvy of Auchterhouse in 1422. *Probably* a son of Alex. Agnes, md. William Leslie, 4th baron of Balquhain, about 1430; their dr. md. Norman Leith. *Vide* Douglas Baronage under Leith of Leith Hall and Leslie of Wardes. They had also two sons, Alexander of Balquhain and George, ancestor of the Earls of Leven, and of Kininvie.

V. Alexander, his son, infelt in his father's lifetime in lands of Lonnay, Savoy, Corskellie, and Cairness in Buchan. Got a charter of lands of Leary, 1446.

= A dr. of Abernethy of Saloun. A son, who greatly distinguished himself at the battle of Brechin, 1452; from him are descended the Irvines of Lenturk and the Irvines in Germany. He got the lands of Whiteriggs and Redmyres from his father, and those of Bellic from the Earl of Huntly.

2nd. — Lindsay. — VI. Alexander, his son, infelt in lands and forest of Drum, and lands of Lonnay, 1457.

= 1st. Elizabeth or Marion, 3rd dr. of Alexander, 1st Lord Forbes. I. Douglas Peearge.

Elizabeth, md. Allardes of Allardes; men. in Comm. Rec. Burgh of Aberdeen, 1503, as his widow

Adr. md. Courts of Wester Chalmers of Strichen. A dr. md. Skene of Skene. A dr. md. Ogston of Fettercairn. A dr. md. Ross of Auchlossan. A dr. md. Crawford of Forneit. A dr. md. Duggill of Auchinhove. A dr. who prob. md. John Keith of Lathgubarn. *Vide* Spalding Club Misc., vol. IV., p. 254.

VII. Alexander, his son, afterwards Sir Alexander, received charter of Forglie from his father 1499, also charter under Gr. Seal, 1506, of Drum, Lonnay, Auchindoir, and Tarland. Sheriff of Aberdeen, 1492.

= Janet, dr. of Allardes of Allardes. Richard of Craigton = from whom the Irvines of Hilton.

Henry = Elizabeth = Leslie of Wardes. ancestor of the Irvines of Kingcausie.

Alexander, his son, got gift of non-entry to Forglie, 1527; fell at the battle of Pinkie, 1547; predeceased his father.

= Elizabeth, dr. of Alex. Ogilvy, laird of Fintona and Deskford, by Janet dr. of James, 3rd Lord Abernethy of Saloun, in 1520. *Vide* Dougl. Peer.

Janet, md. 1st the Laird of Ballegno; 2nd, G. Barclay of Mathers. A dr. md. Fraser of Muchalls.

Mary, md., as his 2nd wife, Sir Archd. Douglas of Glenbervie; knighted by James V.; issue 2 sons and 6 drs., one of whom md. Irvine of Bellic. *Vide* Dougl. Baron.

(2) William of Ardlogie.

(3) Robert of Tilly lair, from whom the Irvines of Portrie.

Janet, md. Gordon of Abergeildie.

Elizabeth, md. Seton of Mel-drum.

VIII. (1) Alexander, his son, succeeded his grandfather. Got new charter 1553; died 1603.

= Lady Elizabeth Keith, dr. of William, 4th Earl Marischal.

(4) Gilbert of Colaritie =

(5) James, a Knight of Malta.

Margt. or Isabel, md. Cheyne of Arnage.

(6) John, died young.

(2) Robert of Forneit and Montcoffer, extinct.

(3) James of Bucklaw, predecessor of Saphock, extinct.

(4) William of Bellic, extinct.

A dr. md. to Hay of Urie.

A dr. md. to Keith of Inverugie.

IX. (1) Alexander, his son, got charter from his father, 1583, and charter of confirmation from K. James. Rebuilt mans.-ho. of Drum 1619; left large morisms; died 1629.

= Lady Marion Douglas, dr. of Gilbert of the 4th Earl of Buchan.

(5) John of Artamford, predecessor of Crimond. = Beatrice Irvine of Pitmurchie, who was prob. descended from the Irvine that fought at Brechin, 1452, and got the lands of Bellic; and dr. of John Irvine of Pitmurchie, Chancellor of a jury, 1597. *Vide* Spald. Club Misc., vl. I.

A son =

(2) Robert of Foiderate, extinct. Md. Isabel, 4th dr. of Sir Robert Campbell of Glenorchy.

Margaret, md. Sir Geo. Ogilvy of Dunlugas, Lord Banff. Hon. Helen, md. 2nd Earl of Airlie.

Isabella, md. Urquhart of Lathiers.

Janet, md. Sir Wm. Douglas, Bart. of Glenberrie. Sir William, 2nd Bart.

Anne, md. Sir John Ogilvy of Inverquhartry.

Mary, md. Sir Robert Graham of Morphee.

X. (1) Alexander, his son, = in 1617, Magdalen, eldest dr. of Sir John Scringour, of Dullhope, Constable of Dundee.

(1) Alexander (3) Francis (4) Richard of Carniehill. (5) John Artamford = Anne, d. of Keith of Ravensraig.

(6) A son (7) A son (8) A son

Alexander of Murhill = died 1692.

Alexander and John were taken prisoners to Wick along with their cousins, the laird of Drum and his brother, 1644. Francis and Richard had a wadset of Park, &c., from Drum, discharged 1685. Richard had a dr. Elizabeth.

(2) Robert, d.s.p. in prison in Edinburgh

(3) James d.s.p.

(4) Charles d.s.p.

(5) Francis d.s.p.

(1) Marion, md. 1st Viscount Frendraught, Nov. 8, 1642.

(2) Ad. (3) Adr.

(4) Jean, md. George Crichson, br. to Frendraught.

(5) A dr.

(6) Margaret, md. Charles, Earl of Aboyne.

(7) A dr. (8) A dr.

XI. (1) Alexander, his son, imprisoned in Edin., under sentence of death, in 1645; executed an entail in 1683, and deed of nomination of heirs of entail in 1687; died 1687.

= 1st, on 7th Dec. 1643, Lady Mary Gordon, dr. of 4th Marquis of Huntly. = 2nd, Margaret Couls, who afterwards married 2nd Robert Irvine of Couls.

A son, died in infancy. Anne, md. to Elphinstoun of Glack. James of Artamford = in 1673, Margaret dr. of James Sutherland of Kinminity, in the parish of Keith.

Beatrice, md. to Dalgarno of Millhill.

XIII. Alexander = Jean, 3d dr. of 11th laird of Drum, by Lady Marion Gordon; date of mar. contr. Jul. 12, 1693; died 1720.

XV. John, suc. = Katharine, Robert of Couls, dr. of Ful-larton of Couls; got a bond from his brother Alex. in 1688; had a son Charles.

(2) Robert, d. young.

(2) Charles, d. young.

(1) Mary, md. Patrick Count Leslie of Balquhain; date mar. contr., 23rd July, 1679.

(2) Margaret, md. Menzies of Pit-fodols, 1682.

(3) Jean, md. Alex. Irvine of Murhill, 1693; 13th laird of Drum.

(4) Henrietta, md. Alex. Leslie of Pitcaule.

XII. (1) Alexander, his son, died = Marjory of May, dr. of Forbes of Auchreddie went under entail to Irvine of Murhill.

Charles, d. young (1) Katharine, md. John Gilbert (2) Ann, d. unmd. (3) Elizabeth, d. unmd.

XVI. (1) Alexander of Artamford, who succeeded to Drum from his br. Alexander. (2) William, who bought Artamford from his br. Alexander. (3) Robert (4) Thomas, of Auchmurziel, a shipmaster (5) Charles, a merchant burg.

Margaret, md. Hugh Bosc of Clava in 1700.

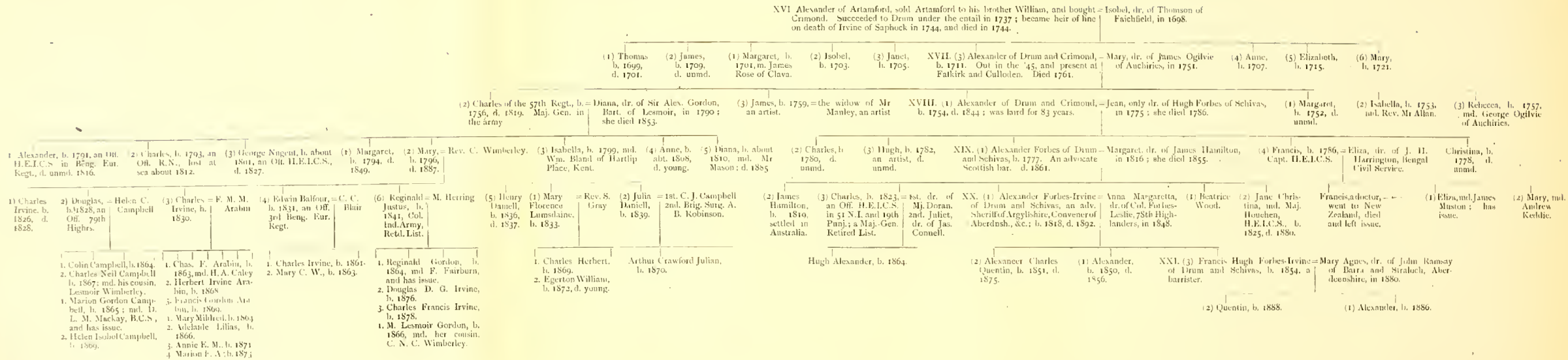
XIV. Alexander, out in 1715, wounded and escaped to Continent; "the fatuous laird"; died 1735.

Margaret Helen, md. Gordon of Dorlathers

*Notes*.—There was a Col. Irvine, a contemporary of these brothers.



## PEDIGREE OF IRVINE OF DRUM—Continued.





t = Isobel, dr. of Thomson of  
Faichfield, in 1698.

, = Mary, dr. of James Ogilvie  
of Auchiries, in 1751. (4) Anne,  
b. 1707. (5) Elizabeth,  
b. 1715. (6) Mary,  
b. 1721.

, = Jean, only dr. of Hugh Forbes of Schivas,  
in 1775 ; she died 1786. (1) Margaret,  
b. 1752, d.  
unmd. (2) Isabella, b. 1753,  
md. Rev. Mr Allan. (3) Rebecca, b.  
md. George O  
of Auchiries.

, = Margaret, dr. of James Hamilton,  
in 1816 ; she died 1855. (4) Francis, b. 1786, = Eliza, dr. of J. H.  
Capt. H.E.I.C.S. Harrington, Bengal  
Civil Service. Christina, b.  
1778, d.  
unmd.

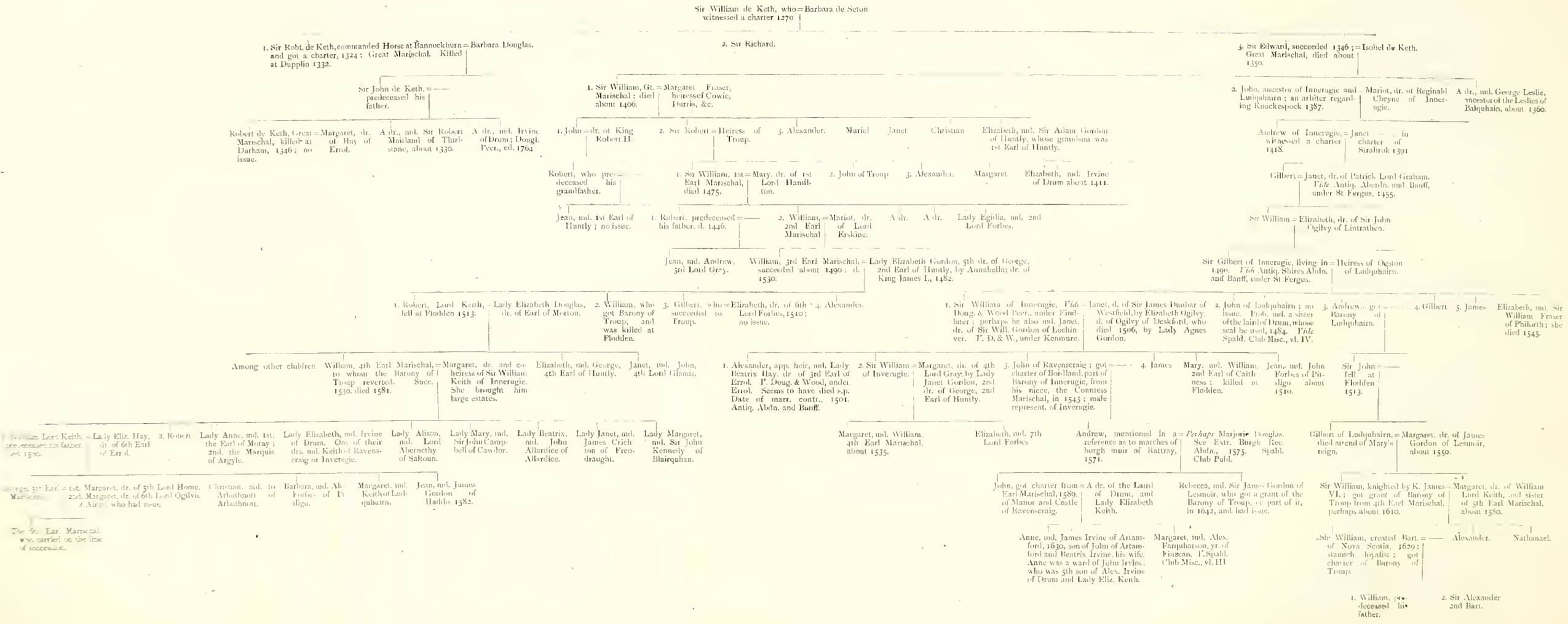
, = Anna Margareta, (1) Beatrice (2) Jane Chris- Francis, a doctor, = -- (1) Eliza, md. James (2)  
dr. of Col. Forbes- Wood. tina, md. Maj. went to New Eliza, md. James  
Leslie, 78th High- Houchen, New Zealand, died Muston ; has  
landers, in 1848. H.E.I.C.S., b. and left issue. issue.

Alexander, XXI. (3) Francis Hugh Forbes-Irvine = Mary Agnes, dr. of John Ramsay  
1850, d. of Drum and Schivas, b. 1854, a of Barra and Straloch, Aber-  
1856. barrister. deenshire, in 1880.

(2) Quentin, b. 1888.

(1) Alexander, b. 1886.

# EARLY PORTION OF THE PEDIGREE OF THE FAMILIES OF KEITHS EARLS MARISCHAL, KEITHS OF INNERUGIE, OF LUDQUHAIRN, OF TROUP, AND OF RAVENSCRAIG.



# A SHORT ACCOUNT

OF THE FAMILY OF

# IRVINE OF DRUM

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THE family of Irwin, Irvin or Irvine, or Erevine, is of very long standing in the South and South West of Scotland, as well as in Aberdeenshire. According to Nisbet's Heraldry, the Erevines came with a colony of Gauls from the West Coasts of Spain which settled in the East Coast of Erin, and in the West of Albyn. Some of them acquired lands in the Cunningham district of Ayrshire, and gave their name to the river and town of Irvine; some in Dumfries-shire<sup>1</sup> and settled on the Esk, acquiring by marriage the lands of Bonshaw, which they still retain, and later Robgill Tower; and some must have settled in the North of Ireland, where there are still many proprietors of the name, especially in the counties of Fermanagh, Tyrone, Sligo, and Roscommon.

The Irvines of Drum are descended from William<sup>2</sup> de Irvine, a son, probably the second son, of Irvine of Bonshaw, and a zealous adherent of King Robert Bruce.

I. WILLIAM de Irvine (1260-1333), the 1st laird of Drum, was King Robert Bruce's armour-bearer, and accompanied him in prosperity and adversity during his endeavours to recover his kingdom from Edward I. of England until the victory of Bannockburn.

He was rewarded for his fidelity and services with a grant, by Charter under the Great Seal, of a large portion of the Royal forest of Drum, in Aberdeenshire; the Park, which formed part of the chase, being reserved, and another portion having been recently granted to Alexander de Burnard.

This Charter<sup>3</sup> is still extant and is dated at Berwick on Tweed, 1st day of February in the 17th year of our reign (1323). Another Charter by the same king, dated at Kynros, 4th October in the 18th year of his reign, is also in the family archives, in which the lands are granted in free barony: in the former the name is spelt "de Irwin," in the latter "de Irwyn." King Robert also conferred upon him the device or arms which he had borne as Earl of Carrick, viz., three holly leaves.

<sup>1</sup> Nisbet's Heraldry.

<sup>2</sup> Sir Geo. Mackenzie.

<sup>3</sup> Charta in archiv. fam.

According to a somewhat poetical legend, on one occasion, when Bruce with only three or four followers was closely pursued by his enemies, he was so overcome by fatigue that he required a few hours' rest, and lay down and slept under a holly bush, while Irvine kept watch : in allusion to this, it is said that holly forms part of the armorial bearings of the family, with the motto "Sub sole sab umbra virens," in testimony of his follower's unfailing fidelity and loyalty.

There is also a Charter<sup>1</sup> by David Bruce, dated 10th February in the third year of his reign (1333), in favour of the same laird of the lands of Whiteriggs and Redmires, on the resignation of Gilbert de Johnstone.

WILLIAM did not live long to enjoy his estate, and was succeeded by his son.

II. WILLIAM (otherwise SIR THOMAS) the 2nd laird, son of the preceding (lived circa 1317-1380 or 1390). He married, according to Douglas' Peerage, ed. 1764, a daughter of Sir Robert Keith, Great Marischal, whom he had by Margaret, daughter of Sir Gilbert Hay, Lord High Constable. This Sir Robert was killed at the Battle of Durham, 1346. Her elder sister married Sir Robert Maitland of Thirstane and Leithington, ancestor of the Earl of Lauderdale. But according to Douglas and Woods' Peerage, this Sir Robert Keith had no issue, and it was his sister who married Sir R. Maitland. According to Burke's Landed Gentry, this laird married, first, a daughter of Sir Robert Keith, and secondly, a daughter of Sir Thomas Montford of Lonmay : both these marriages seem doubtful.

He was succeeded by his son.

III. ALEXANDER, the 3rd laird, son of the preceding, accompanied his cousin, the Earl of Mar, to Flanders : joined the army of the Duke of Burgundy 1409, was knighted on the morning of the Battle of Liege, and returned to Scotland 1410. He had a command in the Lowland Army, under the Earl of Mar, at the Battle of Harlaw, fought 24th July 1411, in which he<sup>2</sup> encountered Maclean of Dowart (or Duart), Lieut.-General under Donald of the Isles, and fought hand to hand with him until both were killed.

He had married Elizabeth, second daughter of his neighbour on the south side of the Dee, Sir Robert Keith, Great Marischal of Scotland, and had gone through the ceremony, but had never consummated the marriage.

Tradition has it that there had been a feud of long standing between the Keiths and the Irvines, and that a fight had taken place at a spot on the north bank of the Dee, still called the Keiths' Muir, in which the latter were victorious, and drove their enemies across the river at the Keith Pot,

<sup>1</sup> Charta in archiv. fam.

<sup>2</sup> Boethius.

and that the Estates of the Kingdom had interfered, and enjoined that a marriage should take place between the families, with a view to put an end to the feud. It is further stated that Drum, when on the march to Harlaw with his retainers, sat down on a stone on the hill of Auchronie, in the parish of Skene, still called Drum's Stone, and urged his brother Robert, who accompanied him, to marry the lady, in case he should himself fall.<sup>1</sup>

The two following stanzas are from the old ballad, "The Battle of Harlaw" :—

"Gude Sir Alexander Irving,  
The much renounit laird o' Drum ;  
Nane in his days were better sene,  
When they were semblit all and sum.  
To praise him we suld na be dumm  
For valour, wit, and worthiness ;  
To end his days he there did cum  
Quhois ransom is remeidiless."

He was succeeded by his brother.

<sup>1</sup> I find that there is another version of this story, quite new to me, viz., that Alexander, the 3rd laird, who succeeded his father, probably about 1380, and was killed at Harlaw, was not the husband of Elizabeth Keith, but of a daughter of Montford of Lonmay ; that he started from Drum for the battle, accompanied by his two sons, Alexander and Robert, and resting at Drum's Stone, exacted a promise from the elder to marry Elizabeth Keith, if he got back safe, and from the younger, that should his brother fall, and he survive, he would marry her ; that the laird was killed, but Alexander his son returned to Drum and married the lady, being the 4th laird and progenitor of a long race.

I believe this version was adopted by Col. Forbes-Leslie, and am compelled to admit that there is good evidence of *an* Alex. Irvine of Drum and his brother Robert being both living in 1424. In a Charter of Confirmation by King James I. of the lands of Glassach, which had been granted by Wm. Fraser of Philorth to Wm. Forbes of Kinaldie, and his wife, Agnes Fraser, and signed at Aberdeen on 12 Aug., 1424, among the witnesses are "Alexander de Irwine, miles dominus de Drum," and "Robertus de Irwine, frater suus." This Charter is quoted in Spald. Club Antiq. of shires of Aberdeen and Banff, as being from a collection of Scottish Charters MS. in the Library at Panmure. In a note is quoted a Charter dated 28 May, 1422, granted by Reginaldus de Irwyne, dominus de Maynes [near Dundee], to Patrick de Ogilvy and Christiane [de Keyth] his spouse, of all his lands of Maines, with the Mill, &c., in the county of Forfar, in excambion for the lands of Glencuthill [in the barony of Kinedward], with the Mill of the same in the county of Aberdeen. It is also mentioned that the "granter's seal is appended, showing three holly leaves, with a mullet in the centre." This Charter was confirmed by the Regent Albany, 19 June, 1422, to Patrick de Ogilvy de Grandown, son and heir of Alexander Ogilvy de Ochterhouse. Patrick Ogilvy was Sheriff of Forfar. In 1466, Alex. Ogilvy of Auchterhouse was served heir to his mother, Christian Keyth, in the lands of the lordship of Grandown and Fotherletter ; and his daughter and heir, Margaret Ogilvy, married James Stewart, Earl of Buchan, bringing to him the barony of Auchterhouse. But who was Reginald de Irwyne? Evidently one of the Drum family by his seal. I have hitherto failed to find out anything about the Montforts of Lonmay.



IV. SIR ALEXANDER, the 4th laird, brother of the preceding, whose name he assumed instead of Robert. King Robert III. in like manner changed his name from John. He married, in compliance with the request above mentioned,<sup>1</sup> Elizabeth Keith, second daughter of Sir Robert, Great Marischal. This Sir Robert Keith had Charters dated 1375 and 1406, and gave a charter to his 2nd son, 1413—vide Douglas and Wood's Peerage. His father, Sir William, built Dunottar Castle, and got with his wife, Margt. Fraser, only child and heiress of Sir John Fraser, the forest of Cowie, thanedom of Durris, the baronies of Strachan, Culperso, Johnston, and other lands in the county of Kincardine. Sir Alexander Irvine had issue by his wife Elizabeth Keith :—

1. ALEXANDER, younger of Drum.
2. A son — who greatly distinguished himself at the Battle of Brechin (1452). He got from his father the lands of Whiteriggs and Redmires, and a Charter of the lands of Beltie from the Earl of Huntly. From this son are descended the Irvines of Lenturk and the Irvines in Germany.

This SIR ALEXANDER, on his marriage, got from Sir Robert Keith,<sup>2</sup> by Charter dated 16 Oct., 1411, the lands of Strachan in Kincardineshire : and he also had a Charter,<sup>2</sup> under the Great Seal, of the lands of Learney on the resignation of John Haliburton, dated 1446.

He was one of the Commissioners<sup>3</sup> deputed by the Estates of Scotland in 1423 to treat concerning the ransom of King James I., and in the following year was knighted by that monarch for his services.

In 1437, after King James' murder at Perth, and during the confusion that followed, the services of Sir Alexander were solicited by the inhabitants of Aberdeen for the defence of their town, and in 1440 he was by consent of the burgesses appointed Captain and Governor of the burgh, with an authority superior to that of the Chief Magistrate. This post he held for two years, and there is no other instance on record of a similar appointment in Aberdeen. When the Earl of Huntly in the next century became Chief Magistrate, it was by the title of Provost.

In the east wall of Drum's aisle, the old family burying-place, adjoining the Church of St Nicholas, above the recumbent effigies of a knight and his lady, there is a plate of brass with the following inscription :—

“Hic sub istâ sepulturâ jacet honorabilis et famosus miles dms  
Alexander de Irvyn secund, qda de drumn de achyndor et forglen qui  
objit            die mēsis            anno dui M<sup>o</sup>CCCC     . Hic eciam jacet  
nobilis dna dna Elizabeth de Keth filia Qdam Roberti de Keth militis

<sup>1</sup> Douglas' Peerage, p. 452.

<sup>2</sup> Charta in archiv. fam.

<sup>3</sup> Hawthornden.



This laird was infest<sup>1</sup> in 1457 in the lands and forestry of Drum and lands of Lonmay.

He was succeeded by his eldest son.

VII. SIR ALEXANDER, the 7th laird, son of the preceding, married Janet, daughter of Allardyce of that ilk, by whom he had a son and three daughters, viz.:—

ALEXANDER, younger of Drum.

1. Janet, married to the laird of Balbegno.
2. A daughter, married to Fraser of Muchalls, ancestor of Lord Fraser.
3. Mary, married as his<sup>2</sup> second wife, Sir Archibald Douglas of Glenbervie, knighted by King James V., vide Douglas' Peerage.

This laird got a Charter from his father in 1499 of the lands of Forglen in favour of himself and his wife, Janet Allardyce. He got in 1506 a Charter<sup>3</sup> under the Great Seal of the lands of Drum, Lonmay, Auchindoir, and Tarland.

He was succeeded by his grandson.

His eldest son and heir apparent, ALEXANDER, had the lands of Forglen during his father's lifetime, to which he got a gift of non-entry dated 4th December, 1527, bearing to be given<sup>4</sup> on account of Drum his said son, and their friends, their good and thankful service done to the King in searching, taking, and bringing his rebels to justice. He married Elizabeth Ogilvy,<sup>5</sup> daughter of the laird of Findlater, by whom he had issue six sons and three daughters, viz.:—

Sons—1. ALEXANDER, who succeeded his grandfather.

2. William of Ardlogie.
3. Robert of Tillylair, of whom are the Irvines of Fortrie.
4. Gilbert of Colairlie, predecessor of Murthill and Cults, whose great grandson succeeded to Drum in 1696.
5. James, a Knight of Malta, ordained by the Grand Master Prior of the order in Scotland, in succession to Sir James Sandilands, first Lord Torphichen, who died 1596. History of Knights of Malta, by Major Porter, R.E., and Douglas' Peerage under Torphichen.
6. John, who died young.

Daughters—1. Janet, married to Gordon of Abergeldie.

2. Elizabeth, married to Seton of Meldrum.
3. Margaret,<sup>6</sup> married to Cheyne of Arnage.

<sup>1</sup> Precept in archiv. fam.      <sup>2</sup> Charta in archiv. fam.      <sup>3</sup> Chart. in publ. arch.

<sup>4</sup> Writ. in arch. fam.

<sup>5</sup> Contract penes Com. de Findlater 1526. Douglas' Peerage, p. 261.

<sup>6</sup> Discharge.



Elizabeth Ogilvy was, according to Douglas' Peerage, a daughter of Alexander Ogilvy of Ogilvy, Deskford, and Findlater, by Janet Abernethy, daughter of Alexander Lord Abernethy of Salton ; and apparently a sister of Margaret Ogilvy who married James Gordon, 2nd laird of Lesmoir ; both being granddaughters of Sir James Ogilvy of Findlater and Deskford, who married Lady Agnes Gordon, daughter of George, 2nd Earl of Huntly.

Alexander Gordon of Abergeldie, whose name appears in the "bond for the Queen's service" in 1568, to co-operate with the Earl of Huntly in aiding her, was probably Janet Irvine's husband ; and William Gordon of Abergeldie, who was one of those who got a remission for the Battle of Glenlivet (1594), granted in 1603, was probably her son.

Alexander, younger of Drum, took an active part in the stirring events which occurred during the minority of the unfortunate Queen Mary, and was killed at the Battle of Pinkie in 1547, during his father's lifetime.

His brother, Gilbert of Colairlie, was ancestor, probably great-grandfather, of Alexander, designed of Marthill, who succeeded to Drum under an entail in 1696, as 13th laird, and married Jean, daughter of Alexander, the 11th laird, by Lady Mary Gordon ; and also of John, who married Katharine, daughter of Fullarton of Dudwick, and succeeded his nephew as 15th laird in 1735, but died without issue in 1737, when the estate went to the Artamford branch.

The 7th laird was succeeded by his grandson.

VIII. ALEXANDER, the 8th laird, grandson of the preceding, married Lady Elizabeth Keith,<sup>1</sup> 2nd daughter of William, 4th Earl Marischal, and his wife Margaret, daughter and co-heiress of Sir William Keith of Inverugie, by whom he had five sons and four daughters, viz.:—

1. ALEXANDER, younger of Drum.
2. Robert, of Fornett and Moncoffer, extinct.
3. James, of Brucklaw, predecessor of Saphock, extinct.
4. William, of Beltie, extinct.
5. John, of Artamford, whose descendant, Irvine of Crimond, succeeded to Drum in 1737.

Daughters—1. — married to Hay of Ury, the eldest cadet (failing heirs male of the 6th Earl), in 1541, of the Errol family.

2. — married to Keith of Inverugie (or perhaps of Ludquhairn or of Ravenscraig).
3. Elizabeth,<sup>2</sup> married to James Ogilvy of Boyne.

<sup>1</sup> Contr. in arch. fam., 1552. Douglas' Peerage, p. 454.

<sup>2</sup> Discharge 1599.

4. Margaret,<sup>1</sup> married to Gilbert Menzies of Pitfodels.

It was in this laird's favour, but before he succeeded to the estate, that a Charter<sup>2</sup> was granted, under the Great Seal of Scotland, on the resignation of his grandfather in favour of Alexander Irvine, grandson and heir apparent of Alexander Irvine of Drum, and the heirs male of his body, to the nearest and lawful heirs male and assignees whatsoever, of the lands and barony of Drum, with the lands and baronies thereto annexed, Lonmay, Learney, Auchindoir, and particularly the lands of Tarland and Coul, dated at Edinburgh the                      of February in the 12th year of the Queen's reign (1554).

<sup>1</sup> Discharges, 1597, 1598, and 1603 of Tocher, &c.

<sup>2</sup> Chart. in publ. arch.

*Note.*—Alexander Irving of Beltie, and George, Earl of Huntly, signed a Bond, 26 July, 1560, by which the former bound himself to render leal and true service to the latter, excepting the obedience, service, and homage due to the Laird Drum.—Spald. Club Misc.

John Irving of Beltie, along with Robert Irving of Federet, and many others, were appointed by the Convention of Estates to levy 1,300,000 merks and 60,000 pounds as loan and tax for wants of the Scots army in Ireland: the Lairds of Drum and Philorth appointed Conveners, 15 Aug., 1643.

If the second daughter married Keith of Ravensraig, her husband might have been the son of John Keith of Ravensraig, who got in 1543 a Charter of part of the lands of Inverugie from his niece Margaret, who married William, 4th Earl Marischal. Sir James Gordon of Lesmoir married about same time Rebecca, daughter of Keith of Ravensraig, possibly sister of the Keith who married Drum's daughter.

James Ogilvy, 5th baron of Boyne, got a Charter under the Great Seal, during his father's life, in favour of himself and Elizabeth Irvine, his spouse, of the lands of Qubintee, Cavington, Kindrochit, and half the lands of Ardbragane, dated 22 Feb., 1597. They left issue, a son, Sir Walter, 6th baron of Boyne, who was a great loyalist, and suffered much on that account in the reign of King Charles I.—vide Douglas' Baronage.

Both the father and mother of Lady Elizabeth Keith, wife of Irvine of Drum, were descended from George, 2nd Earl of Huntly, by the Princess Annabella, daughter of King James I.: her father, Wm., 4th Earl Marischal, was grandson of Wm., 3rd Earl Marischal, by Lady Elizabeth Gordon, daughter of 2nd Earl of Huntly; and her mother, Margt. Keith of Inverugie, was granddaughter of Patrick, 4th Lord Gray, by Lady Janet Gordon, 2nd daughter of 2nd Earl of Huntly. Lady Elizabeth's elder sister, Lady Anne, married first in 1561, James, Earl of Moray, Regent of Scotland; 2ndly Colin, 6th Earl of Argyll, and had issue to both; her younger sister, Lady Alison, married Alex., Lord Salton: another, Lady Mary, married Sir John Campbell of Calder: another, Lady Beatrix, married John Allardice of Allardice: another, Lady Janet, married James Crichton of Frendraught: and another married Sir John Kennedy of Blairquhan—all had issue. Her eldest brother, William, Lord Keith, predeceased his father by 14 months, dying in 1580, leaving 8 children; his 3rd daughter, Margt., married Sir William Keith of Ludquhairn, son of Gilbert Keith of Ludquhairn, by Margaret, daughter of James Gordon of Lesmoir.

There is extant in the family Charter chest a holograph bond by King James VI. to Drum for 500 marks, dated at Dalkeith, 27th November, 1587, and payable at Whitsunday thereafter.

The 8th laird of Drum took part in the expedition sent, under the young Earl of Argyll, in 1594, against the three Catholic lords, the Earls of Huntly, Angus, and Errol.

Argyll, after failing to take the Castle of Ruthven, in Badenoch, with the Campbells, Mackintoshes, Macleans and others, marched through Strathspey, and issued orders from Drummin on the Avon to the Forbeses, Frasers, Dunbars, Mackenzies, Irvings, Ogilvies, Leslie's, and other clans or tribes in the north to join him with all speed. But before they could join him, Huntly brought him to an engagement between Glenlivet and Glenrines, and defeated him in the Battle of Glenlivet.

Lord Forbes and the lairds of Balquhain and Drum, hearing of the defeat, resolved to unite with the Dunbars and others, and make an attack on the Gordons on their march homewards. Setting out from Drumminor, they had not gone far when one of the Irvines, while riding alongside of Lord Forbes, was unexpectedly shot dead by an unknown hand, and though all the firearms carried by the party were immediately examined, with the view of ascertaining who had committed the deed, every one was found to be loaded. This affair caused so much distrust and suspicion, that the companies were broken up and returned home.

Shortly afterwards Huntly and his friends retired into Sutherland, and then went abroad during the King's pleasure, with the object of allaying the spirit of violence and discontent: sixteen months after, he was recalled, and he and the Earls of Angus and Errol were restored to their former honours and estates in 1597; within two years thereafter the King created Huntly a Marquis.

The 8th laird died in 1603, and was succeeded by his son.

IX. ALEXANDER, 9th laird, son of the preceding, married Lady Marion Douglas,<sup>1</sup> daughter of Robert, 4th Earl of Buchan, and had by her 2 sons and 5 daughters.

1. ALEXANDER, younger of Drum.

2. Robert of Fedderate, now extinct; he married Isobel, daughter of Sir Robert Campbell of Glenorchy, about 1640, and had 2 daughters.—Douglas and Wood's Peerage.

<sup>1</sup> Douglas Peerage, p. 95, where she is named Margaret. Contr. in arch. fam., 1590.

- Daughters—1. Margaret,<sup>1</sup> married to Sir Geo. Ogilvie of Dunlugas, afterwards created Lord Banff, or Lord Ogilvie of Banff, date o patent, 1642, their daughter Helen married 2nd Earl of Airlie,<sup>2</sup>
2. Isabella,<sup>3</sup> married to Urquhart of Leathers.
  3. Janet,<sup>4</sup> married to Sir William Douglas of Glenbervie.
  4. Anne,<sup>5</sup> married to Sir John Ogilvie of Inverquharity.
  5. Mary,<sup>6</sup> married to Sir Robert Grahame of Morphie, 1628.

This laird got from his father in 1583 a Charter in favour of himself and his heirs male, whom failing the nearest heirs male whatsoever of himself, bearing the arms and surname of Irvine, or his assignees, of the said lands and barony of Drum, the land of Whiteriggs, Lonmay, &c. This Charter<sup>7</sup> is dated at Aberdeen, 4th April, 1583.

He also got a Charter of confirmation from King James VI. of the last named Charter, containing a new clause, of new uniting the said lands into a barony and free forestry, to be called in all time coming the barony of Drum, and a clause of *de novo damus* thereof in favour of the said Alexander Irvine, younger of Drum, and his heirs male and assignees aforesaid,<sup>7</sup> dated at Holyrood House, 13th April, 1583.

His youngest brother, John Irvine of Artamford, married Beatrice Irvine of Pitmurchie, and had eight sons, who all died without male issue, except James, the second son, who, by a transaction with his elder brother, succeeded to Artamford, and married Anne, daughter of Keith of Ravenscraig, who had been his father's ward, by whom he had two sons, one also named James, who succeeded him, and a son who died in infancy, and two daughters—Anne, who married Elphinstone of Glack, and Beatrice, who married Dalgarno of Millhill. Anne Keith's sister, Margaret, married Alexander Farquharson, younger of Finzean.—Spald. Cl. Misc.

The James last mentioned, married Margaret, daughter of James Sutherland of Kinminity, in the parish of Keith, and had by her five sons and one daughter, viz.:—1. Alexander, who sold Artamford to his brother William, bought Crimond, and then succeeded to Drum in 1737; 2.

<sup>1</sup> Discharge of Tocher : she is named Helen in Peerage, p. 68.

<sup>2</sup> Sir George Ogilvie of Dunlugas, younger of Banff and Dunlugas, got a Charter in favour of himself and Margt. Irvine, his wife, of the Barony of Dunlugas, 9th March, 1610-11 : he was created a Bart. of Nova Scotia, 1627 : fought at the Bridge of Dee, 1639, and created Lord Banff, 1642.—Douglas and Wood's Peerage. The Ogilvies of Deskford were ancestors of the Earls of Findlater : the first Ogilvie of Boyne was a brother of Deskford, and of the same family as the Ogilvies of Dunlugas, as were also the Ogilvies of Carnousie.

<sup>3</sup> Contr. in arch. fam.    <sup>4</sup> Douglas' Baronage, p. 20.    <sup>5</sup> Contr. in arch. fam., 1622.

<sup>6</sup> Writ. in arch. fam.    <sup>7</sup> Writs in arch. fam. and in publ. arch.

William, who bought Artamford from his brother ; 3. Robert ; 4. Thomas of Auchmunziel ; 5. Charles. And a daughter, Margaret, who married Hugh Rose of Clava.

The 9th laird restored the present mansion-house of Drum, attached to the old tower, which is of much earlier date ; his initials, A. I., and those of his wife, M. D., and the date 1619, are on the pediments of the dormer windows, which were then either added or repaired. The two wings, "east and west jambs," are older than the centre part, as is the "fornet" which join it to the Tower, situate at the north, and helps to complete the courtyard.

There is extant a discharge by the Earl of Morton to Drum for 10,000 merks out of the sum of 20,000 merks, payable by Drum to him in case of his lady's succeeding to the Earldom of Buchan ; in which case the said Earl of Morton makes the sum to be paid him only 10,000 merks. This is dated 14th November, 1605.

He was named in 1610 a member of the Court of High Commission appointed that year.

The following letter to this laird is very interesting.

Copy of a letter from King James VI., superscribed by himself, and under the Privy Seal, to the Laird of Drum :—

"James R.,—

"Trusty and well beloved, we greet you well. Having understood by our Secretary, Sir Alexander Hay, of your ready forwardness, upon notice given unto you by him of our pleasure for some piece of service to have been done in the North parts of that our Kingdom, we have thought good to take special notice thereof, and to return unto you our very hearty thanks for the same, willing you to continue these your dutiful endeavours, and assuring you that we will be very mindful thereof, if any particular occasion, which may concern you, shall occur. And so we bid you very heartily farewell. At our Manor of Greenwich, the 29th of June, 1612."

Directed "To our trusty and well beloved the Laird of Drum."

His wife, Lady Marion Douglas, was daughter of Robert the 4th, and sister of James, the 5th Earl of Buchan. Her mother, Christina Stewart, was Countess of Buchan in her own right, having succeeded her grandfather, and married in 1569 Robert Douglas, 2nd son of Sir Robert Douglas of Lochleven, uterine brother of the Regent Murray ; and her husband became Earl of Buchan in right of his wife. Lady Marion's only brother, James, became 5th Earl of Buchan, and married Margt. Ogilvie, daughter of the 1st Lord Ogilvie of Deskford ; and died aged 21 in 1601, leaving an only daughter Mary, who, at the time of the curious transaction between



Drum and the Earl of Morton, was only about four or five years old ; and failing her, Drum's wife was heiress to the Earldom of Buchan. The little girl lived to grow up, and married John Erskine, son of John, 7th Earl of Mar, and as she was Countess of Buchan in her own right, she carried the title into the Erskine family.

The Earl of Morton referred to was Lady Marion's uncle : he was, before succeeding to that title as 7th Earl, Sir William Douglas of Lochleven, the custodier of Queen Mary during her imprisonment in the Castle, elder brother of Robert Douglas, who became Earl of Buchan, and of George, who aided Queen Mary in her escape.

His father, Sir Robert Douglas, had been nominated as his heir by the 3rd Earl of Morton, and a Charter obtained in his favour in 1540 : but the Earl, at a later date, altered the destination, and executed an entail, in favour of his daughter and *her* husband, James Douglas, afterwards the Regent, who became 4th Earl of Morton. The Regent left no lawful children, and was executed 1581, when his estates and titles were forfeited to the Crown.

Upon this John, 7th Lord Maxwell, whose mother was a daughter of the 3rd Earl, obtained in her right a new Charter of the Earldom, and became 5th Earl of Morton : but the attainder was reversed in 1585, and he had to relinquish the title, which then devolved on the next heir of entail, Archibald, 8th Earl of Angus, of the Douglas family, who became 6th Earl of Morton, and died without issue in 1588.

On his death Sir Wm. Douglas of Lochleven succeeded as the next substitute under the second entail—and became 7th Earl. The date of his discharge to Drum is 14th November, 1605, and he died in 1606.

Lady Marion Douglas, called in Douglas and Wood's Peerage Lady Janet, had been married to Richard Douglas, brother of Douglas of Whittinghame, before she married the laird of Drum.

In 1629, this laird of Drum mortified £10,000 Scots for the maintenance of four bursars of philosophy and two of divinity, at the Marischal College, Aberdeen, and of four bursars at the Grammar School of that place, vesting the right of presenting to them in the family of Drum. His wife also, Lady Marion Douglas, bequeathed 3000 merks in 1633 to endow an hospital for the widows and daughters of decayed burghesses, the patronage of which was to be in the Town Council.

The mortifier expected that his £10,000 would yield £400 per annum for the students of philosophy, £320 per annum for the bursars at school, and 400 merks for the divinity students ; and he appointed the Magistrates of Aberdeen his trustees, who were to employ the capital in land or annual rent in all time coming. His son, Sir Alexander Irvine, offered to hand

over the money, which was left *in gold* in his mother, Lady Marion's, keeping, to the Magistrates, asking them to give security for payment of the annual rent for the purposes specified. The Magistrates declined, "as very hurtful and prejudicial to the town of Aberdeen," on the ground that "money could make no safe or constant rent (*i.e.*, interest) unless employed in heritable purchase of land, and that £10,000 was not likely to produce even about £500 per annum." Sir Alexander, consequently, had to take back that sum with him. This offer was made 22nd May, 1630. Its rejection caused much trouble and loss to the family more than two centuries afterwards.

In 1633, Sir Alexander obtained a decret of the Court of Session to retain the money, without payment of interest, till Whitsunday, 1640 (possibly with a view to increase the capital); after which term he was to provide sufficient land for employing the £10,000, worth in yearly rent the sum of £1000, the lands to be bought and acquired by him, without reversion, to the use and behoof foresaid.—Date of decret, 24th February, 1633.

It is pretty certain that he could not purchase land, which even then was worth about 20 years' purchase, to yield £1000 Scots per annum, with the money available; accordingly he virtually set aside the rents of a small detached property belonging to him, which subsequently for a long period did not yield that rent.

It happened that in 1596 the then laird of Drum had acquired from Patrick Forbes, merchant in Aberdeen, the lands of Kinmuck and others in the parish of Kinkell, date of Charter, 5th May, 1596: and that in 1617 Alexander Irvine, with consent of Marion Douglas, his spouse, had granted a Charter<sup>1</sup> of these lands in favour of Sir Alexander Irvine, apparent heir of Drum, his son, and Magdalen Scrimgeour, his spouse, date of Charter, 22nd July, 1617. It was these lands that were virtually burdened, by making the rents applicable to pay the bursaries. They appear to have been held by the successive lairds of Drum on this footing, *viz.*, that they were merely burdened with the payment of these bursaries: for in a letter from Alexander Thomson of Portlethen to the laird of Drum younger in 1720, it is mentioned that each Grammar School bursar was getting only £67, and each College bursar £87, and that this is a great reduction. The rents were insufficient to pay in full until about 1808.

Successive lairds continued to nominate and pay the bursars up till about the year 1861, when, the rental of Kinmuck being then about £600 sterling per annum, thanks to the care bestowed upon the estate and the

<sup>1</sup> Chart. in arch. fam.

rise in the value of land, the University of Aberdeen raised an action, claiming the whole estate of Kinmuck, in which, after appeal to the House, of Lords, they were successful. (See the 20th laird's time.)

Alexander, the 9th laird, died in 1629 or 1630, and was succeeded by his eldest son.<sup>1</sup>

X. SIR ALEXANDER, the 10th laird, eldest son of the preceding married in 1617 Magdalen, eldest daughter of Sir John Scringecour of Dudhope, Constable of Dundee, by whom he had issue five sons and six daughters, v iz.:—

1. ALEXANDER, younger of Drum.
2. Robert.
3. James.
4. Charles.
5. Francis.

All of whom, except Alexander, died without issue.

Daughters—1. Marion,<sup>2</sup> married James, first Viscount Fren draught, at the Church of Drumoak, 8th November, 1642. *Vide Douglas' Peerage.* Lord Fren draught was son of the laird whose name is connected with the burning of Fren draught.

2. —

3. —

4. Jean,<sup>2</sup> married George Crichton, brother of Lord Fren draught.

5. —

6. Margaret, married Charles 1st Earl of Aboyne.

“Upon the aucht day of November, the Viscount of Convoy, Lord Crichtoun, was mareit with [Marion] Irving, dochter to the Laird Drum, at the Kirk of Dalmaok. His father was not at this mearage, and wold not be callit lord nor viscount, but held him with the name of laird.”—Spaldings Memorials.<sup>3</sup>

James Crichton, the eldest son of James Crichton of Fren draught, in Aberdeenshire, was seventh in descent from the celebrated Lord Chancellor Crichton, and fifth from the Chancellor's grandson, the third Lord Crichton, in whom that title was forfeited 24th February, 1484. The father of the first Viscount was involved in a quarrel with Gordon of Rothiemay, in

<sup>1</sup> During the disputes between Gordon of Rothiemay and the laird of Fren draught, in the spring of 1630, which led to the burning of Fren draught, the Marquis of Huntly, when intending to try and compose the quarrel, was called away to Aberdeen to attend Drum's funeral.

<sup>2</sup> Disch. of tocher, 1642. *Douglas' Peerage*, p. 167. *Writs of the family.*

<sup>3</sup> The “Laird” was a Covenanter.



which the latter was killed on 1st January, 1630, which led to a further quarrel and feud, in connection with which the Castle of Frenndraught was burnt, and the Marquis of Huntly's 2nd son, Lord Melgum, young Rothiemay, and six of their attendants perished in the flames. This led to the Gordons plundering Frenndraught's lands, and one of his sons was killed by Adam Gordon, 23rd August, 1642.

James, his eldest son, was created Viscount Frenndraught by patent dated 29th August in the same year.

He accompanied the Marquis of Montrose in his last unfortunate expedition, in March, 1650, and was with him at Invercharron, in Ross-shire, when he was defeated by Colonel Strachan on 27th April following.

The Marquis' horse having been shot under him, he mounted the horse of Lord Frenndraught, which that young nobleman generously offered him, and, galloping off the field, escaped for a few days. His young friend, severely wounded, was taken prisoner, and anticipated a public execution, by what Douglas, in his Peerage, calls "a Roman death." He had two sons, James, the second, and Lewis, the fourth Viscount.

Charles, 1st Earl of Aboyne, 4th son of George, 2nd Marquis of Huntly, was first married to Margaret Irving, by whom he had a daughter, Lady Anne Gordon, who was on 17th June, 1665, served heir of Lady Margaret Irving, wife of Charles, Earl of Aboyne, her mother.—Inq. Ret. XXXII. 104. *Vide* Douglas' and Wood's Peerage, additions and corrections, p. 715.

SIR ALEXANDER, besides getting from his father a Charter of the lands of Kinmuck in 1617, got also in 1621<sup>1</sup> another of the lands of Forglen.

He was Sheriff-Principal of Aberdeenshire in 1634, and in several subsequent years: he was held in high esteem by Charles I., and a patent was made out creating him Earl of Aberdeen, probably about 1638, which the breaking out of the great rebellion prevented from passing the Great Seal.

The Drum family at that time possessed extensive estates in the counties of Aberdeen, Forfar, Banff and Kincardine. The lands in Cromar alone were situate in the parishes of Coul, Ruthven, Logie Coldstone, Tarland, &c., and the barony of Drum in Drumoak, Peterculter, Upper Banchory, and Echt: they had Fedderate, Learney, Auchindoir, and Lonmay in Aberdeenshire, Forglen in Banff, Kelly in Forfar, and Whiterigs and Strachan in Kincardineshire. There is an old saying that the Laird of Drum could ride on his own lands from Drum to Dundee.

<sup>1</sup> Chart. in arch. fam.

A stanza of an old ballad probably refers to this time :—

“There are six great barons o’ the North,  
Fyvie, Findlater, and Philorth ;  
An’ if ye’d ken the other three,  
Pitsligo, Drum, and Delgaty.”

These barons were Seton, Ogilvie, Fraser, Forbes, Irvine and Hay.<sup>1</sup>

In 1639 Sir Alexander continued to retain the office of Sheriff: but, during his absence, 500 Highlanders under Argyll were quartered on his lands. On 2nd June, 1640, the Covenanter, General Munro, accompanied by the Earl Marischal, marched to besiege the Castle of Drum. Spalding states that the laird was from home, but that his lady, with some “prettie men,” were within the house, which had been previously furnished with ammunition and provisions. When the Covenanters came within musket shot, they were saluted by a discharge, which killed two of their number, and induced the assailants to try the effect of a parley. In answer to the summons to surrender, the lady requested time for decision, and twenty-four hours were granted that she might obtain her husband’s opinion.

Previous to the expiry of this time the lady determined to surrender, and deliver up the keys, on condition that her garrison should be permitted to march out with their baggage, and that herself, her children, and women servants should be allowed to remain and occupy an apartment in the place.

These conditions being complied with, Munro left a garrison of an officer and forty men to live at free quarters, and enjoined the lady to send her husband to him on his arrival. He left Drum on the 5th of June, returning triumphantly to Aberdeen, where, accompanied by the Earl Marischal, he attended divine service and returned thanks for the capture of this stronghold without greater difficulty, delay, and loss. Sir Alexander’s sufferings and losses in the Royal cause were very great: his house and lands were frequently occupied and plundered by the army of the Covenanters. He was imprisoned, fined 10,000 merks, and more than once obliged to flee for safety to England: he lost his second son, and his eldest son had a very narrow escape from being executed. His brother, Robert of Fedderat, was also imprisoned and fined 4000 merks.—*Vide* Castellated Architecture of Aberdeenshire, by Sir A. Leith-Hay, K.H.

<sup>1</sup>NOTE.—Fedderat at this time belonged to Robert Irvine, Sir Alexander’s brother, who must have been a wealthy man: his name appears frequently in the Book of Annual Renters and Wadsetters, 1633, as creditor for large sums, including 8250 merks due to him by William Erle Merchell, and 33,000 merks due by the Erle of Errol. In the same book it is shown that he owed his mother, Lady Marion Douglas, 5000 merks, of which he “sould onlie pay aucht for ilk hundreth thairoff”: and that her sons-in-law, Ogilvy of Inverquhart, and Grahame of Morphie, each owed her 1000 merks.

The laird was re-appointed Sheriff of Aberdeen from time to time, and still held that office in 1644. Early in the year he "was chargit with letters in the King's name," though, as Spalding says, "God kenis if thay war with his Majestie's will," to raise troops and apprehend Sir John Gordon of Haddo: joined by sundry barons he set out and proceeded to the house near Kelly where Haddo was, but failed to find him.

When his two sons heartily joined Huntly in the month of March, "the old Laird Drum baid still at home, and miskenit all." He and Fedderat, when called upon to subscribe the Covenant in Aberdeen in 1643, had refused, urging that it was sufficient to do so at their own parish churches: it does not appear whether they did so or not. In spite of the laird's attempt to keep neutral, the Covenanters plundered the place of Drum.

The Marquis of Argyll, at the beginning of May, rode thither with about 400 horse from Dunottar, and was followed by the Earl Marischal with the Mearns' men: they were joined by the Earl of Lauthean [Lothian] and Laird of Lawers, with the Irish regiment of the latter, about 500 men.

"Sir Alexander Irving was not at home when Argile and the rest came; bot his lady, and his gude dochter Ladie Marie Gordon, and sister dochter to Argile was present. He and his company were all mad welcome according to the tyme." But as Spalding goes on, "the regiment leivit upon the Laird Drum's victuall and goodis. The Marquess schortlie removit the tua ladies and set thame out of yettis perforce (albeit the young ladie wes his awin sister dochter) with tua gray plaidis about thair heidis. Their haill servandis wes also put to the yet; bot the ladeis cam in upone tua wark naiges in pitifull manner to New Abirdein, and took up thair lodging besyde the goodwyf of Auchluncart, then duelling in the toune. Then thir runagat Irish soldiers fell to, and plunderit the place of Drum, quhairin wes stoir of insicht plenishing and riche furnitour, and all uther provisioun necessar. They left nothing which could be carrit, and brak doun the staitlie bedis, burdis and tymber work. They killit and destroyit the bestiall, nolt, schein, ky, for their meit. They brak up girnellis, quhair they had plentie of meill and malt. They fand yirdit in the yaird of Drum ane trunk full of silver plait, goldsmith wark, jewellis, chaynes, ringes, and other ornamentis of gryte worth, and estimat about 20,000 pundis, quhair of pairt wes sein in Abirdene. Thus thir ladeis being removit with their servandis, and all thingis plunderit by thir Irish rogues, then the Marquis appointit ane capitane with 50 musketeires of their people to keip this hous, and left tuo peice of ordinance also with them, quhair they leivit upone the lairdis girnellis and goodis quhill thay war removit."

He goes on to relate how there were following this Irish regiment 51 women with some young children, who were all quartered in Old Aberdeen, and that meal was brought for their support from the girnels at Drum, two pecks for each woman weekly : a captain was set over them to see that they got their allowance punctually and that they did no wrong.

“ Thus,” he continues, “ is this auncient houss of Drum oppressit, spoilzeit, and pitifullie plunderit, without ony fault committit be the old laird thair of : bot onlie for his tua sones following of the hous of Huntlie, and as wes thocht soir against his will also. Aluaies this is to be nottit for the Marques of Argile’s first peice of service in the play, without love or respect to his sister dochter or innocencie of the old Laird Drum, whair for a whyll I will leave him doubtless in greif and distress.”

The old laird went to the Marquis of Argyll and Erll Marischal shortly after at Inverurie, “ but fand littell comfort : ” he then went to Fren draught. The young laird and his brother Robert were at this time with Huntly in Strathbogie.

The following old ballad relates to Margaret, Sir Alexander’s youngest daughter :—

THE EARL OF ABOYNE.

The Earl of Aboyne is to Lunin gane,  
An’ a’ his nobles are wi’ him ;  
But he’s left his bonnie ladie behin’,  
An’ she was a sorrowfu’ woman.

But he’s sent a letter back to her,  
To say that he was comin’ ;  
And when that she looked the letter o’er,  
She was a most joyfu’ woman.

She has ta’en her up to her high tower head,  
To look if she saw him comin’ ;  
And there she saw ane o’ his best grooms,  
Comin’ straightway down frae Lunin.

Oh ! far frae come ye my bonnie, bonnie boy ?  
O ladie, I’m last frae Lunin ;  
O gin this be true, that I hear ye say,  
Say when is my gude lord comin’.

O here is a letter, my ladie fair,  
To tell you your gude lord’s a comin’ ;  
An in less, I’m sure, than the space of an hour,  
He will be hame frae Lunin.

She said, “ my grooms all, be ready on call,”  
“ An’ hae a’ the stables shinin’ ;  
“ Wi’ embroider’d draigs trim ye weel the naigs,  
“ For my gude lord’s a comin’.

“ My minstrels all, be ready on call,  
 “ Wi’ harps weel tuned for singin’;  
 “ Wi’ the best o’ your springs, spare not the strings  
 “ When ye hear his bridle ringin’.

“ My cookes all, be ready on call,  
 “ Your pots an’ your spits weel rankin’;  
 “ Wi’ the best o’ roast, an’ spare nae cost,  
 “ And see that naethin’ be wantin’.

“ My own cham’ermaids, be all on your guards,  
 “ Now hae ye the rooms weel shinin’;  
 “ Wi’ herbs o’ sweet air, sprinkle weel the stair,  
 “ An’ cover the floors wi’ linen.

“ My faithful man, John, wi’ my butler Tom,  
 “ Hae ilka thing weel shinin’;  
 “ See the cups be clean, and the wine be clear,  
 “ To drink his health for his comin’.

She has called her servants one and a’  
 And Marget her gentlewoman;  
 “ Go, get for my bodie some braw attire,  
 “ Sin’ my gude lord is comin’.”

O when the silk gown she had got on  
 O’ silver cypher the linin’;  
 Then, as at the entrance wide she stood,  
 She was a most beautifu’ woman.

“ Ye’re welcome hame, my ain gude lord,  
 “ Ye’re welcome hame frae Lunin’;  
 “ Ye’re welcome to Aboyne, my ain dear Lord,  
 “ O, I’ve thocht lang for yer comin’.

“ If I be as welcome,” cried he, “ as ye say,  
 “ Come kiss me now for my comin’;  
 “ For the morn should hae been my weddin’ day,  
 “ Gin I had but stayed in Lunin.

“ Gin the morn should hae been your weddin’ day,  
 “ Ye needna’ hae fashed yoursel’ comin’;  
 “ Cause saddle your horse, and ride back again,  
 “ An gae, kiss your quean in Lunin.”

He turned him round to his merry men a’  
 “ Is na this a pretty scornin’?  
 “ But I’ll mak’ a vow, an’ keep it true,  
 “ She’ll think lang for my returnin’.

“ Come Thomas, my man, get my horse, an’ that soon,  
 “ For we’ll a’ be awa instantlie;  
 “ An’ soon we’ll alight at the bonnie Bog o’ Gight,  
 “ An’ meet wi’ the Marquis o’ Huntlie.



Her maidens fair were a' waitin' on her,  
 An' the doctors were wi' her dealin';  
 But in a crack, her bonnie heart it brak',  
 An' letters were sent to Lunin.

When he saw the letters were seal'd wi' black,  
 O his heart was sairly heavin';  
 "I'd rather hae lost the lands o' Aboyne,  
 "Than hae lost bonnie Peggy Irvine.

"Come mount ye, an' mount ye, my trusty men a',  
 "I'm waefu' sorry for my journeyin';  
 "Frae our horse to our hat we shall a' gae in black,  
 "An' mourn for bonnie Peggy Irvine.

"O wae for the day that I cam' away,  
 "Sae foolishly back to Lunin;  
 "But I'll mak' a vow, and I'll keep it true,  
 "Ne'er again sall I kiss a woman."

The 10th laird died in 1658, and was succeeded by his eldest son.

XI. ALEXANDER, the 11th laird, eldest son of the preceding, was twice married.<sup>1</sup> 1st to Lady Mary Gordon, on 7th December, 1643, 4th daughter of George, second Marquis of Huntly, and 2nd to Margaret Coutts or Coutts.

Spalding relates that "the Marquess was flittit to the Bog, making preparatioun for the mareage of his dochter, Ladie Mary, with Alexander Irving, the young Laird Drum, and in the meintyme wes furneshing the place of Achindoun with all necessaries." . . . "Upon Thursdai, 7 December, the young laird Drum wes mareit to the foirsaid Lady Mary Gordoun, with gryte solempnitie, and mirth and myrriness aneuche in the Bog at thair brydell; but the Lord Gordoun wes not at his sisteris brydell, throw discontentment betwixt his father and him."

Lord Gordon had just visited his aunt, Lady Strabane, who was staying at Lesmoir; had gone thence to Strathbogie, and back to Aberdeen.—Spalding.

By his first wife he had issue, 3 sons and 4 daughters, viz. :—

1. ALEXANDER, younger of Drum.
2. Robert. } Both died young.
3. Charles. }

Daughters.—1. Mary,<sup>2</sup> married Patrick, Count Leslie of Balquhain.

2. Margaret,<sup>3</sup> married Gilbert Menzies of Pitfodels.

3. Jean,<sup>4</sup> married Alexander Irvine of Murthill, afterwards of Drum.

<sup>1</sup> Contract in fam. arch., 1643.    <sup>2</sup> Contr. in arch. fam., 1679.    <sup>3</sup> Contr. *ibid*, 1682.

<sup>4</sup> Contr. *ibid*, 1694.

4. Henrietta, married Alexander Leslie of Pitcaple.

By his second wife he had one son and three daughters.

1. Charles, died young.

Daughters.—1. Catharine, married to John Gray.

2. Anne.

3. Elizabeth or Elspet. } Both died in minority, unmarried.

He and his brother Robert, during the lifetime of their father, and as young men, joined the banner of Montrose in support of the Royal cause. He endeavoured in vain to induce his father-in-law, Lord Huntly, to join them.

No one can wonder at Lord Huntly's refusal. A few years before this, Montrose, when on the side of the Covenanters, had induced the Earl with his two sons to come to Aberdeen, and there arrested him and his eldest son, Lord Gordon, and sent them as prisoners to Edinburgh.

Huntly never forgave this treatment, and after Montrose had heartily espoused the King's cause, never could be induced to co-operate with him.

In 1644, however, Huntly was appointed Lieut.-General in the North of Scotland, and levied troops for the King in Aberdeenshire and Banffshire, and again in 1646 he, with 1500 foot and 600 horse, took up arms, and made a strong effort on his behalf; but even then he refused to comply with Montrose's instructions to march to Inverness and aid him in an attempt to take it. Instead of this he marched upon Aberdeen, storming it in three places, defeated Colonel Montgomery, and recovered the town for the King. He allowed his Highlanders to pillage it, and they in large numbers returned with the booty to their own homes.

Among those released from the Tolbooth of Aberdeen at this time by Montrose were Alexander Irving of Lenturk, and John Gordon of Innermarkie.

Meantime Montrose was attacked in force by Middleton, who had left Aberdeen to relieve Inverness, and was obliged to retreat before him to Beaully, and thence by Strathglass and Stratherrick to the Spey: Middleton however remained in Ross-shire, and laid siege to the Earl of Seaforth's castle, in the Chanonry: and afterwards, on hearing of Huntly's advance on Aberdeen, retraced his steps, recrossed the Spey, and returned to Aberdeen.

Later than this Huntly did what he could in the north; he levied troops, but was pursued by General David Leslie through Lochaber, and by General Middleton through Glenmoriston and Badenoch, and was at last taken prisoner by Lieut.-Colonel Menzies in Strathdon, and executed in Edinburgh on 22nd March, 1649.

The position of his sons during this civil war was very strange. Lord Gordon, the eldest, was for some time under the influence of Argyle, his

uncle by the mother's side : Lord Lewis Gordon, the 3rd son, was fighting in the ranks of the Covenanters, having previously taken up arms for the King, and subsequently deserted the Covenanters and went over to Montrose : the 2nd son, Viscount Aboyne, and the 4th, Lord Charles, afterwards created Earl of Aboyne, both adhered firmly to the Royal cause. Lord Gordon, after the battle of Inverlochy, and the defeat of Argyle, joined Montrose, and commanded his horse at the battle of Auldearn ; and conjointly with Sir Nathaniel Gordon, had command of his right wing at the battle of Alford, where he was killed.

The connections by marriage between many of these combatants is interesting.

Archibald, the 7th Earl of Argyle, married Lady Agnes Douglas, 5th daughter of the 1st Earl of Morton, of the House of Lochleven, and 7th Earl. Archibald, their son, the 8th Earl and 1st Marquis of Argyle, married as his first wife, Lady Margaret Douglas, 2nd daughter of William, 2nd Earl of Morton, of the House of Lochleven.

The 9th laird of Drum married Lady Marion Douglas, daughter of the 4th Earl of Buchan, who was 2nd brother of the 1st Earl of Morton, of the House of Lochleven.

The 7th Earl of Argyle's eldest daughter, Lady Anne Campbell, married in 1607 George, 2nd Marquis of Huntly : consequently their children, Lord Gordon and his brothers and sisters, were nephews and nieces of the 8th Earl and 1st Marquis, their mother's brother ; and first cousins of his son, the 9th Earl of Argyll.

The 11th laird of Drum married Lady Mary Gordon, 4th daughter of the 2nd Marquis of Huntly, and niece of the Marquis of Argyle, granddaughter of the Earl of Buchan, and grandniece of his brother, the Earl of Morton.

The three Marquises all met their deaths on the scaffold—Huntly in 1649, Montrose in 1650, and Argyle in 1661.

During Lord Huntly's first effort in the north, a party of 120 horse and 300 foot, commanded by the young Laird of Drum and his brother, young Gicht, Colonel Nathaniel Gordon and Colonel Donald Farquharson and others, proceeded, contrary to the opinion of the Marquis, from Aberdeen, which he had taken, to the town of Montrose, which they took, killed one of the bailies, made the Provost prisoner, and threw some cannon into the sea as they could not carry them away. But, on hearing that the Earl of Kinghorn was advancing upon them with the forces of Angus, they made a speedy retreat, leaving thirty of their foot behind them prisoners.

Somewhat later, after the young Laird of Drum and his brother were taken prisoners at Wick, a party of Montrose's horse took Forbes of



Craigievar and Forbes of Boyndlie prisoners at Aberdeen. Some little time afterwards, Montrose, being then in Angus and preparing to cross the Grampians, and to march to Strathbogie and make another attempt to raise the Gordons, released Craigievar and Boyndlie on their parole, upon condition that Craigievar should procure the liberation of young Drum and his brother from the jail in Edinburgh, failing which, Craigievar and Boyndlie were both to deliver themselves up to him as prisoners before the first of November. This act of generosity on the part of Montrose was greatly admired, more particularly as Craigievar was one of the heads of the Covenanters, and had great influence among them. The effort, however, to effect an exchange of prisoners failed.

The brothers shared in Montrose's exploits, and also in his dangers, and distinguished themselves so highly in his service that they were excommunicated 14th April 1644, and had a price set upon their heads: 18,000 merks was offered for the young laird dead or alive, and 9000 for Robert. With the view of escaping to England, they sailed from Fraserburgh accompanied by Lady Mary Gordon, Drum's wife, and Alexander Irvine, son of John Irvine of Artamford, but, being driven out of their course and obliged to land at Wick, where the Committee of Estates happened to be sitting, they were made prisoners, and warded in the Castle of Keiss. Thence they were conducted, under a strong escort, to Edinburgh, and lodged in the city jail. Robert died in prison six months afterwards: the young laird was then removed to the Castle under sentence of death. His execution however was stopped by the defeat of the Covenanters at Kilsyth in 1645, and, in compliance with the stipulations made by the Marquis of Montrose with the delegates from Edinburgh, he and the other prisoners there were set at liberty.

In 1646 he, with a troop of horse, and Farquharson of Inverey, with 200 infantry, beat up the quarters of the Covenanters on Deeside, within six miles of Aberdeen, taking 70 prisoners with all their horses, baggage, and provisions.

After succeeding to Drum, and on the restoration and accession of King Charles II., the offer of the peerage which had been made to his father was renewed, but he declined it unless the patent bore the date of the one formerly granted. It is probable, however, that the great reduction which his estates and fortune had undergone during the civil war was the principal reason for his refusal. About this time he sold the estate of Kelly, in Forfarshire, to Lord Panmure.—*Vide* Castellated Arch. of Abdnsh., by Sir Andrew Leith Hay, K.H.

About twenty years afterwards, King Charles II., in granting a Charter, dated at Windsor Castle, 3rd August, 1683, containing a novodamus of Drum's whole estates holding of the Crown, took occasion to express in it

the deep sense which he had of the family's loyalty, and their services and sufferings in the Royal cause.

This Charter<sup>1</sup> proceeded on a Procuratory of Resignation dated 4th April, 1683, for resigning in the King's hands the laird's lands and baronies of Drum, Fedderat, the tenandrie of Ruthven, the lands of Coull, Kinmucks, Kennerties, the barony of Auchtercoul, and others therein mentioned, for new infeftment thereof, to be granted to the said Alexander and his heirs male, which failing to the heirs of entail to be contained in any nomination under his hand, and failing such a nomination to his eldest heir female, which failing to his nearest heir male whatsoever, which failing to his nearest lawful heirs and assignees whatsoever.

The two following documents relate to this.

1. Copy Extract from the Books of Exchequer, 1684 :—

“ At Edinburgh the 8th day of February, 1684. His Majesty's letter underwritten directed to William Marquis of Queensberry, Lord High Treasurer, John Drummond of Lundie, Lord Treasurer Depute, and the remanent Lords of his Majesty's Exchequer was presented and read, and ordained to be booked, whereof the tenor followeth. Sic superscribitur. Charles R. Right trusty and right well beloved Cousine and Councillor, right trusty and well beloved Cousine and Councillor, right trusty and well beloved Councillor, and trusty and well beloved we greet you well, whereas in a signature (of the date of these presents) signed by us in favours of Alexander Irwing of Drum, we were graciously pleased in consideration of the eminent loyalty and good services of the family of Drum for several ages to change the holding of such of the lands as formerly held ward from simple ward to Taxt ward. We have also thought fit hereby to authorise and require you to pass the said signature in the ordinary form and method in such cases accustomed ; and (in further consideration of the sufferings of several of that family upon the account of their adherence to the true interests of the Crown) to fill up the Taxt duties in the blanks that are left in the said signature for that effect, according to the old Retoured duties of those his ward lands, notwithstanding any orders or instructions formerly given by us to the contrary. For doing whereof this shall be your warrant. And so we bid you heartily farewell. Given at our Court at Windsor Castle the 3rd day of August 1683 years, and of our reign the 35th year. By his Majesty's command sic subscribitur Morray.

“ Extractum de libris scaccarii per me.

(Signed) “ GEO. MACKENZIE, Cler. Reg.”

2. Copy of Clause in the Charter of Resignation by Charles II. to Alexander Irvine of Drum, August 3rd, 1683 :—

“ Insafer nos pro bonis fidelibus et gratuitis servitiis nobis et progeneri-

<sup>1</sup> Chart. in publ. arch.

toribus nostris beatæ memoriæ nostris que successoribus per dictum Alexandrum Irvine de Drum ejus que progenitores et successores præstitis et præstandis ; Præsertim vero ob magna et notanda servitia Willielmi Irvine de Drum unius ex ejus prædecessoribus, qui strenuo nostro antecessori Roberto Primo in omnibus suis bellis et extremitatibus inseparabiliter adhæserat, et quem nulla unquam pericula Regis sui personam ant titulum declarare cogebant ; ac prædecessoris sui non minus Domini Alexandri Irvine de Drum, qui ductu suo et valore ad Harlai prælium summa præstitit auxilia ad insolentem istam Insulanorum seditionem reprimendam, ubi eorum Ducem M'Lenum inter alios segregavit, oppugnavit, manuque propriâ in ipsâ belli acie occidit, in associatorum terrorem et cladem, sed qui in eadem actione Principi suo vitæ pretiõ servivit, gloriam sibi repertans jus Regium propriamque fidem sanguine suo signari : necnon aliis Domini Alexandri Irvine de Drum ex ejus prædecessoribus, qui in publico Ducis Murdachi ministerio pro zelo, servitio et magno suo erga Principem affectu, conspicuus apparuit in commissione illa, quæ, Illustrissimum progenitorem nostrum Jacobum Primum antiquo suo Regno et Regimini restauravit, et hoc præter alia multa servitia fidelia, tam prænominatorum quam integrorum aliorum antiquæ istius fidelis et inviolatæ familiæ prædecessorum, diversis eorum sæculis peracta ; sive pacis sive belli temporibus ac in omnibus conditionibus quæ ipsos capaces redderent, vitis suis et fortunis sacris Regis sui personæ et prærogativæ sibi usquam caris, inservire et tueri : spectati vero in recentioribus instantiis fidelium et alacrium servitiorum et perpessionum tum patris Domini Alexandri Irvine de Drum, tum prænominati Alexandri nunc de Drum sui filii, qui nuperis calamitatum et rebellionis temporibus fidelium suorum antecessorum nomina meruerunt ; idque fidissima eorum et tenacissima Illustrissimi nostri Patris Caroli Primi, sempiternæ memoriæ, nostris que rebus adhesione, in arctissimis nostris difficultatibus et angustiis, adeo ut non mulctæ, carceres, fortunarum minæ, excommunicatio, exilium, nec sententiæ in eorum vitam latæ, præsertim dicti Alexandri, in quem sententia lata fuit, et illico fuisset executâ, si non providente Deo fidus noster tunc temporis Commissarius et Præfectus Montis rosarum Marchio eum in arce nostra Edinburgina, ubi in arcta custodia jacebat, in libertatem assernisset ; neque innumeræ aliæ crudelitates, oppressiones et devastationes per prævalentes tunc rebelles in ipsius et patris sui familias et fortunas late commissæ, nec ullæ aliæ severitates et difficultates, aut dura eorum temporum pericula, eos unquam deterrebant, nec ullæ quæcunque suasiones aut illecebæ eos unquam deviare fecerunt a sincera ista fide et zelo, quibus erga personam et prærogativam Regiam usquam claruerunt."

Such testimony to the continuous loyalty of the family, during times when many illustrious families fought sometimes for and sometimes against the Crown, is something worth inheriting.

An entail, subject to certain provisions and restrictions, including power to heirs, who should succeed, to sell such lands as should be necessary for paying the just debts of the entailer, was accordingly executed, in form of a Procuratory of Resignation to the Crown and relative deeds, in 1683, two years before the Entail Act of 1685 was passed: and on 4th September, 1687, Drum executed a Deed of Nomination regulating the order of succession in favour of, first, his son Alexander, and failing him and the heirs of his body, and failing other heirs male of his own body, then of Alexander Irvine of Murthill and his heirs male, and failing them of James Irvine of Artamford and his heirs male, and failing them of Robert Irvine of Cults and his heirs male, failing all of these of the heirs female of his own body without division. For some reason, Irvine of Saphock, who was the nearest heir male failing the entailer's own issue, was entirely omitted.

The entailer died about a month afterwards, and (anticipating a little) the steps taken to make the entail valid were as follows. Immediately after the granter's death, Irvine of Murthill petitioned the Court to record it, and as it was the very first entail recorded under the Act of 1685, especial care was taken that everything might be done in accordance with the requirements of the Act.

The Lords of Council ordained, "The Charter and Nomination relative thereto, containing the said tailzie of the barony of Drum, being produced and read, and collationed with the following record of the same, in the presence of the Lords, that the said record thereof be insert and registrate in the books appointed for the registration of tailzies conform to 22nd Act of his Majesty's first Parliament concerning tailzies."

Then follow the Charter and Deed of Nomination, which were recorded on 31st July, 1688.

The question whether it was valid against creditors and singular successors arose subsequently, as will be seen.

The lands of Strachan were not included in the entail.

Besides the entail and nomination, this laird executed on the same day as he signed the latter a bond of provision in favour of his eldest son by his second marriage, Charles Irvine and his heirs, and to other heirs male nominated to succeed to his estates, amounting to £80,000 Scots, and another bond for 8000 merks in favour of his daughter Elspet; and on the following day a disposition mainly in favour of Margaret Coutts, his second wife, and their son Charles, securing to them, and the heirs male of his son Charles, then of himself the granter and his said wife, to the heirs specified

in the entail and nomination, ample provisions, under which Margaret Coutts was to have the life-rent of the estate during widowhood, and his son Charles or any other heir succeeding to the estate was bound to pay to his other daughters, Catharine and Anna Irvine, on their attaining the age of sixteen, a sum left blank in the deed. Apparently his eldest son, Alexander, only lived till 1696, while his widow by 1690 had become the wife of Robert Irvine of Cults. Much trouble resulted from these provisions.

The timber in the east and west woods of Drum, and that part called the Kitchen Bog, was sold in 1685 for 18,000 merks, the purchaser, James Duncan, being allowed ten years to cut and remove it.

There is an old ballad relative to this laird's second marriage, which is entitled :—

THE LAIRD O' DRUM.

The laird o' Drum's a huntin' gane  
 Upon a mornin' early ;  
 An' he has spied a weel faur'd May  
 Was sheerin' at her barley.

O can ye fancy me, fair May,  
 O can ye fancy me, O ?  
 O can ye fancy me, fair May,  
 An' let your sheerin' be, O ?

I canna fancy ye, kind sir,  
 I canna fancy ye, O ;  
 For I'm nae fit to be your wife,  
 Your miss I'd scorn to be, O.

Cast off, cast off the gown o' gray,  
 Put on the silk aud scarlet ;  
 I'll mak' a vow, an' keep it true,  
 Ye'll ne'er be miss nor harlot.

I canna wear your silken gown,  
 They rattle at the heel, O ;  
 But I can wear the linsey brown,  
 And that sets me right weel, O.

My father is an old shepherd,  
 Keeps sheep on yonder hill, O :  
 And ilka thing he bids me do,  
 I work aye at his will, O.

He's ta'en him to her auld father,  
 Keeps sheep on yonder hill, O ;  
 Ye've a fair May to your daughter,  
 Dear vow, I lo'e her weel, O.



She canna han'le china cups,  
 Nor mak' your dish o' tea, O ;  
 But she can milk baith cow and ewe,  
 Wi' cogie on her knee, O.

She'll shak' i' the barn, and winnow corn,  
 An' ca' your loads to mill, O ;  
 In time o' need, she'll saddle your steed,  
 An' draw your boots hersel', O.

O fa will bake my bridal bread ?  
 An' fa will brew my ale, O ?  
 An' fa will welcome my bride hame ?  
 It's mair than I can tell, O.

O I will bake your bridal bread,  
 An' I will brew your ale, O ;  
 But fa will welcome your bride hame,  
 It's mair than I can tell, O.

Fu' four and twenty lairds and lords  
 Stood at the yetts o' Drum, O ;  
 But ne'er a man did lift his hat,  
 When the lady o' Drum was come, O.

But he has ta'en her by the hand,  
 An' led her but and ben, O ;  
 Says welcome hame, my lady Drum,  
 For this is a' your ain, O.

Then out he spak' his brother dear,  
 An angry man was he, O ;  
 Says he, ye hae wedded this day a wife  
 A shame to a' yer degree, O.  
 [*or* 'That's far below your degree, O.]

Weel I hae wedded a wife to win,  
 An' ye a wife to spen', O ;  
 As long's my head my hat can bear,  
 She'll be the lady Drum, O.

The first lady that I did wed  
 She was o' high degree, O ;  
 She could na gang out at the yetts o' Drum  
 But the perlin abeen her een, O.

The first lady that I did wed,  
 She was o' high degree, O ;  
 I durst na come intil the rooms,  
 But wi' hat below my knee, O.

When bells were rung, an' mass was sung,  
 An' a' were boun' to bed, O ;  
 The Laird o' Drum an' the shepherd's daughter  
 In ae bed they were laid, O.

Gin' ye'd been come o' noble bluid,  
 As ye're o' low degree, O ;  
 We might hae walked into the street  
 Amang gude companie, O.

I tauld ye lang ere we were wed,  
 I was o' low degree, O ;  
 An' now I am your wedded wife,  
 I scorn this slight frae ye, O.

When you are dead, an' I am dead,  
 An' baith laid i' the grave, O ;  
 An seven lang years are come and gane,  
 Fu' justice I will hae, O.

She had nae been forty weeks his wife,  
 Till she brought him a son, O ;  
 She was as weel a loved lady  
 As ever was in Drum, O.

This laird, the 11th, died in 1687, and was buried in Drum's aisle, his funeral being attended by the magistrates and citizens under arms. He was succeeded by his eldest son.

XII. ALEXANDER, the 12th laird, born about 1646, died 1696. He married Marjory or May, daughter of Forbes of Auchreddie, but had no issue.

He does not appear to have had any enjoyment of his paternal estates. These must have been considerably reduced in extent and value. Kelly and probably Forglen had been sold to pay fines and debts, contracted during the civil war, and his father further burdened the estates with provisions to his children or their husbands, and to his second wife, and especially to his son by her.

The late laird had also appointed trustees and administrators for some reason or another for his son, Alexander, and had nominated Alexander Irvine of Murthill as his executor, as administrator for Alexander, his eldest son, and as tutor for Charles, his second son.

It may be that the eldest had offended him by his marriage with Marjory Forbes, daughter of Forbes of Auchreddie, for I find a reference, in a dischargè granted to Irvine of Murthill dated 6th January 1688, to a claim made by Patrick, Count Leslie, for expenses going to Edinburgh with the Laird of Drum "in pursuit of the reduction of the marriage *alleged* to be made betwixt him and Marjory Forbes:" from which one may infer that he was married before his father's death. This marriage must have been recognized as valid, for his widow had a jointure paid to her for many years as the Dowager Lady Drum.

Or again he and his father may have quarrelled about the latter's second marriage. Perhaps the son was not thought competent to manage his affairs, or, more probably, advantage was taken of his father in his old age.

The old laird died, probably in October, 1687; Murthill was confirmed as his executor on 10th November 1687, and his accounts as executor and administrator were afterwards rendered, commencing in October of that year.

He, too, seems to have had a hard time of it in consequence of claims made against the Entailer's estate, and the burdens for jointures and provisions.

By February, 1690, Margaret Coutts had become the wife of Robert Irvine of Cults, one of the substitutes under the entail, and in February of that year, we find a process of suspension and multiplepoinding had been "raised at the instance of the tenants on the estate of Drum against Alexander Irvine of Murthill, one of the pretended administrators of the estate, and Margaret Coutts, relict of the late Laird of Drum, and then spouse to Robert Irvine of Cults," and an act and factory granted by the Court of Session, dated 28th February in that year, "nominating and appointing — Irvine, younger of Kingcousie, to be factor on the Highland estate of Drum, lying in Cromar, and within the parochines of Coul, Tarland, and Logie, or any other parish within the bounds of Cromar."

In 1691, Murthill, as Drum's executor, obtained a decree from the Commissary of Aberdeen against some debtors. In February of the following year the Lords of Council and Session gave a decision in his favour as administrator for Alexander Irvine, then of Drum, and as tutor nominate to Charles Irvine, second son of the late Drum, against the said Charles Irvine, Robert Irvine of Cults, James Irvine of Artamford (all substitutes in the entail), and Robert Irvine of Fedderat, for selling part of the estate of Drum.

In the same year and month, Patrick Leslie of Balquhain got a decree against the Laird of Drum and his tutors and curators, ordaining Alexander Irvine of Murthill, administrator for Drum, to pay him the by gone annual rents of the sum of 12,000 merks due to himself, and other sums therein specified.

The Laird of Balquhain seems to have got payment in full of the tocher of his wife, Mary Irvine, amounting to 12,000 merks, and to have granted a discharge dated 24th November, 1685: but to have subsequently bargained with Murthill for 20,000 merks more, payable to him and Menzies of Pitfodels, equally between them, in augmentation of their wives' tochers, under date 6th January, 1688, and further, on 6th July following, to have



got a promise that Murthill would give them, or each of their ladies, one of the jewels that had been given him in custody by the Laird of Drum before his death. He granted a discharge of these obligations on 28th November, 1693.

Early in 1692, Murthill, as assignee of the laird, made over to his own eldest son, Alexander Irvine, his heirs and assignees, all bonds, contracts, and sums of money due to the estate of the old laird, under "a translation" dated 14th April; and he died shortly after in the same year. His son seems to have succeeded him in the administration of the estate with all the attendant troubles and difficulties; and he married Jean Irvine, sister of the Laird of Drum, the date of the contract being 12th July, 1693.

The laird's half-brother, Charles Irvine, died a minor early in the last mentioned year, as there is an account of the disbursements at his funeral, dated April, 1693. At the time of his death the bond of provision in his favour for £80,000 Scots was not paid; and later on an attempt was made by creditors to show that the then laird was his heir, in respect that this bond was granted in favour of Charles, and, failing him and the heirs male of his body, *of the heirs of entail*; and that, consequently, the then laird, their debtor, was bound to enter as heir to the said Charles in this bond of provision, with a view to making it a burden on the estate, and they succeeded.

In the first instance, it became necessary to sell part of the estate. Strachan, as already mentioned, was not included in the entail, and apparently an Act of the Scots Parliament was obtained for selling so much of the estate as would pay all the debts contracted before making the entail or by the entailer himself.

There is extant a minute of agreement between Alexander Irvine of Murthill, administrator of the estate, and Sir Alex. Bannerman of Elsick, proceeding on the narrative that the parties had agreed upon a sale of the lands of Strachan, part of the estate of Drum, then purchased by Sir Alex. Bannerman for 28,800 merks Scots, and 10,000 merks for the timber, but that, owing to the incapacity of the then laird of Drum, there could be no alienation nor valid disposition granted by the administrator immediately. Provision was made for Sir A. Bannerman advancing the price on terms therein specified, and for his entry at Whitsunday, 1695. This minute is dated 6th February, 1695, but it is stated that it appears to have been cancelled, possibly owing to the death of the 12th laird; if so, a similar one was probably entered into for effecting the sale, on Murthill succeeding to Drum, as Sir A. Bannerman acquired Strachan about that time.

This laird died comparatively young in 1696, leaving a widow, but no issue, and in him failed the main line in direct descent. He was succeeded under the entail by his brother-in-law and 4th cousin.

XIII. ALEXANDER, the 13th laird, b. —, died 1720, was a son of Alexander of Murthill, who died in 1692, and a descendant, probably great-grandson, of Gilbert of Colairlie, who was a younger son of Alexander who fell at Pinkie, and brother of the 8th laird, who married Lady Elizabeth Keith.

He married, on 12th July, 1693, Jean, daughter of Alexander, the 11th laird, by Lady Mary Gordon, and had issue by her 1 son and 2 daughters.

1. ALEXANDER, yr. of Drum.

Daughters—1. Helen, md. Gordon of Dirlathers.

2. Margaret.

He had also a brother, John, who, after his death, was tutor-at-law to his son, and, on the death of the latter, succeeded to Drum as heir of entail.

By their marriage contract, he became bound to infest her in life-rent of the lands of Murthill, and should he succeed to the estate of Drum, to secure her in life-rent to 30 chalders of victual and money rent out of said estate, counting 100 merks for the chalder of victual, and to the manor place of Drum with the offices, while the heir of the marriage should be minor or unmarried, and thereafter to £100 Scots yearly.

On this laird's succession in 1696, troubles gathered on him fast, the nearest heirs of line threatened processes of reduction of the entail, and he had to undertake to pay considerable sums to Count Leslie of Balquhain, Menzies of Pitfodels, and others for securing his right. He accordingly got a warrant or act of the Scots Parliament for selling so much of the estate of Drum as would pay off all the debts contracted either before making the tailzie or by the entailer himself: there can be no doubt that the debts of the entailer were considerable, besides a jointure to his widow, and an aliment to his son: but these proved the cause of further debts to the 13th laird.

He first carried out the sale of the lands of Strachan, which were not included in the entail, to Sir Alexander Bannerman: he then sold Auchtercoul, part of the estates in Cromar, for £48,000 Scots to Black of Haddo, but repurchased it in fee simple in 1702; and sold the lands of Hirn and Drumquhynie to Sir Thomas Burnett of Leys: he appears a little before this time to have sold his own property of Murthill to Robert Cuning, Master of the Mortifications of Aberdeen, with consent of his wife, who renounced her right under her marriage contract to the life rent thereof, and he made provision for her by obligations dated 1697 and 1709, out of the manor-place of Drum and other lands, including Tarland, whereby she was to have the use of the manor-place until any heir male issue of their marriage should marry or become major: in which case she was, after her removal, to receive £100 yearly for mailling of a house.

The creditors, upon getting payment, disposed any rights they still had to a Mr William Black, advocate, then Drum's trustee, who, sometime before his death, transferred them all in favour of Drum : at a later period Drum disposed all these rights, in 1719, in favour of Sir Alexander Cuming of Culter.

This baronet had become bound as cautioner and co-principal for the 13th laird in several debts and sums of money as early as 1701 ; for between 1696 and 1701 Drum granted Sir Alexander bonds of relief, seven in number, amounting to 102,000 merks. There is also extant a memo. for the Laird of Drum, dated 18th September, 1700, respecting the sale of part of his estate (possibly Auchtercoul) for paying off the debts and hail adjudications led therefor, which he had paid and purchased in upon his own and his friend's credit.

Sir Alexander Cuming made great profession of his desire to assist Drum, and to maintain that ancient family, but, as will be seen below, his course of action was well calculated to ruin it.

The Laird of Drum then granted several heritable bonds over his estate of Auchtercoul, besides increasing his liabilities on bills and other bonds ; and part of the provision for his wife, Jean Irvine, was secured on the lands of Tarland, in the barony of Auchtercoul.

His eldest son took part in the Earl of Mar's rising in 1715, during which he was severely wounded, but escaped to the continent. There are extant letters from his father to him while he was abroad. In one, dated 18th July, 1716, he writes that he has received his son's letter from Cambray, and describes his own embarrassments, and points out that he could not alter the entail, and saw no way of securing the estate to his son except by a remission. He concludes, " I doubt not, when the Government cannot get the estate, a remission will be easier got if this trial were once over : " probably referring to the trial at Carlisle of the prisoners taken at Sheriffmuir and elsewhere in Scotland ; he refers to " the debts affecting his estate in spite of what had been paid off by the sale of lands. Estimating his estate to be then worth 16,260 merks a year, with superiorities yielding annually 9000 merks, he desired to sell land to value of 7200 merks a year and the superiorities : he reckoned that the proceeds would pay his debts, estimated at 135,000 merks, and that he would still have 9000 merks a year, less an annuity payable to the Dowager Lady Drum."

In another letter, dated 4th September of same year, in reply to one from his son, and sent to care of Mr Wm. Gordon, banquair at Paris, he says, " I am very desirous to have a remission for you in case I should die, and probably I cannot live long ; " and again, " a remission will be much easier got now than if I were dead, because ye have presently nothing to lose."

His son was ultimately pardoned and must have returned to Scotland by the early part of 1719, for we find a letter from the laird to him, addressed to him in Edinburgh, and dated 12th March, and one from him to the Laird of Portlethen, enclosing a list of debts, dated Drum, 10th June in the same year. This list purports to be "A List of Debts that People hath old Drum's bond for, by himself, viz., a nott of those who hath my own personal bond:" the amount of these is nearly £30,000 Scots, but it includes certain bonds marked "Payd" amounting to about £4600, and others amounting to £2500 "Transferred:" but he subjoins a further list of debts for which Culter was jointly bound with him, viz., to Lady Balquhain's children £4333 6s 8d, and to Black of Haddo £26,661 13s 4d.

A little earlier than this Drum, having burdened his estate of Auchtercoul with several heritable bonds, with consent of his son, had by minute of sale dated 3rd and 18th September, 1718, sold and disposed to Sir Alexander Cuming the land and baronies of Auchtercoul and Tarland, for which the latter became bound to pay Drum 80,000 merks Scots, with liberty to apply the same towards purging the debts and incumbrances which affected his purchase. Sir Alexander then got a Charter and was infeft: a disposition with the further consent of Jean Irvine, Drum's spouse, followed dated 8th September, 1719; and there is an obligation or backbond of Sir Alexander's to Drum to hold compt of the same, dated 13th March, 1722; and as he had by that time paid a considerable part of the price to Drum's creditors, and taken obligations to the debts, but had still a balance in his hands, he became bound to apply the residue in like manner, in the event of his purchase being confirmed by the Court of Session in a process then depending against Drum and Sir Alexander at the instance of Irvine of Crimond, one of the substitute heirs of entail.

Shortly before his death, which took place in 1720, this Drum had a conversation with Captain Cuming, Sir Alexander's eldest son, and James Gordon of Barns, one of his creditors, relative to compounding and transacting his debts. Poor man, the more he paid the more the claims on him appear to have increased.

This was followed by a letter, dated 29th October, 1719, from Sir Alexander Cuming to the young laird, referring to a proposal, which he says he had made to his father, to obtain an Act of Parliament to resettle the lands and barony of Drum and others upon Alexander Irvine, younger of Drum, his heirs male, and the other heirs of entail, and for selling part (*i.e.* the remainder) of the Estate of Cromar, &c., for payment of the deceast Alexander Irvine of Drum's debts, and the other debts of the family, and raising children's provisions, &c. He continues, "Such an Act, even in the votes, will be far from being any prejudice to you, but people will see



that there is a good old estate settled on you (how much no body needs to know), and that is more than they can know of the estates of any of our countrymen." He then goes on to assure him that he has "no view in it but to serve the family, for his own purchase was perfectly secure, and, next to his own security, he wished young Drum's family better than any in the world." This letter was written at Bath; he urges him to come up with his charters, tailzie, and writings, and promises him every assistance, and in a P.S. assures him that "such Acts are common every year in settling great families, making jointures, paying debts, and raising provisions." Sir Alexander's scheme was now developed, viz., to force a judicial sale of the Drum estate, by making out that the incumbrances affecting them were so heavy that they could not be paid otherwise, and to resettle the land representing whatever residue might be over.

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The young laird thus pressed, and led to believe that he would still have a moderate estate left, fell in with his proposals. He wrote to Alexander Thomson, of Portlethen, enclosing Sir Alexander's letter, and referred to his having already shown it to him; he thus reminds him, "I desired you to call to mind what debts you thought could be scraped together that could be said to be my grandfather's, who was the entailor, and so by adding them to the debts of his, still unpaid, which, with my sisters' bonds of provision, would amount, by accumulating the annual rents from the date of the old bonds (which will be, I believe, very near 25 years back) to very near about 70,000 and odd pounds Scots, which, with any debts you could scrape together as aforesaid, might make up the sum demanded, which must be mentioned in the petition, and indeed must be made up to the value of (I mean the extracts from the registers of the bonds set up) 92,000, and as many pounds more as possibly you can find; it's no matter whether payed or not, being that's what will not be questioned." No wonder that he concludes the letter, "Pray keep all this as much a secret as possibly I can beg you, for reasons."

Such was the scheming going on between Sir Alex. Cuming and the young laird, the latter a foolish and unscrupulous tool, careless of the honour and interests of the family, provided a remnant of the estate was left free for him to enter on.

They both wrote to Drum at this time; for the laird wrote to Sir Alexander referring to *both* letters in the same month, and mentioned a bond which played a very important part in enabling them to carry out the scheme referred to, and denuding the family of the greater part of their property.

This bond was one for £80,000 Scots, with annual rent, granted by the entailor to his son by the second marriage, Charles, and to his heirs, whom

failing, to his nearest heirs of tailzie : on the death of Charles, the 13th laird was the nearest male heir under the entail ; and in this letter he wrote, " I think the production of it will make a clear demonstration of the necessitie of selling more land."

At this stage of the negotiations this laird died, at Whitsunday, 1720, and was succeeded by his son. He was survived by his widow, Jean, the entailer's daughter.

XIV. ALEXANDER, the 14th laird, born about 1695, died 1737. He does not seem to have been married.

Some account has been already given of his younger days. Immediately on his accession as laird, Sir Alexander Cuming wrote to Thomson of Portlethen, on 2nd June, 1720, relative to Drum's health and affairs, and the letter shows his anxiety lest he should die before the desired Act of Parliament could be obtained : he mentions that he had remitted some money to Edinburgh, and would send some small remittances to Aberdeen to meet pressing claims of Drum's creditors : and his readiness to venture a sum of £2000, if it would satisfy the creditors, besides the entailer's debts : and that he " would with pleasure once more lend his helping hand to rescue that worthy family." But at the same time he desires to know what further security he could get till an Act of Parliament should be attempted, and refers to Drum's telling him that his mother would assign a considerable part of her jointure to him as part of his security.

It is evident from documents that later on the Dowager Lady Drum also consented to restrict her jointure from 1950 merks to 1500 merks, or £1000 Scots, and that Sir Alexander wrote to her that the abatement was for the benefit of the laird of Drum, and should be applied accordingly.—*Vide* State of Process, &c., relative to judicial sale of the Drum estates, 1737, p. 176.

On the same day, 2nd June, 1720, a minute of sale between Alex. Irvine of Drum and Sir Alex. Cuming of Culter was signed, obliging the former to grant a disposition of the town and lands of Coul, &c., in Cromar, with entry at Whitsunday, 1720 : the price to be applied in purchasing in the debts contracted by his grandfather, or any other debts contracted by the heirs of entail, affecting these lands ; and the remainder, if any, for payment of debts for which Sir Alexander stood bound, either as co-principal or cautioner for Drum's father, or of Drum's debts to himself : several debts are then specified, and there is a proviso that if it should be thought necessary to apply for an Act of Parliament, Sir Alexander was to advance money to pay for it, and all other expenses, and that should

the price of the estate not cover this, Drum and his heirs were to be liable in repayment to him.

He then instructed Thomson of Portlethen, 7th July, 1720, to pay off and compound with old Drum's creditors, as he must take assignations to their debts, "in order to lead to an adjudication to be a pretext for an Act of Parliament to confirm his articles of sale of the estate;" and further, "to muster up old debts and bonds, principals and annual rents, for those will be a pretext for an Act of Parliament: but it is not proper for you let any person know more of this than what needs."

Over and above this the laird granted Sir Alexander a heritable bond over the whole of his estates, the lands and barony of Drum, Kinmuck, and all the lands in Cromar for his liferent interest in them, but the latter disposed and transferred this to James Gordon of Barns for behoof of Drum's creditors in 1722.

Sir Alexander again wrote to Thomson of Portlethen on 16th and 21st July, 1720, referring to the proposed Act of Parliament, and says in the latter, "Meantime I will pay off old Drum, the entail's debts, which will certainly affect the estate, and thereby I shall make up a title to the rest of the lands of Cromar, which I lately purchased, for as to the former my security is good enough."

By this time he had acquired right in one form or another to the whole of the Cromar estate; but he did not keep it long.

His plans are further developed in his own letters. He wrote on 30th July following to Thomson of Portlethen, "If all old Drum's creditors will assign their debts and heritable bonds, &c., I will pay them when they please, and raise an adjudication against the estate, in order to be a pretence for a sale by Act of Parliament, without which and mustering up debts sufficient to balance all the debts of the last and present Drum, none of their creditors can expect one groat: for the estate is liable for neither, and can only be affected during this Drum's life, and that, considering the jointure, will hardly relieve me, for he must still live, and you may be sure his rent will not maintain him here [viz., in London], and I am considerably in advance for him."

A letter of similar import followed of date 4th August; and in another dated 11th August, he refers to an old bond in favour of Irvine of Cults, thus, "I suppose if he assigns me to the heritable bond and all the annual rents since old Drum, the entail's death, or these 39 years by past, if they be not discharged they will come to a large sum of money: and tho' he loses what was due by the last Drum, he will have enough." This appears to refer to some old wadsets over the lands of Drum.



About this time Sir Alexander appears to have advanced the £2000 stg. to pay some of Drum's debts, and he held several bonds of relief in respect to obligations for which he had been Drum's cautioner: but he took very good care to protect himself. He had already got a heritable bond over the whole of the laird's estates for his life interest, but on 29th April, 1721, he got from him in addition a bond for £10,000 sterling, payable at Whitsunday following, with £2000 of liquidate expenses and interest, with letters of special charge, raised thereupon at his instance against Drum, to enter heir in special to the deceast Charles Irvine, second son of the entailer, his uncle, in the bond for £80,000 Scots, granted as a provision for Charles. His object was, by getting this bond from Drum, as for money borrowed, or paid for him, to be in a position to get the said bond of provision (originally granted in favour of Charles) adjudged to be due to the present laird, as his heir, and afterwards to get the estate of Drum adjudged liable for the payment thereof: he succeeded on 5th January, 1722, in getting a decree of adjudication against the estate for payment of the sum contained in the said bond, or at least so much of it as would pay off the £10,000.

It is true that he granted a back bond declaring this £10,000 stg. bond to be in trust for behoof of himself and Drum's other creditors, but by purchasing assignments of debts, he was the principal creditor. There was another decree relative to this same bond after Sir Alexander's death.

Besides this, he got a decree of adjudication with respect to another bond, one for 8000 merks, granted in favour of Charles' sister, Elspet: in both cases decree was granted with 30 years' annual rent, the Lords reserving certain objections raised by Irvine of Crimond, the next heir substitute in the entail.

For about this time Crimond and his brother, Artamford, interfered, seeing the risk of the family estates being sold and lost: and John Irvine, the next heir and uncle of the laird, was communicated with for his interest: he was then in Carolina.

An attempt was then made to compromise with these prospective heirs; while the creditors on the estate assented to Sir Alexander Cuming's taking steps to effect a sale of it in order to obtain payment.

A state of the circumstances of the family of Drum was drawn up and submitted to the creditors in 1723: there is also extant a memo. concerning Drum's creditors, and a memorial for John Irvine framed in the same year. These contain much interesting information.

The first of these documents runs as follows, viz. :—

“Alexander Irvine of Drum, entailed his estate with clauses *de non alienando et non contrahendo debitum*, and only allowed the heirs of tailzie

to sell as much of the estate as would pay his own debts. This Drum's father succeeded as heir of tailzie, who upon his entry met not only with vast sums due by the entailer, but also with most litigious and expensive processes and law suits raised against him by the heirs male, heirs of line, and several other persons, which at last he was obliged to compound in the most prudent manner he could: and that obliged the last Drum to contract a vast many debts, and involved him in difficulties he could never yet extricate himself from.

The entailer's debts *yet unpaid* affecting the estate of

Drum amount to ... ..	£40,000 Scots
The debts contracted by the last Drum will be about 100,000 merks ... ..	66,666 13 4
	<hr/>
	£106,666 13 4

The yearly amount whereof is 8000

merks ... .. £5333 6 8

Jean Irvine, Lady Drum, her jointure

is yearly (4000 merks) ... .. 2666 13 4

Mey Forbes, Lady Drum, her annuity

is (1950 merks) ... .. 1300 0 0

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9300 0 0

Rental of the estate of Drum, viz.:—

The lands and barony of Drum,

about 8000 merks ... .. £5333 6 8

The lands of Cromar yet unsold,

about 3300 merks \* ... .. 2866 13 4

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8200 0 0

Deficiency ... .. £1100 0 0

\* Should be 4300 merks.

So that during the ladies' liferents this Drum had nothing to live upon, and there is a deficiency of £1100 yearly, so that will be wanting to pay the annual rents as long as they live.

“Seeing the last Drum was bound up by the tailzie, none of the creditors will get a farthing, unless Sir Alexander Cuming prevail in his adjudication upon a bond of £80,000 granted by the entailer to his son Charles, and a process of sale raised thereon (which is for the behoof of himself and all his other creditors): and even albeit Sir Alexander prevail, there will be a necessity for the creditors to give a considerable abatement of their respective debts, otherwise Drum will have nothing remaining for himself.”

The memorandum concerning Drum's creditors is very interesting, but too long to be quoted here. Among other things it is stated that “the last

Drum was far from being an ill manager ; for considering the great debts left by the entail, the jointures and aliment payable out of the estate, there remained but a very small competency for himself to live upon, which he managed with great credit and frugality." This document is much to the same purport as the former, but the particulars are given more in detail.

The memorial for John Irvine gives a narrative of the state of matters, with his suggestions as to the course he should pursue for his own interest, as one of the heirs substitute under the entail, and with a view to his avoiding any step which might involve an irritancy of the entail, which Irvine of Crimond, the next substitute, might take advantage of.

To return now to Sir Alexander Cuming, the following extract from a letter from him to Drum, dated 7th February, 1724, shows his mode of proceeding in the affair. After referring to the probability of his making terms with Drum's uncle, John Irvine, for £200 sterling, and an aliment of 500 merks per annum for life ; to the negotiations with Crimond, and to Drum's own interest being met by selling the estate and securing for him any residue, he proceeds thus, " You must observe, that, if we had met with opposition, tho' we should carry the principal sum, which is a great question, yet as to the annual rents, to which your father had right as apparent heir to Charles, yet if he possess the land which was liable therefor, no annual rent would be due ; and tho' I have adjudged the £80,000 with annual rent, yet the annual rents due in your father's time is not a subject adjudgeable, but altho' they had been due, they must be carried by confirmation ; this is what none of them has yet discovered, but occurred to the President, my Lord Dun, and some others of our friends."

" There is another thing they have not yet discovered, to wit, that the bond is only payable by Drum's heirs male, which shows the intention was only to affect the lands which was not in the tailzie, that might have fallen to them."

" There is yet another difficulty which I will not mention till I see you, that would have been very hard upon you." He then urges him to sign the obligation to John Irvine at once, and assures him that he could not have done more for his service and that of the Drum family if he had been his own son.

What has been quoted shows that Sir Alexander knew the injustice of the course he was pursuing, but apparently he knew that he had means of getting his plans carried into execution through a perversion of justice.

The unfortunate laird of Drum seems to have been like wax in his hands ; and, convinced that unless he did as he was told, there would be nothing left for him, to have acquiesced and plotted along with him, to effect a sale of the estates.

The view taken of what was going on by a relative of the Drum family is seen by the following extract of a letter from John Elphinstone of Glack to Irvine of Crimond, dated 7th July, 1723. In it he expresses "his fears that Mr Irvine would go into Sir Alexander's measures for ruining that estate, notwithstanding his expressions that he would do nothing against the preservation of the family of Drum:" he adds, "its what I still feared, and, if you remember, I told you so (when I understood that Mr Garrioch had so much the management of him), and I smelled by Mr Garrioch his words that he was then much in Sir Alexander's interest, and I believe not without gold." In the same letter he speaks of Sir Alexander "having put his hand to the plough, and not being likely to look back untill he build upon the destruction of that old family:" he advises Crimond to enquire into the legality of their proceedings, but warns him that he "supposes what is done betwixt them will be so closely kepted that it will not be easily discovered;" and points out that no friend would advise him (Crimond) to venture his all upon such an uncertainty. Glack appears to have been a shrewd sensible man.

John Irvine, Drum's uncle, apparently thought it best for his interest not to oppose the sale of the estate, in consideration of the offer, made to and accepted by him, of £200 sterling, and a yearly aliment of 500 merks for life.

Sir Alexander Cuming did not live to see the end of his plans. He died in 1725, and he died bankrupt! One may be pardoned for expressing some satisfaction in recording this.

He must have died early in that year, for his son, Alexander, appears to have been confirmed as executor of his father on 5th May. The deceased baronet had granted a disposition in favour of his son of the lands of Culter in 1717; and had also, conjointly with Lady Cuming, granted one also in his favour, in 1720: (the son was then Captain Alexander Cuming): he had besides this granted a disposition of the lands of Glenbucket to Barns in 1723. On the other hand, his son had granted backbonds more or less in favour of his mother and her children. Sir Alexander granted a disposition of the bond for £10,000 sterling (granted him by Drum) on 27th January, 1725, in favour of his son, Captain Alexander Cuming, Mr John Ogilvie of Balbegno, James Gordon of Barns, Dr John Gordon and Alexander Thomson, the survivors and survivor, and their assignees, for the purposes therein mentioned.

The young Sir Alexander and the others consequently continued the steps already in progress for the sale of the Drum estates. His father's creditors brought the estate of Auchtercoul, as well as his own estate of Culter, to a judicial sale. Auchtercoul was purchased by the Earl of

Aberdeen in 1729, as also Tarland and Culter, but Culter was, with part of the estate of Drum, purchased by Patrick Duff of Permny in 1738.

The Trustees under Sir Alexander's disposition of 27th January, 1725, then resolved to carry on the process of adjudication ; and, with consent of Drum and his creditors, James Gordon of Barns was appointed factor on the estate : a deed of consent to this arrangement was signed by various parties between 22nd May and 23rd July of the same year, in which it was provided *inter alia* that the factor was to uplift the rents of the whole estate of Drum, *except* the manor-place, gardens, woods, plantings, and enclosures with the laird's croft and mains, including the Milltown, with pendicles, &c., computed to be about 800 merks Scots of yearly rent, but not in use to be rentalled : and reserving to Drum the superiorities, flying customs, leet peats, and services of the haille lands—all this was for the subsistence of the laird—next the factory was burdened with the payment of the preferable heritable creditors, who were in possession, and the yearly annuity of £1000 Scots to Marjory Forbes, Lady Drum ; also with the payment of 500 merks yearly aliment to John Irvine, Drum's uncle ; and of the annual rent of the provisions due to Mrs Margaret and Helen Irvines, Drum's sisters ; then with the expenses necessary for prosecuting the adjudication and sale of the estate of Drum in terms of the conveyance of the bond over the estate to the creditors : the residue of the rents to be applied towards payment of arrears of annuities due to Marjory Forbes, Lady Drum, then to the personal creditors of Drum.

The following year, 16th November, 1726, the whole estate, excepting the manor-place and others above specified, was sequestrated, and Alexander Thomson, writer in Aberdeen, appointed by the Court of Session factor on the estate, apparently with effect from 1725 inclusive, and Drum went to Brussels, whence he wrote a very business-like letter relative to his affairs to Dr John Gordon, dated 11th December, 1727, and a letter to Patrick Duff of Permny, one of his principal creditors, complaining of the state of his health and of his want of means, under date 13th February, 1728.

From Mr Duff's reply it is evident that Drum had had recourse to drawing bills on him ; and that he was trying to treat for better terms for himself the following year. By October, 1729, he had returned home and was at Drum, writing thence, and in March and April, 1730, in Edinburgh. In a letter written thence in April of that year, he says, " I am very much surprised what some people mean, except, because I have not had my health of late, they would have me renounce my reason, and do what they incline." A little later, 22nd June, he writes from Edinburgh, complaining of ill-health, and says, " if added to that, disappointments, delays, and in short struggling with all sorts of difficulties together, can create one trouble or make them uneasy, the case is mine."



By this time his mind, apparently never strong, had begun to give way : he was nearly penniless, but inclined, it was alleged, to live luxuriously, at any rate beyond his means ; and his uncle, John Irvine, commenced to act as his tutor, on the ground that he was cognosced Incompos mentis, prodigus et furiosus, from the month of December, 1730.

He must have been arrested for debt about this time, for his uncle writes, 5th January, 1732, relative to getting a release of Drum's person, notwithstanding the several diligences against him, and mentions the prison dues as the principal bar to his deliverance : a lodging in the Canongate is suggested for him. The poor man only lived till 1735. I think he was more sinned against than sinning : the estate was much involved when he succeeded to it, and he appears to have fallen in with the schemes of an unscrupulous man, and become unscrupulous too, in order to get some small competency secured to himself, but for a long time in the belief that the succeeding heir of entail would continue to have the same. In the end, however, in 1729, under stress of poverty and worry, he tried to bargain for his own interest only, and to secure a remnant of the estate to be entirely at his own disposal.

Meantime Irvine of Crimond and his brother, Artamford, had prosecuted their appeal against the interlocutors of the Lords of Session, 1726, 1727, and 1728, finding that the bond for £80,000, granted to Charles Irvine, was not extinguished in the person of Alex. Irvine of Drum, but was still a subsisting bond upon the estate, and then belonged of right to the creditors, and ought to be applied to their payment ; but, as already stated, attempts were made to buy them off. Great expense must have been incurred, for the case was pending till 1733. A Mr George Keith seems to have been employed to treat with Lord Aberdeen and Mr Duff as to the terms of compromise, and to have held out for 20,000 merks against a lower offer. It appears that Crimond accepted this sum for his brother and himself : for his brother, Artamford, writes to another brother, Thomas, under date 22nd March, 1733, "how Crimond came to sign any paper without hearing from me is a thing he can never account for : and that they design to diminish the reversion is what I am fully certain of." He declares that he will never consent to dismiss the appeal without more favourable and more certain terms : and in this and another letter mentions that "D. Forbes" [evidently of Culloden] "had said the last interlocutor about the £80,000 bond was nonsense, and that we have all the justice on our side."

Artamford pressed hard for persisting in the appeal, unless they got satisfactory terms, viz., a larger sum of money, and good security for preserving part of the estate. It is evident that D. Forbes, then His Majesty's advocate, was engaged as their counsel, for he says that D. Forbes



told him that he had obtained an obligation from Mr Dundas, who was counsel for the other side, that the compositions of debts should accrese to the estate of Drum, and the remainder, after payment of the debts, should be secured to the heirs of entail: and on Artamford's demurring, he got a message sent by Culloden's servant, "that if I continued in that resolution, I behoved to engage another counsel, for he would not sign my case nor plead my cause."

Artamford consequently had to give in; the terms were accepted: and judgment of the House of Peers given affirming the same, dated 4th May, 1733.

Articles of agreement were drawn up, but not signed, dated at Aberdeen, 7th March, 1733, bearing that there were present the Earl of Aberdeen, Patrick Duff of Premnay, George Keith, advocate in Aberdeen, and James Irvine, advocate in Aberdeen, in which it was agreed to that Lord Aberdeen was to have the purchase of the Cromar estates at 20 years' purchase, that Duff was to get the purchase of so much of Drum's low country estate as should suffice to pay all his debts, real and personal: Crimond to get 20,000 merks, and John Irvine £200 sterling, and expenses of law charges, so far as the price of the Cromar estate, also at 20 years' purchase, would not pay. On the other hand, Lord Aberdeen and Duff were to allow the compositions of the whole debts of Drum, already purchased by them, to go for behoof of John Irvine and the other heirs of entail, in the terms and under the conditions of the entail, under burden of the present Drum's aliment: the Earl and Duff to pay other creditors, asking nothing for themselves but the allowance of the principal sums paid out, and annual interest thereof with law and other expenses, including those of obtaining the legal sale of the lands necessary to be sold. It seems quite evident from this, that Lord Aberdeen and Mr Duff, by advancing money, compounded for and acquired right to a very large amount of debts affecting the estates of Drum and Cromar, and thus brought it about that they should be almost the only creditors ranked on the price of the estates when they were sold.

The 14th laird, poor man, died after a troubled life in 1735, and was succeeded by his uncle, John Irvine.

XV. JOHN, the 15th laird, b. — d. 1737, married Katharine Fullerton, daughter of Fullerton of Dudwick, and had no issue.

He seems to have been engaged in business in Carolina and Jamaica, probably as a planter, and to have come home about 1722 or 1723, on hearing what was going on upon his nephew's succeeding to Drum, to look after his own interests. The negotiations with him, and his taking upon

himself the guardianship of his nephew, when non compos, have been already mentioned.

During the two years he was laird, the troubles of the family came to a climax. At his accession, the way had become clear for the creditors on the estate to obtain a decree in their action of ranking and sale of the Drum estates.

A decret of sale of the lands and barony of Drum at the instance of the trustees for the creditors of the lately deceased Alexander, and John Irvine, then laird of Drum, was pronounced in 1736, and the estate was purchased by Alexander Tytler, writer in Edinburgh, for the trustees. The price fixed by the Lords as an upset was £159,554 3s 10d Scots, and Mr Tytler was empowered to go up to £50,000 beyond in case of competition.

The entail being now set aside, the trustees, in February, 1737, conveyed in favour of William, Earl of Aberdeen, and Patrick Duff of Premnay, who had now acquired sole right to rank as creditors, the whole rights, infestments, and diligences affecting the whole lands and estate of Drum, and others mentioned.

In the following April the Earl and Mr Duff, in terms of arrangements made, granted a disposition and *new entail* in favour of John Irvine and his heirs male, *and of the other heirs under the former entail* of a remnant of the estate, viz., of the Mains and Manor place of Drum, and other lands therein mentioned, without any payment therefor, and on the other hand, John Irvine granted a *deed of ratification, accepting for himself and future heirs of entail this provision*, and declaring that he had no claim against the granters.

Further decrees against John Irvine were obtained in June and July, 1737, at the instance of the Earl of Aberdeen and Patrick Duff of Premnay, adjudging the whole lands and estate of Drum in satisfaction of his own and his predecessors' debts, and in particular of the bond of provision to Charles Irvine, which, originally granted for £80,000 Scots, amounted with interest to £275,000 Scots.—*Vide* State of Process, &c.

To secure their new possessions a Charter of resignation and sale in favour of Patrick Duff and Margaret, his spouse, of the lands and barony of Culter, and part of the lands of Drum, was obtained, dated 29th November, 1738; and another Charter of adjudication and sale in favour of William, Earl of Aberdeen, of the lands of Ruthven, baronies of Federat and Auchtercoul, and others of same date. These latter were the tailzied lands in Cromar: the unentailed part of Cromar, along with Culter, had been sold to Lord Aberdeen on Sir Alexander Cuming's death and bankruptcy in 1729.

These two persons made over the small remnant of the estates, viz., the old Castle and Mansion-house, the Manor-place and Mains, and a small

portion of the family estate, to John Irvine and his successors *ex gratiâ*. It has been shown that the bond of provision granted by the entailer to Charles, from which no member of the family got any benefit, was mainly used as a burden on the estate, against which debts were made chargeable, and by accumulations of interest this burden became so heavy that the creditors, represented by Lord Aberdeen and Duff of Premnay, who bought up their claims, forced a sale, and became proprietors of the greater part, in fact of the whole of the estates, subject to their undertaking to resettle a very small portion for the benefit of the family.

John Irvine was succeeded in the latter part of 1737 by ALEXANDER, of the Artamford branch, under the provisions of the entail.

XVI. ALEXANDER, the 16th laird, often designed "of Crimond," was the great-grandson of John Irvine of Artamford, who was youngest son of Alexander the 8th laird, by Lady Elizabeth Keith, and brother of Alexander the 9th laird: see under the 9th laird.

This laird was b. — and died 1744.

He married, 18th August, 1698, Isobel, daughter of Thomas Thomson of Faichfield, by whom he had issue 3 sons and 6 daughters, viz.:—

1. Thomas, b. at Faichfield 1st June, 1699, d. — January, 1701.
2. James, b. at Crimond, 22nd December, 1709, d. unmarried.
3. ALEXANDER, b. at Crimond 24th June, 1711, afterwards of Drum. Daughters.—1. Margaret, b. at Faichfield 22nd March, 1701, married James Rose of Clava.
2. Isobel or Isabella, b. at Fodelhills, on Faichfield, 3rd March, 1703.
3. Janet, b. at Crimond 1st March, 1705.
4. Ann, b. at Crimond, 8th November, 1707.
5. Elizabeth, b. at Crimond 25th February, 1715.
6. Mary, b. 13th February, 1721.

He had succeeded his father, James Irvine, in the estate of Artamford, but sold that property to his brother William, and purchased Crimond in 1703.

On succeeding as Laird of Drum, and finding what a poor and attenuated estate he had come into, he raised an action against the Earl of Aberdeen and Duff of Premnay, trying to set aside in part the recent arrangements, on the ground that the articles of agreement dated 7th March, 1733, to which he had been a party, had not been duly implemented: and in particular he claimed that other parts of the estate most contiguous to the House and Mains of Drum should have been preserved to the extent of 5000 or 6000 merks yearly to the family. The case was decided against him in 1741, the Lords holding that the agreement had been carried out.

He became heir of line, as well as under the entail, by the death of Irvine of Saphock in 1744, and died himself the same year.

Artamford is near New Deer, and Crimond near Peterhead. This branch of the family had borne as a crest a bunch of arrows, and for some time after this laird's accession to Drum, the arrows were erroneously used. My grandfather, who was his grandson, had a bundle of arrows engraved on some plate early in this century: and the late Miss Christina Irvine told me how it came about some forty years ago.

He was succeeded by his eldest surviving son.

XVII. ALEXANDER,<sup>1</sup> the 17th laird, was b. 1711, and died 9th February, 1761.

He married,<sup>2</sup> 20th August, 1751, Mary, daughter of James Ogilvie of Auchiries, and had issue by her 3 sons and 3 daughters, viz. :—

1. ALEXANDER, younger of Drum, b. 4th October, 1754.
2. Charles, b. 20th April, 1756, d. 1819. A Major-General in the army, of whom afterwards.
3. James, b. 18th March, 1759, d. —, married the widow of Manley, an artist, an Italian lady, by whom he had no issue.

Daughters.—1. Margaret, b. 14th May, o.s., 1752, d. unmarried.

2. Isabella,<sup>3</sup> b. 24th June, n.s., 1753, married Rev. Mr Allan.

3. Rebecca,<sup>4</sup> b. 27th December, 1757, married Geo. Ogilvie of Auchiries.

This laird joined Prince Charlie in his attempt to regain the crown in 1745. In that year, attended by two servants, James Adamson and James Buchan, he joined Lord Pitsligo's regiment of horse, which Sir Walter Scott tells us, in "Tales of a Grandfather," consisted of gentlemen and their servants. Lord Pitsligo's son, the Master of Pitsligo, married the daughter of James Ogilvie of Auchiries, and was consequently a brother-in-law of the laird of Drum. This regiment, about 100 strong, joined Prince Charlie after the Battle of Preston, and was present at the Battle of Falkirk, 17th January, 1746, where Drum received a wound or hurt on his leg. Upon the retreat of the Highland army towards Inverness by Dunblane and Crieff, whence the Highlanders marched by the Highland road, and the Lowlanders and cavalry by Montrose and Aberdeen, he was unable to keep up with the march, but followed by the nearest inland road, so that he escaped being seen in those parts where he was known. In this way he got to the north in time to be present at the Battle of Culloden: this his grandson, Mr Forbes-Irvine, told me himself.

He was fortunate in escaping with his life, and was in hiding for some time: and he also escaped forfeiture—there was comparatively little left

<sup>1</sup> Charta in publ. arch.

<sup>2</sup> Charta in arch. fam.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

for him to lose—owing to the grand jury thrice throwing out bills of treason sent to them. When an Act of Indemnity was passed in June, 1747, granting a pardon to many of those who had been engaged in the rising, in addition to Lord Pitsligo—who was then a second time attainted, and had his estates confiscated, and was excepted, though he succeeded in concealing himself till his death, aged 85, in 1762—upwards of 86 persons were specially excluded by name: among these were Irvine of Drum, Sir Alex. Bannerman, Farquharson of Balmoral, Gordon of Avochie, Hay younger of Rannes, Gilbert Menzies, younger of Pitfodels, Moir of Stoneywood, and Turner of Turnerhall, belonging to the counties of Aberdeen, Banff, and Kincardine: and further of those previously attainted, Lord Lewis Gordon, Sir William Gordon of Park, Gordon of Glenbucket, and Farquharson of Monaltrie.

After a time the search for these excepted persons slackened, and Drum returned to and lived at his own home, but he died, aged 50, in 1761, when his eldest son was only 7 years old. His two faithful attendants, when with Pitsligo's Horse, lived to return and settle at Drum; Adamson got the farm of Maïns of Drum, and Buchan that of Wardmill.

Drum's second son, Charles Irvine, my grandfather, like many others, sons of those who had fought for the Prince, served many years in the army of King George III. He got a commission in the 57th (which, after his time, got at Albuera the name of "the Die-hards") in 1779, and got his company in 1782: after serving about 15 years in it he went on half-pay. He had meantime married at Edinburgh, on 18th August, 1790, Diana, second daughter of Sir Alexander Gordon, 6th Bart. of Lesmoir, by whom he had 3 sons and 5 daughters, viz.:—

1. Alexander, b. about 1791, an officer H.E.I.C.S. in the Bengal European Regiment, died unmarried at Macassar, in the Isles of Celebes, in 1816, after the capture of Java.
2. Charles, b. about 1793, an officer R.N., lost at sea in command of a prize about 1812.
3. George Nugent, b. 26th October, 1801, an officer H.E.I.C.S. in 4th Local Horse, died 1827.

Daughters.—1. Margaret, b. 26th November, 1794, d. unmarried 30th May, 1849.

2. Mary, b. 31st July, 1796, married Rev. C. Wimberley, Chaplain H.E.I.C.S., in 1825, who was afterwards Rector of Scole, Norfolk. She died on her 91st birthday at Kensington, 1887.
3. Isabella, b. 31st December, 1799, married in 1855 William Bland, Esq., of Hartlip Place, Kent.
4. Ann, b. about 1808, d. about 1810 at Montrose.



5. Diana, b. 29th October about 1810, married Mr Mason, d. without issue in 1885.

Owing to the threatening state of matters in Ireland in 1795, a considerable number of fencible regiments were raised in Scotland, to which officers were appointed from half-pay; and Captain Irvine was appointed a Major in the Loyal Inverness Fencibles, his friend Gordon Cumming of Pitlurg getting the Lieut.-Colonelcy. The regiment was embodied at Inverness, 600 strong, of whom 350 were Highlanders from the adjoining counties, about 33 Welchmen, and the remainder men enlisted at Aberdeen and Perth. It was at once sent to Ireland, where it was actively employed during the Rebellion of 1798, and on the death of Colonel Baillie of Dun, near Inverness, in 1797, Lieut.-Colonel Cumming Gordon became Colonel, and Major Irvine Lieut.-Colonel.

In compliment to the good behaviour of the corps, its designation was changed to "the Duke of York's Royal Inverness-shire Highlanders." They had a sharp engagement with the rebels on 18th-19th June, 1798, of which the following account is given in "Musgrave's History of the Rebellions in Ireland," p. 286:—

"Battle of Oviotstown near Kilcock" [on the borders of Meath and Kildare]. "Lieut.-Colonel Irvine, who commanded the Garrison of Trim, having received intelligence that a numerous body of rebels were assembling near Kilcock on the 18th of June, marched on that night, with part of his garrison, consisting of the 4th Dragoons" [this should be Dragoon Guards], "a troop of the Duke of York's Fencible Cavalry, four companies of foot, and two battalion guns, and the following yeomanry corps:—The Trim Cavalry, one troop; the Navan and Murgallion Cavalry, one troop; the Demifore, one troop. Soon after he passed through Kilcock, his advanced guard was fired on by a large body of the rebels: of whom the main body, supposed to consist of about 3000, was drawn up in a line at the bottom of Oviotstown Hill, near Hortland House.

"As it was sometime before the Colonel could form, owing to the unevenness of the ground, and the number of enclosures on it, the rebels kept up a smart fire and made a desperate effort to seize the cannon; but well directed fire of the infantry made them abandon that enterprise. Soon after the troops formed, they routed the rebels, who precipitately fled to a neighbouring bog, where they effected their escape, after two hundred of them had been slain. The King's troops sustained the following loss:—4th Dragoon Guards, one sergeant killed; Captain Sir Richard Steele, one sergeant, two rank and file wounded; Murgallion Cavalry, one rank and file wounded; Trim Cavalry, one rank and file wounded; Duke of York's Highlanders, Ensign John Sutler, one sergeant, and five rank and file



killed ; Lieut.-Colonel Irvine, one sergeant, and seven rank and file wounded, the first slightly." *Memo.*—Copied this from Musgrave History of the Rebellions on 18th June, 1892.

On this occasion my grandfather had a narrow escape, his ear being slightly wounded by a bullet which struck a button of his hat on the opposite side of his head, and then ran round and took off a small piece of his ear. At the end of the Rebellion, he went to Jamaica and served under his friend General Sir George Nugent, first as Deputy Adjutant-General, 1801-2, and as Deputy Quartermaster-General from 1st January, 1803, to 22nd January, 1805.

He rose by brevets to be a Major-General in the army, and died in Aberdeen, 4th November, 1819, leaving a widow, 1 son, and 4 daughters surviving.

I got the following list from the War Office, 8th May, 1889 :—

“ Dates of Commissions of the late Major-General Charles Irvine.

Ensign 57th Foot	5th September, 1779
Lieutenant Do.	12th November, 1781
Captain Do.	3rd May, 1782
Captain, Half-Pay, Do.	1783
Captain 57th Foot	10th January, 1784
Captain Independent Co.	23rd October, 1793
Captain, Half-Pay, 30th Foot	12th November, 1794
Captain 68th Foot	1st March, 1800
Captain 62nd Foot	9th December, 1800
Captain, Half-Pay	25th June, 1802
Captain 85th Foot	20th November, 1802
Captain, Half-Pay, Indep. Co.	19th February, 1807
Brevet Major	21st June, 1801
Brevet Lieut.-Colonel	9th March, 1803
Brevet Colonel	1st January, 1812
Major-General	4th June, 1814.” <sup>1</sup>

<sup>1</sup> I got my nephew, Mr Charles Herbert Gray, to compare and verify the War Office List with old Army Lists in the United Service Institution in August, 1892, when he found that Captain Charles Irvine's name was entered in Army List 1794 as Captain “New Independent Co. of Foot” with rank in Co. 23rd October, 1793. He could find no entry in 1795; he found under “Majors,” in 1796, Charles Irvine, 21st September, 1794, Loyal Inverness Fencibles; in 1797 as in 1796; in 1798 under “Lieut.-Colonels,” Charles Irvine, 1st April, 1797, Loyal Inverness Fencible Infantry; in 1799 as in 1798, except that the Fencibles are called the “Duke of York's”; in 1800 the same as in 1799, under Lieut.-Colonels; but under 68th Regiment, Charles Irvine rank in company, 1st March, 1800; in 1801 he found, under 62nd Regiment, Captain Charles Irvine; rank in regiment 9th December, 1800, rank in army 1st March, 1800 [this is clearly an error]; in 1802 as

The memo. from War Office further stated that he died 4th *June*, 1819: but this is a mistake, for I have a certificate in my possession stating that he died on 4th *Nov.*, 1819, and that the Rev. George Glennie certified that he had attended his funeral on 9th *November*, and quoted an extract from the Register of Burials of St Nicholas, Aberdeen. A tablet in memory of him and of his wife was erected in Drum's Aisle about 45 years afterwards.

It is very improbable that my grandfather ever did duty with the 62nd or 68th: he may have exchanged to half pay, 30th, when a Major in Inverness Fencibles: and I have often heard of his having been in the 85th, of which General Nugent was for some time Colonel, but he must have been at the same time on staff employ in Jamaica.

There was another Charles Irvine in the army, who got a commission in the 4th Foot about the same time that he got one in the 57th, and who as years went on was off and on on half pay: but his career can be traced with care as quite distinct. General Irvine's widow survived him many years, and died at Bromley, in Kent, on 27th January, 1853, aged 87.

Their eldest son, Alexander, got a cadetship in the service of the Hon. East Ind. Co. in 1807, and went to their College at Great Marlow, where he was cadet No. 80. Proceeding to India the following year, he was gazetted Ensign, 1st Sept., 1808, and posted to the Bengal European Regiment, afterwards well known as the 1st Bengal Fusiliers.

His promotion must have been very slow, for in a statement of the strength of the regiment on 12th August, 1812, his name occurs as 5th out of 8 Ensigns, and he was not gazetted Lieutenant till 16th April, 1814.

His regiment was part of the force employed in the reduction of Java and the Molucca Islands, and subsequent occupation. It left Dinapore and embarked at Calcutta in three detachments; the 1st in Oct., 1810, the 2nd in Jan., 1811, and the Head Quarters, under Lieut.-Col. Eales, in Feb., 1812: the two first proceeded to Amboyna to relieve the Madras Europeans, afterwards the 1st Madras Fusiliers, that had captured that island, 19th Feb., 1810: and the Head Quarters followed in the transports "Indiana," "Good Hope," and "Mussafa."

The attack on Batavia, in Java, in which the 78th Highlanders, and H.M.S. 14th, 59th, 69th, and 89th were engaged under Sir Samuel Ahmuty, commenced 4th August, 1811, and the conquest was not completed till in 1801, but also under Majors "Charles Irvine, 62nd Foot, D.A. Gen. in Jamaica 21st June, 1801"; in 1803, under Majors, Charles Irvine with same details but omitted in 62nd [he had gone on half-pay 25th June, 1802]; in 1804, under Lieut.-Colonels, "Charles Irvine, 9th March, 1803, 85th Foot, D.Q.M.G. Jamaica"; and in same year, under 85th Foot, which was Colonel George Nugent's regiment, he is entered as Captain and Brevet Lieut.-Colonel.

1814, but apparently the Bengal Europeans were not present at any engagements. They seem to have garrisoned the Moluccas with various detachments till the islands were made over to the Dutch in 1817. In the East Ind. Register, corrected to 19th November, 1816, Lieut. Alex. Irvine's name appears 15th out of 22 Lieuts., and again as Quartermaster, and stationed at Macassar, in the Isle of Celebes, and in the next vol. of the Register, corrected to 1st August, 1817, under casualties since last publication, is recorded the death of Alex. Irvine, Lieut. European Regiment, on 16th August, 1816, intimation of this evidently not having reached London in time for previous volume.

George Nugent, their 3rd son, also got a cadetship, and went to India in 1820. He was a Lieutenant in the 11th Bengal Native Infantry in Nov., 1822, and served afterwards in the 4th Local Horse.

He was a Master Mason of the Masonic Lodge of True Friendship, No. 1 Bengal, at Calcutta, in March, 1822: a Knight Templar, Nov., 1822, and a Past Master, April, 1823, as his certificates show. An hon. member of Lodge Kilwinning in the East, at Nusseerabad, in Nov., 1826. He visited my father and mother in the Fort at Allahabad, in Feb., 1827, when he gave a horse to my aunt, his sister Isabella. He was afterwards quartered at Neemuch, where he was very ill, and started on sick leave for the hills, but died 3 marches from Neemuch, on 3rd Dec., 1827, attended by two brother officers of his regiment, who had his remains carried back to that place for burial.

I have in my possession a very small pocket Bible, printed in small but clear type, in London, in 1658. It has been rebound long ago in calf with silver clasps, the hasps of which are missing, but the parts attached to the book have on one the initials I. I., and on the other I. G. I think I. I. must be for a James or John Irvine of the Artamford branch, and I. G. for his wife. The first name written in the book is "Rebecca Irvine," my grandfather's sister, born 1757, nearly 100 years after the book was printed: she married Geo. Ogilvie of Auchiries: the next my grandfather's name, apparently in his writing, "Charles Irvine": the next, "Alex. Irvine," probably his eldest brother, the laird, because below it is written "Drum, 14th Sept., 1839, to Margaret Irvine," my aunt, in her handwriting: below that is my own name.

The 17th laird died in 1761, and was succeeded by his eldest son.

XVIII. ALEXANDER, the 18th laird, b. 1754, died 1844. He was only 7 years old at his accession: he married, 31st December, 1775, Jean only daughter of Hugh Forbes of Schivas (she died 12th March, 1786), and had issue by her 4 sons and 1 daughter.

1. ALEXANDER FORBES, younger of Drum, b. at Drum, 10th Jan. 1777.
2. Charles, b. in Aberdeen, 11th July, 1780, died — — unmarried.
3. Hugh, b. in Aberdeen, 1st August, 1782, died unmarried, an artist.
4. Francis, b. at Drum, 8th Feb., 1786, died — — : Captain H.E.I.C.S., married Eliza Harrington, daughter of J. H. Harrington, Ind. Civil Service, and had issue 1 son, Francis, M.D., who married and went to New Zealand, and 2 daughters, Eliza, married her cousin, — Muston ; and Mary, married — Keddie.

Daughters.—Christian or Christina, b. at Drum, 29th Sept., 1778, died — — unmarried.

During his minority his guardians thought proper to investigate the causes of the judicial sale of the estates. They considered it to have been fraudulently conducted, fictitious debts having been raised up to give a colour to the proceedings: accordingly an action of reduction was instituted in 1766 by the young laird and his curators against the Earl of Aberdeen, Mrs Margaret Duff of Premnay, wife of Alexander Udny of Udny, Captain Robert Duff, R.N., and Alexander Thomson, advocate in Aberdeen, deceased.

This involved a very long litigation and two appeals to the House of Lords, in the first of which Drum was successful, the second was dismissed 16th April, 1777. The point of dispute in the first was whether the Defenders were bound to produce the writs and deeds called for. Failing in this, they raised a question whether they were obliged to produce the general and special charges and other warrants of the decrees in dispute, and got a decision of the Court of Session in their favour.

But at the same time they raised a new plea and presented a petition accordingly, setting forth that the entail of Drum had never been properly completed, under the Entail Act 1685, so as to be effectual against creditors and purchasers for a valuable consideration: for that the *original entail* itself, executed in 1683 [meaning the procuratory of resignation] had never been judicially produced before the Lords, as required by the statute, but only *the Charter and relative nomination of heirs*.

It was pleaded for the Pursuer that, the entail of Drum being the first that was recorded in consequence of the statute, the Court had been very careful in following its directions; that the Charter and relative Deed of Nomination, which contained the entail, had been produced, read, and compared with the record in presence of the Lords; that the Charter, following on the procuratory, together with the Deed of Nomination under the entailer's hands, was in every legal sense to be considered the entail; and, further, that the procuratory itself was in *manibus curiæ*, being recorded in the books of Session 16th March, 1684. The Charter and infestment were ratified in Parliament in 1685.



It was contended for the Defenders that the Act expressly declared *inter alia* that the original tailzie must be once produced before the Lords of Session judicially ; that the Charter was not the original entail, nor was the Deed of Nomination, and that the record of tailzies could only be made up from original deeds presented to the Court and ordered by the Court to be recorded ; and that in a similar case, "Kinnaird against Hunter," this plea had been sustained on appeal by the House of Lords in 1765.

The Court of Session found, 3rd July, 1772, "that the entail executed by Alexander Irvine of Drum in the year 1683, not being duly recorded, is not valid against creditors or other singular successors."

This appears tantamount to finding that the Court of Session had made a mistake in 1688, and ordered a wrong document to be recorded as the entail on the application of Irvine of Murthill.

Drum reclaimed, and prayed the Court to postpone determining the validity of the entail until the proof (relative to alleged fraud, &c.) was advised, but the Lords pronounced the following interlocutor, 24th July 1772 :—"In respect the interlocutor only finds that the entail executed by Alexander Irvine of Drum in the year 1687, not being duly recorded, is not valid against creditors, or other singular successors, but determines nothing as to the plea and defences, which may be competent to either party : the Lords in so far refuse the desire of the petition, and adhere to their former interlocutor."

The cause then proceeded : the facts relative to the alleged fraud were discussed, and the question was finally determined 26th June, 1776, by the following interlocutor :—"The Lords having advised the state of the process, testimonies of the witnesses produced, memorials hinc inde, and whole papers and proceedings in the cause, and having heard parties' procurators thereon, sustain the defences, assoilzie the Defenders' and decern.

The pursuer appealed. The House of Lords, on 16th April, 1777, ordered and adjudged that the interlocutors of 24th and 31st July, 1772, be affirmed ; and it is further ordered and adjudged that the interlocutors of 21st January, 28th February, and 24th July, 1771, and the interlocutor of 26th June, 1776, be also affirmed ; but without prejudice to any satisfaction in money that the appellant might be entitled to in respect of any claim he may have in virtue of the agreement 1733 ; and it is further ordered that the appeal be dismissed.

The expense must have been enormous. I suppose that Crimond must have been sold in consequence, and I believe no further attempt was made to claim anything under the agreement above referred to. The decision seems a strange one both in respect to what document should have been recorded as the entail, the different dates ascribed to the entail in the

interlocutors, and to the question of alleged fraudulent conduct of the transaction.

This laird married young, and was left a widower at 32. He was a J.P., an active Magistrate, and for some time Convener of the County of Aberdeen. He spent the greater part of the very long period, 83 years, during which he held the now small estate, at Drum, and as time wore on led a very retired life. I spent some of my holidays at Drum in 1836, 1838, and 1843, and I think in 1840, and remember him as a kindly old gentleman, but did not see much of him. He died in 1844, and was succeeded by his eldest son.

XIX. ALEXANDER FORBES, the 19th laird, b. 10th Jan., 1777, d. 1861, married 19th December, 1816, Margaret, daughter of James Hamilton, Esq., and had issue by her 3 sons and 2 daughters.

1. ALEXANDER FORBES, younger of Drum, b. 18th February, 1818.
2. James Hamilton, b. 19th July, 1819, settled in Australia.
3. Charles, b. 17th February, 1823. An officer H.E.I.C.S., long in 51st N. I., afterwards in 19th Punj. Infantry: a Major-General<sup>1</sup> retired. Married, 1st, Georgina, daughter of Major John Doran of Ely House, Co. Wexford, and had issue, a son Hugh Alexander, b. 26th August, 1864: 2nd, Juliet Isa, daughter of James Connell of Conheath, Dumfries-shire, and sister of J. W. F. Connell of Auchencheyne, in the same county.

Daughters.—1. Beatrice Wood, b. 18th January, 1821.

2. Jane Christina, b. 12th November, 1825, married Major Houchen, H.E.I.C.S., of the 55th N.I. and Bengal Staff Corps, d. 20th March, 1880, without issue.

Major-General C. Irvine was gazetted from Addiscombe 10th December, 1842, and posted, on arrival in India, to the 51st Bengal Infantry: in 1843 he went through the Gwalior campaign, present at Battle of Punnar (medal), and got six months batta; took part in first Sutlej campaign 1845-46, his regiment being employed on escort of siege train, got twelve months batta; present first and second sieges of Mooltan, 1848-49 (medal); was, at time of outbreak of Indian Mutiny, in command of Fort Michnie, and later second in command of his regiment (which was subsequently numbered the 19th and then the 27th Punjab Infantry) at Rawul Pindi; went with same regiment on Expedition to China under Sir Hope Grant 1860-61, and in command of one wing at Chusan; present in Looshai Expedition 1865 (medal). Joined Bengal Staff Corps on its formation, and retired with rank of Major-General 23rd January, 1875.

The 19th laird, having succeeded to the estate of Schivas, in right of his mother, assumed the name of Forbes before Irvine. He was admitted



as an advocate at the Scottish bar in 1802, and lived for many years partly in Edinburgh and partly at Schivas.

On succeeding to Drum he effected an excambion of land, by which Schivas, near Methlic and Haddo House, passed into the hands of Lord Aberdeen, and Kennerty, with other land, formerly part of the barony of Drun, and latterly of Culter, was again acquired and called Schivas: these lands immediately adjoined what had been left to the Drum family.

He made considerable improvements on the estate, and had a home farm in his own hands, to which he devoted much attention. Two storeys of the old tower, which was probably built in the 14th century. or earlier, were thrown into one with an arched roof, and a large recess with a window of ample size cut out of the solid wall, which was 12 feet thick. The ceiling is decorated with the arms of the following families, connected with the Irvines by marriage, viz. :—

1. Irvine of Drum. 2. Hamilton of Little Garnock. 3. Lord Forbes. 4. Ogilvie, Earl of Airlie. 5. Gordon, Marquis of Huntly. 6. Keith, Earl Marischal. 7. Fraser, Lord Saltoun. 8. Douglas, Earl of Buchan. 9. Barclay-Allardyce of Ury. 10. Scrimgeour of Dudhope, High Constable of Dundee. 11. Menzies of Pitfodels. 12. Douglas of Glenbervie. 13. Campbell of Glenorchy. 14. Graham of Morphy. 15. This shield has 7 quarterings, viz. :—Coutts of Westercourt; Chalmers of Strichen; Skene of Skene; Ogston of Fettercairn; Ross of Auchlossan; Crawford of Fornett; and Duguid of Auchinhove. 16. Ogilvie, Earl of Findlater. 17. Thomson of Faichfield. 18. Leslie of Balquhain. 19. Crichton of Fren draught. 20. Urquhart of Meldrum.

Mrs Irvine, his wife, beloved by all who knew her, died suddenly in 1854: he survived a few years, and died in 1861.

XX. ALEXANDER FORBES, the 20th laird, b. 18th Feb., 1818, d. 4th April, 1892, married, in December, 1848, Anna Margareta, second daughter of Col. Jonathan Forbes-Leslie of Rothie Norman, formerly of the 78th Highlanders, by whom he had issue 3 sons.

1. Alexander, b. 9th February, 1850, d. 7th August, 1856.
2. Alexander Charles Quentin Hamilton, b. 29th October, 1851, d. 9th September, 1875.
3. FRANCIS HUGH, b. 23rd August, 1854.

The 20th laird was educated at Aberdeen University, and proceeded to Edinburgh to study law: he was called to the Scottish bar as an advocate in 1843. He was appointed Principal Clerk to the Court of Justiciary in 1867, and held that office till 1874, when he received the appointment of Sheriff of Argyll, which he only resigned in 1891. He was also Vice-Dean of the Faculty of Advocates from 1886, and for many years a Director of

the Highland and Agricultural Society: Chancellor of the Diocese of Brechin from 1858 until his death: Fellow of the Royal Society of Edinburgh, and Vice-President, and received the degree of LL.D., Edinburgh, in 1887. He also prepared several volumes of "Irvine's Reports of cases before the High Court and Circuit Courts of Justiciary," and was the author of a Treatise on the Game Laws, which has long been a standard work, and of which three editions have been published.

He took a large share in the county work of Aberdeenshire, in which he was a Justice of the Peace, and Deputy Lieutenant; and held the important office of Convener of the county from 1862 till 1890, when County Councils were established under the Local Government Act (Scotland). His services were recognised on his retirement by the presentation to him of his portrait, painted by Sir George Reid, in 1891.

On his succession to the estates, it was his evil fortune to succeed to a law suit, raised against his father just before his death, and carried on against him, by the University of Aberdeen, relative to the mortification of £10,000 Scots by the 9th laird for founding bursaries, and the lands of Kinmuck.

The Pursuers practically claimed that the lands of Kinmuck belonged to them for behoof of the bursars; see under the 9th laird. After obtaining decree, as there stated, Sir Alexander Irvine voluntarily executed a bond in 1656, which however was never delivered, but kept in his own repositories, and was not recorded till 1741, and then probably in consequence of the disentail and sale of the Drum estates. This bond contained an obligation on himself, his heirs and successors, "to deliver to the ten scholars and their successors in the said burses all contracts, dispositions, charters, procuratories of resignation, and other securities requisite with warrandice, at what time and how soon he and his foresaids might be desired."

The case was tried before the Lord Ordinary (Kinloch), who decided in favour of the University; and, on appeal, before the First Division, when the Lord President and three other judges concurred in reversing this decision, and gave judgment in favour of the Defenders with expenses; each of them giving his opinion, and Lord Deas laying stress on the fact that the 10th laird did not buy lands; nay, more, he did not even dispoise them; that no formal deed followed upon the bond; and there were no words which, by the law of Scotland, would convey heritage; that they might imply an obligation to dispoise, but did not dispoise; that that essential word was not in the bond, and it was as open to repudiation as on the day it was granted.

It should be noted that the lands of Kinmuck were included in the procuratory of resignation by the entail in 1683, but were not included in the disposition or entail of the diminished estate of Drum in 1737: apparently a judicial factor was appointed on Kinmuck in 1741 on petition of the Magistrates and others to uplift the rents and appoint bursars, and up to 1808 the rents were insufficient to pay the bursaries in full. In 1821, the then laird executed a deed of entail of Kinmuck.

The University appealed to the House of Lords against the finding of the First Division, and their judgment was reversed, 26th March, 1868. The Lords held that the right of the bursars was not limited to an annual rent of £1000 Scots, but that according to the legal effect and true meaning of the Deed of Mortification of 1656, the whole lands and the entirety of the rents were destinate to the use of the bursars, and remit was made to the Court of Session to prepare a scheme for the management and application of the revenue.

The Lord Chancellor, Lords Cranworth and Westbury, took this view, Lord Colonsay dissenting. This was another instance of the uncertainty of the law. I should think the Scotch law lords were more fitted to interpret the bond of 1656 than the English lords, who here call it a Deed of Mortification. The lairds of Drum retain right of presentation to the bursaries. They have been most unfortunate in their law suits.

The 20th laird spent a part of each year in Edinburgh, passing the remainder at his ancestral home. He devoted much time, energy, and ability, and also about £40,000 in money to the improvement of his estates, the extent of which was now about 7700 acres, including some 3700 acres of Kennerty, &c., added about 1850 in lieu of Schivas.

Having been relieved of his more active public duties owing to increasing age, and the substitution of County Councils for the Commissioners of Supply, he might have been expected to enjoy several years of comparative leisure, having had a good constitution and led an active life: but shortly after going to Drum to spend Easter, he was taken suddenly ill, and died within a few hours early in the morning of the 4th of April, 1892, in the 75th year of his age, having been laird a little more than 30 years.

He was survived by his third son, Francis Hugh, and his widow, their eldest son having died in childhood, and the second in the 24th year of his age.

XXI. FRANCIS HUGH, the 21st laird, b. 1854, married, 18th November, 1880, Mary Agnes, only child of John Ramsay of Barra and Straloch, Aberdeenshire, and has issue by her 2 sons.

1. ALEXANDER, b. 17th August, 1881.

2. Quentin, b. 16th February, 1888.

This laird was educated at Winchester and Oxford, and called to the English bar: he is a member of the Inner Temple, and a J.P. for the County of Aberdeen. He was for some years attached to the staff of "The Times." He contested West Aberdeenshire in the Conservative interest in 1885 and 1886, against Dr Farquharson of Finzean, who was returned as a supporter of Mr Gladstone.

## APPENDICES.

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### APPENDIX A.

The pedigree of the Irvines of Drum given in Burke's Landed Gentry differs a good deal from the one I have given in the early part of the descent, and from any one I have seen before ; but I have reason to believe that the particulars were furnished by Colonel Forbes-Leslie, who was an authority on such matters. I therefore give a brief summary of it.

- I. William de Irvine, got Charter of Drum 1324, succeeded by his son.
- II. Sir Thomas de Irvine, married 1st a daughter of the Marisshall of Scotland, and 2ndly the daughter of Sir — Montford of Lonmay. Sir Thomas died 1380.
- III. Sir Alexander Irvine, went with Earl of Mar to Flanders : knighted on morning of Battle of Liege ; returned to Scotland 1410 ; killed at Harlaw 1411 ; married a daughter of Montford of Lonmay ; succeeded by his son.
- IV. Sir Alexander Irvine, married Elizabeth de Keth, daughter of the Marisshall of Scotland, d. 1457. His eldest son, Alexander, married a daughter of Lord Abernethy of Saltoun, but died before his father, who was succeeded by his grandson. *Vide* Appendix H.
- V. Alexander Irvine, married Marion daughter of Lord Forbes, and dying 1493 was succeeded by his son.
- VI. Sir Alexander Irvine, married Janet, daughter of Keth of Ludquhairn, and dying 1527 was succeeded by his son. *Vide* Appendix H.
- VII. Alexander Irvine, married Janet, daughter of Allardes of Allardes. Their eldest son, Alexander, married Elizabeth Ogilvy, daughter of the Earl [Laird] of Findlater. This Alexander killed in his father's lifetime at the Battle of Pinkie, 1547. His son succeeded in 1543 [?].
- VIII. Alexander Irvine, married 1552 Lady Elizabeth Keith, daughter of the Earl Marisshall ; dying 1603 he was succeeded by his son.
- IX. Sir Alexander Irvine, married 1590 Lady Marion Douglas, daughter of Robert, Earl of Buchan. He died 1629, and was succeeded by his son.

The succession given in Burke from the 8th laird in this list is the same as in my account.

The version of the episode of the Drum stone and the Keith marriage given to accord with this pedigree is new to me, and has been added as a *Note* in the text under the 3rd laird.

I must say I prefer the story I have heard all my life, which has probably been current in Aberdeenshire for some centuries.



## APPENDIX B.

Some notes relative to the Irvines of Drum, made from Douglas' Baronage :—

UNDER "LESLIE OF WARDES," p. 28.—William Leslie of Wardes, 4th Baron of Balquhain, who died in reign of King James III., in 1467, had by Dame Agnes Irvine, a daughter of the laird of Drum, his 2nd wife, a son, Alexander, progenitor of the family of Leslie of Wardes.

UNDER "LEITH OF LEITH-HALL," p. 225.—Norman Leith of Barnis, Caprington, and others, temp. King James III., married Elizabeth, daughter of William Leslie, 4th Baron of Balquhain, by Agnes Irvine, his wife, daughter of the baron of Drum.

UNDER "DOUGLAS OF GLENBERVIE," pp. 19 and 20.—Sir Archibald Douglas of Glenbervie, who was knighted by King James V., and whose father and uncle were both killed at Flodden in 1513, married as his 2nd wife, Mary, daughter of Sir Alex. Irvine of Drum, by whom he had 2 sons and 6 daughters.

Marjory, one of these daughters, married — Irvine of Billie (probably meant for Beltie).

Sir William Douglas of Glenbervie, great-grandson of Sir Archibald, but descended from him by his 1st wife, Lady Agnes Keith, daughter of William, 3rd Earl Marischal, was created a Baronet of Nova Scotia, 1625, and married Janet, daughter of Alex. Irvine of Drum, by whom he had one son, the 2nd Baronet.

UNDER "FORBES OF CRAIGIEVAR," p. 75.—The 2nd daughter of Patrick Forbes of Corse by his wife, a daughter of Robert Lumsdain of Cushnie, married — Irvine of Beltie, circa —.

UNDER "OGILVIE OF INCHMARTINE."—James Ogilvie, 5th Baron of Boyne, married Elizabeth Irvine, daughter of the Laird of Drum : he got a Charter in favour of himself, styled apparent de Boyne, and Elizabeth Irvine his wife, of the lands of Quhintee, Cavintoun, Kindrochit, and half the lands of Ardbragan, dated 1597.

UNDER "OGILVIE OF INVERCARITY."—Sir John Ogilvie of Invercarity, who was created a Bart. of Nova Scotia 1626, married Anne, daughter of Sir Alexander Irvine of Drum, and had by her 4 sons and 1 daughter.

Their 2nd son, Alexander (his elder brother having died in infancy) joined the great Montrose, was taken prisoner at Philiphaugh, and executed in the flower of his age at Glasgow in 1646.

UNDER "SETON OF MELDRUM," p. 163.—John Urquhart of Craighfintry, son of John "Tutor of Cromarty," got a Charter, under the Great Seal, on his father's resignation, in favour of himself and Isabella Irvine his spouse, daughter of the Laird of Drum, of Leathers and Craighfintry, in Aberdeenshire, dated 1612 : by his wife he had 1 son, John, who succeeded him.

UNDER "SETON OF PITMEDDEN," p. 183.—Elizabeth, 7th daughter of Alexander Seton of Pitmedden by his wife, Beatrix, daughter of Sir



Walter Ogilvie of Dunlugas, progenitor of Lord Banff, married Patrick Irvine of Beatty (probably a misprint for Beltie). This Alexander succeeded his father about 1626.

UNDER "SKENE OF SKENE," p. 559.—Alexander Skene of that Ilk, who was served heir to his father in 1612, and married Margaret, daughter of George Johnstone of Caskieben, had a daughter, Margaret, married 1st to Robert Irvine of Fornet and Montcoffer, 2ndly to John Forbes of Leslie.

UNDER "URQUHART OF CRAIGSTON," p. 166, with a MS. addition in margin in Mr Fraser-Mackintosh's Copy of the Baronage.—William Urquhart of Craigston, who, his father having purchased both Cromarty and Craigston, sold the estate of Cromarty and is now designed by the title of Craigston. The MS. addition—is "married 1st Margaret, daughter of George Irvine of Artamford, and had a son, John, and 2 daughters: he married 2ndly Margaret, daughter of Ogilvie of Auchiries, and had by her also 1 son and 2 daughters."

His eldest son, John, married Isabella, daughter of Alexander Moir of Scotstown, and had by her 3 sons and 2 daughters: the elder of the latter, Margaret, married Colonel Jonathan Forbes of the 78th, whose daughter, Anna Margaretta, married Alexander Forbes-Irvine of Drum and Schivas.

UNDER "JOHNSTON OF CASKIEBEN," now of that Ilk.—Jean, eldest daughter of Sir George Johnston of that Ilk, the 1st Bart. by Elizabeth daughter of William Forbes of Tolquhoun, married ——— Irvine of Brakeley [Query, Brucklaw]: and her sister, Christian, is said to have married Mr William Keith of Linturk.

Also Mary Irvine, daughter of Irvine of Kingcaussie, married about 1630 Thomas Johnston of Craig, eldest son of John Johnston of that Ilk, by his second marriage, by whom she had 4 sons and 3 daughters: their grandson succeeded to the Nova Scotia baronetcy as Sir William Johnston, 5th Bart.

UNDER "DUFF OF DIPPLE AND BRACO," p. 139.—Margaret Duff, wife of Patrick Duff of Premnay, who, on the judicial sale of the Drum estates in 1737, bought the Culter portion, was a grand-daughter of Alex. Duff of Braco by Margaret, daughter of Sir William Gordon, 3rd Bart. of Lesmoir. [She was not, however, related to the Drum family].

UNDER "DUNDAS OF DUNDAS," p. 175.—Barbara, 2nd daughter of George Dundas of that Ilk (who was 2nd son of George Dundas and Elizabeth Hamilton of Innerwick) and Margaret, daughter of Hay of Monkton, married Alexander Irvine of Saphoch; probably the one who died without issue in 1744.

#### APPENDIX C.

Some notes made from the New Statistical Account of Scotland, published about 1844:—

UNDER PARISH OF "CHAPEL OF GARIOCH."—Drum's cairn and Maclean's grave are both pointed out on the field of Harlaw, as the places where they were buried.

UNDER "RAYNE."—There is a cairn called Drum's Cairn near Old Rayne, said to mark the spot where Irvine of Drum was slain while pursuing Donald, Lord of the Isles, after the Battle of Harlaw, though according to another tradition he fell at Harlaw when engaged in close combat with Maclean of Dowart.

[The latter tradition is probably correct.—D. W.]

UNDER "ST. FERGUS."—Mariot, daughter of Sir Reginald Cheyne, married 2ndly John de Keith of Ravenscraig, 2nd son of Sir Edward Keith, Great Marischal, who in her right became proprietor of St. Fergus about 1360. This family was a separate branch of Keiths for seven or eight generations till in 1538 the heiress of Sir William Keith of Inverugie married William, 4th Earl Marischal. Inverugie Castle was once the principal residence of the Earls Marischal.

UNDER "FYVIE."—There is a property in this parish named Ardlogie.

UNDER "TARVES."—The Mansion-house of Schivas in this parish was built about 1640 by a gentleman named Gray, descended from the noble family of Gray of Kinfauns. In the house there is an old oak cabinet bearing the inscription "G. G. of Schivas" and the date 1697. The room used by Mr Forbes-Irvine as a dining-room had been previously used as a private chapel, and contained a recess where the altar had formerly stood, the cross still remaining in 1842 with the words inscribed "IHS Jesus Hominum Salvator:" also a place for holy water, the Gray family having been Roman Catholics.\*

UNDER "FORGUE."—There were, in 1842, two old Communion cups here bearing the following inscription, "Giftit to God and his Church by James Chreightoun of Fren draught to the Kirk of Forrig, 1633;" also a large silver baptismal basin, on the bottom of which the Crichton arms and motto are engraved, and round the edge the inscription "Giftit to God and the Church of Forgue by James Viscount of Fren draught, Lord Crichtone." [This must have been the husband of a daughter of Irvine of Drum.—D. W.]

UNDER "LONGSIDE."—A Mr Alexander Irvine was minister of this parish, 1635 to 1662.

UNDER "DRUMOAK."—"The Park of Drum," reserved by Robert Bruce, when he granted a Charter of the forest to Wm. de Irwin in 1323, was granted by Charter from King David Bruce to Walter Moigne. In 1348 John Moigne, Lord of the Park of Drum, executed a disposition of it "to Alex. Irvine, Lord of the Drum," and in 1393 the said John Moigne granted a Charter in favour of said Alex. Irvine of a chaldar of meal, paid of old to him by Wm. de Barnard, for sustentation of the Park of Drum.

These lands continued in possession of the Drum family until 1737, when, on reduction of the entail, they were sold to Duff of Culter. They afterwards passed successively into the hands of Mr Thos. Burnett,

\**Note.*—Schivas formerly belonged to the Huntly family, and before that to the Maitlands of Gight: for George, 2nd Earl of Huntly, had a Charter of Schevas in Aberdeenshire, and Naterdale in Banffshire, on the resignation of Elizabeth and Janet Maitland, daughters and heiresses of the deceased Sir Patrick Maitland of Gight, knight, 18th June, 1467.

advocate in Aberdeen, in 1807, of Wm. Moir in 1821, of A. J. Kinloch in 1839, and were lately sold to Mr Andrew Penny.

UNDER "ELLON."—The Mansion-house of Dudwich was in this parish.

UNDER "TURRIFF."—In the year 1557 an inquest was held "apud crucem de Turreff," and among the jurors we find Patrick Mouatt of Balquholly; James Dempster of Auchterless; George Crichton of Little Forg; Alex. Con of Auchry; Thomas Con his son; John Grant of Ballindalloch; Patrick Grant of Dalvey, and John Irvine in Turriff.

UNDER "LONMAY."—Among the ministers of this parish were Mr Thomas Rires in 1607, after him Messrs Wm. Rires, James Irvine, John Houstoun, and Thomas Gordon, the last ordained in 1709.

UNDER "LUMPHANAN."—In 1597 John Irvine of Pitmurchie was chancellor of an assize held for trial of a case of witchcraft (25th April) of which John Ross of Auchlossan, Alexander Chalmer of Balnacraig, and John Forbes of Camphill were members.

In 1655 Patrick Irvine was served heir to his grandfather, John Irvine, in the lands of Halton, Pitmurchie, and Craigton of Lumphanan, lying within the barony of Lumphanan.

These lands had been granted in 1487, by James III., to Thomas Charteris of Kinfauns; and in 1546 Thomas Charteris of Kinfauns was served heir to his grandfather, Thomas, in the barony of Lunfanan, lying within the barony of O'Neil. John Irvine apparently acquired them from the Charteris.

Halton appears to have been at or in what is now called the Peel-bog.

In 1657 Patrick Irvine obtained from Oliver, Lord Protector, a precept under the Great Seal respecting the lands of Craigton of Lumphanan, Halton Peill, and Colliescroft. In 1702, Craigton of Lumphanan, the Peill thereof called Halton of Lumphanan, and Colliescroft are included among lands disposed by Robert Ross in favour of Francis Ross of the lands of Auchlossan and others.

UNDER "LEOCHEL AND CUSHNIE."—Lynturk belonged for some 200 years to a family named Strachan. John Strachan, younger of Lynturk, is said to have been art and part with John, Master of Forbes, in the murder of Alexander Seton of Meldrum in 1526, and to have got a remission in 1531; he was afterwards in trouble and incurred the hostility of the Forbeses, who in 1544 invaded his lands and slew his allies, Duguid of Auchinhuive and Ross of Auchlossan. About the end of that century Lynturk became the property of the eldest cadet of the Irvines of Drum and remained in possession of his descendants for about a century. Katharine, a daughter of Alexander Irvine of Lynturk, married Robert Gordon of Straloch, by whom she had 11 sons and 6 daughters: the 5th son was James Gordon, parson of Rothiemay, author of a "History of Scots Affairs from 1637 to 1641." About the middle of the 18th century, Lynturk became the property of Gordon of Cairnfield, and in 1816 of Peter M'Combie.

Alexander Irving of Lynturk was a lawyer of eminence and author of a treatise, "De jure regni," published at Leyden in 1627, a work held in good esteem. Robert Irving, his cousin-german, was served heir to him in the lands of Lenturk in 1641.

The old Castle of Lenturk was probably built by the Strachans. In Monipennie's "Brief Description of Scotland," appended to his "Abridgement of the Chronicles 1612," he enumerates the castles "of Lenturk, Corse, and Cragyvar" among the strongholds of "Marre."

#### APPENDIX D.

Extract from "History of Birse" by Robert Dinnie:—

The House at Easter Clune (on the estate of Finzean), near the foot of Peterhill, was built in 1719 by an Alexander Irvine, who seems to have bought the small property of that name about that time from Mr John Forbes: above the door lintel there is built in a piece of freestone with the initials of the laird and his wife separated by a heart and the date,

A I            M S

1719.

It is somewhat probable that M S stands for Margaret Stewart, for Dinnie mentions a similar lintel stone in the same parish, viz.:—

At the farm of Shaunel, which with Tillenteck was on the property of Invercattie, there is a stone, since built into the steading, but once doubtless the lintel stone of the dwelling-house, which has cut thereon, with a heart,

16 R S            M K 76.

These initials stood for Robert Stewart and Margaret Keith, who had 3 sons, George, Robert and Henry, and 2 daughters, Jane and Margaret. The last may have been the wife of the above Alexander Irvine.

#### APPENDIX E.

John Irving of Kingcaussie authorised to apprehend William Forbes, bastard son of John Forbes of Leslie, for the murder of his father. Minutes of Scots Parliament, 29th January, 1661.—See Appendix F.

#### APPENDIX F.

The following is taken from "The History of the Illustrious Family of Gordon," by Mr William Gordon of Old Aberdeen, 1727:—

"August 17, 1644, about 11 o'clock at night, Alexander Irvine of Kingcaussie, coming in quietly to Aberdeen from his own house, was barbarously murdered as he was near to the town by William Forbes, natural son to John Forbes of Leslie, an intimate acquaintance of his own, who accidentally met him there; and after mutual salutations and parting in friendship, Forbes turned upon him, and shot dead the innocent gentleman with a pistol behind his back. This gentleman had been with his Chief, the Laird of Drum, at the infall into Montrose, and for that there was 5000 merks put on his head, to be paid to any one that would bring him in prisoner dead or alive. And the assassin, having wrought his work, came in to his employers, the Committee of Estates at Aberdeen, and required



his reward ; and he, being found to be a trooper in Sir William Forbes of Craigivar, his troop, the Committee adjudged 2000 merks to be paid to him, and the other 3000 to his Captain, Craigivar, all out of Kingcaussie, his estate, which did not then exceed 1200 merks a year ; so the mournful widow and the fatherless children were obliged to live upon short commons until that price of blood was paid."

He then shows how the assassin did not pass unpunished, "for the next year at his father's house, in discharging of a musket, he shot away that hand with which he committed the murder. And after the Restoration, the then Laird of Kingcaussie, eldest son of him who was murdered having obtained an order from the Council to apprehend him" [*vide* Appendix E.] "went to Caithness, where the assassin then lurked (as he thought in safety), took him prisoner, and carried him to Edinburgh, where by the Council he was remitted to a Justice Court to be holden at Aberdeen for that effect, and was by that Court condemned to be hanged at the Crabstone, a place as near as could be guessed to that where the murder was committed ; and which sentence was accordingly executed."

#### APPENDIX G.

The arms of the following Scotch families of the name of Irvine are given in "The British Herald" by Thomas Robson (1830):—

Irvine of Artamford, Bielside, Bonshaw, Castle Fortagh (Fortrie?), Cairnfield, Drum, Fedderat, Inchray, Kingcaussie, Lairnie, Lenturk and Murthill. In all of them the holly leaves appear. Bielside and Murthill each have a sheaf of arrows gules between 3 holly leaves vert.

Oddly enough he gives as Drum's *crest* a sheaf of arrows ppr.: the only other family, of the name of Irvine, mentioned as having arrows for a crest is that of Irving, Navy Pay Office and of Lanark, who bears "a sheaf of 3 arrows, points upwards." The arrows were the crest of the Artamford branch, which succeeded to Drum.—See Text.

#### APPENDIX H.

The following notes, taken from the Spalding Club publications, are of interest :—

A.D., 1388.—John Fraser, Lord of Forglen, was witness to an indenture of selling the Park of Drum.—*Vide* Antiq. of Shires of Aberdeen and Banff. I infer that the Irvines got Forglen through a marriage with a daughter of Keith, Great Marischal, as Sir Wm. Keith, who married Margaret *Fraser*, heiress of Cowie, Durris, &c., &c., died 1406.—*Vide* Antiq. of Shires Aberdeen and Banff, Vol. III.

1440.—Alexander de Irwyne dominus de Drum elected Captain and Governor of the burgh of Aberdeen.—*Vide* Extracts from Council Rec. Burgh of Aberdeen.

1457.—Mention of instrument of sasine in favour of Alexander de Irvyn of Drum and Lonmay, as grandson of Alexander de Irvyn last seized in said lands.—*Vide* Antiq. of Shires Aberdeen and Banff, Vol. III., p. 297.

1483.—A Band of Manrent granted “by Alexander Irvine of Lunmey, soun and apperand heir of Alexander Irvin of the Drum” to William, Erle of Erole, “his fee being considered and modified” by several persons named, including “Alexander Irvine of Belte.” This Alexander Irvine of Lunmey must have been the son of the 6th laird by Elizabeth Forbes, who was afterwards the 7th laird.—*Vide* Misc., Vol. II., p. 283.

1484.—A Band of Manrent granted by John Keith of Ludquhairn [who must have been a son of Sir Gilbert of Innerugie] to William, Erle of Erole, in witness of which “the *sell* of my brother-in-law, Alexander Irvine of Lunmey, is affixit in defalt of a sell of myne avne.”—*Vide* Misc., Vol. II. Query, was Irvine of Lunmay, who was younger of Drum, married to John Keith’s sister, or were Lonmay and John Keith married to two daughters of Allardes of Allardes? or John Keith married to Irvine’s sister?

1484.—In same year Alexander Irvyn of Lunmey and Jhone Ketht witness a letter of homage to the Erle by William Keth de Ythane.—*Vide* Misc., Vol. II.

1487.—Mention of a contract of marriage between a son of Alexander Irvyn of Drum and a daughter of Alexander Gordon of Megmar, but the latter refused consent unless certain referees should unanimously agree upon some point, apparently the tocher: but there are some *lacunæ* in the document, which is in Latin.—*Vide* Antiq. of Shires Aberdeen and Banff, Vol. III. This son of Drum was probably one of the brothers of the 7th laird.

1492.—Alexander Irvine of Lunmey, mentioned as appointed Sheriff of Aberdeen. Extr. Council Rec. Burgh of Aberdeen, p. 324.

1493.—Alexander Irvine of Drum made provision for his natural children by Nannys Menzeis, viz., David, Alexander, John and Agnes: an entry dated 27th August, 1493, “grants and assigns all his goods, corn, oxen, &c., in Dalmayok to his dochter, Agnes, by the umquhile Nannis Menzeis.” This is probably the 6th Laird of Drum, making provision shortly before his death. He was twice married.—*Vide* Extr. Council Rec. Burgh of Aberdeen.

1503.—Mention made of Elizabeth Irvyn, relict of umquhile Allardes of that Ilk as pursuer in a case relative to the casting down of a house belonging to her in the Castlegate.—*Vide* Extr. Council Rec. Burgh of Aberdeen.

About 1555.—William Cheyne of Arnage had by Isobell Irving, daughter of the Laird of Drum, a daughter, Violet, who married Major George Meldrum: and Isobell Irving’s mother was Elizabeth Ogilvy, daughter of the Laird of Findlater, and her mother was Isobel, daughter of the Earl of Huntly. The above is a summary of part of an entry among Birth Brieves 1646.—*Vide* Misc., Vol. V., p. 326.

About 1580.—Robert Irving of Montcoffer mentioned as 2nd son of Alexander Irving, Laird of Drum, who’s mother was dochter to umquhile



Erle Marshall, his gudame dochter to the Earle Findlater, and his grandame dochter to my Lord Forbes.—*Vide* Ibid., p. 331. Birth Brieves 1648.

1597.—John Irving of Pitmurchie, chancellor of an assize in trial of seven witches for witchcraft at Aberdeen 4th April, 1597. Apparently one of these was Beak Taiss at the Burne Syde of Logye, under the Laird of Lesmoir, who was decerned and declared a fugitive witch on 15th April same year, and to have her goods escheat.—*Vide* Misc., Vol. I.

1654.—John Irving of Brucklay was one of several heritors who protested against a finding of the Synod about the settlement of a minister at Turriff, 21st April, 1654.—*Vide* Selections from Rec. of Synod of Aberdeen.

Sir William Gordon of Lesmoir seems to have been concerned in this settlement, for at a meeting of the Synod on 22nd April, 1657, he, as a rulingelder, was nominated one of a Committee to meet at Turriff.—*Vide* Ibid.

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## ADDITIONS AND CORRECTIONS.

*Pedigree*—1st portion—As to succession of early lairds see Appendices A and H, and additions to the latter below.

2nd Portion—At end, for “Alexander born 1886,” read “Alexander born 1881.”

Pages 5 and 6—As to the lairds numbered V., VI., VII. and VIII., see Appendices A and H, and additions to the latter below.

Page 5, 6 lines from bottom—It seems doubtful whether this name should be “Westercourt” or “Westercoul.”

Page 56—For “Garnock” read “Earnock.”

Page 60—Nos. V., VI., VII. and VIII., see additions to Appendix H below, which seem to show that the pedigree given in Burke (later editions) is correct, and that Alexander who married Marioun Forbes, leaving also several illegitimate children by Nannys Menzeis, died in 1493, and was succeeded by his son Alexander, who is several times mentioned in 1483, 1484, and 1492 as Irvine of Lunmey. This son (not his father) probably married twice, first, — Lindsay, by whom he had several daughters, and secondly, Janet Keith: he is mentioned in 1494 as Alexander Irvine of Drum along with “his moder Marioun Forbes.”

The next laird, his son Alexander, evidently was the husband of Janet Allardes, who seems to have been his first cousin: but the date of his succession and his father's death seems uncertain: I think it was in 1499. A Charter granted to Alex. Irvine and his wife, Joneta Allardes, by his father, Alex. Irvine, of the lands of Forglen, was confirmed by a Charter from the Abbot of Arbroath 10th Sept., 1499, at Aberdeen, and again by the Abbot and monks on 6th July, 1500, at Arbroath; which seems to point to a succession in 1499, though the Abbot may have confirmed by Charter a grant made by the father to the son, while the father was still alive, and the latter may have lived till 1527. This son, however, Sir Alex., the husband of Janet Allardes, got a Charter under the Great Seal of Drum and other lands in 1506, and must have lived till after the Battle of Pinkie (1547), at which his eldest son was killed, and apparently till 1554, for there is a Charter under the Great Seal dated that year in favour of Alex. Irvine of Drum, grandson and heir-apparent of Alex. Irvine of Drum, on the resignation of his grandfather: this grandson being the husband of Lady Elizabeth Keith. See below.

Page 66—*Appendix H*—Forglen appears to have belonged to the Abbey of Arbroath, who perhaps at first granted to the Laird of Drum a lease of the lands, and subsequently granted them in fee, as appears to have been done in the case of the kirklands and fishings of Kilmorack, in Inverness-shire, in the 16th century.

Page 67, under year 1487—Perhaps this son was Alex. Irvine of Strathdee.



Page 67—*Additional notes from Spalding Club publications* :—

1494—Alex. Irvine of Drum was served heir 8th April, 1494, to his father, Alex. Irvine, in the lands and forest of Drum, the lands of Coul in the barony of O'Neil, and the lands of Largeny.—*Ant. Abd and Banff III.*, p. 304.

1494—Alex. Irwyne de Drum served heir to his father, Alex. Irwyne, in the lands of Forglen 23rd July, 1494.—*Coll. Abd. and Banff I.*, p. 516.

1494—From the *Acta Dominorum Auditorum*, p. 20, on 13th December, 1494 :—The Lords Auditouris decrettis and delivers that Alex. Irvine of Drum and Marioun Forbes, his moder, does wrang in the occupatioun and manouring of the lands of Wester Tulboury, lyand within the schirifdom of Kyncardin sen the terme of Whitsunday last bipast, &c., &c., and ordinis thaim to decist and cess therefrae, to be broikit and manourit be William, Lord of St Johns, as his proper lands.—*Coll. Abd. and Banff I.*, p. 278.

1499—Confirmation granted by the Abbot of Arbroath at Aberdeen 10th September, 1499, and by the Abbot and monks at Arbroath on 6th July, 1500, in favour of Alex. Irwyn of a grant made to him and his wife, Joneta Allardes, by his father, Alex. Irwyn, of the lands of Forglen.—*Coll. Abd. and Banff I.*, pp. 517, 518, and *III.*, p. 346.

Also page 67, 1506—Confirmation granted by the King 26th Feb., 1506, to Sir Alex. Irwin de Drum of the Park of Drum, Lunmey, Largneis, Auchindore, Fulzemont, and Terlane, and these lands annexed to the barony of Drum.—*Ant. Abd. and Banff III.*, p. 304.

1526—Charter of sale granted by Walter Caidzow of Cragtoun of Peterculter to Sir Alex. Irvyng de Drum of his lands Cragtoun of Peterculter on 23rd April, 1526.

















