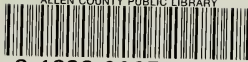


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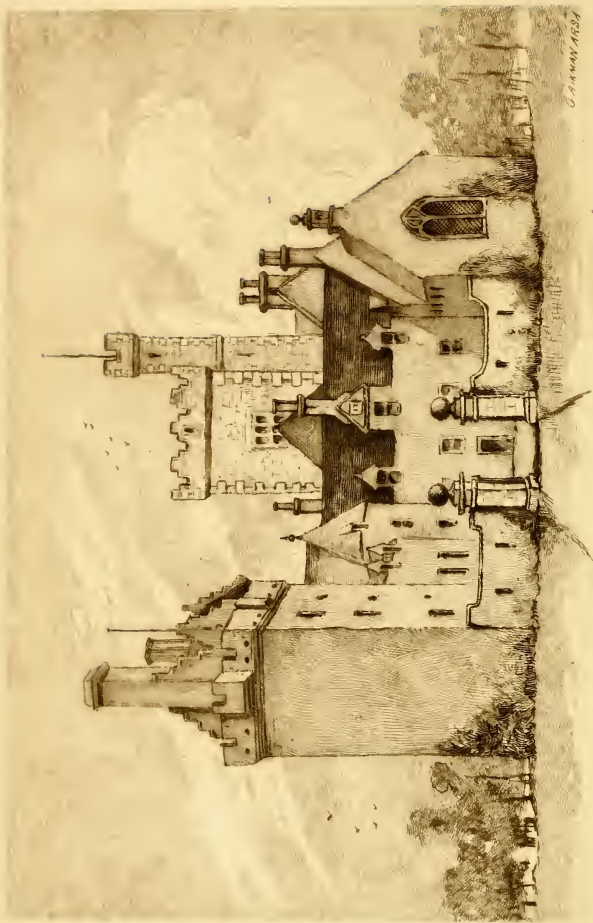
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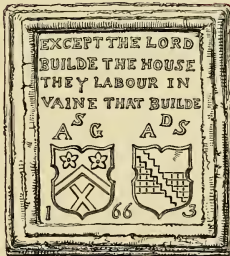
THE HEREDITARY

SHERIFFS OF GALLOWAY

THEIR "FOREBEARS" AND FRIENDS
THEIR COURTS AND CUSTOMS OF THEIR TIMES

WITH NOTES OF THE EARLY HISTORY, ECCLESIASTICAL
LEGENDS, THE BARONAGE AND PLACE-
NAMES OF THE PROVINCE

BY THE LATE
SIR ANDREW AGNEW, BART.
OF LOCHNAW



VOL. II.

EDINBURGH

DAVID DOUGLAS, 10 CASTLE STREET

1893

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Pierce Leslie Pielou

CHAPTER XXVIII

THE LEAGUE AND COVENANT

A.D. 1630 to 1644

A canty chap a drap had gat,
Gaed through Kirkdamnie fair, man ;
And to face wi' twa three chiels
He wadna muckle care, man.
And then he loot a chiel a clout,
While his companions sallied out.
Soon they fell, wi' sic pell mell,
Till some lay on the grun', man.

ANON.

IN 1633 Charles I. summoned a Parliament to meet in Edinburgh. Sir Patrick Agnew attended, as representing the Barons of Wigtonshire, and Sir Patrick M'Kie those of the Stewartry.

In those days a long ride intervened between Edinburgh and the western shires. A Galloway baron had to look well to the priming of his pistols before he mounted, and had to count on several nights in hostelries before he reached his goal. In these days of comfortable unpicturesqueness, lords and knights of the shire roll up even to London from their country seats in a few hours time, where, whether in inn or mansion, they indulge in luxuries unknown to our hardier forbears. But what these may have lacked in comfort they made up for in style, and a Sheriff of Galloway would have thought it as unseemly to have walked unattended to a meeting of Parliament, as it would seem to a modern senator to ride through London streets to Old Palace Yard in a court suit.

On the opening of the Scottish Parliament, all the members

went in procession, the ceremony being styled "riding the Parliament." The whole of the three estates assembled on horseback before the Palace, their horses richly caparisoned, when they dismounted and entered. Having paid their respects to the king, they remounted, and were marshalled thus: First came two pursuivants, next two trumpeters, preceding the borough members two and two, each cloaked and attended by one lacquey. Four keepers of the Courts of Justice followed, and then came the barons, wearing their mantles, in double file, each attended by two lacqueys, wearing velvet coats over their liveries, upon which were embroidered their masters' badges. Next followed the principal officers of state, and after these the nobles two and two, lords and viscounts having each three lacqueys, earls four, marquisses six, and dukes eight. Four trumpeters, four pursuivants, and six heralds, and lastly the king, preceded by the lyon king of arms, and the bearers of the regalia, a corps of guards bringing up the rear.

On arriving at the Parliament House, officers of state ushered the king to the throne, the nobles being arranged before him, the barons taking their places on the right side of the house, and the burgesses on the left.

In celebration of this particular visit to Scotland in 1633 the king dealt out honours with a lavish hand, creating among others Sir John Gordon, Viscount Kenmure and Lord of Lochinvar; Sir Robert M'Clellan, Lord Kirkeudbright; and advancing Viscount Drumlanrig to the Earldom of Queensberry.

Of the Gallovidians attending the Parliament were the Earls of Cassilis and Galloway, the Sheriff, and Sir Patrick M'Kie, as barons, and Thomas M'Kie and Robert Gordon as burgesses for Wigtown and New Galloway.

The most memorable act of this Parliament was a ratification of the statute of 1616 for the plantation of schools, decreeing the erection of a school in every parish, the basis of a system which long proved a boon to Scotland.

A local act for the erection of "the Burgh of Stranraer with the haven thereof" as a free burgh was remitted to the Lords of

Secret Council, and was on the point of ratification, when, for reasons unknown, it was opposed by the council of the town of Wigtown, who succeeded in delaying the representation of Stranraer in Parliament for several years. Parliament prorogued, the sheriff remained in Edinburgh for the marriage of Lord Garlies to Lady Margaret Graham, daughter of the Earl of Airth and Menteith, an eccentric nobleman, who at his decease left among other papers to be published one entitled "My Devilish Wyfe her Wyse Acts." Among numerous complaints he makes of this "woful wyfe of mine" he especially bewails this very match on the ground that he gained nothing by the connection, being already cousin-german of the bridegroom's father; that for the tocher she had induced him to give on the occasion he might have married three daughters to three barons, any one of whom would have been more useful to him than the Earl of Galloway; and concluding "so that this money was as much lost to me as if it had been casten into the sea."

The High Commission Court, the creation of which was one of Charles's great mistakes, was established by a warrant "given at our Honnor of Hampton Court, 21 Oct. 1634." Its powers were very wide "to call before them or any seven of them, at whatsoever time or place they shall please to appoint, all that are either scandalous in life, doctrine, or religion, resettlers of seminary priests, hearers of mass, adulterers, contemners of church discipline, blasphemers, cursers, or swearers."

Those named as commissioners in Galloway were the Earl, Sheriff, and Bishop of Galloway, Lord Kirkeudbright, Sir John M'Dowall of Garthland, the Provosts of Wigtown and Kirkeudbright, Mr. Abraham Henderson, minister of Whithorn; Mr. Alexander Hamilton, minister at Minigaff; Mr. James Scott, minister of Tunland; Mr. David Leitch at Dundrennan. The composition of the court was from the first too clerical, and Episcopalians being in power, Presbyterians might easily be made amenable to the charge of being contemners of church discipline. And so early was this bias shown, that soon after we find Lords Galloway and Kirkeudbright declining to

mix themselves up with its arbitrary proceedings. But their abstention had the effect of giving the bishop and the clergy at his back their own way, which meant that all avowed Presbyterians were liable to be dragged before the court, and dealt with as recusants.

Rutherford, minister of Anwoth, and Glendinging of Kirkcudbright, men highly popular, were deposed from their charges, and Gordon of Earlston, a man of baronial rank, failing to obey a summons of the court, was fined heavily in absence and banished the province, to the disgust of his fellow proprietors.

The unexpected result of the High Commission was to swell the ranks of the Solemn League and Covenant by scores of men otherwise of moderate opinions.

The political prosecution of Lord Balmerino, for whose trial the sheriff was summoned to Edinburgh, to sit as an assizer,¹ caused great excitement. Balmerino had been concerned in getting up a petition against Episcopacy, and stating various grievances the Presbyterians complained of.

The charges against him were for concocting such a libel, or if he did not concoct, for concealing the fact of its existence and of not denouncing the author. In framing the charge, "libel" was substituted for "petition," and the complaints themselves strained into treason. That a legislator writing or showing to any one a respectfully worded remonstrance on any subject, should have been held by law officers of the Crown to amount to a capital crime, it is now difficult to understand. The Lords of Assize—a strong panel—found him unanimously not guilty of writing or divulging the libel. Seven were for clearing him altogether, eight convicted him of concealing his knowledge of it; but conjoined with this, finding an opinion that the paper was not seditious, and that it could be hardly termed treason-

¹ The Lords of Assize were the Earls Marishal, Moray, Dumfries, Lauderdale, Traquhair, Viscount Stormont, Lords Forrester and Johnstone, Sir Patrick Agnew of Lochnaw, Sir Alexander Strachan of Thornton, Knights Baronets; Sir Robert Greer of Lagg, Sir John Charteris of Amisfield, Sir Alexander Nisbet of West Nisbet, Sir Alexander Baillie of Lochend, Knights; and John Gordon of Buckie.

able not to have denounced the author.¹ Nevertheless on this modified finding, Balmerino was condemned by the judge to die, and the lords of assize with difficulty procured for him an ungracious pardon, this after some delay being obviously granted rather from fear of popular indignation than from any sense of justice. The king's conduct, whether in instituting such proceedings or the truculent severity with which he seemed disposed to close them, alienated from him the affections of many of the most loyally inclined in Scotland.

Throughout the trial the sympathy of the populace was strongly in favour of the prisoner, and some wag wrote a squib vilifying each of the assizers who had given the mitigated verdict used against him—somewhat hard, as it was simply telling the truth as they had been sworn to do—that on the sheriff running as follows :

Poore Galloway lads prepare you for a cord,
Your Sheriff's grace can caist a saickless lord.

Uchtred, son of Gilbert Agnew of Galdenoch, died about this time, leaving to the sheriff the guardianship of his four sons, Patrick, Hugh, Gilbert, and Uchtred. He had added to his holdings Cairnbrock and High Glengyre, in Kirkcolm, and Over Culreoch in the parish of Inch. Just before his death he had entered into a contract with Alexander Osborne for establishing salt-works on the Galdenoch shore. This Osborne paid him £240 as caution money that he would erect sufficient works, the laird stipulating when these were in operation to repay him this and £240 more, and give him a twenty-one years lease of the premises, an acre of ground to build on, grass for four horses, with liberty to cut and carry peats for his pan, at a silver rent of £480 and sixteen barrels of salt delivered at his mansion yearly. Uchtred

¹ Seven did clear him absolutely, namely, Moray, Lauderdale, Forrester, Buckie, Luff, Amisfield with Sir James Baillie. Seven filed him—Mareschal, Johnstone, Traquhair, West Nisbet, Thornton, Sheriff of Galloway, and Viscount Stormont. And that only for concealing of that supplication and no otherwise. Thus one half being against the other half, it behoved the Chancellor to clear it by his vote, and he filed him that he might put him in the king's will.—Row's *History of the Kirk of Scotland*, p. 387.

died while the work was in progress, and Sir Patrick as tutor paid the £480 stipulated for his ward. Then giving Alexander Osborne a thousand marks for the renunciation of his lease, he relet the works to a certain Ralph Osborne for £600 with the sixteen barrels of salt, the new tenant binding himself under penalty of £6000 not to dispose of his tack or rights to the Earl of Cassilis or his friends.

The venture proved an unlucky one, Osborne became bankrupt, and it is doubtful if he ever paid the owner a single year's rent. The work seems to have been utilised for little more than home consumption; its remains may, however, be traced upon the shore, and it gives the name of Salt Pans Bay to the creek where it was formed.

A suggestive clause in the contract is the irritancy in respect to Cassilis, in retaliation doubtless for similar doings of the earl.

As an example John Gairdner held the lands of Larbracks-Gressie under Lord Cassilis; but whilst a minor, his feu-duties having fallen into arrear, the earl had him put to the horn, and recovered full possession of the land. This done, he redispensed the lands to Gairdner, under his own superiority, with this reservation under penalty, "that the said Gairdner should not set the said lands to any of the name of Agnew, nor suffer them to possess the same."

Shortly afterwards, however, Sir Andrew Agnew apparent of Lochnaw bought the lands from the said John Gairdner, entered into possession, tendering the dues owed to Lord Cassilis as superior. These the earl declined to accept, declaring the sale to be invalid. The young sheriff carried his case to the Court of Session, which confirmed his proprietorship. From this decision the earl appealed, declaring his disposition to Gairdner "was with the provision and clause irritant foresaid." To this the sheriff replied that he had comprised the lands fairly from John Gairdner, and that he asks the Court to declare the reservation illegal "*seeing that the foresaid clause irritant is most odious.*"

The record of the deliverance of the Court we cannot trace;

but that the young sheriff's plea held good may be assumed, as the lands remained ever after in the possession of the Agnews, subject to Earl Cassilis's superiority, which superiority was purchased from the seventh Earl of Cassilis by Sir James Agnew, the young sheriff's grandson.

It is in connection doubtless with these disputes that the persons named in the following record of the proceedings of the Privy Council were bound over in such heavy sums to keep the peace.

“At Edinburgh the 21st day of March, ye year 1635,—

“The Quhilk day in presence of the Lords of Secret Counsell compeared personally Sir Patrick Agnew of Lochnaw and became acted and obleist as cautioner and surety for Andrew, James, and Patrick Agnewis his sons,—Alexander Agnew of Tung; Patrick Agnew of Barneill; his brother Uchtred Agnew of Galdenoch, Patrick Agnew his brother; Alexander Agnew in Marslaugh; Nevin Agnew of Stranrawer; Nevin Agnew in Fisheyard; John and Martine Agnewis in Clenarie; James Agnew in Stranrawer, Andrew Agnew of Salcharie; Alexander M'Dowall of Logane, Uchtred M'Dowall his brother; Uchtred M'Dowall, younger of Freuch; William Baillie of Garchlerie; and Alexander Vaus in Innermessan, and Alexander Gordoun, Brother to Parke; and siclyke compeared personally Uchtred M'Dowall, younger of Freuch, and became actit and obleist as cautioner and surety for the said Sir Patrick Agnew of Lochnaw, that,—John Kennedy of Knockdaw, Fergus and David Kennedies his brethren, Fergus Lin of Larg, Adam Boyd of Larbraicks, Patrick M'Kie of Kairne, John Kennedy of Stranrawer, John Kennedy of Knockibea, Uchtred Neilson in Craiggaffie, Thomas Kennedy of Arieckmene, Hew Kennedy of Airs, Andrew M'Dowell in Stranrawer, Gilbert Mure messenger, Adam, James, and Gilchrist M'Kays in Larbraicks, and James Lairles in Challach their wyffis, bairnes, men, tenents, and servants shall be harmless and skaithless in their bodies, lands, rowmes, possessions, goods and geir, and in no ways to be

troubled and molested therein by the said Sir Patrick Agnew nor themnant persons abovewritten, nor no others of their causing, sending, hunding out, command, ressett assistance, nor ratihibition whom they may stop or lett directlie nor indirectlie in time coming, otherwayes than by order of Law and Justice under the pains following, viz.—

“The said Sir Patrick under the pain of three thousand merks, Andrew Agnew his son under the pain of two thousand merks, Uthred Agnew of Galdenoch, Alexander M'Dowell of Logan and Uthred M'Dowell younger of Freuche, ilk ane of them under the pain of one thousand pounds; James and Patrick Agnew sons to the said Sir Patrick Agnew of Lochnaw, Alexander Agnew of Tung, Alexander Agnew in Marslache, Nevin Agnew in Stranrawer, Nevin Agnew in Fisheyard, ilk ane of them under the pain of one thousand merks; William Baillie of Garclerie, under the pain of five hundred pounds, and every one of the sonamed persons under the pain of five hundred merks. *(Sic subscribitur)* PATRICK AGNEW,
U. FRUECHE Younger.”

During the two following years three of Sir Patrick's daughters were married to neighbours. Elizabeth to John Baillie of Dunragit, son of a daughter of Lord Barnbarroch; Marie to Hugh M'Dowall of Knockglass, a cadet of Garthland; and Rosina to John Cathcart of Genoch, a branch of the Cathcarts of Carleton. His third son Patrick also married Elizabeth, daughter of William Gordon of Craighlaw. By a retour of this date we find Francis Hay of Arioland served heir to his father Alexander before “the honourable Andrew Agnew apparent of Lochnaw, as depute to his father.” The witnesses being Hugh Gordon of Grange, Alexander Gordon of Auchland, James Agnew of Auchrochar, Henry Gordon of Kilsture, Roger Gordon of Balmeg, William Henry Gordon of Lagg, Hugh Gordon, son of Grange, Archibald Dunbar of Baldoon, Uchtred M'Dowall of Freuch, John M'Dowall of Dreoches (?), Hugh Hathorn of Aires, John Dunbar of Archeortown (Orchardton).

The Hays of Arioland disappeared during the "persecutions." Their Wigtownshire lands are owned by Sir Herbert Maxwell of Monreith, those in Kirkcudbright by Sir William Maxwell of Cardoness.

An important service in 1636 was that of Viscount Montgomery of Ardes to the lands long owned by the Adairs of Portree, Pigmanoch,¹ Killantringan, Uchtred MacKayne, with the Castle of Dunskey, the port of Port Montgomery, and the patronage of the Church of Portpatrick, alias Port Montgomery.²

The viscount was the son of Sir Hugh Montgomery of Braidstone, one of the undertakers for the Plantation of Ulster, created Viscount Ardes in County Down in 1622.

This barony of Portree had been exchanged by the Adairs for Lord Ardes's lands of Ballymena in Antrim. Ecclesiastically the district was known up to this date as the Black quarter of the Inch. In 1628 it was erected into a separate parish, the Act constituting its church a rectory giving the advowson to Lord Ardes, by the name of Port Montgomery, alias Portpatrick. This Act was confirmed by the Parliament of 1633.

Anxious as Viscount Ardes showed himself to impress his name upon his lands and seaport, neither his wealth and influence, nor even an Act of the three Estates, could permanently efface the traditions of the tripartite saint. Among the cherished traditions of the place is the famous one of St. Patrick crossing the Irish Channel at a stride, his heel indenting the rocky inlet at Portree. The footprint was clearly to be seen within memory of man on a rock which was ruthlessly blasted in the attempted construction of a harbour.

A chapel rose near the scene of his arrival, named of course Kilpatrick or Chapel Patrick, and a hamlet spread-

¹ Now Pinminnoch. The old retours point clearly to the true root of the first syllable, Peiglicun=penny, the monk's penny land.

² 20th August 1635 Robert Adair of Kinhilt assigns to Hugh Viscount Montgomery of Airds the parsonage and vicarage teinds of the 25 mark land of the barony of Soulseat, and 6 mark land of the mains of Soulseat, and all tacks and securities he has as a son and heir of William Adair of Kinhilt, from the Commendator of Soulseat. Before Sir John M'Dowall of Garthland, and James Blair, minister of Dunskey.

ing round it, the name of Portpatrick superseded that of Portree.

The saint proceeded northward on a missionary tour, passing up Glen App and far into the wilds of Carrick, erecting a chapel for the moor-men; when, exciting the ill-will of the medicine men, or Druids, he was driven away, maltreated, his head stricken from his body, head and trunk being thrown into a quarry hole. The saint submitted unresistingly to the outrage; but when his persecutors had worked their wicked will, to their astonishment he rose, tucked his head under his arm, and walked leisurely to Portpatrick. Returned there, finding no boat ready, he plunged into the breakers, and was seen swimming to the Irish shores holding his head between his teeth.

Grotesque as is the form this tradition has taken, it is extraordinary how strongly topography retains evidence of the saint's actual presence on the scene of his legendary exploits, and these on spots suitable to an outline of the story, his route, his mission, his maltreatment, and return, the miraculous element being eliminated. The names having been preserved and repeated by those who have not the smallest idea of their force.

The extreme point he reached is Kirkdomine, anciently Kildomine, near the head waters of the Stinchar, within two miles of the modern parish church of Barr. The name much puzzled early philologists, who supposed it to mean "The Church of the Holy Trinity." But the Dean of Armagh (now Bishop of Down), the highest authority on ecclesiastical history of the day, tells us that all churches named Cil Domnach were personally founded by St. Patrick, so called because he always marked out their foundations on a Sunday. That Cildamnoch was the true name seems sufficiently obvious, and what makes it a certainty is that the local form retained is Kirkedamnie, which is unmistakable.

The most practicable route from Portpatrick to Kirkedamnie lay through Glen App, whence he would follow the valley of the Stinchar. A shorter cut for a return, more as the crow flies, would bring him to Lagapater (the suffix being Patrick), and

thence by Cullurpattie, by Kinhilt, to Portpatrick. Whatever views may be taken of the tradition, this word *can* mean nothing but Patrick's Quarry.

The extreme antiquity of the resort to Kildomine is further confirmed from its being the scene of well-known fairs, such meetings being usually held near shrines of peculiar sanctity. Kirkdamnie, or as it is now usually further corrupted Kirkdamdie, long had a celebrity in the western shires quite equal to that of Donnybrook in the sister isle, which up to comparatively recent times held in all its glory its famous fair on the last Saturday of May. On such occasions the precincts of the church resembled a camp of modern volunteers. Booths were raised, in which travelling merchants exposed their wares, or where boards groaned with tempting displays "of haggis, braxy hams, wi' rowth of bread and cheese, man."

The elder moor-men were there to sell as well as to buy. Much business was transacted, whilst sports of all sorts were to be seen or taken part in, as well as dancing and love-making, diversified with a little pugilistic entertainment. The scene is thus graphically represented in more modern days as it then appeared to a local ballad-writer not more than a century ago :

The tents in a' threescore and three
 Were planted up and down, man,
 Whilst pipes and fiddles through the fair
 Gaed bummin' roun' and roun', man.
 Some did the thieving trade pursue,
 And ithers cam' to sell their 'oo,
 And mony cam' to weet their mou',
 And gang wi' lassies hame, man.

The old church was entire in 1636, but a minute of the Presbytery of Ayr "thought it necessary and expedient that the materials of Kirkdomine as yet standing be taken down and transported to the place where the new kirk (of Barr) is to be builded."¹

¹ St. Patrick was certainly accompanied in Galloway by his favourite nephew Malidh or Mell, son of his sister Darerca. Kirkinner parish was originally Carnemal, Mell, or Malidh's Hill, and Culmalzie does not mean the back of the Malzie Water, which itself takes its name from the saint, but is the same word

We have several Kilpatrick's in Galloway, as well as Chapel Patrick just mentioned.

Though Portpatrick was more frequented than ever in 1636 from the extending Scotch plantations in Ireland, its harbour remained a mere inlet between two rocks, the vessels used for the passage being flat-bottomed and beached upon every arrival. Indeed, regular packets were not established till 1662, and it then became the custom for every man and woman in the place to watch anxiously for their arrival, and lend a hand in beaching the vessels, for which service they received enough to keep them in beer and tobacco.

At the date of Lord Ardes's service the minister of Portpatrick was a Mr. James Blair, said to be a cadet of Blair in Ayrshire. His son John was appointed by the sheriff agent for his Irish estates, he being also factor for Lord Ardes. In 1638 John Livingstone, a leading spirit in the Presbyterian Church, was by Lord Cassilis's influence introduced to Galloway, in the ministry of which he remained for ten years. In his Autobiography he says he "found the people very tractable and respectful. Some of our friends came out of Ireland, and dwelt in Stranrawer, and at the Communion's twice in the year great numbers used to come at one time 500 persons. At one time I baptised twenty-eight children brought out of Ireland. When I first came to Stranrawer some of the folks desired to come to one house to be present at one family exercise. Therefore I propounded that I would rather choose every morning to go to the Church, and so each morning, the bell was rung, and we convened; and after two or three verses of a Psalm sung, and a short prayer, some portion of Scripture was read and explained, only so long as an half hour glass ran, and then closed with Prayer."

Livingstone was a man of address and talent, and as such was sent to London to endeavour to interest Scottish courtiers in the Presbyterian cause. The Marquis of Hamilton mentioned

as Culmallie in Goldsmith's Sutherland, Kilmalie in Argyle, and the equivalent of Egilsmalie in Fife.

this to the king. "Lo!" said Charles, "perhaps we may put a pair of fetters on his feet." Whether out of good nature or to get him out of the way, Hamilton sent to tell him what he had heard the king say. Whereupon Livingstone took horse, and by unfrequented routes made the best of his way to Galloway.

While Livingstone had been advocating the Covenant in England, Sydserff had been unwittingly paving the way for its reception in his diocese by enforced attendance on services that were disliked and the issue of a Service Book against which the populace ran wild. This Service Book, prepared by the Bishops of Galloway, Ross, and Aberdeen, differed little really from the English Book of Common Prayer. But the endeavour to enforce uniformity in ritual by manacles and fines so embittered the discussion that even religious men denounced the "Scottish Mass Service Book," as they called the Bishops' compilation, in terms almost blasphemous, vilifying the very liturgy which good men of all creeds now so much admire as "an ill-said Mass, a Litany more like to conjuring nor Prayers"; whilst numbers who, if unmolested, would have troubled themselves little about postures and forms, rushed off to the nearest towns to sign the League and Covenant as a protest against the tyranny of the bishops.

The Solemn League and Covenant for the suppression of Popery and Prelacy was drawn up in Edinburgh the 28th of February 1638, whence sheets were sent to all parts of the realm, and nowhere more eagerly subscribed than in Galloway; those signing engaging to stand by each other in opposition to the innovations of the king, whence the term "Covenanters."

Union giving strength, the deposed ministers of Galloway were recalled by their flocks, and many young men, who had recently taken service in foreign armies, snuffing the battle from afar, returned and placed their military skill at the service of the League. Money was freely subscribed to furnish arms. The leaders of the movement now demanded a General Assembly as an opportunity of stating their grievances. Hamilton, the viceroy, warned the king that compliance in this case was in-

compatible with maintaining Episcopacy. But the king, who by this time had brought a hornets' nest about his own ears in England, was fain to tell his commissioner that he must grant anything rather than bring matters to a crisis with the Covenanters.

A General Assembly was consequently summoned to meet in Glasgow on the 21st November. And of the many lords, barons, ministers, and burgesses, who rode thither from the west, were the Earls of Galloway, Dumfries, Eglinton, and Cassilis. Of the baronage, Andrew Agnew, younger of Lochnaw, Sir Robert Adare, and Alexander Gordon of Earlston. Of burgesses, William Glendinning, Provost of Kirkcudbright; Alexander M'Ghie, Wigtown; James Glover, Stranraer; Robert Gordon, New Galloway. Of ministers, Livingstone, Stranraer; Blair, Portpatrick; Anderson, Kirkinner; Lauder, Whithorn; Turnbull, Kirkmaiden; M'Clellan, Kirkcudbright; Rutherford, Anwoth.

The Assembly constituted, the first motion made—"That the pretended Archbishops and Bishops within the Realm be called to the Bar to answer charges against them"—fell like a bomb-shell on the table.

The Bishops were astounded. The High Commissioner rightly remonstrated, as the expression "pretended" was unjustifiable, their titles and status having been given them by law.

The Marquis having vainly endeavoured to avert the storm which he had foreseen, as a last resource declared the Assembly dissolved and left the chair. But it was now too late. His presence had given a legal sanction to constituting the meeting, which refused to disperse. The great majority of the nobility and baronage (prominent among whom was Montrose) and all the ministers and burgesses remained after Hamilton retired.

The Assembly then proceeded to legislate. Commissions were given for holding church courts at various points, and among other articles approved was one against "Mr. Thomas Sidserff, pretended Bishop of Galloway, deposed and excom-

municated on charges of Popery and Armenianism," and many other gross personal faults.

The die was cast, and the gentlemen of the western shires prepared to defend themselves in case of invasion by land or sea, the latter being no improbable contingency.

A contemporary letter, 15th July 1638, gives the following as news :

"Both Kirkcudbright and Lochryan are aimed at, besides other places on the west sea, for landing flatt-bottomed boats from Ireland."

And the Marquis of Hamilton writing officially to the king says :

"Those ships that lie in the Irish Sea will be sufficient to bar all trade from the west of Scotland. The fittingest places are between Arran and the coast of Galloway; when the weather is foul there is an excellent road in Galloway called Loch Ryan, where they may lie in safety. 27 Nov. 1638."

The men of the western shires, however, were not to be caught napping. Lords Cassilis, Eglinton, Kirkcudbright, and Glencairn each raised regiments in which the younger members of the baronage eagerly enrolled themselves as captains; thoroughly trained officers from foreign services accepted lieutenancies; whilst the people flocked in hundreds to their standards. We find James and Alexander Agnew, younger sons of the sheriff, and James Dalrymple of Stair, among the first named as captains in these local corps.

Having gone through a course of training, the whole Covenanting force assembled in 1639 on Dunse Law under Leslie, afterwards Earl of Leven. The great bulk of the proprietary of Galloway identified themselves with the movement, and the Galloway contingent did credit to the province by its good appearance and discipline. Principal Baillie, who was officially present, writes :

"Our Crowners (colonels) for the most part are noblemen, our Captains Barrones, or gentlemen of good note, our lieutenants almost all soldiers who had served over sea at good charges."

The formidable appearance of this force was a practical hint to the king of the necessity of yielding something to public opinion, and he condescended somewhat ungraciously to treat. Owing to the name of the spot where this treaty was extorted it became a joke that it was neither by civil law, nor yet by canon law, but only by Dunse Law, that the king had been beaten.

Parliament met on the 12th August 1639. Lords Cassilis, Galloway, and Kirkcudbright, and the lairds of Larg and Kilhilt were present from Galloway, but as they immediately sanctioned the Solemn League and Covenant, Parliament was prorogued by the king's commissioner Traquhair.

Charles gained little by this move, as on the return of their representatives the word went round in each locality to arm, the local regiments were re-embodied and again encamped upon Dunse Law.

Determined to anticipate an attack, the Scottish force marched instantly southward. The Galloway contingent being commanded by Sir Patrick M'Kie, son of Katherine Agnew of Lochnaw. Crossing the Borders, they took Newcastle-upon-Tyne, having had a sharp little brush by the way, where "they lost under a dozen, the most regretted gentleman being Sir Patrick M'Kie his only son."¹

Complete success was, however, the result of this comparatively small sacrifice, and from Newcastle the Scots were able to dictate terms, and, extracting a promise that Presbyterians were no more to be molested in Galloway, returned home.

M'Clellan, a contemporary, writes: "In the late battle of Newburn on the Tyne, in England, a handful of Galloway Knights, under Patrick M'Kie, whose son was killed in the action, gave a splendid example of gallantry: for with their long spears they threw the dense body of the enemy into such confusion as to secure an easy victory."²

The young soldier's death is further deplored in a rhyming chronicle of the period:

¹ Baillie's *Letters*.

² Blaeu's *Atlas*.—M'Clellan.

In this conflict which was great pitie
We lost the son of Sir Patrick Maghie.¹

At this date we find an acknowledgment by James Agnew of Auchrochar of 1400 marks received from his uncle Alexander Agnew of Tung. Witnesses Uchtred M'Dowall younger of Freuch; Quentin Agnew, brother-german to the sheriff; James Glover, notary public.

James Agnew was colonel of Lord Kirkcudbright's regiment, and probably required this money in aid of its equipment.

In 1640 Robert, Lord Kirkcudbright, died; leaving no heirs by his wife, a sister of Lord Ardes, he was succeeded by his nephew Thomas, son of Rosina, daughter of the seventh sheriff, who re-embodied the regiment raised by his uncle, which rose to great reputation under the command of his cousin James Agnew just named.

This autumn Parliament reassembled. The only local business we can trace is a petition from John M'Caig, postmaster in Portpatrick, "supplicating to have a post bazk," which was granted.

A little joke of the king's during this short session fixed a nickname on a Gallovidian.

Gordon of Earlston protested against Montrose being set free from arrest on suspicion of playing fast and loose, and observing the Lord Register affecting to misunderstand him, rose a second time, repeating his protest with warmth, and insisted that it should be entered on the proceedings, adding that as a member of a free Parliament he should take no denial. Whereupon the king, who was now playing the *rôle* of affability to the Scots, answered him himself blandly from the throne, assuring him that his protest should be registered as he wished. As the house broke up the king beckoned to Lord Galloway and asked, "Who was that man so bold in Parliament to-day?"—"He is a neighbour and kinsman of my own, sir," replied the earl, "the Laird of Earlston."—"Laird!" said the king smiling; "from his speech I should have thought that he must be Earl of

¹ *Newburn Book*, by Zachary Boyd.

Earlston." The alliteration catching the fancy of the audience, the mock title clung to the bold baron for his life.

In 1643 James Dalrymple of Stair got a first footing in Galloway, where his descendants have struck so deep a root. He was born at Drummurchie in the parish of Barr in 1619. In 1638 he served, as stated, in Lord Glencairn's regiment; and it is said that when marching at the head of his company past Glasgow College in 1641 he read a notice on the gates that a competitive examination for the professorship of logic was to be held that afternoon. There and then he presented himself in his buff and scarlet, and unacademical as was his appearance, distanced all competitors, won the place, and went into residence. He had held his appointment for two years when he wooed and won Margaret Ross, the heiress of Balneil, who also possessed a residence at Carscreugh, which in the vacations from college he much delighted to visit.

From the Lochnaw charter chest we find that at this time John Ross, his wife's uncle, had mortgaged the lands of Carscreugh to the sheriff; who, as appears from the records of the Consistory Court, was actually infest in them.

"The Sheriff of Galloway having lent certain sums of money to John Ross of Cascreugh, quhilk haill sums will extend to 5000 marks money, or thereby, therefore umquhile John Ross for the Sheriff's relief did bind and oblige himself to sell and irredeemably dispose to the Sheriff the lands of Cascreugh, Barnsalzie, and Nether Sinnieness, whereof the Sheriff is now in peaceable possession. . . .

"It has pleased God to call John Ross, so that he departed this mortal life upon the 20th of this inst. May. And John Dunbar younger compeered before the Consistorie Court of Wigtown, and having power of the Honourable Andrew Agnew apparent of Lochnaw in his name desires that the said Andrew may be declared Executor and Creditor to the said John Ross, quhilk desyres and protestation the foresaid Court thocht reasonable, and therefore decerns and decrees the said Andrew Agnew executor-creditor to the goods and geir of umquhile John Ross."

The sheriff was thus in actual possession of John Ross's lands with lien on his personalty also. But Major Ross effected an arrangement with the sheriff, as we find the young couple in residence there for many a year.¹

Parliament met again in 1643, Sir Patrick Agnew and the laird of Garthland representing the shire, but the sheriff appears to have retired in the course of the session in favour of his eldest son.

The Galloway members complained that their county was overtaxed, 40 mark lands, retoured as such, being of less value than 10 mark lands elsewhere. A grievance they insisted "oft complained upon, but never remedied, the five or six poor shires of the west paying more taxation than all Scotland besides."

The Estates at first refused to entertain the question, but they were not to be so easily put off, and an eyewitness writes: "After long debate the matter was accomodat, and some reason is lyke to be done to the west."²

The all-engrossing subject of the moment, however, was a rebellion in Ireland, which not only threatened the safety of many Scots settled there, but might take the form of an Irish invasion of Scotland in favour of the Crown. A vote of 1,200,000 marks was unanimously passed for the maintenance of a parliamentary army; 10,000 men were ordered to be embodied at once, commissioners of supply being named for the respective counties, the "young Sheriff of Galloway and the Laird of Garthland" being the conveners of those for Wigtownshire. This first committee of war was composed as follows: Sir Andrew Agnew apparent of Lochnaw, Sir Robert Adair of

¹ In the Lochnaw charter chest is a bond in John Ross's writing: "We Alexander M'Dowall of Logan, Andrew Agnew apparent of Lochnaw, Uchtred M'Dowall of Freuch, Andrew M'Dowall of Killeser, John Gordon of Barskeoch, William Gordon of Grange, Patrick Agnew of Sheuchan, and John Ross of Cascreugh," become mutually responsible for 500 marks advanced by Sir Patrick Agnew to Logan, "to be repaid at Martinmas, without longer delay, fraud, or guyle. Written by John Ross at Stranrawer the 29th day of June. Before William Agnew of Croach, Patrick Agnew of Galdenoch, Godfrey M'Culloch in Balgreggan."

² Baillie's *Letters*.

Kilhilt, James M'Dowall of Garthland, Alexander M'Dowall of Logan, Gordon of Craighlaw, John Murray of Broughton, John Vaus of Barnbarroch, Uchtred M'Dowall of Freuch, James Ross of Balneil, Thomas Hay of Park, Fergus Kennedy for Stranrawer, Patrick Hannay for Wigtown, "with power to make special lists of fencible persons between 60 and 16, and to have special care that they are provided with arms."

Thus the Estate carried out their resolution "that the kingdom be put in a posture of defence."

The States further appointed Lord Kirkcudbright to command the horse of Kirkcudbright, the laird of Garthland to command the horse of Wigtown, the Earl of Cassilis and Lord Garlies to command the foot.

Unwittingly the Estates had paved a new system for regulating local taxation, for although their Acts were rescinded after the Restoration, the idea underlying this legislation was retained, and from this Parliament may be dated the institution of Commissioners of Supply.

Previous to this, taxation had been levied in proportion as the words of old or new extent had been inserted in the confirming charters of lay proprietors, while church property was assessed according to Bagimont's Roll. But henceforward, by a law of the Estates, lay and clerical property was valued and assessed alike.

In 1644 there was a general election. "Sir Andrew Agnew, Knight, younger of Lochnaw, and the Laird of Garthland" were returned for the shire, William Grierson of Bargatten for the stewartry, Patrick Hannay for Wigtown, John Crosbie for Kirkcudbright.

This third Parliament of Charles I. extended its sittings over six sessions, and lasted three years.

Meeting on the 4th of June, they entered at once into correspondence with the English Parliamentary leaders, and on these promising to accept the Covenant, and pay the Scottish forces, they agreed to provide 20,000 men, of which 3000 were to be cavalry. In pursuance of this policy the Estates passed

an act of agreement with commissioners from England on the 23rd July, the third article of which stipulated that "two ships of war be presently sent by the Kingdom of England to Loch Ryan, Portpatrick, Lamlash, and Ayr, to guard and waught over the Scottish soldiers." Committees of war being simultaneously appointed, those for Wigtownshire including Lords Cassilis, Galloway, and Garlies, the sheriff and his son, with the Lairds of Garthland, Freuch, Logan, Kinhilt, Myrtoun, Barnbarroch, Mochrum, and Baldoon. At this crisis the General Assembly sought to assert itself as the concurrent authority with the Estates, passing some extraordinary and un-Protestant resolutions. Among others one desiring ministers, more especially at seaports, to search for and stop all books tending to separation. A second, forbidding all disputations in public or private, as to practices not determined on by the Presbyterian Church. A third, interfering with private family worship, strictly limiting this to members of *one* family, "and that none be permitted to explain the Scriptures but ministers and expectants," appointing also a standing commission "to hunt out, apprehend, try, and execute justice against those guilty of witchcraft."

These various committees, whether lay or clerical, worked too often with unfortunate zeal, as, for example, the War Committee of Kirkcudbright, on the mere *suspicion* that Lord Nithsdale was playing fast and loose, ordained that the house of Threave be "flighted" forthwith by the Laird of Balmaghie, "that the sklait roof and battlement thereof be taken down, with the lofting thereof, doors and windows, and to tak out the haille iron work of the same, and to stop the vault of the said house, with power to the Laird of Balmaghie to use and dispose the timber, stanes, ironwork, to the use of the public, his necessar expences being deducted." And that a part of the order as to the dismantling of the house was actually carried out is proved too surely by a subsequent resolution of the Committee (William M'Clellan of Barscob having petitioned to be allowed to buy "certain freestanes which he has use for"), which runs thus: "The quhilk supplication being heard, seen,

and considered, the Committee of the Stewartry ordains the said Laird of Barscob to take as many of the aforesaid freestones of the said house as will serve for his use, and to be in the Committee's will for the pryce thair of." ¹ By which we observe that the funds for the destruction of the old historical keep were provided by the sale of its ornamental stonework.

¹ *Minute Book of the War Committee of Kirkcudbright*, p. 67.

CHAPTER XXIX

CIVIL WAR

A.D. 1644 to 1651

On Philiphaugh a fray began,
At Hairhead Wood it ended ;
The Scots out o'er the Graemes they ran,
Sae merrily they bended.

IN glancing at the events of these stirring times we shall restrict our view as far as possible to those that were reflected from a Galloway horizon, or in which members of the sheriff's family, friends, and neighbours bore a part.

On the 5th of June a Committee was struck by Parliament, "for the expeditions of the army towards England," known as the "Committee for the Levee." Urgency was voted, and the members were required "to meet at four o'clock this night, and at seven o'clock to-morrow morning." Upon this sat Lord Kirkcudbright, the young Sheriff of Galloway, the Laird of Garthland, and Sir William Scott of Harden. Lord Cassilis and the Laird of Lagg sat at the same time on a Committee struck for preparing processes against those impeached. On the 11th of June the Laird of Garthland was on another Committee "for considering propositions of peace."

The young sheriff and Sir William Scott, a Border baron, both sat together on a commission composed of four of each estate, to act along with the Justice Clerk as Judges Delegate.

This Laird of Harden, whom we find much associated with the Sheriff of Galloway, was the son of a previous Sir William

Scott by a daughter of Sir Gideon Murray, near of kin to the Laird of Broughton.

The story of his mother's betrothal amusingly illustrates the humours of Border life.

This senior Sir William, when himself the young laird, had made a foray one night on Sir Gideon's lands, and was caught in the act of driving off a rich booty, when he was captured, and made fast in the fetters to await Sir Gideon's judgment. He having been caught *flagrante delicto*, when Sir Gideon had him brought before him he asked few questions, made no reproaches, but simply condemned him to death, and then went about his ordinary business. Hanging a thief was such an everyday affair that the impending execution occasioned little talk; but happily a hint of the matter reached my lady's ears, who soon made herself acquainted with all particulars. Bursting into her lord's apartment she indignantly exclaimed, "Hoot, Sir Gideon, what do I hear? You tak' the life of the winsome young Laird of Harden wi' three ill-faured lasses in the house o' yer ain to marry!"

"Ye're recht, Maggie, my dear," replied the baron, instantly grasping the situation, "Wullie shall tak' our muckle-mou'd Meg, or else he'll strech for it."

The maternal instinct proved a happy one to both the parties. The mouth bringing a message of mercy was not the one from which a hopeless prisoner would avert his lips, and much to his father's surprise he returned with a bride from the neighbour's house he had ridden out to harry. And, what was satisfactory to all, he never rued that night's work.

The inconveniences of civil war were now making themselves felt. Pressure was put upon persons of all degrees to give a tenth of their property as an offering to the State. But not satisfied with this, all plate and jewellery was to be given up to the State, or else redeemed at full value, nominally as a loan, but with very doubtful security.

"Sic like it is appointed that all the silver work and gold work in Scotland as weel to Burgh as landwart, as weel noble-

men, Barons, Burgesses, as others of whatsoever degree or quality they be, be given in to the Committee at Edinburgh upon such security for repayment as the said Committee and they shall agree."

The orders to the Committee for the Stewartry (and doubtless those for the shire, which have not been preserved, were similar) enjoined them to put persons upon oath, "gif they have any money to lend upon suretie to the use of the public," and in case of any backwardness ordains the said commissioners "to plunder any persone that shall happen no to mak thankful payment of the sogers pay, both for horss and foote."

In the case of Lord Nithsdale, whose house of the Threave the Committee of Estates had already "flighted," on the 22nd of July the house, "in respect of his rebellion, makes and creates the Lord Kirkcudbright Steward of that Stewartry." And before separating, placed the Sheriff of Galloway¹ and the Laird of Garthland with full powers as to the conduct of the war in Ireland.

The young sheriff, who seems frequently to have been in Ireland himself on his own affairs, was aware of the woful state of the Scotch regiments in Ireland. He at once took active steps for their relief, and riding through the country, personally collected provisions, and freighting ships, despatched them to Carrickfergus. Among his papers we find many receipts, one, for example, docketed "Bargain of meal to be sent to Ireland to the sojers,"² a receipt following from the Provost of Carrickfergus.³

¹ In all records of Parliamentary proceedings during the next decade the Sheriff of Galloway means Sir Andrew Agnew, the apparent of Lochnaw, or otherwise the young sheriff. Sir Patrick seems to have withdrawn entirely from public life, and without further repetition, the sheriff henceforward means his son.

² "I John Carssane, Baillie in Kirkcubrie, grants me to have received from Patrick M'Kie, Notar, in name and behalf of Andro Agnew, apparent of Lochnaw, the sum of 3700 marks money of this Realm, in satisfaction of the greatest part of a greater sum promised by the said Andro Agnew to me, for ane Bargane of Meill to be sent to Ireland to the sogurs. This 26th day of February 1645 years."

³ "I Alexander Mure, in name of James Stewart, grants me to have received from Andrew Agnew, apparent of Lochnaw, the number of 250 of bollis of meal,

Meanwhile the sheriff's brother James was serving in England in command of Lord Kirkcudbright's regiment. A corps which, though enrolled as "foot," it is evident, both from history and despatches, were mounted.

News of Montrose's successes in Scotland having reached the Parliamentary camp of the Scots at Hereford, Leslie instantly started northward, and by forced marches in an incredibly short time surprised Montrose lying in fancied security in Ettrick Forest.

Agnew's Galloway men, trained to mosstrooping exploits, were well used to night work in the saddle, and having arrived in the vicinity of Montrose after dark, taking little rest, long before daybreak had made the complete circuit of their slumbering foes, and taken up position in their rear.

As the Border Minstrel has it, Leslie

Had halved his men in equal parts
His purpose to fulfil ;
The one part kept the water side,
The other gaed round the hill.
A cloud of mist them weel concealed,
As close as e'er might be,

under cover of which mist Lord Kirkcudbright's regiment rushed with wild cries to the engagement.

Completely taken by surprise, surrounded, bewildered, the whole Royalist band had nothing left for it but to surrender or fly. To quote Sir Walter Scott :

"Leslie came down from England at the head of those iron squadrons whose force had been proved in the fatal battle of Marston Moor. How it is possible that Montrose received no notice of his coming is inconceivable ; still more extraordinary, that even *with* the advantage of a thick mist Leslie should have advanced next morning without being descried by a single

part of the 500 bolls agreed upon by the said Andro Agnew of Lochnaw and James M'Donald of Garfland ; as witness my hand at Craigfergus, 5 April 1645."

On the 28th of January letters were read in Parliament from the army in Ireland dated from Craig Fergus, showing their great want and necessities of meal and provisions.

scout. Such, however, was the case. He beheld his army in irretrievable rout, and the gallant Montrose graced by his example the retreat of the fugitives."

Colonel James Agnew received the thanks of Parliament "for the services of himself and his regiment at the Battle of Philiphaugh," and was voted the more substantial recognition of a sum of 15,000 marks. Unfortunately the victory was sullied by an act of treachery, the responsibility of which rests really with Leslie, whoever may have urged it upon him.

A party of Irishmen, sent by M'Donnell, Earl of Antrim, holding alone together of all Montrose's forces, Leslie himself promised them quarter through Stewart their adjutant, upon which they instantly laid down their arms; "but then," when surely we have supposed it was too late, "did the Churchmen quarrel that quarter should be given to such wretches as they, and declared it an act of most sinful impiety, and found out a distinction whereby to bring David Leslie off; that was that quarter was only meant for Stewart the adjutant himself." Leslie was weak enough to yield to this Jesuitry, and the gallant Irishmen were instantly butchered, after having received a solemn promise of protection.

It is sad to find in these troublous times the General Assembly of Divines, who should of all men have been advocates of mercy, hounding on commanders, already too willing, to give no quarter to prisoners whose only crime was differing in politics and religion from themselves. This example is far from a solitary one. The Synod of Galloway sent a petition to the Estates praying that the "sword of justice may be impartially drawn against those persons now in bonds who have lifted up their hands against the Lord, the sworn Covenant, and this afflicted Kirk." And that from Dumfries was equally truculent: "We need not lay before your Honours what the Lord calls for at your hands in the point of justice, nor what you owe unto the many thousands of His people."

Thus urged, a bloody Act was passed at the instance of these reverend petitioners on the 23rd December, "that the House

ordains the Irish prisoners taken at Philiphaugh to be executed without any assize or process."

The only comfort for the humane being that few had been left for the hangman, the great bulk, as already said, having been murdered on the field.

A new corps was now raised in the valley of the Nith (literally Novantae), styled the South Regiment, and another in the west, styled Lord Galloway's Regiment, of whom the first colonel was Alexander Agnew, the sheriff's fourth son.

And besides Lord Kirkcudbright's regiment, commanded by his third son, a second was raised in the Stewartry by Lord Kenmure, which he commanded in person, Alexander Agnew of Croach being one of his captains. As to this corps, we find it noted in the Parliamentary Journals, 15th December, "orders to Viscount Kenmure's Regiment to march to Montrose," a service regarded as so serious that the Laird of Croach made his will before starting, and deposited it with the sheriff. It was thus:—

"I Captain Alexander Agnew of Croach, being employed in the public service, and being compellit to the North in the expeditione yrof, and knowing nothing more certaine than daith, nothing mor uncertaine nor the tyme and place yrof, make my last will and Testament as follows:—In the first I recommend my soul to God, hopinge the same to be saif, through the merits of Jesus Christ; and as for my worldlie affairs, I be thir presence nominats and constituts Andrew Agnew, appeirant of Lochnaw, in case of my decis before my return—my only executor. At Edinburgh the 28th day of November 1646 years."

In 1646 the Earl of Eglinton and the Sheriff of Galloway were appointed on a Committee to investigate all claims for loss by land or sea by loyal subjects owing to the war. As these were to be made good by fines and confiscations on "malignants," they were easily arranged on paper, though this method proved rather an awkward precedent when "malignants" were in the ascendant. A renewal of a commission from Argyle

to the young sheriff proves that the fishing industry was more diligently pursued in Galloway than now.

“Me Archibald, Marquis of Argyle, by thir presents do give power and Commission to Andrew Agnew, apparent of Lochnaw, Sheriff of Galloway, to ask, crave, uplift, receive, mell and intro-mit with the assize duty of all ships, barks, boats, crearis,¹ and other vessels liable in payment thereof that are or shall be at the herring fishing in the seas, lochs, and bounds betwixt the Mule of Galloway and the march of Carrick. And that from the fishers and slayers of herring within the said bounds, and from the owners and merchants of the said ships, barks, boats, and others adepted in payment of the said assize duty of the year of God 1636 and 1637 and yearly in time coming during our will and pleasure.

“And with power to him, his Deputies and Substitutes (for whom he shall be answerable) to hold Courts among the Fleet, fishers, and slayers of herring, salters, coopers and others intromitted with; and to administer Justice to all complainers and to punish unlaw; and to that effect to create Clerks, Officers, and other Members of Court needful, and if need be to pound and distrain for the said Assize duties and unlaues required; and for better ingathering thereof to appoint Collectors and Factors under him. The said *Andrew Agnew* being comptable to us yearly for the —— of the said Assize duties, and having all the rest allowed to him for his pains and travel. It is always declared that these presents shall noways be extended to any parts of the bounds whereanent we have formerly given warrants to the Lord Bargany concerning the Assize duty of the bounds therein named.

“Subs. at Edin. the 18th day of December one thousand six hundred and forty-six years, before these witnesses, And. Campbell, Captn. of Dunstaffnage and the said George Campbell.

“ARGYLE.”

It can hardly be supposed that the fleet, barks, boats, with

¹ Lighters.

their fishers and crews, coopers and salters, were all *in nubibus*. That the coasting trade was carried on with energy is corroborated by the Montgomery manuscript, stating that at that period, during the long summer days, traders from Stranraer frequently left their homes on horseback in the early morning, crossed the Channel from Portpatrick to Donaghadee, rode on to Belfast, and standing the market there, returned to Stranraer at night.

A receipt among the sheriff's papers of the following year is suggestive of another forced loan.

"Seeing Sir Patrick Agnew of Lochnaw, Sheriff, at the desire of the Lords of the Committee of moneys for the north, has lent and advanced to us one thousand merks, we therefore in the said Committee of Parliament, bind and oblige the Estates of the kingdom to pay to the said Sir Patrick, his heirs, etc., the said principal sum with the annual rent thereof, out of the first and readiest moneys that shall arise out of the taxation, or any impositions hereafter laid upon this kingdom," etc.

The receipt is signed by—

(Signed)	"CASSILIS.	ARCHIBALD SYDSERFE.
	"SOUTHESK.	J. W. BOYD.
	"JOHNE KENNEDY."	

Towards the close of the year¹ there was another general election, when there were chosen "Sir Andrew Agnew, Knight, and Sir Robert Adair, Knight, of Kinhilt, for Wigtownshire, William Grierson of Bargatten for the Stewartry, and William Glendingning for the Borough of Kirkcudbright."

This Parliament sat continuously until 1651.

When King Charles, after his defeat at Naseby, put himself into the hands of the Scots army, May 1646, the Earl of Cassilis

¹ A deed of this date is conclusive as to the root of Kirminnoch. "Assignment by John Reed to the Sheriff younger, for a debt on the lands of Kirriemanoche, witnessed at Lochnaw, 9 Oct. 1647, by Andrew Agnew of Killumplea, Andrew Agnew his son, Mr. John Lawrie, Chaplain, Thomas Glover, Notary Public." Kirriemanoche, now Kirminnoch, the monks' quarter lands.

and the Laird of Garthland were among the commissioners sent to treat with him.

The new Parliament named War Committees on the 18th April 1648. We quote that for Wigtownshire literally, with explanations in brackets, interesting as proving the unanimity of the Galloway baronage at this period of the struggle.

War Committee, 1648.—Earl of Cassilis, Viscount Ardes, Lord Garlies, Sir Patrick Agnew, Sheriff of Galloway; Sir Andrew Agnew, younger of Lochnaw, Knight; Sir Robert Adair of Kinhilt; Lairds of Park (Hay), Freuch (M'Dowall), Craiggaffie (Neilson), Balneill (Ross), Ardwell (M'Culloch), Achrocher (Colonel Agnew), Synniness (Kennedy), Gillespie (Kennedy), Knockglass (M'Dowall), Killeser, elder and younger (M'Culloch), Andrew M'Dowall of Lefnoll, Patrick Agnew of Sheuchan, James Kerr, factor to the Earl of Cassilis; Lairds of Dunragit (Baillie), Larg (Linne), Little Dunragit, Garnock (Cathcart), the Provost of Stranraer, the Lairds of Barnbarroch (Vaus), Craichlaw (Gordon), Mertoun (M'Culloch), Mochrum (Dunbar), Brochtoun (Murray), Kilcreache (Cascreugh, Dalrymple), Baldoon (Dunbar), Grange (Gordon), Glasnock, Fontalloch (Stewart), Wig (Agnew), Dalregle (M'Dowall), Drummorell (M'Culloch), Monreith (Maxwell), Drummastoun, elder and younger (Houstoun), Houstoun of Cutreoch, the Provost of Wigtoune, the Provost of Whithorne, Stewart of Tonderghie, Francis Hay of Ariolland, Dunbar, younger of Mochrum, Gordon of Balmeg, Hew Kennedy of Arieheming, Patrick M'Kie of Cairn, Agnew of Galdenoch, William Gordon of Penningham, the Laird of Garthland, and Mr. James Blair (minister of Portpatrick).

Colonel James Agnew died in Edinburgh, probably there on duty with his regiment, having married Marian, daughter of Thomas Kennedy of Ardmillan, who had apparently predeceased him, as we find an "inventour of the clothes belonging to umquhile Col. James Agnew, delivered by the Lady of Ardmillan to his brethren," this lady being his mother-in-law. Among the items under her charge was "ane buff coat with sleeves of flammerit with silver lace. Ane sad coloured doublet

with silver and gold pearl on it, ane suit of light coloured clothes and cloak, various other suits, ane hat with ane gold hat band, ane pair of seals, and ane pair of Dutch pistols. All which items we, Andrew Agnew, apparent of Lochnaw, and Alexander Agnew, Lieutenant-Colonel to the Erle of Galloway's regiment, grants us by thir presence to have received fra the hands of Lady Ardmyllan at Ardmyllan, 28th day of July 1648."

Within a few weeks of his death he had received a tack of the teinds of Kirkland of Inch from the Earl of Cassilis, "as possessed immediately before be Alexander Agnew of Tung, his uncle," dated 1st January 1648.

His lands of Auchrochar reverted to his father.

We find also a discharge "to Sir Patrick Agnew by James Kennedy in Chappell of Stranrawer for money advanced to Lieutenant John Agnew in my Lord of Ardes regiment."

This John we trace no farther.

After a stormy session, the Estates involved in constant disputes with the General Assembly, Parliament adjourned for the autumn, reassembling in Edinburgh the 4th of January 1649.

The members for Galloway were all in their places, the first business in hand being drafting instructions to the Scottish Commissioners in London, of which the most notable was—

"That they should induce the Chiefs of the Army to delay to meddle with the King's person, and if they proceed to pronounce sentence against the King, that ye enter your dissent and protest;—that this Kingdom may be free from the desolation, misery, and bloodshed that will inevitably follow thereon."

The protest was unavailing, and King Charles having been executed on the 30th January, the Estates caused his son to be proclaimed king at the Market Cross on the 5th of February following, an act which required no little nerve, as the Scots Parliamentary party, with but a few newly-raised regiments at their command, thus threw down the gauntlet to Cromwell and his veteran Ironsides.

Gallant as was the impulse, there was infatuation in their counsels for having thus dared the stronger nation. They

madly declined proffered assistance from political opponents, and passed an insulting Act disqualifying "malignants" from serving in defence of their country, the General Assembly highly approving, and urging them to have no communion with any who had not given evidence of repentance.

Such were the unpractical counsels in the ascendant.

The Estates, however, resolved "that this Kingdom be put in a posture of defence, and for the better and more speedy effectuating thereof" nominated Colonels and Commanders of horse and foot for the various counties. Those for the Shire of Wigtown being the Earl of Cassilis, the Sheriff of Galloway, Sir Robert Adair, and William Stewart.

The Estates then despatched commissioners, amongst whom were Lord Cassilis and John Livingstone, to treat with the young king at the Hague. They sailed from Kirkcaldy the 17th of March, but returned the 11th of June, having found the merrie monarch "very lothe to accept the covenant." On the 14th of March the Estates nominated a Committee "for ordering all things relating either to peace or war, to appoint such general offices as they think fit, and generally with power to do all and sundry other things that shall be found necessary for the good of religion, the honour of the King, and the peace of the Realm."

On this grand committee, popularly styled "for governing the Kingdom," were the Earl of Cassilis, Lord Kirkcudbright, Sir Andrew Agnew, and Sir Robert Adair. We find it noted on the "2d Aug^t. 1649.—The Committee of Bills having heard and considered the supplication of the *Sheriff of Galloway*, showing that he being nominat executor to umquhile L^t.-Colonel James Agnew his brother, quha was L^t.-Colonel to the umquhile Lord Kirkcudbright his regiment;—and quhilk Regiment did for their good service at Philiphaugh get alloted and appointed to be payed fifteen thousand merks out of the Lord Herries his estate, for which sum the said Lord Herries being forfalt, before it was rescinded he paying the said sum to the officers of the said Regiment, whereof neither the said supplicant nor his said umquhile Brother before his decease did get nor has gotten nothing thereof.

“The Committee foresaid finds the said supplication instructed by the production of the Act of Parliament granted in favors of the said umquhile Lord Kirkcudbright his regiment for the sune foresaid.

“In regard whereof and of the supplicant’s good deservings and constant affection to the cause now in hand, it is the humble opinion of the Committee that the said Lord Herries be ordained to pay to the supplicant the said sum of three thousand seven hundred and fifty merks (which is the just fourth part of the said sum, quhilk the said Lord is formerly ordained to pay by Act of Parliament, and is due to the supplicant and to his umquhile brother in manner foresaid).

“And that the Parliament grant letters to charge the said Lord Herries to pay the same, and orders were given to the general officers of the Army to quarter on Lord Herries’s lands till he made this payment.”

It is noted that the Sheriff of Galloway and the Laird of Bargatten “do nominate Sir Robert Adair to have the fourscore horse to be levied out of Galloway.”

Commissioners were further appointed for plantation of kirks and valuation of teinds, among whom were the Earl of Cassilis, Sir Andrew Agnew, and Sir Robert Adair.

Previous to the close of the session, Parliament renominated the persons already named as commissioners for governing the kingdom, and adjourned till the autumn. This year the first Earl of Galloway died, and was succeeded by his only son, James, Lord Garlies, brother of Lady Agnes Agnew, who had married in 1642 a daughter of Sir Robert Grierson of Lagg.

Two years before this the second Lord Kirkcudbright had died, and was succeeded by his cousin, John M’Clellan of Borgue. He had bequeathed to his cousin the young sheriff the lands of Glenturk, Carslae, and Carsgown, as well as a mill in Kirkcudbright, of which he was put in possession the following year by the third lord.¹

¹ “Me John Lord Kirkcudbright heir served and retourit to umquhile Thomas Lord Kirkcudbright, forsameikle as the said Thomas Lord K. by dis-

The regiment which bore his name, shortly after Colonel James Agnew's death, had been almost completely annihilated in a fight with the English Parliamentary forces at Lisnegarvey,¹ now Lisburn, in Ireland, but was actively recruited by his successor.

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An amusing scene occurred in the General Assembly previous to the adjournment of Parliament. In this my Lords Cassilis and Argyle sat as lay elders. One Mr. Naysmith "argued much that the haill teinds" should be recovered to the Church. Cassilis, who had the lion's share of the great tithes of Galloway, did not at all relish the proposal, and he and Argyle tried to put it down with a high hand as a proposition "much scandalizing the profession and their often promises."

Mr. Naysmith was irrepressible, affirming that the whole were the actual property of the Church, and that by Divine law. To this Cassilis retorted, "The more ye gett, the worse contented ye are, but in this ye have neither Divinity under the Gospel for the same, nor reason, nor any point of human law." To this Argyle added, "The Church has already the tenth of all the rent of the land, yet it seems they are not content. They are not the thirtieth part of the inhabitants, I may say not the hundredth part. 'It is not good to awalkin sleeping dogs.'"

The Moderator getting alarmed, as Cassilis and Argyle were great pillars of the Church, interposed. "Our brother Mr.

position subscribed with his hand 2 Nov. 1646, irredeemably disposed to Andrew Agnew, Apparent of Lochnaw knight, the lands of Glenturk,¹ Carslae,² and Carsgoune,³ with their houses, biggings, haill parts, pendicles, and pertinents.

"I being most willing to fulfil the same charge Wm. M'Kie notary-public (and others) to pass to the ground and there give heritable state and seizing and corporal possession to Andrew Agnew or his attorney, etc.; and I have subscribed these presents before John M'Culloch of Wigtown, John Vaus of Barnbarroch, Thomas Stewart Provost of Wigtown, the 17 April 1650.

"KIRKCUDBRIGHT."

¹ Lios na gcearrbhach = the fort of the gamblers.—Joyce, ii. 118. For this there is ancient authority, but it would be a great mistake to translate Belgarvie, Kirkcowan, the gambler's town, the root being probably either a proper name or garbh = rough.

¹ The Boars' Glen (tore).

² The Calves' Carse; Laigh.

³ The Smiths' Carse.

Naysmith spoke more rashly nor he was aware of, and he admired he was so impertinent, and therefore willed him to be quiet." Naysmith, notwithstanding, had the last word, interjecting that "he only spake out that which many of his profession thought." Upon this "some lay elders that were Barons desired him to deny that, otherwise they would make the sword decide that question, and let him and such covetous persons see the teinds were not under the Gospel, *juris divini*, but *juris humani*." ¹

The commissioners for the valuation of teinds, adding others to their numbers in each county, proceeded to make their rounds and to report.

Those for Wigtownshire whom the sheriff associated with him were Patrick Agnew his brother, William Kennedy of Gillespie, Francis Hay of Airullane, Alexander M'Culloch of Ardwell, and David Dunbar of Baldoon.

"Having given their oaths judiciallie to use their best endeavours for a right and true information," a leading heritor from every parish was required to make a statement on oath, which was taken down in writing. As an example we take the parish of Sorbie, entered thus:—

"James Earl of Galloway, for self and remanent heritors, feurs, live-renters, and proper wod-setters within this Parish declares—

Their money rent extends to	.	.	3020	09	04
Payit in victual, meal, and beer	.	.	1118	17	00
			<hr/>		
			4139	06	04
Payit in feu-duty to the College of Glasgow			271	06	08
Payit in mortified rent to Mr. Robert Blair			10	13	04
Payit in mortified rent to minister and schoolmaster	.	.	733	06	08
Payit victual to the minister and schoolmaster (15 bolls)	.	.	72	00	00
Payit to his Majesty's exchequer	.	.	24	00	00"

¹ Balfour, iii. 417. Sir James Balfour here writes as an eye-witness.

It is to be noted that all the parishes contributed largely to the parish of Glasgow.

During the recess the sheriff's eldest daughter was married to Cathcart of Carleton, a direct descendent of

The knight worthy and white,
Courteous and fair and of good fame,
Sir Allan Kattcart wes his name,

mentioned by Barbour.

The family seat was Killochan Castle; the bridegroom was served heir to his grandfather in 1662.

In March 1650 the Estates sent Lord Cassilis (who again took with him Livingstone) along with others to treat with Charles at Breda, where—with whatever mental reservation—the king subscribed the Covenant, and on the 4th July the Estates proclaimed “that his Majesty enters to his government and exercise of Royal power.”

In the interval they had appointed a commission for the examination, “it is much to to be feared by torture,” of fifty-four witches.

Meanwhile the king arrived at his own house of Falkland, from whence he was feasted with all his train at Perth by the magistrates, and next day by General Leslie “in a garden house on the River, where was a table covered with dessert of all kinds.” “Next he was welcomed with a banquet by Lord Burleigh, and the morrow dyned at the Erle of Dunfermline's charges.”

Had the dealings of the king been entrusted solely to the nobility and baronage much advantage might have accrued. Charles was now for the first time brought face to face with Presbyterianism, and ordinary common sense should have taught the leaders of the Church that religion should be presented to the king in the spirit of the Bible, breathing forbearance, gentleness, and love.

That Charles was inclined to be dissolute was known, but he was young, and now on his best behaviour, and was much more likely to be influenced by kindness than abuse.

The Presbyterian Churchmen had a great chance, and—able men as many of them were—threw it away with a perversity which is astounding.

On every possible occasion long sermons were forced upon the king, his attendance being compulsory. Sundays were made to him positively days of penance ; his having formerly received the Episcopalian communion kneeling was explained to him to be a sin ; his father and mother were constantly and publicly reviled before his face, and, incredible as it may appear, the Fathers of the Church, posing as statesmen, forced him to sign a declaration that he was deeply affected before God for the idolatry of his mother, and for his father's opposition to the work of God and the Solemn League and Covenant.

These particulars are not those of a sneering critic, but given with unction by a warm partisan of the Assembly.¹

The Estates, declining the help of all old Royalists who were Roman Catholics, or even Episcopalian, counting their levies on paper and parading Charles as a nominal Covenanter, though in reality their prisoner, were living in a fool's paradise, when Cromwell swooped down upon them with just 16,000 men, and scattered their levies to the wind. Thus on the fatal 3rd of September, with 3000 killed and 9000 prisoners, the reign of Charles II. and the Supremacy of the Estates and General Assembly came simultaneously to an ignominious end. Times now went hard with the Scottish Estates ; they had alienated an influential faction by corresponding with the English Parliamentary army ; that very army had now knocked at their doors as masters, and it became war to the knife between Presbyterians and Independents. The Scots almost to a man repudiated both the politics and form of religion of their conquerors, but so besotted and bigoted were the majority of the Estates, that they still refused to allow many of the king's most efficient partisans to fight under their banners.

The result was deplorable. Men who should have stood shoulder to shoulder breathed mutual defiance, thus courting

¹ Balfour, iv. 92.

defeat, whilst camps forming in every quarter brought agriculture to a standstill, and trade was nil.

The gentlemen of Galloway, Dumfries, and Ayr, however, with great energy brought into the field some 4000 horse, and Strachan and Kerr, who had developed military talent in foreign armies, were invited from the north to take the command. This forming a nucleus for other levies, they might have shown a good front had not the Estates, at the instance of the Assembly,¹ again purged the army of some of its most efficient officers. At last awakening to their folly, they admitted all without any distinction to fight against the common enemy. But no sooner had this one sensible act been done than the ministers who had been most active in assisting to raise the levies, protested with such vehemence against it, that a division took place among the commanders, extending to the rank and file, which was necessarily fatal to military success.

These ultra - Presbyterians were called the Protesters, and had the support of Lord Kirkcudbright, Gordon of Knockgray, and Captain Andrew Arnot, besides Livingstone, Rutherford, and McClellan, the most popular preachers in the west.

Whilst factions argued, Cromwell was acting. He marched on Glasgow, the levies of the west retiring on Dumfries, and having once and again made a dash at the English, they as often were defeated, and at last dispersed.²

Divided counsels prevailed in Galloway. Lords Cassilis and Kirkcudbright, the Laird of Garthland, and others declaring for the king against Cromwell, but siding with the "Protesters." Sir Andrew Agnew, Sir Robert Adair, and other lairds

¹ "The Committee of Parliament acted nothing against the enimey, bot purged out of the army about 80 commanders. The ministers in all places preched incessantly for this purging."—Balfour, iv. 89.

² It is not clear whether the older Galloway regiments kept distinct from the new levies and followed Charles in a body when he crossed the Borders, returning afterwards. In the Journals of Parliament, 2nd December 1650, it is "ordered by the House that the Western Forces with the three regiments of Kirkcudbright, Galloway, and Dumfries, be joined with Robert Montgomery and be under his command."

indignantly opposing the "Protesters," and declaring for king and the Estates. Whilst Sir Patrick Agnew, Lords Galloway and Kenmure, disgusted by the weakness of Parliament, proposed to support the king independently of the Estates, and were termed "Cavaliers," which implied a suspicion of "malignity."

Lord Kenmure was particularly active in enlisting, and to attract recruits carried a large cask of brandy at the head of his regiment, "which," says an eye-witness, "was known to the whole armie by the merrie appellation of 'Kenmure's drum.'"

It is in reference to the band here assembled that an officer of Cromwell's Ironsides, who were now in force upon the Borders, writes from Carlisle: "Divers Cavaliers, Lords, and gentlemen from Galloway" were hovering near Dumfries, but dispersed by a party of a thousand horse and foot sent from thence to take and garrison it.

Kenmure Castle, which had risen from its ashes since the days of the Regent Murray, was forthwith invested by the Cromwellian army, and they being apparently provided with artillery, the defenders had soon to come to terms.

A note has been preserved "of the Articles concluded and agreed upon the 22 Dec. 1650 betwixt the Lord Kenmure, Governor of his Castle of Kenmure, on the one part, and Captain Dawson, Captain Crackenthorpe, and Captain Nary for the Parliament of England.

"*First*, that the said Lord Kenmure shall forthwith deliver up his castle, with all the arms and ammunition, for the use of his Excellency the Lord General Cromwell.

"*Second*, that Lord Kenmure shall have all his household stuffs of whatever sort secured to his proper use, either within the castle or by conveying them away, provided it be within fourteen days.

"*Third*, that the Lord Kenmure, with such as are in arms with him, shall have liberty to repair to their own homes, acting nothing prejudicial to the army of England, or shall have seven

days to dispose of themselves, their horses, and arms without let or molestation.

(Signed)

KENMURE.

DAWSON.

CRACKENTHORPE.

NARY."

This arrangement concluded, Captain Dawson next reports a successful raid upon "Kilcobright," which he put under requisition, and destroyed all the arms for which he had not conveyance, taking at the same time "60 muskets and firelocks, 8 great barrels of powder, each containing near three ordinary barrels, match and ball proportionable, and great store of meal and beef." He adds that on the march he had taken forty horses and some prisoners.

CHAPTER XXX

THE LANDS OF LARNE AND KILWAUGHTER

A. D. 1650 to 1659

Syne to the sea he tuk the way,
And at Lochriane in Galloway
He schippyt with all his menze ;
To Cragfergus soree coming is he.

BARBOUR.

CROMWELL, profiting by the wrangles which prevented Parliamentary "Protesters" from co-operating with "malignants," soon reduced the stern Presbyterians of Galloway to entire submission to the sterner Independents.

As deaf to the remonstrances of presbyters as of prelates, he superseded their sheriff, established his own courts of justice and of supply, and imposed smart fines on any of the baronage who wagged their tongues against the conqueror.

Arbitrary as this may sound, it was mildness itself compared with his dealings with Scotsmen across the Channel, where his system was more "thorough" than that of Wentworth himself.

Mutterings of discontent by Galloway owners in Ulster were answered by confiscation, and resistance by deportation. Great was the alarm among Galloway undertakers, such as the sheriff, Sir Robert Adair, Lord Ardes, Sir Robert M'Clellan, and many others who had interest in the Plantation of Ulster, and now received notice to quit.¹

Sir Patrick Agnew's estates were amongst the first sequestered by Cromwell's Commissioners of Revenue ; and Sir Robert

¹ Hill's *Plantation of Ulster*, 498-510.

Adair received a curt notice of their intention of appropriating Ballymena, accompanied by an order to select lands forthwith in Tipperary, to which they proposed to transport his vassalage.

The sheriffs, father and son, had been frequently called across the Channel in the previous years, both on public and private business. As before said, we are unable accurately to trace the exact nature and length of their tenures in Antrim, although their employment on missions by the Parliamentary Government, as well as earlier Scottish kings, seemed to imply local connection and influence.

When Sorley Boye's son was confirmed in his seizure of the Route, one of his first acts had been to offer grants of land to the Agnews, apparently in recognition of prior claims.

Sorley Boye was a contemporary of Sir Andrew, the seventh sheriff, and his son, Sir Randall M'Donnell, had grown up on terms of intimacy with Sir Patrick, the eighth sheriff.

In 1604 Sir Randall married Alice, daughter of the Earl of Tyrone, lineal representative of the very "Regulus Onele," to whose Court the second sheriff had been accredited by King James II. He had obtained from James VI. a grant of a territory, extending from Larne to Coleraine, 333,000 acres in extent; in 1618 was created Viscount Dunluce, and advanced in 1620 to the Earldom of Antrim.

On being installed as a petty king, he seems to have pressed his friend, Sir Patrick Agnew, to hold various estates in Larne, Glenarm, and Kilwaughter under him. The papers connected with these first dealings have been lost, but charters have been preserved dated as early as 1622, all in the form of renewals.

Early in 1636 Sir Patrick and his son, Sir Andrew Agnew, were on a visit to Dunluce, and a letter of the former extant relative to that visit distinctly states that Lord Antrim, both then and previously, had pressed the occupation of these lands upon him.

Sir Patrick's words to Lord Dunluce, afterwards second Lord Antrim, are that it was rather from the love he carried to his

noble father than from any advantage he was likely to derive that he had entered upon the occupation.

Of the lands so held the Agnews always claimed and exercised, and apparently without dispute, the right of subletting them at will. We extract a narrative of such doings from a lease executed during their visit to Ireland named, now in the Lochnaw Charter Chest, which abbreviated runs thus :—

“Sir Patrick Agnew of Lochnaw, Scotland, Knycht, Sheriff of Galloway, by an instrument in wryting under his hand, bearing the date the 20th day of July 1622 years, did give and assign unto Patrick Agnew the Quarter land called Ballykeill in Learne, with all and singular its appurtenance, for the number of years unexpired and unspent of ane hundred years, for which the Earl of Antrim passed the said Quarter of Ballikeill and other lands to the said Sir Patrick. The said Patrick yearly paying to the said Sir Patrick the yearly dewtie of sax pounds one mark sterling. And whereas the said Patrick Agnew in Ballikeill in the County of Antrim in Learn, Gentleman, is lately deceased, his son Patrick being in real and actual possession of the said Quarter, now know all men that the said Sir Patrick Agnew and Sir Andrew Agnew, his son, in consideration of the said yearly rent of six pounds one mark, do by these presents ratifie, confirm, and secure to the said Patrick Agnew and his assignees the right, title, and interest in the Quarter of Ballikeill, with the half of mure during the residew and remainder of ye number of years unexpired of the ane hundred years.

“Signed in the year 1636.

PATRICK AGNEW.

ANDREW AGNEW.

“PATRICK AGNEW in Ballikeill in Learn, Gentleman.”

Simultaneously with this the new agreement with Lord Antrim was prepared and executed in these terms :—

“This Indentour made the 14 April 1636 between the Rt^h Hon^{ble}. Sir Randall M'Donell Knight, Earl of Antrim on the

one part, and Sir Patrick Agnew of Lochnaw in the realm of Scotland, Knight and Baronet Sheriff of Galloway on the other part witnesseth, that the said Sir Randall, etc., doth demise unto the said Sir Patrick all that his three tounland which is now in the possession of the said Sir Patrick Agnew and his Tenants in the Loch of Larne, viz. Lelies Druminidonachie, Drummiho with Beliaderdawn, etc., according to the ancient bounds and limits of the same, *as the said Sir Patrick now enjoys the same.* To have and to hold during the tyme and terme of threescore and seventeen years from the feast of Philip and Jacob next, commonly called May day, he alway delivering therefore to the said Earl yearly the sum of twenty pounds sterling; and as much good clear oats as any twenty acres within the Barony of Glenarm shall yield; also upon demand the sum of three pound stirling current and lawful money. . . .

“And the said Earl shall and will warrant and defend the premises to the said Sir Patrick Agnew against all persons whatsoever.

“In witness whereof both parties hereunto interchangeably put their hands and seals the day and year above written.

“ANTRIM.

“PATRICK AGNEW.

“Signed, sealed and delivered in presence of James M'Donnold, Da^l M'Naghten, John Agnew.”

Patrick and John Agnew were kinsmen of the sheriff, although their pedigrees cannot be traced. John was married to a daughter of the well-known Mr. Shaw of Ballygally.

On the 18th of December of the very year when this grant was signed, the sheriff's friend, the first Earl of Antrim, died (it is said of dropsy). He built the Castle of Glenarm, near the ancient strength of the Bysets, and was occupied in enlarging it at the moment of his death.

On the lands held by the sheriff was the residential Castle of Kilwaughter (Cil-uachder, the upper chapel or wood), said to have been in the French style, and with very high thick and

loopholed walls, with flanking towers, battlemented at top. A limpid spring bubbled in the outer wall, and was useful in case of siege. A large courtyard with various offices was also surrounded by a wall with loopholes. Within the demesne was a well of great celebrity, Tobber-moar,¹ and it was overlooked by Agnew's Hill, a prominent feature suggestive of the traditionary tenure of the lands by an Agneau in the days of Richard Cœur de Lion.

Among the principal permanent residents in the district was James Shaw, a cadet of the Shaws of Greenock (now represented by Sir Michael Shaw Stewart). He had built himself the Castle of Ballygally, at the head of the bay of the same name, between Kilwaughter and Dunluce, the date fixed by an inscription still legible over the old doorway—

“1625. God · is · providens · is · my · inheritans.”

The armorial escutcheon above bearing the initials I. S. and I. B., the second for Isabella Brisbane of Brisbane, who was his wife.

John Shaw's sister, Elizabeth, had early in the century married Sir Hugh Montgomery of Braidstone. This Sir Hugh had received from the king a grant of the lands of Newtonards near Donaghadee; and his son, John Shaw's nephew, was created Viscount Ardes, and at this moment owned Portpatrick and the Castle of Dunskey.

Lord Dunluce, who had succeeded on his father's death in 1636 as second Lord Antrim, had married the beautiful widow of Villiers, Duke of Buckingham, reputed of great wealth; but the young couple's power of expenditure proved greater, and being much pressed for money within two years of his father's death, the earl took the startling step of breaking all his father's

¹ Near one Mr. Patrick Agnew's, in the parish of Kilwaughter, is a well called Tobber-moar, *i.e.* the great well. This is raised with a breast of stones about 7 or 8 feet high, and is about 20 deep, and I judge about 30 yards in compass; so very clear, as you ride above it, all the bottom exposes itself to your view, and rises out of limestone.—*Brief Description of Antrim*, 1683, and *M'Donnells of Antrim*, p. 384.

leases, and raising the dues at which his father had engaged that they should be held for a hundred years.

Sir Patrick, among others, received due notice that his lordship repudiated his father's engagements, summoning all who held under him to attend his court, and accept such terms as he should propose.

This attempt was illegal, as well as dishonourable, as these gentlemen were not mere copyholders, holding at the lord of the manor's will, but vassals with chartered rights, the dues irrevocably fixed for a hundred years.

Sir Patrick's answer has happily been preserved, in which in courtly phrase he professes indifference as to what his lordship may determine, declines attendance, and with veiled sarcasm hints that he may find it his best policy to be guided by the example of his father.

“ Sir Patrick Agnew's letter submitting to my courtesie.

“ I ressaveit ane letter from your servant John Agnew showing me that your Lordship was appointit with your Tenants of the Barony of Glenarm upon Monday the seventh of this instant August . . which gladlie I wold have kept, gif it had been but to have come (according to my bounden deutie) to kiss your L hand; but there is an appointment and reference betwixt the Erle of Cassilis and me at Mayboll the nynth of this month which I must keep, in regard the reference is in the friend's hands and the Erle will be there and gif I should not keep the day our reference will expire. . . I have been more considerate in your L good mind towards me, nor all my Les is worth, bott howsoever my Les is absoluttlie in your L power, doe as it shall please your lordship . . for it was mor out off the luff I caritt to your Lordship's nobill Father and his nation than for any gan I haiff. . . But as I have ever had that luff and respect to your Lordship and all yours, I am confident of your Lordship's good and generous dealing with me, as I shall ever prove a thankful and true servant to your L, and shall procure to your L thanks from some of your honourable friends at Court for your L fair

dealing with me. So in this and all other things, being willing to obey your L to do quhat you command—

“ I am, y^r Lordshippes m^t humble servant,

“ PATRICK AGNEW.”

We have reason to think that the sheriff's appeal to my lord's good and generous dealing was satisfactorily responded to; at all events that the dues were not materially raised.¹ But civil war threw all proprietary rights, as well as over lords or vassals, into abeyance, and high and low had perforce to bow to the Lord Protector of the Commonwealth.

To revert to earlier dealings of the sheriff with his property, on the 18th of May 1645 he sent his eldest son across the Channel to see how matters were; having signed a power of attorney in these terms:—

“ I Sir Patrick Agnew of Lochnaw, Knight, Baronet, gyfes and grants to Andrew Agnew, my lovit son and apparent heir, full power to possess, manure, set, and rents received from anie that labour the lands of Larne, possessed by the said Sir Patrick, quhilk he held be covenant of the Erle of Antrim, laitlie deceased; with power to demand rents, or pursue anie that dwells therin, or has dwelt there; with power to distress, uptake all bygone rents, give discharges, set, and all other things to do, as if I was thar myself.

“ Subscryvit with my hand at Lochnaw ye 18th of May 1645.”

Sir Andrew Agnew, as we have seen, had but a few weeks before been attending to the needs of the Scottish soldiers at Carrickfergus (April 5); but armed with this he recrossed the Channel with his brother, Colonel Alexander Agnew, and we have the following details of his management during this visit.

The first is the leasing of a residential estate to a countryman.

¹ Lord Antrim's wife was Katherine Manners, daughter and sole heir of the sixth Earl of Rutland; married 1620 George Villiers, Duke of Buckingham; married 1635 Viscount Dunluce, Earl of Antrim.

“ Sir Andrew Agnew, apparent of Lochnaw, doth lett unto Capt. Alexander Dundasse all and whole the 5 quarter land, with the half townland of Lestronbard,¹ for eleven years from All Saints next, he paying therefor at All Hallow Tyde next to cum the sum of £5 sterling, and £5 at the last day of May next following, and every half year thereafter. And in case there be anie cause of removing by the said Sir Andrew at the expiration of the lease, he is to give satisfaction for the half of the building of the house to the Captain. Witness our hands the 23rd of May 1645.”

The previous day he had been settling leases with a humbler class of tenants. As an example:—

“ It is agreed between Sir Andrew Agnew and Andrew Blair, John Yunge, Alexander Dinlape, and Adam Boltoun, that the said persons are to take the 5 score acres of Drummiehow, the entry to be at All Hallow tyde next to come, paying for the first year’s rent aucht pence at May Day 1646, and thereafter to bruik and possess the land for 5 years thereafter, paying at May-day 1647 two shillings and sixpence sterling, and so forth during the period of 5 years.

“ Given under my hand at the Learne.

(Signed) “ ANDREW AGNEW.

“ Alexander Agnew, witness.”

From a mass of papers we extract two. The one curiously showing how Scotch names predominated in the sheriff’s Irish lands; the second as showing his minute attention to the management, as no such data exist as to the farming stock over any considerable area in Galloway at that date. The factor rendering them was John Blair, son of the minister of Portpatrick.

1. “ Received since your worship left me in the Learne.

Florence Lech, 30/.

Thomas Sillimann, 16/.

¹ Lios sron baird, Ford of the Bard’s point. O’Gneevs were the bards of the Clannaboy O’Neils, and afterwards as a clan changed their name to Agnew.

Alexr. Dinlape, 301/.	John Mure, 16/.
John Cnockes (Knox), 20/.	Adam Bowtoun, 27/6.
John Mitchell, 14/8.	Alex. Dinlape, 2/6.
Thomas M'Caie, 30/.	Gavin Mure, 8/6.
William Con, 28/6.	John Weir, 25/6.
Hew Peebeles, 19/.	John Wilson, 2/.
Wm. Jamison, 69/6.	William Allisone, 24/.
John Lilbourne, 302/6.	Wm. M'Auchie, 16/.
Thomas Boyd, 306/.	Robert Montgomerie, 9/.
John Trumbille, 4/.	James Archibald, 4/3.
Archibald Adam, 16/6.	James Willie, 301/6.
John Donaldson, 4/3.	A few more territorially designed."

(*N.B.*—301, 306, etc., evidently are meant to express thirty-one, thirty-six, etc.) The total sum remitted, £37:16:3.

2. "The number of the goods belonging to Sir Andrew Agnew's men within the parish of Kilwaghter.

Florence Leech possesses 30 acres land, whereof he hath sowne
6 bolls corne and 6 ps. barley.

3 knowes and one hyred kow from John Boltoun, 50/.

And 6 sheep, and 2 plew horses worth 20/.

Alexr. Dunlop possesses 33 acres of land, whereof he hath soun
8 bolls corne, and barley 10 pecks.

And of lytill kouis (little cows) 6 worth 4 pound sterling.

And 4 heaffers, and 2 bullocks, and 40 heed of sheep, and
12 tups.

And a horse and a mare for the plew, and 2 fillies, all
worth £4 stg.

John Knox possesses 20 acres of land, whereof he hath sowne
5 bolls corne and 6 pecks of barley.

And two lytill cowis and 3 hyred cows, one from Adam
Boltoun in Drummallis, one from Thomas Knox in
Kilwaghter worth 4 lb. stg., and 4 stags worth 20/, and
of sheep 10 heed.

And a plew horse, 30/.

John Mitchell possesses 16 ackers land, whereof he hath soun
4 bolls corne and 4 pecks barley.

2 kowse, 2 stirks, and a lytill heaffer, and 2 byred kowis
worth 50/.

And of sheep 14 head, and two plew beasts.

A horse and a mare worth 30/.

Thomas Caye (M'Kay) possesses 7 acres land, whereof he has
soun

7 bolls corn and 4 pecks barley.

3 kows worth £3 sterling, and 12 sheep, and

2 plew horses, one worth 16/, the other worth 24/.

William Carr possesses 15 acres of land, whereof he hath soun

3 bolls of corn and 4 pecks barley.

4 kows, of lytill beasts, 2 lytill heaffers, and a stirk bullock
worth 4 pounds, and 6 sheep,

And a plew horse 24 years of age worth 15/, and another
plew horse worth 20/."

And so on through a much longer list.

Matters improved for the Scottish settlers, from the presence
of the Scottish garrison under Munro at Carrickfergus, but a
few years later the successors of Cromwell entirely altered the
situation, and Monk was supreme in Antrim.

Sir Robert Adair, not daring to disobey this autocrat, personally
arrested General Munro at Carrickfergus, and Monk
shipped him off as a prisoner to England. The Presbyterians
complained bitterly of the conduct of the Independents, but
Cromwell's only reply to the grumblers was by an order,
startling in its audacity, "for the removal of all popular
Scots out of Ulster;" the order accompanied by a nominal
roll of Presbyterian landowners to be removed forthwith to
Munster, further ordering Sir Robert Adair, and Mr. Shaw of
Ballygally, to proceed to Tipperary and there allocate lands for
the exiles.¹

¹ They made a list of the persons to be transplanted, ministers and others,
and caused divers gentlemen of the State to go to Tipperary and view it in
order to this design. But this motion of the Governors had no bottom to rest

Among those proscribed were the Lord Ardes, Sir Robert Adair, Captain John Agnew, Patrick Agnew, William Agnew, Francis Agnew, James Shaw, John Blair, Andrew Adair, Alexander Adair, Alexander Stewart, James Stewart, John M'Dowall, John Dunbar, John Hannay, all having a Galloway connection.

Lord Antrim found himself "out of the frying-pan into the fire"; for having already been mulcted and imprisoned by the *Scottish* officers, the whole of his Ulster estates were now swept away by a stroke of the pen, to provide for the English Independents,¹ he himself being considerably assigned lands beyond the Shannon in exchange!

A sequestration was placed on the lands of all holding under him, and an immediate assessment imposed and collected from them.

Moreover, Colonels Venables and Rawdon (two of Cromwell's celebrated majors) arrived at Belfast as commissioners to administer to all Scotsmen, and Scots ministers more especially, a new test, styled "the Tender or Engagement;" this being an oath of fidelity to the Commonwealth, with scant favour allowed to all who refused to accept it.²

Fortunately for the Scotsmen, Mr. Livingstone, minister of Stranraer, obtained access to Cromwell, and inclined him to do something to conciliate the Presbyterians, and though no grace was accorded to Lord Antrim—a Papist and a malignant—orders were at once despatched to Venables and Rawdon to initiate a more "live and let live" policy, and rather to prevail on the Ulster Scots to engage that they would make no aggression, and if possible to induce them to adhere to the Commonwealth.

A better understanding was soon arrived at. Cromwell's commissioners, as advised, cultivated the acquaintance of resi-

upon, and therefore their project of transplanting the Scotch to Tipperary did vanish within a little time.—Adair's *Narrative*, p. 201.

¹ To Captain Franklin and his troop, ye Baronies of Glenarm and Antrim, with 20,250 acres.

To Major Smith and his company in the Baronies of Glenarm and Antrim, 6623 acres.—*M'Donnells of Antrim*, 283, and *Carte. MSS.*, Bodleian Library.

50,000 acres were granted to other persons.

² Adair's *Narrative*, 192.

dents of position, and Mr. Shaw formed a warm friendship for Rawdon personally, and was able to do a good turn to his neighbour the Sheriff of Galloway, whose rents had been impounded along with those of his neighbours.

The following correspondence has been preserved :

“ Ballygelly ye 20th of Merch 1652.

“ Much Honerit Schir,—According to your desire I haiff (sent) this bearer John Blair the Schireff off Galloway’s man to follow yor ordurs for the getting an order for the off bringing off the Scheriff of Gallowayes sequestration.

“ I have sent the Collonell’s (Hill’s) letter to him and my sense of your respects to him, I wald have sein him my self at this tyme giff I had been abill.

“ So this being all for the present I rest and ame,—Yor reall frend and servant to dispose off,

JAMES SHAW.

“ For his much Honerit

ffreind Major

George Roden.

“ 20 Merch 1652.”

In compliance with this Major Rawdon handed to Mr. Blair the following order to take to the Glenarm Commission :—

“ Belfast, June the 4, 1652.

“ The Commissioners of Applotment in the Barony of Glenarm are ordrit to send us an exact particular and certificate under the heads of the lands belonging to Sir Andrew Agnew now under sequestration, and of the rent thereof and the monthly contributions paid out to them. Without such information we cannot proceed according to the Commissioners of Parliament’s order and the desire of this letter.

(Signed) “ GEO. RAWDON. JA. TRAILL.”

On receipt of this report, the Commissioners ordered the sequestration to be taken off, as before stated in the text.

Upon inquiry the sequestration was removed by the Commissioners from the Sheriff’s lands ; but notwithstanding this,

certain sub-officials, whether from excess of zeal or a simple embezzlement, kept back some of the rents due to him, as set forth in the following complaint :

“The Humble Petition of Sir Andrew Agnew to the Honourable Commissioners of the Revenues of the Province of Ulster ; humbly showeth,—

“That whereas your Petitioner obtained an order from your Honours for the getting down his sequestrated rents in July 1652 and was in possession of and receiving the same. How soe it is, may it please your Honours, that the Collector of the Baronie of Glenarm hath taken upp a month’s rent contrarye to your Honours’ orders and keeps the same constantly from mee without any right or equity.

“May it please your Honours, the premises taken into consideration and the wrong done unto your petitioner ; and be soe favourably pleased as to grant such orders that Major M’Callie who was then Collector may restore your Petitioners month’s rent according to your Honours’ orders granted unto him.

“And hee shall ever pray,” etc.

The petition itself was returned to the sheriff, with this order endorsed on the back.

“Belfast, this 28th of October 1653,—

“The Collector mentioned in the petition is required to restore the month’s rent alledged to bee kept from Sir Andrew Agnew contrary to the intent of the orders of the Commissioners of the Commonwealth and of the Commissioners of the Revenue, or to appear this day seventhnight to show cause to the contrary.

(Signed)

“ROG. WEST.

RICH. BICKERSTAFFE.

JA. TRAILL.”

This matter settled, the young sheriff recrossed the Channel, this letter soon after following him from his agent, dated Larne, 27th January 1654 :

“Right Worschippful,—When I wrote this first Collonell Venables was not come here, but I know hee is come, so what it pleaseth your worshipp to write to him anent your tenants here, ye may do it for their helpe. As for Mrs. Dundasse shee is very unwilling to leave the land, unless it pleases your worshipp to put her to it. Shee would be content to keep the half of what she possesses, and pay for it as it pleases your wor^{pp} to impose. Bot for removall shee has not will, but desires to stay still this year. Neverthelesse shee must be at your worshipp’s disposing, and if it be your worshipp’s will yt shee removes, shee must have her money, and I must collect it off yr tenants. I believe yor worship hardlie knows what break there is in the Quarters, there be many removed,—the fyve quarter land is lyk to be worst. As to the proportion belonging to your Worship of old it is lyk to be broken very sone. Ballygelly desires to be your friend if he could to his power, in this thing. But what is imposed upon it alreddy, to wit two pence upon the shilling more than was before, is lyklye to continue till May, and whether or no it continueth longer I know not. I can say no more to your worschip for the tyme, for I hope yee know my mind.

“Yor worshipp’s servant to my power, JOHN BLAIR.

“*P.S.*—As for the packet of letters wherein that letter to Collonell Venables was, I saw that not. Bot I gott one from Robert Somervall which I sent up to Dublin to Collonell Venables quhen hee was heere, but whether or no hee got it I know not, for I have heard no answer of it. Howsoever write now to him, and I shall goe to him myself.

“As for getting land plowing it will hardlie be gotten done, for there is not a pleuche yoked yet in all yor worship’s land.”

“For the Right Worrshippfull

Sir Andrew Agnew, Knight, Shirreff of Galloway.”

The young sheriff recrossed to Larne early the next summer, and his father wrote him the following instructions :

“Lochnaw, the 19 May 1654.

“Luffing son, I ressavit your letter, perceives the caus of your stay. As to your particulars with John Agnew, I perceive ye are in trysting, bot gife ye be advised be me, ye sall nevr tryt with him till he produces his lese; and I assure myself thar is no indifferent friends that can think bott his lese or any other writs he has of me must be his ground, for otherwayes he has nothing to say, and quhen he produces his rycht your compt. is sone calculatt.

“Concerning the moor, his Ballicoll has no part of the moor but cuts at the cross dyke abuve Toberhua, quhich is the march betwixt Ballicoll and Lagnegollen, and goes along to the round knoll at Knoocketonall. Neither of them has to do with the top. As to the quarters of Mullochbuie and Stronsie, gif he have gud rycht to them, he will get according to his rycht. Bot the toleration he had of me to the mure was in my tenants' own default, for they thocht nothing of it, and wont gife no rent, but they sent word after, and then gladlie gave payment. There is neither mure nor dark there that any man has them of me bot he has his writ for it.

“These to you, that ye may eschew the experience I had with him, quhen I hed procedure in law against him, quhilk processe was sone endit, he keeping the ground. I, with his fare words, being content to refer to my son Seuchane and Mr. James Blair concerning the acht hundred marks and three terms payment that rested. They decerned me to quit the acht hundred merks, and for the land it was waste, quhile he had the profit of pasture and hey without tak or stroke of pen.

“So, sone, lett my counsell, occasioned of experience, be an advertisement to you. Ye sall never have the make or good word behind your back, do quhat ye will to him or any of his.

“Ye saw that old Achneil (Mure) has bene in Aresay till the 9th of May. I perceive his friend Auchindrain (Mure) [words illegible] desyres ye wald gar Andro or William get the

band and put it in Carlton (Cathcart) his hands till your home cumming.

“I can wrett no more for the present; but as ye have occasione be not slaw to writ. The Lord give you prosperity and happie success in all your endeavours,—Your luffing Father,

“PATRIK AGNEW.

“I entreat you bring me ane saddell, and let it be of the same lysene¹ of the last, bott not prodigall, nor so high of the ends before.

“To His Luffing Sone

Sir Andrew Agnew, off Lochnaw, younger, These.”

Later in the autumn a commission sat to inquire into the state of Ulster, and to verify the ownership of land.

Several witnesses were brought before these commissioners by Sir Andrew Agnew, to prove the immemorial right which his family had in their estates there.

These were each asked, among other questions (all numbered):

“1. If he knew of his own knowledge the lands held by Sir Patrick Agnew from the Earl of Antrim?”

“3. If he had any knowledge of a lease granted by the Earl to the said Sir Patrick?”

“4. If he did know of his own knowledge that Sir Patrick did possess the lands before the late Rebellion?”

To which these are some of the answers:

“The Deposition of Captain John Agnew of the Barony of Glenarm, aged about 68 years, taken at Belfast in behalf of Sir Patrick Agnew (etc.), 30th Nov. 1654. Being duly sworn and examined—

“To the first interrogation states, that he did know Sir Patrick Agnew’s lands. The cause of this deponent’s knowledge being that deponent did receive the rents of the said lands for the use of the said Sir Patrick Agnew; and did pay what was

¹ *Lacing*. Saddles were then often richly embroidered. The John Agnew mentioned in the letter is not the kinsman of the same name.

due thereout to the said Earl of Antrim for about thirty years before the Rebellion.

“To the third interrogation states, that he doth know the said Lease now presently showed unto him to be the same that he did see signed by the late Earl of Antrim and delivered to Sir Patrick Agnew.

“The cause of this deponent’s knowledge being that he was *present at the sealing and did witness the same*, as also knoweth the handwriting of the late Earl, etc.

“To the fourth interrogation states, that he doth know that Sir Patrick Agnew was in possession of the said lands for twenty-three years before the sealing of the said lease (in 1636) and since unto this day saving a few years that he was kept out by the Rebellion, and the Rebels being beaten out of the county of Antrim the said Sir Patrick possessed the same again. The cause of this deponent’s knowledge being as in the first declaration.”

“The deposition of James Shaw of Ballygelly, Barony of Glenarm and county of Antrim, Esquire, aged about sixty years.

“Who being duly sworn and examined—

“To the first interrogation, answereth the same with the first (witness). The cause of this deponent’s knowledge being for that he hath of a long time known the said lands.

“To the third interrogation, sayeth, that he hath often seen the said lease now showed unto him and hath had the lease in his custody on behalf of the said Sir Patrick; and knoweth the handwriting of the late Earl of Antrim (as also the hands of James M’Donell, Dan M’Naghten, and Captain John Agnew, witnessing the same to be their usual handwriting) signing the lease.

“The cause of this deponent’s knowledge being for that he was well acquainted with the said persons, and upon many occasions had reason to know their handwritings.

“To the fourth interrogation, answereth, that he knew (of his own knowledge) the said Sir Patrick to be in possession of the said lands for forty years past saving four and a half years

in the time of the Rebellion ; and that now he is in possession again thereof and enjoys the rents and profits of the same.”¹

Matters now progressed more satisfactorily.

There were also intricate negotiations to conduct between the Scotch Parliamentary Commissioners (of whom the sheriff was one) and those of the English Parliament. In these, as in all his affairs both public and private, he received cordial assistance from his brother commissioner, Sir James M'Dowall of Garthland.

Among leases which he granted, we find it agreed “between Andrew Agnew apparent of Lochnaw and William M'Cashie that the said William gets the threescore acres possessed last by Hew Crawford, he paying for the same yearly 2s. 6d. sterling. Signed at the Larne, 22d May 1645. ANDREW AGNEW.

“ALEXANDER AGNEW (Colonel) }
“GILBERT AGNEW } *Witnesses.*”

Rents were now able to be paid, and, what was more important in Ireland, recoverable. We find an order entrusted to the sheriff's agent by a resident magistrate to a tenant endeavouring what in modern times is termed a plan of campaign. The tone is friendly but firm :

“Glyn, 23d of June 1656.

“John Turnbull,—I pray you fail not to pay unto John Blair what rent you owe unto Sir Andrew Agnew, otherwise he is hereby authorized to distrayne for the same.

“So I rest yor friend, ROBERT BRYER.”

Law thus asserting itself, there was a momentary lull, and, occasionally, more merriment in the “quarters” ; as we infer from an entry in the sheriff's factory accounts for 1656 : “For drink last summer when your worshipp was heir.”

Three years later he leased a large tract to a kinsman before mentioned, from whom descended the branch of the Agnews of Kilwaughter ; the deed bearing that “Sir Andrew Agnew of

¹ *Extract of Evidence before Commissioners of Applotment.*

Lochnaw Knycht, dewises and lets to Patrick Agnew of Balikell gentleman, the lands of Lelies, Drummidonachie, Drummiehow, and Beliaderdawne, with the appurtenances, Royalties only excepted, for the tyme and terme of eleven years from the 1st of November next ensuing ; he paying and delivering therefor yearly the rents and duties which the said Sir Andrew is lyable to pay unto the chief proprietor or lord of the fee. He also securing the said Sir Andrew harmless of all assessments imposed, or to be imposed, by the state. As also he yielding and paying yearly to the said Sir Andrew, his heirs and assignees, the full sum of £40 sterling, current and lawful money of and in England.

ANDREW AGNEW.

PATRICK AGNEW.

“Signed, sealed, and delivered the 21st May 1659 in presence of John Shaw and Patrick Agnew.”

CHAPTER XXXI

A CROMWELLIAN SHERIFF

A.D. 1651 to 1657

Gude rewle is banist our the Border,
And rangat rings but ony ordour ;
With reid of rebaldis and of swane,
Quhilk to consider is ane pane.

DUNBAR—*Of the Warldis Instabilitie.*

Two days before the complete disorganisation of the Galloway regiments at Worcester, Monk had crushed the remaining Scottish army at Dundee ; so that Galloway, denuded of troops and deprived of all hope of succour from the north, had no choice but to submit to the Republicans.

These were not slow in putting in an appearance. English commissioners, there as elsewhere, “discharged all jurisdictions, Lords of Session and Counsell, Shyra and Commissary Courts.” And Colonel Matthew Alured producing a commission as Sheriff Principal of Galloway, Sir Andrew Agnew and Lord Kirkcudbright were superseded in their offices.

This may be accepted as quite a new page in Galloway history.

No notice of the fact has been taken by any chronicler, general or local ; and Colonel Alured’s presence had been entirely forgotten—indeed unknown—until papers proving it to be a certainty were found in the Lochnaw charter chest.

We find actual record of a case decided by him at Wigtown, in which Sir Andrew Agnew, the ousted sheriff, appears before him as a pursuer ; which he adjudged on thus :

“Colonell Matthew Alured Esquire, Sheriff Principal of the Sheriffdom of Wigtown, to the Offiissicirs and Sargants of the said Sheriffdom, forsamekle as it is meand and shewand to me by Sir Andrew Agnew of Lochnaw, Knycht, that William Porterfield in Cultis be his band and obligation subscrivet the 7th December 1643 years, obliged himself, his heirs and assignees, to have contentit, payit, and again deliverit to the said Sir Andrew the sum of three hundred and a score marks Scots money, betwixt the date thereof, and the first term of Candlemas next thereafter,—therefore it is my will, and I charge you that ye pass in name and authoritie of the keeper of the liberties of England, by authority of Parliament, and charge William Porterfield to make payment to the said Sir Andrew the complainer of the soume of money principal and annual rent and expenses, within six days’ time.

“Given under the signet of office in the said Sheriffdom, and subscribed by my Clark yrof at Wigtown the 4th of October 1653, and incontinent yrafter ye pass arrest, apprize, and distraintzie alsmeikle of the said Porterfield his goods and geir, quhenver ye can apprehend the same, as will satisfy and pay the said deliverance.”

Cromwell not only abolished heritable jurisdictions, but sent English judges to supersede the Lords of Session. Of Colonel Alured’s rule in Galloway no tradition remains, good or bad; but it is notorious that the English justices as a body acquitted themselves well, and by the fairness of their decisions greatly contributed to the acquiescence of the Scots in the Protector’s government.

Laudation of their successors was, however, little to the taste of the old senators of justice. Smith and Moseley were thus lampooned by them in an epigram more witty than just :

Smith, Moseley, and necessitie,
Are gey like ane anither ;
Necessitie has gat nae la’,
Nor Smith nor Moseley nather.

A more significant and less creditable utterance is attributed to

a judicial magnate, provoked beyond endurance by a remark that the decisions of Cromwell's justices were wonderfully in accordance with the spirit of Scotch law, and more uniformly good and fair than those of their predecessors: "Deil thank them," broke in this typical native judge; "a wheen kinless loons, wi' neither kith nor kin to bother them."

Meanwhile the Galloway barons all bent to the storm, excepting Lords Galloway and Kenmure and M'Dowall of Freuch. On such as refused to yield, Cromwell laid a heavy hand. Kenmure Castle and Castle M'Dowall were burned to the ground; Lord Galloway further was fined £4000, to meet which, he turned to his brother-in-law for aid, as shown by a registered obligation:

"At Edinburgh the 15th Day of December the year of God 1655, be it kenned till to all men be thir present letters, we, James, Erle of Galloway, Lord Stewart of Garlies and Glasserton, to have borrowed and actually received from the hands and deliverance of Sir Andrew Agnew apparent of Lochnaw, all and haile the soume of 10,000 marks money to the dooing of my necessar affairs, whereof we hold us well content, which sum of 10,000 marks money we faithfully bind us, our heirs, executors, and successors in our lands and heritages, thankfully to content, pay, and again deliver, to the said Sir Andrew Agnew."

Livingstone, the minister of Stranraer, had been summoned to London by the Protector, and thus recounts his interview:

"In the year 1654 I propounded to the Lord Protector in London that he would take off the heavy fines which he had laid on several in Scotland. Which neither they were able to pay, and the payment would alienate their minds the more. He seemed to like the overture, but when he had spoken with his Council, many of them being to have a share in these fines, they went on in their purpose."

Livingstone was a "Protester," having accepted Charles as a covenanted king; and it is a characteristic anecdote that when, during this visit, preaching before the Protector and his generals, he prayed for Charles by name as king, the officials were

highly incensed, and would have arrested him on leaving the church. But Cromwell, equally characteristically, exclaimed: "Let him alone! he is a good man, and what are we poor men in comparison with the kings of England?"

Lord Galloway, having paid his fine, remained in the country; but Lord Kenmure, refilling his "Drum," was "on and awa" with such lads as he could induce to follow him to Glencairn's camp in the Highlands: a gathering of Royalists very inefficiently commanded, who accomplished nothing, but made life intolerable to their neighbours by indiscriminate pillaging in the king's name, quite unable to show their faces in the open against Puritan warriors. As Burnet writes: "In the end of the year 1654 Morgan marched into the Highlands, and had a small engagement with Middleton, which broke the whole matter of which all people were grown weary, and the low countries were so overrun with robberies and pretence of going to assist them, that there was universal joy at the dispersion of that unruly army."¹

The irregularity and audacity of their doings, and their extortions, are well illustrated by an adventure in which the sheriff was involved with them; incredible in its impudence, were it not absolutely authenticated by a discharge which tells its own story:

"Be it known to all men by thir presents, me Captain James Summervail now Prisoner at Halyrudhous sumtyme Roodmaster in Sir Arthur Forbons his Regiment of Horse; forsameikell as I by virtue of the Commissione I had at that tyme, in the year 1654 yeirs in the moneth of February, I having taken and apprehendit Sir Andrew Agnew, Sheriff of Galloway prisoner at his awine house in Galloway; and after I had carried him sixtein myles from his awine house, the said Sir Andrew to procur his personall libertie did grant ane band to me the said Captane James Sommervail for his personall appeirance prisoner to me at the Weime in Atholl in garrison to the Scotch partie, betwixt

¹ Burnet's *History of his own Times*.

and the twentie-fyft day of March next thereafter; and that under the paine of ten thousand merkes. . . . And now seeing that the said band is lost, so that I cannot delyver the same, quhilk I am willing to doe if I had the same; therefore witt yee me Captain James Sommervaille to have exonered, quytclaimed and simplie discharged the said Sir Andrew Agnew of the said sum of ten thousand merks, etc.

“At the Cannogait ye twentie-first day of June 1655 yeires before Sir George Maxwell of Nether Pollock, James Dennes-toune of Cowgrane, and (Signed) JS. SOMERVELLE.

“Neather Pollok, *witness.*”

James Somerville of Drum, *de jure* tenth Lord Somerville,¹ had served as a free-lance in foreign armies, where the recognised custom was to live upon the enemy.

“Malignants” was certainly an appropriate term for this sorning band, who had lived for days at free quarters and by forced contributions on their long march, and had thus suddenly surprised the young sheriff and Lady Agnes, sleeping unsuspectingly in their house of Innermessan. There, having made free with the larder, but unable to extract as much coin as they had hoped for, they carried off the owner a prisoner under colour of a bogus commission (for it is utterly impossible that Glencairn, Middleton, and Kenmure would have countenanced doings as outrageous as impolitic).

The brigand troops, however, did not find themselves in clover on the Galloway marches. The population everywhere showing active hostility, and their prisoner being well known, they feared a rescue. Consequently, before riding far, they were glad to set him free for a bond of 10,000 marks. It was truly a game of brag. The bill might have been at par if Glencairn could have conquered Monk. The hand, however,

¹ James Somerville of Drum, properly tenth Lord Somerville, was son of Hugh Somerville of Drum (second son of the seventh lord), who had become entitled to the honours of Somerville, but did not take them up. He served with reputation in the French and Venetian service, and had the rank of Lieutenant-Colonel on his return home, dying 1677.—Wood’s edition of Douglas’s *Peerage*, ii. 509.

was soon played out: Sir Andrew Agnew returned, before the sun had set, to the bosom of his family.

Captain James Somerville by circuitous paths reached the Highland camp, there to be surprised by Morgan, and, himself a captive, to be soon recognised in Edinburgh by his former prisoner, who obliged him to give the discharge which cancelled the debt.

Early in 1663 the Laird of Garthland had gone to London to make formal submission for the Galloway barons, "and advised with the Protector anent the settling of their affairs"; Cromwell in the end promising that "their Sheriff should be reinstated in his jurisdiction, and that no fresh confiscations should be made except in cases of renewed resistance."¹

In accordance with this pledge, Colonel Alured was recalled, and duly rewarded for his services.² Sir Andrew Agnew was thereupon appointed Sheriff of Galloway in its fullest bounds. The tenor of the commission, omitting technicalities, being as follows:

"Oliver, Lord Protector of the Commonwealth of England, Scotland, and Ireland, to all to whom these presents shall come, greeting. Be it known forasmuch as we understand that Sir Andrew Agnew younger of Lochnaw, Knight, is of sufficient judgement and experience to undergoe the office of Sheriff within the bounds of our Sherifffdome of Galloway, therefore we have made and constitute the said Sir Andrew Agnew Sheriff Principal of the said Sherifffdom, with all the duties, honours, dignities, privileges, prerogatives, and jurisdictions belonging thereto; and because of the large vastness of your said Sherifffdome, through the falling in of that part which was formerly the Stewartrie of Kirkcudbright, whereby the people might sustain great prejudice through coming to seek justice from the bounds of the late Stewartrie to Wigtown: therefore we

¹ M'Dowall MSS. Crawford.

² Colonel Alured's name occurs in the index of vol. vi. part 2 of *Scots Acts*, where, between those of Lambert and Monk, it is resolved to confer upon all three, "Lambert, Alured, and Monk, lands of inheritance in Scotland of the yearly value of £200 sterling."

give full power to Sir Andrew Agnew to hold courts for doing justice to those of the inhabitants of the late Stewartrie, within the Tolbooth of the Burgh of Kirkcudbright, and to the remanent Shire of Galloway within the Tolbooth of our Borough of Wigtown.

“With powers to the said Sir Andrew Agnew to demand, receive, intremit with, and levy our Castlewarden, Blenchfarme duties, and entries of free tenants.

“We therefore require and command all and sundrie that they readily obey, honour, acknowledge, concur with, fortify, and assist our said Sheriff,—provided always that neither the said Sir Andrew Agnew nor his deputies cause, levy, or array any forces upon pretence of suppressing any insurrection or seditions, without the warrant of our Commander-in-Chief in Scotland.

“Given under the hand of the Keeper of our Great Seal at Edinburgh the 12th day of March 1656 years.”

It had been the publicly expressed desire of the whole baronage that Sir Andrew Agnew should resume his duties as their sheriff; to meet which he had no choice but to accept the Protector's commission (which he dearly paid for afterwards), the only alternative being the continuance of Colonel Alured.

Resistance to the government was out of the question; even Lord Galloway had concurred in the present state of things, and Kenmure had made his peace with the Protector.

This same year the sheriff's eldest daughter Margaret married John, the eldest son of Maxwell of Monreith, who at the same time obtained a charter from the Protector, erecting Monreith into a barony. Hitherto these lands had been held by the Maxwells under the Earls of Nithsdale as superiors. But in 1655 Robert, Lord Nithsdale, resigned his superiority in favour of William Maxwell, father of the bridegroom, who had married a daughter of John M'Culloch of Myrtoun, by whom he had two sons, John and William, and Mary, married to Vaus of Barnbarroch.

The same year the sheriff's eldest son Andrew married Jane, daughter of Thomas Hay of Park (who was knighted after the Restoration).

The settlements on the young couple show the value of various farms at the period.

"The particular Rental of the Lands underwritten, given down by Sir Andrew Agnew, Feur of Lochnaw, in relation to the matrimonial contract made betwixt Andrew Agnew his son and Jean Hay, dochter of Thomas Hay of Park, this 24th of October 1656.

"Rentall of the lands of Cruggleton Castle	. 1000 marks.
" " Cruggleton Caverns	. 300 "
" Kirkcudbright teinds	. . £100
" lands of Cults	. . . 600 marks.
" lands of Baltier	. . . 200 "
" lands of Polmallet	. . . 300 "
" House and yards in Wigtown	. £40." ¹

As compared with 800 marks Scots (about £42 sterling) and 300 marks (less than £17), the present rents of Cults and Baltier are £700; of Polmallet, £420.

About this time the young Sheriff acquired the full superiority of the castle and manor of Cruggleton; which, although in possession of his sister Jane as a dower house, had been held under Lord Castle Stewart as superior.

The more modern history of the old strength appears to be this. Having been inhabited successively by Allan de Quincey, the Comyns, second and third Earls of Buchan, Lord Soulis, and Chapter of Whithorn; in 1365, according to charters, it belonged to Sir Gilbert Kennedy of Dunure, and there can be no doubt he concurred in the Duchess of Touraine's arrangement, by which the castle and a part of the lands were given to her

¹ The matrimonial contract for John Maxwell had been previously signed at Lochnaw, 19th February 1656.

There is a discharge to William Maxwell of Monreith by Sir Andrew Agnew for 6000 marks, in sums of 3000 marks at the feast and term of Candlemas 1657 and 1658 each respectively, in name of tochergood paid with Margaret his daughter.



CRUGGI

Facsimile of a Drawing in



TON CASTLE

British Museum, circa A.D. 1566.

scutifer William Douglas in exchange for Lochnaw, which was restored to the Agnews.

When the Douglasses disappeared from Galloway, we find Cruggleton again an appanage of Whithorn, and the castle in the occupation of its commendator.

In the Reformation struggle it frequently changed masters, not only according to the vicissitudes of the new or older faith, but according to the ascendancy of the various political factions. But the most interesting fact connected with its mediæval history is that it was considered a position of sufficient importance to be surreptitiously visited by an official spy of Queen Elizabeth, with a view to its being taken by a *coup de main* as a *piéd à terre* for the English. It is thus described in the report rendered to her majesty (framed in the British Museum), docketed as between dates 1563-66.

(Cruggleton) "Towre¹ standeth upon an hight bancke and rocke : there can noo ordinance nor gounes endomage yt of the sea, nor there can noo artyllarye be taken to it upon the lande, ones having the house, for straitnes of ground, and yf ye lande at Newton vp upoun flete watter, then ye must pass one myle strait ground and up rockes, wheare noo ordinance can be caryed but upoun mens backes.

"Yt is nyne foote thick of the wall, withoute a bermeking, and withoute battaling. At the ground eb men may ryde under the place upon the sandes one myle : And at the full sea, boates of eight tonnes may come under the wall. It may be taken witht two hundreitht men, at the suddane. And being in Engliss possession, may be kepte witht one hundreit men in garrisone : It will annoy the inhabitantes betuix the watter of Cree aforesaid, and Kiyrcowbright ; and be assistant to the same. Distant by see from Wirkington in Englonde twenty tuo myles."²

¹ In the report the expression "harde upon the watter Flete" occasioned some difficulty in its identification, which was at first supposed to point to Cardoness, and it was not until after the publication of his first volume that Mr. Armstrong satisfied himself that Cruggleton was and must be the place described.

² From *The History of Liddesdale, Eskdale, etc.*, Part I., by R. B. Armstrong, Edinburgh, 1883, p. cvi. Appendix.

Lord Robert Stewart (afterwards Earl of Orkney) was here besieged "with footmen and horsemen" by Lord Fleming in 1569, and there was as fierce a legal struggle for its possession between the said Lord Robert and Margaret, daughter of Lord Methven, wife of the Master of Ochiltree. The lady carried the day, and on the 20th November 1579 Mr. John Douglas, Chamberlain of the Priory of Whithorn, was ordered by the Lords of the Council to give up the castle and lands of Cruggleton to the Mistress of Ochiltree under pain of 2000 marks.

The penalty was incurred, and she got another decree to be put in instant possession by 31st August, under a further penalty of £1000. She entered accordingly, but within a few months Lord Robert Stewart (in her absence), accompanied by the Laird of Garlies, ejected her servants forcibly from the castle. Of this she complained, and they were accordingly all put to the horn as rebels, the 9th of June 1589.¹ But Lord Robert troubled himself little for the horning inside the thick walls of Cruggleton, and made his conditions with the lady at his leisure; for on the 15th June 1582 she wrote to Lord Barnbarroch, "I have sent charges with Mr. Alexander Kinross for delivering the house of Cruggleton. I request you to speak to Mr. Robert Stewart thereanent." Intimating that if he will give up possession quietly, she will not put in force the full rigour of the law. At the same time stating that the Lord Treasurer, the Earl of Gowrie, had sent letters to distrain on the estates of Whithorn; "but," she adds, "gif they make payment of that quhairof they are adebted to me, I will do guid will to cause my Lord to be favourable. Otherwise I will not stay his Lordschip to use na extremity against them.

"Be you loving and assurit sister Margaret, Mestress Uwchiltree."²

Lord Barnbarroch's first wife's mother, Lady Janet Stewart, daughter of the Earl of Athol, had married Lord Methven, the Mistress of Ochiltree's father.

¹ *Privy Council Register; Correspondence of Lord Barnbarroch*, 215.

² *Correspondence of Sir Patrick Waus*, 249.

About 1578 the Church lands of Cruggleton were acquired by Sir Patrick Agnew, Sheriff of Galloway, and the castle and manor by Lord Barnbarroch, from whom they passed to his son Sir John Vaus.

Sir John sold these to M'Dowall of Machermore, reserving the superiority; from whom it was acquired by Sir John Kennedy of Blairquhan,¹ who settled it on his second son James, by his wife Margaret, daughter of the fourth Earl Marischal.

James Kennedy's sister Margaret married Andrew, third Lord Ochiltree, son of Margaret "the mistress," whose letters have just been quoted; and James himself married Jane, eldest daughter of Sir Andrew Agnew of Lochnav, the seventh sheriff.

James Kennedy, having no children, mortgaged the property to his father-in-law: this not to be foreclosed during his wife's lifetime, who kept house there for many a day. Of the exact time of her death we have no record.

The superiority having been detached, occasions difficulty in tracing the progress of the estate; as Castle Stewart, son of the Lord Ochiltree just mentioned, was served heir to his father in this in 1648, the lands then actually belonging to the sheriff. This, however, was extinguished, and the latter, as already said, came into full possession shortly after 1650.

Mr. Timothy Pont names "Crowgiltone seated on a rocke environed with the sea" as among "the castells of chieffe notte in Galloway."

As late as 1662 it is mentioned as the fort the most strongly fortified on that seaboard. But when Symson wrote his *Large Description* he mentions "the Castle of Cruggleton, once a very strong house upon a high cliff by the seaside, but now wholly demolished and ruinous. It appertains to Sir Andrew Agnew of Lochnav."

A memorandum in the charter chest gives an example of the system known as "Steelbow" (German *Eisern vich*, literally

¹ The author of the History says: "Sir John Kennedy had twa sons, the Lairds that succeedit him callit Johnne. His second son James was made Laird of Croceltonne."

iron cattle, because immovable by the tenant) and in France as the "Metayer" system, then in force on the Lochnaw estate, by which the proprietor found the greatest proportion of the stock as well as of seed-corn for the tenant, which had to be returned when tenancies expired.

Salcharie pays in stock and teind thretty bolls victual, 300 marks money, set with the land, twenty aucht oxen, seven horse, fourscore bolls corne, and nyneteen score ten threave straw.

Clendrie pays in stock and teind twenty-four bolls beire, set with the land, four oxen, twa nages, twenty-sixth bolls aits, and elleven score threave straw.

Marslache pays in stock and teind five pound stack duty, three pecks multer meall, and fourteen bolls and a half of victual.

Kerronrae pays in stock and teind fourteen bolls victual, set with the land, four oxen, twa horses, twenty bolls corne, three-score ten threave straw.

A seat in Parliament had now become more of an object of personal ambition than in days when debating was unknown, and bills could only be introduced by the Lords of the Articles, any show of opposition to acts so introduced being personally dangerous.

But the increased interest consequent on individual members of the estates asserting their independence led to more frequent meetings of the Parliament, and these again were expensive to the freeholders, who had to bear all the expense of their members.

When Sir Andrew Agnew and the Laird of Garthland rendered their accounts in 1647, the freeholders declined to pay; whereupon they raised an action in the king's name (though then in 1647 the royal authority was really in abeyance), and gained their suit, effect to which was given under the Commonwealth.

The matter was appealed, and led to a series of actions, the record of which is interesting, not only as giving a nominal roll,

but also the actual rentals of the majority of the baronage at this period.

“Hornings” and “poundings” as raised against neighbours may read harshly, but there seems to have been no personal soreness between the sheriff and his constituents; indeed, the whole may rather be taken to have been a test case amicably conducted. The fact that Sir Andrew Agnew was re-elected by the gentlemen he was pursuing, in 1648, the year after the matter had been raised, that he sat in Parliament during its progress, and was re-elected unanimously three times (in 1665, 1667, and 1669) after he had gained it against them, is conclusive that the lawsuit led to no unfriendliness between the pursuer and the majority of the defendants.

Letters of “horning and poinding” were granted against those who refused to pay, “the debt to be levied off ilk ane of thair reddiest corns, cattell, horse, nolt, sheep, debts, soumes of money, insicht plenishing, and others quhatsoever pertaining to thame, wherever or in quhes hands the same may or can be apprehended.” The letters duly sealed “under our signet at Edinburgh the seventh day of April and of our reign the twentie third yeir, 1647.” But the royal authority was practically suspended, and for many years the parties evaded payment. Six years later, however, the matter was revived, and the following summonses issued against defaulters: “Upon the nynt, tent, and twelff dayes of December 1653 I Patrike M’Gilrey, messenger, commandet and chargit James, Earl of Galway,¹ Wm. Stewart of Castell Stewart, Alexr. M’Kie of Martoun, David Dunbar of Baldone, John Wauss of Barnbarroch, Johne Hathorne of Cairnefield, Johne Dunbar of Mochrum, John M’Crystein of Munkhill, John Murray of Brouchtaine, Alexr. Stewart of Fisgill, Wm. Maxwell of Munreith, John Fergussonne of Ramistoune, Frances Hay of Airiholland, Alexr. Gordonn of Culvenane, Wm. Gordoune of

¹ It is noteworthy that the Earl of “Galvey” is among those charged. The nobility were not answerable for the charges of the representatives of the barons — by the laws of the Kingdom; but the Commonwealth ignored distinctions of ranks, or privileges of the peerage.

Craichlawe, Alexr. M'Kie of Drumbuy, Thomas M'Kie of Barrawer, To compeir at Wigtoune ye Threttein day of December instant for setting doune ane stent¹ roll for payment making to Sir Andrew Agnew of Lochnaw Knegt. and Sir James M'Dowell of Garland Knegt. of ther charges as commissioners for ye Scheir of Wigtoun conform to act of Parliament maid yranent and upon the nynt tent and twelff dayes of Dec. 1653 I Gilbert M'Kie, messenger, commandet and charget Uthred M'Dowell of Freuch, Alexr. M'Culloch of Ardwell, Andro M'Dowall of Killeser, Alexr. M'Dowell of Logane, M'Dowell apperand yrof, John Gordoun of Clenzeard, Alexr. Agnewe of Croshe, Wm. M'Culloch of Innshanks, Alexr. M'Culloch of Torhous, Patrick M'Dowell of Creichane, Kinheld, Alexr. Kennedy of Airies, Andro Agnew of Killumpha, Hew M'Dowell of Knockglass, Mr. James Blair, my^t on Portmongomerie, Sir Patrick Agnew of Lochnaw, Patrick of Galdenok, Patrick Mure of Auchneill, Marioun Corrie gud wyfe of Gariehome, Andrew M'Dowall of Leffnoll, Gilbert Neilson of Craigeaffie, Adair of Gennok, Wm. Lin of Larg, Patrick Agnew of Shewchane, and Patrick M'Kie of Cairn, to compeer at Wytoune the 13 day of December instant for setting doune ane taxt roll for payment making to Sir John M'Dowell of Garthland and Sir Andrew Agnew of Lochnaw for expenses and charges as Commissioners of ye Shyre of Wigtoun conforme to the acts of Parliament maid yranent and soumes yrin contentit."

The assizes thus summoned met and set down a statement of valued rents and proportional assessments; and whether the sums ordained were paid in part or not, the subject came up again in 1656, and the following January a copy or new roll was made out, all the sums so apportioned being declared due to Sir Andrew Agnew (Sir James M'Dowall's name not appearing).

"The stent Roll sett doune in the tolbuith of Wigtoune, upon the twentie four day of Jany. 1657. By warrand and

¹ Extent.

according to Letters of Horning purchest and raised at the Instance of Sir Andrew Agnew of Lochnaw Knt., Shereff of Galloway, against the heretors, liferenters, and freeholders of the Shereffidome of Wigtoune, for payment to the said Sir Andrew of the soume of 1500 pundis Scotts money, and of the tent peny more of expenses for the charges and expenses in attending the Scotts Parliament the several sessiones dayes and dyotts yroff mentioned in the said letters. According to the Act of Parliament and yrin exprest the rents of nobillmen and yr vassalls being excepted—It is fund that for payment of the said soume and tent peny more ilk hundreth pund of the rent of the said shyre excepting as said is, according to the valuation rolls yroff will be lyable and bear the sume of thrie pundis thrietteine sh. 4d. money forsaid according to the particular taxt efter following :

Thomas Hay off Park	£100	0	0	taxt	3	13	9
The Laird of Stair (James Dalrymple, afterwards Viscount Stair)	2500	0	0	„	91	13	9
Jon. Bailzie of Dunraggit	221	4	0	„	7	7	8
Ariemane (Airyhemmeng, Hew Kennedy)	378	0	0	„	14	0	1
Airtfield (Boyd)	95	0	0	„	3	10	5
Ardmillane (Kennedy of Ardmillan, Ayr- shire, for lands in Co. Wigtown)	118	0	0	„	4	7	7
Kirkmichaell	70	6	8	„	2	11	3½
Barnbarroche (Vaus) . . . . .	...				...
Cayrnefeild (John Hathorn) . . . . .	...				...
Barzearroch	66	13	7	„	2	4	2
Baldone (Dunbar) . . . . .	...				...
Aries Halthorne	102	0	0	„	3	14	10
Myrtoune (M'Culloch)	2720	0	0	„	99	14	7
Grange (Gordon)	915	0	0	„	36	10	5
James Shaw	18	0	0	„	0	11	0½
Aries (Kennedy)	57	0	0	„	3	1	11
Kerriquerne	57	0	0	„	3	1	11
Kinhilt (Adair)	1240	0	0	„	45	9	2
Garthland (M'Dowall)	1300	0	0	„	47	13	9
Knockglas (M'Dowall)	190	0	0	„	7	8	11½
Mr. Ja. Blair	950	0	0	„	35	10	0
Sir Patk. Agnew	1472	0	0	„	54	19	5
Sewchane (Agnew of Lochnaw)	625	0	0	„	22	18	9
Kirkland (Boyd)	109	0	0	„	3	19	10½
Drumastoune (Houstoun)	50	0	0	„	1	16	8
Wig (Agnew)	451	0	0	„	16	10	9

Wignecayrne (Agnew)	£101	0	0	taxt	3	14	1
Blaines Wig	101	0	0	„	3	14	1
Sheddock (Martin)	267	15	0	„	9	15	10
Sir Andro Agnew	1406	0	0	„	51	11	2
Houstoun (of Drummastoune)	95	0	0	„	3	10	5
Brochtoune (Murray)	113	0	0	„	4	2	10 $\frac{1}{2}$
Prestrie	237	10	0	„	8	13	6
Tonderghie (Stewart)	212	0	0	„	7	15	10
Cottreochie elder (Houstoun)	250	0	0	„	9	3	4
Cottreochie yor. (Houstoun)	250	0	0	„	9	3	4
Lyndsayes wards	35	0	0	„	1	5	7
Hew Wallace	66	0	0	„	2	4	0
Adam Ahannay	28	0	0	„	1	0	7
Hew Hannay	15	0	0	„	0	11	0
Donald M'Me	22	0	0	„	0	16	1
Jon. M'Iloy	15	0	0	„	0	11	0
Drummorrell (M'Culloch)	285	0	0	„	10	18	9
Fisgill (Alex. Stewart)	351	0	0	„	12	17	5
Craigdow (Vaus)	167	0	0	„	6	2	6
Capt. Fergusson (Dowalton)	629	0	0	„	23	1	4
Munreith (Maxwell)	1214	0	0	„	44	10	3
Freuch (M'Dowall)	1990	0	0	„	72	19	5
Barnernie (M'Clellan)	58	0	0	„	3	2	8
Drumbuy (M'Kie)	161	0	0	„	5	18	0
Culvennane (Gordon)	489	0	0	„	17	18	2
Barnaucht	114	0	0	„	4	3	7 $\frac{1}{2}$
Craichlaw (Gordon)	1165	0	0	„	42	9	10
Girvanmaynes (Kennedy)	506	13	9	„	18	11	4
Crosherie	76	0	0	„	2	11	3 $\frac{1}{2}$
Arnellane (Hay)	842	10	0	„	30	17	4
Ardwall (M'Culloch)	380	0	0	„	13	18	4
Killaster, elder (M'Dowall)	238	0	0	„	8	14	0
Killaster yor. (M'Dowall)	200	0	0	„	7	6	4
Logane (M'Dowall)	1700	0	0	„	62	6	8
Torhous (M'Culloch)	358	0	0	„	13	2	8
Liferentar of Clonzeard	472	0	0	„	17	6	1
Clonzeard (Gordon)	156	0	0	„	5	14	6
Inshanks (M'Culloch)	63	0	0	„	2	1	9
Croach (Agnew)	198	0	0	„	7	5	2
Maryport (Adair)	66	0	0	„	2	4	0
Corghie (Adair)	190	0	0	„	7	8	11 $\frac{1}{2}$
Killinzeane	19	0	0	„	0	13	10
Killumpha (Agnew)	117	0	0	„	4	5	10
Mochrum (Dunbar)	1763	0	0	„	64	8	5
Kilsture (Gordon)	513	0	0	„	19	18	1
Monkhill (John M'Crystein)	186	0	0	„	6	16	0
Whythills (Agnew)	126	0	0	„	4	12	10
Orchardtoune (Dunbar)	101	0	0	„	3	14	1
Marion Corrie	697	0	0	„	25	11	5
Galdenoche (Agnew)	173	0	0	„	6	6	7

Auchneill (Mure)	£272	0	0	taxt	9	19	2
Craigcaffie (Neilson)	1089	0	0	„	39	18	1
Clon	88	0	0	„	3	4	4
Druchtag (M'Culloch)	88	0	0	„	3	4	4
Boghous (Ramsay)	76	0	0	„	2	11	3 $\frac{1}{2}$
Chippermoor (M'Guffock)	161	0	0	„	6	0	3
Aldery, Altiery (M'Guffock)	95	0	0	„	3	10	5
M'Ibroeyane	12	0	0	„	0	18	10
Castell Stewart (Col. Wm. Stewart)	2026	0	0	„	74	5	9
Glassnick	202	0	0	„	7	8	2
Carnestok (Stewart)	250	0	0	„	9	3	4
Polquhillie (Stewart)	126	0	0	„	4	12	10
Jon. M'Gill	95	0	0	„	3	10	5
Larg (M'Kie)	102	0	0	„	3	14	10
Barnkirk (James Kennedy or Gordon)	95	0	0	„	3	10	5
Barrawer (Thomas M'Kie)	85	0	0	„	3	3	2
Penynghame (Gordon)	190	0	0	„	7	8	11 $\frac{1}{2}$
Myrton (M'Kie)	190	0	0	„	7	8	11 $\frac{1}{2}$
Barvennane (Agnew)	140	0	0	„	5	2	6
Gartherow (Alexr. Crawford)	63	0	0	„	2	1	9
Fyntalliche (Stewart)	380	0	0	„	13	18	9
Maidland (M'Kie)	247	0	0	„	9	1	0
Larg (Lin)	523	0	0	„	29	3	6
Ganoch (Adair)	110	0	0	„	4	0	6
Ganoch (Cathcart)	724	0	0	„	26	11	0
Balmeg (Gordon)	95	0	0	„	3	10	5
Leffnol (M'Dowall)	215	0	0	„	7	17	0
Auchleane (M'Kie)	378	0	0	„	13	16	10
M.	63	0	0	„	2	1	0
Broomehill	0	9	0	„	0	6	9

Which abovewrytten taxt roll is sett doune be the sd. Sir Andro Agnew upon the valued rents abovewrytten for the cause abovespeicified. In absense of the heretors and frieholders of the sd. shyres who being lawfully charget compeired not to yt effect. In witness qroff the sd. Sir Andrew hes subt. yir presents at Wigtoune the sd. 24th day of Jany. 1657.

“AN. AGNEW.”

In this roll we find the united incomes of Sir Patrick Agnew and three of his sons amount to £3629; of the cadets of his house, Wigg is retoured for £562; Galdenoch, £173; Croach, £66; Barvennane, £140; and Killumpha, £117.

As before remarked, the Earl of Galloway, although a peer,

is charged,—which was unusual; but we find the Lairds of Barnbarroch and Baldoon left blank, omissions we can only account for by supposing that they had paid their contributions when first asked for, and that they had not been included in the sums.

CHAPTER XXXII

WITCH-HUNTING

A.D. 1657 to 1661

Their bowis they drew, their arrowis flew
And pierced the ayr with speede,
Quhill purpil fell the mornyng dew
With witch blude rank and reide.

HOFF.

THE "Protesters" now got the upper hand in the counsels of the nation; enmity to Charles forming a bond of union between them and the English adherents of the Commonwealth. The result of this was that the General Assembly acquired an undue share of civil power; and, however honest the intentions of the divines composing it, their proceedings were most intolerant. They lorded it over the "Engagers," as they termed the men of the moderate party; they expressed most unchristian feelings towards "Whistle Kirk" ministers; their punishments were out of all proportion for immorality, in which "malignity" was included, for Sabbath-breaking, and the "heinous and abominable sin of witchcraft."

Under such influences we find the record of a justice aire at Wigtown, 13th May 1656, when a field-day was held against immorality. Thirty-six cases of adultery were proved in the sheriffs' courts, and penalties, varying from £250, against Sir John M'Kie of Balmaghie, to that of £12 on John Wilson, Miller of Penninghame, were imposed on the parties.

By a kirk-session of the same time, two apprentices were

ordered to be soundly whipped "as twa of the perversesest knaves in breaking the Lord's Day."

Theologians of the same school followed up this enforcement of Sabbath observance by the lash, by wholesale denunciations of foolish old women, which bear their own refutation in the very recital of the charges.

Presbyteries entertained ridiculous accusations against numberless old crones; having first egged on their kirk-sessions to ferret out witches, and then set the law in motion to bring them to the stake. The lists of these judicial murders are appalling; and, long as they are, probably are far from being complete. It is pleasant to state that the Shire is almost entirely free from this scandal, which attaches largely to Carrick and the Stewartry.

The presbytery records, which teem with evidence as to the virulence of the persecution, as conclusively prove the stupidity of the persecutors.

For example, the parish records of Urr state "that Janet Thompson went to a witch wife in Dundrennan and got a salve for her mother, having told the witch that her mother got the sickness between the mill and her own house; and the witch bade her take her mother to the place where she took it, and wash her with elder leaves. For her part in the matter, Janet was thereupon sentenced to be rebuked from the pillar in sack-cloth." As for the witch, she was further detained, the parish minister to announce from the pulpit that all who could were required to give evidence "of sic devilish practices."

Certain members of the Presbytery of Dumfries were named to assist their brethren in Galloway, on the 5th April 1669, at an execution of nine witches.

Evidence had been greedily received by the various sessions, extravagant statements sworn to and taken down, the nonsense repeated in the court, to which these poor women were dragged, and their doom given in these terms:

"The Commissioners adjudges Agnes Comenes, Janet M'Gowan, Jean Tomson, Margaret Clark, Janet M'Kendrig,

Agnes Clark, Janet Corsane, Helen Moorhead, and Janet Callon, as found guilty of the several articles of witchcraft, to be ta'en upon Wednesday come eight days to the ordinar place of execution in the Burgh of Dumfries, and there between the hours of two and four in the afternoon to be stranglit at stakes till they be dead, and thereafter their bodies to be burnt to ashes."

It is a grave reproach to the Presbyterian clergy that, whilst they were considerably in advance of the English Voluntaries as to superstition, they were lamentably behind them in toleration.

Principal Baillie, one of the most eminent of their body, held "toleration as a thing fatal to religion." He gravely endorses (indeed he is the only authority for) the absurd tradition of the "de'il of Glenluce"; and, mild as he may have been in private relations, he seriously declares hanging to be the punishment justly incurred by atheists as well as sorcerers, and taunts the English administration with their disinclination to bring women to the stake on evidence as to witchcraft, for which the presbyteries were so ready to punish them.

"What you inquire of the apparation in Galloway is notourlie known. In Glenluss parish, in John Campbell a webster's house, for two or three yeares a spirit did whiles cast stones, oft fire the house, and cut the webs in the looms, yet never did any considerable harme. The man was a good pious resolut man, and never left his house for all. Sundrie ministers of the Presbyterie did keep fasting and praying in the house without molestation; sometyme it spoke, and the minister, Mr. John Scot, was so wise as to intertain large discourses with it. It were long to write all the passages; this twelvemonth it has been silent. A sturdie beggar who had been a most wicked and avowed atheist, for *which he was hanged at Dumfries*, did oft lodge in that house; about his death it became more quiet, yet thereafter it became troublesome enough, but for the time is silent.

"There is *much witcherie up and downe our land*, though the English be but too sparing to try it; yet *some* they execute."¹

¹ Baillie's *Letters*, iii. 436.

Of the victims of such evidence too greedily accepted by the church courts, the only one prominently connected with Wigtownshire is Maggie Osborne. On the wild moorland between the marches of Carrick and the valley of the Luce, tracks are pointed out, on which even heather will not grow, as "Maggie's gate to Gallowa'"; the soil having been so deeply burned by her tread, or that of her weird companion. Among the misdemeanours imputed to her, in aggravation of the charge for which she was cruelly condemned, was that of having impiously partaken of the Communion at the Moor Kirk of Luce. She had accepted the bread at the minister's hand, but a sharp-eyed office-bearer swore (long after!) that he had detected her spitting out the wafer at the church door, which he clearly saw swallowed by the devil, who had waited for her outside in the shape of a toad. Again it was asserted that, when passing from Barr to Glenluce by the "Nick o' the Balloch," she encountered a funeral procession, and, to pass unseen, changed herself into a beetle; but before she could creep out of the way, a shepherd in the party unwittingly set his foot upon her, and would have crushed her outright had not a rut partly protected her. Much frightened and hurt, she vowed vengeance. But the moor-man being a pious man, for long her arts were of no avail against him. One night, however, detained late by a storm, he sat down hurriedly to supper, having forgotten to say grace. Her incantations then had power: a wreath of snow was collected and hurled from the hill above on the devoted cabin, and the shepherd, his wife, and family of ten, were smothered in the avalanche.

The indictment on which Maggie's career was brought to an end was this. She kept an inn at Ayr. A servant girl, who had been ordered to brew at night, was saucy. High words passed between them, and she left the girl alone at her task. Whilst thus engaged, about the witching hour, a number of cats burst into the brew-house, and one larger than the rest sprang on the saucy girl's neck, and all but forced her into the tub of boiling worts. Whereupon she seized a ladleful of the

liquor, and dosing the cats, and more especially the biggest, drove them off. Next morning her mistress remaining long in bed, she entered her room, dragged off the bedclothes, and found her back badly blistered. Maggie was delated before the session, on this evidence declared guilty by the presbytery, handed over to the civil power, and condemned to die.

The neighbouring ministers assembled round the stake to assist at the edifying spectacle, and even *here*, as asserted, poor Maggie made a last and almost successful effort to escape.

She offered to make startling revelations providing they complied literally with her desire to furnish her with two new pewter plates which never had been wet. They agreed, and despatched an officer to bring the plates as ordered. He having obtained them, whilst returning in haste stumbled, and let one fall into a puddle. Thinking this of little consequence, he wiped it and returned, saying nothing of his mishap. These joyfully received, Maggie by her arts instantly attached them to her shoulders, whence they expanded into wings. She rose, and in a few moments would have been safe; but the compact with Satan had been broken, and the plate which had been wet flopped like a broken pinion, and so retarded her flight that the town sergeant was able to hook his halbert in her dress, and pull her down among the faggots.

The true story of Maggie Osborne's life seems to be that, having long served as a comely barmaid with much acceptance, she finally became mistress of an inn famous for its good cheer; her very success leading to ill-natured suggestions, which, often repeated, came to be held as facts, until at last a girl in spite was able to induce judges as superstitious as herself to accept as evidence such a story as the one we have given.

To one of her judges a somewhat unfair scandal attaches in the matter. The minister at Ayr was William Adair, a scion of the house of Kinhilt. Tradition asserts that he had been an admirer of the pretty barmaid, and that in revenge for her refusal to give him her hand, he prompted the prosecution against her, sat himself as one of the judges at her trial, and

then gloated on her sufferings. The only part of the charge for which there is the slightest foundation is that he, along with his fellow-presbyters, assisted at the *auto-da-fé*.

William Adair, a half-brother of Sir Robert Adair of Kinghilt, his mother a daughter of Cathcart of Carleton, commenced life as a soldier, afterwards entered the Church, and was so much respected by all parties that, though he refused to conform to Episcopacy at the Restoration, he was among the few who were never deprived of their charges.

His first church was pulled down by Cromwell, who required the site for a barrack; and a new one, now known as the Old Church, was built under his superintendence. He married a Kennedy of the house of Kirkmichael, and survived until 1684; when a handsome monument was erected to his memory, which exists unharmed.¹

A tragic tradition attaches to this date. M'Dowall of Logan, Sir Patrick's son-in-law, was guardian to a Gordon lassie, the heiress of Clanyard. A party of her own kin, Lord Kenmure at their head, made a descent on her home, and were in the act of carrying her off, when the Laird of Logan, whose house they had to pass, sallied out to intercept them. They encountered on the shore near Chapel-Rossan. The maiden was eventually rescued, but her guardian was killed, and forty of the combatants fell in the fray. Tradition further has it that on the Gordons giving way, the son of the Laird of Logan pursued them, and never called a halt till, having run them to ground beyond the Dee, he hanged the leader of the raid over his own gateway. And having thus avenged his father, returned to bury him.

Thirty or forty small mounds, still pointed out near Ardwell House as the graves of those then slain, are supposed to authenticate the story.²

¹ The inscription is as follows: "Mr. Gul. Adair antiquissimæ familiæ de Kinghilt frater legitimus. Ecclesiæ Ærensis, per annos 44 pastor fidelissimus quod caducum habuit hic depositum reliquit. Feb. 12, 1684, æt. 70."

² The local version is that Lord Kenmure was the victim of the infuriated Patrick; but this is impossible. Robert, fourth Viscount Kenmure, succeeded

Cromwell had died in 1658, and by the end of the year 1660 the Galloway baronage¹ had met to elect commissioners to represent them in the first Parliament of Charles II.

All parties having concurred in the Restoration, it had been generally hoped that no legislation as to religion, and especially that no confiscations, would mar the general satisfaction. But it soon leaked out that Charles had expressed himself as not being in any degree bound to keep promises made to the presbyterian clergy when he was rather their prisoner than their king; and further, that rewards were expected to be given to those who had suffered in support of the royal cause, and that these must be extracted from the pockets of any who had recognised the Commonwealth.

Sir Andrew Agnew was in an awkward position. The confirmation of his hereditary sheriffship on his father's resignation by an act of the Scottish Parliament of 1649 was simply waste paper, and the further confirmation of a charter of Cromwell's of the Sheriffship of Galloway had become a possession dangerous to the owner.

By advice of friends, he kept himself in the background; his brother-in-law M'Dowall of Freuch, and Murray of Broughton, becoming members for the shire, and M'Brair of Newark for the stewartry.

Among the first acts proposed by the Lords of the Articles was the "Recissory Act,"¹ which by a sweeping resolution annulled every act and ordinance of the Scottish Parliament from the commencement of the Civil War, thus throwing the whole legislation of the country into confusion. Well described by Bishop Burnet as "an extravagant Act, only fit to be concluded as it *was* after a drunken bout."

The estates next proceeded to offer a benevolence of £40,000 sterling to the king (of which the proportion of Wigtownshire

1645, and lived to 1663. Patrick M'Dowall's service as his father's heir took place early in 1661. The leader of the raiders may have been William Gordon of Penninghame, who is said to have died 1660, leaving a son who became fifth Viscount Kenmure, but the whole story is of doubtful authenticity.

¹ 1 Parl. Charles II. Acts 9-15, repeated 2 Parl. Charles II. c. 8.

was 2455 pounds Scots), and the following were named commissioners of supply to collect it.

FOR THE SHERIFFDOM OF WIGTOWN

James, Earl of Galloway }	and these for the Stewartry also
Alexander, Lord Garlies }	
Andrew Agnew apparent of Lochnaw	Thomas Dunbar of Mochrum
Patrick M'Dowall of Logan	William Stewart of Castle Stewart
Uchtred M'Dowall of Freuch	William Gordon of Craiglaw
Sir James Dalrymple of Stair	David Dunbar of Baldoon
Alexander M'Culloch of Ardwell	John Murray of Broughton
John Houston of Drummastoun	William Stewart of Egerness
George Stewart of Tonderghie	William M'Guffoch of Alticry
Thomas Stewart of Glenturk	Richard Murray of Broughton,
John M'Culloch of Myrtoun	younger

FOR THE STEWARTRY OF KIRKCUDBRIGHT

Robert, Earl of Nithsdale	John, Lord Kirkcudbright
John, Lord Herries	John Herries of Maybie
Robert, Master of Herries	David M'Brair of Newark
Sir James Murray of Baberton	Mr. Alex. Spottiswoode of Sweet-
William Maxwell of Kirkhouse	heart
Mr. Thomas Hay of Lands	James Maxwell of Brachenside
Roger Gordon of Troquhan	William Gordon of Shirmers
William Gordon of Earlston	Robert Maxwell of Orchardton
William M'Clellan of Collin	George Maxwell of Munches
Richard Murray of Broughton	Alex. M'Ghie of Balmaghie
William Grierson of Bargalten	John Carsane of Sannick
George Brown of Kempiltown	John Dunbar of Machermore
John Muir, Tutor of Cassancarry	Patrick M'Kie of Larg
Andrew Heron of Kirrroughtree	John Newark of Mallack
Robert, Viscount Kenmure	

On the 3rd of April 1661 we find Sir Patrick Agnew at Lochnaw signing the contract of his grandson William with his cousin Elizabeth Agnew, the heiress of Wigg; it being especially noted that "William M'Kie, notary's public, subscribed for Elizabeth, who could not write." Let us hope she could embroider and make jams.

A few days later the Synod of Galloway met to petition the king to ratify all Acts against popery and prelacy, praying that his majesty would be pleased to renew the Solemn League and Covenant as sworn to by himself.

Unfortunately the Presbyterians, when in possession of the king's person, had failed to impress him with agreeable recollections of their doctrines or their forms. Had they prayed for toleration they would at least have had the sympathy of later generations; but far from this, not only did they ask that Episcopalians should be compelled to conform to Presbyterianism pure and simple, but they reviled all Episcopacy and the Episcopalian services, which not only the king, but most Englishmen, some Scotchmen, and the party in power preferred, "as polluted with a mixture of man's muddy inventions with mimic gesticulations and superstitious cantings."¹

Such injudicious language suggested the ready answer that they had better hold their tongues. The king commissioned Lord Galloway to dissolve the meeting in his name, which he accordingly did. Mr. Park, minister of Stranraer, as moderator, protested against this encroachment on the privileges of the Church; but as the royal command was peremptory, they deemed it prudent to disperse.

In the course of this summer Sir Patrick passed away at a green old age, having been born *circa* 1578. He had been the best of fathers, leaving four sons besides his heir to take their position as county lairds, and five daughters well tochered. Playfair describing him as a man in high repute as a statesman;² and Chalmers mentioning that he acted as sheriff for thirty-three years, during the turbulent period from 1616 to 1649, when he resigned his heritable offices to his son, and lived to the happier times of 1661.³

"Happier" was a most ill-chosen epithet for the period in question. If there were certain inconveniences during the Civil War and Commonwealth, they were as nothing to those occurring after the Restoration, which heralded in a quarter of a century the most disastrous in the annals of the province.

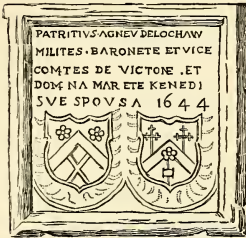
Of these ills in store, happily the good Sir Patrick died ignorant, and was laid to rest peacefully in the old church-

¹ Wodrow, i. 125.

² *British Family Antiquity*, 874.

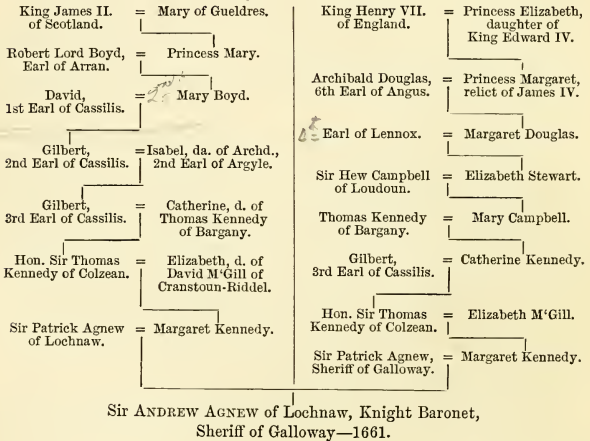
³ *Caledonia*, iii. 362.

yard of Leswalt, where a tablet retains his armorial bearings, quartered with those of the Kennedys, and the legend in Latin still distinct: "Patrick Agnew of Lochnaw, Knight Baronet, Sheriff of Wigtown, and Dame Margaret Kennedy his spouse."



The following pedigree, giving a double royal descent to Sir Patrick's heirs, through Dame Margaret Kennedy, is amongst his papers. We give it as we find it. He had of course an

earlier single descent through the wife of the first sheriff.



CHAPTER XXXIII

RULLION GREEN

A.D. 1661 to 1668

O laith laith were our gude Scots lords
To weet their cork-heel'd shoon ;
But lang or a' the play was played
They wat their hats abune.

THE Recissory Act, by which in one sweeping resolution the estates so lightly annulled all legislation, civil or ecclesiastical, of the past twenty years, virtually abolished the Presbyterian system which had been built up during that period, and rendered it necessary for all officials to renew their titles, thus bringing their conduct during the past crisis under review.

A hitch seems to have occurred in obtaining a crown precept by the ninth sheriff for his infeftment in his lands and hereditary offices.

Happily he had friends at court, where no one stood higher in favour than his brother-in-law Lord Galloway, and he succeeded in obtaining a Parliamentary absolution for his misdemeanour in accepting a charter of office from Cromwell, in the shape of a short Act passed before Parliament rose, entitled "Ratification in favour of Sir Andrew Agnew, Knight and Baronet, of his office of Sheriff-Principal of Wigtown, his charters, rights, and infeftments of his lands and Barony of Lochnew, etc., with the office of Heritable Constabulary and Baillerie of the same, the Heritable Bailleries of Lasswade, Munbrick, Soulseat, and Drummastoun, with emoluments, privileges, fees, casualties,

profits, dignities, and other whatsoever, according as the same hath been granted by his Majesty's royal predecessors to the said Sir Andrew Agnew and his ancestors of one long descent, and according as they have been in use and possession past all memorie of man."

The Crown precept followed for his infeftment in the lands of Lochnaw, with tower, fortalice, mansion, manor-place, buildings, gardens, orchards, mills, and multures, and their pertenance, etc., which took place in the usual form at Wigtown the 29th of October 1661, before James Earl of Galloway, Hew Cathcart of Carleton, John Vaus of Barnbarroch, Uchtred M'Dowall of Freuch, John Dunbar of Machermore, William Maxwell of Monreith, Patrick Agnew of Galdenoch, Alexander Agnew of Croach, Patrick Agnew of Wigg, John Murray of Broughton, John Maxwell apparent of Monreith, George Stewart of Tonderghie, John Houston of Drummastoun, Hugh M'Dowall of Dalreagle, John and Alexander Stewart of Fisgill; Robert M'Culloch of Drummorell presiding as sheriff-depute.

A letter, sharp but peremptory, from a Treasury official, shows that the sheriff had re-entered on the duties of his office :

"Edinburgh, 22d Nov. 1661.

"Rycht Honourable,—Being informit by my Lord Staires and Freuch that your Brother Seuchan collected the month's maintenance of October from the whole Shyre (and a verie considerable sum from nine persons of your Shyre), I have ordered William Macguffoch to cause charge your Brother with horning for the said sums so collected by him, and have promised forbearance to the Shyre for the same till it be cleared with your Brother whether he or they shall be my debtor.

"But *I doe expect* payment from your Shyre with all diligence of what is utherwayes resting by you to me; therefore I doe entreat the favour of your calling the Shyre to meet and order the present payment of what Freuch will make appear truly to be resting to you, for as I shall be unwilling to trouble any of your Shyre for the maintenance alledged to be payed, till

it be cleared whether your Brother has received it or not, soe I doe assure you, iff the Shyre does not presently meet and take cause for what is utherwayes dew by you, that then and in that case ye may expect all to be done against you which law will allow to me.

“Freuch is to return hither againe at Christmas, at which tyme your Brother would come in and bring with him what maintenance he has received.—Which is all at present, but that I continue, sir, your affectionit servant,
J. W. BOYD.

“The Ry^t. Hon^{ble}. the Shirreff of Galloway.”

In the sheriff's first accountings at Edinburgh, after his reinstatement, it is interesting to find the name of Loch Kindeloch (from the Pictish king Cendelaidh) still in general use; the name being now entirely corrupted in Loch Kinder, and the parish only known as New Abbey.¹

Parliament reassembled in September 1662, and passed an Act somewhat incorrectly headed “The King's *Free Pardon*,” setting forth that “His Majesty out of his tender love for his people, and his desire that all animosities and differences be buried in oblivion, has resolved to grant a general act of indemnity and pardon”; a “butt” greatly detracting from the graciousness of the preamble, as following there was read: “His Majesty has thought fit to burden this pardon to some whose guiltiness has rendered them obnoxious to the laws, and placed their lives and fortunes at His Majesty's disposal, with the payment of some small sums.”²

The meaning of “some” and “small” was enigmatical, but was soon explained by a list of names, covering eight large folio pages, closely written in double column, whilst the figures attached to those thus individually excepted were for sums

¹ *Computum honorabilis viri Andrew Agnew de Lochnaw, Mil. Baronetti Vicecomitis de Wigtown redditum apud Edinburgum, 20 Julii 1661.*

Item. onerat se de Lxxxx. li. de firmis vigintis sol^m. de Cullengath cum manerii loco, domibus, edificiis, jacens infra parochiam Lochkindeloch, Baroniam ejusdem et Senescallatum de Kirkeudbright.

Cullengath is either a clerical error or older form of Cullendoch.

² 2 Parl. Charles II. chap. 10.

which the richer found it difficult to raise, and which entailed absolute ruin on many of the smaller barons.

The sheriff headed the Galloway list with a fine of £6000 ; his brother Sheuchan, £1200 ; Wigg, £200 ; Croach, £600 ; Andrew Agnew of Park, £360 ; Agnew of Killumpha, £240 ; Agnew of Galdenoch, £1000 ; Agnew in Cladahouse, £240 ; Cathcart of Genoch (a very small estate), £2000 ; Adair of Little Genoch, £600 ; Dunbar of Baldoon, £4800 ; Gordon of Earlston, £2400 ; and so on for six times that number.

Moreover half the penalties were payable within six months "under pain of treason." The sheriff's receipt lies before us :

"I, Sir William Bruce, Clerk to the Bills, appointed Receiver of the fynes imposed by the Estates, grants me to have received from Sir Andrew Agnew of Lochnaw, Baronet, Sheriff of Galloway, the sum of £3000 as the just and equal half of his fine laid on by the Estate. 2 Feb. 1663."

The sheriff was well aware that his wisest course was to pay and look pleasant, as on this had depended the Act restoring him the sheriffship.

The pretence of applying these fines to those who had suffered from their loyalty was notoriously a hollow one ; the bulk finding its way into the pockets of ministers of state. Lord Galloway, who with some reason asked for compensation for the fine of £4000 levied on him by Cromwell, instead of being relieved by the money overflowing into the coffers of those collecting these fines, had an Act passed in his favour imposing an additional assessment on the stewartry for his redress.

"The Estates of Parliament take into their consideration a supplication presented unto them by James Earl of Galloway, mentioning that he being employed in the engagement of 1648 for his Majesty's relief out of prison and restitution to his Royal Government, was at his return most rigorously used by the pretended authority of some unnatural countrymen, who ruled for the time, and ordained him and other engagers within the

Stewartry of Kirkeudbright to put out an exorbitant number of horse and foot in levys of that year far amounting their proportions, and that by way of fine for their loyalty; humbly desiring that the sums of money so exorbitantly enacted might be refunded unto him: They therefore ordain the Commissioners of Excise, within the Steuartry, to give intimation to the Heretors to meet, and that there they lay on the proportions of the Levy thus imposed, that the Petitioner may have repetition of what he has payed and given out more than his just proportion."

This Lord Galloway has been thus favourably noticed by the accomplished John Evelyn and his son in his Diaries:

"19 May 1659.—Came to dine with me my Lord Galloway and his son, a Scotch Lord and learned." ¹

The sheriff, jugged on by the higher powers to raise the sums thus pressingly required, passed on the word to his officials, ordering his sergeants to proceed to distraint if necessary, without favour and affection. We quote from a long list docketed:

"Note of these soumes that the Sheriff finds to be dew and resting of the taxation."

As an example:

"Patrick M'Iloy you shall go on and poynd these lands and persons following for the taxation.

"The Baronie of Corswall, £40; The Baronie of Glasserton, 38 mark land; Eggerness, 10 mark land; Lands of Sorbie, 10 pund land; my Lord's proportion of Ravingstone, being 11 mark land; my Lord's proportion of Clugston, being 28 mark land; Cotland, 4 pound land; Glassoch, Glenhappel, and Glenluchae, 8 mark land (all the above the Earl of Galloway).

"To uplift from Monreith for his 40 mark land for the first twa termes fully, in respect nothing has been productit for the samin. As also to uplift fra him for 11 mark land and a half for the third proportion of that Barony not payit be

¹ Evelyn's Diaries, i. 317.

Castle Stewart, and to uplift the quhole fourth proportion, no discharge being produced ; and 11 mark land and a half unpayit of his forty mark land for the fyfth and sext termes."

With as minute directions for all the Baronage.

In October Middleton made a progress in the west to enforce the late Acts, especially those obliging all ministers to obtain fresh presentations, as well as collation from the bishop of their dioceses.

He passed by Glasgow to Ayr, thence to Wigtown, Kirkcudbright, and Dumfries, the sheriff attending him in his progress. He found the people much exasperated ; so much so that he exchanged blandishments for his usual bluster, as is especially noted in the case of the minister of Kirkcudbright.

"On the 21st October, the Earl Middleton came to Kirkcudbright and Mr. Wylie waited upon him. Some conversation took place, and the Commissioner, as a friend, advised him to remove with his family. Later . . . the Commissioner dismissed him with the assurance of his good wishes."¹

It is usually said that the High Commissioner was hardly in a state of mind or body to act with judgment ; the riotous debauch of himself and his associates occasioning great scandal, the party never seeming to be thoroughly sober, and an irritated people were not to be reconciled by spasmodic sallies of drunken good-humour.

As a result of this progress, Middleton succeeded in temporarily establishing Episcopacy ; but this he only effected by superseding the most popular ministers, and filling their places with inexperienced youths with whom the baronage were dissatisfied, whilst riotings ensued among the lower orders. In evidence of which, we find Lord Kirkcudbright refusing to assist in quelling a riot occasioned by the introduction of a curate into his borough town, and Gordon of Earlston declining to induct an Episcopalian as patron of Dalry.

More ominous still, a field congregation assembled to hear

¹ Mackenzie's *History of Galloway*, ii. 132.

an ousted minister near Corsach,—an example which spread like wildfire,—whence may be dated the conventicles which, at first appearing to the rulers contemptible and to the military eye weak, developed a force which eventually foiled Council, Parliament, and generals, and helped to overturn the dynasty itself.

Middleton sent his Commissioners—the Earls of Linlithgow, Galloway, and Annandale, Lord Drumlanrig, and Sir John Wauchope of Niddrie—to settle matters in a conciliatory way if possible; if not, by force. They sat at Kirkcudbright the 26th of May 1663, and thence sent Lord Kirkcudbright a prisoner to Edinburgh under military guard; obliging him, as well as the provost and bailies of the borough, to sign a heavy bond for their good behaviour.

The following letter was addressed to Earlston :

“Sir,—The Lords of H.M. Council have commissioned us to come to this country to do everything that may contribute to the settling of the peace. . . . And as you are a person of special interest there, we require you to induct Mr. George Henry and to countenance him, so as he be encouraged to prosecute his ministry in that place. In doing whereof, as you will witness your respect to authority, so oblige us to remain, Sir, your loving friends and servants,

LINLITHGOW.

“GALLOWAY.

“ANNANDALE.

“DRUMLANERK.”

He however proved contumacious, and was cited before the Council.

The exasperation rose to such a height that at last the government withdrew Middleton, sending him into a decent sort of exile as Governor of Tangiers, and replaced him by Lauderdale.

Lauderdale, who rose to power on Middleton's fall, had more the instincts of a statesman than the latter, was more decorous in life, and tried to gain his ends rather by tact than

violence. The Galloway lieges, however, soon found that his grip was strong if his hand was gloved. He carried an Act by which every nobleman, gentleman, yeoman, and burgess was made liable to penalties if he withdrew from his Parish Church; whilst on the humbler ranks corporal punishment might be inflicted in lieu of fine. Sir James Turner was placed at the disposition of the Bishop of Galloway to enforce church attendance at the sword's point; the Privy Council giving him an order at starting that he should take "as many horsemen to Kirkcudbright as with the foot already there may make up the number of 8 score."

The principal landowners seem to have been remarkably moderate in their views, and wonderfully free from sectarian animosities; not personally indisposed to support the Church as by law established; at the same time sympathising with the people who abstained from attendance from conscientious scruples. The older among them had had such sad experience of the disastrous effects of civil war that they most loyally tried to support the royal authority; and it was not until enactments rendered nonconformity intolerable, that a few of the younger spirits sympathised actively with resistance. Of these the most conspicuous were the young Laird of Monreith, two Gordons of Barskeoch, M'Clellan of Barscob, and M'Culloch of Barholm.

As to the sheriff himself, he withdrew for a time from public life, occupying himself in certain alterations and additions to his Castle of Lochnaw. Some of this he rebuilt, as shown by fragments of older ornamentation to be found embedded in the newer walls.

On a tablet over the doorway he carved shields bearing the arms of Stewart and Agnew, surmounted with a peculiar cipher, S.A.G. and D.A.S., the former supposed to stand for Agnew, Sheriff of Galloway.

Under them is the legend, taken from an older translation than the authorised one of the Bible: "Except the Lord builde the house they labour in vaine that builde."

The moat and ditch, being now no defence against artillery, were levelled into terraces and a garden formed beyond them.

An agricultural lease of the date 19th May 1664 assumes somewhat the modern form :

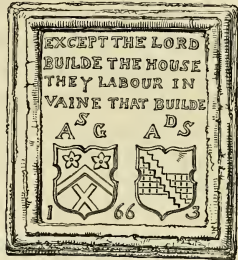
“It is finally agreed betwixt Sir Andrew Agnew of Lochnaw, Knight Baronet, and Finlay Blair : that is to say that Sir Andrew Agnew sets to Finlay Blair the lands of Auchneil for five years for the sum of four score pounds Scots money yearly ; together with

the number of ten bolls of meal yearly, between Yule and Candlemas, together with ane wedder and ane lamb, and half a dozen of capons, and two dozen of chickens yearly.”

Here we find neither stock nor seed-corn found by the landlord.

Notwithstanding his £6000 fine, the sheriff's purse was fresh enough to enable him to purchase a desirable small property still part of the Lochnaw estate ; though it is to be feared that arbitrary fines had obliged the owner to part with it.

“Me, Archibald Stewart of Tyntalloch, for the soume of 2500 marks, presently received from Sir Andrew Agnew of Lochnaw, Knight and Baronet, has disposed to the said Sir Andrew all and hail the five mark land of Polmallet,¹ of auld extent, with house, biggins, fishings, parts, pendicles, and purtenance thereof, lying within the Paroche of Cruggleton. At Wigtown, the 7th day of Nov. 1664, before David Dunbar of Baldoon, Thomas Dunbar of Mochrum, Thomas Stewart Commissar of



¹ Palmalot, Polmallet, Polmallacht, “the cursed pool” ; though mallacht may indicate strife, massacre, infertility, or even a want of fish. “We have a far greater number of names from cursings than from blessings. Owen-na-mallacht, ‘the cursed stream,’ which flows into Tralee Bay, said to be so called because St. Patrick, passing that way, requested the fishermen to give him some fish they had just caught. They refused in a churlish manner, whereupon he pronounced a curse on the river, and predicted no fish should be found there for evermore.” — Joyce, ii. 448.

Wigtown, William Stewart of Eggerness, William M'Kie of Maidland, and John Stewart, notar, wryter hereof."

The name is written in the Ragman Roll Palmalot: it is now Polmallet. A small deep lake on the lands was once much larger; the meaning seems to be "the cursed pool," whether from some misfortune, or a want of fish.

In 1665 a Convention of Estates was summoned to meet, and Sir Andrew Agnew emerged from his retirement, and again represented the shire; his colleague being Sir David Dunbar of Baldoon.

The members for Galloway renewed the old complaint as to the western being rated higher than the eastern shires, and were so far successful that it was enacted that the "pound lands in the said shire shall hereafter be taxed as mark lands."

In Galloway the Act of the Privy Council complained of as most tyrannical was the imposition of fines for non-attendance at church. No doubt the Presbyterians had set the precedent for this themselves during their short tenure of power, but there was this great political difference between the two cases, that in the one it was to enforce the regularity of attendance on services which the people generally approved, on the young and careless; on the other, it was driving the adult population to take part in services they detested and thought wrong.

The Privy Council, having taken in hand to fill the churches, selected Sir James Turner as a suitable person to collect their flocks, and shear them when required. A rough soldier, sufficiently able, unpityingly obeying orders, although evidently little relishing his mission, he writes:

"It being my fate that nothing was intended to be done that was displeasing in that country, but wherein I was made instrumental."¹

Soon he himself became the hero of a misadventure. On the 13th November 1666, some of his troopers had confiscated a patch of corn belonging to an old man in the Glenkens; and, with lighted matches between his fingers, were trying to extract

¹ Sir James Turner's *Memoirs*.

money to liquidate the fine he had incurred. M'Clellan of Barscob, with three followers, caught them in the act, attacked the soldiers, and wounding one with a pistol (loaded with pieces of a tobacco pipe), drove them away.

The die was now cast. M'Clellan called for volunteers, 200 men responded, seized and imprisoned a party of soldiers at Balmaclellan, and then pushed on boldly for Dumfries. Arriving there at night, they surprised Sir James Turner in his night-dress, who, seeing at a glance the hopelessness of resistance, threw up the window, shouting, "Quarters, gentlemen, quarters!" and gave up his sword.

The party re-entered Dalry next day in triumph; Mr. Henderson, the ousted minister of Dumfries, courteously entertaining their distinguished prisoner at a capital dinner: a compliment Turner himself acknowledges in his *Memoirs*, writing: "Though he and I be of different persuasions, yet I will say he entertained me with real kindness."¹

Turner was a thorough soldier of the Dalgetty type. Quite at his ease in every case, if well fed.

Though detained in durance vile, he impartially describes the appearance of his captors, among whom were the young Laird of Monreith, Lennox of Plunton, and several of the Gordon clan, besides M'Clellan.

"I never saw lustier fellows," he writes, "than their footmen were, or better marchers. The horsemen were armed for the most part with sword and pistoll, and some with staves, great and long. I saw two of their troops skirmish against other two,—for in four troops were their cavalry divided,—which I confess they did handsomely, to my great admiration. I wondered at the agility of both horse and rider, and to see them keep troops so well, and how they had cum'd to that in so short a time to drill."²

¹ Sir James Turner's *Memoirs*.

² Sir James Turner's *Memoirs*, p. 167. The following is a narrative of one present at the previous mêlée: "They were offering to torture at the fire some honest man, when Barscobe said soberly, 'Why do you use the honest man so?' Whereupon some of the soldiers offered them violence. He drew a pistol, wherein

Little time for feasting, or even for further drill, was now allowed; and though few supporters could be induced to join them from the east, this little band, some 900 strong,—principally Gallovidians,—led by Colonel Wallace, sought for and encountered the royal troops in far greater strength among the Pentlands, and were totally defeated at Rullion Green. M'ulloch of Barholm, Neilson of Corsach, and the Gordons of Knockbrecks, being taken prisoners, perished upon the scaffold after torture by the abominable boot. John Maxwell and Lennox were driven as wanderers upon the world.

According to family tradition, the young Laird of Monreith, when he saw the day was irretrievably lost, turned his horse's head for home, and rode without drawing bridle to the family mansion of the Mower. Great was the confusion his arrival occasioned. "Harbour of rebels" entailed the direst penalties, and this was the place where he could least hope to remain undiscovered. With the greatest haste and precaution he had to be sent away from weeping wife and anxious mother. Where he went to, it was desirable that none should know. The only mark of sympathy the father could show, without endangering the safety of all his family, was to exchange the horse to whose fleetness he owed his life for a fresh one; and saying it had done its duty so well it should never carry saddle again, it was turned into a large paddock, and well cared for.

The war-horse, unlike his unhappy master, lived to a green old age, and became the sire of a progeny long famous in the shire for their mettle.

His master's fate is succinctly told in the session records of Glasserton Parish:

"John Maxwell, brother to Sir William Maxwell of Monreith, was forfeit in his estate for going to Pentland, and not

was only tobacco staples, and shot at them, on which one soldier fell. Monrieff and I were grieved at this accident, and knew not what advice to give. Some said it was best to march to Dumfries, and secure Sir James Turner. I told them if they were so resolved, I should go straight to the west, and acquaint friends there, which I did. They went for Dumfries."—Colonel Wallace's narrative, p. 382.

joining with Prelacy. He was necessitated to hide himself many a night and day, and to turn his back upon all that he had, and to flee to Ireland for the preservation of his life from bloody persecutors, and died there."

He only reached Ireland after many hairbreadth escapes, one of which is rather comic in its details.

Being closely pursued by some soldiers in Edinburgh, he ran down a narrow close, and took refuge in a "change-house," where he begged the landlady to hide him. The only place of concealment available was a large new meal-chest, fastened with a padlock, in which he had hardly ensconced himself and heard the key make all secure, when the house was filled and surrounded by his pursuers, who loudly exclaimed that they were certain he was there. "Seek the hoos an ye will," replied the gudewife; "it's no sae muckle as 'll keep ye lang."

The soldiers did so, and without success, and next demanded liquor; on sitting down to discuss which, seats being scarce, one of them jumped upon the meal store; and all began expressing their wonder at where the d—d Whig could have got to, when the man on the chest suddenly exclaimed, "They hide ony gate, may be he's in this vera kist; gudewife, gie's the key till we see!"

The remark was anything but pleasant to John Maxwell, who overheard all; but the matron's nerves fortunately did not fail her. With great address, and without a moment's delay, she flung open the room door, and, curling her lip in scorn, she roared over the landing, "Lassie, rin awa' tae the gudeman for the key o' the giral, till we see gin a Whig can lie in meal and no gie a hoast wi't."

The ruse succeeded; the soldiers laughed, and, asking no more about him, went off without waiting for the return of the landlord; and John Maxwell, who had successfully struggled against the tickling sensations in his throat, came safely out, and made his escape.

The gallant Robert, Lord Kenmure, had died in 1663,

and been succeeded as fifth Viscount by Alexander Gordon of Pennynghame, who about 1666 married as his third wife Lady Grizel Stewart, daughter of the second Earl of Galloway.

This latter earl, as a commissioner for settling the Episcopalian curates in their charges, had happily succeeded in retaining the regard of his neighbours, whilst performing an unpopular duty. He has been described as a proper stately person, most courteous and affable; and although an Episcopalian by choice, had, along with all his sons, the greatest sympathy with those who were harshly used for conscientious attachment to Presbyterianism. The whole country, both gentry and others, had an entire affection for him.

A casual letter of his to the sheriff, besides gossip of the moment, shows Clarie to have been still inhabited as a family seat :

“Clari, Oct. 17, 1666.—Much honoured brother,—Ye will perceave by this other, of the Lord Kenmor’s desires to you, and the tyme he hes appointed for meeting, if yor other conveniences wold allow, ye may keep the meeting; and if ye can not, send back yor returne with the bearer, whilk shall be immediately dispatched to him.

“Let me know by a lyne from you lykways, what ye resolve to doe, and if ye come to thire parts I shall take yor lusing for you. This is all at present from your verie affectionat Brother to serve you,

GALLOWAY.”

“There is a Gentleman Robert Fergusson, Uncle to the Laird of Craigdarroch, who is going to Ireland; who informed me that John Gordon who leivies now at the port, took a hors of his, the tyme that the English spok of forays, worth ten pieces. He has deseired me that I wold wryt to you that ye wold show him all the lafull favour ye may, or at least he deseires that he may be made sensible of his unservilities. I know I need not use anie words with you on this, for yor respect to Craigdarroch will plead sufficiently.

“For my much Honored Brother,

“The Shereif of Galloway.”

“By the “port,” his lordship means Portpatrick, and by the person who “leivies,” the principal custom-house officer. A weekly post had been established hence to Ireland in 1662, and it was a station of much importance, many Irish productions being absolutely contraband, others paying exorbitant duties, and persons going and coming were jealously watched.

Viscount Montgomery of Airds having got into difficulties, and borrowed largely from his agent, the lands of Dunskey, along with the superiority of Portpatrick, were acquired by the latter by way of wadsett; and the name Port Montgomery henceforward fell into entire oblivion.

In 1667 we find Mr. John Blair in full possession, and signing his own marriage contract with a niece of the sheriff, at Stranraer: Jean, daughter of Patrick Agnew, Laird of Sheuchan, whose tocher was 5000 marks. The witnesses are: “Sir Andrew Agnew of Lochnaw, Sheriff of Galloway; Hugh Cathcart of Castleton, George Stewart of Tonderghie, William Stewart of Eggerness, Patrick Agnew of Wigg, James and Hew Blair, brothers-german of John Blair; Andrew Agnew younger of Sheuchan, and Patrick Kennedy, Provost of Stranraer.”

A few months previously there had been a general election, when it was not without significance that William Maxwell of Monreith had been specially chosen as the sheriff's colleague; as, although of unimpeachable personal loyalty, his eldest son was still at large, and an undaunted protester against the tyranny of the Scottish Council.

In 1668 William Maxwell, his next brother, eventually the heir of Monreith, married Joanna, daughter of the Laird of Logan by a sister of the sheriff.

CHAPTER XXXIV

CONVENTICLE ACT

A.D. 1668 to 1673

A virtuous lady not long since a bride,
Was to an hopeful plant by marriage tied ;
. . . we did all rejoice,
E'en for her sake, but presently our voice
Was turned to mourning.

SYMSON.

SIR JAMES DALRYMPLE of Stair was in the habit of spending his vacations on the moors of Galloway, and built at Carscreugh a new house, in adorning which he greatly delighted. To strangers the situation appeared bleak, there being little picturesqueness in its surroundings. Symson, in describing the house as “a stately mansion,” drily adds : “It might have been more pleasant had it been in a more pleasant place.”

Here, however, the old lord happily whiled away his time, and wrote his famous *Institutes*, his lady superintending the household. She is credited with having had a strong will, along with a keen sense of humour ; in illustration of which it is told, that whilst Carscreugh was building—the shells for lime having to be fetched from Baldoon, a good fourteen miles distant, and this being performed as bailie work by the tenants—one morning every available horse on the estate having been requisitioned for this service, and they having reached the shore and loaded up, were, on their return, halted at the dam of the Boreland, and the packhorses turned loose to graze whilst the drivers dined.

The miller of the Boreland, Benjamin M'Kechney, a big burly man, and dour, was not a little moved to wrath when suddenly he saw a troop of hungry garrons revelling and rolling amongst a patch of his finest grasses which he had just set for hay.

Seizing a blackthorn stick, and with his dogs driving the horses before him, he fell furiously on the bailies, who, tired with their long march, lay napping after their meal; breaking on their siesta so suddenly, and with such a storm of imprecations and blows, that they, thinking his name was legion, took their punishment meekly, collected their horses as best they could, and slank away.

Arrived at home, they instantly waited on their mistress, and, whiningly complaining of their treatment, thought to rouse her to indignation.

Lady Stair questioned the matter out, and taking in the situation, with a glance of scorn, smilingly said: "Just fetch me that man here; the chiel has well earned the best bottle of brandy in the cellar. He has thrashed the whole bailies of Carscreugh with one hand." The story got wind, and for many a day, at fair or market, the laugh was turned against them for the drubbing they had all gotten from big Ben.

During 1669 Lord Stair obtained a private Act in his favour for a weekly market at Glenluce, and two free fairs yearly—one on the last Tuesday in May, the other the first Sunday in August. And on the 28th of April of this year the Bishop and Synod of Galloway desired the Presbyteries to take steps for "ingathering of voluntary contribution for building a stone bridge over the water of Luce," the fords of which were dangerous.

At the Carscreugh, on the 29th of May, a marriage contract was signed, destined to a posthumous interest little thought of by the parties concerned. It runs as follows:

"David Dunbar, younger of Baldoon, with consent of Sir David Dunbar of Baldoon, my father, and the said father taking burden on himself for the said son; and Janet Dalrymple, eldest

daughter of James Dalrymple of Stair, and with advice and consent of Dame Margaret Ross, her mother, obliges him to infest the said sum in fee of his whole lands in the shire of Wigtown. And for his present provision in 3000 marks free rent and a convenient house to dwell in. And obliges himself to infest the said Janet in her virginity in as much of the land and Barony of Compstone as presently pays 2000 marks free rent, and the said Sir James obliges himself to pay in name of tocher £9000.

(Signed) DA. DUNBAR.

JA. DALRYMPLE, Baldone.

(Witnesses) William M'Guffoch of Alticraye, Hugh Gordon younger of Grange, Mr. James Dalrymple, sonne to the said Sir James, and Thomas M'Spennan, servitor to the said Sir James, and writer hereof."

Some time previous to the signature of this contract, Janet Dalrymple had pledged her troth to a poor peer considerably her senior, Lord Rutherford (uncle, moreover, of the eventual bridegroom), whose suit had been discouraged by her parents and broken off. The sequence of events afterwards was this. She was married the 12th of August at the church of Glenluce, a large bridal party being entertained at Carscreugh till the 24th. They were then escorted to her father-in-law's house of Baldoon by a gay cavalcade, where she was cordially received with great rejoicing.

A few weeks after she was taken ill, and died very suddenly on the 12th of September. The untimely death of the gentle lady at the most auspicious moment of her life startled the whole community. Much sympathy was excited for friends on both sides; there was not a whisper of a tragedy, till, nearly a generation after, local gossip suggested that the bridegroom in a fit of insanity had stabbed the bride.

This ridiculous story, communicated by Mr. Train to Sir Walter Scott, formed the germ of the beautiful romance known as the *Bride of Lammermoor*, which while all admire, a local

chronicler is bound to protest against its being accepted as an "owre true tale." In all respects it gives a travesty of the facts.

Ravenswood and Bucklaw have nothing in common with Rutherford and Baldoon, except that their names begin respectively with R. and B. Notwithstanding her breaking the engagement with the uncle, Baldoon was the popular and more interesting person. Far from going mad on her wedding night, the bride lived happily through her honeymoon, as distinctly stated by Symson, a contemporary, one of the bridal party, and intimate friend of both parties.

Moreover, the faint local tradition—if such it can be called—was that the bridegroom had stabbed his bride, not the bride her husband. To compare Lord Stair with Sir William Ashton is ridiculous, or the worthy Lady Stair with the bride's mother, as given by Scott.

Of the rival suitors, young Baldoon afterwards married a daughter of the seventh Earl of Eglinton, and died in 1682 by a fall from his horse. His only child, by his second marriage, married Lord Basil Hamilton, ancestor of the late and last Earl of Selkirk.

His uncle and rival, Lord Rutherford, obtained a commission in the Household Guards, and lived until 1685.

In 1668 liberal counsels had seemed for a moment to be in the ascendant, the sheriff, Lords Galloway and Kenmure, uniting in making representations to government as to the extortions practised by the military.

Strong impression was made on Lauderdale, who granted a commission to Lords Nithsdale and Kenmure and the Laird of Craigdarroch (Ferguson) to inquire into the conduct of Sir James Turner and Sir William Bannatyne; and they, with the assistance of the sheriff and steward, brought so many excesses against them that Turner was dismissed the service, and Bannatyne fined.

¹ Andrew Symson thus dates the events: "Nupta, Aug. 12; Domum ducta, Aug. 24; Obiit, Sept. 12; Sepult., Sep. 30, 1669." He wrote an elegy minutely describing the home-coming and unexpected death, distinctly stating "We did enjoy great mirth"; and it is absolutely certain that her death at the time was never attributed to anything but natural causes.

This inquiry was concluded the 17th February; and the Government, glad to have thus achieved a little popularity, further granted an indulgence to the more moderate of the ejected ministers, ordered the cessation of quartering upon private persons, and finally the withdrawal of the troops from Galloway.

It is a Presbyterian story that on their so deciding, the Archbishop of Glasgow exclaimed in dismay, "My Lords, if the army is disbanded, the Gospel will go clean out of the diocese."

Following up these milder measures, Mr. Park was re-appointed to Stranraer, and John Cant to Kells; and so sincere did Government for the moment seem to be in their wish for tolerance, that, finding the Archbishop of Glasgow, Burnet, acting in contravention of the indulgence, he was removed and replaced by the truly saint-like Leighton.

Unfortunately, these honest attempts at conciliation failed through the folly of the more fanatical Presbyterians.

Toleration was hardly as yet recognised as a virtue, even by the good men on either side. Middle counsels were thought mean, and the most influential of the ousted ministers were as inveterate against the gentle Leighton as the sterner, and really persecuting Sharpe. The acceptors of the indulgence were denounced as time-servers at the field conventicles, and at these, which increased in number and popularity, all means for accommodation, short of the absolute suppression of Episcopacy, were cried down; and conventicles accordingly Government determined to suppress.¹

Much was to be said for this from the political point of view. The churches of such able ministers as Park and Maitland were deserted, whilst the preachers at conventicles pandered to the bigotry and prejudices of their hearers. The rantings of

¹ A county historian, himself the minister of Kirkcudbright, thus frankly writes: "The Presbyterian ministers exhibited a melancholy want of candour and discretion. They plainly exhibited their decided enmity to toleration, and proved to the world that unless they got everything, they would have nothing. Hatred to Episcopacy kept pace with the increasing hostility to the Indulgence." —Mackenzie's *History of Galloway*, ii. 14.

men, earnest no doubt, but whose zeal sadly outran their discretion, were accepted as gospel; their utterances (even in the shape of the cursing in which they closely followed the saints of the early Scottish Church) were taken as inspired, and they were fully credited with the gift of prophecy.

But on the other side Government seemed to forget that dragooning does not tend to make men milder, and that it was unstatesmanlike to drive thousands to desperation, who, however fanatical, were not ill-living; and, except as regards church services, peacefully disposed.

Popularity being now entirely with these "Irreconcilables," and their services being held in the open air, they were henceforth known as the "hill folk"; and certainly their conduct savoured somewhat of brigands (*brigantes*), the true meaning of which is "mountain-men."

Firmly persuaded that theirs was the only true religion, they proceeded, as religious acts, deliberately to insult and despoil the Episcopalian curates. Among many examples from the law-courts we find that a party of "Irreconcilables," dressed as females, broke at dead of night into Mr. Rowe's house at Balmaclellan, dragged him out of bed, *administered certain stripes*, and "ripped" his trunks and almories, appropriating what they fancied as lawful spoil.

Again three men in disguise forced the house of Mr. Lyon of Urr, made equally free with his chattels, but failing to catch him, carried off his wife to the hills as a hostage.

As these excesses were notoriously the outcome of the enthusiasm generated at camp meetings, we cannot blame the Government for determining to grapple with the danger.

The grand mistake was the barbarous severity with which the Conventicle Act was worded, and the still more barbarous spirit with which it was enforced.

This Act, which from its sinister consequences was known as the Black Act, passed the Estate the 13th of August 1670. The limited protest against its rigour passed unheeded.

Divisions were as yet unknown in Parliamentary procedure,

and would in any case have been useless against a Government with a large and exultant majority. The mouths of the sheriff and his colleague Monreith were sealed; the son of the latter, and son-in-law of the former, being at the moment at the horn, and it being undesirable to provoke a taunt to that effect.

Lord Cassilis shortly expressed an opinion of the impolicy of the Act; and the only person who ventured to speak out strongly in deprecation of intolerance to Presbyterians, and who by his walk and position commanded respect, was Archbishop Leighton, who had been so unjustly maligned by the very party he proved generously eager to befriend.

The Act was carried. Field-preaching was made a capital offence; attendance at conventicles, treason. It being further enacted that those knowing of a conventicle having been held, or being about to be held, and not volunteering information, were to be equally guilty with those who had been present.

Expounding the Scriptures to any persons not strictly members of a household brought the master within the Act, by which it was explained :

“That any house where there be more persons than the house contains, so as some of them be without doors, is hereby declared a Field Conventicle; and any who shall convocate any number of people to these meetings shall be punished with death and confiscation of goods.”¹

Patrick Agnew of Galdenoch, who had married Anna Shaw of Ballygelly, notwithstanding the heavy fines imposed at the Restoration, had continued to keep house at Galdenoch Tower; and dying about this time, we find Alexander Agnew of Croach acting as his executor by the following deed, which we quote as showing the family connections :

“Forsameikle as there was and is adebted be Patrick Muire of Auchneile to umquhile Patrick Agnew, father to the said Patrick Agnew of Galdanach, the sum of 4441 marks, the said Alexander obliges him for payment and outquything thereof, to

¹ Acts of Parliament to Charles II., Session 2, chap. 5, Acts against Conventicles.

pay and deliver to Agnes Agnew the sum of 2500 marks, to Mr. James Agnew 1000 marks, and to Margaret Agnew the sum of 1000 marks."

This sum the laird of Croach personally liquidated, in consideration of which Patrick Agnew undertook to make over to him "the said wadsett," along with "Anna Shaw my mother, Mr. James Agnew my brother, and Agnes Agnew my sister, as cautionners for and with me.

"In witness whereof thir presence wrytten by Mr. James Agnew are subscribed at the Galdanach the 21st day of April 1669, before thir witnesses: Andrew Dunbar, Burgess of Stranraer, and James Gib, Servitor to Patrick Agnew of Galdanach.

"ALEX^R. AGNEW.

"PATRICK AGNEW.

"ANNA SHAW.

"AGNES AGNEW.

"JAMES AGNEW."

In the year 1671 the sheriff died, leaving a will written three years previously in his own hand as follows:

"Att Lochnaw the 15 Februar 1668 years, I Sir Andrew Agnew of Lochnaw Knyht Barronett, being, praised be God, in health and perfect memorie, declares my Will and Testament to be as after follows.

"Having seriously considered the condition of my estait and of the many trubills cumin laitly upon me unexpected, quhairof my eldest sonne must beare ye burden as air to me:

"Therefore and in consideration quhairof, and that my other children are sufficiently portioned with ane greater portion than otherways I would, yf I had known their troublesome burdens were to come upon me:

"Upon this and other considerations I leave my eldest sonne Andrew Agnew full Executor, and Intromettor, with all and quhatsumever bonds, contracts, moveable goods, nolt, ship, and insicht plenishing both within the house and without, with all bygone rent that is upon the Tenants; with all the victuall that

is in the Garnall of Lochnaw received by James M'Kie, and in ane note in my Count-Buke. And in respect there are several bonds owing me, and that I am owing several bonds to others, I do refer my forhand to the bonds themselves and discharges—both to me, and by me—discharged. As to the victual it is in an Count-buke and so is the plenishing of nolt and ship particularly noted.”

(Here follow some provisions respecting Olbreck and Polmallet, and the reversion of the property failing heirs-male, which he settled on his second son William; also a few smaller bequests, of which one only is inserted as a specimen.)

“To Margaret M'Douall¹ my niece I do leave her 300 merks, to help her to ane fortune if she prove a honest woman which I pray the Lord she may.

“This is all I have resolved for the present; and to signify my will that no others may trouble my said sonne further in reason to what was or is myne at my death; beseeching the Lord to bless you, and keep you stable in the truth, and never to lay my sins nor the sins of our predecessors to your charge.

“Dated the foresaid day and place; this is my will, and subscribed and written in my hand. AN. AGNEW.”

The ninth sheriff had lived through stirring times, in which he had played his part with general acceptance, acting with vigour in the conduct of the war, first with and then against the English Parliamentary party, during the interregnum being appointed a justice delegate and one of the commissioners for governing the kingdom, both before and after the Restoration advocating without bigotry civil and religious liberty. He was elected successively by his neighbours as their representative for the Parliaments and Conventions summoned for 1643, 1644, 1646-47, 1648-49, 1665, 1667, 1669-72. He left, moreover, a minute account of his sheriffdom, a copy of which has fortunately been preserved in the Advocates' Library (given in the Appendix).

The tenth sheriff was now infested in his father's estates and

¹ She was his grand-niece, daughter of his nephew Patrick M'Dowall of Logan.

jurisdictions on the 2nd October 1671, the undermentioned gentlemen assisting at the service :

“George Stewart (acting as Sheriff-depute); Alexander, Earl of Galloway; Sir David Dunbar of Baldoon; William Stewart of Castle-Stewart; John Vaus of Barnbarroch; Hew Cathcart of Carlton; Thomas Dunbar of Mochrum; William Gordon of Craichlaw; William Maxwell of Monreith; Gilbert Neilson of Craiggaffie; Patrick Agnew of Seuchane; Patrick M'Dowall of Logan; Alexander M'Culloch of Drummorell, Commissary of Wigtown; John Blair of Dunskey; David Dunbar, younger of Baldoon; and John Fergusson of Dowaltoun.”

The lands being thus entered in the Inquest : “Dominus Andreas Agnew de Lochnaw, miles baronettus, hæres masculus Domini Andreae Agnew de Lochnaw, Militis Bar. patris.

“The 5 merk lands of Lochnaw, 2½ merk lands of Dunning, 5 merk lands of Salquharry, 5 merk lands of Craichmore, all of old extent.

“The 2½ merk lands of Olbrick, 5 merk lands of Caltis, 3½ lands of Boltier, 5 pound lands of Glenturk, of Carslace, of Carsgown, and Chapelton; 4 merk lands of Auchneill, 1 merk land of Galdanach, 4 merk land of Larbrax-Gressie, 32 shilling (solidatus) land of Auchnotteroch, 10 merk land of Cruggleton Castle, 10 merk land of Cruggleton Caverns (all of old extent), with the Mill of Partzeanoch, barns, tenements, woods, and acres, and Mill of Innermessean; five pound land of Marslauch, of Kerronrae, and Glenmarie; 5 merk land of Sheuchane and Garclerie; salmon-fishing in the water of Luce (salmonum piscatione infra aquam de Luce); 5 merk land of Dalyerrane; lands of Meikle Tung and Little Tung; 40 shilling land of Auchrocher; 5 pound land of Calquhirk; and various tenements in Stranrawer.”

With respect to other possessions we find, under date 8th January 1672 :

“Ane accompt betwixt ye Sheriffes of Galloway and Kel-

head¹ for the demes of the Milne of Kircudbright in ye tyme of my Lady Kirkudbright's life, according to ane tack granted by ye Sheriffe to her."

This runs over many years, of which the following items are specimens :—

"Received by Sir Andrew Agnew from my Lady, as appears from discharges be him to her	£448	0	0
"Received be him from Sir Robert Maxwell by bond	224	0	0
"Received be him from myself (Kelhead at Wigtonne)	200	0	0
	<hr/>		
"Sum of the Sheriff's receipts	£872	0	0
"Summa of Kelhead's receipts	1457	0	0"

The last entry being :

"Rents to be divided betwixt the Sheriff and the Counter ²	£218	6	8
"Of which the Sheriff's half is	109	3	4

"I grant me to be restane to the said Sir Andrew the above wrytten balance.

"Subscribed with my hand at Edinburgh before thir witnesses: Alexander M'Culloch of Drummorell; Archibald Douglas, merchant in Edinburgh; George Dickson, wrytter.

"KELHEAD."

Mills were in those days most valuable property. The dues payable to the proprietor in this instance were higher than the rental of very considerable estates. The proportionate fall in the receipts for mills, and the rents of neighbouring agricultural farms (or rather the rise in the latter), are very striking.

¹ "Kelhead" was Sir William Douglas, second son of the first Earl of Queensberry. Lady Kirkudbright (wife of Thomas, second Lord) was his sister.

² The "Counter" was James, Sir William's son, who had married his cousin Lady Katherine Douglas, whose sister was wife of the third Earl of Galloway.

We also find him, as heir to his father, discharging the sum settled on his sister on her marriage with Cathcart of Carleton :

“I Hugh Cathcart of Carleton, grants me to have received from Sir Andrew Agnew of Lochnaw Knyght and Baronet full and complete payment of the soume of 10,000 marks promised to me with Grizel Agnew, lawful eldest daughter of umquhile Sir Andrew Agnew of Lochnaw, Sheriff of Galloway.

“Signed at Stranrawer before Patrick Kennedy, Provost of Stranraar, and Andrew Baillie notary.”

We also find the following agreement :

“At Stranraer the 1st of March 1672, it is agreed betwixt Sir Andrew Agnew of Lochnaw, Sheriff of Wigtown, and Mr. Alexander Adair son to umquhile Sir Robert Adair of Kilhilt—now donator of the ward and nonentries of the Baronie of Kilhilt and Drumoure;—that forsameikle as there has been firme friendship in tymes bygane amongst their predecessors and for maintaining thereof they did accord, that what thieffs should be apprehendit within the said Barony of Kilhilt, whether be the Sheriff officer or Barronne officer, the goods of the condemned thief should be equallie devidit amongst them. . . . Whosoever shall be the first apprender or by whomsoever of the said parties he shall be judged, the goods of the said condemned shall be equallie divided betwixt Sir A^w. A^w. and Mr. A^r. A^r. and both parties oblige themselves to give faithful Inventar and Information to one another of the same.”

The party to this agreement was the second son of Sir Robert Adair, who, dying in 1665, had been succeeded by his eldest son William, who resided at Ballymena, though still owning Kinhilt. On the 2nd of June 1673 this Adair of Dromore was contracted in marriage to Margaret, daughter of Agnew of Sheuchan; Adair settling on his wife “700 marks yearly of jointure, with the 2½ mark land of Cardrine, the 2½ mark land of Killiness, the 16/8 land of Killumpha Agnew, of old extent.”

This was ratified at Dromore in 1713 after Alexander's decease, by his grand-nephew Sir Robert Adair; he granting

Margaret Agnew the use of the mansion-house of Dromore, "if he stand not in need of it, or £40 further in lieu thereof."

We also find at this date a curious memorandum between the sheriff and a glazier :

"At Lochnaw the 28th day of February 1672, it is conditioned and agreed betwixt Sir Andrew Agnew of Lochnaw Knyght Baronet on the one part, and Alexander Agnew Glassar in Cladderhouse on the other part, to wit : the said Alexander is to uphold the glasse windows of Lochnaw and the Castle of Indermessan, during his lifetime. And the said Sir Andrew is to give the said Alexander yearly six pounds Scots money for the above written cause. And the said Alexander obliges himself to come to the fore said houses thrice in the year. To witt, Candlemas, Midsummer, and Martinmas. And the said Alexander is bound both to put up lessens and mend what is broken ; and if there be any new glass required, the said Sir Andrew is to give for the same 6 shillings Scots a foot, and the said Sir Andrew binds and obliges his heirs and executors to content and pay the said Alexander, beginning the first term's payment at Candlemasse next to come."

CHAPTER XXXV

THE HIGHLAND HOST

A.D. 1673 to 1683

But up spak cruel Claver'se then
Wi' hastie wit an' wicked skill,
"Gae fire on yon Weslan' men,
I think it is my Sov'reign's will."

Border Minstrelsy.

ON the death of the ninth sheriff, Sir James Dalrymple (who had been made a Lord of Session in 1661, and President of that Court in 1671, with the courtesy title of Lord Stair) had been chosen to fill his place in Parliament, which in June 1672 passed an Act in the most rampant spirit of protection, forbidding the importation of "horses, victuals, and cows" from Ireland, ordering all heritors of the lands, and magistrates in the Galloway boroughs, to give bonds to a large amount "that neither they nor their tenants resett any sort of victual from Ireland," under a penalty of £1200, appointing commissioners to seize any vessels carrying the same "betwixt the head of Kintyre and Loch Ryan, or any port, loch, river, or creek, from Loch Ryan to Dumfries."

Lord Stair's eldest son, Sir John Dalrymple, had in 1669 married Elizabeth, daughter of Sir James Dundas of Newliston; and whilst riding with her between Galloway and Edinburgh, they were obliged to call a halt at Drummachie, in the parish of Barr, where the lady gave birth, "20 July 1673," to a boy, afterwards the celebrated Marshal Stair.¹

¹ In Douglas's *Peerage* it is stated he was born in Edinburgh, but we have been assured that the above is correct.

For five or six years following matters went pretty smoothly in Galloway. Sheriffs, indeed, and lords of regality were strictly ordered to report and fine all who declined to have their children baptized by the parish ministers;¹ and sheriffs themselves were liable to be fined 500 marks if they failed to put in force the Act against keepers of conventicles and withdrawers from public worship.²

These Acts would seem to have been not very strictly administered, and it is a sign of a lull in the religious war that Parliament turned its attention from grievances of curates and complaints of bishops to those of the Herald's College.

The Lyon King-at-Arms had reported "that many had assumed arms who should bear none." Hence a house-to-house visitation was to be made by the heralds and pursuivants, whom the sheriffs were ordered to support, in order to matriculate the arms of those who might lawfully bear them, fine those who used them without right, and escheat all goods and gear on which unauthorised heraldic devices were engraved.

In the Lochnaw charter chest is a certificate signed by Sir Charles Areskene of Cambo, certifying that the Right Worshipful Sir Andrew Agnew of Lochnaw, knight and baronet, for his achievement and ensign armorial, bears argent a chevron between two cinquefoils in chief, gules, a saltier coupé in the base azure, etc.

We find the sheriff jealously guarding the privileges of his courts, to which all barons, knights, and freeholders, provosts, bailies, and burgesses owed suit and service. The bailies of Stranraer had probably been rather indolent than contumacious. But we find him issuing a precept to the procurator-fiscal "that incontinent this my precept seen, ye pass, and in our Sovereign Lord's name and mine, command and charge the said provost and baillies to make payment of £50 money of fine within 14 days, and gif need be, that ye pass, arrest, apprise, poind, and distrain as meikle of the said provost and baillies' goods and

¹ Third session, Second Parliament Charles II. chap. 11.

² *Ibid.* chap. 17.

gear, wherever ye can apprehend the same, as will extend to the worth of £50."

The Lairds of Craighlaw and Culvenan were also fined £50 each for failing to give suit and presence at the sheriff's court.

We may give a few of the cases tried before it from the records.

"18 May 1675.—Court halden by Sir Andrew Agnew of Lochnaw, Sheriff Principal, and his Deputes Captain Ferguson and the Laird of Dalregle.

"The Sheriff having considered the dittay of theft proven against John Sempill in Drumnescat, and the verdict of the Assize finding him guilty; the Sheriff being unwilling to take his life for the said crime, does ordain the said John to be stigmatised in the hand and thereafter that he go out of the country and never return during his lifetime upon pain of death."

On the 3rd August 1675, John M'Ilroy was found guilty of stealing a cow and a calf; but the animals having been recovered by the owner, the deliverance was, "The Sheriff pardons him on condition of his banishing himself, there being no prejudice, and it being his first fault."

On the 17th December 1675, three persons—two men and a woman—were brought before the sheriff at his head court, and there convicted of sheep-stealing. Of whom "William M'Kie, for stealing a sheep, slaying and selling it (it being his first fault)," was sentenced "to be burnt upon each hand with ane hot iron by the hangman at the mercat cross." "Bessie Bell, his accomplice, to be scourged by the hand of the said hangman at the said place the 8th day of December instant."

William Heuchan, an old offender, "to be hanged upon a gibbet at the Clay Pottie, by the Gallow-hill, by the hand of the hangman upon the ninth day of December instant, betwixt two and three hours of the afternoon. The Magistrates of Wigtown to put the sentence in execution, the Panell's whole goods and geir to be escheat."

This year the sheriff visited his Irish estates, and we have

a note of his signing a lease of Kilwaughter, "appurtenances and regalities only excepted," to Patrick Agnew of Balikeill, "the said Patrick paying all dues payable to the Lord of the Fee, and bearing Sir Andrew harmless of all assessments imposed by local authority or by the state. He also yearly paying to the said Sir Andrew £43 : 6s. be equal parts at May-day and Hallow-day, as also one barrel of beef and five firkins of butter."

For several years Government allowed religious matters to drift. Service on the hill-sides had become an institution, when the bulk of the people attended the preaching of their favourite ministers unmolested; indeed it was the popular belief that Lauderdale winked at these proceedings.

The bishops, however, grew more and more alarmed at this contempt of Episcopacy, and induced the Council to order the baronage to sign an obligation individually, that neither they themselves, nor their families, servants, or tenants, should attend conventicles, or *harbour such as frequented them*.

Against so compromising a declaration the gentry of all ranks and persuasions remonstrated, prominently the Earls of Cassilis and Galloway, the latter's brothers the Lairds of Ravenstone and Castle Stewart, all the Gordons, M'Dowall of Freuch, and the sheriff himself. Lauderdale, however, far from entertaining their protest, actively resented it, and sent a special commission to Murray of Broughton to take "law burrows" from all who declined to sign the bond and to keep the peace; breach of the peace being stretched to include the attendance of any relatives or dependants at conventicles.

The sheriff, not having proved a sufficiently supple tool in the hands of the Council, was ordered to grant deputations of sheriffship to Grierson of Lagg, Claverhouse, and Earshall, as his colleagues, by whom he thus became practically superseded; and as assistants to these new sheriffs 6000 Highlanders well armed, but with neither the habits nor manners of civilisation, were turned loose on the western shires, speaking a strange language, yet authorised to live at free quarters on the Whigs.

This Highland host made no distinction of persons ; whether hereditary officials, lairds, burgesses, or cottars, they construed their orders into a general license to carry off whatever struck their fancies, if only the owner was known to be a "Fig."

It is a family tradition that these kilted crusaders were uninvited guests at the sheriff's castle of Lochnaw, and that he himself, having sent the ladies of his family away, occupied, along with his eldest son, unfurnished lodgings on the sea-shore, in a cave still pointed out under the Sea King's Camp at Larbrax Bay.

Certain it is that all the pictures, furnishings, and various heirlooms accumulated during generations of occupation up to this date have entirely disappeared.

These aggressive measures were followed by the citation of many of the Galloway baronage to appear before the Privy Council. Failing to appear, they were to be put to the horn, a penalty which most of them thought it the less of two evils to incur. It was immediately after a meeting of the Council, whence this order was sent forth (3rd May 1679), that Bishop Sharpe, whilst returning home, was murdered by a band of gentlemen, outlawed indeed, but none of them connected with Galloway. So many Galloway gentlemen, however, had been driven from their homes by the insensate action of the Government, that for mutual protection they soon after forgathered with fellow Presbyterians elsewhere, equally compromised. Their whereabouts becoming known, the redoubtable Claverhouse fell upon the united band on the 1st of June at Drumclog, expecting an easy victory. But to his surprise and disgust he himself was driven from the field. So largely were the ranks of the victors immediately recruited, that their fortunes might have continued in the ascendant, had not discord broken out among them, owing chiefly to the impracticability of the severer Covenanters. Divided counsels rendered success impossible, and the victors of Drumclog were totally routed by the royal troops under the Duke of Monmouth at Bothwell Bridge on the 22nd of the month.

The Galloway gentlemen concerned in the rising now turned towards home, followed closely by Claverhouse; a royal proclamation dated 26th June forbidding all good subjects under the severest penalties "to harbour, resett, supply, correspond with, hide, or conceal," any who had joined in this rebellion.

The Earl of Galloway's two brothers, Castle Stewart and Ravenstone, Gordons of Earlston and of Craighlaw, M'Clellan of Barscob, and M'Dowall of Freuch, were mentioned by name as rebels, as also Mr. John Welsh, Mr. Samuel Arnot, and Mr. Gabriel Semple, ministers.

M'Dowall of Freuch was tried for treason before the High Court of Justiciary, convicted, attainted, his memory pronounced to be extinct, and his estate of Freuch granted by the king to John Graham of Claverhouse "in consideration of his good conduct and *sufferings*."

The crisis was reached in August 1681, when the Test Act became law, by which all persons holding office were obliged to swear that they judged it unlawful to enter into any covenants or leagues without the king's command, and that they would never on any pretence decline his majesty's jurisdiction.

The sting of the test lay in the latter clause, which at first sight not appearing unreasonable, was in its interpretation held by the law officers to include the king's jurisdiction as to forms of worship; and its acceptance implied, and was intended to imply, entire withdrawal from Presbyterian communion.

The sheriff, who had already incurred the royal displeasure for administering the conventicle acts too leniently, now filled the measure of his sins by declining to take this test, and was instantly superseded. On the 19th of January 1682, Graham of Claverhouse was gazetted sheriff in his room, held his first court at Wigtown the March following, appointing his brother David as his depute.

Lord Stair had endeavoured to improve the Test Act by engrafting on it a rider that the recipient professed "the true Protestant religion as set forth in the Confession of Faith of

1567." But this was scouted, and he then felt himself unable to subscribe the oath, and was removed from his judgeship. He returned to Galloway, whence in October 1682 he passed privately to Leyden.

Lord Nithsdale, the Steward of Kirkcudbright, also declining the test, was replaced by Lord Livingstone. Lord Kenmure, equally declining, was deposed from his Baillerie of Tunland, which was given to Claverhouse; and Lord Galloway, also refusing the oath, was divested of the regality of Whithorn, which was given to Queensberry.

Lady Dalrymple of Stair remained at Carscreugh, where she managed her lord's affairs.

A good story is told, that meeting the new sheriff at a party, and becoming provoked at Claverhouse's abuse of everything Presbyterian, a system he declared to owe its existence to Knox's noisy cant,—“Weel, weel,” she exclaimed; “if Knox only won his end by clavers, Claver'se won't win his without knocks.”¹

Though the story is current, it is hardly probable that there was any friendly intercourse between the pair. Her ladyship was not credited with the mildest of tempers, and was herself cited to appear before the Council “for absenting herself from church, and haunting conventicles,” doubtless at the instance of her opponent, rather with a view of ruffling her haughty spirit, than from any hope of her amendment.

A sad tragedy occurred at Carscreugh about this time. Her son John's two eldest boys were passing their vacation there, when a visitor arriving, his pistols, as was usual, were removed from the holsters, and placed on the hall table. The little fellows, who had been outside, came in, and seeing the pistols, presented them at one another in boyish play, and crying, “Fire!” pulled the triggers; James's missed fire, but John's exploded, killing the elder brother on the spot. The nerves of the younger Lady Dalrymple were so much shaken that for long she could

¹ It is to be understood that the pronunciation of Claverhouse was then always Claver'se.

not bear the sight of her surviving boy, who was soon after sent to his grandfather to Leyden, the country to which he was destined to return as ambassador extraordinary. This was the embryo Field Marshal.

Within an easy ride of Carscreugh was the old place of Mochrum, presided over by Christian, only sister of Lady Dalrymple; the most direct approach to which was through a moss, once a waving forest of oak and birch, the swampy pass being well named Annaboglish (*alta na boglaich*), "the ford of the flow."

Her husband Thomas Dunbar had died in 1671, leaving six daughters married respectively to Stewart of Tintalloch, Ramsay of Boghouse, Baillie of Dunragit, Hawthorne of Aries—four Galloway lairds; a fifth to Campbell of Skeldon, a sixth to Sir James Stewart of Stewartfield; and had been succeeded in his estates by an only son James, noted for his size and strength, whence his sobriquet "the Giant." He was popular, from his humour and convivial ways, though somewhat addicted to practical joking in his cups.

James continued to live at the old family place; but his fortunes were on the decline. He was hospitably inclined, and dearly loved a good drink of claret, in which his finances seldom allowed him to indulge, for he had been obliged to sell a large part of the paternal estates. These had been purchased by the second son of the Laird of Monreith; and this proceeding on his part, notwithstanding the purchase-money had been duly paid, "the Giant," with true Scottish impulse, looked upon as little short of robbery. William Maxwell, after this transaction, was designated "of Mochrum Loch," or usually simply "Loch"; he had previously acquired also the lands of Longcastle from Vaus of Barnbarroch. In the year 1680, on the death of his nephew, "Loch" became Laird of Monreith; and in the course of the same year he, being then a widower, married a sister-in-law of the Sheriff's—Elizabeth, daughter of Sir Thomas Hay of Park. The following year he was created a baronet of Scotland and Nova Scotia; and in 1682 he further acquired Ardwell, Killeser,

and the lands and manor-place of Myrtoun, from Sir Godfrey M'Culloch, another of the old baronage, who now fell from the position so long occupied by his family.

According to feudal custom, the principal landowners, not of the nobility, had taken rank among themselves according to the priority of their baronial tenures. In Galloway, the barons of old refused to yield any precedence to knighthood, and were not inclined to give way to baronets either, although to these last special precedence had been assigned by Act of Parliament. A good story is told illustrative of this :

The Maxwells, although of an ancient and honourable house, had not the same standing as the Dunbars as Galloway proprietors. The Maxwell of the day—a rare exception in these times—was in flourishing circumstances ; Dunbar's affairs were in confusion—the one was small of stature, the other so tall and powerful that his very name had become an adjective of size ; the one was rich, the other poor, but proud withal—and being the oldest baron he refused to yield a single inch to the new-made baronet.

Things being so, these two met at some county festivity. Maxwell was in the act of asserting his proper precedence, when Dunbar advanced, and interposing his stalwart form between the baronet and his intended partner, roughly exclaimed, "Mochrum before Monreith." Sir William, anxious to avoid a quarrel before the ladies, good-humouredly returned, "Yes ; but *baronets before barons* ; and to refresh your memory upon that point, I must send you a hogshead of claret to drink my footing." "A bargain !" cried the Giant eagerly, giving way at once, his eyes glistening at the proposal ; and a bargain it was. The good claret duly arrived at the old place of Mochrum, was duly appreciated, and when next the laird met his neighbour, not a word was said against a baronet's precedence, he walking amicably behind. Not very long afterwards, however, at a similar gathering, Sir William Maxwell was in the act of offering his hand to the lady whom his rank entitled him to escort, when he felt a huge paw fall heavily on his shoulder, and sure

enough there he saw the big baron standing before him in no courteous mood, muttering in peremptory tones, "*Mochrum before Monreith.*" Astounded at this breach of manners, Maxwell rejoined to the effect that the rules of honour as well as of decorum should have secured him from such unseemly treatment; but the Giant was not to be stayed. Pushing past Sir William, he carried off his fair prize with an air of triumph, gruffly exclaiming by way of apology to the company, "Hout, man! *your claret's done.*"

Mochrum does duty in various forms in Galloway phraseology. "A Mochrum Laird" is still the local term for a cormorant, as these birds frequent the castle loch, and breed there in great numbers.

When any one is hankering after something which he cannot by any possibility expect to get, a Galloway wag will say, "He is like the auld mill o' Mochrum, which aye wanted a back door," the mill having been said to have stood there abutting on the solid rock. This mill also sometimes plays its part in the sharp form of repartee. If any Gallovidian for instance questions another closer than he likes as to where he is going, he may expect to be answered by the "sell to the auld mill o' Mochrum, man."

Conviviality was now effectively checked by the presence of Claverhouse, who although accustomed to shine in sympathetic society, was in Galloway somewhat of a bugbear. Many of the baronage were outlawed, and were wandering as fugitives at their wit's end to elude his troopers. The Lairds of Craighlaw, Freuch, Larg, Ravenstone, Castle Stewart, and Viscount Kenmure, being amongst the number, the last leaving his lady to live with what comfort she could with thirty dragoons at free quarters in his castle.

We extract a few lines from his own correspondence:

CLAVERHOUSE TO QUEENSBERRY.

"Newton of Galloway, 16th Feb. 1682.

"As I came from Stranraer about Glenluce I met with Castle-Stewart and his brother, to whom I gave all the assur-

ance imaginable of my care of their concerns, as I did to my Lord Galloway, whom I had the honour to see at his own house, and let him know it was particularly recommended to me by your Lordship. They seemed very sensible of your favour and satisfied with it. I had the good fortune to see Bructon, Baldon, and Ylle.¹

“I was last night to wait on my Lady Kenmure, my Lord being from home. I told her what pains your Lordship had been to keep her house from being a garrison, and she seemed very sensible of it. I am sorry I must acquaint you, but I shall do it to nobody else, that I am certainly informed my Lord Kenmure has conversed frequently with rebels, particularly Barscob.²

“As to the treasury commisaion I fear I shall not be able to do what I would wish, because of the season. For of their corn and straw there is not much left, and their beasts this time of the year is not worth the driving.”

“Newton of Galloway, 1st March 1682.

“I wish the Gordons here were transplanted to the North, and exchanged with any other branch of that family who are so very loyal there and disaffected here.

“I desire leave to draw out of the two regiments one hundred of the best musketeers who had served abroad, and I should take the horses here amongst the suffering sinners.”

“Wigton, March the 5th, 1682.

“Old Craikley came in yesterday, and I got a safe pass for his son and another heritor called Magie³ that has not yet been heard of.

“Here in this shire I find the lairds all following the example of a late great man and considerable heritor among them, which is to live regularly themselves, but have their houses constant haunts of rebels and intercommuned persons,

¹ Thomas Lidderdale, Stewart-Depute of Kirkeudbright.

² M'Clellan of Barscob.

³ M'Kie of Larg.

and have their children baptized by the same, and then lay the blame on their wives.

“ But I am resolved this jest shall pass no longer here for it (is) laughing and fooling the Government.”

An Act of Parliament, passed about this time, shows the easy mode in which sturdy beggars were then, at least in theory, disposed of. At the Restoration the Earl of Eglinton obtained a grant of the fortification formed by Cromwell on the site of the old Church of St. John's at Ayr. Some time afterwards the earl, in concert with some other gentlemen, started a woollen manufactory in this citadel, which thence took the designation of Montgomeriston; and, for their encouragement, obtained the Act in question, empowering them to bring into their employment “ all idle persons or vagabonds within the several paroches of the Sheriffdomes of Galloway, Aire, and Renfrew, as shall be found begging and hindersome to the country.”¹

¹ This is mentioned in the Obit Book of the Church of St. John the Baptist at Ayr,—with historical sketch and translation,—by James Paterson.

CHAPTER XXXVI

THE KILLING-TIME

A.D. 1683 to 1688

They shot him dead at the nine-stane rig,
Beside the headless cross ;
And they left him lying in his blood
Upon the moor and moss.

IN 1683 the young Laird of Lochnaw married Lady Mary Montgomerie, daughter of the eighth Earl of Eglinton by Lady Elizabeth Crichton, daughter of the Earl of Dumfries. The marriage-contract was signed at Ayr on the 22nd of June, and witnessed by Lord Montgomerie, the Earl of Dumfries, Lord Crichton, Sir William Maxwell of Monreith, Lord Bargany, Hugh Cathcart of Carleton, and Patrick M'Dowall of Logan ; and the young couple forthwith took up their residence at Innermessan.

These were not halcyon days in Galloway. Neither the sheriff himself nor his son the bridegroom had taken the test. Entrance doors had to be locked, bolts drawn, and the keys laid in evidence on the hall table, before a family untested could sit down in comfort to their meals.

It was not long before the sheriff's sergeants knocked peremptorily at the doors of Innermessan and Lochnaw, demanding suit and presence of the ex-sheriff and his son at what was no longer his own court, where David Graham worthily represented his brother.

Before the wedding had taken place, a commission had been

issued to David Graham, William Coltran, and Sir Godfrey M'Culloch, "for tendering the Test within the Shyre of Wigtown," and by the autumn they had reported "that the hail gentlemen and heritors" had taken the test in the way and manner appointed, excepting Sir Andrew Agnew of Lochnaw, James Agnew his son, William M'Dowall of Garthland, William Gordon of Craighlaw, and William and David the said William's sons, Stewart of Tonderghie, Mr. Kennedy, minister in Ireland, Mr. James Laurie, who lives at Ayr."

We are at a loss to understand how the sheriff and his son eluded the search of the commissioners for many months. They may probably have found it convenient to visit the family properties across the Channel. However this may have been, it is certain that they lay close for at least a year, disregarding all summons to take the test ; but somehow remaining unmolested.

Claverhouse had shown greater bitterness against Sir John Dalrymple, whom he forced to appear before the Council, and charged him "with weakening the hand of Government in the Shire of Galloway," with opposing the Commission, and with himself adjudging on charges made against his own tenants, purposely to give them too low for their attendance at conventicles, also that he did "insolently laugh" at Claverhouse's proclamations.

To this Sir John retorted "that he was the person aggrieved, and that he had occasion of complaint against both Claverhouse and his subordinates. That when he had presented himself at the Sheriff's Court, Claverhouse did cause his officers and soldiers to take the complainant by the shoulders and eject him, and that as to the fines, they had proved sufficient as the people in Galloway were becoming more orderly and regular." "Orderly!" ejaculated Claverhouse; "there are as many elephants and crocodiles in Galloway as orderly persons."¹

Dalrymple was fined £500 sterling, and committed a prisoner to the Castle of Edinburgh.

Meanwhile the Duke of York had arrived at Holyrood as

¹ Fountainhall, who gives the anecdote, adds: "A bold accusation and reflection on a whole shire."—Fountainhall's *Historical Notices*, i. 389.

Royal Commissioner. Lauderdale had died in 1682, having previously fallen into disfavour; and the Earl (afterwards Duke) of Queensberry had stepped into his shoes, Claverhouse being added to the Council.

As we have just seen, the ex-sheriff, the Laird of Garthland, and a few others, still evaded taking the test. How long this game of hide and seek might have lasted under Lauderdale or Queensberry we cannot tell; but there was now a stronger head in the Council, whose system was thorough. Under the inspiration of Claverhouse, a new departure was taken; the test was no longer to be evaded by shutting the door in the face of those who came to tender it; such child's play was to cease; those authorised to receive it were authorised also to force the doors, and the houses of all who remained untested, present or absent, were to be levelled to the ground.

None of the baronage of much note, excepting the sheriff and the Laird of Garthland, remained to be dealt with. They had held out much longer than their neighbours, and by those very neighbours were pressed to conform, with the view of representing the shire in the ensuing Parliament, rather than exclude themselves permanently from public life.

The royal commissioners, moreover, were already at Wigtown, and would not hesitate to apply the torch to their ancestral homes. The pressure was more than they could bear, so they presented themselves at Wigtown before the (now) Marquis of Queensberry, Lord Drumlanrig, and Claverhouse himself, who received them with great courtesy, and administered the oath. Elated with their success, they forthwith despatched the following report to head-quarters:

“Now Sir Andrew Agnew of Lochnaw and James Agnew his son, William M'Dowall of Garthland, Stewart of Tonderghie, and William and David, sons to the Laird of Craighlaw, have compeared this day, and taken the Test. We do therefore declare that the hail gentry and heritors within the shyre have taken the test except Kennedy, minister in Ireland, and Mr. James Laurie; and that all the Commons in the said Shyre who

had not taken the Test, hes now done the same, except six or seven, qhoo are now prisoners.

(Signed) "QUEENSBERRY.

"DRUMLANRIG.

"Wigtown, 17 October 1684.

"JO. GRAHAM."

Never was there a more flagrant example of the uselessness of basing a government on oaths forced at the sword's point on an unwilling population.

The test, it was believed, could it be but administered, would prove a permanent bulwark to the throne. In 1684 "the hail heritors of Galloway" had taken the test. The oath was renewed on James II.'s accession, yet not one of these gentlemen was fettered by it in action when the Prince of Orange raised his standard in 1689. Those in the highest stations had already treated as solemn oaths with even greater levity. King Charles himself had sworn to the Covenant. Lauderdale had been a sworn and staunch Presbyterian, and Archbishop Sharpe, as is well known, had been a sworn opponent to Episcopacy.

Having now apparently carried it their own way, the High Court, for the further administration of the Test and Conventicle Acts, proceeded with its sittings at Wigtown. All the heritors of the shire had been summoned to attend, and the original record is in the Lochnaw charter chest, from which we extract as follows :

"Wigtown, 16 October 1684.

"William, Marquis of Queensberry, Lord High Treasurer, Presis.

"James, Lord Drumlanrig.

"Colonel John Graham of Claverhouse.

"List of heritors absent this day, summoned to give suit and presence, who were excused by the laws :

"Sir John Dalrymple of Stairs.

"Sir James Dalrymple of Stairs.

"Richard Murray of Bruchton.

“ List of heritors within the Sheriffdom of Wigtown, who were absent when called, and therefore ammerciat and un-lawed :

“ John Gordon of Craighlaw.

“ Patrick Agnew of Galdenoch.

“ John M’Culloch, liferenter of Grange.

“ John Boyd of Kirkland.

“ And eight others.

“ List of assizers absent at calling this day :

“ David Dinninwood of Achlean.¹

“ Patrick Agnew of Galdenoch.

“ John Makkanless (M’Candlish), late Baillie of Whithorn.

“ David Gordon in Barnairnie.²

“ Andrew M’Kie in Culbrattoun.”³

The following are specimens of the proceedings copied from the Record :

“ John Stewart in Glenlukok, adhering to his deposition, re-examined, and refusing to take the test is committed to the irons.

“ Remanded ; committed to the irons.”

“ Andrew Slowan in Glenlukok, solemnly sworn and interrogat, confessed accidental converse with William Kennedy, rebel. Swears never to harbour, reset, etc., in common form, and is content to take the test ; and this is true, as he shall answer to God, and cannot wryte.

“ Tested. (Signed) QUEENSBERRY.”

“ Walter Hunter in Linglosan,⁴ solemnly sworn and interrogat, confessed that Kennedy, rebel, was at his house, and drank there, within these last twelve months ; swears never to harbour, reset, etc., and is content to take the test.

“ Tested. (Signed) QUEENSBERRY.”

¹ Auchleand. Aihadh leathan. Broad field. •

² Bar n’airme. Hill top of the sloe bushes.

³ Cuil Breatan, the (Strathclyde) Briton’s corner.

⁴ Lingluskene, Kirkcolm. Lin losgann. Pool of the frogs.

“ John M'Ghie in Barnkirk, solemnly sworn and interrogat, confesses his indictment *in omnibus*, and is content to take the test.

“ Committed to prison. (Signed) QUEENSBERRY.”

“ William M'Camon in Culbrattoun, examined, confesses his indictment, and refuses the test ; and being sworn whether he had taken the Covenant or not, confesses he took the Covenant at the place of the Risk about five years since, when Mr John Welsh preachit, and that he had a chyld baptised by the said Mr. John Welsh at the same tyme.

“ Committed to the irons. (Signed) QUEENSBERRY.”

“ Alexander Carson, servitor to Sir Godfrey M'Culloch, solemnly sworn and interrogat, depones, that he met with Gilbert M'Ghie, rebel, and had drunken with him, and that the rebel had called him ‘ Cussin Carson,’ and that he knew the said rebel to have been at the rebellion at Bothwell, but that he considered the said rebel to be a free man in respect he was Broughton's gunner ; and this all was within these five or six weeks bypast.

“ Committed to prison. (Signed) QUEENSBERRY.”

“ John Kincaid in Chalcarroch confesses that he heard Mr. Samuel Arnot and Mr. George Barclay preach in the house of Arioland and little Aries, and that he had a chyld baptized with Mr. Thomas Kennedy, minister in Ireland. Confesses he was at the communion in Penninghame about the time of the rebellion or thereby, where Mr. John Welsh preached : And being interrogat if he counterfeited a testimonial for one Sprot, confesses he did the same, and does not deny but he received the Covenant at the communion where Mr. John Welsh preached : And being interrogat if Bothwell Bridge was rebellion, was not clear to give his judgement thereanent ; and further the pass being produced judicially, he not only owned the same, but also signed it that it was the same testificat that he forged, and this he confesses judicially by his own declaration : And further confesses

that he was at the breaking of Mr. James Couper, minister at Methven-Mochrum his house, immediately before the rebellion seventhie-nyne.

“ Committed to the irons. (Signed) JOHN KINCAID.”

“ John Henderson, being examined whether rebellion at Bothwell was a sin against God, answered he could not tell.

“ Confesses he heard a conventikle at Edinburgh in the head of the (Stewart bow ?) in the west syde of the street, a year and a half since or thereby, but refuses to depone thereupon, or in whose house it was in. And being examined if he thought the Covenant was a good cause, he answered, ‘ Yes, my Lord ; ’ and that it was lawful to rise in arms against the King for that cause; and declared that he heard not a preaching in the church these two years ; and judicially confesses a letter now produced which was written by him to Enterkin (indistinct); and being examined whether it was lawful to kill a bishop or a minister, refuses to declare thereanent, or to declare that the Bishop of St. Andrews’ murder was a murder ; and being examined if he knew anything anent Enterkin business, or if they had resceued the prisoners, declares he knew nothing thereof, but that he wold have been glad they wold have resceued himself, and if he had been there he wold have done the same ; and being sworn and interrogat anent the setting fyre to the thief’s-hole door at Wigtown, depones that that night the prison was burnt he met Margaret Doual at Bladnoch water, who told him that the prisoner expected furth that night, and that he spoke with the prisoner that night before the escape.—And this to be of verity he declares judicially—

(And signs) “ JOHNE HENDERSONE.

“ Committed to the irons.”

“ William Sprot in Clutach confesses judicially that he advised John Kincaid to counterfeit a pass to him when he was going to Ireland ; and being solemnly sworn and interrogat if he converst with rebels, depones he converst with no rebels from the last circuit at Dumfries in anno 83 : and being interrogat

how old his last chyld was, and who baptized it, he depones that his last child is about 3 years old, and that Mr. Ross baptized it. Owns the king's authority, and disowns rebellious principles, and says he knows not what the test or oath of allegiance is.

“Committed to prison. (Signed) QUEENSBERRY.”

“Margaret Milligan spouse to James Martison, and Sara Stewart spouse to William Kennedy, and Margaret M'Lurg spouse to Alexander M'Clingan, rebels,—Margaret Milligan and Margaret M'Lurg confesses the harbour of their husbands within this year and this half, but refuses to depone if they were there sensyne; the said Sara Stewart confesses harbour of her husband within this quarter of a year, and that she has a chyld of a year old unbaptized, and is content that Mr. James Cahoun baptize her chyld, and she will hold the chyld up herself; and is ordered to enact herself in common form, and find caution that the chyld shall be baptized.

“Milligan and M'Lurg committed to prison.

“(Sara Stewart) enacted.”

(Signed) “QUEENSBERRY.”

Fifty-three similar cases were disposed of at the sitting.

The following day the Court resumed, and the following judgments were pronounced:

“John Stewart in Glenluckok, William M'Camon in Culbrattoun, William Sprot in Clontarf, John M'Caffie in Gargrie, to be banished to the plantations, and to remain in prison till a fit occasion be for transporting them.

“John M'Kie in Burnkirk found egregiously guilty of converse, yet willing to take the test, to remain prisoner in the meantime.

“John Kincaid in Chalcarroch, and John Henderson, whose crymes are extraordinary, sent for trial before the Justice-General and Lords of Justiciary at Edinburgh.”

And next follow:

“List of Woman Panells whoe refuse to depone anent har-

bouring, resetting, conversing, and entertaining of rebels, and are secured :

“ Margaret Gordon, goodwife of Arioland elder.

“ Margaret Milligan, spouse to James Morrison, rebell.

“ Margaret M'Lurg, spouse to Alex. M'Clengan, rebell.

“ The Lords Commissioners having considered the confessions of the above named Margaret Gordon, Margaret Milligan, and Margaret M'Lurg, and they refusing to depone anent harbour, converse, etc., decerns, adjudges, and ordains them to be banished to the plantations, and to remain prisoners in the meintyme till a fitt occasion offer for that effect.

“ Wigtown, 17 Oct. 1784. QUEENSBERRY, *I.P.D.*”

Thus the Commissioners showed the Agnews how to execute the office of sheriff.¹

The last list occasions sad reflections. To be banished to the plantations meant not only to be transported across sea in a convict ship, but there to be sold as slaves.²

The goodwife of Arioland was a dame of gentle blood, a Gordon of Craichlaw, and the crime of herself and fellow-convicts was “ converse ” with their own husbands and sons.

Doubts have recently been cast on the fact that penalties were incurred by *simple nonconformity*. A very slight acquaintance with the family papers of that date will entirely dispel such doubts.

Andrew Adair of Genoch—a laird of old descent but very moderate fortune—declined to attend the Episcopal service. The curate of Inch bided his time and informed against him, for having had a child baptized by a Presbyterian minister. The fact was admitted : “ *For this and for Genoch's other nonconformity* he was fined by Sheriff Graham fifteen thousand

¹ The Scottish Privy Council in January 1682 sent down the well-known John Grahame of Claverhouse to show the Agnews at the end of 230 years how to execute the office of Sheriff.—Chalmers's *Caledonia*, iii. 363.

² Gilbert Milroy, a tenant on the Castle Stewart estate, was one of 190 Scottish prisoners given by James II. to Sir Philip Howard. A right royal gift ! He sold them for what they would fetch.

merks." Adair's inability to meet such a sum was so notorious, that, on the Bishop of Galloway's representation, it was reduced to *five thousand merks*; but this sum the laird was obliged to pay.¹

John M'Neal, a member of kirk-session in Glasserton parish, paid "forty dollars to Mr. David Graham for baptizing a child with a Presbyterian minister;" and Michael Hannay, another member, probably as in the former case a farmer, paid "forty pound to Claverhouse his brother, because he had a child baptized by Mr. Alexander Ferguson, a Presbyterian minister, and got a receipt for it."²

"Wigtoune, Aug. 19, 1684.

"The which day Katherine Lauder spouse to Patrick M'Kie of Auchlean confest that she had *withdrawn from the church these two years bygone*, therefore the Judge fines the said Auchlean in two hundred and fifty pounds Scots.

(Signed) "DAVID GRAHAM."

In this case the husband on oath deponed "that for the space of three years she was soe unwell she was not able to go abroad." Sheriff Graham, however, was not satisfied.

"Wigtoun, 20 August 1684.

"The which day John M'Gachie in Bordland upon oath deponed that he had been but seldom in ye church these two years bygone,—pretending want of health; however, he acknowledged that he made a journey to Edinburgh and went up and down ye countrey about his affaires which his son upon oath also declaired; therefore the Judge *fynes him in one hundred pounds Scotts for his withdrawing*.

(Signed) "DAVID GRAHAM."

Surely we shall not now be told that "simple nonconformity" entailed no penalties.

It cannot be denied that the Government were not without excuse for very considerable severity. Cameron, Cargill, and

¹ Adair MSS.

² Kirk-Session Records, Glasserton.

Renwick, avowed leaders of the hill-men, had openly renounced their allegiance. Rebellion was actually rampant; soldiers caught straggling were assassinated; a sentry was shot dead at the door of the Tolbooth of Kirkcudbright;¹ and the Episcopalian curates, even when anxious to live perfectly quietly, were subjected to gross outrage.

The Privy Council, however, endeavoured to assert the law with such a total disregard of humanity, and scandalous cruelty, that they alienated the affections of all right-thinking persons. Prisoners, male and female, of all ranks, were herded together for days in the open air, with no provision either for shelter or for decency. Persons who had confessed to what constituted a capital offence were needlessly put to the torture of the boot. Wholesale transportation was carried out without providing proper ships or accommodation, and ladies of gentle blood were not only so deported, but sold as slaves.

Nothing could have been more preposterous than obliging old women, mere lassies, or moor-men, to declare upon oath whether they considered Sharpe's assassination murder, or the rising at Bothwell Brig rebellion, when it was notorious that they had never heard of either of these at all, except as the most righteous acts, and that they would have perjured themselves had they sworn that they thought otherwise.

Amongst other expedients for enforcing conformity, the curates were ordered to furnish rolls of their parishioners, stating (on oath) whether each person was or was not irregular.

The whole of these lists are among the sheriff's papers under date 1684; and it is only fair to these much-maligned gentlemen to say that they must have much stretched their consciences on the side of mercy, it being notorious that their services were generally ill attended, yet so few abstainers are noted in their reports.

¹ The followers of Mr. Cargill made choice of Mr. Renwick for their minister, who composed a declaration that "they abjured Charles Stewart, and were determined to treat as enemies to God all who shed their blood or endeavoured by secret information to promote their extirpation." The assassination of two soldiers of the guards called forth an order of Council which virtually enjoined a massacre of the party to whom their death was attributed.

As an example, in the parish of Leswalt, every dwelling, from the castle of Lochnaw to the humblest cot-house, was named in order and the inmates catalogued; the report is as follows :

“These are the names of the Parishioners of Leswalt taken up on the 21st day of September 1684.

“I declare this is a true list as required.

“M. W. SOMERVELL, *Minister*.

“These to be excepted : Mr. William Cleveland in Challoch, an excommunicate person.

“Jane Brisbane, spouse to Patrick Agnew of Galdenoch, who is paralytic.

“As witness my subscription at Wigtown the 15th day of October 1684.”

A judiciary commission, with summary powers as to humbler offenders (for heritors were exempted from their jurisdiction), was issued to David Graham, Lidderdale, Steward-Depute of Kirkeudbright, Captains Strachan, Bruce, and William Grahame, dragoon officers, with power to use both boot and thumbscrew for extracting information.

Numerous military executions, some closely verging on judicial murders, consequently occurred within the years 1684-1686, the unhappy period still remembered as the “Killing Time.”

Charles II. died in February 1685, and on his brother's accession a general election took place. Great as were the exertions of Sheriff Graham to secure the return of candidates acceptable to Government, when on the appointed day he proceeded to the Market Cross at Wigtown, and there having made due proclamation, adjourned to the Court-house to take the freeholders' votes, much to his mortification he had to declare that Sir Andrew Agnew of Lochnaw, and Colonel the Honourable William Stewart of Castle Stewart, were duly and unanimously elected.

In the Stewartry the Council were more fortunate, securing

the return of Hugh Wallace of Inglestown, described as "His Majesty's Cashkeeper," and heritor of the Barony of Larg. (M'Kie for the moment being forfeited.)

In the very month of King Charles's death occurred the arrest of the unfortunate women, the victims locally known as the "Wigtown Martyrs." The story, shortly told, is this :

Margaret M'Lauchlane, a woman 63 years of age, from Kirkinner, and two daughters of a certain Gilbert Wilson, on the lands of Castle Stewart, Sir Andrew's colleague, having fled to avoid taking the test, or hearing the curates, "respectively of 18 and 13 years of age, were tracked, taken prisoners, and tried before Sheriff Graham, the Laird of Lagg, Major Winram, and Captain Strachan. They were indicted as being guilty of the Rebellion of Bothwell Bridge, Aird's Moss, 20 Field Conventicles and 20 House Conventicles; (yet it was well known that none of these women were ever within 20 miles of Bothwell or Aird's Moss); the Assize did sit, and brought them in guilty, and the Judges sentenced them to be tied to palisadoes fixed in the sand, within the floodmark of the sea, and there to stand till the flood o'erflowed them."¹

The youngest was released on her father paying a fine; great interest was made no doubt by the members for the shire, and it is generally understood a reprieve was granted for the other two. Notwithstanding which they were brought out by the judges named, taken to the sands in Wigtown Bay, and on refusing to take the test, or oath of abjuration, drowned.

Mr. Napier, having, it is believed, discovered this reprieve, raised doubts as to whether these women were drowned or not, and argued the case with much legal ingenuity. He has been, however, authoritatively answered in Dr. Archibald Stewart's *History Vindicated*,² and it is absurd to doubt the authenticity of the Session Records, written in the lifetime of those implicated, or the rude monuments raised in Wigtown churchyard.

¹ Session Records of the Parish of Penninghame.

² The Rev. Archibald Stewart, minister of Glasserton. This work, published by Edmonston and Douglas in 1867, went through two editions, and is unanswerable.

Sheriff Napier seems to have been quite unaware that the very backbone of the charge against the women's executioners was their having done them both to death, when they must have been aware that the reprieve had actually been granted.

Local traditions traceable to almost contemporaneous times, even if they seem childish, stand in corroboration of the deed, in so far as they show that the reality of the tragedy was never for a moment doubted in the district.

A minister long resident in the district told the author that the name of the man by whose information the women were arrested is well known, and his memory execrated still. One of his descendants, getting into an altercation with a person in the borough, was thus taunted the other day: "I wadna like to have had a forebear who betrayed the martyrs; I wadna be coomed o' sic folk."

Another informant had communed with a person (Miss Suzan Heron) whose grandfather had seen the execution; whose words were: "The sands were covered wi' cluds o' folk, a' gathered into clusters, many offering up prayers for the women while they were being put down."

A town sergeant, who had been officiously active—when the women finally refused Lagg to take the test—pressed down their heads with his halbert, and cried with savage glee: "Tak' another drink o't, my hearties!" Hardly had he returned home when he was troubled by an extraordinary thirst: it continued. No amount of drink he could take could allay it. His unnatural craving forced him, when obliged to go abroad, to carry a pitcher on his back. If crossing a stream he was irresistibly impelled to kneel down and lap water like a dog. Medical skill was of no avail: as the wretch wandered about the country, now turning to curse a group of urchins who followed to mock his sufferings, now sprawling to moisten his tongue in the gutter, even his ribald companions shrank from him with horror, and the people, whose sympathies were with his victims, pointed to him as a man whose eternal sufferings had begun.

Still more grotesque is the tradition of the "Cleppie Bells."

A constable who was held to have carried out his orders unfeelingly, as he fastened the women to the stakes, was asked how the poor creatures behaved when the cold wave roared and foamed about their heads. "Oo," he replied jocularly, "they just clepped roun' the stobs like partons, and prayed." Soon after, Bell's wife was brought to bed, when the howdie exclaimed in horror: "The bairn is clepped!" (*i.e.* the fingers grew firmly together). Another child was born, and yet another, and as each little wretch in turn was seen to be "clepped," the most incredulous were convinced it was a judgment of Providence. We have been gravely assured that within the memory of man a female descendant of the bad constable, on giving birth to a child, was horrified by the exclamation, "The bairn is clepped!"

An old elder in the parish, on being told that historical doubts had been started as to whether the said women had been drowned at all, answered with much simplicity: "Weel, weel, they that doots the droonin' o' the women, wad maybe doot the deein' o' the Lord Jesus Christ."

Other genuine traditions are interesting as illustrating the full belief of the peasantry of these days in the powers of prophecy of their favourite preachers.

Several of these cluster round the old Muirkirk of Luce.

When Peden, ejected from his cure for being present at the Pentlands in 1663, preached his farewell sermon here before a sorrowing congregation, he knocked three times upon the pulpit with his Bible, exclaiming, "I arrest thee in my Master's name; let none ever enter thee, but such as come in at the door as I have done."

It so happened that as New Luce was for a time formally united to Old Luce on Peden's departure, none of the Episcopalian curates ever preached there, and this was accepted as a fulfilment of his prophecy. Again, on his deathbed, he remarked that he foresaw his enemies would not let him lie in peace even in the grave. He died at Auchenleck in 1686, and was buried in the family tomb of the Boswells. But with a brutality too common, soldiers were ordered to snatch his body from the

grave, and bury it at the gallows-foot in New Cumnock. Here again he had spoken as a prophet.

Again, John Welsh (a grandson of John Knox), the ejected minister of Irongray, held a conventicle on a whinny bank in Larg. As the congregation were assembling, the Laird o' Larg set the brushwood in a blaze, tauntingly exclaiming: "The old fox is burnt out." "You have grudged God's minister a whinny corner of your land," Welsh solemnly replied; "perhaps He may not leave your children enough land to spread a tent on."

The disappearance of the Lynnes from the roll of proprietors was felt to be a fulfilment of this prophecy, the more so as the man of God had added: "You have burnt the bramble to the roots on the hillside, beware that they do not rise again from the foundations of the Larg."

The Laird's mansion-house has totally disappeared.

The lands of the Lynnes have passed to the Dalrymples, and along with them some of the best salmon pools of the Luce. The old Muirkirk of Luce was served many years ago by a minister of a very different stamp indeed from Peden, but whose early experiences had been quite as rough, and almost as dangerous, as he had served as a surgeon in a whaler in the first decade of the century.

Shrewd, rough, but genial, he was a noted character in the countryside.

Of the many stories current about him, it was not only asserted that salmon appeared somewhat frequently upon his table, but that an especially fine fish always graced the board on the Mondays following the Communion Sunday, when his dinners to those who had assisted were quite an institution. It was even declared that a day or two previous to such occasions, he was to be seen in consultation with certain suspicious characters as to which pool held the fish most suitable. New Luce was then believed to be a nest of salmon-poachers; and much urged by a nephew, a late Earl of Stair was induced to call on the good man with a request that he would be very careful in buying salmon, not to give any encouragement to bad charac-

ters ; especially suggesting certain notorious poachers who were his parishioners.

A request thus mildly and courteously put it seemed impossible to refuse. The divine heard out his lordship respectfully, and looking him full in the face with an air of the greatest simplicity thus delivered himself : “ My Lord, since I have been settled in New Luce, I have always guided myself by the precept of the Apostle Paul, ‘ Whatsoever is sold in the shambles, that (buy and) eat, asking no questions for conscience sake.’ ”

The Peer was checkmated ; he felt farther appeal was hopeless, and drove off, having at least by his visit got a good joke, which no one was better able to relish.

Being somewhat rallied on his return at his total defeat, “ What could I do,” he said laughing, “ when the fellow turned my flank with the Apostle Paul ? ”

To turn to family matters, we find that on the shortest day, 1687, Lady Mary Agnew gave birth at Innermessan to a son and heir, a child destined to be the hero of innumerable local stories, as “ old Sir Andrew.” We find a memorandum also as to the widow of the young Laird of Monreith.

“ Killochan, 2 Nov. 1687. Margaret Agnew, relict of umquhile John Maxwell of Monreith, lets intact during all the days of her life for 800 marks yearly to Sir William Maxwell of Monreith, the 8 markland of Baleraig, and the 2 markland of Barnhannock, and 5 markland of Drummodie of old extent, within the Barony of Monreith, to which she had a life-rent, by virtue of a covenant of marriage between her and Sir Andrew Agnew of Lochnav, her father, on the one part, and John Maxwell and his father, William Maxwell of Monreith, on the other part.”

We find Sir Andrew visiting his Irish estates this year, his arrival preceded by the following peremptory letter to his agent.

“ Patrike, I wrott to you ye last weeke with Agnes M’Culloch which I am confident cam to your hand. And having ye

opportunity of yis bearer I thought fit to put you in mynd that you would be careful y^t my paines in coming to your countrie may not be in vaine.

“I purpose to be over about the beginning of ye next month. If I find ye people hath made any provision for me, they may expect what courtesie I can give them. If my journey be in vaine through their negligence, I must take some other course.

“I shall not speake of any oyr thing till I cum, but bid you farewell, quho am, your loving friend,

(Signed) “ANDREW AGNEW.

“For Patrick M’Charlie,

Killwaghter.” 4th September 1688.

Sir John Dalrymple had been arrested a second time at Newliston in 1684, led like a malefactor through the streets of Edinburgh, lodged in the Tolbooth, kept a prisoner there for three months, and liberated only on Lords Lauderdale and Crichton becoming bail for him to the amount of £5000. No crime was alleged as a reason for the outrage, and when Sir John was asked by such visitors as were allowed access to him why he had been so used, he would wittily reply, “I suffer for the original sin of a Presbyterian father.” He had now been reinstated in the Royal favour, and named King’s Advocate. He had lately purchased the Cassilis lands in Leswalt and Inch, including Castle Kennedy, where, from a paper in the Lochnaw charter chest, we find him now in residence.

“I, Sir John Dalrymple, younger of Stair, grants me hereby to have received from William Cleilland in Shalloch (Challoch) all and hail the sum of 130 marks, for which Sir Andrew Agnew of Lochnaw, Knyght Barronett, is cautioner. I have subscrivit these presents with my hand, at Castle Kenedie, the 27th day of September 1688 years, before these witnesses—

“Mr. Hugh Dalrymple, advocate, and Alexander Stevenson, wryter hereof.”¹

¹ Mr. William Cleveland was one of those delated as irregular by the curate at Leswalt.

CHAPTER XXXVII

THE REVOLUTION

A.D. 1688 to 1696

There's timmer that's red at the heart,
There's fruit that is sound at the core ;
May he that would turn the buff and blue coat,
Be turned to the back o' the door.

To Claverhouse, as well as the Laird of Lagg, his most active lieutenant, conventicle-hunting was a congenial occupation, and between the hill-men (or the Whigs as they chose to call them) on the one side, and the dragoons on the other, taking their pleasures sadly, it was a continual game of hide and seek.

Most of their victims were of the humbler classes ; but parties of higher social position were treated with little ceremony if caught.

Lagg, with a party of dragoons, surprised Bell of Whiteside, a small proprietor, and some companions, fresh from a Cameronian service on Kirkconnel Hill. Grierson had often met Bell in society on equal terms, and had apparently been friendly with him. Yet when he was brought before him as a haunter of conventicles, he not only ordered him to be shot forthwith, but refused his modest request of a quarter of an hour for preparation.

One of his own officers, Douglas of Morton, interceded for the short delay, suggesting that a man naturally wished to pray.

“Pray !” Lagg rudely replied with oaths ; “what the devil ! has he not had time enough to prepare since Bothwell Brig ?”

And giving the word himself to fire, rode off, leaving Bell's body, and those of four others, on the heath, peremptorily refusing to allow them for the present to be buried.

Shortly after this, Lagg, with Claverhouse, met Lord Kenmure face to face in the streets of Kirkeudbright. Bell was related to Kenmure, who bitterly reproached Lagg for his especial barbarity to his kinsman in even refusing him decent burial. "Oh, take him yourself if you please," Lagg brutally retorted, "and salt him in your beef barrel."

Kenmure's blade flashed from its scabbard, and he would undoubtedly have run Lagg there and then through the body had not the sharp eye of Claverhouse detected him in the act, and drawing his own sword, he spurred in, and parted the opponents.¹

But whilst Sheriff Claverhouse was thus lording it in Galloway, and by systematic decimation thinning the ranks of the Covenanters, and enforcing the test at the sword's point, his astonishment was hardly equalled by his disgust, and that of Lagg and his fellows, on hearing of the King's intention of dispensing with the test oath and the penal laws.

And worse news still, Mackenzie, who had ventured to remonstrate, was superseded, and (Dec. 1686) Sir John Dalrymple named King's Advocate.

Immediately following upon this, Royal Proclamations suspended the penal laws against nonconformity, and free exercise of worship of every sort was permitted in private houses and chapels; ² field conventicles alone being prohibited. A contemporary thus describes the situation: "Sir John Dalrymple, now King's Advocate, arrives. Lately twice in prison as a malefac-

¹ The place where Kenmure, Claverhouse, and Lagg met was on the street at the door of an inn, the walls of which are still (1841) standing, the house having been lately unroofed.—Mackenzie's *History of Galloway*, ii. 269.

In the churchyard of Anwoth is this inscription:

This monument shall tell posterity
That blessed Bell of Whiteside here doth lie.
Douglas of Morton did him quarter give,
Yet cruel Lagg would not let him survive.

² Stair, *Annals*, '124.

tor, and in very bad circumstances with the Government. Now he has got a Precept from the King for £1200, whereof £500 was his fine which Queensberry and Claverhouse exacted from him three years ago. The other £700 for his charges in this last journey to and from London, and for loss of his employment during that time. He has brought with him also an ample remission of all crimes to his father Lord Stair, to his mother, his brothers and sisters, particularly for their resett and converse with traitors, and to his little son, who accidentally shot his brother.”¹

What could all this mean? No one suspected James of over-tenderness for his Presbyterian lieges; yet a change had come over the spirit of his dream. Claverhouse stood aghast. And, whatever was in the wind, here was Dalrymple, with whom they were at daggers-drawn, the leader of the Court, before which Lagg, any of his lieutenants, or even he himself, might be arraigned.

Further still, in January 1688 Sir John Dalrymple was made Lord Justice-Clerk; and he must have felt himself in somewhat an awkward position when, a few months later, he learned that his father, taking little notice of the pardon he had been at pains to procure him, had actually landed at Torbay, in the suite of the Prince of Orange. The position was a peculiar one. As Macaulay maliciously puts it:

“During some months Sir John Dalrymple at Edinburgh affected to condemn the disloyalty of his unhappy parent Sir James, whilst Sir James at Leyden told his Puritan friends how deeply he lamented the wicked compliances of his unhappy child Sir John.”²

In the result Sir John was easily brought by the counsels of the parent to confess the error of his ways.

Meanwhile the winter of 1688-89 was a season of no little anxiety in Galloway. Rumours of all sorts were in the air. The Whigs considered that James by his tyrannies had forfeited

¹ Fountainhall's *Historical Notices*, ii. 783.

² *History of England*, iii. 266.

the right to their allegiance. His new-fangled indulgences were looked on with suspicion ; and even Tories in the west country, and many of the king's staunchest supporters elsewhere, refused to be parties to the re-establishment of the Popish Church. Moreover, when it was openly declared that the quarrel was a religious one, fears arose that the Irish might intervene for a Roman Catholic king, especially as there were many of that religion in the eastern marches of the province.

That these fears were not groundless appears from a contemporary letter, preserved in an Ayrshire charter chest :

“ For the Laird of Jordan Hill. In haist, haist.

“ Paisley, 21st December 1688.

“ Sir, this night yr came to this place ane express signifying that some Irishes have landed at Kirkcudbright, and burnt the Toune. Wherefore . . . ye are desired by all in this place to be here to-morrow, where ye shall be attended by your most humble servant,

JO. IRVING.

“ Thir news are just now confirmed, wherefore fail not, for they are burning and destroying as they come along.”¹

Among other signs of the times, Sheriff David Graham disappeared. Whither he went, no one seems to have cared to inquire.

The baronage met to consider and consult, and Sir Andrew Agnew seems to have been called by acclamation to reassume his old position, presiding at the meeting.

How far there may have been any communications between the Prince of Orange, through Lord Stair, and the Galloway baronage, we have no means of determining. These were not days of correspondence, and he was rash indeed who committed such secrets of the State to writing.

But it seems to have been assumed that allegiance to James II. had been ended.

The only step this meeting took was to call out the yeomanry

¹ Letter to Crawford at Jordan Hill.

to rendezvous instantly at Glenluce; the Laird of Logan captain, and the young Laird of Lochnaw lieutenant.

Within a few weeks the successes of the Prince of Orange enabled him to name a provisional government; and in February 1689 writs were issued to the Scottish counties, ordering the election of a Convention of Estates.

On the 5th of March the Prince's letter, dating from St. James's, was read at Wigtown by the town clerk at the market cross. The barons, who had already assembled in force, then repaired to the court-house, where, Sir Andrew Agnew being chosen preses, the roll of electors was called over, to which almost the whole responded.

We give the roll, copied exactly from the Sheriff's Court book:—

Sir Andrew Agnew of Lochnaw, Shyreff-Principall.

Earle of Galloway . . .	Corsall
Laird of Garthland . . .	Garthland
Sir Andrew Agnew . . .	Barjarg
Magistrate of Stranraer . . .	Stranraer
Laird of Dunskey . . .	Portrie
Laird of Garthland . . .	Stoniekirk
Laird of Freuch . . .	Maye
Laird of Mochrum . . .	Glentrysloch
Laird of Logan . . .	Logan
The Laird of Kinhilt . . .	Lesmurie, ab.
Laird of Logan yor. . .	Portincorkie
Laird of Craigcaffie . . .	Craigcaffie
Croach (Agnew) . . .	Croach, ab.
Ard. M'Kie of Drumbuy . . .	Craichlaw M'Kie
Earle of Galloway . . .	Clugstoune
Laird of Castel Stewart . . .	Castel Stewart
Ard. M'Kie of Myrtoun . . .	Myrtoun M'Kie
Laird of Craichlaw . . .	Craichlaw Gordoune
Sir William Maxwell . . .	Balcreg
William Agnew of Wig . . .	Polmollat
Sir Godfrey M'Culloch . . .	Myrtoun M'Culloch
John Gordoune of Grange . . .	Torhous Muir
Laird of Torhous . . .	Torhous M'Culloch
[No name]. . .	Torhous M'Kie
Patrick M'Kie of Auchleand . . .	Auchleand
Thomas M'Kie of Barrawer . . .	Barrawer
Sir William Maxwell . . .	Mochrum Loch
Laird of Mochrum . . .	Mochrum Park

Sir William Maxwell	Munreith
John Gordoune of Cairnfield	Cairnfield
Sir William Maxwell	Borland of Longcastle
[No name] (John M'Chrysten)	Clonsh, ab.
Earle of Galloway	{ Sorbie
	{ Eggernes
Laird of Barnbarroch	Capenock
John Stewart of Feisgall	Feisgall
John Stewart of Feisgall	Glenturk
Earle of Galloway	Cottland
The airs of Sir David Dunbar	Lybreik, ab.
Laird of Castel Stewart	Barakeoch
Sir William Maxwell	Mour
The Shiref yor. . . .	Balteir
Earle of Galloway	Ravinstoune
The airs of Sir David Dunbar	Kirkinder, ab.
Laird of Dunskey	Portinspittell
James M'Culloch	Killester
Laird of Freuch	Freuch
Sir William Maxwell	Blairshennoch
Laird of Broughtoune	Broughtoune
Sir William Maxwell	Doultoune
William Gordoune of Cullvennan	Cullvennan
Laird of Sheuchane (Agnew). . . .	Larglidsdail
Sir James Dalrymple of Stair	Galdinoch, ab.
David Chalmers	Eldrick and Garwachie

A discussion arose as to whether the members elected should go to the Convention entirely unfettered, or have definite instructions; the last being carried in a division put as "limit" or "no limit," by twenty votes to six, and instructions were accordingly drawn up, sufficiently general in their character, "that they should act or do nothing prejudicial to moderate Presbyterian government," and that they should be "forward to procure that the whole grievances of the kingdom be reversed."

The record continues: "The whole electors proceed in election, who by the plurality of voices did elect Sir Andrew Agnew of Lochnaw and William M'Dowall of Garthland, to be Commissioners of the said Convention of Estates, and judicially did subscribe a commission for them to that effect at the court table in the Tolbooth of Wigtown."¹

Whilst, however, the majority were subscribing this, a band

¹ Sheriff Court Records at Wigtown.

of dissentients proposed "that a Commission be drawn to Sir Andrew Agnew and Sir John Dalrymple";¹ which after some discussion, notwithstanding a strong protest from the Laird of Garthland, it was agreed should be put to the meeting.

Before the vote was taken, an injudicious friend named the Laird of Castle Stewart as another candidate, and the sheriff-clerk proceeded to take the poll with the result as follows :

Sir Andrew Agnew	.	.	.	27
Garthland	.	.	.	21
Sir John Dalrymple	.	.	.	13
Castle Stewart	.	.	.	1

Sir John Dalrymple² was subsequently proposed and returned as a member for Stranraer: a fact notable as the first instance in Galloway of a baron sitting as a burgess.

At the election simultaneously held in the Stewartry, Hugh M'Guffoch of Ruscoe and Patrick Dunbar of Machermore were chosen for the barons; John Ewart representing the borough of Kirkcudbright, William Coltran that of Wigtown, Patrick Murdoch Whithorn, and Sir John Dalrymple, as beforesaid, Stranraer.

This famous Convention of Estates met at Edinburgh the 16th of March 1689; Lords Cassilis, Galloway, and Kenmure representing the Galloway nobility. Strange to say, Claverhouse, Viscount Dundee, took his seat, but withdrew upon the Assembly declaring that the throne was vacant.

Their next measure was to put the kingdom in a posture of defence. "Sir Andrew Agnew, Sir John Dalrymple, Sir William Maxwell, Sir James Dunbar, Sir Charles Hay, the Lairds of Garthland, Barnbarroch, Castle Stewart, Sheuchan, Dunskey, and Dunragit" being named Commissioners for organising and officering the militia of the Shire of Galloway.

¹ Sheriff Court Records at Wigtown.

² When William III.'s Government was formed, he as his Lord Advocate had an *ex officio* seat in Parliament, and Sir Patrick Murray was then elected for Stranraer. In 1691 Sir John Dalrymple was appointed Secretary of State for Scotland.

And in view of an Irish invasion, which was believed to be imminent, "James Agnew, young Laird of Lochnaw, was empowered to lay an embargo on all Irish vessels found in Galloway ports, to impress any vessels he might require, and prevent any Scotch vessels sailing to Ireland; Blair of Dunskey and M'Dowall younger of Logan to act as his assistants." And an Act was passed restoring Sir Andrew to his jurisdiction.

"The Estates of the Kingdom having taken into their consideration that Sir Andrew Agnew of Lochnaw, being Heritable Sheriff of the Shyre of Wigtown, was wrongouslie and summarily and without order of law removed from being Sheriff of that shire in the year 1682, and John Graham of Claverhouse now Viscount Dundee nominat in his place and David Graham his brother: Therefore the Estates do hereby repare and restore the said Sir Andrew Agnew in his said office of Sheriffship as fully and freely as he and his prediccursors Sheriffs of Wigtown did formerly enjoy the same."¹—April 25, 1689.

The same day the Estates nominated commissioners of supply. They were the same as those already named for regulating the militia, with the addition of Lord Garlies, Patrick Heron, John Stewart of Physgill, M'Culloch of Grange, the Laird of Craichlaw, and John Vallange of Possils.

On the 11th of April, William and Mary were publicly declared King and Queen of England, Scotland, France, and Ireland; and the sheriff hurried back to Galloway to administer the oaths in the various districts. As an example we find in the minute-book of the burgh of Stranraer that (10th May), "Conform to the Act made by the Convention of Estates for electing of the Magistrates and Counsellors of Stranrawer, Sir Andrew Agnew of Lochnaw and William M'Dowall of Garthland met for seeing the said Election orderly proceeded with;—

¹ In his commission "the Estates hereby give James Agnew younger of Lochnaw full power, warrant, and commission to seize any ship, birlings, barks, or boats, on the coasts of Wigtown."—Acts of Parliament.

and ordaynes the whole habile burgesses to meitt at ten o'clock on Monday next being the 13th May, each person to give in his vote for Magistrates and Counsellors in wryt and subscribed with his awen hand."—On which day they accordingly all were sworn, and gave their allegiance to the Government of the Revolution.

The Earl of Argyle, Sir John Dalrymple, and Sir James Montgomery had been deputed to make the offer of the crown to William and Mary at Whitehall, their acceptance of which, followed by the death of Dundee at Killiecrankie (19th July), closed all serious opposition in Britain to the great Revolution.

But though freed from uneasiness at home, alarm was renewed as to invasion from Ireland, where James II. had landed, and had been received with acclamation.

Great was the satisfaction of all Gallovidians when King William's pennants were seen flying in the roads of the Dee¹ and of Loch Ryan, parties of horse making their way from the Borders to Portpatrick.²

An unfortunate epidemic broke out among the soldiers in his fleet in Loch Ryan, and so numerous were the deaths, that the oldest inhabitants used to declare that at the beginning of the century a man might have passed from Cairn Ryan to Stranraer, stepping from grave to grave of King William's soldiers. However this may have been, we know that the survivors marched from victory to victory up to the crowning Battle of the Boyne, 1st July 1690.

Local tradition asserts William himself to have visited and slept a night at Castle Kennedy, but tradition rarely quite coincides with history. Obviously one of his generals was mistaken for the king. A more authentic recollection was retained by Mr. Nibloe, a farmer in Kirkcolm, alive in 1860, whose own great-grandmother had been then "lifting fauld

¹ In the farm of Tors, Kirkcudbright, are vestiges of a battery erected by William III., when his fleet was wind-bound in the Bay as he was going to raise the siege of Londonderry.—*Old Stat. Acc.* ii. 25.

² Some troops were conveyed from Chester to Kirkcudbright. The cavalry came principally by Dumfries.

dyke in South Cairn" the day that William's fleet stood across the Channel, and always declared "it was the bravest sight" she ever saw.

Honourable mention is made of Adair of Kinhilt at the Battle of the Boyne. Sir Robert Adair, grandson of the Parliamentary colleague to the ninth sheriff, raised a regiment of horse and commanded it with such effect that he was knighted by the Stadtholder on the field of battle.

Shortly before this, Sir Robert had disposed of what remained of his Galloway estates to Lord Stair, reserving only for her life interest in her jointure to Margaret Agnew, his uncle's widow, over the baronies of Kinhilt and Drommore.

His home was Ballymena, where a local distich still runs :

Sir Robert Adair, the Laird of Kinhilt,
Murdered his wife and married a jilt ;

which his lineal descendant, the late Lord Waveney, explained thus to the author :

Sir Robert Adair had four wives : Penelope, daughter of Sir Robert Colville ; second, a Martha, whose family name has not been preserved, but who died at the end of a certain August ; third, Anne Macauley, married 3rd October following ; fourth, Arabella Ricketts.

Much scandal was occasioned by his third marriage within a few weeks of the death of the second wife ; the more so that the lady was engaged to a neighbouring gentleman before Lady Adair died, but jilted her suitor when courted by Sir Robert, openly keeping company with him before his wife was buried.

A tradition as to this unseemly wooing is very amusing. One morning, taking this damsel by the hand, he led her from the town of Ballymena, pointing out by the way that the whole district was his property, over which he proposed that she should rule as mistress. The offer was a tempting one ; the couple strolled on till they reached a wooded dingle through which a stream murmured pleasantly, and here the enamoured knight broke out with, "Only be mine, and all you *see* shall be

your dower." The old love was mentally discarded, the maiden sighed consent, well satisfied with the settlement proposed, and a few days afterwards the marriage contract was signed, couched in the identical terms used at the moment of their betrothal.

But inconstancy met its due reward. The honeymoon over, the lady found that the old bluebeard had only "kept the word of promise to the ear, to break it to the hope." His engagement was fulfilled to the letter, but the life-interest had been secured to her over such lands only as could be *seen* from the deep dell where the proposal had been made; the range of smiling fields they had gazed on before they had reached it was there invisible; her domain was confined to a few acres of rocky ground in the deep hollow.—Her dowry was a dream!

A bridge adjacent to the spot is called "The Dowry Bridge" to the present day, and Ballymena itself is still often spoken of in Antrim as "Kinhilt's Town."

Whilst the sheriff and his eldest son were busying themselves with militia and shipping, his younger son, Thomas, had girt on his sword, and was actively engaged in the north, under General M'Kay, as a cornet in the Royal Scots Dragoons.

The Highlands had been quieted, when, to his grief, the sheriff received a letter from a Galloway cousin and brother officer, Lieutenant Stewart, with the news "that his son had died in Inverness on the 14th of June, and that he had been carried to the grave by the soldiers of Major Paltoun's troop," enclosing various accounts which he had settled for his friend, among which we find the items:

"To Mr. M'Clean, Inverness, for ale and *aqua vitæ*, £16 : 13 : 4.

"To Jane Fowler, spouse to John Fraser, merchant, for sack, £14 : 8s."

Among other kinsmen of young Agnew in the regiment were Andrew and Thomas Agnew of Croach, or Loch Ryan, as they now were styled.

The Royal Scots, or North British Dragoons, were early popularly known as the Scots Greys. No regimental record exists of their being mounted on grey horses prior to 1700. Two letters, however, at Lochnaw, prove that already a captain in the regiment rode a grey horse as his charger, and that he purchased a second of the same colour.

Captain Agnew of Loch Ryan thus writes to the sheriff :

“ 28 Aug^t. 1693.

“ Sir,—I send you with the bearer the hors I told you of at Edinburgh who trulie is ane extraordinar well going pad. If you think fit you may send me your large gray hors who I suppose will make a better dragoune, and as for boot I am satisfied to refer it to any you pleas att meating.

“ I intreat you would be pleased to give my humble service to your Ladie, and believe me to be, Cusin, your sincere friend and servant,

A. AGNEW.

“ Sir Andrew Agnew, Baronet of Lochnaw.”

Filed along with this letter is the decision of a veterinary surgeon, who arbitrated between the parties as to the relative values—

“ Stranrawer 2 Sep^r. 1693.—Gilbert Crawford having seen ane gray pad horse belonging to Captain Agnew, and ane gray gelding belonging to the Sheriff, finds the Sheriff's gelding worth ane hundred merks more of value than Captain Agnew's horse.”

A few weeks later there is this entry in the sheriff's record-book :

“ Michaelmas Head Court of the Shyre of Wigtown, holden by Sir Andrew Agnew, Sheriff Principall, 26 Sep. 1693.

“ On the which day the Sheriff of Wigtown, the Earl of Galloway and the remanent Barons under-subscribing, taking to their consideration how the county is abused, terrified, and affrighted by vagabond thieves and robbers, as under cloud of night enters the people's houses and ties the inhabitants, and

robs what they think fit;—for prevention and punishment whereof in time to come the under-subscribers allow the heritors of each parish to raise as many men within the parish as may search for and apprehend the said vagabond thieves and robbers, or any that is suspect to be of that sort; or any persons that are strangers and cannot give account of themselves; or any who pass under the name of beggars who can work and do for themselves. And the said persons being so apprehended to be brought to the Tolbooth of Wigtown, there to be incarcerated till they underly the law (or to the next adjacent prison to where the crime is committed).

(Signed) “JAMES AGNEW. WILL. COLTRANE.
 JA. DUNBAR. WILLIAM STEWART.
 ARCHIBALD M'KIE. VAUS OF BARNBARROCH.
 GALLOWAY. ANDREW AGNEW.
 W. GORDON.”

On the 23rd November 1695, the first Viscount Stair died in the 77th year of his age: unequalled in his day in practical knowledge of jurisprudence; a strong Protestant, but free from the narrow-mindedness too usual in his time; having appropriately employed the evening of his days in composing a treatise *In Vindication of the Divine Perfections*, “of which,” in the words of his biographer,¹ “a spirit of piety is the prevailing characteristic.”

He left, besides his heir, Sir Hew Dalrymple, President of the Court of Session; Sir David Dalrymple of Hailes, afterwards Lord Advocate; the Hon. Thomas, Physician in Ordinary to the King; Elizabeth, Lady Cathcart; Sarah, wife of Lord Crichton, eldest son of the Earl of Dumfries; Margaret, married to Sir David Cunninghame of Milneraig.

After the old peer's death, the house of Carscreugh was allowed to fall into decay.

The Master of Stair, Sir John, now second Viscount, was under a cloud at the moment, owing to his share in the horrors

¹ Stair, *Annals*, i. 107.

of Glencoe. During his temporary retirement from public life, he lived closely at Newliston, rarely visiting his Galloway estates.

Municipal honours were still generally accepted by the county proprietors, as evidenced in the borough records of Wigtown: "Elected a Town Councillor, James Earl of Galloway"; and afterwards an entry, "The Earl elected Provost in his absence," an intimation sent to him; and further on, 19th October 1696, "convened ane noble Erle, James Earl of Galloway, Lord Provost, who took and signed the oaths of office," and in this form: "We, James Earl of Galloway, Lord Stewart of Garlies and Glasserton, Lord Provost of Wigtown."

CHAPTER XXXVIII

THE GHOST OF THE GALDENOCH

A.D. 1696 to 1702

The tide is now turned, let us drink t'other pot,
And merrily sing grammercy good Scot.

THE settlement of 1689 came too late to save many Galloway owners from the ruin entailed by the quarterings and fines of the last two reigns. Money to meet the latter had to be borrowed on the securities of lands which husbandmen too often were afraid to till.

Among those who thus succumbed were the Agnews of Galdenoch, cadets who had been efficient part-takers of the sheriff's in gatherings offensive and defensive for many generations.

As we have seen, Agnew of Galdenoch was entered at the Restoration for a fine of £1000: a sum only to be met by borrowing "by way of wadsett," and few such mortgages were not eventually foreclosed.

Notwithstanding this strain on his resources, Patrick Agnew was able to leave his family moderately well provided for; and he dying about 1667, we find the family inhabiting the old place in tolerable comfort. His wife Anna Shaw was his executrix along with Patrick his heir. This second Patrick married his cousin Marian Brisbane, whose family were in peculiar disfavour with the Government.

In the curates list for Leswalt, she herself¹ is among the

¹ In an Act anent Commissioners of Excise in the Shire of Ayr we find John Brisbane of Brisbane, along with the Earl of Cassilis, Lord Cathcart, Lord

few delated as "irregular," implying frequent and accumulative fines for nonconformity.

The Highland host had previously run riot upon the property, and their depredations absorbed any little provision he might have made to meet his liabilities. Hence we find Agnew of Galdenoch delated as a heritor failing to give suit and service at the High Commission Court at Wigtown, presided over by Queensberry; not presumably from contumacy, but that he was in hiding from debt.

A younger brother, having been successful in business in Ireland, joined him in an attempt to retrieve his affairs, in which apparently the sheriff assisted; as is to be gathered from the subjoined discharge:

"I Andrew Agnew, merchant in Belfast, grants me to have received from Andrew Ross servitor, in name and on behalf of Sir Andrew Agnew of Lochnaw, the sum of £25, being the equal half of £50 laid out by me on repairs for the miln of Galdenoch. On account of the said Sir Andrew Agnew and Patrick Agnew of Galdenoch my brother. The last of February 1688 years."

This Andrew Agnew was also a sea captain and shipowner, and did good service to his coreligionists in Ulster. When James II.'s army under Buchan were driving the flying Protestants before them with great slaughter, Agnew bore down upon them, brought his ship's guns to bear on the dragoons, and rescued a host of fugitives, who had been literally driven into the sea. Taking them on board his ship, he disembarked them in Loch Ryan.¹

Whether he was continuously successful in business we Bargany, Sir William Muir of Rowallan, and other Commissioners of Supply, called to answer for not compearing to execute the orders of the Council, 1678.

John Brisbane of Freeland fined exorbitantly £3900 for withdrawal from public worship and attending conventicles.—Wodrow, ii. 226.

¹ Captain Andrew Agnew, sea captain and merchant in Belfast, in his vessel brought four guns to play on Lord Duleek's horse, and took 78 Protestant refugees on board his boat, 1689.—*Memoirs of Ireland* (London, 1716), p. 216.

Lord Duleek's horse chased the Protestants into the sea at Donaghadee; but one Captain Agnew riding at anchor took 68 on board, and conveyed them gratis to Scotland."—Reed's *Presbyterian Church in Ireland*, ii. 463.

cannot trace: he was not sufficiently so to be able to avert the ruin which had long threatened his home.

A mass of dreary law processes relative to Galdenoch is in the Lochnaw charter chest, showing too plainly that wadsetts multiplied and creditors grew impatient. We even find him once lodged in the debtors' side of Wigtown gaol. The action which precipitated his ruin is in the records of the Wigtown Borough Court.

"15 October 1696—the Earl of Galloway appeared before the Town Council with reference to a process against Patrick Agnew of Galdenoch for £468:11:8, principal sum, and £100 interest. A decree being made in his Lordship's favour."

This was but a fraction of his liabilities. His land had been taken by a previous mortgage, and at last, through intricate law processes, the lands reverted by purchase to the family of Lochnaw, in the form of "a grant of the Crown of the escheat of Patrick Agnew of Galdenoch": bought, in short, from his creditors.

Leaving Galdenoch, Patrick Agnew retired to Stranraer, where he lived until 1705, his wife surviving him. In the Commissariat Records of Wigtown there is the inventory of the "insicht plenishing of his house," rendered by his widow and executrix Jean Brisbane.¹

Among the accounts is one for articles furnished for his funeral by Andrew M'Credy, Provost of Stranraer, which, unless these items were further supplemented from his own larder and cellar, seem frugal in the extreme:

"8 gallons of ale.

"4 pynts brandy.

"8 pund sweet milk cheese.

"1 stone 1 pound skim milk cheese.

"Twa dozen biscuits.

"A boll of meal.

"Twa pund of cut tobacco.

"2 pund rolled tobacco."

¹ Whether he married two cousins or the above is a clerical error of the commissary we cannot tell. Marian Brisbane was his wife in 1684; Jean Brisbane is described as such in these records of 1705.

This is the only notice of the use of tobacco we have found in any of the family papers.

The name of Agnew of Galdenoch disappeared from the roll of proprietors, and their old battlemented tower was occupied as a farm-house.

Superior as the edifice must have been to any of the houses occupied by the tenants of the period, it was allowed to go to decay; the reason popularly assigned, and we believe the genuine one, for its desertion is that it was believed to be haunted. The story of the ghost of the Galdenoch, if somewhat extravagant, is a well-known tradition of the parish of Leswalt.

It is as follows :

A scion of the house had fought in one of the battles for the Covenant, and after a defeat had craved food and shelter at a house near the scene of the disaster. He was admitted by the owner, a rough blustering fellow of Royalist leanings, who allowed him to share in the family supper; and after a long crack over the incidents of the day, let him make up a bed by the ingleside fire. The young soldier rose early, and was in the act of leaving when his host barred his access to the door, grumbling that he doubted whether he had been on the right side the day before. Convinced that he meant to detain him, the youth produced his pistol, and shot his entertainer dead. Then rushing to the stables, saddled up, and made his way to the west.

Arrived safely at the Galdenoch, the fatted calf was killed; and having fought all his battles o'er again round the family board, he went to bed. But hardly had the lights been extinguished in the tower than strange sounds announced a new arrival, which proved to be the ghost of the slain malignant, who not only disturbed the repose of his slayer, but made life unendurable to all within.

Nightly his pranks continued, and even after a change of owners the annoyance was continued to the new tenant and his family. One cold winter's night they sat round the kitchen fire

playing a well-known game. A burning stick passed merrily from hand to hand.

About wi' that ! about wi' that !
Keep alive the priest-cat !

The spark was extinguished, and the forfeit was about to be declared, when one of the party, looking at the hearth, which was now one brilliant mass of transparent red, observed, "It wadna be hannie to steal a coal the noo"; but hardly were the words out of his mouth, when a glowing peat disappeared as if by magic, leaving as clear a vacuum in the fire as when a brick is displaced from a solid archway. "That beats a'," was re-echoed through the wondering group; and but a few moments elapsed before there was a cry of fire, and the farm-steading was in flames. In the thatch of the barn that identical "cube of fire" was inserted, and no one doubted that it had been done by the ghost; the range of buildings was preserved with difficulty by the united exertions of the party.

The tenant's mother sat one morning at her spinning-wheel; an invisible power bore her along, and plunged her in the Mill-Isle burn, a voice mumbling the while, "I'll dip thee, I'll draw thee," till the old dame became unconscious. Great was the surprise of the family at dinner-time when grandmamma was missed. Every corner of the buildings was searched; the goodman and his wife became alarmed, while the lads and lassies ran madly about interrogating one another with, "*Where's granny?*" At last a well-known voice was heard, "*I've washed grannie in the burn, and laid her on the dyke to dry!*" Away the whole party ran; and sure enough the poor old woman lay naked on the dyke, half dead with cold and fright.

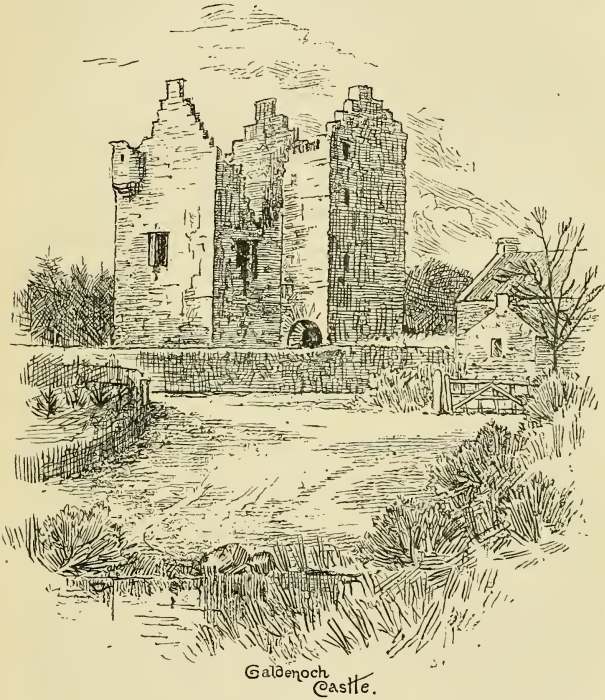
Several of the neighbouring clergymen tried to lay this ghost, but all in vain. If they sang, the ghost drowned the united efforts of the company. At last, a minister of great experience, supposed to be able to lay any ghost that ever walked the earth, came prepared expressly for the encounter; but to his dismay, his singing was overpowered, and all his adjurations answered

by such smart retorts that his congregation, in spite of efforts to look serious, laughed outright. Nettled at this, the minister rose angrily, declaring *he never would come back*. The yard-gate had closed behind him, when the well-known voice begged him to return, and promised if he did so to tell him something which he had never heard before. The minister's curiosity was excited; he re-entered the house, but only to hear the laugh against himself redoubled, as the ghost maliciously exclaimed, "Ha! ha! I hae gotten the minister to tell a lee!"

The farmer's family were now worse off than ever. The spinner's threads were broken short off; peat clots fell into the porridge; unsavoury materials were thrown into the kail-pot; when, after many years of trouble, a young man named Marshall, gifted with confidence and a stentorian voice, was ordained to the parish of Kirkcolm. He volunteered to try a bout with the Galdenoch ghost, and a large company assembled to assist. The minister hung up his hat, gave out a psalm, and led off the tune. The ghost sang too; the company endeavoured to drown his voice, but failed; the fiend sang long and loud, and all had ceased but the minister, whose voice rose to a louder and louder pitch as he kept up the strains alone until the "witching hour." He called upon the wearied congregation to join once more. A burst of psalmody was the response; and "Bangor," loud if not melodious, resounded through the castle-walls. Again all ceased exhausted, but Marshall undauntedly held on. Faint gleams of light streaked the eastern horizon, when an unearthly voice, husky and weak, whined, "Roar awa, Marshall, I can roar nae mair!" Marshall still continued, determined to make assurance doubly sure; but the ghost kept his word, and was never heard again.

On this story Mr. Marshall has risen to fame; few of his predecessors are remembered, but his name survives deathless in Gallovidian lore. And we have been assured that when he preached on the Green at the Stewarton of Kirkcolm, he could, on a calm day, be heard distinctly across Lochryan at the Cairn.

Whether the ghost was thus really laid or not, the persecuted tenant had not nerves strong enough to try. A smaller house was reared for his accommodation, and the tower fell into decay. Few traces of its former policy remain,



excepting two old pollarded sycamores, one close to the castle and another near the adjacent mill, the bolls of a few elders of unusual size, with some traces of box in the old garden.¹

¹ Galdenoch Castle stands secluded in a hollow dell through which a winding burn hurries on to the not far distant sea. It has the door in the re-entering angle, a vaulted ground floor, and a main stair in the wing to the

About the same time a Galloway laird disappeared in a more tragic manner from the scene.

Sir Godfrey M'Culloch having squandered his patrimony and sold his estates in Mochrum to the Maxwells of Monreith, took up house at Cardoness. Here a neighbour, Willam Gordon, having pointed some cattle straying on his lands, Sir Godfrey joined a party illegally convened to release them. A fray was the result, in which M'Culloch, in the words of his indictment, "did shoot at the said Gordon with a gun charged, and by the shot broke his thigh bone and leg, so that he immediately fell to the ground, and within a few hours thereafter died of the same shot wound." Sir Godfrey fled the country, and some years after ventured on a Sunday to attend a church in Edinburgh. A Galloway man was among the congregation, who, recognising him, jumped up and cried: "Pit to the door, there's a murderer in the kirk!" This was done, M'Culloch arrested, tried, condemned, and his head "stricken fra his body" the 5th of March 1697. So say the Criminal Records: there is a very different local version of the story.

Long long before the fatal encounter, and before he had entered on the evil courses which led to his ruin, Sir Godfrey, young and curly, sat at a window in the Tower of Myrtoun watching the operations of a gang of workmen forming a new sewer from his house to the White Loch below it. Suddenly he was startled by the apparition close beside him of a very little old man whose hair and beard were snowy white, whose strangely-cut costume was green, and who seemed in a state of furious wrath. Sir Godfrey received him, notwithstanding, with the greatest urbanity, and begged to be told in what way he could serve him. The answer was a startling one; "M'Culloch," said the visitor, "I am the king of the brownies! my palace has been for ages in the mound on which your tower first and second floors, with a corbelled turret stair leading to the upper floor and attics. The castle is valuable as exhibiting an unaltered example of a style of crow-steps peculiar to Galloway.—*Castellated and Domestic Architecture of Scotland*, iii. 506.

stands, and you are driving your common sewer right through my chalmer of dais."

Sir Godfrey, confounded, threw up the window and ordered the workmen to stop at once, professing his perfect readiness to make the drain in any such direction as might least incommode his majesty, if he would graciously indicate the same. His courtesy was accepted, and Sir Godfrey received a promise in return from the now mollified potentate, that he, the said king, would stand by and help him in *the time of his greatest need*. It was long after this that the knight of Myrtoun disposed of his enemy in the summary way we have already mentioned, and for which he was condemned to die. The procession had started for the place of execution; a crowd was collected to see the awful sight; when the spectators were surprised by seeing a very little man with white hair and beard, dressed too in an antique suit of green, and mounted on a white horse. He issued from the castle-rock, crossed the loch without a moment's hesitation, and rode straight up to the cart on which Sir Godfrey, accompanied by the executioner and a minister, was standing. They plainly saw Sir Godfrey get on the horse behind the little man, who was no other than the king of the brownies (and thus fulfilled his promise by arriving in his hour of need): the two recrossed the loch, and mounting the castle-rock they disappeared. When the astonished crowd again turned their eyes to the cart a figure was still there, and wondrous like Sir Godfrey; it was, therefore, generally believed that he had met a felon's doom, and most people thought no more about it. A few only knew better, but these cared little to speak about the matter. At rare intervals, however, one of the initiated would impart the story to a friend, and tell how a head had rolled upon the ground, leaving a bleeding trunk upon the scaffold: then adding in a confidential whisper, "It was no' him ava, it was just a kin' o' glamour."

Whichever version of the catastrophe is accepted, the last representative of the ancient House of Myrtoun then passed from the earthly scene.

Much exultation had been expressed in Galloway when the well-abused Episcopalian curates were replaced by Presbyterians; but the following extracts from the proceedings of the church courts suggest that certain of the parishes were not greatly gainers by the exchange.

On the 22nd of April 1697, the Synod of Galloway "considering that flagrant reports and surmises do continue to increase against a plurality of the Presbyterie of Wigtown," and that, "not so much as a quorum is left to cognosce upon them that are accused," appointed "the Rev^d. Masters Andrew Cameron, William Boyd, John Murdoch, and Samuel Spalding of the Pres^{rie}. of Kirkcudbright; Alex^r. Dunlop and Robert Rowan of the Pres^{rie}. of Wigtown; Robert Campbell and William Wilson of the Pres^{rie}. of Stranraer; the Lairds of Barmagachin, Cutreoch, and Garthland, Ruling Elders, to be a Committee to visit several Parishes, and bear the authority of the Synod in their reproofs and censures."

"At the Kirk of Sorbie, June 9, 1697,—all Members of the Committee present *ut supra*,—

"Mr. John Wilson, minister of the Paroch being called and compearing, answers, 'He hath been four years Minister and hath not as yet celebrated the Lord's Supper.'"

The Sheriff of Wigtown here entered, and stated that "this day Lord Basil Hamilton had complained to him upon Mr. John Wilson that he had beaten one of his tenants upon occasion of a difference about a tithe lamb, and thrust him so violently with a cane staff that he did spit blood for two months." Secondly, "the Sheriff objected against him," that he uttered obscene discourse at "table, some officers of the army being present"; and he further charged him with an act of very gross indelicacy committed when visiting at a country house. The sheriff also produced a letter written by Mr. Wilson to himself, and another addressed to a third party, "in both of which he (the Sheriff) is much abused."

"The Committee, thereupon considering Mr. Wilson's two letters, unanimously judged them to be intolerable, scandalous,

and abusive . . . and the Moderator inquiring at Mr. Wilson what he had to say for himself ; he answered, 'that the letters were written by him in great haste and no less passion, for which he declared himself heartily sorry and craved the Sheriff's pardon for what offence he had justly taken at him.' . . . The Committee seeing Mr. Wilson sensible of his wrong then appointed some of their number to deal with the Sheriff and interpose for a reconciliation. . . . The Sheriff condescending to this, the Moderator did rebuke Mr. Wilson in name of the Committee before the Heritors and Heads of Families in the Church publicly, and admonished him to carry dutifully towards the Sheriff in all tyme coming. And the Sheriff having condescended to accept of this rebuke, and thereupon to take Mr. Wilson by the hand,—the Committee ordered that in order to the reparation of the Sheriff's honour, that this rebuke of Mr. Wilson be publicly read in the Church of Wigtown after forenoon sermon by Mr. John Murdoch the next Lord's day, and by Mr. Walter Lawrie at the Kirk of Stranraer likewise the same day."

At the era of the Revolution, agriculture had reached its lowest ebb. There were now some signs of improvement ; and especially more attention was paid to the breeding of cattle, and meeting the requirements of the English market. This required fencing, road-making, and the removal of the many Parliamentary restrictions which stood in the way of all trade.

Among the foremost in developing the resources of the province was Lord Basil Hamilton, now Laird of Baldoon (son of Anne, Duchess of Hamilton in her own right), he having married Mary, great-granddaughter and heiress of Sir David Dunbar.

He, along with the sheriff and his Parliamentary colleagues, obtained special permission to import six score cows from Ireland ; thus securing fresh blood for their stock.

Lord Basil's name was soon famous across the Borders, his neighbours closely following in his wake, as we gather from the *Domestic Annals of Scotland*, where the subject is thus referred

to: "The example of Baldoon Park was followed by the Laird of Lochnaw, and other great proprietors; and the growing importance of the cattle-rearing trade in Galloway is soon after marked by a demand for a road whereby the stock might be driven to the English market.

"In June 1697, the matter came before the Privy Council on a petition from the great landlords of the district—James, Earl of Galloway; Lord Basil Hamilton; Alexander, Viscount Kenmure; John, Viscount Stair; Sir Andrew Agnew of Lochnaw; Sir Charles Hay of Park; and a commission was appointed by the Privy Council to make and mark a road and highway for droves from New Galloway to Dumfries, holding the high and accustomed travelling way betwixt the two said burghs." This commission was necessitated by a serious grievance attending the increased movement of animals. For not only were the roads unfenced, and these little more than horse-tracks, but the highway itself was not clearly defined, and perpetually deviated from, by which the small patches of grain of the tenants and crofters were threatened with wholesale destruction. Large droves of cattle obviously could not cross the country at all seasons without endangering the crops. Causes of complaint accumulating, the peasantry had banded together and extorted money from the drovers in compensation for damage done, or poynded the cattle in default. Serious trouble would soon have arisen, had not the commissioners, hastening to the spot, defined the main routes, and ordered them to be fenced. Fencing, thus systematically begun, soon became more general, both to protect crops and for cattle-breeding. But so complicated are the wants and customs of communities that this loudly-called-for fencing, when executed, was in itself held to be a grievance, and for a long period, as we shall presently see, was the ostensible cause of serious rioting.

The barony of Lochnaw had varied much since its erection; partly from the earlier custom of endowing younger sons out of the estate, partly from new lands acquired from time to time.

In 1699 Sir Andrew Agnew resigned all his lands to the Crown, which were then regranted to James his son, and "to the heirs male procreated between himself and Lady Mary Montgomerie his spouse."¹

The barony in its re-erection now included the lands actually enjoyed by the family.

The young sheriff also acquired in fee-simple various lands purchased by his ancestor from Earls of Cassilis, but over which these lords had retained a superiority.

After various negotiations, the young sheriff met Lord Cassilis by appointment on the 6th of October 1699, accompanied by his relatives the Lairds of Park and Monreith, when deeds were drawn up and signed to this effect :

"At Balantrae, the 6th day of October 1699,—It is agreed between ane noble Earl, John, Earl of Cassilis, and James Agnew younger of Lochnaw, as follows:—the said noble Earl bonds and obliges him and his to make ane sufficient resignation of the Superiortie of the lands of Balgressie and Auchnotroch in the Parish of Leswalt holden of him in favour of the said James in the King's hands, whereby the said James may become the King's feudal vassal and hold the same of his Majestie in few ferme, for which the said James obliges him and his to pay to the said noble Earl the sum of 2700 merks.

"And further the said Earl obliges him to make over to the said James the superiority of the Lands of Cardryne and Ain² in the parish of Kirkmaiden, for which the said James

¹ Charter reprinted at length in foreshore case *Queen v. Agnew*, decided in Second Division Court of Session, 21st January 1873. It was put in proof for parties in action of declarator, Sir Andrew Agnew of Lochnaw against the Right Hon. George Young, Her Majesty's Advocate.

² Ain or Ayne, a Celtic proper name, Aoibhne.—Joyce. Now mapped Cairn Ayne.

Cardryne, "the hill (cor), or quarter land of the thorns (draighem); Thornhill."

Clenrie, Claonrach, "sloping ground." A *d* is now corruptly introduced.

Balgressie, "the shoemaker's or embroiderer's townland."

Auchnotroch, "the upper field."

Balantrae, traigh, "the town on the sea-shore."

obliges him and his to pay twenty-five years purchase for the feudality and one year and a half rent for the right of superiority.

“And further the said noble Earl binds and obliges him to make over to the said James the superiority of the seven mark land of the two Clenries lying within the Parish of Inch, for which the said James Agnew obliges him to pay the noble Earl one and a half years free rent. In witness whereof these presents written by John Dunbar, wryter in Stranrr., are subscribed before these witnesses : Sir Charles Hay of Park, Sir William Maxwell of Murriett, and the said John Dunbar.

(Signed)

“CASSILIS.

“J. AGNEW.”

James and Lady Mary Agnew still occupied Innermessan Castle ; the young sheriff, as well as experimenting in agriculture, usually presiding at his father's court, from the books of which we insert a specimen of a trial for sheep-stealing of that date :

“Indictment at the instance of Alexr. Patterson in Tung, contrair John M'Cracken in Acanabainie.

“Ye are indicted and accused for the thievitous stealing, art, part concealing, resetting and away taking frae the said Alexander aue yew (*ewe*) and a lamb upon the 24th of May 1699.

“For evidencing whereof upon the same day there was 7 yewes and 7 lambs that strayed from the said Alexander off the Lands of Tung ; and he having made search for them found six of the yewes and lambs at Quhitehill beyond the Haugh upon the lands of Acanabanie possessed by the said panell notwithstanding his being denyed that they did see them ;—whereupon the said Alexander Paterson required Gilbert Meine in Carnearzand as having an order fra the Sheriff to require make search for the yew and lamb he wanted.

“Accordingly the said Gilbert Meine took along with him James M'Nillie in Quhitehill-Larg, Thomas Eglesham in . . .

and James and Gilbert Neilson in Deerpark, Alexr. and John Meines in Carnearzand upon the 25th of May instant, and made curie and search through the panell's house and byres, and found the stolen goods underwritten, viz.—

“They found a green lamb skin and head, stuffed in the easing of his dwelling-house, which was in a great way from the fire, at the back of the door in the darkest place of the house, the skin being in one part and the head in another part.

“Item, they found the haill buck of the yew being green mutton stopped in a sack-pock put in the easing of his byre in the darkest place.

“Item, they found within the waistband of his breeks and his shirt, the udder of the yew with the skins and paps at the instant of time when they were apprehending him to come along.

“Item, they found 4 fleeces of wool in his house, bound together; some of it lug-keilled and some of it back-keilled;—and in the meantime the complainer owned the lug-keilled wool belonged to him.

“All of which may testify the panell to be a notorious thief;—in respect the panell was taken with the red hand;—and the red-hand here to produce;—and therefore ought to be punished with confiscation of effects and goods.

“26th May 1699.—The indictment being read to the panell, he affirms the yew was his own and had drowned in water.

Roll of Assize called—

“ Alexander Agnew in Knoekcoyd.	John Ross in Glenstokadaile.
Andrew Clelland in Larbrax.	John Wither in Dinvin.
John Boyd of Kirkland.	William M'Whinny in Salchary.
John Stevenson.	John Campbell in Airies (<i>absent</i>)
Robt. Campbell in Cladahous.	Alexr. M'Culliam (M'William) in Craichmore.
James M'Culliam in Drumbuy.	Robert Gray in Stranrawer.
Laird M'Meikan.	Thomas Wallace in Stranrawer.
James M'Master in Stranrawer.	Pat. M'Master in Corsallhouse.”

(John Campbell was fined “*in one hundred merks of fyne because of his contumacy.*”)

Witnesses called—

“*Gilbert Meine* in Carnearzand—of the age of 40 years—unmarried, depones conform to the articles of the libel *in omnibus*.

“*James McNeillie* in Whitehill-Larg, of the age of 36 years, depones conform to the articles of the libel.

“*James Neilson* in Deerpark depones the same.

“*Thomas Eaglesham*, of the age of 30 years, married, depones conform to the libel except he did not see the udder of the yew until it was in the witness’s hands. And all of them depone that they required the panell to produce the skin, lug, and head of the yew, who replied that he desired *them* to go fetch them since they wanted them.

“*Alexr. Mure*, of the age of 24 years, unmarried, depones conform to the former *in omnibus*.

“The Assize chose Robert Campbell Chancellor, and all of them having considered the indictment and hail articles thereof, with the probation in addition;—and being therewith well ripely advised, after mature deliberation finds and declares all in one voice without variance the panell *guilty* of the indictment of the stealing of the yew and lamb: the Red-hand was produced for instruction; and find that the yew was not drowned but killed.

“The quhilk day, in respect the Assizers found the panell guilty of the theft libelled, conform to their verdict above written: Therefore the Sheriff adjudges and decerns the said John M’Crakan to be taken to the ordinar place of execution at Stranrawer upon Wednesday come 8 days, being the seventh of June next;—and there betwixt 3 and 4 hours in the afternoon to be hanged upon a gibet until he be dead;—and his whole moveables to be confiscated to the procurator’s use.

(Signed) “J. AGNEW.

“The which day the Sheriff by written instructions delivers the panel to Sam. Laird, and desires him to be comptable for him until the day of execution. This done in the Tolbooth

about 3 hours of the afternoon in presence of Andrew Clelland, James M'Master, John Boyd of Kirkland, and Wm. Kirkpatrick."

A characteristic note to his Edinburgh agent proves that he was equally attentive to the duties of hospitality.

"10 April 1700.—Cusing, just now as I begane to writ this, Sir William Maxwell lighted at this place with a design to try our wine which is extraordinarie good. So ye may consider if I have much tyme to spare.

"However I returned you the oath of allegiance and assurance, signed according to your orders, and as for the account of the valuatione or rent of the Kirklands, I cannot give you at this time. Which is al—only the companie drinks your health. From Sir, your most affectionate cus. to serve you,

J. AGNEW.

"For Mr. Houstone,
Writer, Edinburgh. These."

And on the 22nd May 1700, on the opening of the session, the following members of the three Estates represented Galloway :

Of the Nobility—

The Earl of Galloway and Viscount Stair.

Of the Barons—

Sir Andrew Agnew of Lochnaw, }
William M'Dowall of Garthland, } For Wigtown.

Patrick Dunbar of Machermore, }
M'Guffoc of Rusco, } For Kirkcudbright.

Commissioners for the Boroughs—

William Coltran, for Wigtown.

Patrick Murdoch, for Whithorn.

Sir Patrick Murray, for Stranraer.

Sir Andrew Hume, for Kirkcudbright.

Sir Hew Dalrymple, for New Galloway.

Before which Parliament a petition was presented by the father from the son, which is embodied in the records of the session.

“Stranrawer the 15th day of May 1700.

“Sheriff-Court holden by James Agnew, younger of Loch-naw, Sheriff of Wigtown. The whilk day, anent the abuses committed by Captain Bartier of the Prohibition Sloop, and Captain Carleton of the Shark, upon the houses and boats of inhabitants in Lochryan,—

“Compeared in presence of the said James Agnew—

“1st, Robert Campbell in Cladahous of the age of forty years or thereby who being solely sworn and interrogat, depones—

“That there came ashore in the month of January last from aboard the said Captain Bartier’s ship to the number of fourteen men, accompanied by one M’Gregor whom they termed Lieutenant, and having taken a turn ashore they thereafter came and invaded the deponent’s house, and abused some companies that were in his house, and knocked a part of them down with their boathooks and cudgells; and ran in a manner mad through the whole houses, and threatened to burn the house, and endeavoured the same had they not been hindered by a soldier who was accidentally in the house.

“They drank a great deal of ale and beer, and would not pay a farthing. Captain Bartier did sieze upon a boat belonging to the Laird of Dunskey, going with a let-pass from Glasgow to Portpatrick with furniture and provisions for Dunskey’s use, and did detain the boat above a fortnight, notwithstanding the let-pass, till James Dalrymple, Dunskey’s son-in-law, *carried aboard a present of brandy.*

“Likewise depones that Captain Carleton of the Shark sloop did search all boats, barks, and ships that came to Loch-ryan; particularly Mr. Watson’s, who came straight from the Canaries without touching at Ireland; and took two hundred ells Scots cloth which the waiter did attest did need no coquet (he being aboard). The said Captain Carleton did detain

Watson and his ship till he *gave him a compliment of two or three dozen Canary bottles and some lemons.* And also deponent declares that Captain Carleton did stay some nights ashore and gave command to his men to search all ships that came to anchor in Lochryan.

“*2dly*, John Hannay, solemnly sworn, corroborates every word and circumstance as stated by the first deponent.

“*3dly*, John Campbell, one of Captain Agnew’s troop of the Royal Regiment of Dragoons, corroborates (at length) the evidence of the first deponent, and adds that the said Captain Bartier fell upon him and very near murdered him.

“*4thly*, William Wilson, Merchant in Stranraer, depones that the number of men alledged came from the said Captain Bartier’s sloop in January last and were in Cladahous within clouds of night, very abusive to the house and some civil companies that were in the house at the time, and did hear one of Captain Bartier’s men to call upon the others to fell or knock them down to the ground, ‘for they are none of our men, and come and let us set fire to the house.’

“Signed before me this 15th day of May.

“JAMES AGNEW.”

On the 27th of August of the same year the Laird of Garthland died. A keenly contested election ensued, the candidates being Lord Basil Hamilton and Stewart of Castle Stewart ; the young Laird of Lochnew acting as sheriff, and at the hustings of Wigtown, amidst a scene of much excitement, having to declare the result of the poll to be a tie, and making accordingly a double return.

An election petition was a necessary result,—the first of which we read (certainly in Galloway),—and before a committee of the House the candidates for Parliamentary honours each succeeded in unseating his opponent—the house suspending the writ altogether for a while, leaving the sheriff without a colleague; the lawyers employed in the case being the only parties satisfied with the result.

William M'Dowall of Garthland had had fourteen children by his wife Grizel Beatoune, the eldest of whom, Alexander, married a daughter of Sir James Fergusson of Kilkerran. This old Galloway family had suffered severely from the disorders of the preceding reigns. As Chalmers puts it: "The M'Dowalls have had their elevations and depressions. We have seen how the Edwards stooped from their high estates to court their support. They afterwards descended voluntarily from folly to fanaticism, from fanaticism to fatuity."¹

This, though somewhat overdrawn, was too true as to the result. The estate passed away from the direct line. William, the fifth son of the laird just deceased, going as a colonel to the West Indies in their palmy days, and there marrying an heiress, soon after purchased the estate from his cousin, as well as Castle Semple in Renfrewshire. His descendants have since parted with their Galloway estates, but have transferred the name to Renfrewshire, where they still carry on the line.²

During the course of the debates arising upon the disputed Wigtownshire election, there appears this entry upon the votes :

"December 2, 1700. Prayers read. Rolls called. Sir Andrew of Lochnaw excused by his Grace, H.M. High Commissioner, in respect of indisposition."

An indication of failing health, he having been regular in his attendance in this long Parliament, which, elected as a convention of estates, sat on continuously from 1689 to over the close of the century.

On the 23rd July 1700, John, seventh Earl of Cassilis, died, and was succeeded by a son John, eighth earl, with whom the direct line from the first lord (brother-in-law to the first, uncle and guardian to the second sheriff) began and ended.

The funeral was attended by the young sheriff; his father being too unwell to travel, but sending a letter by his son to his granddaughter, who was on a visit to Eglinton, expressed more

¹ Chalmers's *Caledonia*, iii. 379.

² Now represented by Henry Macdowall of Garthland, Lochwinnoch. Married Elanora Louisa, daughter of Sir William Maxwell, sixth baronet of Monreith, by Helenora, daughter of Sir Michael Shaw Stewart of Greenock.

simply and affectionately than was usual in the correspondence of his day.

“For Mrs. Jean Agnew [afterwards married to Chancellor of Shieldhill].

“I had ane letter wrytten to you with Morison [his servant], but being informed yt you wer to be in ye countrie with my Lord Montgomery [her uncle] at Cassilis buriall, but then knowing you would have missed ye letter, I did not send it; and now I find ye reason that ye did not come along with my Lord was that your father knew not to send horses for you in tyme.

“I find you have beene angrie with me yt ye wrott not to me with some of my Lord Montgomerie’s servants. However I am glad you keepe your health.

Lett me know with ye first occasion when you expect to cum to Galloway. I would have sent you something, but having none to carry ye letter but my Lord Montgomerie’s servants, I could not doe it. I’ll wrytt to you with occasion. Lett me heare of you with the first.

“God guide you. From your loving god-father,

“ANDREW AGNEW.”

Shortly after this the good old gentleman visited his daughter Lady Hay at Park, where he seems to have been taken ill and died; there being a holograph will in the Commissariat of Wigtown beginning—“I, Sir Andrew Agnew, being desyrous yt my honorablis be settled,”—and ending “wrytten and subscrivit with my oun hande at ye Parke ye 4th of April 1702.” Lady Hay also gives in a formal inventory to the executors of the property of the “said defunct’s” left at the House of Park “at the tyme foresaid.”

“Ane horse with saddle and bridle and oyr furniture valued at threescore pounds. Ane silver handled sword, with oyr abulziements, estimate to ane hundred and eight pounds.”

CHAPTER XXXIX

AGRICULTURAL HABITS, CUSTOMS, SUPERSTITIONS, AND PROVERBS AT THE DATE OF THE REVOLUTION

A.D. 1700

Kyle for a man,
Carrick for a coo,
Cunninghame for butter and cheese,
And Gallowa' for 'oo.

THE distich pleasantly recalls Coel or Coyle Hen, the old King Cole of early romance. Carrich, Carawg, a Cymric Prince, son of Llyr of the line of Coel, the Latin Caractacus. Cunnig-hame,¹ Canawan, the churn country, from Cuinneag, plural Cuinnigan. Whilst the Galloway staple appears in such place-names as Arioland, anciently Aryoullen, the shieling of the wool. And the district named from Coel or Caradoc, as well as that famed for butter and cheese, all belonged to the race aptly named *Damnii*, the cattle-breeders.

As the names of the tenth and eleventh sheriffs are honourably connected with the revival of agriculture in Galloway, which had reached its lowest ebb at the date of the Revolution, let us try to arrive at the true state of matters by calling the evidence of witnesses actually on the scene.

¹ He will merit *Carawg*
Of the many-cities Cymry.
Who will pay the precious reward?
Shall it come from *Coel* or *Canarwon*?

Mr. Skene identifies these place-names in the lines of Taliessin :

“ With Carrick, Cyle, and Cuningham.”

Four Ancient Books of Wales.

Not long before this period, Sir Robert Sibbald, geographer-royal to Charles II., had addressed statistical queries to those deemed qualified to answer them in the various shires; those as to Galloway being happily referred to Andrew Symson, curate of Kirkinner, by whom they were intelligently dealt with, and replies returned in the year 1684.

A manuscript account of the habits and manners of the Galloway peasantry was communicated to Sir John Sinclair by Mr. Robb, minister of Tunland, and is printed in the *Old Statistical Account of Scotland*.

The superior resources of the province in the days of Devorgille and the Balliols, when

Of all corn there was copy¹ grate,
Pese and atys, bere and qhwet,

is matter of history, abundantly verified by English state papers of Edward I.; from the date of whose invasions, and the wars of the succession, is to be dated the decline in the amount and variety of produce. For whereas in these palmy days there was abundance, as just quoted, of wheat and peas, as well as of oats and barley, in Symson's time we find that peas, beans, and wheat were all but unknown, field crops being confined to oats and bere, a little rye upon the moorland, and patches of flax and hemp. He tells us, moreover, that the oats of "the shire" compared with oats of other shires were very bad, as followed of necessity from their mode of management, which he thus describes: "To crop four years in succession and then let the land lie fallow (*i.e.* run to weeds) for four years more. They begin to plough their oat land in October, and to sow in February; dividing their land into eight parts, which they call cropts, four yrof they till yearly. Their first cropt they call their lay, and this is that on which the bestial and sheep were folded the summer before. The second cropt they call their awell, and this is that which was the lay cropt the year

¹ Wyntoun. Copy from Latin copia, abundance.

before.¹ The third they call only the third cropt; the fourth is that which was their third cropt the foregoing year. And then these cropts or parts remain four years at least untill after this.

“In the shire they till not ordinarily with horses, but with oxen; some only with eight, but usually they have ten, which ten oxen are not so expensive by far in keeping as four horses, besides the oxen yield much more dung, as also when they grow old and unserviceable, they get a good price for them from the drovers.

“In the stewartry they till with four horses all abreast,” but in either case two persons were employed at each plough, which was very large and clumsy, a man holding the plough, a boy or a woman leading the team and walking backwards.

In return for their labour, the return of corn was but three seeds for one, and “had long beards and awnds,” and was so poor in quality “that three bolls of corn will not yield more than one boll of good and sufficient meal”; he adds also “that the weakest and worst of their oats they reserve for their horses and seed!” He admits, however, that notwithstanding the bad oats “the countrie people have the dexterity of making excellent and very hearty meal.” As if they courted deterioration, they thus deliberately sorted out the poorest grain to re-sow. Yet, with all their mismanagement, so considerable a breadth was under cultivation, that he further states “that except a year of great scarcity, they abundantly satisfy themselves, and furnish the moor-men plentifully with victual; yea, and oftentimes send and transport much to other countries.”

The routine for barley (bigg or bere) was different. Instead of four consecutive crops, with a regular four years fallow, it was grown perpetually on the same spot, the “bere fey.” The word “fey,” which is peculiar to Galloway, seems evidently the “feitché,” pronounced “faha,” the level green spot before ancient Irish residences, used for games and exercises, specially quali-

¹ The “awell crop” is still a living phrase in Galloway, meaning the second crop from grass.

fied by the word "bere." "Eight or ten days after sowing," Symson further remarks, "I have observed them to harrow their bere lands lightly all over, which plucks up and destroys the young weeds which wither and decay. But the bere presently takes rooting again without any prejudice, unless a great drouth doth immediately follow. Contrary to their sowing of oats, they sow of bere the best seed they can get." The return consequently was four or five to one. "They deliver to the maltman 9 measures of bere, and he delivers back 8 measures of made malt." He further adds, "they have always at the end of their bere fey an hemp rig, on which they sow hemp yearly, which supplies them with sacks, cords, and other domestic uses. This hemp rig is very rich land, where they put all their dung, which in the winter and spring their byres and stables will furnish them with."

They also grew small patches of flax, from which they made linen, which, as shown by place-names, was a very early industry.

Symson, in his answers, expresses his surprise that the Gallovidians neglected peas, stating that by personal experience he could attest the advantage of growing them, "the increase being ordinarily 16 and more to one, and the quality good." He suggests, however, "that their sheep, which are many, might eat them up, peas having to be sown sooner than the ordinary time when sheep and cattle were folded at night, and men lay out to watch them."

The staple of the province, however, was wool, and of wool Galloway still commanded the market, and had a good reputation for its homespun clothes. Their wool, Symson tells us, "is of three sorts; laid wool, so called because about Martinmas they melt butter and tar together, and therewith lay their sheep, by parting the wool, and with their fingers straking in the mixed butter and tar. This makes the wool grow longer, and fortifies the sheep against frost and snow; but this wool though longer will not give so much per stone as the other two, by reason that when the wool is scoured and the butter and tar washed out it will not hold out weight.

“The next sort, moor wool, is the best of the three, being very clean, because not tarred, and consequently much whiter. The best moor wool is said to be in Penygham, Kirkcowan, Niochmen, Glenluce, and upon the Water of Fleet.

“The third sort, dale wool, is not usually so good as the moor wool, being fouller in regard of toft-dykes which enclose the sheepfolds, whereas on the moors their folds are surrounded with dykes of stones.”

The farm stock, whether horses, cattle, or sheep, had been sorely thinned by the Highland host and Turner’s and Claverhouse’s bands. But shortly before the Revolution, the baronage having relieved themselves from quarterings by sullenly accepting the test, in 1684 they were still able to send large droves of sheep and cattle to English and northern markets, and horses in considerable numbers were offered for sale at the local fairs.

For other rural industries, the wool, white and black, as it came off the sheep’s back, was made up into men’s clothing by itinerant tailors. Their shirts were also woollen, whilst women wore plaiding gowns made of wool, and when at home “toys” (head-dresses) of coarse plaiding;—young girls, we are told, when at home went bareheaded, the hair snooded back with a string. But the women, young and old, at kirk or market, wore linen mitches and head-dresses.

All ranks below the baronage wore Kilmarnock caps of the form now known as Tam o’ Shanter; and country shoemakers, coming round, made up shoes for the family with hides of their own tanning. Here also Symson gives as peculiar “their custom of tanning cow hides with heather instead of bark. Having lined the hides, and the hair taken off, they take the bark and crops of sauch, which they boil very well, with the decoction whereof they cover the hide in a tub. This they call a ‘washing woose.’ Thereafter they take the short tops of young green heather, and put a layer thereof in the bottom of a large tub, upon which they spread the hide, and put another layer of heather upon it, and then fold

another ply of the hide, and so on, always putting green heather betwixt every fold. Then they put heather above all, and then make a strong decoction of heather which they pour on the hides, and then put broad stones above all, to keep the hides from swimming. When they find the hides have drawn out the strength of the woose, they repeat the operation several times, till their hides be thoroughly tanned."

They were also experts at making ropes of hemp, "which they twine 20 or 30 threeds together, according to the greatness of the cords they design to make, and then they twist three ply of this together very hard." This accomplishment is alluded to in the "auld say" preserved by M'Taggart :

They wha canna make a thoum-rape,
O' thralty thraws and three,
Isna worth their mett I wot
Nor yet their penny fee.

Linen had from time immemorial been made in the province, and along the seaboard were numerous salt pans worked generally with peats.

Fairs played a leading part in the rural economies of the period. Here the housewife bought, the husband sold or bartered, the young folks courted, and the people at large took their pleasures usually sadly, if sometimes uproariously. Of these were St. John's Fair at Stranraer, the last Friday in August, and another the first Friday in May.

At Wigtown there were four,—the Palm Fair the first Monday in Lent, at midsummer St. Alban's Fair, "a great market for horses and young fillies, much frequented by merchants from Edinburgh, Glasgow, Ayr, and other places, who here buy great quantities of raw broadcloth, and transport part of it over seas." The third and greatest, Lammas Fair, six weeks distant from the former, "more frequented than the midsummer fair, because the country people have had a longer time to work and make their webs ready." The fourth is their "Martinmas Fair, the first Monday of November, and lasts two days. The next Thursday after this first Monday, and so every

Thursday thereafter till Christmas, they have a market for fat kine, much frequented by butchers from Dumfries and other places.”

At Minigaff there were Saturday markets for the supply of the moor-men, and “great quantities of malt and meal were brought there from Wigtownshire.

“On the Friday after the first Thursday, which is after the first Monday of November, and so every Friday thereafter till Christmas,” there was a market almost equivalent to a fair, this market being ruled by the dyets of the Nolt market at Wigtown.” Large droves of fat kine here changed hands.

We have already described the humours of Kirkdamnie Fair on the Stincher the last Saturday of May, where St. Patrick was supposed to smile sympathetically at fun somewhat fast and furious; but the humours of Donnybrook had also their reflection at Kelton Hill the first Tuesday after the 17th June, old style, a horse fair of European celebrity. Though it has since been removed to Castle-Douglas and there much shorn of its prestige, up to nearly the end of last century we find it thus described: “The horse fair at Rohu House or Kelton Hill is perhaps the largest of any in Scotland. Vast numbers of horse dealers resort here from England, Ireland, the east and south of Scotland. Many chapmen and hawkers frequent Kelton Hill Fair, and large and well covered tents are erected by people from a distance, stored with provisions and all sorts of liquors.¹ And owing to the vast concourse of people generally, disposed of their articles to an advantage.”

Another observer writes:—“At Kelton Hill Fair may be lifted a tolerable idea of the Donnybrook of Erin; at one time in danger of having a skull bared with a cudgel, at other times hemmed in with rowly-powly men flinging sticks, and sweetie-wives.”

There was St. Lawrence Fair in the parish of Borgue, of which Symson’s notice is not complimentary. “In the kirk-yard of Kirkanders upon the 9th day of August there is kept

¹ *Old Statistical Account*, viii. 30.

St. Lawrence Fair, where all sorts of merchant wares are to be sold. But the fair only lasts three or four hours, and then the people who flock hither in great companies drink and debauch, and commonly great lewdness is committed."

If we were to judge by the returns of the Exchequer, we should suppose that few intoxicating liquors beyond home-brewed ale were much partaken of by the commonalty or even well-to-do burgesses, except at these fairs.

From a report made to Commissioners of Convention of Royal Boroughs in 1692, we find that Stranrawer had only vented about half a tun of wine, claret, in the five years bygone; and ordinarily vented half a hogshead of claret and a butt of brandy yearly. That Wigtown had not vented above fyve tonn of French wyne these fyve years bygone; with a hogshead of sack and butt of brandy yearly. That Kirkcudbright consumed no Bordeaux, one hogshead of sack, and a hogshead of brandy yearly.

These statements may be perfectly accurate as regards Custom House returns, but we suspect, impoverished as the country was, that more than twice as much again found its way in, with no payment to the Exchequer.

There are no data to show how far distillation of grain for whisky had as yet come into vogue: but these three Royal Boroughs consumed respectively 520, 462, 728 Lithgow bolls of malt.

As the total result of cultivation and stock-rearing,¹ the valued rent for "the Shire" was £5634 (£67,607 Scots); and for the Stewartry, £9549 (£114,597 Scots). That of 1888 stands at over £207,000 for the Shire, £347,000 for the Stewartry, roughly as 15 to 554.

As to mansion-houses, Symson tells us "there are few parishes in the shire of Wigtown but have one or two stone houses very well built, wherein a gentleman of good quality and estate may conveniently build. Though in the shire we have neither

¹ Symson sums up thus: "Query. What are the chief products? Answer. Neat, small horses, sheep, goats, wool, white woollen cloth, bere, oats, hay."

coal nor limestone, nor freestone, nor any wood considerable except planting about gentlemen's houses; when they build they furnish themselves with freestone from England, and as for lime they are supplied from the shell bank¹ of Kirkinner, and with timber from the wood of Cree, which yields abundance of oak."

As for the peasantry, their hovels were built of stone and turf, without mortar, and stopped with fog and straw. One glassless window on either side was opened or shut as the wind blew, to give them light, and let the smoke escape. Their cattle occupied an end of the house, where they were tied to stakes, with no partition between them and the family; in which dirty association the latter lived in an atmosphere of smoke, which would have suffocated any not habituated to it from infancy.

Their fare, however, was better than their lodgings, though probably not always served up in a very appetising way. It also seems to have differed in the Shire and the Stewartry. Symson accounts for the neglect of sea-fishing by the peasantry in Wigtownshire as due to the abundance of beef and mutton. He writes: "Our sea is better stored with good fish than our shores with fishers, for having such plenty of flesh on shore, they take little pains to seek the sea for fish." However, he tells us that in the sands of Kirkinner are "great multitudes of cockles, which, in the year 1674, preserved many poor people from starving." And again he mentions that "at the head of the Water of Malzie are many eels taken about Martinmas, which they salt with their skins on in barrels, and then in the winter time eat them roasted on the coals."

Eastward of the Dee, however, especially in Tunland, a writer of the period, quoted in the *Old Statistical*, suggests no such plenty for the cottar. He says: "Their food consisted of

¹ 2 June 1699. Ye whilk day the Provost signifiid] to the Council yt he had got liberty from my Lord Basil (Hamilton) for shells for repairing of the Cross, the Tolbooth stairs and walls, which is in ane ruinous condition; for which the Magistrates and Council appoints twelve horses for leading the said shells, and in respect of foord is to be doubled, yet my Lord of Galloway bespoke for the loan of his boat.—*Wigtown Borough Records*.

brose, pottage, greens boiled in water with salt, and oatmeal flummery. At Martinmas they killed an old ewe or two, and salted them for winter provision, and used the sheep that died of the braxy in the latter end of autumn. They eat little meat at that time, except the off-falls of their flocks; they had no knives and forks, but lifted the butcher meat they eat with their fingers.”¹

M^cTaggart, who was a Stewartry man, speaks of a braxy ham as a treat, especially if washed down with a glass of bragwort, a rural luxury he thus describes: “After the bees are smuiked out in hin harvest time, the guidwife takes the kaimes out of a skip, and lets the hinny drop out. This done, she steeps the kaimes in water, and this quickened with barm composes bragwort;”² a sweet and pleasant drink, but apt to break the bottles.”

His description of the ham is not so appetising. “When the herd finds any of his flock dead of the braxy, if they can be shaken thrice by the neck without falling to pieces, he bears them in on the braxy shely. The hams are cut out, and hung up in the smuity brace until quite dry. A meal of sic food, washed down by tumblers of bragwort, please a hungry kite very much.”³

Black puddings, of which blood was the foundation, mixed with a little suet, meal, and onions, were a favourite dish in Scotland generally, of which the careful housewife made good provision when a sheep, goat, pig, or mart was slaughtered. But in Galloway—whether elsewhere or not we cannot tell—the most unfitting mode of procuring the necessary compound—the taking a little blood from time to time from the wretched underfed animals confined in byres whenever they required this to kitchen their oatmeal—was customary. And this, having from time immemorial been systematically done, it was ignorantly believed to be good for the poor beasts. And, though in a more exceptional way, the custom was prevalent up

¹ *Old Statistical Account*, ix. 325.

² *Gallowidian Encyclopedia*, 88 and 91.

³ *Ibid.*

to recent times. Whence the story generally fathered on Kirkcowan of a sonsy dame, somewhat behindhand in her preparations for a ministerial visit, who, anxious to provide a special treat for her pastor, was heard by her neighbours excitedly exclaiming, "Rin, John, rin, and bleed the soo; there's the minister getting owre the stile!"

On the subject of food, Symson tells us at this date that for the tables of the rich there was abundance of salmon, herrings, mackerel, codling, skate, whiting, sea carp, and lobsters incredibly great, and mentions that "Sir Charles Hay hath a fishyard, wherein he gets salmon, herring, and mackerel;" interesting as evidencing the antiquity of the said yard, Balcarry, the name of the spot, meaning the "town of the fish weir" (Coradh). He further mentions that he had seen a sturgeon as well as a young whale taken in the nets at Wigtown, and that in 1675 a pretty large whale passed up the Bladenoch, and was killed upon the sands, adding "the oyel was very good and clear, and burnt very well in my lamp."

Oil, however, or even the commonest candles, were rare luxuries for the poor. They had no candles to sit up by in the winter nights; a rushlight, which burnt but a few minutes, was all that could be generally afforded. After talking till tired in the dark, a contemporary states that when the goodman of the house made family worship, they lighted a ruffy to enable him to read the Psalm and a portion of Scripture before he prayed. The prayer required no light, and the family had little difficulty in feeling their way to their beds. It was not every head of a family, however, who could read the service at all. Education was at as low an ebb as rents, and in the closing years of the seventeenth century, so many of the farm workers could not read, that it was a Galloway custom for the precentor to read passages of the Scriptures in church before the minister arrived.

Hence the people were credulous and superstitious to the last degree, believing in ghosts, witches, warlocks, wraiths, and apparitions, in malevolent spirits, against whom they used charms and incantations, and in kindly ones who befriended

them; in the "little folk," harmless if undisturbed, who danced by night on green knolls; in the brownie or "lubber fiend," Robin Goodfellow across the Border, who did family jobs, ordinary and supernatural;

Would bury their crop by the light of the moon,
 Would baa their bairns wi' an unkenn'd tune,
 Tame the wildest filly that ever ran rede;

as also the kelpie and shellycoat, who were water sprites; and the bogie, who frightened lovers in the solitary glen.

They believed their favourite ministers to have the gift of prophecy, the faculty of laying ghosts, and of a cursing power wielded at will as efficaciously as that of any of the saints of the Scoto-Irish Church. And they also believed in wicked women holding noisy revels in barns with Satan himself, by direct compact with whom they had powers of doing mischief untold. We might smile at many of these beliefs, but sad were the results of superstition as to witchcraft. Woe to the elderly dame denounced by ignorant elders before stern divines. An old wife circumstantially accused of witchcraft at a Galloway kirk-session had as little chance of mercy as a Jew before the Spanish Inquisition.

We referred to this a hundred years before, but sad to say, the kirk-session records of Kirkcudbright and Dalry, as late as 1698, incriminate that court by ghastly details of what can only be called judicial murder. About two years before Elspeth M'Ewen was brought before the Session of Dalry on a charge of having a pin in her kipple foot (*i.e.* at the bottom of the rafters of her house), by which she could at pleasure draw milk from her neighbour's cows. The minister's horse was sent to bring her before the session; the horse showed signs of terror when she mounted, and in crossing a ridge near the manse (hence they say called the "Bloody Brae") it sweated drops of blood. Being examined on these charges, as well as on others that she had increased or diminished the fertility of her neighbours' fowls—her guilt being evidently confirmed by the bloody sweat of the minister's mare—the charges were declared proved, and

she was sent to prison at Kirkcudbright, where she was so barbarously treated that she implored her persecutors to put her out of pain; and at last a commission was granted which sat at Kirkcudbright in March 1698, and on her confession—the only means by which she could accomplish her object—the wretched woman was burnt to death. There are several stories as tragic recorded in the Stewartry, but we will not dwell on such revolting details; let us pass to a custom peculiar it is said to Galloway, which, if savouring of superstition, was harmless and amusing.

“Kirn” is a word peculiar to the Province in the sense of a dance at a harvest home. The primary meaning of the word in lowland Scotch being the last handful of grain cut in the harvest field. “To win the kirn” being to have the honour of cutting this last bunch; “to cry the kirn” being the cheers given by the harvesters in rejoicing that it is over. It is then the way to collect all the reaping hooks and fling them high in air. If any of them break, those owning them will die before next harvest. If the points of any stick in the ground in falling, their owners will be married.

The kirn itself was a three-plaited bunch of corn: this was hung up and the reapers stepped back to fling at it with their hooks. Whoever cut it down, male or female, was entitled to wear it busked with ribbons in their hats or bonnets the whole night. Then ensued the dance, after which the said kirn was fastened up in a conspicuous place in the farm kitchen, until Auld Candlemas Day, when it was formally hung round the neck of the bull, thus ensuring fertility for the whole herd.¹

Of games, whether outdoor or in, many were played, simple enough in themselves, but their names are amusing and genuine. “Priest-cat” has been already described, and “Robin aree” was an ingle-nuik game of much the same character; a

¹ This is confirmed by M'Taggart, who adds:—“The kirn beautifully busked with ribbons of various hues, having hung in a conspicuous part of the house, is given to Bill Jock the king of the byre on Auld Candlemas Day, so that none of the kye the incoming year may be guilty of picking-cauve.”

burnt stick was passed round with somewhat different ceremonies, and a rhyme of which the burden was

Robin aree, ye'll no dee wi' me.

Another game was played with pins, and called "Headim and Corsim." Pins were hid in the palms of the hands of some of the players, others were placed beside them, the persons doing so calling "Headim or Corsim" indicating which way the pins lay when the palms were thrown open; either party won according to the way the pins were lying. This sounds uninteresting enough, but a Gallovidian authority waxes enthusiastic in describing it. "This," he says, "is the king of all the games at the preens; and let it not be thought a bairn's play. It is played by lads and lasses as big as ever they will be. The peasant is as anxious about gaining a preen as my lord duke would be £10,000. When the stakes run high, barnmen and ploughmen get noisy over them, taking such hearty laughs that sparrows who have taken up lodgings in the thacked easings flutter frightened from their holes. Cheating is sometimes heard of, then is the saying sounded 'they wha begin to steal needles and pins end wi' stealing horned kye!'"

"Dish a loof" was a pastime of country lads, which tender hands could not stand for a moment. "One dash" we are told "of a Galloway hind's loof would make blood spurt from every finger."

Of outdoor sports "Loup the bullocks" was a sort of roughly played "leap frog."

"Burly-whush" was a game with ball somewhat allied to "Fives."

A more comically named one being "Kirk the Gussie," Gussie, be it understood, being the Galloway vernacular for a lusty woman, represented by a large ball, which one party endeavoured to prevent another party from driving into a hole. If the latter succeeded, the "Gussie" was said to be "kirked."

Wedding customs were the same as elsewhere in the lowlands, but Symson mentions a prejudice peculiar to Galloway,

that marriages should be celebrated while the moon is waxing, not waning, and then only upon Tuesdays and Thursdays. "I have married myself," he says, "near 450 of the inhabitants of the country, all of which except seven were married on a Tuesday or a Thursday. It is looked upon as a strange thing to see a marriage upon other days."

M'Taggart gives a curious Galloway expression for irregular marriages, "owre boggie weddings," adding, "those who plot in secret are called 'auld boggie folk,' and displaced priests, who bind people contrary to the Canon laws, are designated 'auld boggies.'"

Funeral customs were practically the same for all ranks, the Lairds setting the worst possible example, and the humbler orders following them as far as pocket would permit.

Mr. Boyd of Myrtoun Hall, describing the funeral of his grandfather, says that the minister of the kirk of Scotland fell off his horse in the avenue quite fou', the horse running away, and the reverend gentleman, unable to move himself, was dragged to one side of the road, where he lay speechless and insensible while the long funeral procession was passing. His informant, a neighbouring Laird, with some sense of propriety adding, "Was it not a mercy he did not belong to Galloway?"

The entertainments were conducted on a fixed system. There were long religious services in the house, and fixed services of refreshment; of these at a first-class funeral the first was port wine, accompanied by scotch bun and short-bread and other eatables. Next the tray went round with sherry, of which all invariably partook. Then after an interval came glasses of brandy, especially popular with the bulk of the company, when such remarks were heard as "Here's something that will haud the grip." Next followed a round of fine old whisky, then a service of rum, sometimes further followed with a round of shrub. At the house of any man of position, there was invariably a dinner on return from the churchyard, the disreputable part of which was, that while almost all deliberately drank much more than was good for

them, an affected gravity was kept up, and anything verging on the amusing was considered in the worst possible taste.

A Galloway laird thus described his experiences when having charge of the funeral arrangements at the mansion of a friend; and a "collieshangie" which he averted by his tact. His words are:

"We gied a gude when o' his friends a dinner after we returned frae the kirkyard. I had the key of the cellar, and there was naething wanting in the way o' drink. Everything was ganging on discreetly when a whulk o' a chap began and finished a gude amusing sang. I was forfoughtened wi' a' the arrangements, and very foolishly didna stap him at first. But the song was owre, and there was nae use looking back; but it was a vera improper proceeding in the house o' mourning. The de'il was in them that afternoon, for they actually ca'ed on him for anither. *Then* I spoke out, and I tauld them distinctly that if there was anither sang, or anither *verse* o' a sang, in that room that nicht, not anither bottle o' drink should they hae. That was the only threet that would stap it, for they liked the drink owre weel, and we had nae mair singing."

We may conclude these jottings of Galloway customs two hundred years ago, by quoting a few of the proverbial expressions, "freet" (Anglicè, superstitious notions) as they called them, which if not all peculiar to the province, can be traced back as in use there at the period, and long before.

As to weather, M'Taggart gives us an old freet, "Gin the laverock sings afore Caunelmas, she'll mourn as lang after it." And Symson gives as in general use, "Winter never comes till ware."

"Ware," for spring, is set down by Jamieson as Galloway, Ayrshire, and Clydesdale dialect.

Another was—

A warm May and a weeping June
Brings in harvest full and soon.

As also—

If grass does grow in Janiveer,
'Twill be the worse for't all the year.

A "pet," as a brilliant day intervening between many gloomy ones, is certainly a Galloway expression, taking the usual form, "I'm afraid it's a pet." M'Taggart explains it: "As a pet is always dangerous: a child petted plays the devil some day in the world, a sheep petted is apt to turn a duncher."

We also have

An auld moon mist
Ne'er dees o' thrist

To a query of Sir Robert Sibbald, "What moon causeth high water?" Symson answers by a local proverb: "I conceive that a south moon maketh high water, about Wigtown and Whithorn, for I've observed them frequently saying

"Full moon through light,
Full sea at midnight."

Others allude to local industries as: "'Oo sellers aye ken 'oo buyers."

"Ne'er jump out of a cheesle ye hae been chirted in."

"The eel-backit din
Ne'er leaves his master far ahin'."

There is a traditionary notion that Galloways were dun-coloured with a black stripe along the back.

The following are suggestive, as:

"Guid be hangit for a sheep as a lamm," "Tuilzieing dogs come halting hame," "Ireland will be your hinner end."

M'Taggart has a freet as to magpies, which though well known in part, goes to a higher figure than we have seen elsewhere:

Ane's sorrow,
Twa's mirth,
Three a burial,
Four a birth,
Five's a wedding,
Six brings scaith,
Seven's siller,
Aucht's death.

We have already alluded to some founded on local events; as "Skairsburne warning," an expression for trouble coming

when least expected. "To the auld mill of Mochrum" as a repartee, for which M'Taggart gives as an equivalent a more vulgar one, "To the cock fair o' Drummaddie." A Cowend elder and a Mochrum laird were both local terms for cormorants on the Colvend shore; a rock to which they resort having the singular name of "The Dowker's Byng." "Kenmure's Drum" meant a barrel of brandy; and from a Kenmure lord is derived a peculiar Gallovidian phrase—

"Ye're but a bou o' meal Gordon."

This was a telling sarcasm against untenable pretensions to pedigree, based on a tradition that a Gordon of Lochinvar, anxious to increase his vassalage, gave any likely-looking young fellow claiming or willing to take his name, at least three acres and a cow, and a boll of meal yearly.

CHAPTER XL

THE UNION

A.D. 1702 to 1707

Now, fy ! let us a' to the treaty,
For there will be wonders there,
And Scotland be busked as a bride, sir,
To be wed to the Yerl o' Stair.

“THE testament testamentar and inventar of goods, gear debts and soumes of money which pertained to ye defunct Sir Andrew Agnew of Lochnaw” was proved at Wigtown the 28th October 1702 by “Mr. Andrew Ross in Balkaile, acting for Sir Charles Hay of Park, in presence of David Stewart younger of Physgill, Commissar prinll. of the Commissariat of Wigtown; Alexander Agnew of Dalreagle, natural son of the deceased baronet; and John M'Culloch his servant — witnesses; and among his assets were the following :

“There was justly owing be James, Earl of Galloway, to the said unquhile Sir Andrew Agnew, the sum of fourteen hundred and twenty pounds Scots money of principal, with two hundred pound of penalty and annual rent, of ye said sum from the term of Whitsunday 1701, contained in a bond granted be the said Earl to the said Sir Andrew 24 May 1701.

“Item, ye said Earle was dew the said Sir Andrew ye sum of seven hundred merks principal and one hundred merks penalty and annual rent contained in a bond same date.

“Item, the said Earle was dew the said Sir Andrew Agnew ane hundred and twenty pound fifteen shillings contained in

ane ticket granted by the said Earle to the said Sir Andrew same date.

"Item, there was due to the said Sir Andrew by James Agnew, his son, the sum of three hundred merks for the Sheriffshyrie of Wigtown conform to ane agreement past between them the 11 May 1694 years.

"And further, at the term of Whitsunday last bygane, there became a sum of 1200 merks dew to him by his son in conformity to an arrangement on his resigning the Sheriffship 14 Jan. 1695."

There were many other items, and Sir Charles Hay became bound that the money should be forthcoming to all parties having interest in it.

The following year, a mutual discharge signed at Lochnaw concludes the settlement of his affairs.

"I, Sir Charles Hay of Park, with special consent of Dame Grissell Agnew my spouse, executrix confirmed to the deceased Sir Andrew Agnew of Lochnaw her father, and I the said Dame Grissell Agnew, by thir presents exoners and discharges Sir James Agnew of Lochnaw, Sheriff of Galloway, lawful eldest son and heir of the said umquhile Sir Andrew Agnew his father, of all debt and sums of money, and . . . at Lochnaw 4th Decr. 1703, before Mr. Andrew Ross, Clerk to the Regality of Glenluce, and Mr. James Fraser, chaplain at Lochnaw."¹

In 1700 Sir James's second daughter Margaret married Andrew Agnew of Lochryan, Major and Brevet Lieutenant-Colonel in the Scots Greys; and Lady Mary Agnew's niece, Lady Katherine Montgomerie, married the fifth Earl of Galloway.

¹ There is no note among the family papers as to the eleventh sheriff having received knighthood in his father's lifetime, yet this would seem to have been so, as enclosed is a discharge to him by Elizabeth Cathcart, his cousin, relict of Mr. John Cockburn, Sheriff-Depute of Ayr, of a payment of 2500 merks due by him, in which he wrote himself down so with his own hand:

"I, Sir James Agnew, Sheriff of Galloway, grants me to have actually borrowed and received from Major John Cockburn, Sheriff-Clerk of Ayr, the sum of two thousand five hundred merks. . . . I heve subscriyvit thir presents with my hand at Ayr the 9th day of March 1699 years.
J. AGNEW."

In 1701 Lord Basil Hamilton was unfortunately drowned, a loss to the community at large. Riding with his brother Lord Selkirk by the rough road from the Nick o' the Balloch, they came upon the Minnoch, an affluent of the Cree, in full flood. His servant went forward to try the water, and was instantaneously unhorsed, and carried off by the current. Lord Basil dashed after him, seized him by the arm, and was bringing him out safely, when his own horse fell, and the two were borne away by the torrent, his brother looking on unable to render any help. Lord Basil was succeeded by his eldest son William, who died two years later, and Baldoon passed to his next brother Basil.

On the 27th October 1702 the sheriff presided over a meeting of the baronage called to consider an address from the Synod of Galloway, praying that contributions might be asked for "to build a bridge on the most convenient place at the Black Ford of Cree," to which they unanimously consented. Its site is at the present borough of Newton Stewart.

On the 9th May 1704 Sir James Agnew of Lochnaw, Sheriff of Galloway, grants a deputation to Andrew Ross of Balsarroch as his depute, to infest John, Earl of Stair, heir male served and retoured to umquhile James, Viscount Stair, on the lands of Bargany and Galdanach; of Threave (in the parish of Penninghame) in the barony of Ardwell, comprehending the lands of Ringuinea, Auquhirk, Kirkmabreck, Cairnweil, Auchleach; the lands and mill of Killeser; the lands of Drumtroddan, Leffnoll, Mark, and Ashandaroch, parish of Inch; and of Torhouse, alias Balmeg, in the parish of Wigtown.¹

Why the service was so long delayed we cannot say.

Andrew Ross was probably a cadet of the Rosses of Balneil. Three branches of the family acquired the small lordships of Cairnbrock, Balsarroch, and Balkail. From the first descended

¹ Balsarroch, Baile-searrach, "Colt's town," Ardwall; Auquhirk, achadh-cheone, "oat-field"; Ringuinea, Roin-gaine, Sand-head; Auchleach, "stone-field"; Drumtroddan, "ridge of the tuilzie"; Leffnoll, ancient Leffnolle, "halfpenny land of the wool"; Killeser, "St. Lassair's cell"; Ashandaroch, "old field of the oaks"; Balmeg, meg, "Whey-toun."

Admirals Sir John¹ and Sir James Clark Ross;² from the third Field-Marshal Sir Hew Dalrymple Ross,³ distinguished in the Horse Artillery in the Peninsula and at Waterloo.

Sir James Agnew energetically followed his father's lead in the improvement of his estates. The direction which this took was primarily attention to the breeding and rearing of cattle; and secondly, improving the quality of the pastures by breaking up the land, claying and liming, and sowing new grasses: processes which may sound sufficiently rudimentary, but it must be remembered that up to the last century cattle had been led to breed in and in, and that sowing grass seed was unknown. Fields apparently laid down in grass had been cropped for years in succession, till the return was nil; they were then left fallow to recoup as best they might, the indigenous grass plant struggling with various weeds. Clover, and even rye-grass, were then a novelty; and in old times hardly any provision was made for winter keep, or even for the shelter of a great portion of the stock.

Besides introducing fresh blood among his herds and fresh seeds for his fields, to the surprise of his neighbours,—who had been satisfied to gather rare basketfuls of shells from the sea-shore, which they burnt as an apology for lime,—Sir James imported ship-loads of lime from Ireland for top-dressing, as to which we quote a note, amusing as showing that the depreciated coins of Scotland were not allowed currency in Ireland:

¹ Sir John Ross was son of the Rev. Andrew Ross, minister of Inch, born 1777. Explored Baffin's Bay, 1818; continued search for North-West Passage, 1830-34; Knight Bachelor, 1834.

² Sir James Clark Ross, his nephew, born at Balsarroch 1800. An Arctic and Antarctic explorer; Knight Bachelor, 1844.

³ Sir Hew Ross was son of Major John Ross of Balkail, by Jane, daughter of George Buchan of Leatham; born 1779, died 10th December 1868. Nominated a Knight of the Tower and Sword, 1815; G.C.B., 1855; dangerously wounded at the siege of Badajoz; four horses killed under him at Waterloo. Date of commissions: 2nd Lieutenant 1795, 1st Lieutenant 1796, 2nd Captain 1804, Captain R.H.A. 1806, Major 1811, Brevet Lieutenant-Colonel 1813, Brevet Colonel 1830, Colonel R.H.A. 1834, Major-General 1841, Lieutenant-General 1851, General 1854, Field-Marshal 1868. Married, 1816, Elizabeth Margaret, only daughter of Richard Graham, Stonehouse, Cumberland. General Sir John Ross, G.C.B., late Colonel Rifle Brigade, commanding the Forces in Canada, is his son.

“Lochnaw, 3 June 1704.

“Dear cus,—Since my last James Guillies came over with a boat full of lime stones, and would not take money heir. Therefore be pleased to pay to him £3:1 shilling. With my duty and service to yourself and lady, is all, from your most affectionate cousin and humble servant,

JAMES AGNEW.

“For Mr. Agnew of Kilwaughter.”

As the result of his attention, the herd of Lochnaw soon commanded the highest price in the market, of which we have conclusive evidence a few years later under the hand of the second Earl of Stair, who following in the sheriff's wake with equal zeal and larger resources, thus writes to his factor when improving his own stock at Castle Kennedy :

“If there are no large oxen in the Parks, the best will be to buy them of the Sheriff's breed (or Logan's) which are the largest.

“To Messrs. James Dalrymple of Dunraggate, and Mr. Andrew Ross.”

The new school of cattle-breeders set great store by hay, which had been strangely neglected by their predecessors. Winter feeding was an essential part of the new system, and as turnips had not even been seen—if ever heard of—beyond the garden fence, meadow hay was greatly in request. The herbage so called was that which grew spontaneously in wet bottoms, the most luxuriant yielding three or four cuttings in the season.

Full of plans for his farm, an unfortunate idea occurred to the sheriff that if he drained his White Loch of Lochnaw, its bed might yield him an unlimited supply of the very herbage that he wanted; and no sooner thought of than the experiment was tried. By deepening the artificial channel to the Mill-Isle, which dated from Pictish times, he easily effected his purpose, utterly effacing the great ornament of his ancestral home, but gaining in return some 50 acres of swamp, from which he could cut in any quantity the coveted hay. Picturesqueness had hardly any place in the views of his generation, and it is doubt-

ful whether as a matter of individual taste Sir James would not have absolutely preferred the sight of his polled Galloways and brindled Ayrshires moving in the marsh under his windows to the still beauty of his lake rippling noiselessly below the terraces. Spade and pick temporarily transformed the loch into a hay-field; but so well defined were its natural bounds, and so lake-like its habits, that it was a task of no small difficulty to keep it decently dry, and it was the simplest matter for his great-grandson just a century later to restore it to its watery honours. Unfortunately, however, the taste for antiquity was even less developed in 1700 than that for landscape-gardening; and having gained access to the island on which stood the King's Castle, Sir James proceeded to utilise the old keep for his improvements with a hand as unsparring as he had used on the loch. Requiring some little freestone for an addition to his Castle, with as little qualm of conscience as the Black Douglas, he rent it to pieces, spoiling rybats, window-sills, and door-jambes, and blowing up the rubble-work to provide stones for fencing for his cattle. The mischief thus done was irreparable, and the old fortalice, which might have been an object so interesting to his heirs, can now only be traced by its foundations, and a shapeless block of one of its once massive walls.

Unconscious of how his successors would regard his doings, he was careful to record their date. On a part of the Castle rebuilt with its materials he has engraved in large character S. G. A. and L. M. M., his own and his lady's initials, with the date 1704.

It was, however, well for the family fortunes that he greatly added to the real paying capabilities of his Scottish estates, for the wide Irish acres whence his grandfather and great-grandfather had drawn rents with greater certainty than in Galloway had either deteriorated in value, or their cultivators had become more unmanageable, as the following letter from his Irish agent suggests :

“ Kilwaghter, 17th August 1704.

“ Honoured Sir,—I thought to have done that with your people which now I dare not, for though I should distrain them,

corruption and abuse yt is committed both by the millers and tenants within the barony. It is statute and acted that the said millers and tenants make the ferme meal sufficient, and that they shell their oats sufficientlie for the first time, and winnow the shelling, and mix noe first dust among the said meall, but only a full of the mill-dish of the second cardings among ilk full of shelling, under pain of ten groats of fyne to be paid by the person contraveining this act."

There are usually prefixed the terms "suits called," "absents amerciat." The absentees seem to have increased, emboldened by example, until the sheriff himself came to the assistance of his depute.

We find this entry :

"Court of the Barony of Drumastoune, holden at Newhouse of Skeoch, by the Right Honourable Sir James Agnew of Lochnaw, Baronett, Heritable Baron of the Barony of Drumastoune, and William Agnew of Wig, his Depute, upon the 6th of December 1706.

"This day the Sheriff having heard, seen, and considered a complaint given in by the Clerk of Court mentioning that the dues and casualties of Court are in disuetude the said several years, and having considered the said complaint; therefore, for remeid whereof, it is statute and enacted that each tenant within the said Baronie pay to the Clerk two shillings Scots at the two head courts, in all time coming, yearly, and ilk cottar one shilling Scots; with certification that if they faillie to pay the samen yearlie, they and every one shall be poulded for their amerciament and unlaw, altho' they be present at the nexte head court.

J. AGNEW."

Meanwhile Sir James and Lady Mary Agnew anxiously awaited the arrival of the slow posts of the period from the Low Countries, where their eldest son, the young Laird of Lochnaw, was winning his spurs in the campaigns of Marlborough.

Immediately after his sister's marriage, he had started for

the British headquarters in Flanders, and soon found himself at home at the mess of the Grey Dragoons, in which his brother-in-law, Agnew of Loch Ryan, was major; Thomas Agnew, the major's brother, and James Campbell (son of the Earl of Loudoun, brother to Lady Stair), were captains; and the young Laird of Mochrum and John Dunbar lieutenants.

Attached to this distinguished corps as a volunteer, in a few weeks he received a commission as a cornet (still carefully treasured), signed by Marlborough himself, dated "in Camp at Rasted, 11 May 1705," appointing "Andrew Agnew, gentleman, to be cornet of that troop in Her Majesty's Royal Regiment of Scots Dragoons, commanded by the Right Honourable Lord John Hay, whereof Major Andrew Agnew is captain."

After much marching during the summer, and winter quarters in Dutch Brabant, orders reached the Greys in their bivouac late in the evening of the 22nd of May to mount and feel their way cautiously to their front. With patrols in extended order they advanced silently during the whole night; the main body of the army following. Before daybreak the dragoons had gained the heights of Miersdorf, and as the morning mist rose they discovered the whole French army almost within gunshot in position at Ramillies. Orders instantly carried the intelligence to the rear, Marlborough hastened his march, and at half-past one a volley of artillery roared along the whole line, and the action became general.

A deep swamp intervened between the British horse and the Frenchmen, who considered themselves protected by their position from any cavalry attack. But an order came to Lord John Hay to advance, and his regiment was at once in motion. To a Galloway man a "quaw" was of little account; the Agnews and Dunbars showed the way through the morass, and the Grey squadrons struggling through it were soon in contact with the enemy, who, taken by surprise, were driven back in confusion. On went the Greys, when, whilst charging madly through the village of Outreglize, they suddenly came on the famous corps known as the "Regiment du Roi," who

surrendered *en masse* and gave up their colours to the Scotsmen.¹ The victory was everywhere complete, and all the Galloway comrades escaped unscathed.

Soon after the battle of Ramillies, Lord John Hay died of fever, and was succeeded in his command by the gallant Gallovidian, Lord Dalrymple, eldest son of the Earl of Stair.

The colonelcy of the Greys had long been the object of his ambition, and proud of his corps, and pleased with his luck, he thus wrote from camp to the Earl of Mar :

“Camp at Ghihaughici.

“Governour,—I have got the Regiment. His Grace will write to your Lordship to-night; he told me I had no need of letters, but I am very well satisfied they did me good. His Grace does it in the most obliging manner in the world; it is true indeed in his delays he had the kindest air could be to me, but I found few people but are of Sancho Panza’s opinion, ‘Un tien vaux deux tu aura.’

“I have sent to Liege for some drink to you. I am sorry for the ill-luck you last had, but champagne and Burgundy will play the devil with those thin bottles in the summer time. Of one parcel I lost 113 bottles this year.”

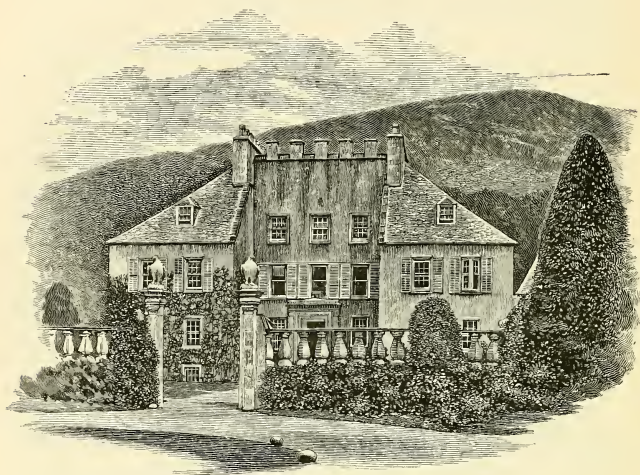
The laurels won at Blenheim and Ramillies having satisfied ujar Colonel Agnew’s military yearnings, he exchanged his sword for a pruning-hook, and retired to his Galloway estate, where, leaving the old hall of Croach, he built himself a quaint little box, from a design of a chateau in French Flanders, which he called Loch Ryan House.

At this moment public attention in Scotland was entirely diverted from Flemish battles by the war of words which resounded through every part of the kingdom at the proposition for the legislative union of the two kingdoms.

Nowhere did the current run stronger against this proposal

¹ Our dragoons, pushing into the village of Outreglize, made a terrible slaughter. The French king’s own regiment of foot, called the “Regiment du Roi,” begged for quarter, and delivered up their arms and colours to Lord John Hay’s Dragoons.—*London Gazette*, 1705.

than in Galloway; peers, barons, freeholders, bailies, presbyterian ministers petitioning almost unanimously against it. A small knot of sagacious statesmen felt that this union alone could ensure the Protestant succession; whilst civil war and possible separation of the kingdom might result if this measure were not carried. One Galloway proprietor alone favoured the idea. That man was Lord Stair.



LOCH RYAN HOUSE.

Parliament was flooded with petitions from the west—from Shire and Stewartry, and every guild and borough, not excepting the little village of New Galloway; the tenor of all being to the same effect: “We humbly beseech your Grace and honourable Estates that you will not allow of any such incorporating union, but will support and preserve the independency of this independent kingdom, which has been so valiantly maintained by our heroic ancestors for the space of near 2000 years”!!

Thirty-one commissioners for each nation were appointed to fight the matter out; their place of meeting being appropriately "the cockpit." The brunt of the battle was borne by Lord Stair, supported by his brothers Sir Hew and Sir David Dalrymple. Their first meeting was on the 16th of April; on the 23rd of July the articles were presented to the queen, and in October were discussed in Parliament.

With so much tact did Stair introduce the subject that the first article of union was approved and voted for by Lord Galloway and all the members for Wigtown and Kirkcudbright,—William Stewart of Castle Stewart, John Stewart of Sorbie, William Maxwell of Cardoness, Sir David and Sir Hew Dalrymple, and William Coltran,—there being only one dissentient, M'Kie of Palgown.

Much excitement, however, prevailed, and an alarming riot was with difficulty quelled at Kirkcudbright, as well as in Dumfries, where mobs burnt the commissioners in effigy. Matters looked so serious, that Government sent £20,000 from the English Exchequer to help to smooth the passage of the Bill. Certainly the gold seemed to act like oil on the stormy waters. Much recrimination took place during subsequent debates in regard to the lubricating process. On a change of ministry, the names of those bribed at last were published; and local *quidnuncs* enjoyed the discovery that Castle Stewart was £300 richer for his vote, and that Provost Coltran of Wigtown had bartered his country's independence for £25.

Meanwhile the various articles of the Bill were carried one by one. Of these No. 20 was satisfactory for the sheriff: "All heritable offices, heritable jurisdictions, be reserved for the owners thereof as rights of property."

On the 22nd January 1707 the twenty-second article, the last of any importance (regulating the proportional representation of Scotland in the Imperial Parliament), gave rise to a heated discussion, of which Stair bore the brunt, speaking frequently, with his usual vigour and address. His motion was carried, and he retired, pleased but much exhausted. The next

morning the House and the country were startled to learn that the gifted, if unpopular, statesman had passed away in the night, and did not live to see the actual passage of the measure he had done so much to forward.

Justice is done to him by a political and personal adversary, George Lockhart of Carnwath, who, whilst making the most of his faults, yet adds: "He was so great a master of eloquence that there were none in Parliament capable of taking up the cudgels with him; he was extremely facetious and diverting company in common conversation, and, setting aside his politics, good-natured."

He left, among other children, William Dalrymple of Glenmuir, who in 1698 had married his cousin Penelope, in her own right Countess of Dumfries.

The Union question was now practically settled; the last stages were hurried through. Though in the last division Lord Galloway, Maxwell of Cardoness, and M'Kie of Balgown recorded their votes against it as a protest, nevertheless the Act of Union happily became law the 21st of January following.

CHAPTER XLI

THE RISING OF 1715

A.D. 1708 to 1715

Oh Kenmure's on and awa', Willie,
Kenmure's on and awa' ;
And Kenmure's lord is the bonniest lord
That ever Galloway saw.

IN the summer of 1708 the sheriff visited Lord Massereene¹ at Antrim Castle, with whose son-in-law he had important business to transact. His host was Clotworthy Skeffington, third viscount, who by his wife Rachel, daughter of Sir Edward Hungerford of Farley Castle, Somerset, had a daughter married to Randall, fourth Earl of Antrim.

The earl was overlord of the sheriff's lands in Ulster, and the result of their conference was that Sir James, finding his rents ill paid and his tenants discontented, was indisposed to pay Lord Antrim the large fine he asked for the renewal of his lease for another hundred years. He consequently transferred his interest to his kinsman and agent, Agnew of Kilwaughter, who acquired the lands as vassal to the earl.

After-generations of the Lochnaw family were greatly dissatisfied at this alienation of the estates which had been so long held by their ancestors. The only authentic particulars to be gathered of the transaction are in a letter from a granddaughter of Sir James, a resident in Belfast, who thus

¹ Mas-a-rioghna, "The Queen's Hill."—Reeves's *Ecclesiastical Antiquities*. Mas, "the thigh," applied to a long low hill.—Joyce, i. 525.

answered inquiries addressed to her by the late Sir Andrew Agnew :

“ Great Edward Street, Belfast,

“ April 29, 1818.

“ Sir Stair Agnew conversed with me more than once respecting the sale of Kilwater. It was disposed of by Sir James Agnew to Mr. Agnew for comparatively a mere trifle. Sir Stair was told the reasons for this singular transaction were that Ireland was in such a lawless and turbulent state, that his factor had great difficulty and personal danger to encounter amongst the tenants, and also that Sir James and Lady Mary Agnew were more splendid and expensive than suited their income, and had a large family, no fewer than nineteen children, and were glad to get the money. Whether Sir James had a right to dispose of the property without the concurrence of his lawful heir is to me a doubtful matter, but it is near a century since the estate was sold, and the laws respecting such affairs were then perhaps different.

“ Sir Stair said Sir Andrew (Sir James’s son, Sir Stair’s father) could not bear to hear Kilwater mentioned, which was very natural. . . .

“ My father was son of Sir James Agnew, his name George ; he was many years a captain in the 1st or Royal Scotch Regiment, prior to which he served as a cavalry officer. Miss Dunbar was my father’s first wife, after her decease he married my mother ; she was an Irish woman, daughter of a physician, who was respectably connected.—I remain, dear Sir Andrew, with infinite regard and respect, your affectionate cousin,

“ SUSANNA WARE.”

Two letters of the period remind us that crossing to Ireland was not always the simple matter it is now, when winds or even calms might delay vessels indefinitely, which were unfit to contend with storms in the strong tideway of the Channel. It seems also that then as now Galloway lairds were no match for Irishmen in horse-dealing.

“Donachadee, 24 July 1708.

“Dear Sir,—I am come here I bless God safe, but am mightily dissapoynted of my passadge, there being nae boats on this syde, so that I expect to lay here a considerable tyme before I get over.

“I was necessitate to pairt with the mear I got from you, being both leasie and much given to stumbling, and all I could get for her was four punds.—Your affect. and humble servant,

“JAMES AGNEW.

“For Captane James Stewart of Killimane.”¹

The other to an Antrim gentleman apparently agent to Lord Massereene.

“Antrim, Oct. 27, 1708.

“Honble. Sir,—I return you my most humble thanks for the honour of yor. letter. I doe oune that my inclinations to pay Sir James Agnew all imaginable respects were and are still very full and good. Though the crowd and hurry he was in at Antrim would not allow me to doe it in any way worth his remembering, much less acknowledging.

“My Lord Massereene is concerned to heare yt. the mare you carryed from hence inclines to be vitious, and sayes yt. he never discovered any such temper in her, and therefore is afraid she hes been mismanaged by yr. grooms.

“I sincerely pray for all prosperity and happiness to you, and with all respect and deference, Honble. Sir, yr. very obedient and most humble servant,

“JO. M'LEANE.

“For the Honble.

“Sir James Agnew, Barrt., Lochnaw.”

The Christmas party at Lochnaw this year was enlivened by the return of the young laird ; his regiment having gone into winter quarters, he had obtained a few weeks' leave, and previous to rejoining, he secured two recruits for the Greys in a

¹ Captain Stewart of Killymoon was brother-in-law of Agnew of Kilwaughter.

manner very suggestive of how the energies of a poacher, if young and muscular, might be turned into a useful direction. We give the record, also noting that it is the first time in Galloway that we find the sheriff officially associating other gentlemen with himself under the term "justices of the peace."

"Stranraer, 1st of February 1709.—Convened of the Justices of Peace within the shire of Wigtown—

" Sir James Agnew of Lochnaw, Sheriff of Wigtown ;

" Patrick M'Dowall of Freuch ;

" Robert Agnew of Seuchane ;

" Andrew Fordyce, Provost of Stranraer ;

" Who elected the Laird of Freuch preces.

"The whilk day Cornett Andrew Agnew, in Her Majesties Royal Regiment of Dragoons, commanded by the Erle of Stair as Collonell, having seized the persons of John and James Deviesones, brother germans, and this day conveyined them before the above-named justices of peace in ordour to serve Her Majesty as soldiers, being idle vagrant persons : And the justices required the said John and James Deviesones to propose and give in their reasons why they shall not serve Her Majesty in the army, and for that effect granted them a competent tyme ; yett, notwithstanding they proposed not nor give in no reasons to the end foresaid :

"Therefore the above-designed preses and justices having considered the same, doe approve seizing the said John and James Deviesones as vagrant idle men ; and ordayne them to serve the said Cornett Agnew in the foresaid Royale Regiment or otherwise.

" And both of them to be secured for that effect, the articles of war being read to them. (Signed) JAMES AGNEW."

This feat accomplished in his peace campaign, the cornet hastened back to the field, pleased to be able to present Lord Stair with two stalwart, likely-looking countrymen, to swell the ranks of the Scots Greys.

The desertion of a more desperate character, however, of whom both the sheriff and the cornet were destined to hear again, was the subject of much joking and speculation in Marlborough's camp in the early summer. Those discussing it, little knew who had thus slipped through their fingers, and his stranger destinies, as to which we may anticipate. The hero was Billy Marshall, of the blood royal of the gipsies, who subsisted in the Border counties ostensibly as tinkers and makers of horn spoons, but in reality by fortune-telling and theft. Billy, having killed his chief in a quarrel about a sweetheart, fled the country and enlisted in a Scottish regiment (he always asserted he had been present at the battle of the Boyne, but this is highly improbable), and it is certain he served under Marlborough in Flanders.

One morning he looked in on several Galloway officers in their tents—the one a M'Culloch of Ardwell, the other M'Guffock of Rusco¹—politely asking each of them “if they had ony word to send to freends in Galloway.” “How so?” was the natural answer. When Billy coolly replied: “Kelton Hill fair is just at han'; I have never been absent from it since my leg-shanks were able to carry me there, and I don't mean to miss it now.”

The officers laughed, but none of them took any steps for his immediate arrest, and at the next roll-call it was found the bird had flown.

Whether helped by foreign Egyptians, or relying on his own native cleverness, certain it is that, eluding provost-marshals and police, he found his way back to Galloway and could never be caught. Here high destinies awaited him. He was elected soon after King of the Gipsies, and over them he reigned—no nominal rule—some seventy or eighty years.

His experiences enabled him to give an almost military organisation to bands of which we shall hear more, known as the “Levellers” and “Houghers,” which carried terror to the

¹ This is a tradition in both families, each claiming for their forebear the honour of having been Billy's commanding officer. Both were doubtless officers of the brigade.

country-side. He eluded all attempts at capture and punishment, and growing more staid in his advancing years, lived to be looked up to with feelings of interest, indeed almost of respect. He died at Kirkcudbright in 1792, and his funeral was attended by a vast assemblage of all ranks; Dunbar, Earl of Selkirk,¹ acting as chief mourner, who with his own hand placed the gipsy's head in his grave, and had a monument erected over him bearing this inscription: "The remains of Wm. Marshall, Tinkler, who died 28th Novr. 1792, at the age of 120 years."² And on a scutcheon two tup's horns and two spoons crossed.

The spring and summer of 1709 having been spent in the siege and capture of Tournay, on the 11th September the sheriff's son bore his part in the battle of Malplaquet, an incident of which fight was as gallant and more successful than the death ride of Balaclava. The Greys (led by Sir James Campbell) and Royal Irish Dragoons (now the 5th Lancers) having charged and routed a line of French cavalry, and following in somewhat broken formation, unexpectedly found themselves face to face with the French Household Brigade, picked men magnificently mounted, as brave and much fresher than themselves. The French bore down furiously upon them; there was an awful crash; each opposing squadron charged through the other's ranks, each instantly wheeling about, re-forming, and returning to the encounter. It is asserted that the two lines thus charged eight times through and through the other,³ a feat unparalleled. Lord Stair escaped unwounded after mingling in the thickest

¹ Mackenzie's *History of Galloway*, ii. 403. There is a full account of him in the *Scots Magazine*, 1792. He is the subject of an article in *Blackwood's Magazine*.

² His own account of himself was that he was born in 1666, and fought at the battle of the Boyne. It is more probable that the age of a soldier at Malplaquet should have been nearer twenty-four than forty-four years of age. It has been generally accepted that he was over 120, but our forefathers of a hundred years ago were credulous and uncritical in such matters.

³ "It was in these campaigns," writes Chambers, "and under such training, that besides being a skilful and successful officer, Sir Andrew Agnew became distinguished by those deeds of personal daring as well as eccentric peculiarities of manner that long made him a favourite in the fireside legends of the Scottish peasantry.—*Lives of Eminent Scotsmen*.

of the fray. The Greys' loss was thirty-one officers and men, among the former being young Dunbar.

The famous Lowland corps of Scotland, the Scots Fusiliers (Mar's Greybreeks), bore the palm among the infantry, having stormed the entrenchments and broken through a formidable abattis impervious to horsemen.

The young Laird of Lochnaw was already "a character" in the camp; cool in action, full of fun and humour in quarters, and eccentric withal, he early attracted the favourable notice of his superior officers.¹

One day he was detailed in orders to command a burial party, which with others from various corps marched to the scene of an engagement of the day before, and commenced their melancholy operations. As he strolled over the battle-field, his orderly came up to him in great perplexity. "Sir," said he, "there is a heap of fellows lying yonder who say they are only wounded, and won't let us bury them like the rest, what shall we do?" "Bury them at once," replied young Agnew, without moving a muscle of his countenance; "for, my fine fellow, if you take their own word for it, they won't be dead for a hundred years to come." The man saluted, and as his notion of military discipline centred in the one idea of implicit obedience, off he started in all simple-mindedness to obey the order to the letter; indeed, he was actually proceeding to do so when the eccentric cornet, who, with his apparent impassibility, had his eyes in all directions, despatched a counter-order just as his joke was on the point of being carried further than he intended.

This incident recalls an "owre true" story of Border life, which proved anything but a joke to certain Galloway troopers just a century before. When Lord William Howard, best known as "Belted Will," was warden of the Western Marches, certain Galloway mostroopers, "bodin' in feir of war," were made prisoners by the English, hard by the Lochmaben Stane, and hurried off to Naworth Castle.

Their guilt lay rather in their intentions than their deeds.

¹ Cannon's *Official Records of the British Army*.

“Belted Will,” who was far from cruel, was an enthusiastic mathematician, and was deep in his studies in the oratory of Naworth when the captives were marched into his courtyard. A lieutenant ran up to get my Lord’s orders as to their disposal.

The warden, enraged at the interruption, roared “Hang the prisoners!” and the subordinate disappeared. Having solved his problem, he came downstairs, calling cheerfully for the captives to be brought before him for examination, when to his horror he found that his rash expression had been misconstrued, and the order literally obeyed.

In the autumn the Duke of Marlborough returned home. Though fêted and much made of, “Corporal John,” like a true general, had the interests of his officers at heart, and one lucky morning Cornet Agnew, now in winter quarters, had a packet put into his hand, which, on opening, he found to be a commission.

“Cornet Agnew of the Royal Scots Dragoons to be Captain in the regiment of foot commanded by the Rt. Honble. Lord Strathnaver.¹ (Signed) MARLBOROUGH.

“Dated 10 Decr. 1709.”

In virtue of this little bit of parchment, he passed at a bound over the whole intermediate grade of lieutenant to the command of a company. Quitting the lines of his old corps, the cornet at once reported himself as a captain at the headquarters of his new regiment, with which he was actively engaged until the peace of Utrecht in 1711.

A letter to the sheriff from another Galloway soldier, in the stilted style of the day, gives some gossip, and tells of his whereabouts.

“Courtray, 22 March 1711.

“Sir,—The high respect which I can witness were mutually shown betwixt your father and my grandfather obliges me in point of gratitude to continue the same to his memorie and to yrself, as a person of high note, distinction, and merit in the

¹ Lord Strathnaver, 2nd Battalion of the 10th Regiment.

shyre, whereupon I presume to rank you in the catalogue of my best friends.

“ Be pleased, sir, therefore to accept this as a small token of my particular regard to your family till I shall be capable to show the same after another manner, which I both wish and pray for. Words are but words, yet writing and returning missives are all the offices of civility that are usual among friends when separated.

“ If you will be pleased to honour me with a lyne, when you have nothing to do, direct to Lieutenant James Gordon of the Welsh Fuziliers, commanded by Major-Genl. Saben at Courtray, or to the English camp in Flanders.

“ Your son the Captain and I are now in garrison, both well, thanks to God, though I have not had so good luck; but no wonder, for there is a difference betwixt both our interest, our qualities, and our standing.

“ I have no news to tell but what your weekly prints carrie. Be pleased to let this transmit my most humble duty to your noble lady, and pray do me the honour to believe that I will, with abundance of complaisance, take hold of all possible occasions to testife how much I am, Sir, your most humble and obedient servant,

JAMES GORDON.

“ Sir James Agnew of Lochnaw, Barronett,
“ Sheriff of Wigtown.

“ To the care of the postmasters of Edinburgh, Irvin, Stran-
rawer, North Brittain.”

This youth, the Honourable James Gordon, was son of Alexander Gordon of Penningham by Lady Grizel Stewart, daughter of the second Earl of Galloway (his uncles being the Stewarts of Ravenstone and Castle Stewart). His father had succeeded collaterally as fifth Viscount Kenmure, and his half-brother William was then sixth Viscount (having succeeded in 1698). The writer of the letter married the heiress of Gordon of Grange, and thus became a Wigtownshire laird.

Among the last capital sentences entered in the sheriff's

court-book is that of Patrick Clanachan for horse-stealing, the 3rd August 1709. "And he being personally present, and the horse stolen being also produced as red hand, and the said Patrick confessing the crime, the Assize with one consent found him guilty." And his doom was thus pronounced by the Sheriff-Depute—that the "said Clanachan is remitted to the Magistrates of Wigtown, to be taken on the 31st August, betwixt the hours of 12 and 2 in the afternoon, to the gypnet of Wigtown, and there to hang till he be dead."

The grim humour of the culprit as he was being carried, as was usual, on a hurdle to the gallows, is still traditionally remembered. People in crowds were hurrying past the procession to see the execution, when Patrick is said to have coolly and quietly exclaimed, "Tak yer time, boys, tak yer time, there'll be no fun for you till I come!"

In 1709 the sheriff's intimate friend, Sir William Maxwell, died, and on the 29th December 1711 Sir Alexander, his successor, married Lady Mary's niece, Lady Jane Montgomerie.

The sheriff's brother-in-law, the ninth Lord Eglinton, had, two years before, married as his third wife, the beautiful daughter of Sir Archibald Kennedy of Culzean. This lady, long known in the west as Suzanna, Countess of Eglinton, and who survived her husband fifty-one years, entertained Dr. Johnson with Boswell on his tour in Scotland, and died in 1780, at the age of ninety-one. Her picture is still in the drawing-room at Lochnaw.

A year or two later Lord Galloway's daughter by Lady Katherine Montgomery married the sixth Earl of Southesk.

An entry in the sheriff's record-book of 1711 gives a complete list of the freeholders of the county at that date—in number only twenty-nine.

"Wigtown, 9 October 1711.

"The which day and place, by order and warrant from Sir James Agnew of Lochnaw, heretable sheriff of the said shire, intimations were made at the mercat cross of the head burgh of the shire and at the respective parish kirks within the same,

to the whole barons and freeholders having right to vote in the election of a Member of Parliament, to compare to make up a roll of electors conform to Act of Parliament.

“In obedience whereto the said sheriff, barons, freeholders, and others having right to vote, this day convened and did make up the Roll of the Electors in manner underwritten, viz.—

“Mr. William Stewart of Castle-Stewart, Mr. John Stewart of Sorbie, Sir James Agnew of Lochnaw, Sir Charles Hay of Park, Sir Alexander Maxwell of Monreith, Sir James Dunbar of Mochrum—Baronets. Alexr. M'Dowall of Garthland, Robert M'Dowall of Logan, Pat. M'Dowall of Freuch, Andrew Agnew of Sheuchan, Mr. Alexr. Adair of Drumore, John Blair of Dunskey, Colonel Andrew Agnew of Lochryan, Alexr. Murray of Broughton, John Cathcart of Gainoch, William Agnew of Wig, John Stewart of Figgall, William Stewart of Castlestewart younger, William Gordon of Grange, Alexr. Agnew of Myrtoun, George M'Culloch of Torhouse, Pat. Coltrain of Drumorell, Gilbert Neilson of Craigeaffie, Alexr. M'Dowall of Corochtrie, John Crookshanks of Craiglawn, Alexr. Houstoun of Cutreoch, John M'Kie of Barrawer, John M'Culloch of Torhouse-M'Kie younger.

“And this we find to be the Roll of uncontroverted Electors. In testimony whereof this is signed, day, year, and place foresaid, by
J. AGNEW.”

We miss the Baillies of Dunragit from the Roll. Their lands had passed to Thomas Dalrymple, fourth son of the first Viscount Stair, honorary physician to the King; married to Jean Agnew,¹ who acquired Dunragit, which was inherited by their son James. It will be remembered that at least eighty years before one of Sir Patrick Agnew's daughters married John Baillie of Dunragit, and another a son of M'Dowall of Garthland.

We cannot trace the intermediate links, but an interesting letter addressed to the sheriff concerns one of the Baillies living

¹ She is styled “of Cairn.” This is Cairn, a land in Kirkcolm, which then belonged to the Agnews of Croach. Jean Agnew's father had probably not succeeded to the latter at the date of his daughter's marriage.

in honest poverty in the West Indies, a great-grandson of both these ladies, and tells its own tale.

“ Barbadoes, Augt. ye 26, 1711.

“ Honourable Sir,—I don't doubt but this may be amusing enough to receive an epistle from one so much unacquainted with you, or the manner of scraping a correspondence with one of such distinction as yourself; however, if you'll take it as it is, rude and unpolished, the sequel accounts for the reason, which is—

“ A gentleman honoured with a ministerial dignity, and qualified accordingly, came lately very largely recommended to this island by my Lord of Loudoun, and in very short time came in a rector to a country parish wherein I have some interest; and because he was not born to cringe and bow, there are some colonels in his parish that have become his enemies; and he not being a proper object to be imposed upon (so that they are not able to quarrel with his parts), they have forged a childish story of him; yt he was born in Ireland and that his father was a pedlar there. The design whereof is to make the world believe that a man who will deny his country will be guilty of anything.

“ The young gentleman's name is Mr. Andrew Baillie, Jr. I must in a few words tell you what I think of the young gentleman.

“ I look upon him to be of a good life, and severely temperate, for which these two gentlemen hate him. He is modest and diligent in his duty, and, in a word, wonderfully capable to account for his religion to the convincing of gainsayers, and preaches as well in conversation as in the pulpit; so that if there be truth in what he advances, which I am ready to believe, you and we both may be proud of him, having few sent us that are gentlemen and scholars too.

“ He tells me as a secret that his two grandmothers were daughters of your family, and his grandfather by the mother's side was a son of the house of Garthland, two very ancient

houses, and which reflect honour upon the generality of families in ye shire. This he told me as a secret, because he does not value himself upon that score, being of late more of Juvenal's opinion, 'Virtus est sola nobilitas.' When they ask him in banter if he is a gentleman (because Scotchmen are always proud), he modestly declines the name, by telling them 'he was never rich, and therefore could not be a gentleman till he had the gown;' and then he believed none that were civil would renew the question. This is a taste of his conversation, and it is all so at occasion (or more agreeable) but charming to me.

"What you'll please to write me in return with respect to his parentage and place of his nativity, I will justify in opposition to all who dare advance the contrary; for I have embarked myself in his interest, and will follow my own inclination when I stand his friend.

"This your return will be but common justice to your deserving kinsman, but will (also) singularly oblige, honourable Sir,

"Your most humble and obedt. sert.

"DANIEL HOOPER.

"Sir James Agnew of Lochnaw, Knight
and Baronet, near Stranrauer in
North Brittain."

To this letter the sheriff replied as follows:—

"Lochnaw, 19th Nov. 1711.

"Worthie Sir,—I was favoured with yours of the 26th of August, and am most sensible and thankful for the friendship ye have showin to my kinsman; and ye have acted a more generous part and more becoming your character than those oyr gentlemen who make it their endeavour to traduce and maligne him. If he were of a meaner birth, and less eminent in his oyr good qualifications, perhaps he would be more agreeable and acceptable to them.

"Believe me, that what he has suggested to you is verie

treu ; for his grandmothers were both daughters of my family, and his grandfather by his mother's side was a son of the family of Garthland, who are not the meanest families in this kingdom. And that his father is a pedlar, and he himself born in Ireland, is both fictitious and false, (he) being born and educat in his more younger years within three miles of my house.

“It's most pleasing to me to have a confirmation from you of his virtuous and pious lyfe ; and that he is progressive in oyr good qualities in relation to his ministerial functions, I heartily wish for, as I doubt not of the continuance of it.

“I cannot express or make language of the sense of the obligation I am under to you (as all his oyr friends heir are) for the respect and justice ye have done to my cusin Mr. Andrew Baillie. I should be proud of an opportunity to do you service ; and in the meantyme accept of the dutiful respects of, Sir, your most humble and obliged servant,

J. AGNEW.

“Mr. Daniel Hooper, per Mr. Shielding,
at the signe of the Dyall, at ye
upper end of Drurye Lane, London.”

Shortly after the peace of Utrecht, Lord Strathnaver's regiment was disbanded. His kinsman, Captain Thomas Agnew, had retired from the Greys, and purchased an estate at Richmond Hill, where he built a villa and laid out gardens pleasantly overlooking the Thames.

Young Agnew's occupation gone, much of his time was spent with his old brother officer in these agreeable surroundings, and having nothing else to do, he fell violently in love with his daughter, who reciprocated his affection. There is no reason to suppose that the older captain would not have smiled on the younger one's suit, but for the tender age of his daughter, which was just fifteen. Hence, as the parents hesitated to give their consent, the young couple simplified matters by an elopement. Slight effort, if any, was made by Captain Thomas to overtake the runaways, who were duly married by licence at the church of St. Benedict near St. Paul's wharf.

The sheriff was furious at the utter contempt thus shown for parental authority. He refused to receive the young couple or to assist in any way in making a settlement,—a serious matter, as his lands were unentailed. It is probable also that her father made some show of displeasure, and his doors also were shut against the runaways.

In his dilemma the younger captain bethought him of Lord Stair, who was happily in town; he at once kindly undertook to bring about a reconciliation with both the angry parents. With Captain Thomas, who had long served in his own regiment, he had little difficulty, but Sir James was not so easily softened, and several letters passed before his worship relaxed, and at last gracefully consented to give the paternal benediction at the intercession of an advocate so powerful and so kind.

We quote the last letter from the unpublished Stair papers at Oxenford :

“Lochnaw, 7 August 1714.

“My Lord,—I was honoured with your Lordship last post. I shall not trouble your Lordship with the details of my son’s unaccountable management, that though he had not judged me worthy to give him an advice in that matter, yet never acquainted your Lordship, who being in the place, I do persuade myself would have advised him to that which would have tended to his honour, and the advantage of the family. And though I was firmly resolved never to have seen him, yet seeing your Lordship is pleased to put your commands on me to forgive him—which nothing else could have done it—I shall, when Captain Agnew comes to treat with me, and makes such offers as he ought and can do, make such a settlement as may make them live easie at home.

“I was and am still very sensible of Captain Agnew’s civilities to my children when abroad, though I think he has been very indifferently used by my son.

“I am overjoyed with the account of your Lordship being soon in Scotland. My wife begs that her most humble duty may be acceptable to my Lady Stair and your Lordship, as I do

who am, with great respect and esteem, your Lordship's most faithful and devoted servant,

J. AGNEW.

"We are just now in a great consternation with the account of the Queen's death."

It is pleasant to be able to add that of this union, entered upon so rashly, neither party had ever any reason to repent. As Dame Eleanor, the bride, during a long life, was remarkable for every matronly virtue, for prudent management, and good sense.

Post-nuptial settlements were duly executed, though not till four years later, when by a Crown Charter of George I. various lands were confirmed to the bridegroom on the father's resignation.¹

The death of Queen Anne, alluded to by Sir James, had taken place August 1, and the proclamation of the Elector of Hanover was duly made at Stranraer, as early as the 11th. A letter to Lord Stair from the magistrates says—

"We did proclaim his Majesty heir on the 11th inst. with all the solemnity and demonstrations of joy we were capable of, eight days before the solicitor did send us the order for doing it, taking for our pattern therein, the towns of Glasgow and Ayr, and being assisted by the sheriff, Sir James Agnew, and other gentlemen."

The whole country was in a state of ferment, "Whig and

¹ The Precept infefting him in his father's lands and offices, specified with other rights "the salmon fishing in the water of Luce, by net and coble for the said salmon fishing, and by deliverance of earth and stone of the said lands, and one penny upon the pound as use as."

The Charter Latin is somewhat peculiar "Capitano Andreae Agnew Regalii Regimenti de Fuzeliers Britanniae Borealis filio natu maximo Domini Jacobi Agnew de Lochnew Rasmeth Hereditariae Vicecomiti Vicecomitis de Wigtown, et Dominae Eleanorae Agnew filiae Capitani Thomae Agnew, Regalii Regimenti Draconiarum de Britanniae Borealis. Testibus predilecto nostro consanguineo Alexandro domino de Polwarth d^{no} Adamo Cockburn de Arnistoun et Dom. Carolo Rem."

The witnesses to the marriage contracts are "Alex. Murray of Broughton, Colonel Patrick Agnew of Barnbarroch, Andrew Agnew of Lochryan, Robert Agnew younger of Sheuchan, written in London (22 April 1719) by William Reid, servitour, at the direction of Patrick M'Dowall of Crichen, Writer to his Majesty's Signet.

Tory having now a serious significance. Several anxious letters are preserved from the sheriff to Lord Stair, giving details of meetings of such of the baronage as favoured the Protestant succession, and of the steps they were taking to ensure a Whig candidate at the coming elections, begging him also to come at once to the country, "as I said in my last, that if your Lordship would but come here and stay a very short time, I am convinced your presence would solve all our difficulties;" and again on the 14th September, "if your Lordship come down the west road let me know and I will meet your Lordship a day's journey or two from Castle Kennedy, and give you particular account of some things, and what may happen."¹

The fact was that civil war seemed imminent, and to their horror the Galloway Whigs found that it had been seriously proposed to send a French expedition to Kirkcudbright in aid of the Pretender; and that that port had been deliberately chosen for five reasons. First, That the passage from Brest was easy, and the least guarded. Second, That it lay close to the country of the Maxwells and the Gordons, the Chevalier's warmest partisans. Third, That it would be an especially convenient rendezvous for North of England Jacobites and hordes of Irish Catholics. Fourth, That local levies would be easily mounted from the number of horses bred within range of Kelton Hill; and Fifth, That it would be peculiarly gratifying to the Presbyterians, hill-men, and Cameronians to see this confidence reposed in them by their lawful king. It seems curious that the last named could have had weight with astute politicians, and cause them to expect such assistance in opposing the Protestant succession.

It appears, however, that it had leaked out that Presbyterians generally were indignant with the united Parliament for having restored patronage, and that the Cameronians suspected King George's covert intention of restoring Episcopacy. But above all these rankling discontents, the Union itself was an

¹ Letter from Sir James Agnew to Lord Stair in unpublished correspondence at Oxenford.

open sore: the benefits which were to flow from it were as yet unrealised, Scotch money was drafted to England rather than English gold circulated in Scotland; Peers and Members of Parliament, subsisting at home mainly on their victual rent, spent the hard cash drawn from their Scottish estates in the English capital.

French wines and brandies, a source of some little commerce to Wigtown and Kirkcudbright, were arbitrarily prohibited, and barons and burgesses had alike to fill their cellars with worse and dearer wine than they had had before, whilst the very change in their currency—though a sound one financially—made them feel poorer, and, like all such changes, was unpopular. Besides there was no enthusiasm for George I.; his single claim to the Throne, that of being a Protestant, was neutralised by Presbyterian jealousy.

Had a landing in force immediately taken place, the Jacobite cause might probably have triumphed.

As respects Galloway, the Shire was pitted against the Stewartry—Lords Galloway and Stair, the sheriff, with the cadets of his house, Wigg, Sheuchan, Lochryan, and Dalreagle—Sir Alexander Maxwell, Sir James Dunbar, the Lairds of Barnbarroch, Garthland, Freuch, Ravenstone, and Castle Stewart, one and all, were Whigs for the nonce—staunch for the Protestant succession; Hamilton of Baldoon being the only Wigtownshire baron of importance who donned the white cockade. The Jacobites, however, mustered strong east of the Dee, including Lords Nithsdale and Kenmure, the Gordons of Earlston and Lagmore, Maxwells of Cardoness, Munches, and Carnsalloch, Fergusson of Craigdarroch, and many more.

For a year, however, the peace was kept, and though George I. had been everywhere proclaimed as King, the disaffected had been preparing for a rising. On the morning of the eleventh of October, William, sixth Viscount Kenmure, was “on and awa’” at the head of a goodly following in the cause of James VIII. Tradition has it that his horse, usually gentle and tractable, violently resisted his mounting it that morning; this was felt

to be a bad omen, but he was encouraged by his wife (Mary Dalziel, sister of Lord Carnwath) to disregard it, and unfolding his standard of blue silk wrought by her hands with gold, bearing beneath the Thistle and St. Andrew the motto "No Union," he rode off, though somewhat discouraged.

Among the baits to attract recruits in Galloway were banners engraved with such mottoes as these; "Religious liberty!" "Tuns of French wine!" "A Scottish Parliament!" "No exportation of Scotch gold!" which took so readily, that had there been brains to direct the movement, the rising might have been successful. Lord Mar, the acknowledged leader, was quite unequal to the occasion, and his other lieutenants mostly resembled Kenmure, a middle-aged and deservedly popular country gentleman, without the slightest military knowledge or organising powers. But whilst one gallant Galloway peer thus headed a large contingent for the rebellion, another Galloway lord proved more than a match—not for him and Mar alone, but—for all the intriguers at the French and English Courts. That man was Lord Stair; appointed Ambassador to Paris in the nick of time, he kept his Government thoroughly informed of what was going on, and thus enabled them to baffle plans which might have succeeded if undetected.

In addition to diplomatic and military talent, Lord Stair developed social qualities of a brilliant order. As an example: Louis XIV. being dead, he knew the Duchess of Maine to be cognisant of various intrigues in favour of the Pretender; a meddler in all such matters, yet remarkably circumspect, and known to possess unlimited influence over the Regent. Stair felt she must be gained; but how to do it?

She was fond of his society, enjoyed his conversation, but was quite a match for himself in the use of words for concealing thoughts. Her one weakness was gaming. Stair watched his opportunity, and purposely lost a large sum to her at play. He was thus for the night installed in her good graces. He sat by her side, and they became confidential; he ceased to play; soon all her winnings from him had gone to others. He kept her

supplied; a bad run of luck dissipated rouleaux of gold, which one after another he slipped into her hand, and still she asked for more. The evening closed. Stair chuckled as he thought he had a score against her it was impossible for her to pay. Early next morning Stair received a message from the Duchess to come to her at once. He obeyed, and was somewhat startled at finding himself ushered in alone to the bedroom of a Princess of the Blood. "My Lord," said she sobbing, "let me entreat you to keep my debt to you a profound secret. It may be long before I can repay it, but I would not have it known for all the world."

"Madam," replied Stair smilingly, "let me entreat you not thus to put my memory on the rack. It is a disagreeable recollection. I had already forgotten it myself. The secret rests with your Royal Highness, pray do me the favour never to allude to it again."

The humbled *intriguante* knew too well what was expected. The price for information had been paid, and by her code of honour she must impart it.

In blushing confidence she revealed to the Ambassador plots of the Swedish Court in concert with France in favour of the Pretender; and within a few hours full details of these were already on their way by special messenger to London.

When the rising had actually taken place, Lord Stair wisely wrote to the Duke of Montrose, urging him to impress upon the Government "not to be in too great a hurry to run their heads against the rebels when they had their bellies filled with beef and their heads with beer. Rather let them give them time, for they would feel strong at setting out, but when they had lain a week or two under a hedge on November nights, it would be easy dealing with them, and their army would melt away in a fortnight."

Lord Stair had, by intelligence sent from Paris, enabled the Government to frustrate all attempts at reinforcements by way of Galloway. Admiral Sir George Byng effectually barred the way between both Havre and Brest and Kirkcudbright. Mean-

while the sheriff, supported by Lords Galloway and Cassilis, and Eglinton in Ayrshire, organised measures for the defence of the western shires, and brought the Presbyterian ministers to see the folly of allowing themselves to be duped by Jacobite promises, and throwing their influence into the scale against the Protestant succession. The surrender at Preston almost simultaneously with the battle of Sheriffmuir (17th Nov. 1715) occasioned the total collapse of the Jacobite cause. Order was restored in Galloway, the general satisfaction only being marred by the bloodthirstiness of the ministry in bringing Lord Kenmure to the scaffold. All cause for alarm was at an end; and in a manly letter to the Government, he stated that he had honestly thought that the feeling of the country was with the Pretender; that being convinced of his mistake, he was ready to take an oath of allegiance to a king chosen by the nation, which there can be no doubt he would as honestly have kept. His execution was not only an act of cold-blooded cruelty, but a political blunder.

Basil Hamilton of Baldoon was also sentenced to death, but he was reprieved, and his estates restored. In 1744, his son succeeded as fourth Lord Selkirk. Much local sympathy was felt for Lady Margaret Stewart, wife of the fifth Earl of Southesk, who was attainted, and only saved his life by flight. His Countess was received by her father at Glasserton, and eventually got leave to join her husband in France.

A memorandum among the Monreith papers shows the state of uneasiness in which society had been. Travelling even for a gentleman armed and well attended was unsafe. Sir William Maxwell makes this entry in a house-book: "Monreith, 27 Oct. 1715. Returned from my intended journey to Edinburgh, being stopped by the Highlanders coming to Leith.¹ My expences on that fruitlesse journey, £11 : 5s. 11d."

¹ The return as to the value of forfeited estates was: Lord Kenmure, £538 : 8s. 4d. sterling per annum in money; in kind, £62.

Of Baldoon, £1225 : 15s. 8d. sterling money rent per annum; in kind, £269 : 18s. 6d. After his condemnation a portrait of Lord Kenmure was painted in the Tower of London. An interesting legacy to his heirs.

CHAPTER XLII

INNERMESSAN

A.D. 1716 to 1725

And he might dream
As it might seem
 But 'twas but Galloway ;
The Nith, the Cree, the darling Dee,
 Was seen a-rowing sweet,
And just below each wamplin' flow
The Minnoch and the Fleet. M'TAGGART.

THE alarm of rebellion in 1715 occasioned an augmentation of the army, and the young Laird of Lochnaw, who was on half-pay, received a company in Colonel Pococke's regiment.¹ He did not, however, much fancy the corps, and effected an exchange into the Scots Fusiliers, with which he had been long brigaded under Marlborough. His commission, signed by Mr. Secretary Craggs, bears that he is appointed to command "that company of one Royal regiment of North British Fusiliers, whereof John Douglas, Esq., had been captain." This famous corps had borne the brunt of the action at Sheriffmuir, having had four officers and 88 sergeants and rank and file killed, besides many wounded. Their colonel was Charles, 4th Earl of Orrery, distinguished as well in the scientific as the military field. It was a curious coincidence that this corps, which owed its origin to the 10th Earl of Mar, should have assisted so effectually in

¹ Whether this were the 2nd battallion of the 2nd Queen's Royal, or the 8th King's Regiment (with both of which General Pococke was connected) we cannot discover.

quelling the rising of which his son the 11th Earl was the leader.

Lord Stair, according to the habits of the times, had been removed from the command of the Scots Greys by the Tory Government of Queen Anne. But on his friends returning to power, he at once received the colonelcy of the Inniskillen Dragoons, and we find the sheriff requesting him to notice a son for a cornetcy by purchase in his corps.

SIR JAMES AGNEW, BART., TO THE EARL OF STAIR.

“Lochnaw, Jan. 31, 1718.

“I presume to give your Lordship the trouble of this in behalf of my second son Patrick,¹ who hath studied the law for some time, and hath got a very liberal education for fitting him for that business, having studied the law for some years at home, and went thereafter to Poictou, in France, where he plyed the law pretty close for two years. Since his coming home he had still inclination to prosecute that business, and to enter advocate, but is very much discouraged from that by reason that there are already too many of that profession; for there is not one-third of that employment that are able to gain their bread by it, and even of that number the most part are such as have good estates, and are able to live upon their own till such time as they come into business; and indeed they cannot propose to come into business for a good many years after their entering. Your Lordship knows very well my circumstances; I having a numerous family cannot now, after so expensive an education given to my son Patrick, though I were never so much inclined, provide him suitably as he ought till such time as he may reasonably propose to come into business, and for that reason, my son hath, with my approbation, turned his thoughts towards the following of the military. I should be very glad to have your Lordship’s approbation of this design; and as it is my son’s

¹ As a witness to a deed a year after, he is described as “Coronet Patrick Agnew, second lawful son to Sir James Agnew, in the regiment the Right Honourable the Earl of Stair his regiment of dragoons.”

inclination to serve in your Lordship's regiment, so I persuade myself he will be acceptable to your Lordship. I earnestly beg that your Lordship would add this obligation to the many favours you have honoured me with, of letting my son have the offer of purchasing the first cornetcy that falls in your Lordship's regiment, at the price you may have from any other. My wife and I beg that our most humble service may be acceptable to the Countess of Stair and your Lordship."

This letter was presented to Lord Stair at Paris under cover of his relation, Mr. Robert Dalrymple, who writes as follows:—

"My Lord, the enclosed comes from Sir James Agnew of Lochnaw, he tells me he thereby desires of your Lordship that his second son, Mr. Patrick, may have the offer of the first cornetcy that falls vacant in your regiment. I need not use arguments to persuade your Lordship to do a thing which I persuade myself will be otherwise very agreeable to your own inclinations. Sir James Agnew hath been ever very ready to serve your Lordship or any that you were concerned in . . . his son Mr. Patrick is my very good acquaintance. Sir James hath given him a very liberal education, which I hope will fit him very well for the business and the conversation of the best folks . . .

"Edinburgh, 4 Feb. 1718."

Sir James further writes two months later :

"Lochnaw, 14 April 1718.

"My Lord . . . I am informed that Captain Sergeant designs to sell, and that one of the officers in your Lordship's regiment is to be the buyer, so that there will be a cornetcy vacant, and if your Lordship would allow me to be the purchaser for my son I would take it as a very great proof of the continuation of your Lordship's goodness and friendship to me. My wife and I begs that our most humble service may be acceptable to my Lady Stair and your Lordship.

“I entreat your Lordship to be so good as to honour me with an answer, who am, your Lordship, etc. J. AGNEW.”

The request, a sufficiently modest one, was granted. The sheriff also purchased cavalry commissions for his sons George and James; the latter in Kerr's dragoons (afterwards Cope's) and now known as the 7th Hussars. Also an ensigny in the Royal Scots for his 6th son, Alexander, and later a cornetcy for his youngest son in Cadogan's dragoons.

During the absence of its noble owners, Castle Kennedy was this winter totally destroyed by fire. The Countess-Dowager of Stair thus narrates the misfortune to a friend:—

“3 Nov. 1716.

“Upon Saturday last Castle Kennedy was burnt. I have no account of the way it was done, but only the maid had put a fire in the drawing-room for airing the room, and went to bed after she had put out the fire. However, in the night it broke out and burnt all, so as they had much difficulty to make their own escape, and could save nothing except my son's picture, and two more. I know he will be concerned, because Castle Kennedy was his favourite house he had in the country; but we must all submit to the Providence of God.”

In 1718 Sir James Dunbar died, “the Big Baron of Mochrum.” There is a whimsical tradition that when the countryside had gathered for the funeral it was found impossible to remove the coffin by the staircase, or even through the window. And in the dilemma that a hole was broken out in the wall, in confirmation of which an aperture is pointed out in the ruined gable. The question, however, naturally suggests itself, How was it got in?

Sir James was succeeded by his son, Sir George, the young sheriff's comrade in the Greys, on whose gold watch a French bullet had struck and flattened at the battle of Blenheim, a relic still preserved by his descendants. Sir George Dunbar disposed of the remainder of the Mochrum estates, partly to Sir

Alexander Maxwell, and partly—and this including the old place—to Colonel Dalrymple of Glenmuir, through whom it passed to the Earls of Dumfries, now represented by the Marquis of Bute.

The marshy ground round Mochrum Loch is called Gargrie Moor. The island opposite Scart Island. The propriety of the name is vindicated by the great resort of cormorants to the spot, “gairg” or “gairgrie” being the Celtic for a cormorant or diver.

A sister of Sir George was married to James Agnew the sheriff's son. On the 19th of October 1718 the sheriff, adjusting the Roll of Electors, added the name of Colonel William Dalrymple of Glenmuire, he producing a charter and sasine of the lands and barony of Slewdaech.¹ His eldest son eventually succeeded as Earl of Stair as well as of Dumfries.

At the next adjudgment of the roll at the Michaelmas Headquarter Court, 13th October 1719, is the entry: “the said day there is produced charter and seizine of the lands of Baltier in favour of Captain Andrew Agnew, younger of Loch-naw, whereupon the said Sir James desyres his said son to be added to suit roll of the Barons of the Shyre.”

Whilst Sir James vigorously pursued agricultural improvements, his kinsman William Agnew developed a taste for landscape gardening at Castle Wigg, the first movement in that direction of which, however humble, there is any record in the shire. It is thus reported on by an eye-witness:—

“About the year 1722 William Agnew of Castle Wigg began to plant upon his estate, and may be considered the father of this important species of improvement in this neighbourhood. Here an attention to the beautiful and useful appears to great advantage in the spring and early summer, when the larches and cherry trees adorn the verges. The venerable old Castle exhibits a view of the state and hospitality of the Scottish

¹ Slewdaech, now Bardeoch, New Luce. Slibh—and Bar—being nearly synonymous. Slibh, or Barr da each=“the hill top of the two horses.” So Aghadaugh, West Meath, and Clondelara, “the field and meadow of the two horses” and “the two mares.”—Joyce, i. 258.

barons. The lodging rooms are numerous, and large for the time in which they are built. The garden is large and in the ancient style; well provided with fruit; the box hedges and yews remarkable for their beauty, and several curious plants flourish here.”¹

Lord Stair had meanwhile married Lady Eleanor Campbell, daughter of Lord Loudoun by Lady Margaret Montgomerie, aunt of Lady Mary Agnew, and widow of Lord Primrose.

The Earl carried himself with much magnificence as British Ambassador at Paris, and, what gave great satisfaction to many in Galloway, brought his influence effectually to bear in favour of the Huguenots, who had lately been persecuted with fiendish barbarity.

The chapel of the English embassy was recognised as an asylum for Protestant worshippers, and Lord Stair, finding that, notwithstanding, persons had been arrested for attending there, protested with such vigour that he not only obtained their release but an official promise that no one in future should be molested for resorting there.

Whilst at Paris, Lord Stair lost a favourite dog, which large offers of reward failed to recover. Some time after, whilst travelling in the provinces, he arrived at night at a solitary inn. The house was large and rambling, and his attendants' apartments at some distance from his own. Whilst being served with supper, a dog rushed in, which, to his surprise, he recognised as his long-lost favourite. Proceeding presently to undress, whenever he approached the bed the dog showed great uneasiness: grumbling and even struggling to keep him off it. His suspicions aroused, he looked well to the priming of his pistols, flung his portmanteau upon the bed, and retiring to an easy chair dozed by the fire, the dog lying contentedly at his feet. Presently he was roused by the dog jumping on his lap and growling, and, looking up, he saw the bed sink silently and slowly into the floor. With great presence of mind, he rushed out of the room before it had disappeared, procured assistance,

¹ *Old Statistical Account*, vol. xvi. 279.

and searched the premises, which were found empty. Next morning the police were put upon the scent, and it was discovered that a system of robbery and murder had long been carried on here undetected; and had not the brigands happily taken a fancy to his dog, his Excellency might have met with a fate which would have remained a mystery.

This strange story is supposed to have some confirmation from the fact that, in a picture of the Earl, by Kneller, at Lochnaw (and of which there are several replicas in the country), a dog—said to be this very dog—figures prominently in the foreground.

In the year 1720, Lord Stair was superseded by Stanhope, owing to a quarrel with Law, a Scotch charlatan, for the moment all-powerful with the French ministry. Lord Mahon puts it rather unfairly as to his ancestor:

“Stanhope’s journey was to re-establish harmony, but finding the two Scotchmen irreconcilable, and one supreme in France, he recalled Lord Stair.”¹ As if the two antagonists had been on a level.

Stair, in a manly way, writes to Mr. Secretary Craggs, “I don’t regret being relieved from a post which was becoming difficult and delicate, though the manner of it has not been too gracious.”²

Stair’s reputation as a statesman was soon amply vindicated; the failure of Law’s celebrated Mississippi scheme, which at first had enriched many of the French ministry, utterly ruined thousands of families and brought the Government of France itself to the verge of bankruptcy.

For nearly twenty years after this, Lord and Lady Stair lived in comparative retirement between Newliston and Castle Kennedy, where he energetically devoted himself to planting and estate improvements.

The grounds of Castle Kennedy were laid out on a formal design almost unique in extent: a surface of 70 acres of kept grass being cut into every conceivable form of buttress, bastion,

¹ Lord Mahon’s (Earl Stanhope) *History of England*. ² Stair’s *Annals*, 244.

amphitheatre, and slope. The design is original, and we are glad to have recovered the name of the gardener, Thomas M'Call, who superintended its arrangement. In an instrument of seizure, in which the young sheriff is put in possession of certain lands for his wife's dower, signed at "the Manor Place of Innermessan," the 13th February 1720, is: "Thomas M'Call, Hortario apud Castle Kennedy."

This quotation from an unimportant deed has incidentally a double interest, as the first time we find mention of a professional gardener in Galloway, and as the last in which the Agnews were owners of the old Keep.

According to the habit of the day, Lord Stair, as colonel, provided quarters and maintenance for his regiment, where, whenever the exigencies of the service rendered it possible, the horses were turned out to grass and fatigue parties of the troopers were made generally useful, whether in the garden or farm.

Castle Kennedy, his favourite residence, being now roofless, the only neighbouring buildings offering sufficient accommodation for Lady Stair were the barracks at Culhorn; to utilise which he entered into treaty with the sheriff, with a view of acquiring his Castle of Innermessan for the dragoons. A bargain was presently concluded, by which the castle and lands contiguous to Innermessan were exchanged for others in possession of Lord Stair. The first proposal was that these latter should be Balquherry and Berbeth, but this fell through in a somewhat comical way. The tenant of Balquherry, a noted character, highly resented the idea of being thus transferred from one owner to another, without having his say in the matter. Hurrying to Castle Kennedy, he waylaid my lord, who was starting for a walk with an English friend, and at once opened fire; in his excitement flinging his plaid over the stranger's shoulder, saying: "There, man, haud my plaid and staff whilst I speak to milord." Upon the Earl he turned with the bitterest sarcasm, commencing, "A wise man abroad, a fule at hame!" "Why?" said Lord Stair, who

delighted in a character, "What's the matter now?" Again the old man repeated, even more emphatically, "A wise man abroad, a fule at hame! Ye'd gie the broad bogs o' Berbeth, that would carry leek and onion, for the stunted knowes o' Innermessan! Ye'd swap away the howes o' Balquherry for the scabbit braes of Inch. Fye, milord, fye!" The Earl, accustomed to take the measures of men, took the rebuke meekly, telling old Balquherry, laughingly, that he should inquire further about the matter. His mission accomplished, Balquherry turned to claim his property from the stranger, who handed it back to him with an affectedly low bow. The old man saw he was being laughed at, but was quite a match for the courtier. "Be cautious, sir; be cautious. Maybe ye'll have less manners when ye've more need for them."

This visit, we are traditionally assured, achieved its purpose. Lord Stair determined not to part with Balquherry, proposing to Sir James Agnew that he should take Larbrax in its place. Sir James made no difficulties, simply conditioning that there should be acre for acre: with the result that the family are now in possession of a favourite grouse moor and a picturesque range of coast scenery, but of a very inferior market value from the lands of Auchrochar and Innermessan.

A collision of "Old Balquherry" with the minister of Leswalt is the subject of another story. The latter, during many consecutive Sundays in a very dry summer, had been praying earnestly for refreshing showers. But one morning, as he was entering the door to conduct the service, he was stopped by Balquherry, who excitedly exclaimed before all the congregation: "At your leisure, sir, wi' your refreshing showers; the hay o' Balquherry's no a' gathered in yet."

Whatever part Balquherry really had in the transaction, the Earl was much delighted with his bargain. His military eye had taken in the capabilities of the manor house, and he at once set about fitting it up for his dragoons; and both men and officers were well pleased with their new quarters. His

major, Lord Balcarres, writing officially, says: "The troops are very well lodged at Innermessan; it will make a very good barrack, and is a very proper place for it."

Sir James and Lady Mary being the last of the Agnews who kept house at this classic spot, we may endeavour to preserve the few historic notices and traditions attaching to the strength possessed by the sheriffs for so many generations.

The Moat Hill evidently was the construction in connection with the *Caer-Rheon* or *Rerigionium* of the *Novantæ*: the only town and port of note in the *Rhynns* as known to *Agricola*. The said Moat, which could have been of no possible use as a defence, yet carefully shaped and constructed, was doubtless a place for the administration of justice. In 1426, we have seen it designated "A Borough," with Sir Alexander Campbell as its provost; about which there is a certain mystery, but that it is so stated is indisputable. In that year we find the first hereditary sheriff acquiring a mill, with various adjuncts to a baronial residence, from burgesses of the Borough of Innermessan.

Symson, writing in 1684, says: "Near Lochryan, two miles distant from the kirk of Inch, is the house of Indermassan, belonging to Sir Andrew Agnew of Lochnaw. Here," he adds, "was a little hamlet or village, which of old was a most considerable place in the *Rinds* of Galloway, and the greatest town thereabout till Stranrawer was built."

An old man, alive in 1862, and then in his 96th year, distinctly remembered the ruins of the feudal keep, after having served as a cavalry barrack, which, though falling into decay, extended over a considerable surface.

Several Earls of Stair in succession being non-resident, the materials were freely used as a quarry by the whole countryside; the entire steading of Ballyett having within his recollection been reared at the expense of the "auld wa's."

This statement was taken down on the spot, he adding: "That there were fourscore houses of the better sort having

brewing kettles within that time, and that the boatbuilders at Innermessan were famous.”

It is thus noted in the *Statistical Account of Scotland*: “At Innermessan is a large circular mound called the Moat, its circumference at the base is 336 feet, and from the foundation to the top is 78 feet. The name Moat, a Saxon word, would seem to indicate that it was a place of judicial assembly. The Foss would lead us to believe that it had been used as a fortalice, or place of defence. This Innermessan was the site of the ancient Rerigonium, a town of the Novantæ. It was situated on the Rerigonius Sinus, the modern Loch Ryan. In subsequent times there was a town and castle of Innermessan, the castle belonging to Sir Andrew Agnew of Lochnaw. The town of Innermessan seems to have been the most considerable place in the Rhyngs of Galloway. Every vestige of the town and castle is now obliterated.”

Caer Ryan or Rerigonium lay within a mile of the Deil's Dyke, whence the allusion in Taliessin :

The funeral pile of Run is between Caer Reon and Caer Rywg, the latter meaning the fort on the Crawick, *i.e.* Sanquhar, the eastern fort, as Rerigonium was the western of that singular barrier.

It is mentioned in a rhapsodical passage in the *Hoiannan*, in connection with an attack of Rhyderch Hael upon the Galloway Picts.

Listen, O little pig, hear thou the melody,
And the chirping of the birds by Caer Rheon.¹

Rheon or Rioghan, names not only the lake but a ford. “Rhyd Rheon,” several times mentioned by the bards, which we imagine to be connected with the Scar, whence some legend of his fording the loch.²

¹ *Black Book of Caermarthen*, 18.—(Four Ancient Books, i. 482.)

² Until Cadwallader comes from the conference of Rhyd Rheon.

Avellanow, Merlin.

Mr. Skene identifies this with Loch Ryan.

In connection with a former quotation, we have the line in "The Verses of Graves,"

Run his name, a Chief was he, Riogan pierced him.¹

Early in mediæval times, the Marches of the Galloway Picts were extended northward; and the old Fort, in the days of the early sheriffs, was an important position as commanding the road through Ayrshire to the north, and was often the rallying point whence issued skirmishers,

In jacks and scyppis and bonnets of steel,

eager for the fray.²

Almost within gunshot of Innermessan stood Craiggaffie, unlike its more pretentious neighbour, which stood out as a landmark from Loch Ryan, courting security by nestling in a hollow. A curious story connected with the two houses turns on the beauty of the daughter of a sheriff's clerk, said to have been resident there in its later days.

Great was the fame of this fair maid; and such was the influence of her charms that lovers of all ranks were at her feet; all the unmarried lairds in the countryside were her wooers, and even the married, it would seem, could not always escape the spell.

Amongst these suitors were Neilson of Craiggaffie, and a young Ayrshire laird, who often met within the castle walls. The ardent Ayrshire man deemed himself the favoured lover, and not without cause; for Neilson was not only far his senior, but already had a wife. Hence hope beamed brightly on his path, and he felt little uneasiness at the presence of his rival.

But one morning the startling news came to this enamoured youth that Neilson's wife was dead; and the man of Carrick

¹ "Verses of Graves," 61.—*Black Book of Caermarthen*, 19.

We also have: "The grave of Cynon is on Rhyd Rheon."

² Cairn Ryan has no further connection with Caer Rheon than that which it has in common with Loch Ryan. The fort and loch are both named from Rheon or Rioghan, a mythic chief; the Cairn sprang up as a village in modern times, from having a good anchorage and deep water, and as more distinctive came to be called Cairn Ryan, from standing on the loch so called.

bethought him that he ought not to feel too secure against the widower's rivalry.

At least he was safe, however, for the week before the funeral! and hurrying to Innermessan, he pressed his suit so vigorously that the maiden consented. Overjoyed at his good fortune, he strolled musingly on the beach, when his day-dreams were disturbed by the sound of horses' hoofs; then, to his dismay, he saw the crafty laird (who had made a sudden sally from his den), before his very eyes, bear off the "*clerk's daughter*" in triumph to Craigeaffie, where the former mistress still lay unburied in her coffin.

The disconsolate wooer rode home at full speed, and collecting a band of friends, galloped back *madly* with them to Craigeaffie, where he imperatively demanded the surrender of his affianced bride. But he was too late. Old Neilson was a widower no longer,—having solemnised his wedding before the funeral day came round. Addressing the party from a pepper-box turret, he sarcastically begged them not to disturb his honeymoon; regretted his inability to offer them a dram, but hinting that if they meant fighting, there were as good men within the castle as there were without.

The band of volunteers felt the full force of the bridegroom's logic, and, unlike the jilted lover, rather inclined to treat the matter as a joke. He too at length was perforce obliged to move off, muttering threats to which the bluff laird paid little heed, being thus left in undisturbed possession of the bodies of both his wives.

Of the boat-builders for whom Innermessan was famous was one well known as Peter, who to knowledge of his craft added the gift of second sight, and was reputed to have an evil eye—in short, a warlock. Once upon a time the said Peter was employed to build a boat at Ballantrae. As he busily shaped the timbers, surrounded by many lookers-on, a rider was seen descending Drumconal at a tremendous pace, and approaching the ford of the Stinchar. (This was many a day before the bridge was built.) "The laddie goes hot-foot," remarked one of

the idlers. "Does he?" rejoined the seer; "he'll just bide there a bit." Peter then laid his enchantments upon him so effectually, that the man's horse was arrested in his stride; his hind hoofs fixed in the ground; his forelegs curved in a semi-circle; rider and steed were rooted to the spot in such an attitude as we have been accustomed to associate with another great Peter's statue on the Neva. Then Peter of Innermessan, having gratified his audience with this interesting tableau, coolly proceeded with his work, until presently it pleased him, with a muttered "Gang yer gate!" to allow the rider to proceed upon his journey.

The fishermen of Ballantrae, superstitious like others of their calling, chuckled at the idea of the luck that must attend the boat built by so powerful an enchanter; but their hopes were short-lived; for as the wizard received the stipulated sum into his palm, and turned to trudge homewards, he vouchsafed the unwelcome hint as to the future—"That boat will droon her fu'"; and so it occurred in due course. One calm evening, the vessel, with an unusually large crew, was nearing the shore, when a sudden squall drove the party out to sea. Night coming on, no assistance could be given; and neither boat nor fishermen were ever heard of after.

Peter's doings were well known nearer home. As he was riding once into Stranraer, he pulled up at the Sandmill, to ask two women thrashing in a barn to give his horse a sheaf of corn; they turned a deaf ear to his request, upon which Peter stuck, unobserved, a little pin into the thatch above the door, and entered a neighbouring house, where, being better known, he was well cared for, and propitiated by a jug of home-brewed ale. As he sat in the doorway with his hosts enjoying the treat, he looked maliciously towards the barn where he had been rebuffed; and there the poor women toiled on, belabouring the sheaves with might and main, but not a single grain of corn could they extract from the straw; and thus perspiringly they laboured to no purpose, till the terrible man, mollified by his potations, chose at last to rise and extract the mysterious pin,

muttering perhaps, "Patience, good ladies, wizards know their times!"

Thus the sheriff surrendered the lands "lying between the torrents," as acquired by his ancestors as early as 1426. Quitting "all and hail the principal place of Innermessan, Tower and Fortalice, with the office houses and yards thereto belonging."

The contract of excambion, as registered, bears that, "At Stranrawer and Lochnaw, the fourteen and fifteen days of October 1723, it is contracted, agreed and ended betwixt the parties following, to wit the R^t. Hon^{ble}. John Earl of Stair (etc.), on the one part, and Sir James Agnew of Lochnaw (etc.), with advice and consent of Lady Mary Agnew, for all rent and annuity, and Captain Andrew Agnew younger of Lochnaw, with special advice and consent of Mrs. Eleanor Agnew his spouse, on the other part, viz.—

"Lord Stair receiving from Sir James the lands of Garchlery, the Castle of Innermessan, roods and yards thereof, with the lands of Carnerzan, Auchrocher, and Kirkland, and the mill called the Sand Mill (besides various other house properties) at Innermessan; and the superiorities of the lands of Ayne and Cardryne, in the parish of Kirkmaiden; with towers, fortalices, manor-places, biggings, yards, and orchards, etc.; the Sheriff of Galloway receiving from Lord Stair the lands of Craigoch, of Meikle and Little Larbrax, and a part of the Galdenoch, with salt for moor."

Garchlery is now mapped Garthlery, an instance of how easily corruptions slip in when in a language not understood. Garthlery would mean "The Mare's Paddock," whereas the real name, as shown by many charters at Lochnaw, is "The Cleric's Enclosure" (Cleirech); the authenticity of the name further vindicated by the clerical name Culcaldy (Cuil Celedie, Cella Colidei), "the angle or church of the Culdee."

About this time the sheriff was much gratified by his son James's marriage with Margaret, daughter of Mr. Thomas Wilkinson of Kirkbrig by Mary, daughter of William Ramsden

of Byrom, both in Yorkshire; the lady eventually becoming a co-heiress, and bringing her husband a good estate at Bishop Auckland, County Durham.

This, however, was followed by a serious affliction in 1724,—the death of his son Alexander in a duel, followed by a sensational trial, rendered if possible more distressing by the fact of the antagonists being intimate friends, and the cause of the quarrel ridiculously petty. We copy an account of the unfortunate affair from *The Daily Journal*, Thursday, 6th August 1724:

“On Tuesday night Major Harrison and Captain Alexander Agnew, half-pay officers, drinking at Lubeck’s Head Tavern in Maiden Lane, near Covent Garden, quarrelled and fought about a dispute upon Bishop Burnet’s *History of his Own Times*.

“The Captain was run in six inches deep near the left pap, and died as he was carrying home to his lodgings in Pall-Mall, having before generously forgiven the Major, and declared that the misfortune was of his own seeking. The deceased was formerly in the Earl of Orkney’s regiment, and is a son of Sir James Agnew, Baronet, now Sheriff of the County of Galloway. Major Harrison was committed to the care of a constable.”

Parker’s *London News*, of 7th August, further adds: “Major Harrison is brother to the Lord Viscount Townshend. Mr. Alexander Agnew and he had always been reckoned intimate friends, and we hear that the former was to go to Vienna as Resident and the latter as his Secretary.” And further, 14th August: “Yesterday came on the tryal of Major Harrison for killing Mr. Agnew in a duel. Great numbers of the nobility and gentry appeared in Court. It appeared that the Major was forced in his own defence to commit the act, and the jury brought in their verdict accordingly.” “It appearing,” says the *Weekly Journal*, “that the deceased gave the affront, and first drew his sword.”

The same year the sheriff signed a deed of assignation of “all and sundry his lands, Hereditary Office of Sheriff, and other offices and professions, to his eldest son; reserving to

himself liferent of the lands, and to Lady Mary Agnew, his lady, her liferent of such of the said lands as she was provided in conform to her contract of marriage.”

And the following year his will was thus drawn :

“ I, Sir James Agnew of Lochnaw, being somewhat infirm of body but perfect in memory and judgment, doeth resolve for settling of my worldly affairs to make my latter will and testament, and I appoint Patrick, James, George, and John Agnew, my lawful sons, and James Agnew, son to Captain James Agnew, in Collonel Kerr’s regiment of dragoons, my grand-child, my full and only executors and full intromettars with all and haill my goods, gear, horses, mares, nolt, sheep, corns, cattell, insicht plenishing, gold, silver, debts, and soumes of money, bonds, bills, and all other goods and gear whatsoever presently belonging to me.”

The deeds are witnessed by “ Colonel Andrew Agnew of Lochryan and Mr. Andrew Ross of Balsarroch [his factor], James Ross, my servant, and Alexander . . . , Stranrawer, 26 Feb. 1725.”

He however survived a good ten years after signing his will, though he gave up the enjoyment of his house, as well as his offices, to his eldest son and his family; he himself henceforward residing principally in Edinburgh.

On assuming the sheriffship, Captain Agnew was assiduous in discharging the duties entailed thereby, involving no small amount of locomotion, as he himself spent the greater part of the year with his regiment, whilst his wife, from family circumstances, had to be much at Richmond. In the one year 1724 we find the young sheriff holding his courts in person at Wigtown no less than four times: namely, January, July, November, and December.

These attendances must have entailed many long hours in the saddle from distant quarters, riding being the only means of locomotion. What specially occasioned his summons to Galloway at the two dates so closely following in the depth of winter, was the information of outrages of a very daring

character perpetrated in the Stewartry by two secret societies—ominously named the “Levellers” and “Houghers”—whose organisation was spreading in the “shire” and occasioned general alarm.

The discontent which led to the movement arose strangely—as formerly suggested—from the spirit with which improving proprietors were pushing forward the enclosure of their lands.

Just as in later times it was the instinct of weavers to burn the spinning-jennies which rendered the production of their staple the easier, so the Galloway hinds, whose bread had been earned for many months in the year by “wearing the corn” and herding in general, saw with consternation dyke after dyke rendering such labour unnecessary, and vowed they should come down.

Their worst passions played upon by “changehouse orators,” the wilder spirits of the district enrolled themselves in bands, and were regularly drilled by men who had served as soldiers. Among the most notorious of these was Billy Marshall, the gipsy king already mentioned, who could claim to have been a comrade of the sheriff under Marlborough.

When fit for service each man paraded with a staff eight feet long, fell into ranks like soldiers, then marched silently towards the fated dyke. The captain placed them carefully at regular distances, making each “fix his kent” well under the foundations. Then the word of command rang out, “Owre wi’ it, boys!” and over it went, a cheer accompanying its fall that might be heard for miles.

Unpleasant to landowners’ ears as were such sounds which woke the echoes of the night, they carried less dismay than the dismal apprehension of the silent nocturnal butcheries of the “Houghers.”

Hurtful passions are generated by illegal combination, and the men who had graduated in the school of the “Levellers” connected with which was a certain wild good-humour, developed into full-blown ruffians when they turned into

“Houghers” and wantonly mutilated the very beasts they claimed the privilege of tending.

Mr. Maxwell of Munches writes: “I saw with my own eyes a mob with pitchforks, gavelocks, and spades level the park dykes abune Calzie and Munches. They passed by Dalbeattie, and did the same at Netherlaw and Dunrod. The proprietors rose with their servants and dependents to quell the mob, but were not of sufficient force to do it, and were obliged to send for two troops of dragoons from Edinburgh.”

Lady Jane Maxwell writes from Monreith to her husband, then attending Parliament in London, that the tenants on the estate, arranged in parties to relieve one another, patrolled the grounds of Monreith every night; but that, notwithstanding all precautions, seven of their cattle had been already found “houghed” in their enclosures without their being able to prevent it, or even to get a clue to the culprit.

In Sir Alexander Maxwell’s account-book is an entry: “6 Dec. 1724. To my expences at Wigtown, about the Levellers’ doing, £2.” And again: “4 June 1725. My wife’s account of expences to discover those who hacked and destroyed the cattle, 11s.”

As bards of old had braced up Pict or Scot to the tug of war, so the fancied grievances of the rioters were sung or recited in the ale-house; and though the productions of these poetasters might seem miserable doggerel to a sober man, they lashed the passion of a “Hougher” in his cups into fury.

Against the poor the Lairds prevail
 With all their wicked works,
 Who will enclose both moor and dale
 And turn cornfield to parks.
 The Lords and Lairds they drive us out
 From mailings where we dwell,
 The poor man cries, “Where shall we go?”
 The rich say, “Go to hell.”

In Wigtownshire the sheriff, with the officials at his command, was able to cope with the rising without even asking for the assistance of Stair’s dragoons, who lay at Inner-

messan. But in the Stewartry the authorities were obliged to call in the aid of large parties of the military, both horse and foot.

At Culquha¹ in Tunglan a party of rioters made a stand against the troops. As a matter of humanity, the major commanding encouraged a deputation of gentlemen to meet them with a flag of truce, which resulted in many of the men disbanding. Some of the more desperate characters, however, at last joined issue with the soldiers at Duchrae, near the Blackwater of Dee. There they were totally routed; some killed, 200 taken prisoners, of whom some suffered longer or shorter confinement, and some were banished to the Plantations.

Following these unhappy tumults engendered by ignorant impatience of improvements, it is pleasant to be able to mention a new departure in agriculture which brought no heart-burnings in its train: the planting of the potato. The enterprising person who naturalised this esculent in Galloway was William Hyland of Kirkeudbright; and so much prized were the tubers even on their first appearance, that for several years his whole crop was bought eagerly up for Edinburgh, where it was retailed by weight, calculated in ounces!

It is difficult now to realise how the poor existed at all without the potato.

In 1725 Captain Thomas Agnew died, affectionately nursed by his daughter Eleanor. He had had a son, Thomas, who, had he lived, would have inherited the Loch Ryan estate; but he died before his father, from the effects of a fall from his horse. Captain Agnew had amassed a considerable fortune, when in an evil hour he was induced to become a shareholder in the South Sea Company of melancholy celebrity, "The Bubble" which in 1721 burst, and brought disaster to all connected with it. Harassed by untoward circumstances, soon after this misfortune he died, leaving his daughter sole heiress to his belongings, which included little besides his Richmond villa, with its

¹ Cul Caedh, "back of the quagmire." Caedh, qwaw (*d* being silent) is a living word in the Galloway vernacular.

grounds and furnishings. Among his few assets we find inventoried :

“£200 stock of the late Co-partnery of Freeman Burgesses of the Royal Boroughs for carrying a Fishery.

“£111 contained in a bill drawn by the deceased Archibald, last Earl of Forfar.

“£337:8:7 drawn by Sir Robert Montgomery of Skelmorlie.”¹

His soldier son-in-law marked his respect for the good old gentleman by burying him with great funeral pomp, by torch-light, on the night of the 4th December 1725.

¹ The greenhouse stock, which it would have been impossible in those days to transport to Galloway, was sold in lots. The account preserved is delightfully phonetic. Among other items :

“2 Alloways (aloes) in potts.

“2 Jesemin trees in ditto.

“2 Honny Succells, ditto.

“7 Orring Stocks (orange) in potts.

“12 Small orring buiss (bushes).

“Gereanums.

“2 Mertells.

“4 Small orring trees, £1.

“2 Large orring trees in tubbs, £1 : 5s.”

In a large picture of Eleanor Lady Agnew at Lochnaw, she is painted with a favourite Blenheim spaniel, with a bunch of orange blossoms from her father's garden in her hand, behind her an avenue of poplars, probably sketched from life from the road to the villa from the side of Kew.

CHAPTER XLIII

SIR STAIR

A.D. 1725 to 1734

Paint Scotland greeting owre her thrissle ;
Her mutchkin-stoup as toom's a whussle ;
An' damn'd excisemen in a bussle
Seizin' a stell !—BURNS.

IF the young sheriff inherited none of his father's zeal for cropping, drainage, and rearing polled cattle, his wife had happily much more advanced views than his mother, Lady Mary, in the matter of "policie."

No sooner was Dame Eleanor established at Lochnaw—over the hospitalities of which she presided with great acceptance for five-and-forty years—than she summoned a "capability" man from the south to take counsel as to laying out the grounds. His eye, like hers, had been educated in the Dutch school, then developing with much effect at Kew and Hampton Court; and the said landscape-gardener proposed a sufficiently ingenious plan, comprising flower-garden, terraces, bowling-alleys, "wilderness of evergreens" in fantastic shapes, backed by plantations in which avenues converged on summer-houses and spots commanding views.

To modern taste the first suggestion would have been to restore the lake; but for his school so large an expanse of water and rocks was too wildly natural, and he gladly availed himself of the accomplished draining by introducing a canal in the marshy bed of the old loch, which, when lined with poplars, he no doubt thought preferable.

The plan was executed to the letter: some of his avenues are still to be traced, and though Dame Eleanor's garden has in its turn been improved off the scene, some of the identical terraces still remain sharply cut, overlooking many of her garden flowers growing wild.¹

The very indifferent highway dignified by the name of the military road, from Dumfries by the Bridge of Cree, Glenluce, Stranraer, thence by Knockglass to Portpatrick, was the route by which troops marched when bound for Ireland to take advantage of the short sea passage; and there were permanent barracks at Portpatrick, as well as at Innermessan.

In connection with this, there is a curious story of the day. The minister of Portpatrick having seen fit to reprove the Laird of Dunskey from the pulpit, the latter in revenge incited some of his people to interfere with the celebration of the communion by abstracting the necessary plate. The feud was at its height, the sacrament day announced,—the minister having determined to proceed, even if obliged to beg or borrow the vessels required,—and a disturbance was apprehended, when unexpectedly on the Sabbath eve a squadron of Lord Harington's dragoons marched in, and took up their quarters at the port, awaiting embarkation.

The minister waited on the commanding officer, who proved to be no less than Major (afterwards the well-known Colonel) Gardiner, late of Lord Stair's dragoons, who entirely sympathised with him, and sent a party to compel the restoration of the communion plate. Early next morning patrols checked any attempts at disturbance; at noon the whole squadron attended divine service, the Major remaining to communicate. The tradition seems wonderfully verified by the published *Life and Correspondence of Colonel Gardiner*, in which, under date "25 May 1725," he mentions the pleasurable train of reflections into which he fell the day before "as he took a walk upon the

¹ We find a Walter Smith gardener at Lochnaw at this date; the only instance we find of a person so described, excepting Thomas M'Call, gardener at Castle Kennedy.

mountains that are over against Ireland," after enjoying the communion services, adding "I had much better reason to remember my God from the hills of Portpatrick, than David from the land of the Hermonites and the Hill Mizar."¹

In 1725 also, John M'Dowall, apparent of Freuch, married Lady Elizabeth Crichton Dalrymple, daughter of Lord Stair's brother William, thus bringing almost all the principal proprietors into a blood-relationship hinging on the Montgomeries of Eglinton.

Lady Stair was a daughter of Lady Margaret Montgomerie, Lady Mary Agnew's aunt. Lady Mary's nieces again were married respectively to Lord Galloway and Maxwell of Monreith; Lady Eglinton, Lady Mary's mother, being aunt to Lord Crichton, father of Penelope, the mother of the lady married to Freuch.

The house of Freuch now eclipsed that of the once more powerful Garthland. Having recovered from the forfeitures of the previous century, they owned the Barony of Loch Ronald, Urrell,² Ardnamord, as well as Freuch, Clayshant, and Castle M'Dowall, now known as Balgreggan. Freuch's marriage brought to the next generation wide lands and the Earldom of Dumfries; but such is the uncertainty of the fate of families that, with the one following, the very name of M'Dowall disappeared; name, lands, and titles merging in the Earldom (now the Marquisate) of Bute.

Robert M'Dowall of Logan had some time previously married Sarah, daughter of Sir John Shaw of Greenock, a niece or cousin of Anna, wife of Patrick Agnew of Galdenoch, and by her had two sons: John, his heir, and Andrew, a successful advocate, raised to the bench as Lord Bankton.

Though the Castle of Innermessan had descended in the

¹ Doddridge's *Life of Colonel Gardiner*, page 76. † The minister was the Rev. Robert Boyd, who held the living 1704 to 1727.

² "Urral, anciently Urle. Urla, 'the front hair,' 'a lock of hair,' applied in topography to hairlike grass growing in sedgy places. Whence Urlee and Oorla, Limerick."—Joyce, ii. 321. Ardnamord, Arynament (Pont) airidh na mairt, "shieling of the oxen."

scale from a baronial keep to a barrack, there was no lack of good society within the ancient walls, and the claret still flowed freely in its hall. Many of Lord Stair's connections and neighbours naturally obtained commissions in his regiment, and amongst those quartered at Innermessan, were his nephew Lord Crichton, the Earl of Balcarres, John, fourth Lord Loudoun, three of the young Agnews of Lochnaw, and the earl's favourite nephew John, son of his brother William and Lady Dumfries. Charles, afterwards ninth Lord Cathcart, succeeded Agnew of Lochryan as major of the Greys. The military element, where cousinship was amongst the strongest claims for a commission, must have added much to the liveliness of the county society during the latter years that Lady Mary Agnew presided at Lochnaw, and accounts for the preference, frequently expressed in both Lord and Lady Stair's correspondence, for Galloway life.

Although indifferently housed at Culhorn, yet the earl and countess were within easy walk of the grounds and gardens of Castle Kennedy; and for years their habit was to pass the spring at Newliston, my lady taking the waters of Moffat, or goats' whey on the Cheviot Hills in the early summer, thence gladly returning to enjoy the autumn and superintend their works at Castle Kennedy.

The earl and Sir James had many congenial tastes, and the sheriff, as the older residenter, had been able to advise the earl as to the rural economy of the district; the earl on his part being able to explain to the sheriff the working of new machinery and implements brought from England, and both were equally interested in experimenting in new grasses and cabbages. Among Lord Stair's introductions before Sir James had left the country was a mill, by which the finishing processes of working the fleeces of sheep into cloth were carried out more expeditiously than by hand; and when Lady Mary was succeeded by Dame Eleanor at Lochnaw, she and the countess had much in common with their mutual interest in gardening.

At the court hill of Skeog, the 24th August 1725, the Laird of Wigg produced a commission from "Captain Andrew Agnew,

Sheriff and Heritable Baillie of the Barony of Drummastoun, constituting the said William Agnew of Wigg his Baillie Depute, and Antony Houston his Procurator Fiscal.”

Among cases disposed of there from time to time, we find one illustrating the local superstition that the flint arrowheads frequently picked up near old camps, were weapons shot by ill-natured fairies or witches at their cattle. The wretched old woman whose complaint is noticed below, happening to suggest that a neighbour's “stot” which had been taken ill was probably elf-shot, was herself accused and maltreated as the author of the mischief.

“The claim and complaint of Elizabeth Baillie in Skeog against John Donnan and Elizabeth Donnan his daughter—Skeog, 8th June 1727,—

“Sheweth, That some one or other of the days of May last, John Donnan came to the Hall of Skeog where there was a stot standing, which I thought *was elf-shot*, and I would have helped *to rub and find the hole*, and desired to help and assist what I was able. At which time, without any provocation, the said John gripped me by the shoulders, and did violently shake and push me and swore he would be upsides with me, and abused and reviled me and called me w——, thief, bitch, and many other ill names not worth putting in writ, and threatened me with his staff.

“Elizabeth Donnan came another day in May to the yard where I was weeding my lint, and beat and abused me with both her feet and hands and threatened to take my life, had I not been red out of her hands. And also reviled and called me both w—— and thief, glengoured bitch, and old withered devil. Whereupon I crave they may be bound to keep the peace and fined for abusing and striking me.”

Half a century earlier, had she applied to the magistrates they would probably have subjected her to an ordeal which, though it might have cleared her character, would have infallibly sent her out of reach of the further injustice of this wicked

world. In 1727 also we find Colonel Dalrymple of Glenmure representing the shire, and his son John Dalrymple the Wigtown Boroughs.

The same year at the head court of Wigtown "Captain Andrew Agnew, Sheriff Principal, Alexander Campbell, Sheriff Depute, Mrs. Agnes Stewart was served heiress of Talzie to the deceased Captain Stewart of Physgill, her brother german (8th August 1727). Assizers; Brigadier Stewart of Sorbie, Mr. James Gordon of Grange, J. Stewart of Castle Stewart, Patrick Agnew of Dalreagle, and William Gordon of Balmeg."

The heiress married John Hawthorne of Aries.

After the suppression of the "Levellers," the offences with which the sheriff and authorities had principally to deal were connected with a thoroughly organised system of smuggling. The smuggler had friends secret or open in all ranks: they were the heroes of rural life, systematically assisted by the whole class of farmers, who placed their horses at their disposal; encouraged by mercantile men, who were often in copartnership with them; connived at frequently by the Revenue officers; and dealt with secretly by not a few Justices of the Peace.

Whilst the exciseman, if conscientious, was the most unpopular member of the community, the smuggler, however audacious, was held to be its benefactor. Bale-fires by night advertised the approach of the contraband lugger; summoning the lieges, not to repel the invaders, but if necessary to drive off the coastguardsmen. Signals by day, known only to the initiated, invited lads and lasses literally to "dance awa' wi' the exciseman." This was carried out in a frolicsome, even a delicate manner. Force was not used unless absolutely necessary, and the tide-waiter proved generally too ready to fall in with the humours of his captors.

The long line of deeply-indented shores offered natural cellarage in caves innumerable, where cargoes could be stowed till it was safe to remove them.

The normal form of proceeding was this—A fast-sailing craft fully expected, and guided by signals from shore, made good its

landing by moonlight. Horses by the hundred mustered on the beach, their drivers supplied with blackthorn cudgels, heavy in the handle. Crowds of volunteers unloaded the vessel, and in an incredibly short space of time from its touching the shore strings of packhorses were far on their way inland, ankers of spirits balanced on either side, packs of tea and tobacco, and certain parcels of finery for ladies. So well guarded were these convoys—desperadoes armed to the teeth, not to speak of the country lads and their shillelaghs—that they laughed in the face of any single officer, and were even at little pains to avoid the soldiers if not in overwhelming numbers.

If on such an occasion an exciseman ventured to intrude, the reception he might expect was to be surrounded by lasses masked, who having playfully mobbed him, secured and blindfolded him, next led him off to a lock-up as secure as any provided by the authorities, but differing in this, that every comfort was provided for their prisoner: good fare, good liquor, and plenty of it. After a short period of detention, he would awake one morning to find the doors unlocked, no one about, and, stranger still, a few pieces of yellow gold jingling in his pockets. He had had little to complain of, and as a fact seldom *did* complain, thinking it better not to report the circumstance at all.

A funny story of these days connects itself with such doings on the back shore a few miles from Lochnaw.

Dally Bay (where a beacon now warns the coasting craft of a sunken rock, beyond the Laggan, a natural pillar-stone) had been chosen as a rendezvous for a smuggler's landing, and a large cargo of the usual wares was lying in profusion on the beach. The custom-house officer at Stranraer had received information of their coming, and hurrying to the spot with a stalwart comrade, effected a seizure of the whole.

The smugglers offered no resistance, but skulked off, and the tide-waiter, pluming himself not a little on his alacrity, seated himself on the confiscated goods, and sent off his A.D.C. to press men and horses in King George's name to remove them.

His eyes gloated on the prey piled before him,—wines,

brandies, silks, tea from the East, tobacco from the West, Hollands from Schiedam. A gold-belted sabre hung to his belt, and he looked carefully at the priming of his pistols.

Presently a weel-faured dame sauntered up, no less than Maggie M'Connell (who, as a girl, had seen King William's fleets stand out of Lochryan), still fair though forty, and he, in the highest good humour, pleased at the chance of so pleasant a companion, proffered her the right hand of fellowship.

How delusive are human hopes of happiness! Maggie's sonsy face gave no idea of the strength of her well-formed arms, which had the muscle of a prize-fighter, and, as locally expressed, "could hauld up a two-year-old stirk like a wean."

Hardly had Maggie's right hand received the responsive squeeze of the exciseman, than her left flew round his waist, and in a moment he measured his length upon the ground.

Vainly he struggled in her embrace. She sat down coolly on her victim. Her next move was to tie her apron over his eyes, then to seize one of his pistols and cock it. In this ignominious position he coaxed and threatened by turns. Maggie was inexorable. He shouted for help in the king's name, and his hopes ran high as sounds of footsteps and horses drew near. Still she held him firmly, but by and by her grasp relaxed. Kindly kissing him, she undid the apron, and he looked up. Bales, boxes, casks, had disappeared. Not a man was visible. A few cows, grazing quietly, were the only living creatures within the line of sight, excepting Maggie, who then slipped away also. Crestfallen and somewhat ashamed of having been vanquished and disarmed by an unarmed woman, it is believed he said very little about his deforcement, and it is probable that in due course some little reward was conveyed to his quarters by an unknown hand in acknowledgment of his silence.

Although Captain Agnew was rarely far from the colours of his regiment, the Scots Fusiliers, quartered in Ireland continuously from 1728 to 1737, he was always ready to make flying visits to Galloway when his duties as sheriff required it.

As he advanced in years, he became more markedly what is

called a "character," and many are the stories still rife of his dry humour and droll ways.

A venerable gentleman, before the writing of the first edition of this book, was able to communicate numberless anecdotes, which he had himself received at first hand from his father, of "old Sir Andrew," as he invariably called him (though rather oddly "the young Shirra" is the name he is best known by in tradition).

When presiding at court he maintained strict military discipline, would not be answered, and was not accustomed to mince his words if put out. Nevertheless, he was more than popular, and extraordinarily beloved in all the countryside.

Among characteristic incidents, he would mention that on a court day Sir Andrew was to be seen riding booted and spurred into the county town, the practitioners from Stranraer following in his train. Entering the court-house and ordering suits to be called, he always laid a large hunting-whip on the table before him, and, business begun, whenever—as was frequently the case—the lawyers fell into wrangling colloquies, the young sheriff would strike the board vigorously with the crop of his whip, angrily vociferating, "Schoondrels! blethering loons!" and other synonyms which proved equally effective in silencing the combatants, the storm as if by magic producing a calm.

It was an invariable matter of etiquette that the clerks and notaries of Wigtown should one and all mount and reinforce his escort on the return march, as far as the ford of Bladenoch. Having seen the sheriff safe across, the low country contingent adjourned to Sanders M'Clurg's, a well-known change-house overlooking the stream, and there drank largely in honour of the expedition. The movements of this escort were observed to be always somewhat tortuous upon their return.

The sheriff meanwhile was riding homewards followed by the learned phalanx from Stranraer. The habit of these practitioners being to dine at Glenluce, and refresh again at the halfway house a few miles beyond it.

On one occasion the dinner at Glenluce having been followed

by an unusual quantity of punch, it was agreed they should refresh no further by the way. Firm in their resolve, each and all endeavoured to sustain one another in keeping of their vow, by quickening the pace as they neared the accustomed halting-place, and this to the no small astonishment of mine host, who was standing in his doorway waiting to receive them. On came the men of the gown without slackening rein, the senior counsel leading at a gallop. But just as they were abreast of the signboard his horse, long trained to stop there, bolted at lightning pace to one side, and coming to a standstill suddenly on the threshold, sent his rider sprawling into the passage. Boniface, who was a wag, gravely raised the fallen "fore speaker," and with a sly glance at the group, drily said, "What kin' o' a rider ye may be, I dinna ken; but oh, man, ye hae a maist expedetious way o' comin' aff!"

In 1730 Sir James's friend, Sir Alexander Maxwell, died, and was succeeded by a son William, who married Madeline, a daughter of Blair of Blair.

A discharge, registered in the Court of Session, 11th Nov. 1731, is witnessed by Mr. Robert Menzies, chaplain at Lochnaw, and Walter Smith, gardener there. This raises the question as to whether the baronage generally—as has been stated of the English squire—thought it belonged to the dignity of their order that grace should be said every day at their table by an ecclesiastic in full canonicals, or whether it was merely in the case of a sheriff that a chaplain was suitable. We read indeed that the fourth Earl of Cassilis had his chaplain beside him when he roasted the Commendator of Crossraguel in the vault of Dunure, and that he also employed another ecclesiastic to forge titles, to lands he coveted; but he was hardly an example. A later earl also had his chaplain with him in his house of the Inch; but, excepting such rare instances, having had access to very many old writs, we have never lighted upon such a signature except in the case of chaplains of the sheriffs, and these may be said to be continuous.

The second hereditary sheriff (1455-1484) had Sir Henry

Mundel as a chaplain. Quentin Agnew, third sheriff (1484-1498) had many deeds witnessed by "Sir Finlay M'Bryde, chaplain of Lochnaw." Sir Andrew Agnew, tenth sheriff (1671-1703), had testamentary papers witnessed by "Mr. James Fraser, chaplain at Lochnaw."

A Mr. William Kilpatrick signs himself "chaplain to Sir James Agnew of Lochnaw," and in the deed just mentioned, Mr. Robert Menzies was chaplain resident there: this Mr. Menzies being, on the young sheriff's recommendation, appointed parish minister of Leswalt in 1734, after which we find no mention of a domestic chaplain at Lochnaw.

In 1731 Glasserton, the principal residence of the Earls of Galloway, was totally destroyed by fire, a general as well as a family misfortune, numerous family papers relating to Galloway continuously from the fourteenth century being irrecoverably lost. The old mansion was not on the site of the present Glasserton House, this having been built by Admiral Keith Stewart, youngest son of Alexander the sixth earl, which sixth earl transferred the family residence to a beautiful landlocked bay between Cruggleton and Eggerness.

Whilst the young sheriff was soldiering in Ireland, his lady found a congenial occupation in completing her gardens and planting the Drummullin wood, and the banks of the canal which now flowed through the bed of the White Loch; and in sympathy with her tastes, we find that Lady Stair was at the same time forming a circular piece of water artificially, still a feature in the terrace slopes below Castle Kennedy.

A letter from Lord Balcarras, then a major in command of the dragoons at Innermessan, to Lord Stair, who happened to be at Newliston, affords us a peep at the operations in progress.

"Stranrawer, 14 March 1732.

"My dear Lord,—Your Lordship's troops I have had out several times. They do their business very well, and the horses are in a thriving way. The troops are well lodged at Innermessan. I have been at Castle Kennedy, which looks

charmingly. The new work that has been done since the summer I was there has a wonderful effect; so has the basin, now that it is formed and the walk made round. Thomas M'Call has been unwell, but as he sees his plants begin to spring it sets him right again. There are horse-chesnuts fully blown. I have been through the farm with Mr. Ainslie. I have been several hours in the factory. I compared what is made here with what has come from Carlisle, and, in my opinion, it is vastly preferable. Lady Betty¹ and Mr. M'Dowall have their humble respects to you."

Galloway politics in 1733 took the form of a personal struggle between the Earls of Stair and Galloway. In the election of 1727, Dalrymples gained both county and boroughs. Both families were for the Protestant succession, thence both really Whig, but Lord Stair had joined the Opposition against Walpole, and Lord Galloway supported him.

Lord Stair was Vice-Admiral for Scotland, besides having a position in the army and in the House of Lords. Walpole had a heavy hand upon opponents, and in April 1733, Stair received a letter from Newcastle, intimating that the king had no further occasion for his services; the following April he was deprived of his regiment, and—hardest hit of all—the Government, interfering in the election of Scottish peers, carried their own list, and thus Lord Stair was excluded from Parliament also.

Among Lord Stair's unpardonable offences was his opposition to Walpole's Excise Bill, which was extremely unpopular in Scotland.

Lord Galloway, who had been appointed a lord of police, finding a majority of the justices siding with Stair, conciliated some of the smaller proprietors by including them in the commission of the peace, and Government, as in duty bound, supported him in the appointment; at which we find Stewart of Physgill, one of the older race of magistracy, thus grumblingly writing to Lord Stair:

¹ This was Lady Elizabeth Crichton Dalrymple.—Stair's *Annals*, 292.

“Physgill, 29 Sept. 1733.

“No doubt your Lordship knows we are threatened with a new set of justices of the peace from Lord Garlies’s recommendation. It gives most of your Lordship’s well-wishers uneasiness in having the power of the country vested in a minor set of people. This with no other intent than to give others uneasiness.”

Lord Stair, on his side, did not fail sedulously to cultivate the borough constituencies. The mode that went surest to the heart of the civic freeholder, was the setting before him a good haggis and the best of Galloway mutton, washed down with ale and claret, “the braw drink,” as they called it. And as bottle after bottle circulated among the bailies (to whom the Franchise was then confined), patriotic fervour was roused to the utmost as the sentiment was proposed: “Confusion to the Excise Act.”

The purveyor’s account for such an entertainment to the magistracy of Stranraer, approved by the earl himself, is now before us.

“Bill for the Town Council’s dinner charged to the Rt. Honble. the Earl of Stair, by Anthony Armstrong, Stranraer, 3 Octr. 1733:—

“Imprimus for dinner	£1 15 0
„ for 2 doz. and a half of wine	2 10 0
„ for aile	0 1 9
„ for 3 gils of cherub.	0 0 9
	<hr/>
	£4 7 6
	<hr/> <hr/>

“Pay the above to the account of

(Signed)

“STAIR.

“Culhorn, 4 Octr. 1733.”

“Cherub,” we may presume, was rum shrub.

Lord Galloway on his part did not neglect the sources of influence to which he had fallen heir. Members of his family

acted as Provosts of Wigtown during the greatest part of the century. The fifth Earl we find Provost in 1730; his son, Lord Garlies, in 1735; the Earl again in 1738; and Garlies in 1740.

In Whithorn his influence was even more supreme. A good story is told there of an earl who had taken a leaf out of Lord Stair's book, and had been regaling the Town Council of Whithorn; and so assiduously, that he was detained much longer than he had told a visitor he had left behind. On his return late to Galloway House, his friend exclaimed "What in the world have you been about all this time?" "Oh!" replied Lord John, "I have been watering my asses."

In 1734, the young sheriff, whose relations at this time were equally cordial with both families, had to declare Colonel Dalrymple again duly elected for the county, but his relative, James Stewart, Lord Galloway's second son (an officer in the Guards), replaced John Dalrymple in the boroughs.¹

In the autumn of this year the sheriff's fifth son was born; but not being able to arrive for the christening, he had noted his wish that he should be named after his old colonel and neighbour, Lord Stair; and his wife and chaplain, taking his words literally, named the child "Stair."

On arriving, when he found out the mistake, he is said to have burst out in wrath: "When ye christen a bairn ye should ken what to call it. It's well the wean's no likely to be the heir. Stair! Sir Stair! Sir Deevil!"

Sir Stair, however, the child became, and the name so disliked by the father has met with great acceptance in the country.

The above is the unvarnished tale, but time improves such stories; and Dr. M'Crie picked up a much livelier version of this little anecdote, which he tells so well that we must repeat it.

¹ Shortly before, Lord Dromore had written to Lord Stair confidently expecting both boroughs and county to be secured for their party. He says: "I have just seen a letter saying for certain that Basil Hamilton is able to count noses with Garlies in Wigtown. Would it be proper to deal with Basil to look after the Stewartry, and after he has secured Wigtown, to let it come your lordship's way?"—Stair's *Annals*, 432.

“Lieutenant-General Agnew returning home from foreign service found his fifth son, who was born during his absence, sitting on his mother’s knee. This, in those days of rare and difficult communication, was the first intelligence he had received of this addition to his family. ‘What’s this you hae got, Nellie?’ was his first salutation. ‘Another son to you, Sir Andrew.’ ‘And what do you call the boy?’ ‘I have called him Stair after your marshal,’ she replied. ‘Stair! Sir Stair!’ cried Sir Andrew after a few minutes’ silence, ‘Sir Deevil! it disna clink weel, Nellie!’ So it was, however, though fifth son he did become Sir Stair.”

Certain anachronisms, however, prevent a family biographer from adopting this capital story; for example, the sheriff was then a captain in Ireland, not a general in Germany, nor were posts *quite* so rare as would thus appear, in the eighteenth century: the captain, moreover, was not yet a baronet, nor Lord Stair a field-marshal!

CHAPTER XLIV

DETTINGEN

A.D. 1735 to 1744

John, Duke of Argyle, we admired for a while,
Whose titles fell short of his merit ;
His loss to repair, we took John, Earl of Stair,
Who, like him, had both virtue and spirit.

IN 1735 Sir James Agnew, the eleventh sheriff, died at Edinburgh, and was interred there in the Abbey Church of Holyrood on the 13th of March.¹

By his will, as proved before the commissary, Major James Agnew of Colonel Kerr's regiment of dragoons, Quartermasters George and John Agnew of Lord Cadogan's dragoons, Major James Agnew, acting as tutor for his own eldest son James (afterwards a brigadier-general in the American war), are named executors.²

Sir James's life had not been a useless one: from the date of his succession to the Lochnaw estates, he had been indefatigable in introducing varieties of crops as well as of stock, in

¹ March 13, 1735. Interred in the Abbey Church, Sir James Agnew of Lochnaw, lying on the south side of the Countess of Dunmore, betwixt the pillars.

March 27, 1742. Interred in the Abbey Church, Lady Mary Agnew, on the left hand of her husband, and betwixt the two pillars in the north side of the church.—Extracted by Mrs. Petrie, No. 1 Abbey of Holyrood, 1st March 1821.

² We notice as an asset, a sum of £630 due to Sir James by Alexander, Lord Garlies, "acruing in a contract between the said Lord Garlies and Sir James and Lady Mary Agnew, or the longest liver of them, that he would pay £120 yearly, beginning at Martinmas 1729, for certain crops on the lands of Cults, Cruggleton, and others in the Parish of Sorbie."

sowing grasses, and in importing lime. Whereas, before he ruled there, we have it from a contemporary authority that “the traveller might ride for miles, see nothing in the way of crop but gray oats, whilst not an ounce of lime was used for improving land.”¹

When he retired from active farming, his cattle were famous for their size, and in his rentals we find barley figuring largely, indeed more so than oats.²

On succeeding his father, Sir Andrew Agnew, the twelfth and last hereditary sheriff, still continued his connection with the Scots Fusiliers; and, necessarily, most of his time was spent at the headquarters of his regiment. But when on leave at Lochnaw, although no agriculturist, his military habits would not let him rest satisfied without endeavouring to master the routine of farm labour, so that he might feel assured that all whom he employed had properly fulfilled their tasks before being dismissed; and many were the droll mistakes he fell into, when he assumed the control of operations he could not understand.

“Ye see,” as was gravely remarked by an old residentifier, “although Sir Andro was a gran’ warrior, he didna ken the lee side of a rick.”

One of his first performances in this line was thus given *vivâ voce* by an old retainer who could remember him as a girl. To enter into the humour of the incident, it must be understood that in those days of small money rents, every farm, in proportion to its size, furnished a definite number of men and horses, for labour and leading for the laird. Besides cartages and “carriages” of various sorts, this was styled “baillie

¹ Letter from John Maxwell of Munches to W. H. Herries of Spotter.—*Literary History of Galloway.*

Muncheiss, 1527. Munochies, 1604, pointing to Moinechies, Bog of the Kish, or wickerwork causeway.

² In a rental of Sir James Agnew we find, under head of kain and presents, 24 bolls barley from Clendrie, 4 from Kirkland of Kirkcolm, 3 from Kirminoch, whilst from the same lands only 6 bolls of oats. The total rent in kind from the Kirkcolm portion of the Lochnaw estate is 38 bolls barley, 77 bolls oatmeal, 44 capons, 69 hens, 294 chickens, 20 wethers, 28 lambs, 3 stone 2 qrs. butter, 2 stone tallow, 120 eggs.

work"; and besides these services due from his own lands, the sheriff was entitled to others in right of his heritable jurisdiction: such as the Baillierie of Leswalt, Moneybrick, Soulseat, and Drummastoun.¹

The story proceeded thus:

"Sir Andrew, though a braw soldier, was nae farmer ava; he kent naething about it. A' the Castle work, farm work in his days, and long afore and after, was done by baillie work, baillie pleuching, baillie harrowing, baillie shearing, baillie corn-leading, ay and peat-leading too. The tenants were a' warned in their turn to do as they were bun' in their tacks.

"Sir Andrew was new come hame; they had been a' warned in, and were shearing ower in the Beef-Park, an' as was aye the case when a wheen o' farmers met, they had great strivings wha wad be first out at the lan's end. Horrid bad wark they made it, and whiles left as muckle as they took.

"Just as the sheriff came out to see, they were kemping² a' they could; and the grieve, afeared the sheriff wad be angry, began and trod down the lang stubbles wi' his feet, and made a show o' gathering as muckle o' the left corn as he could.

"'What's that ye're doing there?' says Sir Andrew, sharply. 'Oh, please your honour,' answers the grieve, terribly frightened; 'oh, I'm just tramping doon a lot o' the o'erplus. There's plenty to tak and plenty to leave here, please your

¹ From the Baillierie of Drummastoun alone the sheriff claimed, "from Skeog 2 plough gangs, 4 couple of horses, 1 day's ploughing, the same for harrowing, 6 shearers and 8 horses for peat-leading. From Dunance the same.

From Balnab, Drummastoun, and Chapel Harren, each, 1 plough gang, 2 couple of horses, 2 of harrowers, 3 shearers, and 4 horses for peat-leading.

Hence the number of men and horses which he was entitled to "wane" over the various baronies was very considerable. The grieve is Scotch for overseer, but its use as a verb is a Galloway idiom, where "to grieve the men" is a phrase in everyday use, meaning not to distress but to superintend them.

² Kemping is an expression commonly applied to reapers trying who will beat the others in cutting each their share of corn upon the harvest-field. ³ The derivation is the same as in "kemp's walks,"—from *kemp*, a *champion*. Signifying rivalry, it implies that the work is hurriedly and badly done.

Auld Nick and Scott yence kempt they say,
Wha best a reape fra saun cud tweyne.

Old Cumberland Ballad.

honour. It's just to keep the grun' warm, your honour, for I expect a right guid awal crap here next year;' and so he ran on, scarce knowing what he said."

Greatly astonished was the grieve to find his ridiculous invention accepted in good faith; but the very success of his imposture carried with it a retribution as sharp as unexpected, for the sheriff, greatly pleased with the theory of keeping the ground warm, "keepit him there a' the morning aye treading down the stubble, and whiles he wad begin and tread down the corn himsel'"; so that the unjust steward cut a very sorry figure in the eyes of his own men.¹

On the 6th of January 1736 the sheriff obtained his majority, and about the same time his eldest son was gazetted to a commission in Paget's—shortly after Descurry's—regiment, now the 32nd Light Infantry, On the 1st of February Thomas Agnew of Lochryan, his wife's nephew, died (Colonel Agnew having died in 1730), leaving his sister Eleanor, wife of Sir Thomas Wallace of Craigie, as his heir. The estate passed through her to her only daughter Frances Anne, who married John Dunlop of Dunlop, and thus the oldest of the cadets of Lochnaw disappeared from the roll of the baronage.

Two years later William Agnew of Castle Wigg also died unmarried, his sister having had, by Charles Stewart of Tonderghie, an only daughter Elizabeth, who married Hugh Hawthorne of the old stock of Aries, a merchant in Edinburgh. Her son by him, Hugh, inherited the estate of Castle Wigg; the lands of Auldbreck and Polmallet reverting to the family of Lochnaw by virtue of the disposition of the ninth sheriff, whose younger son was the first Laird of Wigg.

Having visited Lochnaw in 1738 to be present at the marriage of his eldest daughter, Mary, with Sir Michael Bruce of Stenhouse, the sheriff gave a commission, dated 23rd October

¹ The old retainer was Jennie Kie, a henwife of unknown age; a great character at Lochnaw in the author's younger days.

A henwife was a much more important personage then than now, when capons, fowls and chickens innumerable came in as kain and presents, besides turkeys, geese, ducks, and poultry of all sorts reared upon the place.

1738, to John Hawthorne of Over Aries as Bailie-Depute of Drummastoun.

A case in his court was tried at this time, concerning a daring attempt by a scamp named M'Cleary, to carry off Miss Vaus of Barnbarroch. The deposition of one of the witnesses, as taken down the 29th of November, sufficiently describes the case.

“ John Stewart of Phisgill, aged about 33 years, and married, declares as follows :—

“ I came to the house of Barnbarroch upon a Sabbath day, the 13th of August last.

“ About two hours after daylight was gone, I was sitting in a chamber with Lady Barnbarroch and John Dun, tutor on the estate. A noise was heard, and presently a servant came and told that a great number of men with arms had broke into the house and were then in the kitchen.

“ I, John Dun, and Lady Barnbarroch ran immediately downstairs, and there I saw Thomas M'Alexander, a soldier, holding a cocked pistol in his hands, swearing he would shoot some one if they did not show him the way upstairs. I also saw Andrew Mitchell, servant to John M'Clery, holding a pistol, with a drawn hanger in his hand, Robert Dinnan with a pistol, and one Hannay with a rusty sabre, and several other armed men.

“ On it being demanded what they wanted, they replied, ‘ Miss Vaus’ : and on being told they could not get her, they swore they would go upstairs, upon which they forced by me and broke open the lady's chamber door, and broke it in pieces.

“ A scuffle ensued, and I, John Stewart, seed M'Alexander and the lady in grips with one another, the lady's head-cloathes torn off her head, and her hair hanging round her face and shoulders. After M'Alexander was disengaged from the lady, he snapped a pistol twice, which was some time afterwards taken from him and a shot found in it.

“ Meanwhile I saw Hannay seize Miss Elizabeth M'Dowall, the lady's sister, and saw several of the servants wounded to the effusion of blood.

“ Before this, Miss Vaus had asked me to lock her into a private cellar, which I did.

“ M'Clery was now told he could not see her that night, upon which he searched the lady's room, and her bed, and the presses. He then called up his men and placed them sentry over the room, and searched the dining-room and other rooms of the house.

“ I at the same time saw William M'Beatt in Drumbuie standing on the stairhead with a sabre in his hand, also Simon Guthrie, apprentice to John M'Cailie, wright in Wigtown.

“ After some communing M'Alexander fired a pistol and they all went off, and the party were lurking about the house. I went out and told them their stay was not agreeable, and they answered they would not go till M'Clery had seen Miss Vaus.

“ A short time after assistance arrived, which had been sent for, and on this all sallied out to apprehend the party; but they now ran off, and they could take none but M'Clery, who was brought into Barnbarroch house, and by a warrant of Mr. Heron of that ilk, sent to the Tolbooth of Wigtown.”

It is to be regretted that the result of the trial, whether adjudicated on by the sheriff or remitted by him to a superior court, is not forthcoming.

About a year before this, we find the sheriff attending the General Assembly at Edinburgh, along with Colonel Dalrymple, representing the Presbytery at Ayr, and Gordon of Earlston that of Kirkcudbright. On such journeys he had a pleasant halting-place at the house of his aunt, the Dowager Lady Eglinton, who, as the still beautiful widow, kept house in Ayrshire with much acceptance; the sons of his brother,—James, and Montgomerie, named after herself—being among her especial favourites.

Having returned to Ireland, the sheriff disembarked with his regiment at Liverpool from Dublin early in 1739, marching thence to Andover; and a few months later he obtained the prize for which he had so perseveringly waited, the command “ of the Royal regiment of North British Fusiliers.”

After Lord Stair's removal from his regiment, dragoons no

*Briga
r
am*

longer occupied Innermessan; but we find the sheriff's younger brothers George, John, and Peter, in Lord Stair's old corps, now called Lord Cadogan's, quartered at the time in the Melton country, the horses as usual being mostly at grass for the profit of their colonel, though, perhaps, not quite equally to the advantage of the country, as we gather from a letter from Lord Crichton, the major in command, to Lord Stair, his uncle.

“Loughborough, Leicestershire,
20 Sept. 1739.

“I hope this shall find you in perfect health at Culhorn. Lord Cadogan says in his last letter to me that we shall be reviewed before the end of the month, but the horses are still at grass, and no order for their taking them up; so I wish we are not caught napping like the foolish virgins, with no oil in their lamps.

“I hope, my dear Lord, all your affairs in Galloway go to your mind. One may travel over the world and see nothing like Castle Kennedy.”

In 1741 the sheriff was called home for a general election, when it became his pleasing duty to declare his kinsmen James (a colonel in the Guards) and William (Rose's dragoons, now 12th Lancers) Stewart, members for the county and borough.

On returning to Andover, the sheriff received orders to join an army corps on Lexton Heath. On 1st of February 1742 Walpole resigned, and within a month Lord Stair was called from his retirement, nominated a field-marshal, and appointed Commander-in-Chief.

The new ministry determined to send a force to Flanders, the Scots Fusiliers forming a part of the expedition, of which Lord Stair was in supreme command.

The sheriff's papers show that he mustered his regiment at Bruges, 10th January 1743, and in March moved on to Aix-la-Chapelle.

Marshal Stair combined with his military appointment that of Ambassador Extraordinary to the Dutch Court, and had

preceded the troops on his mission to the Hague. Whilst there, he is reported to have obtained a social success over the minister of France, auguring well for the future. At a grand diplomatic banquet, according to the fashion of the day, toasts in the form of sentiments made their round, and the solar system had been selected as the field on which the envoys were to prove their wit. The French minister, jumping to his feet, beamingly proposed his master as "the sun." Lord Stair cordially accepted it. The glasses were drained, when the Austrian Ambassador gave the beautiful and chaste Empress Queen Maria Theresa as "the moon." Lord Stair drank that too. All eyes were turned upon him, as he seemed to have been checkmated. After a short pause he rose smilingly and said, "A bumper, gentlemen; you shall drink to my master as Joshua, who bid the sun and moon stand still." The Galloway field-marshal had outflanked the veteran diplomatists.

Meanwhile the sheriff had marched on with his fusiliers across the Rhine, and in May found himself encamped upon the Maine, where, to the dismay of the graver old soldiers, George II. appeared in camp; for, though a gallant dragoon, his Majesty was not born a general.

The French, with greatly superior forces, advancing suddenly, very nearly surrounded the allies. Indeed, they would have been caught in a trap had it not been for the wariness and skill of Lord Stair, who had difficulties to contend with at the council board, greater than those in the field, as the king would constantly interfere.

The French marshal had taken pretty accurately the measure of King George's generalship, and on one occasion, vexed at the movements of the allies not agreeing with his calculations, and his plans being foiled, he is said to have philosophically remarked, "Well, I ought not to be annoyed at this unfortunate prudence, for *sometimes* Lord Stair must get his way."

Councils of war, however, continued to be held in the King's tent, with little purpose but to mar the plans of the veteran marshal; and by the 27th June the king and his friends had

managed to get the whole allied army into the very worst position that ingenuity could have devised.

On their right the main body of the French lay in position at Dettingen; another corps in their rear; a third held in force the left bank of the Maine; whilst in front of the allies a fourth and very strong division was so posted that it could only be approached through a narrow defile, and any attempt to attack it be conducted at a disadvantage. Near this defile on the 27th the sheriff was stationed with his regiment. As the dinner-hour approached it was reported to him that large bodies of the enemy were to be seen upon the move. The sheriff is described "as sauntering about as cool as if he had been on the boundary of one of his farms in Wigtownshire";¹ and his only reply to the staff officer who had addressed him was, "Sir, the scoondrels will never have the impudence to attack the Scots Fusiliers." He ordered the dinner-call to sound; the rations were served out; and the eccentric baronet set the example of making good use of a knife and fork. The fact was, he himself had already foreseen the certainty of a serious engagement, and had despatched a messenger to Lord Stair to warn him; and as an old soldier, he now encouraged his men to dine, as the best preparation for going into battle.

As the advancing columns became plainly visible, Sir Andrew still continued eating, till a bullet struck out of his hand a chicken bone which he was in the act of picking.

"They're in earnest now!" he cried, and waving his hand the drums beat to quarters, and the Fusiliers fell into line. Mounting his charger, he then called them to attention, and delivered himself of a short speech which has since become proverbial: "My lads, ye see these loons on yon hill there; if ye dinna kill them they'll kill you." As he spoke, the French horse came on at a charging pace. "Dinna fire till ye see the whites of their een"; and his Fusiliers reserved their fire to a man. As the mail-clad dragoons were close upon his line, he gave the word to fall back from the centre by right and left; and in an

¹ Chambers.

instant the cuirassiers dashed madly down the line thus formed, receiving a terrific volley as they passed. Then that thin red line reformed, but this time facing to the rear. The impetuous Frenchmen, finding the main body of the allied army in their front, turned to retreat; but there was now no opening in the ranks of the Scots Fusiliers, which they fondly fancied they had broken. The sheriff moved slowly along his ranks, exhorting the young soldiers to reserve their fire, to aim low, and then to rush with the bayonet upon the horses. Again the cuirassiers charged the line; a leaden shower delivered at almost musket length brought them to a standstill; their horses rolled thickly on the ground, and the Fusiliers attacked the encumbered horsemen with such success that the whole party were destroyed or captured, and not a single *mousquetaire* returned to the French camp to tell the tale.¹

The battle raged fiercely; everywhere Lord Stair was to be seen at the right moment, riding a dapple gray charger of his own breeding from the park of Culhorn. At last the French gave way, leaving 5000 men upon the field of Dettingen. Lord Stair ordered all the cavalry forward instantly in pursuit, and the defeat was becoming a total rout, when the meddling of courtiers disarranged his combinations, and he was peremptorily ordered to countermand the movement.

The battle over, George II. was told of the Sheriff of Galloway's picnic in presence of the enemy; an anecdote which greatly tickled the royal fancy, and in great good humour he rode off to rally the Baronet on his adventure. "So, Sir Andrew," he began, as the sheriff sat stoically at his parade, "I hear the cuiras-

¹ The hero of Quebec, then a young ensign in Du Roure's (now the 12th) regiment, writing to his father his own reminiscences of the battle immediately after, though belonging to another division, had heard something of the sheriff's morning's work; he commences thus—"The gens d'armes or Mousquetaires Gris attacked the first line . . . they broke through the Scotch Fusiliers . . . but before they got to the second line, out of two hundred there were not forty living, so they wheeled and came (back) between the first and second line," when all were slain, "except an officer with a standard, and four or five men who broke through the second line, and were taken by some of Hawley's regiment of dragoons. These unhappy men were of the first families in France."—*Life of General James Wolfe*.

siers rode through your regiment to-day!" "Ay, please your Majesty," the other drily replied, "but they didna gang back again."

As the days shortened, the army went into winter quarters at Ghent, where a large Galloway party often met of an evening round the camp fires; of whom were the sheriff, his brother the major, three younger brothers in Cadogan's dragoons, his nephew James, Colonel James Stewart the member for Wigtownshire, Sir Thomas Hay, and Captain M'Dowall in the Greys, and Lord Cathcart, lately aide-de-camp to Lord Stair, a captain in the 20th Regiment.

A letter from the sheriff (from Lochnaw) to Lord Stair, sympathising with, yet commending, his lordship's resignation, gives some Galloway news.

He writes:

"13th October 1743.

"The garden of Castle Kennedy is in high splendour and glory; Thomas [the gardener] in very good health. The Galloway tenants are such lazy hounds as deserve no pity. Whether corn is cheap or dear, the rent is alike ill paid; they trust to favours that have been done, and expect when they have eaten and drunk their rents there will be a repetition of it. There is no such thing as buying or selling grain in Galloway."¹

There was a new cause of alarm in Galloway as to a Jacobite rising. It was known that Murray of Broughton was in actual communication with Prince Charles Edward, and several of the Maxwells in the Stewartry were believed to be disaffected. So serious was the danger, that the sheriff, having ascertained that the enemy were likely to be quiescent during the winter, applied for and obtained a few months' leave.

Arrived at Lochnaw, he found that Dame Eleanor had prepared a surprise for him, having had the slopes of a hill (to climb which had been a favourite walk) elaborately planted with

¹ Stair's *Annals*, ii. 305.

beeches, firs, and oaks. It is said, however, that as he trudged up the hillside to enjoy the familiar view, and then saw what had been done, he expressed some contempt for the carefully planned operations, suggesting that the trees would never grow. Happily his usual sagacity was at fault; the Craighead Wood *did* grow, and flourished, in defiance of the fiercest blasts from the Atlantic, for 150 years. And indeed it may be said to flourish still, though the fearful hurricane of January 1884 laid low most of the giants of the forest as planted by Dame Eleanor. The sheriff, however, had graver subjects for his thoughts during this brief visit. A storm was brewing on the political horizon, the country denuded of troops, whilst the shores of Galloway were peculiarly accessible to naval attack. Indeed some privateers had actually been sighted in the Channel; and, with alarms of French invasion rife, the means of resistance were almost nil.

The sheriff had anxious conferences with the borough officials of Wigtown and Stranraer, and made formal application to the Commander-in-Chief in Scotland for assistance, which met with the discouraging reply that "there were no troops to spare, not even arms, of which his own provision was so scanty, and his applications for them so many, that if he attempted to comply with them he would have none left for himself."

At this juncture Lord Stair, ill used as he considered himself to have been, patriotically tendered his services, which were gladly accepted; and by warrant dated "24 Feby. 1744," he was appointed to the supreme command of the forces in South Britain.

The sheriff now repeated his application for troops for Galloway through Lord Stair; who, thoroughly understanding the force of his representations, and more sympathetic, wrote to his kinsman Lord Dromore, entreating him to impress upon the Edinburgh authorities the absolute necessity of giving adequate protection to Galloway; which resulted in the despatch of a company of regular soldiers to Stranraer, forming a nucleus for

such forces as the sheriff and magistrates could raise in the district.¹

The sheriff had been obliged to hasten his return to camp; but Colonel James Stewart, the member for the county, who had come on leave with him, having a few days to spare, kindly took charge of Sir Andrew's third son, accompanying him from Lochnaw to London, superintending his outfit as a midshipman, thence taking him to Portsmouth, and putting him on board his ship. In a letter in which he mentions the performance of these good offices, enclosing a note of his disbursements, one item strikes the eye as a strange necessary in a midshipman's kit: "For two bobwigs and dressing, £2: 1s."

It is to be remarked that when the two friends met in camp on their return from Galloway, all fears of a hostile landing on its shores had been allayed, by the collapse of the schemes for the landing of the Pretender, escorted by the combined armies and fleets of France. Late in the following year the landing was actually effected, but far from Galloway; and the military support given by France was on a very much smaller scale than had originally been intended; the naval diversion on the western shores, which had also been planned, being omitted altogether from the programme.

We trace the arrival of both the sheriff and Colonel Stewart by an I.O.U. to his brother for a sum of money which he required.²

During the summer the Scots Fusiliers formed part of a

¹ "I had an application from the Magistrates of Stranraer to obtain some forces for them to repress the depredations of the Privateers in Lochryan and the vicinage. I applied to the General, who said that anything he could do to oblige Lord Stair must be very acceptable to him, but the provision of arms was so scanty in this country that he could not possibly part with any. But he has fallen upon a device which is more effectual for the security of the country, to wit, to send a company to Stranraer to receive such recruits as shall be raised upon the Act of Parliament. I have this day wrote to the Magistrates to take particular care to use the officers and soldiers well."

From Lord Dromore, 24th April 1744.

The sheriff had returned to Flanders, and from this it would appear that there had been some actual attacks by privateers upon the coast.

² "We, Sir Andrew Agnew, Baronet, Lieutenant-Colonel of H.M. Regiment of North British Fusiliers and Captain Andrew Agnew of Brigadier Skelton's

force which, under Marshal Wade, penetrated French territory as far as Lisle. We trace them by papers, encamped at Asche, Alost, on the banks of the Scheld, and again in winter at Ghent, whence the colonel paid another flying visit to the shire.

regiment, bind ourselves to pay Major James Agnew of Lieutenant-General Cope's Regiment of Dragoons £200 sterling.

“Signed, sealed, and delivered, no stamp paper being to be had at Berleg-ham Camp, 29th May 1744.

“Colonel James Stewart of the 3d Regiment of Guards, Witness.”

CHAPTER XLV

THE SCOTS FUSILIERS

A.D. 1744 to 1745

Aye always true are those who bear the number twenty-one ;
It was when in the days of old they served in Germanie
Against the power and pride of France and all her chivalrie ;
Sir Andrew Agnew at their head, they feared no foreign foe,
But sharp and sure the Frenchmen met, and dealt them blow for blow.

Camp Song, 21st Fusiliers.

THE business which brought the sheriff home in the winter of 1744 was happily peaceful, and one of the first matters minuted at his court was as to bridging the Cree at the ford opposite the Kirktown of Minigaff, at the point where the roads branched off to Edinburgh and Dumfries eastward, and Portpatrick to the west.

The nucleus of the pleasant town of Newton-Stewart had already been formed by the Laird of Castle Stewart,—whence its name,—but the only access to the important market of Minigaff was by ferry-boat or fording, often dangerous in floods.

In 1728 the Synod of Galloway had laudably collected contributions towards the erection of a bridge ; but it was only in the winter of 1744-45 that at a meeting, the combined baronage of the Shire and Stewartry raised a sufficient sum for its completion. Whether through faulty building, or from causes beyond known control, the bridge then built, succumbed to a flood in the year 1810, and in 1813 it was replaced by that which now stands.

Hearing that the Duke of Cumberland had started unex-

pectedly to his command in Flanders, the sheriff hurried back after him before the expiration of his leave. But with all his haste, much to his mortification, he arrived too late to take part in the sanguinary battle of Fontenoy,¹ in which his regiment lost nine officers and 279 men. His eldest son and all his brothers had been engaged with their respective corps; Major James Agnew having brought his regiment² out of action, which at the final charge had lost thirty-five troop horses and fifty-six men. On landing in Flanders, Sir Andrew found orders awaiting him, to take up command of the garrison at Bruges, of which his shattered regiment was sent to form a part. Here he received letters from his son and brother, informing him that they had already relieved the anxiety of Lady Agnew and Lord Galloway as to the safety of their mutual relatives; though they, and indeed the whole army, had to mourn the death of the gallant Lawers,³ mortally wounded at the head of the horse on that unlucky day.

The following is from his son :

“ Camp, near Lessines, May 19, 1745.

“ Dear Sir,—It gave me great pleasure to hear of your safe arrival at Bruges. I return you a great many thanks for the mare; you may depend upon it that care shall be taken of her.

“ I wrote to my mother the very night of the battle, and two days after, for fear my first letter should have miscarried. I acquainted her in those letters you was not yet arrived. I also wrote to my Lord Galloway.

“ The reinforcement of the Dutch troops are coming every

¹ 30th April old style (11th May new style) 1745.

² Sir John Cope's dragoons, known also as the Marquis of Lothian's, Lord Polwarth's, and Kerr's, now the 7th Hussars, were originally raised as Scots Dragoons in 1690, disbanded about 1713, reformed in 1715 by three troops from the Greys, two from the Royal Dragoons, one newly enlisted. Their uniform was scarlet, white facings, and white horse furniture. There is a portrait of Major Agnew at Lochnaw in a red velvet coat open, red waistcoat laced with silver buttoning to the throat.

³ Sir James Campbell of Lawers, third son of second Earl of Loudoun, had a leg carried off by a cannon ball, died, and was buried at Brussels. His son eventually succeeded as fifth Earl of Loudoun.

day into camp, and it is expected by everybody that we shall soon have another battle. For my part, I don't care how many we have, if I have the same good luck in them all I had in the last. You may depend I shall let you know when anything extraordinary happens. You have no doubt heard by this time of our cousin William Lockhart's being broke for cowardice.

"Major Agnew is very well; he had his horse shot under him the day of the battle.—I am, etc. A. AGNEW.

"To the Honble.

Sir Andrew Agnew, Baronet, of the Royal North
British Fusiliers, at Bruges."

A few days after, his brother wrote to him :

"Lessines Camp, May 30 (O.S.)

"Does my dear Sir Andrew expect that I, who command a regiment in the field, can have so much spare time as to answer letters of so small consequence? However, if I had not received your letter to-day I had intended to have wrote to you to-morrow.

"When our affair was over at Tournay I was ordered on the rear-guard, but my anxiety was so great to know how the young laird was, that I sent my Drum, who brought me the agreeable news that he was very well. I had my horse shot, and a ball went through my belt, which resistance prevented its wounding me in the thigh. I was glad when we were marching to the attack that you was not there. My little *Mun* (Montgomery) is at the Academic School at Breda, where he learns French, Dutch, mathematics, etc. . . .

"I shall take great care of your horse, but if you had kept him at Bruges it would have cost you nothing, for whoever draws forage from the magazine is not to pay for it.

"I had a letter the other day from Auckland . . . they are much rejoiced to hear that the blood of the Agnews escaped so well.—I am ever, dear Brother, etc. JAS. AGNEW.

"Sir Andw. Agnew."

A day or two after this, his son again writes :

“ Camp, near Lessines, 3rd June.

“ Yesterday morning a courier arrived from Hanover with the field-officers' commissions signed; and they were in evening orders. I send you a copy. . . .

“ There is no news in the camp, nor any word of marching. There are more Dutch battalions joining us every day; but if they don't do better than the others, they may as well stay at home.”

Among the promotions in the list enclosed in this letter, are :

“ *3rd Regiment of Guards.*

“ Col. Jas. Stewart, Major, first Major in room of Colonel Carpenter, killed; Earl of Panmure, second Major, in room of Colonel Stewart.”

“ Earl of Stair, Colonel of the Gray Dragoons.”

The sheriff now proceeded to make arrangements to take the field. His batman's memorandum as to his camp equipage is quite a curiosity.¹

The sheriff was immediately under the command of General John Campbell of Mamore, afterwards Duke of Argyle, full colonel of his regiment, a groom in waiting to the king.

¹ Brudges, May 15, 1745.

“ En Inventar of the Honourable Sir Andrew Agnew, Bart., of his camp ecopage for this campyne what was new ore repaired:—

“ One new markie with walls and pins and nabs.

“ The ould tent repaired and ould pouls (poles).

“ Six new pequets for the horses, with the ould pequet rops.

“ Six new nose bags. Three new settes of forage rops, and two ould sets.

“ One new hatchat, two pair tunks (trunks), one single.

“ Four new tresses (traces), four eys for the tresses.

“ The harnice repaired.

“ One new cover for the cart, the wheel, and other things repaired.

“ One new horse cloth and wither rops.

“ One new whipe. Smal rops for bridle rains.

“ Two sayths (scythes), one hamer, one sharpening stone for ye sayths.

“ One ould tar box, one spead (spade), one fork.

“ Two curie combs, two brushes, one mean comb.

“ One sponge, one lether bucat, three bridels.”

He had married a court beauty, Mary Bellenden,¹ maid of honour to Caroline, Princess of Wales (George II.'s queen). On the whole, cordial relations existed between the lieutenant-colonel and colonel; but the sheriff, though a strict disciplinarian and a rigid observer of military etiquette, was no courtier, and cared not a straw for any pretension on the score of staff position, rank, or fashion, and it is amusing to follow the little tiffs arising between the two. The sheriff resented the brigadier's interference in details, the general complaining that due deference had not been always shown him. Unfortunately, of their correspondence, we only have the letters of the general, and can only guess at the replies, which would be no doubt quite as racy. The stilted language then used conventionally—as we have seen, even by a son to his father—makes it difficult to judge how far good fellowship was really interrupted, as the future duke signs himself “Your obedient humble servant” when writing to the sheriff in a very peremptory way, whilst the said sheriff and lieutenant-colonel expresses himself most submissively even when most refractory. The correspondence commences by a letter from the general, who, like the sheriff himself, was hurrying back on learning that the Duke of Cumberland was in the field; who writes from London to him at Edinburgh, supposing it probable that he may embark from Leith on the same errand. The address of the letter as given shows the old form of franking.

“ Sir Andrew Agnew, Baronet,
Lt.-Colonel to the Royal North British Fusiliers
at Edinburg.

“ Frae

John Campbell,
as Member for Dumbartonshire.”

(So franked)

¹ Third daughter of John, second Lord Bellenden. Of her Horace Walpole writes: “Above all for universal admiration was Miss Bellenden. Her face and person were charming, and so agreeable was she that I never heard her mentioned afterwards by any of her contemporaries who did not prefer her as the most perfect creature they ever knew. She rejected the amorous advances of the Prince of Wales with scorn.”

“London, 17 April 1745.

“Dear Sir,—As I'm in hopes this wont reach you I shall only tell you that Major Colvill writes me that four of the recruits from Newcastle are so bad that he would have discharged them if they had not been cloathed.

“I wish it were possible (for you) to bring over 4 more than I wrote for, so as I might have an opportunity to punish the officer who recruited them; I shall never forgive him. But this I leave to your own discretion, and wish you a good voige.—
Yours,
JOHN CAMPBELL.

“The wind still east at 11 this evening, made me write these few lines whilst the Bellman stay'd at the door. The Transports are still at Gravesend, your horses on board ever since Saturday. I have been very ill else I was to goe by the way of Dover to-morrow; but on Wenesd. I'm resolv'd to sett out.”

The general arrived in time for Fontenoy, and the following letters from him awaited the sheriff on his arrival at Bruges :

“24 May 1745.

“Dear Sir,—It is not necessary for me to give you any particulars of our loss in the late Bloody Action, as you can have it from those that were present. Stewart the Adjutant is dead of his wounds . . . you will order that all the Trunks and effects of the officers killed or wounded may be put up in the stores and sealed, till it is thought proper they should be opened. . . . Dear Sir, your most obedient humble servant,

“JOHN CAMPBELL.”

On the 31st May he writes from “Lessines Camp” enclosing a list of commissions approved by H.R.H. the Duke to the Royal North British Fusiliers, among which were to be first lieutenants Honble. Charles Colville, and James Bellenden (a nephew of his wife's, afterwards of Bigods, Essex), who had been wounded at Fontenoy; to be second lieutenants, among others, James Kennedy of the Cassilis stock, and Duncan Campbell, a relation of his own. He writes :

“Dear Sir,—You have as above the preferments, and I desire you will order that they take rank as above set down. Duncan Campbell goes from hence to-morrow by way of Brussels to joyne you, and Mr. Roger Moriss shall set out in about a week to put himself under your command. He is one I have a particular concerne in, so I desire you will be so good as to take care of him as my friend, and order him to set about learning the manual exercise, etc., by which you will singularly oblige me. He is a very pretty boy, has had a very liberal education, and writes and speaks French, so that I can recommend him to you for an aid-de-camp. You’ll find him vastly useful.

“I have a letter from Lieut. Robert Buchanan” (the sheriff’s adjutant), “wherein he advises the disposing of the horses of the dead officers, or turning them out to grass. There is one thing which you are not informed of, and makes it not necessary, which is, that no officers are to pay for their forrage since we took the field. . . .

“You will take care that none of the officers dispose of their horses, as they may be very soon called into the field.

“The surgeon will, in a week’s time, be able to joyne you. I should not have allowed him to be so long absent, were it not for the number of our officers who lay wounded at Ath; and who, thank God, are likely to doe well.—I am, etc.

“JOHN CAMPBELL.

“Sir Andrew Agnew, Baronet, at Bruges.”

Again, on the 4th of June, General Campbell writes:

“I forgot to acquaint you that the Duke of Cumberland has pardoned all the deserters who have returned to their colours, so you may order one of the officers to examine Robert Semple very strictly as to the particulars of his desertion . . . but to tell him, that if he discovers honestly what he knows, you have my orders to pardon him. There would be no harm in desiring some of the company to look sharply after him, to see what company he keeps; for he may possibly be sent to give intelligence to the enemy, or to debauch some of our men. I

mention these particulars as hints. Your own prudent management will direct you what is to be done towards having some intelligence of what passes secretly in your garrison.

“Let me advise you to take care that the officers don't presume to dispose of their horses, or any part of their field equipage.

“I am surprised to hear that you have ordered the stores of General Ponsonby's regiment to be taken into my house without asking my leave. I had much rather pay for the hire of a store-room than admit of any things coming into my house which must breed confusion. . . . I have only time to add that I am yours,

JOHN CAMPBELL.”

With respect to the last rather angry remark, the general writes on the 14th in a mollified tone :

“As to my house, or anything else in my (possession), *you know is much at your service*, all I meant or expected was to be asked.

“Duncan Campbell writes me of your goodness to him. I have lent him ten pounds, and have given him an order for clothes to make up his regimentals; so that you will soon have him fit for duty. Adieu.”

A few days previous to this the sheriff had received his “route,” and the command of the garrison at Ghent.

“Sir,—It is his Royal Highness the Duke's orders, that on the arrival of Handasyde's regiment at your garrison of Bruges, you immediately march with the regiments under your command into the Citadel of Ghent, and remain there till further orders. You will please to send constantly a report of anything extraordinary that happens to the head-quarters. . . . The artillery stores which are ready at Bruges you are to take under your convoy, and lodge them with the other artillery stores at Ghent.

—I am,

ROB. NAPIER,

“*Aide-de-Camp to H.R.H.*”

“Sir Andrew Agnew, Bart.”

Again :

“ Lessines, June 16, 1745.

“ Sir,—Handasydes having orders to escort the powder and artillery stores from Ostend to Bruges, it is His Royal Highness’ orders that you take the said powder and stores, with what others there are at Bruges destined for the army, and bring them under your escort from Bruges to Ghent. The dragoons which are at Bruges are to make part of the said escort, and you are to acquaint the commanding officer at Ghent what day you set out, that he may send the dragoons that are there to meet you half-way. . . . You will let me know when the said stores will be at Ghent, that a detachment may be made from hence to bring them to the army.—Yours,

ROB. NAPIER,

“ *A.D.C.*

“ Sir Andrew Agnew.”

“ Lessines, Head Quarters, June 19, 1745.

“ Sir,—Lt.-Col. Peachell has received H.R.H.’s orders to march to Ostend with the drafts of the foot-guards, and all the recruits that are there, with the cannon, ammunition, and all the artillery stores lately come from England, all which he is to deliver to your charge, and H.R. Highness orders you to march with the Scotch Fusiliers, the said drafts, recruits, cannon, and stores, with all the dragoons in Bruges, to Ghent, where you are to remain in garrison till further orders, and you are from Bruges to acquaint the Earl of Dunmore with the day you are to arrive at Ghent.

“ If you should hear of any French detachments along the canal, you are to demand 200 men of Lt.-Col. Peachell to reinforce your command.

“ And in case the stores or any part of them should come by water in bilanders, you are to march your command on the enemy’s side of the canal, which is the right side.—I am, Sir, yr. most obt. humble servant,

BURY,

“ *A.D.C. to H.R.H.*

“ To Sir Andrew Agnew, Bt.”

As he was on the point of marching for Ghent, on the 20th, the sheriff received a countermand, also signed by Lord Bury (afterwards third Earl of Albemarle), desiring him to remain in Bruges with the Scotch Fusiliers, draughts of the Guards, and recruits, until further orders, and the following day he received a letter from General Campbell at greater length. "I write this at a venture, hoping it will find you at Bruges, as it is possible that the express sent off yesterday in the afternoon may have reached you so as to prevent your march, . . . The Citadel of Tournay, reported yesterday to be surrendered, holds out still, so that I imagine we shall continue here till the fate of that important place is determined; this is all the news I have to send you."

On the 23rd the General writes from Lessines :

"My dear Sir,—I give poor Houston up for lost." (Then follow directions as to holding a court of inquiry to ascertain when he was last seen alive, previous to filling his vacancy.) "You'll no doubt hear that the citadel of Tournay was surrendered last Saturday, most people think scandalously.—I am, your most obedient humble servant, JOHN CAMPBELL.

"To Sir Andrew Agnew, Baronet,
commanding the Royal Fusiliers."

The sheriff now received official orders to consider himself under General Bland's orders, whether at Bruges, Ghent, or Ostend, from whom he received the following in course :

"Ghent, 29th June 1745.

"Sir,—Not being certain whether Colonel Powell is now at Bruges or still at Ostend, I am obliged to trouble you with the enclosed letter to him, which contains certain orders he is to execute. . . . You must give whatever detachment Colonel Powell desires to escort him half-way to this town; though I am in hopes he will require no more than what he brings with

him and the 180 Foot Guards now at Bruges. I presume you will remain all this summer in Bruges.—I am, etc.

“ A Monsieur, HUMPHRY BLAND.
Mons. le Chevalier Agnew,
Commandant en Bruges.”

On the 5th of July came a despatch from headquarters at Grammont :

“ Sir,—It is His Royal Highness’s orders that if you find any large detachment of the enemy making movements towards Ostend so as to endanger that place, you are immediately to march with your regiment and throw it into Ostend.

“ ROBT. NAPIER, A.D.C. to H.R.H.

“ To Sir Andrew Agnew,
commanding the Royal Scots Fusiliers.

“ Per Estafett.”

And on the 14th the final order came :

“ It is his Royal Highness’s orders that you are without further loss of time to throw the regiment under your command into Ostend, taking care at the same time to remove all the military stores, particularly 118 barrels of powder, with all the spare arms, clothing, and accoutrements left by any of the regiments in Bruges, and all private effects. But if you should not have time, you are to save the battalion and go directly to Ostend, which is to be the first consideration.

ROB. NAPIER,

“ A.-D.-C.

“ Sir Andrew Agnew, Bruges.”

Followed by an especial caution :

“ From Dieghem Camp, 20th July 1745.

“ Sir,—His R. Highness commanded me to let you know that he takes for granted you are sufficiently apprized of the consequence of the town of Ostend, and that he doubts not but that from that consideration, as well as for your own honour,

you will do everything in your power to defend it, in case of an attack, to the utmost.

“The Duke likewise expects that you give a regular and particular account as well to himself as to the Lords of the Regency, of the state and condition of the town and garrison of Ostend, and also of whatever is done or may be necessary to be done for its defence; and particularly what may be done with the greatest appearance of success for providing against an exigency. And it will be necessary that you should be particularly exact in your notices of what is done or doing with regard to inundations.

“It will likewise be very well approved that you give an account of all you can learn relating to all the motions of the enemy, whether in large or small bodies, and likewise of all naval armaments you may hear of, especially from Dunkirk, or of any ships of war that appear in these waters.

“In the course of such a correspondence it will be necessary to guard against letters falling into the enemy’s hands.—I am with truth, Sir, yours, etc.

EVERARD FAWKENER.

“Sir Andrew Agnew.”

The return of ammunition received by the sheriff out of the magazine at Bruges on his expedition is in very different form from that which would be made in these days of cartridges and breechloaders. Among the items being:

- “ 276 barrels of powder.
- 3 small barrels of powder.
- 375 boxes with ball.
- 8 barrels with flints.
- 2 boxes with flints,” etc.

At Ostend there was warm work, for which he was very ill prepared, the fortifications being out of order, the stores insufficient, and the number of men far too few for lining the intrenchments.

A gallant defence was nevertheless made; but the works proved so thoroughly untenable, that the capitulation was agreed

on, and the garrison marched out with the honours of war, not without much grumbling, on the part of the young officers especially, that they had not been allowed to have a fight for it.

From various returns, whether for losses, or deficiencies, or requirements, of the different companies, during the siege, we are enabled to put together a complete list of the senior officers of the Scots Fusiliers at this date, army lists having not yet been published :

Lieutenant-Colonel Sir Andrew Agnew, Knight, Baronet.

Major the Honble. Charles Colville.

Captain John Crosbie.

„ Honble. William Leslie.

„ Thomas Olliphant.

„ Honble. Andrew Sandilands.

„ Norton Knatchbull.

„ George Monk.

„ Sir James Carnegie, Bart., M.P.

Lieutenant George Hay.

„ Campbell Edmonstone.

„ Honble. Charles Colville.

„ Roger Morris.

„ James Kennedy.

„ John Maxwell.

„ John Lindsay.

„ Edward Maxwell.

„ James Bellenden.

„ Duncan Campbell.¹

¹ Major Colville was son of the sixth Lord Colville ; commission as major 1741 ; had a horse shot under him at Dettingen ; commanded the regiment at Fontenoy.

Captain Leslie was son of the seventh Earl of Rothes by Lady Jane Hay, daughter of the second Marquis of Tweeddale.

Captain Knatchbull was son of Sir Norton Knatchbull of Mersham Hatch, Kent, and married the daughter and heiress of Thomas Knight of Godmersham.

Captain Sandilands was son of the seventh Lord Torphichen.

Sir James Carnegie of Pitarrow and Southesk represented the attainted Earls of Southesk, to whom on the death of the fifth earl in 1730 he became heir male.

The Scots Fusiliers were next stationed at Mons. A long correspondence took place between the sheriff and General Campbell, as to the losses of arms and accoutrements, which it was the place of the latter, as honorary colonel, to supply. They were certainly considerable, amounting by one return before us, to 216 firelocks, 255 bayonets, 22 swords, 221 pouches, 216 cartridge-boxes, 383 capes, 8 halberts, 8 drums.

The general certainly seems to have acted generously towards his corps, and writes thus: "The return of our losses is very distinct. What reparation is to be made I really can't tell, but I am resolved my Regiment shall want for nothing in my power. I leave you and the Major to lay your heads together, and furnish the Battalion with what is necessary for the service."

Again he writes: "Send an officer to Ghent to bespeak the things wanted for the Regiment; the halberts, drums, and spontoons are absolutely wanted immediately. I leave all these things to your judgement."

But though General Campbell's behaviour was handsome and liberal, he appears to have lost his temper most unnecessarily as to a captain of the Scots Fusiliers being permitted to go with a message (which it would have been strange if the sheriff had delayed by corresponding with the general, who was not on the spot) from another general to the Duke of Cumberland, and writes as follows:

"Vilvorden, 17 Sept. 1745.

"Capt. Noble has taken upon him to doe a thing which I disapprove extremely, for which I shall confine him whenever I see him with the Regiment. We arrived at Vilvorden about 9 in the morning, where I met him. He told me he had a message from the Major-General who commands at Mons to his Royal

He represented Kincardineshire in Parliament. His great-granddaughter Madeline was married in 1816 to Sir Andrew Agnew of Lochnaw, seventh baronet, great-grandson of the twelfth sheriff.

Sir James Carnegie fought in the ranks of the Scots Fusiliers at Culloden; his brother George in those of the Pretender.

Highness: and there he was kept till 2 of the clock. He called at my Quarters when I was at dinner, and only stayed about an hour; having received orders to push on and to overtake Sir John Ligonier, I did not think it proper to ask him what he brought, or what he carried. And so we parted after a little public conversation at table before the servants. I designed to have read you a lecture upon this occasion; but as the post goes out early, I have not time.— I am, your most obedient humble servant,

JOHN CAMPBELL.

“*P.S.*—I desire you will observe that for the future you give no officer leave to be absent from the regiment without first acquainting me with it, and receiving my answer.”

A wiggling had little more effect on the sheriff than a splash of water on a duck's back. Indeed he was soon even with his commanding officer, who himself committed a breach of military etiquette by desiring one of the sheriff's officers to come to him without communicating it through the commanding officer. Consequently when this officer reported the general's command, the sheriff told him he did not take verbal messages, and refused to let him go. An explosion followed:

“Vilvorden, 19 Sept. 1745.

“What occasions my giving you this trouble is a letter received from Mr. Noble, wherein he seems to doubt of your allowing him to leave the Regiment. His words are as follows: ‘Sir Andrew told me last night that if I had a passport he would not allow of my going to your Quarters, notwithstanding your orders which I told him I had for that purpose.’

“I desire to know from yourself if you said any such thing, because I apprehend it contrary to military discipline.

“But towards preventing any mistakes I doe by this give you my *positive* orders to allow the following officers to joyne me at Vilvorden: Captain John Noble, 1st Lieut. M'Gachen, 2d Lieuts. Duncan Campbell and John Lindsay.—I am, Sir, your most obedient humble servant,

JOHN CAMPBELL.

“To Sir Andrew Agnew, Bart., Mons.”

Within a few weeks of the date of this letter, Sir Andrew Agnew was no longer under General John Campbell's command, his regiment being recalled to England on the landing of the Pretender. We may feel very certain that, notwithstanding certain sharp passages, they did not part without taking "a richt gude willywaucht for Auld Langsyne."

A letter received from his brother keeps us *au fait* of the family news:

"Vilvorden Camp, 18th Sept. 1745.

"Dear Brother,—Your son marched last Thursday, it seems the orders did not come to the regiment till late at night, and we were encamped at some distance from them, so that I had not the pleasure to see him, nor did I know of their march till a soldier brought the mare. She is in good order, as likewise your other horse, and shall take care of them both till I have the happiness of seeing you, which I'm afraid won't be till winter-quarters.

"As to yor son's horses, I don't know how he has disposed of them, but I know the Guards have orders to leave all theirs at Antwerp, and probably they will do the same, for everybody agrees they will be with us in the spring, if not sooner, and we are lately joined by 6000 Hessians.

"My son James is now at Louisbourgh (Cape Breton) and was at the siege of it, which lasted *longer than yours*, for it took them six weeks; he was slightly wounded in the left knee, but is now quite recovered; he was also at taking the man-of-war of sixty-four guns, which proves a very rich prize, and I hope his share will turn out £1000.

"Since the affair of Melle, Handasyde's (16th) has been at Antwerp, and is now in a very sickly condition, one half of them in the hospital. Poor Willy has had a fever and ague, as indeed many of their officers, but is now quite recovered.

"I heard lately from Auckland and York, when all friends there were very well, as likewise from my little Mun at Breda.

"It was no doubt great joy to Lady Agnew to hear you got

well from Ostend, and I wish you was here, for we have our own fears about you, though I think it too late in the year; and ever am sincerely, dear brother,

“Your ever affectionate brother and humble servant,

“JA. AGNEW.

“Sir Andrew Agnew, Bart., at Mons.”

CHAPTER XLVI

THE FORTY-FIVE

A.D. 1745 to 1746

Cock up your beaver, and cock it fu' sprush,
We'll over the Border, and gie them a brush ;
There's somebody there we'll teach better behaviour,
Hey, brave Johnnie lad, cock up your beaver.

MEANWHILE the Pretender had landed quietly at Moidart the 25th of July. The word had been passed to such few friends as he had in Galloway. The standard of rebellion was openly raised in the North on the 19th October following, but none in the Stewartry or Shire ventured publicly to don the white cockade. Vague rumours, however, were in the wind, and much uneasiness felt in the boroughs on the seaboard.

The *Edinburgh Evening Courant* of the 18th September has the following :

“ There are letters from Dumfries yesterday morning, advising that there is not the least stir there, everything as quiet as usual, though the Eskenites¹ have got a standard made for them, and have been stocking themselves with arms. As these letters mention nothing of any cannonading being heard on the coasts there, 'tis believed the story with respect thereto is groundless.”

By the 16th of September Prince Charlie had occupied Edinburgh, and on the 21st had totally defeated the royal

¹ Adherents of the Earl of Mar.

army at Prestonpans, in which battle the gallant Colonel Gardiner and John Stewart of Physgill (a captain in Lascelle's, now 37th Regiment) were killed; and Sir Thomas Hay of Park, serving with the Galloway Militia, lost an arm and was maimed for life by a Highlander's broadsword, having declined to imitate his commander Cope and run away. The rebels in high feather marched for the Borders, where they picked up sundry Galloway recruits—the most notable Maxwell of Kirkconnell. But the baronage generally stood firmly by King George; John Gordon of Kenmure, whose father had been beheaded in 1715 for attachment to the Stuarts, and whose wife was a daughter of the attainted Earl of Seaforth, declining the command of one of the two troops of guards pressed upon him by Prince Charles (Lord Elcho having the other).

So strongly loyal was Galloway, that a raid was made in the rear of the rebel army, and at Lockerbie much of their baggage carried off.

Orders had been meanwhile sent to the Duke of Cumberland to bring back his best regiments from Flanders, and the Scots Fusiliers amongst others were embarked forthwith, and on the 4th November anchored in the Thames.

On landing, the sheriff's corps was inspected by Lord Stair,—the last time the two Galloway neighbours were to meet,—and he received his route as follows:

“Sir,—It is His Majesty's pleasure that you cause the Regiment under your command, when disembarked, to march by such routes and in such manner as you shall think most fit to the several places as per margin,—

“Five companies to Ailesbury,

“Two companies to Thame,

“Three companies to Buckingham,—

“there to remain till further orders, where the civil magistrates and all concerned are to be assisting and providing

quarters, impressing carriages, and otherwise as there may be occasion.

“Given at the War Office the 4th Nov. 1745.

In the absence of the Secretary at War,

ED. LLOYD.

“The Officer commanding
Royal North British Fusiliers.”

Within a few days the Duke of Cumberland gave the word, and the Scots Fusiliers marched northward in Lord Sempill's brigade.

Arrived at Preston, the Sheriff met his young brother John, who, with St. George's dragoons, through deep snow and ice, had forced their way from Doncaster. Whence the united forces marched on to Penrith, issuing thence in order of battle at 4 A.M. on the shortest day, the dragoons in the advance, the Fusiliers with the main body of the army, skirmishing by the way. By that evening the investment of Carlisle was complete,¹ and Prince Charles had recrossed the Scottish border.

Within ten days the town and castle had surrendered, and the Scots Fusiliers were on the rebels' track.

The Pretender had in the interim taken up his quarters at the Blue Bell in Dumfries (now known as the Commercial, and his room is still pointed out as No. 6); there he eased the burgesses of the better part of £2000 in cash, and 1000 pair of shoes. A Galloway minister's journal gives a graphic notice of the terror inspired by the Highland host :

“*Sabbath, 22 Dec.*—Melancholy day—rebels in Dumfries with Pretender's son at their head—they were most rude in the town—pillaged some shops—pulled shoes off gentlemen's feet in the streets. In most of the churches for some miles round no sermon. God be blessed, we had public worship—much confusion in the neighbouring parishes—rebels robbing

¹ On the 21st the Duke of Cumberland invested Carlisle and stationed the heroic Sir Andrew Agnew at the sally port with 300 men to prevent any of the garrison escaping by that outlet.—Mackenzie's *History of Galloway*, ii. 417.

people—stables—pillaging houses. They came to the border of our parish, but God be thanked! came no further.”¹

Within a week after this the Scots Fusiliers were interposed between the rebels’ rear-guard and the marches of Galloway.

The sheriff, having despatched a messenger to Dame Eleanor and the anxious family at Lochnaw, actively continued the pursuit. A large body of the royal troops who were in advance under General Hawley were somewhat ignominiously defeated on the 17th February at Falkirk (when Captain Dalrymple of Dunragit was killed); but happily the veterans of Dettingen were at hand, and on their approach the Pretender hastily retreated, the duke following hard after him; and we find the Scots Fusiliers cantoned on the 4th February about Dunblane, and two days later at Perth.

Here the sheriff was selected for special service, receiving his orders in the following stringent tenor from the duke :

“Perth, February ye 7th, 1745-6.

“Sir Andrew Agnew,—You will possess yourself of the Duke of Athol’s house at Dunkeld, and from thence send out such parties as you shall judge proper to annoy the rebels.

“You will get the best intelligence you can possibly, for which you are not to spare any money, of which you shall make an account, and it shall be repaid you.

“You will drive cattle into your inclosures for the support of your detachment, giving receipts for those which do not belong to rebel subjects. You will constantly send reports to me, and all the intelligence you can have.

“If you are attacked, you will defend yourself to the utmost, as the rebels have no artillery but 3-pounders to annoy you, and as succour will be sent to you.

“If any officer or soldier should refuse to defend the house

¹ Journal kept by Rev. George Duncan.—M’Dowall’s *History of Dumfries*, p. 642.

to the utmost, you will let them know you have my orders and power from me to inflict punishment, *even death*, for such disobedience, *without a court-martial*. (Signed) WILLIAM.

“ Lt.-Colonel Sir Andrew Agnew, Bart.,
Commanding at Blair in Athol.”

The sheriff accordingly left Perth forthwith, and, marching through the Pass of Killiecrankie (coille criothnachadh,¹ “the wood of trembling”), pounced upon Blair Castle and occupied it without opposition.

The Pretender had only left it on the 18th, so that the sheriff found his bed still warm; his rear-guard only evacuating the house as the sheriff’s troops came in sight, leaving some of their arms behind them² in their hurry.

A detachment of the 27th Regiment occupied Castle Menzies; and a body of Argyleshire Highlanders under Colonel John Campbell, son of the sheriff’s former general, were sent to Blarefeitty, Kerechan, Glendullen (Glendonlardie), and Cosville (Coshieville), all desired to report themselves to the sheriff,³ who, having established his headquarters at Blair, proceeded, according to his instructions, to reduce the neighbouring country.

The people generally were disaffected. James, Duke of Athole,⁴ professed loyalty to the reigning house, but his vassals had generally followed the Jacobite standard under his two

¹ Pronounced Creeonachie.

² Not extremely valuable, however. Amongst “Duke James’s” papers is the “Return of arms and accoutrements taken by the Honble. Col. Sir Andrew Agnew at Blair Castle, belonging to the rebels: 9 firelocks, 161 bayonets, 80 shoulder belts, 100 pouches, 291 cartridge boxes, 6 ditto.”—*Siege of Blair*, Duke of Athole, p. 4.

³ “Orders for Captain Campbell of Knockbuy.—You are to march directly hence with your own company, Carsarig’s, Raxchelly’s, and Ardneinshes, as follows (as above). You are to have the command of the several companies above mentioned . . . such of the rebels as are found in arms to take prisoners . . . to seize upon all sorts of provisions designed for their use . . . to report yourself three times a week to the commanding officer at Blair of Athol.—JOHN CAMPBELL.”

⁴ Third son of John, first duke, had succeeded to the title in consequence of the attainder of his eldest brother William.

brothers—William, Marquis of Tullibardine,¹ and Lord George Murray, the latter one of the Pretender's most efficient generals.

The able-bodied men had mostly left the country, whilst the old men, and the ladies of the lairds who were out, kept the rebels informed of all the movements of the royal troops. To intercept this correspondence, the sheriff established a chain of posts commanding the whole communications of the district, thus very considerably reducing his force at Blair Athole. A few days after his arrival, he was much embarrassed by hearing that the duke himself proposed returning to his own house.

This was announced to him by His Royal Highness.

“Perth, February 13, 1745-6.

“Sir Andrew Agnew,—The Duke of Athole coming down to Blair to take possession of his estate, I desire that you would have all the regard and civilities pay'd to him that are possible. The Duke of Athole will give you the names of such of his vassals as are within eight miles of Blair that joined in this unnatural rebellion. You are to seize their persons, if possible, and keep them in safe custody till further orders. You may seize their effects for the use of His Majesty's troops employed by you on such occasions; and whatever stacks of corn or hay they may be possessed of, you are to cause them to be conveyed to Blair for the use of His Majesty's forces; and you are to burn and entirely demolish their houses and habitations.

“You are further to assist the Duke of Athole in collecting and seizing all the arms which may be found in the country, for His Majesty's service. (Signed) WILLIAM.

“To Sir Andrew Agnew,
Commanding the King's Forces at Blair.”

The sheriff had now a very ungracious duty to perform in still holding the duke's own castle after the arrival of its noble owner; the more awkward as the duke, after his professions of

¹ Which eldest brother was always styled by the Jacobites Duke of Athole.

loyalty, which were not openly questioned, had fully expected that his mansion would be handed over to him unconditionally. This the sheriff declined to do, insisting upon keeping a party of soldiers in it; upon which his Grace, highly dissatisfied, thus officially addressed him:

“Dunkeld, 14 Feb. 1746.

“Sir,—I am sorry to understand that the men under your command are committing so many disorders at my house; are within my enclosures with the pretence of wanting provisions, firing, etc., when there are so much of all kinds of provisions necessary for the king’s troops in the neighbourhood, belonging to the rebels. I believe you have H.R.H. command in respect to this, and conform to his orders I send you a list of my vassals and other gentlemen that are in rebellion 8 miles round Blair.

“I came here on my way to Blair, and shall be there as soon as I know from you that I can have my accommodation for myself in my own house.

“I am, Sir, your humble servant,

(Signed) “ATHOLL.

“To the Honble. Sir Andrew Agnew, Knt. Baronet.”

As a further proof of his loyalty, the duke enclosed a long list of those of his vassals within eight miles of Blair Athole who were out with the rebels.

To this the sheriff replied that he was bound to guarantee the castle against a *coup-de-main* of the rebels at all hazards, which, if the troops were withdrawn, his Grace could not do, and hence that he must maintain a garrison there for the present.

On receipt of this letter the Duke of Athole left the country in high dudgeon; previous to starting he wrote to the sheriff as follows by way of protest:

“Dunkeld, 16 Feb. 1746.

“Sir,—I have this moment received yours in answer to mine of the 14th. As my house is filled with the troops under

your command, so that I can have no room in it for myself, will make my being in the country both disagreeable and inconvenient for me; there are houses belonging to the rebels in the neighbourhood of Blair sufficient and large enough to contain all the troops under your command, both officers and private men, and that perhaps would be making a better use of them at present than burning. I cannot presume to give any opinion relative to his Royal Highness's orders to you;—*Quartering in my house only I find is very punctually obeyed*, this certainly, whatever room there was for it at first, is now removed, my last intelligence being that the rebels are marched from Ruthven and are at a much greater distance from Atholl. The bearer, Commissary Bissat, will give you all necessary assistance in getting provisions for the troops, and what else is needful.

“I am, Sir, your most humble servant,

(Signed) “ATHOLL.

“To the Honble. Sir Andrew Agnew, Knt. Baronet.”

The value of the duke's information we shall presently see. Meanwhile the Duke of Cumberland prepared to leave Perth, and sent these further orders to the sheriff:

“Perth, Feb. 19, 1745-6.

“Sir,—As the army is on its march, his Royal Highness has ordered me to acquaint you of the disposition of posts here, which you will please to reinforce if there should be occasion, and support in case they are pressed. Biscuit and cheese for 20 days has been sent to you as a store, which you will keep; as bread will every four days be sent from hence, where the North British Fusiliers and a squadron of St. George's Dragoons remain in garrison. The posts above mentioned are:

“At Blair under your command 500 Regular Troops.

„ Castle Menzie	200	„
	<hr style="width: 50%; margin: 0 auto;"/>	
	700	
	<hr style="width: 50%; margin: 0 auto;"/>	

“ At Blarhatie	60	Argyleshiremen.
„ Kennychan House	100	„
„ end of Loch Rannoch	100	„
„ Glengoulin and Cushavik	60	„
„ the Clachan of Balquidder and west end of Lochearn	} 50	„
„ Dunkeld			50	„
	<hr/>	420 Argyleshiremen.
In the House of Leny	70	Perth Company.
	<hr/>	490
	<hr/> <hr/>	

“ The posts nearest Blair, in case they should be forced to retire, will come to Blair, and those nearest Castle Menzie, should they be obliged to retire, will go to Menzie.

“ The posts are to report to you, and you will constantly send reports to his Royal Highness at Montrose or Aberdeen.

“ If the Argyleshiremen or the Perth Company should want any assistance to annoy the rebels, you will give it them from the regular troops.

ROB. NAPIER,

“ *Aide-de-Camp to H.R.H. the Duke.*

“ Sir Andrew Agnew, at Blair.”

The sheriff, a precise old soldier, scrupulously carried out his instructions. He could depend little on local intelligence, the gentry being all anxious to deceive him with regard to the enemy's movements.

One lady only in the neighbourhood, who was styled Lady Faskally, showed any signs of loyalty, and she exerted herself to procure provisions for the king's troops, and was occasionally a guest of the sheriff's at the inn at Blair, where she was treated with high consideration. Not that she was the only lady whom he entertained during his stay there. One morning a party marched in, conveying a distinguished prisoner, the lady of Robertson of Lude, a sister of Lord Nairn, who had been arrested by one of Sir Andrew's officers on a charge of high treason.

The sheriff, however stern to clansmen in arms, was not accustomed to make war upon women, and although he knew

that her husband was notoriously a rebel, affected to allow himself to be talked over; and receiving her superabundant professions of loyalty as perfectly sincere, he released her with many apologies for the inconvenience which she had sustained, at the same time proffering her such hospitality as he could afford. The lady, whose appetite had been sharpened by her morning's excursion, all her anxieties well over, thankfully accepted Sir Andrew's offer, and a merry party sat down at the inn at Blair, the worthy commandant presiding. The best claret was produced, the fair guest was fascinating as well as comely, and after a very hilarious afternoon the sheriff had the lady escorted to her own residence by one of his own officers, to which she returned well enough pleased with her adventure, and entertaining far less bitter feelings to the reigning house than if she had paid a more rigorous penalty for her Jacobitism.

The Duke of Cumberland had so fully calculated upon his ability to keep open his communications with the sheriff, that he had undertaken to supply him with provisions from Perth; and so little did his Royal Highness anticipate his being besieged, that he declined to furnish him with either artillery or any considerable supply of military stores, having no superabundance of either himself. Of all this Lord George Murray was perfectly well informed, and knowing every inch of ground in the whole neighbourhood, he formed the bold plan of cutting off the sheriff's posts by a well-concerted movement, and then starving him out of his brother's castle.

The rebels held all the passes between Blair and Inverness, and no certain intelligence could be procured of their movements, but it was generally believed they were retiring. Lord George, in order more completely to deceive the sheriff, withdrew the post nearest to him at Dalnaspidal, ordering a large body of picked men to rendezvous at a retired spot very near it the following evening.

Here he arrived himself at the appointed hour, mustered his force, told off a detachment for every post of the sheriff's, each party superior in numbers to the one it was to attack; and with

such secrecy was the affair conducted, that it was not till midnight that the men themselves knew how they were to be employed. He then marched them off with orders to steal cautiously up to the several royal stations, the garrisons of which they were to disarm and secure, stabbing every man who made the slightest resistance. This done, they were to re-assemble with their prisoners at the Bridge of Bruar before day-break; and hither Lord George, with Macpherson of Cluny, escorted by twenty-five men and all the pipers and standard-bearers of the division, repaired, to await the result of the expedition.

Blair Castle alone, where the sheriff himself was quartered, was ordered to be left unmolested, it being proposed to invest it with the whole of the forces the following day.

The Highlanders, admirably fitted for the service they were employed in, sped well upon their mission. Nearly thirty of the sheriff's posts were surprised, and their defenders either killed or taken. The inn at Blair was also attacked, but here most of the officers being billeted, they offered a more vigorous resistance than was expected, and all succeeded in fighting their way into Blair Castle. Within its walls the sheriff was sleeping soundly, when he was woke up by the startling intelligence that all his posts were cut off, and that the whole countryside seemed alive with rebels.

Springing from his couch, he ordered every man to turn out, and mustering his forces, he found exactly two hundred and seventy fit for service, with whom, leaving but a small guard behind, he sallied out, and marched straight for the Bridge of Bruar.

Here, but for an unfortunate mistake, he would soon have been even with the rebel commander. A Highland spy hovering near in the darkness, outran the royal troops, and arriving breathlessly a few minutes before them, warned Lord George Murray of their approach. My lord was sorely puzzled; to fight was out of the question, to retire was to sacrifice all the fruits of his well-planned raid;—a bold stratagem luckily suggested itself to his mind.

Near the bridge extended a long turf dyke, and along this, at intervals, he placed his standard-bearers and his pipers, his five-and-twenty men were ordered each to personate field-officers at the head of regiments in contiguous close columns. Hardly had they settled into their allotted positions when the regular tread of troops could be heard advancing from the westward; to these, on the other hand, the first rays of the rising sun, as they streaked the horizon, discovered the numerous standards of the enemy. A moment after, the gleam of claymores caught the eyes of the royal officers, hoarse-toned words of command rang along the opposing line, whilst the deafening noise of twenty pibrochs woke the echoes of the glen. To the sheriff it appeared that the whole rebel force now confronted his little party, and though, *had he been ordered*, he would have dashed at their army without a moment's hesitation, it was very different now that he had himself the responsibility of command. Far from assistance, with no artillery, and defeat apparently inevitable, prudence imperatively dictated a retreat, and to the no small joy of the rebels, old Sir Andrew faced his men about and returned to Blair.

Hardly an hour had elapsed after his disappearance, ere the rebel detachments returned to their chief, having been almost uniformly successful.

Lord George now proceeded to carry out the other part of his programme, which was with his greatly superior forces to invest the castle of Blair. But here the sheriff was too much for him: on his return, with great alertness, he instantly collected all the fuel and forage within reach, stored it in the castle, and calmly awaited the attack. The rebels soon approached in high spirits, numbering three or four to one of the royal troops, and furnished with two small field-pieces; whilst Sir Andrew drew his men inside the castle, and made preparations for a siege. Upon this, the Highlanders closed in after him, up to the very doors, and so closely was the place invested that the picket-guard, in charge of an officer, was cut off from the garrison, and had to fight their way in, bringing in with

them all the officers' horses from a contiguous stable, with the exception of one, which was pushed into a cellar, and there shut in without forage or water.

The sheriff's first act as an old soldier was to take a survey of his resources, and the result was not cheering; proving that for ammunition he had barely nineteen rounds per man, and as for provisions (excepting a very small stock in the larder), nothing but a very moderate quantity of biscuit and cheese. Even water was not abundant. Inside the castle there was certainly a deep well, but this required much labour to draw from, and yielded a supply quite inadequate to the wants of the whole party, which, including the Duke of Athole's servants, consisted of upwards of three hundred persons. The sheriff upon this settled that the daily rations for each person should not exceed a pound of biscuit, a quarter of a pound of cheese, and a quart bottle of water; and a guard was posted at the well to enforce this order, and regulate the supply. He moreover was obliged to issue an order, which occasioned far greater mortification, that no soldier should under any provocation whatever discharge his firelock without leave.

Having allotted his men their stations in the various apartments, he intimated his intention of defending the castle to the utmost extremity.

"Blair Castle was then irregular and very high, with walls of great thickness, having what was called Cumming's Tower projecting from the west end of the front of the house, which faces to the north. The entrance into the ground story of that tower was by a door in the centre of its east side without the house, but it might be defended by musket-fire from some of the windows. The great entrance into the house itself was by a large door on the east side of the staircase projecting from the front to the north, and adjoining to the east gavel of the old house a square new building had been begun, but only carried up to a few feet above some joists fixed for the first floor.

"There was at four or five yards' distance eastward from that new building a strong wall running north and south for

forty or fifty yards, and fifteen or sixteen feet in height, forming the end of a sunk bowling-green, and serving as a strong retaining wall to the above; above the centre of this wall was a pretty large recess for holding the bowls, and into which persons might occasionally retire.¹ Along the north side of this bowling-green ran a range of office-houses."

Lord George Murray, knowing well the poverty of the garrison, secreted marksmen amongst the enclosures, expecting them to sally out, hoping still further to reduce their numbers; and tried hard to make them squander their ammunition, calculating confidently on starvation soon enforcing their surrender. And, wishing to irritate the sheriff to the utmost, he wrote a summons on a shabby piece of paper, couched as follows:

"Sir Andrew Agnew, baronet, commanding the troops of the Elector of Hanover, is hereby required to surrender forthwith the Castle of Blair, its garrison, military stores, and provisions, into the hands of Lieutenant-General Lord George Murray, commanding the forces there of His Royal Highness the Prince Regent.

"As the said Sir Andrew Agnew shall answer to the contrary at his peril."

And ordered this to be delivered at once to his worship. This was, however, easier said than done. The Highlanders had such ideas as to how terrible a personage the sheriff was, that not a man of them could be induced to go on such an errand.

In this dilemma, it was suggested to Lord George that a comely young barmaid, between whom and the royal officers much flirtation had been carried on, could easily be induced to carry a message, as she had no reason to fear any personal maltreatment; and as Lord George assured her, the object of his message was to save her friends' lives.

She agreed to warn them of their danger, my lord and his

¹ *An Original and Genuine Narrative of the remarkable blockade and attack of Blair Castle by the forces of the rebels in the spring of 1746*: by a Subaltern Officer of H. M. Garrison, published 1808. By General Melville, then an ensign. The inverted commas, when not otherwise explained, denote quotations from this work.

staff meanwhile taking a post of observation to witness the result.

Arriving at a window, several of her friends appeared, to whom she confided her errand, entreating them, with tears in her eyes, to surrender at once; consoling them with a promise of good treatment from the Highlanders.

One of these merry youths was Ensign Melville, who, when an old general, thus penned his reminiscences of the scene:

“She pressed them that the summons should be received from her and carried to Sir Andrew, but that was positively refused by all, excepting a lieutenant, who, being of a timid temper, with a constitution impaired by drinking, did receive the summons; and after its being read, carried it up to deliver it to Sir Andrew, with some hopes, doubtless, of its having success. But no sooner did the peerless knight hear something of it read, than he furiously drove the lieutenant from his presence, and ‘*to return the paper,*’ vociferating after him so loudly on the stairs strong epithets against Lord George Murray, with threatenings to shoot through the head any other messenger whom he should send, that the girl (as he had intended) perfectly overheard him, and was glad to take back the summons and to return with her life to Lord George.”

Lord George next got his two guns into position, and commenced cannonading, but with no other effect than eliciting certain dry remarks from the sheriff, such as, “My lord is playing ball against the walls of Blair-Athol”; or, “Is the loon clean daft, knocking down his ain brother’s house?” Lord George, growing impatient, erected furnaces and threw red-hot balls in at the windows; but the sheriff ordered a tub to be placed in every room, and supplying his men with some of the duke’s ladles, the balls were so sharply watched for and picked up that they did little damage beyond charring the spots where they fell.

Time wore on, and still no relief approached, and even the daily quarter of a pound of cheese had become but a recollection of the past! The soldiers, however, never despaired, and felt assured “that Sir Andrew’s good luck would certainly help

them out in some way or other, for they had heard strange stories of their commandant, as of his never having been sick or wounded, nor in any battle that the English did not win."

Lord George Murray redoubled his provocations; his men, becoming bolder on finding that they ran little risk of being shot at, hurled stones against the castle accompanied by many coarse jokes directed against the commandant, greeting any head that might be protruded from any window with a regular volley, which the garrison were absolutely forbidden to return.

For a fortnight this continued, during which the sheriff showed himself too good a soldier to abandon his post, and too old a one to be provoked into a sally. He knew that every day he could detain so large a force before Blair was of the greatest advantage to the king, and he determined to stay as long as a single mouthful of biscuit remained in store.

Time, however, hung heavily the while on the hands of the younger officers, who, in default of other sources of diversion, bethought them of a joke at the expense of their commander. As a part of the plot they had to purloin a portion of his wardrobe, an act sufficiently easy to effect, as the good sheriff was constantly going his rounds from room to room. Taking advantage, therefore, of his zeal, these frolicsome youths possessed themselves of a full suit of the brigadier's uniform, with which, with the assistance of some straw, they soon produced an excellent imitation of his figure. They then placed the stuffed sheriff at a window of the tower, with a spy-glass in his hand, in the attitude of reconnoitring the rebels.

"This apparition," says Sir Walter Scott, "did not escape the hawks' eyes of the Highlanders, who continued to pour their fire upon the turret window without producing any adequate result. The best deer-stalkers of Athole and Badenoch persevered, nevertheless, and wasted, as will be easily believed, their ammunition in vain on this impassible commander. At length Sir Andrew himself became curious to know what could possibly induce so constant a fire upon that particular point, and ascending the

turret himself, there he saw his other identity standing under fire as stiff, as fearless, and as imperturbable as himself.”¹ The sheriff instituting inquiries, the author of the plot was induced to confess his guilt; upon which, with awful gravity, he delivered sentence upon the culprit to this effect: “Let the loon that set it up just go up himself and take it doon again!”² The retributive justice of the penalty no one could deny; and the whole garrison laughed heartily at their chief’s award, with the exception of the practical joker, who much disliked his errand. This prank is said not to have been without a salutary effect; the clansmen, already predisposed to regard the sheriff with a superstitious awe, now found their surmises as to his invulnerability so thoroughly confirmed, that henceforth they became hopeless of success.

His biscuit being all but exhausted, the sheriff determined to make an effort to communicate with Lord Crawford. The Duke of Athole’s gardener, Wilson, volunteered for the service; and having promised to destroy the sheriff’s despatch if in danger of being taken, he was given his choice of the officers’ horses. At one o’clock in the morning, a soldier was placed at each window with his firelock primed; the great door was quietly unbolted and Wilson issued out, apparently unperceived, and rode off over the bridge and along the avenue. As he reached the public road, he was fired at by pickets of the enemy, after which nothing more could be heard of him. But next morning, to the mortification of the garrison, a Highlander was seen near the village riding the identical horse which had carried their messenger.

It was now announced that the provisions were really done; but the indomitable sheriff simply gave an order in reply that a horse should be killed, and to pick out the fattest of the stud. The soldiers, without a murmur, did as they were bid, and having had their untempting rations duly allotted, they

¹ Scott’s *History of Scotland*. Chambers’s *Eminent Scotsmen*.

² Sir Andrew’s high sense of discipline rendered him, though fond of a jest, intolerant of all frolic, even at the expense of the enemy, while engaged in the serious business of war.—M’Crie.

proceeded to cook them, as they best might, to the music of Lord George Murray's artillery.

"By the 1st of April," says General Melville, "the rebels had thrown two hundred and seven cannon bullets, of which one hundred and eighty-five were red-hot, which became a very serious annoyance after they had taken to pointing at the roof; but such was the alertness of the garrison, that their carpenters were always ready to cut out the bullets wherever they struck, and quench them in water."¹

The 1st of April dawned on a rather gloomy state of matters, but as the day wore on it was suddenly observed that there was not a Highlander in sight; and presently "M'Glashan's maid, Molly," was seen tripping o'er the green, bringing the welcome intelligence that the rebels, in fear of being surrounded by the king's Black Horse, had suddenly decamped. Notwithstanding this news, the sheriff desired that no one should leave the castle on any pretence; for his garrison had their last charges in their guns, and it was very possible that the Highlanders were playing them a trick. The next morning, however, the minds of all were happily set at ease by the arrival of an officer, sent forward by Lord Crawford to announce his coming within an hour.

In a few minutes afterwards the drums sounded cheerily through the long passages beating the turn-out; and as the sheriff paraded his men in front of the castle, Lord Crawford's trumpets were heard sounding in the avenue. Salutes were regularly exchanged; upon which the sheriff, in his peculiar style, thus addressed the general:

"My Lord, I am very glad to *see* you; but, by all that's good, *you have been very dilatory*, and we can give you nothing to eat!"

To which his lordship good-humouredly answered:

"Sir Andrew Agnew, I can assure you I made all the haste

¹ *Scots Magazine*, 1755. Beyond all military calculations, Sir Andrew Agnew, with miserably scanty means, had made good his position from the 17th of March to the end of the month. Longer than this, however, it was impossible to hold out, as the provisions of the garrison were exhausted, so that nothing seemed to be left them but a desperate sally or immediate surrender."—Chambers.

I possibly could. But now, I hope that you and your officers will do me the honour to partake with me of such fare as I can give you.”¹

Lord Crawford had very thoughtfully made preparation to supply their wants.

Provisions for the men were instantly issued, and as the officers superintended their distribution, Lord Crawford’s servants turned the summer-house in the garden into a dining-room, and hither the earl conducted the sheriff and his officers, where a welcome sight presented itself—a table groaning under substantial dishes, well flanked by bottles of good wine.

Their appetites appeased, some of the officers bethought them of Captain Wentworth’s horse in Cumming’s Tower, which had been abandoned to starvation on the commencement of the siege. “These gentlemen again,” says General Melville, “hastening to see the poor dead horse of Captain Wentworth, it being the seventeenth day of its confinement, they had no sooner opened the door and entered, than they were precipitately driven out laughing, to avoid the animal, who was wildly staggering about. That fine stout animal having received the most proper care and best treatment by order of his master, soon became in excellent condition, and, as it is believed, was sent to England by Captain Wentworth as a present to one of his sisters.”²

The sheriff, meanwhile, learned that the Duke’s gardener, on leaving the castle in the dark, was thrown from his horse, and left lying stunned upon the ground. His horse galloping off alone, the rebels followed the sound of its hoofs, and were soon led far away. Wilson then crept to a hiding-place, from whence he emerged next evening, and then proceeding on his way reached Dunkeld. It was not Lord Crawford’s fault that relief had been so long delayed. Long before the arrival of the messenger

¹ *Original and Genuine Narrative.*

His lordship did accordingly entertain afterwards, in the summer-house of the garden, Sir Andrew and his officers with a plentiful dinner and very good wines.—Chambers.

² *Original and Genuine Narrative.*

Peregrine Wentworth of Toulston Lodge, near Tadcaster in Yorkshire, a very respectable gentleman, still living (1808).—*Ib.*

he had sent forward two battalions of Hessians and a regiment of German hussars towards Blair, but the division were awed at the sight of the pass of Killiecrankie; and neither threats nor blandishments could induce them to enter it.¹

The Duke of Cumberland was highly delighted at the report sent him by Lord Crawford of the conduct of his old friend the sheriff; and he not only thanked him and his garrison in general orders, but sent him a private letter under his own hand, as follows:

“Aberdeen, the 7th April 1746.

“Sir Andrew Agnew,—I return you my hearty thanks for your defence of the Castle of Blair; and I desire you would also acquaint the officers and soldiers, who have done their duty, that I am very much obliged to them for the same—not doubting but that they have all done it.

“I have ordered Lord Crawford to give you thirty or forty dragoons if you should want them, which you will demand of him.

“I desire you will send out sufficient partys, though none further than six miles, to destroy and burn the habitations and effects of all those who may be found to have arms contrary to law, or who are out in the present rebellion. If they should attempt to oppose this, or you should find any partys of them armed, you will order your detachment to destroy them; and for this you will demand the dragoons if you need them.

“Lord Crawford has orders to keep you constantly supplied with a month’s provisions; and the Hessians are ordered to your relief should the rebels venture to attack you again.—I am, your affectionate friend,

(Signed) WILLIAM.

“Sir Andrew Agnew, Comg.
at Blair.”

¹ As a specimen of the inaccuracy of many historical authorities, we quote Smollett’s account of the relief:

Lord George Murray invested the Castle of Blair, which was defended by Sir Andrew Agnew, *until a body of Hessians marched to its relief and obliged the rebels to retire.*—*History of England.*

The sheriff was engaged in carrying out these instructions when the Duke, on the 16th of April, gained the decisive battle of Culloden; in which his own regiment bore a prominent part.¹

He himself, according to his Royal Highness's orders, sent an official report of the siege of Blair, to which he received the following reply, by command, from the military secretary:²

“Inverness, the 29th April 1746.

“Sir,—I had some time since the favour of your letter, which I immediately laid before his Royal Highness, and I with pleasure make use of this opportunity of letting you know *how much his Royal Highness is pleased with your behaviour* in the defence of the place trusted to your care; and to obey his orders of *giving his Royal Highness's thanks to you and all the officers, as well as the garrison*, for the steady resolution shown by you and them upon this occasion, so much to your and their honour, and the good of his Majesty's service.

“My Lord Crawford has had all the proper directions for what was necessary with regard to the castle, and whatever else was wanting for the service within the limits of your command. So I have now only to rejoice with you on the honour you have acquired in the defence of the place, and on the success of his Royal Highness in the total defeat of the rebels, and to assure you that I am, with the truest respect, Sir, your most obedient humble servant,

EVERARD FAWKENER.

“The Honble. Sir Andrew Agnew,
Knight Baronet,” etc.

¹ “Sir Andrew Agnew's regiment composed a part of the first line of the royal army.” (Mackenzie.)

“A body of the rebels threw away their muskets and engaged Barrel's men sword in hand. . . . At this instant four companies of the brave Campbells had broke down the walls of a park-dike—at which place we lost two captains and five private men of the party—through which our dragoons passed.” (Ray.) The Fusiliers were called Campbells from General Campbell, afterwards fourth Duke of Argyle, for many years their colonel.

² The following is the account of the affair by Ray, the historian of the rebellion, who was present at headquarters during the whole time of which he treats:—

“Sir Andrew Agnew, who defended Blair Castle, although he was distressed for want of provisions, bravely held out until the 3rd of April at five o'clock in the morning.”

For some time after the siege the sheriff continued to hold the castle of Blair, and was actively engaged in pacifying the extensive district of which he had the command. The Duke of Athol now returned, and in a much better humour; and although the relative prerogatives of owner and commandant may not have been very distinctly defined, yet his Grace appears to have kept up a perfectly amicable intercourse with the sheriff and seems to have seen the necessity for at once setting about compliance with the following formal requisition from the commandant as an immediate consequence of his brother's cannonading.

“To James, Duke of Athol.

“Blair Castle, 7 Ap. 1746.

“As the whole roof of the house of Blair Castle is much broke and damaged by the rebels, it requires immediate reparation; as also almost all windows, for the warmth and health of the garrison. (Signed) ANDREW AGNEW.”¹

It redounds much to Sir Andrew's credit that while the sternest severity as well as repression was constantly being enjoined upon him, he performed his disagreeable task without incurring any ill-will from the clansmen, whilst the Duke of Cumberland was more than satisfied with him. He suffered none of the troops under his immediate command to commit any of those lamentable excesses with which the Duke himself and many of his officers were too justly charged.

And though he came into the Athole country as an enemy to the cause which its people had generally at heart, it is gratifying to find that even to this day, whilst his name is a household word at Dunkeld and Blair, he is still pleasantly remembered.

One of these local reminiscences is of an inspection of his

¹ Charter chest at Blair Athole, docketed Duke James's papers. The marks of a red-hot cannon-shot were visible on the floor of one of the attics in Cumming's Tower till 1870, when, the floor being relaid, that portion was preserved and framed with a note of the date of Sir Andrew Agnew's occupation and defence, and is now to be seen in Blair Castle.

garrison by the Duke of Cumberland, as his Royal Highness was returning to the South. The troops were assembling for parade, when from the highly situated drawing-room of Blair, he caught sight of the Duke's party in the distance. The soldiers were lounging in groups, not yet fallen in; the piper chatting unconcerned—all unconscious of the near approach of Royalty. Suddenly the window sash was flung up, and Sir Andrew's head obtruded, as he bellowed in a voice of thunder—"Blaw! blaw! ye scoondrel! dinna ye see the king's ain bairn?"

The Duke having heard from the commandant's lips all the details of the siege, went round the ranks, commended all for their conduct in it, publicly thanked their veteran commander, and in high good humour promised to recommend him specially for promotion. When, greatly to the amusement of the spectators, as the Duke and his staff were riding off, the sheriff, who though punctilious as to military etiquette, was little of the courtier, shouted after him as a farewell, "Dinna forget, Sir, dinna forget!"

CHAPTER XLVII

HERITABLE JURISDICTIONS ABOLISHED

A.D. 1746 to 1748

The whisky-pig well filled, man, the best things in the house
I' faith we'll set afore ye, we'll craw, man, and be crouse.
Ye drave the French and Spaniards as rain drives aff the snaw,
Ah ! but ye're welcome back again to bonny Gallowa'.

M'TAGGART.

HAVING handed back the keys of his own house to the Duke of Athole, the sheriff again took up the command of his old corps, which was lying encamped at Inverness.

The rebellion having now collapsed, we find his distinguished neighbour, Lord Stair, pressing on the Government the necessity of constructing a chain of forts for securing the quiet of the Highlands, suggesting the line from the Firth of Lorne to the Moray Firth, which resulted in the building of Fort William, Fort Augustus, and Fort George.¹

Previous to this, his kinsman, the fifth Earl of Galloway, had died the 16th February 1746; he was succeeded by his eldest son, Alexander, whose Countess (his second wife) was Katherine, one of the three daughters of the fourth Earl of Dundonald, all famed for their beauty; the other two sisters being Duchess of Hamilton and Countess of Strathmore. His sister, the fifth earl's daughter, Lady Southesk, died the year following, she having remarried the Master of Sinclair.

Early in the summer the sheriff was ordered to march from Inverness to Glasgow, there to be quartered. The last time he

¹ *Stair Papers*, vol. 27.

was destined to ride at the head of the Scots Fusiliers;¹ and hardly had he arrived at the commercial capital (very different however in its proportions from its present size) than he had the agreeable surprise of finding that the "king's ain bairn's" memory had been even better than he could have expected, and that a commission of full colonel of a battalion of marines was enclosed to him with the acknowledgment of his "loyalty, courage, and good conduct."

The marine service seems to have been on a different footing then than now, officers exchanging to it freely from the line, and *vice versa*. Regiments of the line, moreover, being sometimes employed as marines on ship-board. Many men of rank were in the service, and among the sheriff's brother colonels of the embodied battalions were General George Paulett, Lieutenant-General Cornwall, Viscount Torrington and Lord George Churchill.²

Blunt and outspoken as the sheriff was, and at times somewhat choleric, he was nevertheless beloved by all ranks of the Scots Fusiliers, in which gallant corps after the lapse of 150 years his memory is still fragrant, and his name held in affectionate remembrance. He was succeeded in its command by the Honourable Charles Colville, who had gone through all its ranks, who led the regiment back to Flanders the following year, and commanded it at the battle of Laffeldt.

A droll story is told of the last days of the sheriff's regimental life when settling his affairs in Glasgow before retiring to Galloway. Accompanied by some of his brother officers he went to the house of a wealthy merchant, with whom he had some business, who, being engaged at the moment, showed them into his drawing-room, asking them to wait there a few minutes, while he returned to his office. Looking about him, the sheriff

¹ The Scots Fusiliers were in the front line at the battle of Culloden, commanded by Major the Hon. Charles Colville. Their loss in the battle was only seven wounded.

² Of Scotsmen of position in other ranks of the Royal Marines, we find Sir James Bruce a lieutenant-colonel, the Earl of Glencairn, Sir Robert Abercrombie, and Sir Patrick Murray, majors; and Lord Saltoun a lieutenant.

much admired some chairs, and, as if an excellent idea, exclaimed, "Nice chairs these! I'll buy a few of them, and take them back to my Lady in Galloway." "Surely, sir," remonstrated his companions, "you wouldn't offend a gentleman by asking him to sell the actual furniture of his house?" "Toot!" replied the sheriff, "a scoondrel of a merchant refuse to sell anything!"

The point of this somewhat mythical anecdote being that the sheriff, like many of his class at the period, considered the army the only fit profession for a gentleman.

Concurrently with the sheriff's return to Lochnaw, Lord Stair had left London, and having visited Newliston, had gone to Edinburgh for medical advice before also returning to Galloway. He suddenly became too seriously ill to be able to travel, and on the 19th of December writes to his kinsman, Lord Cathcart, that he is sick of Edinburgh, sick of eating and drinking without his usual exercise, and longing to get back to his rural pursuits. But this was not to be; and the good old lord died at Queensberry House in the Canongate the 9th of May 1747. A sad blank was thus made in Galloway society, as for years Lord and Lady Stair had spent their autumns at Culhorn.

By the death of the second earl, the direct line of Viscount Stair came to an end. By special patent the title now passed to James, third son of Colonel William Dalrymple and Lady Dumfries. We give below inventories of the earl's stock and cellar, as dated at Culhorn, 9th May 1745. The prices are in sterling money, and the contents of his cellar, though not large, we may assume to have been at least as good in quality as those of the neighbouring lairds, and are interesting as showing the prices of the times in the west country.¹

¹ 51 cows with 43 calves	.	.	.	.	.	£165	15	0
1 bull	.	.	.	.	.	5	5	0
17 plough-oxen at £4 apiece	.	.	.	.	.	68	0	0
20 stotts and 34 speyed queys of 5 years old, at £3 : 10s.	.	.	.	.	.	189	0	0
apiece	.	.	.	.	.
42 stotts, 19 speyed queys, and 15 open queys of 2 years old, at £1 : 10s.	.	.	.	.	.	114	0	0

The third Earl of Stair resided little on his Galloway estates. We find a letter of his among the sheriff's papers, dated from Edinburgh within a few weeks after his succession, having reference to an impending election.

"Nothing," he writes to Sir Andrew, "is so natural as that you should have the concerting of the measures to be taken by us at the general election. You may therefore be assured that whoever is pitched upon by you and my other friends I shall do my best to make the choice effectual. Give me leave to add that without there should appear some probability of success I should think it better to make no struggle.

"At all events I flatter myself I shall have your friendship as long as by my attention to serve you I shall endeavour to deserve it.—I am, Sir, your most obedient and most humble servant,

STAIR.

"The Hon. Sir Andrew Agnew of Lochnaw, Barronet,

By Stranrawr" (*sic*).

57 small fat stotts at £3	£171	0	0
2 horses, Dettingen and Marlborough	20	0	0
1 English mare and foal	6	0	0
4 cart-mares and foals	20	0	0
5 workhorses and 1 mare	32	0	0
3 English mares	18	0	0
3 small bay mares and 3 do. black	18	0	0
5 two-year-old colts and 1 filly	18	0	0
A small gray horse for going errands	2	0	0
9 mules	18	0	0
4 colts and 3 fillies, one year old	14	0	0
12 she-asses (some old) and 3 he-asses	12	12	0
1409 sheep at 5s. 6d.	387	9	6
27 goats at 2s. 6d. with 9 kids	3	7	6
15 swine at 7s.	5	5	0
The valuation of the stock amounted in all to	2394	8	0

In cellar :—

16 dozen of claret at £1 per dozen	16	0	0
5 dozen do.	5	0	0
2 dozen small white wine	1	12	0
5 dozen Canary wine at £1	5	0	0
3 hhds. strong ale	4	10	0
1½ hhds. small beer	1	0	0
A service of plate	635	0	0

The value of the inventory of the furniture, plate, etc., amounting in all to £995 : 2 : 8.

At the election which ensued, John Stewart was returned for the county, and the Hon. Colonel James Stewart for the boroughs, both unopposed.

The third Earl of Stair died without issue in 1760, when the title went, in accordance with the patent, to his elder brother, William, Earl of Dumfries.

In 1747 John Vaus of Barnbarroch, son of Patrick Vaus by a sister of M'Dowall of Freuch, married Margaret, only daughter of Robert Agnew of Sheuchan, who occupied Park House, described by Symson a century before as "a new house, lately built of brick there, the marke it stands about a bowdraft from the town of Stranrawer."

The same year Sir Thomas Wallace of Craigie had sasine of the lands of Lochryan in right of Eleanor Agnew, his wife.

The name of Dunskey was now transferred to the mansion house previously named Killantringan and Blairbowey.¹

John Blair, the laird, had married in 1738 Anne, daughter of Sir John Kennedy of Culzean, whose son Thomas established in 1762 his claim to the earldom of Cassilis.

Mrs. Blair's daughter, Jane, surviving her brothers John and David (who died unmarried), carried Dunskey to the Hunters of Abbotshill; her husband, James Hunter, was created a baronet, and is the direct ancestor of Sir Edward Hunter-Blair.

Of the M'Dowalls at this date, the Laird of Freuch and his wife, Lady Betty, lived in high style at Castle M'Dowall.

The sheriff's contemporary at Logan, John, had married Anna, daughter of Johnston of Kelton, and his brother Andrew,

¹ Blairbowey is a name which, if unexplained, would set any philologists at fault. The prefix is not blair—"a green field," but the proper name. "Bowey," again, does not indicate that the said proprietor was yellow-haired, but remains as a euphonious fancy. Killantringan (St. Ninian's Chapel), afterwards the name of the mansion-house, was built on Craigbowey (meaning the yellow rock), the name often applied to the mansion-house itself. On Mr. John Blair getting possession, quite indifferent as to its force, he engrafted his own name upon the Celtic suffix, apparently thinking the words clinked well. By a curious coincidence his descendants became possessed of Blairquhan, a genuine name, the blair here meaning "a green field," but doubtless the public generally suppose it when following his surname to have much the force of "that ilk."

a lord of session, as Lord Bankton, was now no mean authority on Scottish law. M'Dowall of Logan's daughter, Isabel, was married to Andrew Adair of Little Genoch, and we find from letters at Lochnaw that intimacy existed between Lady Agnew and ladies of Adair families styled "of Genoch, Maryport, Alton, and Curgie," all still resident; but Kinhilt had passed to the Stairs, as also Dromore, from which at the moment the title was taken of Hew, third son of Sir Hew Dalrymple of North Berwick, now a judge styled Lord Dromore.

The M'Cullochs had disappeared from Ardwell, being succeeded there, as also at Wigtown, by the Maxwells, the laird then in possession being closely related to the baronet of Monreith.

Sir Thomas Hay, who had now entirely recovered from his serious wounds at Prestonpans, still lived and kept house at Park, and had married a daughter of Blair of Dunskey.

Monreith could now boast of greater attractions than its cellar, which had long been famous, in the presence of Sir William's two daughters by Madeline, daughter of Blair of Dunskey—Eglantine and Jane—among the greatest beauties of the day.

The Hawthornes had acquired by marriage the estates of Castle Wigg and Physgill, John Hawthorne of Aries taking the name of Stewart on his marriage with Agnes, heiress of the latter property.

An illegitimate son of the tenth sheriff, Alexander, founded the house of Agnews of Dalreagle, having gradually acquired Ballaird and Crows, in the parish of Kirkinner; Challoch, Corsbie, Fyntalloch, Knowe or the Snap, and Ochiltree, in the parish of Penninghame; Barledziew, Calnoag, and the mill of Ravenstone, in Sorbie.

In 1731 Alexander Agnew was succeeded by his son Patrick, who acquired the barony of Myrtoun M'Kie, and changed its name to Myrtoun Agnew.¹

¹ Ballaird, ard, "high-house," or "townland." Crows, Gal. cro; Norse kro, with English plural, "cattle pens." Corsbie, Norse, "dwelling at the

Meanwhile the Government, alarmed by the dimensions of the late rebellion, anxious to increase the influence of the Crown in Scotland, bethought them how they might diminish the prestige of barons and chieftains, whose hereditary rights interfered with the centralisation of authority.

Accordingly, in August 1746, on the motion of Lord-Chancellor Hardwick, the House of Lords assented to resolutions to the effect that "the lords of session be desired to inquire what heritable sheriffships and regalities are subsisting within Scotland, what persons are now in possession thereof, and which of such regalities were granted before the act of the tenth Parliament of King James II. of Scotland, and which since."

The report being made a bill was brought into the House of Peers in February 1747, "for taking away and abolishing Heritable Jurisdictions" in Scotland. This measure was favourably received, but it was fully admitted that it was but bare justice to give a reasonable equivalent to the holders of such jurisdictions, whose tenures by royal charters were as valid and positive as any property held by patent in the realm. An amendment to this effect rendered the measure a money bill, and hence it had necessarily to be dropped in the Upper House, and in its amended form it was reintroduced in the House of Commons on the 20th February 1747.

On the 7th of April it was debated, and then the Government were reminded that these hereditary rights were expressly reserved by the Union, it being further contended that so flagrant a breach of faith would unsettle all men's minds, and, causing a spirit of distrust in the most solemn promises made by Government, would breed fresh disaffection and do more harm than could be balanced by any expected advantage in the results. These were thrusts not easily parried. Logic,

cross." Barledziew, pronounced Barladey, Bar leadach, "wide or spreading top." Knowe and Snap are synonyms, Norse cnaep, Celtic cnap: so the Knab, Cumberland; the Knapp, Perthshire; Snape, Yorkshire. Culnoag, cuil, more probably cil n'og, "the corner or grave of the youths." The "Clies of Culnoag" are, or were, a circle of standing-stones, indicative of graves, close to the site, as is said, of the parish church of Great Sorbie in the twelfth century.

however, being at fault, the welfare of the State was pleaded as a consideration which must override all arguments founded on hardship to individuals. The English members generally allowed themselves to be convinced, and the Scotsmen, tenacious as they were, were of course outnumbered. They fought, however, a hard battle, and on the division seventy-four opposed the motion, and only ninety-nine voted with the Government. Opposition, however, was useless, and at the next stage Government obtained so large a majority that the measure was safe.

Horace Walpole gives a lively account of the debate, in a letter to Seymour Conway.

“Arlington Street, 16th April 1747.

“We have had a great and fine day in the House, on the second reading of the bill for taking away heritable jurisdictions in Scotland. Lyttleton¹ made the finest oration imaginable. The solicitor-general,² the new advocate,³ and Hume Campbell,⁴ particularly the last, spoke excessively well for it, and Oswald against it.

“The majority was 233 against 102. Pitt was not there, the Duchess of Queensberry had ordered him to have the gout.”

On the bill reaching the Upper House the dissentient peers, finding resistance hopeless, recorded their protests against the measure, and allowed it to pass without a division.

The holders of all the dignities in question were then called upon to enter their demands. Their claims were accordingly made out and referred to the judges of the Court of Session. In April 1748 an abstract resolution of the Court of Session was officially published, by which it appeared that the total amount claimed was £602,127:16:8, and the total sum allowed by the judges £152,237:15:4. The Court of Session further finding that the only family who could produce proof of having

¹ Afterwards Lord Lyttleton.

² William Grant.

³ Afterwards Earl of Mansfield.

⁴ Brother to the Earl of Marchmont.

held an hereditary sheriffship from the time of James II. was that of Agnew of Lochnaw, whose charter as verified was dated 1451, the next in antiquity being that of the Earl of Argyle, dated 1473.

In only sixteen cases were the claims to be "hereditary" sheriffs held to be proved: namely, in the shires of Argyle, Bute, Caithness, Clackmannan, Cromarty, Dumfries, Dumbarton, Elgin, Fife, Kinross, Kirkeudbright, Nairn, Orkney and Zetland, Peebles, Selkirk, and Wigtown.

In four families only had hereditary sheriffships been continuous since 1567, viz. Earls of Argyle, Earls of Rothes, Murrays of Philiphaugh, and Agnew of Lochnaw.

In some instances the representatives of the same families held the same sheriffships in 1567 and 1747, but their hereditary claims were not held to be proved by the Lords of Session. Of these were the Duke of Gordon in Aberdeen and Inverness, Lord Grey in Forfar, Lord Hume in Berwick, Duke of Hamilton in Lanark, Lord Lothian in Ayr.¹ Nothing could be more pre-

¹ OFFICIAL RETURN OF SHERIFFS OF SCOTLAND.

1567.	Counties.	1747.
EARL OF ARGYLE	<i>Argyle</i> (Tarbert)	DUKE OF ARGYLE
Campbell of Loudon	Ayr	Earl of Loudon
Lord Home	Berwick	Earl of Hume
	Bute	Earl of Bute
	Caithness	George Sinclair of Ulster
		Earl of Caithness
Urquhart of Cromartie	Cromarty	Roderick M'Leod of Cat- boll
	Clackmannan	Earl of Dumfries
Earl of Lennox	Dumbarton	Duke of Montrose
Lord Sanquhar	Dumfries	Duke of Queensberry
Dunbar of Cumnoch	Elgin	Earl of Moray
EARL OF ROTHES	<i>Fife</i>	EARL OF ROTHES
Lord Gray	Forfar	Lord Gray
Earl of Huntlie	Inverness and Aberdeen	Duke of Gordon
Lochleven (?)	Kinross	Charles Bruce
Stewart of Donn	Kirkeudbright (Steward)	Marquis of Annandale
Hamilton of Kynneil	Linlithgow	Earl of Hopetoun
Earl of Arran	Lanark	Duke of Hamilton
Campbell of Lorn	Nairn	Campbell of Calder
Earl of Orkney	Orkney and Zetland	Earl of Morton

} Disputed

posterous than many of the claims. Those for the gentlemen connected with Galloway were as follows:

Sir Andrew Agnew of Lochnaw claimed for the sheriffship of Wigtown	£5000
Constabulary of Lochnaw	1000
Bailliary of Leswalt	1000

He entered no claims for the bailliaries of regality of Soulseat, Monybrig, and Drummastoun.

Total £7000

He was allowed £4000 for the sheriffship.

The Marquis of Annandale claimed as

For the Stewarty of Kirkcudbright	£5000
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Allowed and made with consent of her father by Henrietta, Countess of Hopetoun.

The Earl of Galloway claimed as

Baillie of Regality of Whithorn	£3000
Stewart of Garlies	2000
Baillie of Barray	1000
	<u>£6000</u>

His claims were reduced to £321:6s.

The Earl of Stair claimed as

Baillie of Regality of Glenluce	£2000
Baillie of the Inch	1000
Regality of Philipston	100
Regality of Brestmill	100
Total	<u>£3200</u>

He was allowed £450.

1567.	Counties.	1747.
Lord Yester	Peebles	Earl of March
Lord Ruthven	Perth	Duke of Athol
Lord Semphill	Renfrew	Earl of Eglintoun
Douglas of Cavers	Roxburgh	Douglas of Deanbrae
MURRAY OF FALLAYHILL	<i>Selkirk</i>	MURRAY OF PHILIPHAUGH
	Sutherland	Earl of Sutherland
AGNEW OF LOCHNAW	<i>Wigtown</i>	AGNEW OF LOCHNAW

The Earl of Cassilis claimed—

For the Bailliary of Carrick (Ayrshire) .	£8000
For the Bailliary of Monkland and Melrose (do.)	1000
For the Regality of Crossraguel (do.) .	1000
For the keeping of the Castle of Loch Doon (do.)	100
As Baillie of Regality of Glenluce (Galloway)	2000
As Baillie of the Bishop of Galloway's lands on the Cree	1000
	<u>£13,100</u>

He was allowed £1800 for the bailliary of Carrick ; his claim for £3000 for his Galloway jurisdictions was totally disallowed.

Maxwell of Nithsdale claimed as

Baillie of Hollywood	£1300
Lord of Regality of Terregless	1200
Baillie of Dundrennan	1200
Baillie of Sweetheart	800
Baillie of Tunland	500
Provost of Lincluden	1400
	<u>£6600</u>
Total	<u>£6600</u>

Reduced to £523 : 4 : 1.

Hawthorne of Castle Wigg claimed as

Baillie of the Barony of Busby	£1000
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His claim was rejected.

The Earl of Selkirk claimed as

Baillie of Regality of Crawfordjohn	£2000
Baillie of Crawford Douglas	1500
	<u>£3500</u>
Total	<u>£3500</u>

And was awarded—nothing.

The Sheriff of Galloway received proportionally very much more of the amount he applied for, than did any other of the claimants, excepting indeed the Steward of Kirkcudbright; but that compensation being awarded to a lady who never acted, and into whose family the office had very recently come, seems to savour of a job.

The first sheriff under the new *régime* was Alexander Boswell of Auchinleck, afterwards known as Lord Auchinleck, father of Dr. Johnson's biographer.

The first steward-depute was Sir Thomas Miller of Glenlee, afterwards President of the Court of Session as Lord Glenlee, and created a baronet.

Thus ended the days of heritable jurisdiction in Scotland. Responsible judicial offices were no longer to be handed down irresponsibly from father to son; and no rational person can now doubt that the change was a wise one.

But this conviction only grew gradually upon the nation. The very classes who might have been thought to be aggrieved at the action of feudal courts, which were notoriously often partial and unfair, were by no means delighted at the change.

They "aye preferred gentlemen's law" was the style by which they expressed a preference for seeing the magisterial bench presided over by those to whom they yielded an instinctive deference, rather than by more learned strangers. Ignoring the fact that heritable functionaries also derived emoluments from their offices, a Galloway proverb hurls contempt at the stipendiaries with fixed incomes for their services in the disdainful phrase: "It's no' for nought the gled whistles."¹

The providential government of the human race in its various onward stages of civilisation is by a system of compensations.

The hereditary sheriffs, bailiffs, and lords of regality,

¹ *Gallovidian Encyclopædia*. M'Taggart adding in further explanation: "It is the good fee makes the lawyer whistle."

favoured their friends at the expense of justice, were sometimes oppressive, and frequently law-breakers; but in the fifteenth, sixteenth, and seventeenth centuries, the highest courts were notoriously as partial, as unjust, and more severe than the local ones, and kings and their councils were more wantonly tyrannical than the resident owners of the soil.

In such days as those of the Test and Conventicle Act, mere government officials would have hunted out and shot down the poor Covenanters like so many vermin. Not so the feudal magistrates. In almost every instance, save in the case of two or three, such as Lagg, whose names became a byword, the hereditary officials, even at the risk of incurring penalties themselves, exerted themselves to mitigate the rigours of the law, and minimise the sentences against the proscribed. And this, be it remarked, quite apart from any approval of the principles of those condemned.

In the hour of need the heritable magistrate was often able as well as willing to assist a dependant in an effectual way, taking upon himself a responsibility which a stipendiary would not have dared, and probably cared as little, to incur.

And so it happened not unnaturally that the west country Whigs—the wild Scots of Galloway—had little of the feeling of Levellers in the matter of feudal privilege, and grieved to see the old baronial edifice tottering to its fall.

This feeling is well illustrated by a story told of an old retainer of the house of Garlies, who, having lived through four successive generations of the Stewarts, and remembering the days when barons could protect their vassals from the blackmailer or aristocratic cattle-lifter, or rid them effectually of the sheep-stealer taken red-hand, would deprecatingly exclaim: “Hech! Yerl John was nae yerl, and Yerl Alexander was nae yerl ava!”

Feeling, as his memory glanced backwards through the long vista of years, that his own status was lowered by the little power his present lord could wield in comparison of his ancestors, again he would repeat: “Yerl John was nae yerl, and Yerl

Alexander was nae yerl ava. Yerl James was the man! He'd hang them up just o' his ain word. None of yer law!" the last sentence uttered with withering contempt, law being used as the antithesis of equity and justice.¹

¹ This story was communicated to the author by the late Randolph, ninth Earl of Galloway.

CHAPTER XLVIII

THE LAST SHERIFF AT HOME

A.D. 1747 to 1760

But wad ye see him in his glee—
For meikle glee and fun had he—
Then set him down and twa or three
 Guid fellows wi' him,
And port—O port—shine thou a wee,
 And then ye'll see him.

IN a cabinet at Lochnaw, a parchment having a seal attached to it by a blue and buff ribbon, on which is the device of two swords crossed over a heart, with the legend “Mente manuque” and “Tandem bona causa triumphat” is endorsed as a diploma “in favour of Sir Andrew Agnew,” and reads thus:—

“Att Edinburgh, the 2d day of November 1747, at a meeting of the Revolution Club, compeered Sir Andrew Agnew, Barronett, Colonel, and humbly desired to be admitted a member of the old Revolution Club; and having declared the gratefull sense he has of the delyverance of the Kingdom of Great Britain and Ireland from Popery and slavery by King William and Queen Mary of glorious and immortal memory, and of the security of our religion and liberties by the settlement of the Crown upon the Illustrious House of Hanover; and his zealous attachment to his Majesty King George II. and our present happy constitution in Church and

State, we do admit the said Sir Andrew Agnew a member of the Club.

“Signed by our clerk, and our seal appended.

“DAVID FORBES, Clerk.”¹

Among Sir Andrew's associates on his visits to Edinburgh, all probably members of this Whig club, where they sealed their loyalty by deep draughts to the “glorious, pious, and immortal memory,” were a large knot of friends and kinsmen hailing from the western shires. Among these were David Dalrymple, known afterwards as Lord Hailes; Sir James Fergusson, Lord Kilkerran, whose younger son George rose to convivial fame as Lord Hermand; Boswell, now Sheriff of Wigtown, afterwards Lord Auchinleck; Fergusson of Craigdarroch, grandfather of Burns's “Hero of the Whistle;” Gillan of Walhouse, and Robert M'Queen, just rising into fame, known later as Lord Braxfield.

In his journeying from the shire to the capital, his favourite resting-places were at Eglinton or Sorn, Stenhouse, already presided over by his eldest daughter, or Walhouse, of which a younger one was destined to be mistress.

The late General Sir Thomas M'Dougall Brisbane, whose mother was Sir Andrew's granddaughter, used to tell with great gusto a story of his great-grandfather's behaviour in the parish church of Stenhouse, where he had halted over a Sunday on one of these peregrinations.

The parish minister, having given out his text, disputed the correctness of the authorised translation, and in enforcing his argument, repeated it in Hebrew; and apparently the words were, “Comment vous portez-vous?” Sir Andrew, who had much of the British prejudice against everything French, although often thrown in the society of Frenchmen, plumed himself on thorough ignorance of their language. Not only had

¹ Lord Mahon (Earl Stanhope) suggests that blue and buff were adopted as Whig colours out of compliment to Fox, whose liveries were such. But here we have the colours used by a Whig club, obviously as representative, before Fox was born.

these prejudices been grated against, but a direct insult seemed to have been offered to the understanding of those present. He writhed in his seat, and gesticulated, and with the greatest difficulty his daughter Lady Bruce kept him still. But no sooner was the blessing pronounced than his wrath exploded, and he roared out, much to the amusement of the congregation, "The scoondrel!" adding in self-defence, "Yet I might ha' forgi'en him had he not used the only French words I ever knew."¹

This tone of thought, opposed as it was to much earlier Scottish tradition, obtained more generally after the French had thrown their influence into the scale against us in the American War, and is reflected in a local story which has become classic.

Two maiden ladies of Stranraer were one day returning from church, when they found the town-hall placarded with news of victories in Spain. Says the younger of the two: "Is it no surpraesin', Kirstie, that the Breetish aye beat the French in battle?" "No' in the least, Maggie," replies the elder; "dinna ye ken that the Breetish aye pray before gaun into battle?" "But canna the French pray too?" inquired the other. "And wha'd understand them if they did?" retorted Miss Christina, contemptuously ejaculating "Jabbering bodies!" An explanation given and received as self-evident.

Sir Andrew, it need hardly be said, was impatient of imposture, and to give "one of Sir Andrew Agnew's broad hints" became so proverbial as to find its way into an English book of facetiæ published last century, which thus explains its origin:

"Sir Andrew Agnew of Lochnaw, a well-known Scotch baronet, having been long pestered by an impudent intruder, who tried to force his company upon him, was one day congratulated by his friends on having got rid of him, and asked how he contrived it. 'Oh,' replied the baronet, 'I was obliged to give him a *broad* hint.' 'A hint?' repeated the inquirer;

¹ The explanation of the story probably is that as knowledge of Hebrew was not an accomplishment of the gentry, the words used by the minister were misunderstood in the heritor's seat.

‘I surely thought he was one of those that never could be got to take one.’ ‘But by my saul,’ exclaimed Sir Andrew, ‘he was obleeged to take it! for as the chiel wadna gang oot at the door, I just threw him out of the window.’”

The scene of the story is laid in London; but we strongly suspect it had travelled from Edinburgh.

Sir Andrew’s position as colonel of marines was not a sinecure; his battalion consisted of nearly 1000 men, and his lieutenant-colonel not only forwarded to him monthly statements, but applied for instructions in the minutest particulars. He profited by his new position by nominating his son William to a lieutenancy, and on the 14th August 1748 we find his lieutenant-colonel, Charles Paulett, reporting his arrival, adding, “I should take all the care of him that lies in my power.” A report from another officer a few days later is: “His appearance and manner promise much in his favour, and he seems to have a disposition that will engage the regard of all who know him.” On the 25th October his colonel again writes:

“Lieutenant Agnew stayed here a month according to your directions. He behaved very well, and I am acquainted by Mr. Winter (his army agent) of his safe arrival in London.

“To the Hon. Sir Andrew Agnew, Bart.”¹

William Agnew having been thus initiated into his military

¹ The subjoined is one of the many returns of the officers of the Hon. Sir Andrew Agnew his regiment of Marines. Dated Southampton, 4th May 1748:

Lieutenant-Colonel Charles Paulett.
Major Charles Durand.

Captain Grylls.	First Lieutenant Cranstoun.
„ Richard Lyttleton	„ „ Hughes.
(Bt. Lt.-Col. and Adjutant General).	Second Lieutenant Noke.
Captain Thicknesse.	„ „ Brockell.
„ Robinson.	„ „ Buckley.
„ Lucas.	„ „ Smyth.
„ Imber.	„ „ William Agnew.
„ More.	Adjutant George Stukey.
First Lieutenant Tyrrel.	Quartermaster Turnhill.
„ „ Denett.	Surgeon Gardiner.
„ „ Stukeley.	Chaplain Francis Forth.
„ „ Scattergood.	Paymaster William Davidson.

duties, soon after exchanged into the Scots Fusiliers (who returned home after the peace of Aix-la-Chapelle), and with his regiment embarked for Gibraltar in 1751.

Although the Act of 1747 deprived baron courts of criminal jurisdiction, the larger estates were still legally styled baronies; and the owners of these often formally constituted their factors bailies, a style which although no longer enabling them to act in cases of theft or riot, gave them greater prestige in land management.

In addition to his bailie, a baron always had his baron-officer, the recognised channel of communication between himself and his tenants, whose duty it was to carry messages of any sort, and especially to summon the vassalage to courts. The baron-officer was a mounted official, and among the most constant of his duties was announcing the rent-day. This in old times, and even now by old residenters, is always talked of as Rent Court; the day being fixed, and notice given thereof by the baron-officer, attendance was compulsory, absence being punishable by a fine. The not having the wherewithal to meet the rent, was an excuse utterly inadmissible for absence, as it was all the more expected that those unable to pay should explain why, and ask for indulgence.

On large estates the business of the Rent Court was often protracted over two or three days, and as proprietors insisted on attendance, they equally recognised their duty to provide refreshment.

In the best haddin' houses, great preparations were made for such occasions; the tables groaned under viands hot and cold, flanked by barrels of ale, the whisky-pig and tobacco being brought into requisition.

When evening came, it was not unusual for the ladies of the house to grace the regale with their presence; when, in these better-mannered times, pipes were instantly flung aside, a fiddler appeared, and a dance followed.

That the appointment of a bailie was still a regular matter, appears from the following paper in the charter chest:—

“Baron Court of Lochnaw, holden att Lochnaw the second day of May 1749 years.

“The which day John Gray, Surgeon in Stranrawer, compeared in open Court, and gave in a commission from Sir Andrew Agnew of Lochnaw, Bart., of the day, constituting him Barron-Baillie of the said Sir Andrew’s barony of Lochnaw, and qualified himself as such by taking the oaths and abjuration of alleadgiance, who subscribed the same, and thereafter the said Barron-Baillie nominated and appointed Thomas Naismith, writer in Stranrawer, to be Clerk, and Quentin Shennan, Glen Head, Barron-Officer. *Eodem die*, the Barron-Baillie statutes and ordains that the Tenants neglect not when they are legally summoned to attend the Barron Court, so that they may answer their names when called. Certifying that those that neglect to compear at least by twelve of the clock said Court-day shall be fined each one so absenting himself in the sum of five shillings stirline.

“And certifies all those that was cited to pay their rents, and neglect to attend at least before noon shall be found in the same sum.

“The whilk day the milners of the Milns of Galdenoch and Soleburn severally upon their solemn oaths engages that they will honestly and truly make the meals committed to their charge, and will enjoyn the Tenants to carry any meals payable to the Heretor straight from the mill to the house of Lochnaw.”

Even in the present century, the status of such a bailie of barony was tacitly admitted in the higher courts. Colonel Andrew M’Dowall of Logan was defended in an action raised by certain shipowners in a case of “jetsam and flotsam.” A vessel had been wrecked on the Logan shores, and among the cargo was some wine, which the colonel appropriated. For this he was required to account. He pleaded (and no objection was taken by the court to the form), “I sold the wreck at Dromore, and I drank the wine at Logan, my baron-bailie having decided that they were mine.”

Of the universality of the baron-officer, we have topographical confirmation, by "Officer's Croft" occurring as a place-name in all directions. A place so called near Glenluce was occupied by a baron-bailie to Lord Stair, a noted character of whom many stories are told in the countryside, among which is one of his adventures preserved nearly in his own words, when requiring a remount himself for the performance of his duties :

"Being in need o' a bit horse beast, I dannert down to Kelton Hill fair, and soon fell in with a decent-looking countryman, who had just the sort of thing I wanted. I asked the man into a tent ; we called for a bottle o' yill, and I handed him a tumblerful ; but he threw aff his bonnet ; 'Forbid it,' says he, 'we should taste the mercies till I ask a blessing.' He made a grace as long as ony prayer, and I thought to myself, 'Well, if there be an honest body on earth, this is the man.' I bought the beast on the man tellin' me it was a' richt, and brought him hame, but soon found out that the chiel, with a' his lang grace, had selt me a glandered horse ! And what could I do ? Well, the disease just came and went, and just afore the next Kelton Hill fair happened to be the time when the running was dried up. I led the beast cannily down to the fair ; I met a customer ; said a *lang lang* grace o'er the yill ; selt the beast, got the money in o' my pouch, and hame as fast as my feet could carry me. For the next seven years there was naebody saw me again at Kelton Hill fair."

This worthy and his wife used frequently to quarrel. After one of these domestic brawls, the wife ran out of the house declaring she would drown herself, and made for the Water of Luce. She leapt at once into a deep pool, yet instinctively grasped a willow which grew upon the bank. Her husband had followed close behind unperceived by her ; and, as she struggled, he quietly cut away the branch by which she held, exclaiming, as his helpmate floated down the stream, "I aye let gang wi' thee, Mary, and I'll let gang wi' thee yet!!" Mary, not appreciating this delicate attention, screamed loud

and angrily for assistance, upon which the good baron-officer gravely threw her the end of his plaid and drew her out nothing the worse of her ducking. The two then walked home silently together, quarrelled more rarely, and she never threatened suicide again.

In 1748 the Duke of Somerset dying, Sir Andrew was named his successor as Governor of Teignmouth Castle, a garrison near North Shields.¹ The appointment, for which he qualified at Newcastle the 18th day of June 1749, was virtually a sinecure with a salary of £300 a year attached, which he had well earned, these being the only rewards in after life for long service, as when a colonel rose by seniority to a general officer's rank he received no pay as such.

In this summer also his daughter Katherine was married to John Gillon of Walhouse, County Linlithgow. She carried with her a pretty picture of herself as a girl balancing a goldfinch on her finger, standing beside her brother Thomas in the garden of her mother's villa at Richmond. It is still in the drawing-room at Wallhouse.

The year following, Captain Agnew, the young laird, married Elizabeth Dunbar, a marriage which gave great satisfaction to his parents. We are unable to trace her connection with the Baronet of Mochrum (which probably existed), she being simply described in a family memoir as "an English heiress." We gather from the settlements that their sailor son James had previously died; these being in the form of a resignation by Sir Andrew of his estates to his sons in order, who are named as follows: "Forasmuch as Capt. Andrew Agnew, my eldest son, has made proposals of marriage to Miss

¹ The commission signed a year later bears: "George II., etc., to our trusty and well-beloved Sir Andrew Agnew, Baronet, greeting.—We, reposing especial confidence in your loyalty, courage, and fidelity, do hereby appoint you to be Governor of our Castle at Teignmouth in the County of Northumberland, and of the forts and fortifications thereto belonging. To have, hold, and exercise the said place in as ample manner as Algernon, Duke of Somerset, or any other hath formerly enjoyed the same.

"Given at our Court of St. James's the 13th day of Feb. 1749-50, and the 23rd year of our reign."

Elizabeth Dunbar, daughter of William Dunbar of London, merchant: I, from the special regard and confidence I have in my said son, do under the reservations aftermentioned dispone heritably in his favour—whom failing, to William Agnew, my second son—whom failing, to Stair Agnew, my third son—all and hail the Barony of Lochnaw; conform to a Charter under the Great Seal, in favour of the deceased Sir James Agnew, Baronet of Lochnaw, my father. Signed at Edinburgh, the 9th day of January 1750, before Mr. Andrew M'Dowall of King's Seat, Mr. Alexander Boswell of Auchinleck, Mr. John Gillon of Walhouse."

The marriage was solemnised the 29th of August following. Sad to say, Captain Agnew died prematurely the 1st of May 1751, leaving an infant daughter who died young.

An immediate effect of the abolition of heritable jurisdictions was to transfer much county business from the Sheriffs' Courts to that of the Justices of the Peace.

Justices had still strongly the hereditary element, as the baronage were invariably included in the roll; but in these primitive times this was far from being objected to, the country folk usually preferring to lay their complaints and claims before the gentry constantly resident among them, rather than apply to a non-resident sheriff; considering acquaintance "with use and wont," knowledge more essential than that of the technicalities of law.

Justices of the Peace had been constituted as a body in 1609; the Act enjoining them to keep quarter sessions, enforce the law against vagabonds, egyptians, destroyers of planting, setters of nets illegally, users of setting dogs; to take charge of highways, regulate fees of servants, weights and measures, execute against immorality and drunkenness, and appoint overseers to provide for the poor.¹ But this and later ratifying Acts were allowed to remain dead letters in remote shires; the authority of the old resident sheriffs superseding all others. Henceforward, however, Justices of the Peace Courts were

¹ 28th Parliament James VI.

regularly held at Kirkeudbright, Wigtown, and Stranraer. At the two latter Sir Andrew Agnew regularly attended, and from his prestige and experience as sheriff, his age, and standing, he always presided; arriving booted and spurred in semi-military costume, and placing his large hunting-whip on the table before him as formerly.

A class of cases which at this time much occupied the attention of the justices, were those relating to poor-relief. These were still regulated by the old Statute of 1579, which set forth "that inasmuch as charity requires that poor, aged, and impotent persons should be as necessarily provided for as that vagabonds and sturdy beggars should be repressed, it is allowed to all the authorities in town and country to tax and stent the hail inhabitants within each parish without exception of persons to sic contribution as shall be expedient and sufficient to sustain their own poor people."¹

This Act was originally referred to Sheriffs and Bailies of Regality to put into execution, but the duty now devolved on the Justices of the Peace.

In practice it was generally met by licensing persons really unable to work to beg as king's bedesmen, bluegown men, or wearing a token from the sheriff.²

And what money was required beyond the church collections, was made up by voluntary contributions of the proprietors. At the date we write of, we believe no poor assessment was enforced in any parish in Galloway.³

Privileged begging being thus an institution, a wide door was open to imposture; and the cases most frequently before the justices were bluegown men, charged with feigning to be

¹ 6th Parliament James VI. chap. 74.

² 2nd Parliament James I. chap. 24: "They that shall be thooled to beg, shall have a certain taken on them of the Sheriff." This token was ordinarily a pewter badge.

³ Sir Henry Moncreiff says: "Collections and voluntary contributions were considered sufficient in all parishes till at least 1755." Dr. Chalmers in his evidence before the House of Commons in 1840: "Not more than eight parishes were assessed before 1740. Even in 1818 only 207 parishes in Scotland were assessed; 654 were certainly not; from 20 there are no returns."—*Monypenny, Poor-law of Scotland*, p. 16. Of the 207 we believe none were in Galloway.

cripples, the delinquents being in reality sorners and sturdy beggars.

As a large portion of the privileged fraternity were lame, "lamiter" became a recognised term for the class, and synonymous with a "bluegown" or "gaberlunzie man."

Moreover, it had become a usage in Galloway for the lads to push such cripples from house to house. The "lamiter" being deposited at any door, and having received his contribution of food or meal, a son of the house was expected to push him on another stage. The following anecdotes, communicated by an old retainer, who had received them at first hand from a contemporary, amusingly illustrate these habits.

"Old Sir Andrew," it was said, "aye walked wi' a muckle cane staff, and used it gey and freely when onybody fashed him. One day a lamiter was wheeled into the courtyard of the Castle, asking charity. Presently sounds of altercation were heard coming from the kitchen. Up went the sash of the window behind which Sir Andrew was sitting, and he called across the court to know what was the matter. 'Yer honour,' cried the cook, 'a rascal of a lame beggar is giein' me his impudence. I've gi'en him a bannock, and a whang o' flesh forbye, and he'll no' gang, but maun ha'e a bicker o' yill.' 'I'll yill-bicker the loon!' roared the general; and in a twinkling was in the courtyard cane in hand. The cripple got yae blink o' the laird, and springing from his barrow, stick and staff in one hand, made off as fast as the soundest legs could carry a man, easily distancing his Worship, for he was a supple rascal. Returning from the chase, his wife, espying him breathless and excited, asked what he had been about. 'Ah, Nellie,' he answered laughingly, 'my good cane has cured a cripple.'"

As beggars claiming to be privileged swarmed like locusts in the shire, the sheriff's cook found many listeners when he related far and wide the story of his master's new-found specific for the plague. Not long after, one of the "lamiter" fraternity having been set down at a remote farm on the Lochnaw estate, after refreshing to his heart's content claimed his privilege

of being taken on a stage, and two sturdy sons of the tenant started to push his barrow by turns. The way was long and rough, their attentions not acknowledged as a favour,—it was even hinted they were lazy,—and they got both tired and cross. At last, setting down the barrow in a lonely place, the elder proceeded to cut a stiff sloe stick, and, winking to the other, said, “Pat, suppose we try the sheriff’s cure for cripples?” The victim too well understood the drift of the remark, and pleaded whiningly for mercy on the score of his helplessness. The elder lad vouchsafed no reply, but edged a little distance from the barrow, and then called out, “Is there any one in sight, Pat?” “Never a soul,” was the reply. Then, addressing the beggar, he continued, “Now, you hallanshaker, ye’ve given us both a warm skin to-day, but, roar as ye please, see if I don’t give you such a skinful of sore bones as ye’ll remember to your dying day.” Looking terribly in earnest, he dashed at him, his cudgel in the air, when, availing himself of the few seconds’ law that had been purposely given him, the rascal was out of his cart in a moment, the two lads at his heels, he easily giving them legbail; and although he had left both his bags and his crutches behind him, he never reappeared to claim them.¹

“Ah,” said the operator, as they trundled back their empty barrow, well pleased with their experiment, “but our laird weel deserves a bailie-day from every tenant in the parish. He has fund a cure will soon rid us o’ a’ the cripples in the land.”

In 1752 Sir Andrew’s daughter Elizabeth was married to Charles Innes of Urrell, and was infetted for her dower in the lands of Kilquhodale, Carsriggeran, Ardnamord, and Urrell.²

¹ Lamiter, a cripple. The dialogue of two beggars who met on a country road ran thus: “What’s come o’ daughter Mary now?” quoth the one to the other. “Mary? she’s married,” was the reply. “And wha’s Mary gotten?” added the inquirer. “A braw horse cripple,” answered the mither. “Weel done Mary,” said the man; “we maun hae a blaw o’ the pipe o’er that thegither.”—M^r Taggart’s *Gallovidian Encyclopædia*.

² Kilquhodale, Torquil or Torketyl, “grave or cell.”

Carsriggeran, probably Norse rhyggan, “the rye carse.”

Urrell or Urle, as before said urla, “the hair,” *i.e.* sedgy, hair-like grass.

Ardnamord, previously given “sheiling of the oxen.”

Meanwhile his youngest son Stair—notwithstanding his supposed prejudices against trade—had been trained in Glasgow for a “scoondrel of a merchant,” and sailed to America as a member of a firm dealing in cotton and tobacco.

A letter from Lady Agnew to a sister of Mr. Adair of Ballymena, a member of Parliament and representative of the old house of Kilhilt, mentions the two younger sons :

“ I have got no account about Willie since I wrote you last ; but Stair I had a letter from ten days ago. Dated (from Virginia) 3 September, he was then in perfect health, and agrees with and likes Virginia ; and his master writes that as far as he understands the business, he doth everything very well, and is exceedingly tractable and willing to learn. You may believe this good news gives me infinite satisfaction. Pray mind me to my dear Bell and Jean ; and wishing them many happy new years, believe me, my dear madam, your most obliged friend and humble servant,

E. AGNEW.

“ Lochnaw, 22 January 1754.

“ To Mrs. Anderson, at her house, Belfast, Ireland.”

William, the young soldier son there mentioned, died in garrison at Gibraltar in 1756, on which his brother Stair, now sole surviving son, was recalled home ; and in 1758 Sir Andrew’s daughter Wilhelmina married John Campbell of Skerrington ; an offshoot of the Campbells of Loudoun, and a descendant of the old Lairds of Corswall.

The sheriff himself, who had become a major-general in 1756, was gazetted a lieutenant-general in 1759.

One February morning in 1760, distant cannonading was distinctly heard at Lochnaw. Great was the excitement of the general, when the news came that, as he had almost instinctively recognised, the sound was that of French guns across the water ; further, that contributions were being levied from the loyal across the Channel, whilst the disloyal were wild with excitement, the chorus ringing along the shores :

The French are in the Bay,
Says the Shan Van Vocht,"¹

with the disagreeable intimation that an early visit to Galloway was intended. Apprehensions were increased by the total want of means there to offer any effectual resistance. Happily Sir Andrew's anxiety was soon set at rest by a messenger bringing the welcome intelligence that the British flag was in the offing, and floating triumphantly in Galloway waters.

The circumstances he now learned were as follows: Thurot,² a dashing young French naval commander, boldly entered the Channel with three men-of-war, crept undetected along the Galloway seaboard, then bearing up for Belfast Lough, suddenly brought his guns to bear on Carrickfergus Castle; well garrisoned, but at once surprised and overmatched by the weight of the Frenchman's gunmetal, it surrendered at discretion, yielding him a rich booty in stores, arms, and ammunition.

Thurot then marched instantly on Belfast, a wealthy and open town, and, under threat of bombardment, requisitioned and obtained thirty pipes of brandy, fifty hogsheads of claret, various linen manufactures, and two tons of onions. His prey secured, he stood across the Channel. Happily not thinking it worth while to enter Loch Ryan, he steered southward, rounded the Mull, and anchored in the Bay of Luce. Meanwhile, however, Commodore Elliot was on his track, and had made Belfast Lough, to find its castle gutted and its captor off; but followed after him so quickly, that he nearly caught him napping on a dark night, and all but succeeded in embaying the French squadron.

Thurot, now in turn surprised, managed to weigh anchor and make sail; but at dawn of day on the 28th Elliot engaged him in the Bay of Luce, and during a short but severe action

¹ Sean bhan bhoght, "the poor old woman," *i.e.* Ireland. The chorus of a famous rebel song.

² Thurot's real name was O'Farrel; his father having followed James II. into exile after the battle of the Boyne. He married a Mademoiselle Thurot, and had by her a son, who assumed his mother's name, received French naturalisation, and entered the French navy. This expedition consisted of *Le Maréchal Bellisle*, 44 guns; *La Blonde*, 32; *Le Terpsichore*, 26.

the commander was killed, and the French ships, disabled, struck their colours.¹

The greatest excitement prevailed on the Galloway shores during the fight and for some days following. The combatants could almost be seen with the naked eye, the guns resounding across the peninsula; and from the great loss of life (that of the French alone being estimated at 300 men) fresh bodies were strewn on the beach by each returning tide. That of Thurot himself was early found and easily recognised, his remains having been committed to the deep in a velvet pall, dressed in his uniform with orders attached, and in his pocket a silver snuff-box bearing his rank and name.

Being found near Monreith Bay, by a happy thought Sir William Maxwell invited the baronage to the funeral, who chivalrously responded, and respectfully accorded to a gallant foeman who had lately caused them such well-grounded alarm, a funeral befitting his rank and bravery, laying him to rest within a stone's-throw of Medana's Well, in the lovely churchyard of Kirkmaiden in Fernes.

¹ Captain John Elliot, the commodore, was fourth son of Sir Gilbert Elliot, second Baronet of Minto, and brother of the first Lord Minto, and Andrew Elliot, last British Governor of New York.

His despatch as to the action is dated Ramsey Bay, 29th February 1760: "On the 24th I received information at Kingsale that there were three ships of the enemy at Carrickfergus. I sailed with H.M. ships *Æolus*, the *Pallas*, and *Brilliant*, in quest of them. I made the entrance of Carrickfergus on the 26th, but could not get in. On the 28th, at 4 in the morning, we got sight of them, and gave chase. About 9 I got alongside and the action became general, and lasted about an hour and a half, when all three struck their colours. I find it impossible to ascertain the number of the enemy killed, but by the best accounts I can get to about 300."

CHAPTER XLIX

LAST YEARS OF THE LAST SHERIFF

A.D. 1761 to 1771

The cantie auld folks crackin' crouse,
The young ones ranting through the house.

WHILST not inheriting his father's real love for practical farming, the last sheriff after his return home lived as it were in an agricultural atmosphere, farming being the hobby of almost all those with whom he was intimate and thrown in contact.

Though the fourth Earl of Stair, being also Earl of Dumfries, rarely lived in Galloway, yet the fields and breeding lairs of Castle Kennedy were not unworthy of the traditions of the Marshal.

Alexander, sixth Earl of Galloway, M'Dowall of Freuch, afterwards himself fifth Earl of Dumfries, and M'Dowall of Logan, were all famed as cattle-breeders.

The beautiful Janet Dalrymple of Sir Andrew's dancing days, now Countess Dowager of Loudoun, kept house at Sorn in a green old age, where she barely yielded to his cousin Lord Eghinton the first place in Ayrshire in the race towards permanent improvement.¹

Besides these owners of large estates, among the old sheriff's

¹ Lady Janet Dalrymple, born 4th September 1677, married 1700 the third Earl of Loudoun. She was left a widow in 1731, and settled at Sorn.

As Chalmers writes: "She who in her younger days had adorned courts by her elegance, in her widowhood sat down in a solitary castle amidst rudeness and ignorance, and lived there upwards of 70 years, improving her demesne and benefiting the neighbourhood."—Chalmers's *Caledonia*, iii. 476.

most intimate friends were a knot of law lords—Hailes, Bankton, Braxfield, Auchinleck—whose greatest pleasure and relaxation it was to cultivate their own lands. And these friends were particularly well qualified to advise, and had a professional aptitude in framing such conditions of lease as should at once define the tenant's obligations as regarded not only the mere rent, but for preserving and increasing the fertility of his farm.

A lease of this transition period is interesting, as evidencing the great advance of the land's value to the owners, as well as in the position of the cultivators themselves; marking also the entire termination of the steelbow system, under which the beasts of labour, as well as much of the seed-corn, were found by the proprietor, and under which the tenant on removal left the farm penniless as he had come in.

Offerers for farms were now able to find both their seed-corn and farm horses, and also their stock, for themselves.

A much more formal lease of the twelfth sheriff runs as follows:

“ At Lochnaw, 10 April 1762.

“ The Honble. Sir Andrew Agnew of Lochnaw, Barronett, Lt.-General of his Majesty's forces, and Governor of Tinmouth Castle, lets to Patrick M'Neily in Meikle Galdenoch, the whole lands of Meikle Galdenoch and Salt-pan Croft thereof, with liberty to repair, rebuild, and keep going the Salt-pan, and to cut turf and peats on the lands of Galdenoch for the said pan, for the space of 19 years. Reserving as much of the outfield ground of the said lands lying contiguous to the miln as will answer to keep two cows and their followers in reasonable grass summer and winter to the milner of the said miln; as also one boll sowing of cornland for said milner, both which being estimated at £1:14:4 sterling yearly. And burdening this tack with liberty to the milner of the miln of Galdenoch annually to cut divot in the most convenient places for the keeping up of the miln-dams, conform to use and wont, but also to cast his peats moss meal free in the said lands, under which reservation

Patrick M'Neily binds himself to pay the sum of £23:14:8 and two thirds of a penny sterling in full silver rent. Further to supply Schoolmaster's Salary and other public burdens imposed or to be imposed on said lands of Meikle Galdenoch, at the rate of £138 Scots of valuation.

“ Further, yearly two good and sufficient fastern-even hens out of every reek house in the subjects.

“ Further, to perform, at the usual seasons of each year, the Baillie-work following:—To cast and lead to the house of Lochnaw ten score and sixteen loads of good and sufficient black well-made peats, or otherwise, at the option of the master, to pay one shilling Scots for each load. To give seven sufficient shearers with hooks for one day to cut down any grain belonging to Sir Andrew Agnew, and one day's shearing more of every cottar in his possession. *Item*, To furnish three horses and men, with proper greathing and other necessary implements, for two days, to the leading of hay and corn, dung, sand, or any other particular, to or from the house of Lochnaw, as he shall receive instructions; *Item*, To furnish three couple of horse, with proper greathing, for one day's harrowing of corn, bear, or other grain, as and when required. Lastly, to furnish one of his cottars to the footing of peats in the moss, or the cloding of them at the peat stack.

“ Moreover, the said Patrick shall, at all times when salt is made, provide the family of Lochnaw with what salt shall be required at the rate of eight pounds Scots per Boll and Auchlett Wigton measure, the price whereof to be allowed out of the silver rent.

“ Also in case any of the neighbouring Tennants shall incline to have march dikes and ditches made, the said Patrick is hereby bound to be at the expense of masons building one half of said march dykes, for which an allowance to be made by the said Sir Andrew Agnew at the issue of these presents.

“ Further, the said Patrick is at no time to labour above one third part of the corn ground of said lands; to have every break three years under labour and no longer; and regularly to

go about with the tillage, except as to any proper ground he shall bring in by burning.

“Further, the said Patrick shall cause to be eat the whole fodder of hay or straw growing upon the lands, and lay the dung arising therefrom upon the said lands.

“Further, the said Patrick during the currency of his lease to grind his grain which shall grow upon the subjects hereby sett at the miln of Galdenoch, and to pay the multures and mill dues and services conform to use and wont; and yearly to pay three stooks of Sergeant corn to the Barron Officer.” (Clauses follow as to keeping premises in repair and removing without warning at end of lease.)—“In witness whereof, these presents, written on stamped paper by John Telfair, apprenticed to David Agnew, Sheriff-Clerk of Wigtown, are subscribed at Lochnaw before these witnesses: John Ross of Cairnbrock, factor on the estate, and the above David Agnew.

“ A. AGNEW.

“ PATRICK M'NEELY.”

Here we find definitely the customs, not of Lochnaw merely, but of Galloway estates of the period; and in estimating the value of landed property to the proprietor, it is to be observed that all public burdens were paid by the tenants—that is really that their amount formed a part of the rent. Bailie-work was an important item, as the baron had thus his fuel supplied gratis, besides labour on the home farm (which was always large), as well as cartages free—that is again the tenant rendered these in lieu of money, and as every farm found bailie-work as to men and horses proportionally the value was considerable; and although the silver rent of this one farm sounds small, only sterling money £23:14:6, yet this represented £285 Scots, and a pound Scots probably went as far in Galloway then as a pound sterling of to-day, and the victual rent must also be taken into calculation, which (as the bailie-work greatly lessened the cost of out-door labour) went far to reduce the expenses of the household.

The victual rent was very considerable; from a part of the barony of Lochnaw alone (we can find no note of what there was due from the sheriff's-lands estate, including all that part which lies in the parishes of Whithorn and Sorbie), viz. that lying in the parishes of Leswalt and Kirkcolm, there were paid annually into the offices at Lochnaw :

Nineteen wethers, forty-eight lambs, two swine, thirty-seven capons, forty-seven reek hens, four hundred and fifty-six chickens, ten dozen eggs, two and a half stones tallow, three stone and three quarters butter, two thousand oysters, six cod-fish, one hundred and five bolls meal, thirty-five bolls barley, three thousand five hundred and forty loads of peat.

The term "reek hens" is clearly explained by the context in the lease itself, "out of every reek house"—that is, for every fire lighted, practically for every inhabited house.

In the Highland Society's journal we find a somewhat different explanation of the term, which, being from the pen of a practical and accomplished Galloway agriculturist (Mr. Thomas M'Clellan in Balfern), is sufficiently amusing to quote, though it can hardly be held to be of universal application :

"A peculiar institution in most leases of last century was the payment to the landlord of 'reek hens.' At that period the architects of the farm-houses never seem to have made provision for the smoke or 'reek' to escape. A hole was made in the roof where it might find its way out, but without any chimney to conduct it upwards. On the rafters of the house the poultry always lodged, and the best hen roosted most directly over the fire, hence the name 'reek hen.' These hens were esteemed great delicacies, and were continued as payment in kind in some leases as late as 1800."¹

As a tangible result of the general spirit of improvement now evoked, the Province, once most generally unfenced, and where early efforts at enclosure had been balked by the

¹ *Transactions of the Highland Society*, 4th series, vol. vii. p. 13, article Wigtown. In fact they were continued on the Lochnaw estate till 1820.

Levellers, now was famous for its dykes.¹ There was a considerable export of grain; and Galloway cattle, better cared for and better fed, which had always been somewhat in demand, now commanded the southern markets at greatly increased prices.

The old sheriff, as said before, took much greater interest in his live-stock than in cropping, and a story is still current of his summary despatch of a dangerous bull, which is told thus: "One day, whilst visiting his breeding lairs, a mad bull suddenly attacked him, and the general, not accustomed to run away, made such a bad double of it, that he narrowly escaped ending his career there and then, and only clambered his garden-wall in time to avoid the blow of the battering-ram launched against his posteriors. Much nettled, and using strong language, he entered the house, and soon reappeared armed *cap-à-pie* and gun in hand.² Re-entering the park, he grunted out, 'Ye had me at a disadvantage, ye Tory, but I'll fight ye fairly now.' The servants, who followed at a safe distance, begged him to stay within the wall; but he, disdainingly to take a pot-shot at the brute, which was roaring prodigiously, drily said, 'Hoot! I'll fight the loon fairly—the mair noise the less fear—but stay ye there if ye please.' Closing with the bull in the act of making an ugly rush, his gun was coolly levelled, the bullet did its duty, and as the attendants crowded round the animal now made safe, he improved the occasion with the remark, 'The loon that brags owre mickle is never a good fighter.'"

James M'Queen of Braxfield was brought into closer connection with the family at Lochnaw by his marriage with Mary Agnew, the sheriff's niece, daughter of his brother James of

¹ The "Galloway dyke," the most approved form of the dry stone wall, owes its name to the circumstance of its having been originally introduced into use in Galloway.—*Old Stat. Acc.* i. 362, date 1791.

² The ingleside version is, "Auld Sir Annra put on his armour and cam' oot." This, of course, could not be accepted literally, as being simply ridiculous; it merely suggests that he affected a semi-military costume common in those days, and the favourite recollection of him being "a gran' warrior," the tradition thus takes its martial colouring.

Bishop Auckland. M'Queen, then a rising advocate, afterwards better known as Lord Braxfield, was a remarkable man, who under much roughness of speech carried a warm heart, and whose careless and often coarse expressions were always seasoned with wit. Stern at times, and having no patience with any leaning towards Jacobinism, under which he classed all expression of liberal opinions, yet so strong in his individuality, that even Lord Cockburn, with whom he was no favourite, yet admits that he was "the giant of the Bench," adding, "His very name makes people start yet."

His telling rejoinders and incisive remarks have been most unfairly exaggerated and distorted;¹ and incontrovertible evidence has only lately come to light by the publication of the contemporary manuscript of Ramsay of Ochtertyre, whose shrewd opinion is the more impartial, as he states that he knew him little personally; and he draws his character thus: "When called to the Bench he was one of the most popular characters at the Bar, and, which was rare indeed, seemed to have no enemies. In the Court of Session he fully justified the sanguine expectations of his friends, and after the death of some great judges he was listened to as an oracle who often struck light out of darkness.

"If his wit and humour would have revolted Lord Chesterfield as coarse, yet in his highest glee he was always pleasant and good-natured. When, at an advanced age, he breathed his last, one of his brethren, who had long been one of his ablest political rivals, said, 'He has carried away more sound law with him than he has left on the Bench.'"²

¹ A brutal saying of Lord Kames has been most unfairly attributed to Braxfield. Lord Kames had had many a battle at chess with a certain Matthew Hay. Hay was tried by Kames at Ayr for forgery; and on the jury finding him guilty, Kames passed sentence of death, coolly adding, "And there's a checkmate to you, Matthew." Sir Walter Scott told the story at the Prince Regent's table; a person present confused the matter, and told it as of Braxfield to Lockhart, who published it in his *Life of Scott*, which had general circulation. Braxfield had no connection whatever with the matter.

² Ramsay's *Scotland and Scotsmen*. Ochtertyre MSS. i. 380-393. In this his career is traced, commencing thus: "Robert M'Queen put on his gown a little before the Rebellion of '45. His father had purchased the lands of Braxfield

It need hardly be said that he was a man after the sheriff's own heart, and for two generations was the closest friend of his family—a prized companion to himself, and the kindest of advisers to his son.

Long before his connection with Galloway, when making his way at the Bar, he had fixed on the great Gallovidian jurist, Lord Stair, as his model. When conducting one of his earliest cases, the presiding judge advanced what M'Queen felt sure was bad law. "May I respectfully ask," he said, "where your Lordship got that?"

"From Stair," confidently returned the judge.

"Na, na!" exclaimed M'Queen, in a tone and voice which showed he had momentarily forgotten the difference in their position; "na, my Lord, *that* can never be, for there's nae nonsense to be found in Stair!"

Dean Ramsay connects Braxfield's name with that of a minister in a convivial story, which has a distinctly Gallovidian ring.

Going circuit in the west, he was invited to a nobleman's table, and, when the cloth was removed, was surprised at seeing only port and Madeira upon the mahogany. With his usual directness, he turned to his host and asked if there were "nae claret in his fine castle?" "Oh yes," said my lord, "but my butler tells me it isn't good." "Let's pree it," said the judge patronisingly. A bottle was brought, and on trial the verdict was that it was particularly good.

Grace had been said by the Reverend Mr. M'Cubbin, and Braxfield, slyly addressing him across the table, playing on the terms usual in Scottish Church courts, said, "Noo, minister, ye see

near Lanark. In his prime and decline he spent every hour he could command at this country seat, which he loved the more that he had gathered birds' nests there in his boyish days. Educated for the law, by degrees people began to discover his merits; and he was not inaptly compared to a rough diamond. The best lawyers were fond of having Mr. M'Queen as an adjunct; his frankness and honesty recommended him to the more sensible practitioners, and whilst they admired an uncommon mixture of shrewdness and application, his social hours delighted them beyond measure, for he could be serious or frolicsome as the case required."

a 'fauma clamosa' hath gone forth against this wine; I propose you should absolve it." "My Lord," replied M'Cubbin, with a responsive twinkle in his eye, "you'll observe the practice in our courts is not exactly the same as that your Lordship is accustomed to. *We* never absolve under three several appearances!"

Uproarious was the delight of Braxfield at the answer, which was less to their host's humour, who had the name of being somewhat stingy.¹

As Braxfield has been the subject of misrepresentation, so also we feel we owe an apology to Mary Agnew for an unintentional imputation of bad temper, conveyed in an often-repeated exclamation of the old Justice-Clerk, as told by Lord Cockburn. His butler one morning burst into his study excitedly, and threw up his place. The judge asked why in the world he should wish to go, as he was perfectly satisfied with him. He answered that he knew that, but his lady was always scolding him. "Man," replied Braxfield, "*ye've* little to complain of! Be thankful you're no' married upon her!" The fact being that before the time Lord Cockburn spoke of, his first wife had died, and he had married, secondly, Elizabeth, daughter of Chief-Baron Ord.

About the same time Penelope, the youngest daughter of Lochnaw, married her kinsman Alexander Agnew of Dalreagle, and had settled upon her for her dower the lands of Dalreagle, Fintalloch, Glenruther, Glenluchart and Myrtoun-Agnew

¹ Dean Ramsay prefaces the story thus: "Lord Braxfield was one of the judges of the old school, and might be said to possess all the qualities united for which they were remarkable. He spoke the broadest Scotch, was a sound and laborious lawyer; he was fond of a good glass of claret, and had a great fund of good Scotch humour. He presided at many important political trials, and conducted them with much ability and firmness; occasionally, no doubt, with more appearance of severity than is usual in later times. The disturbed temper of *his* times and the daring spirit of political offenders, seemed, he thought, to call for a bold and fearless front on the part of the judge, and Braxfield was the man to show it."—*Scottish Life and Character*.

The Reverend Andrew M'Cubbin, minister of Leswalt, died 1851, aged ninety, having personally known five generations of the House of Lochnaw. We do not know whether he was connected with the minister mentioned by the Dean.

(formerly Myrtoun-M'Kie).¹ She had a son Patrick, who rose to be a general in the East India Company's service, under whom the Duke of Wellington (then Colonel Wellesley of the 33rd Regiment) was initiated in the art of war.

Stair Agnew, now the young laird, on the 23rd of June 1763 married Mary, daughter of Thomas Baillie of Polkemmet: a house having a common origin with that of Lamington and Dunragit. There is a dry notice about this date (1761) of the seventh Earl of Galloway in the diary of Mary Grenville, afterwards Mrs. Delaney. He had long been an invalid, and had to make frequent journeys to Aix in Provence for his health. He had doubtless then arrived in town to support Lord Bute against the Duke of Newcastle. She notices him thus: "Lord Galloway of Scotland is a thin, dismal-looking man. He was presented not long ago at Court; a person asked who he was, a gentleman replied, 'A Scotch undertaker come to bury the English ministry.'" ² The merry maid of honour, however, was unaware that the dismal look was due, not to any want of geniality, but to pain.

In 1764 Sir David Carnegie, who had long been one of the sheriff's captains in the Scots Fusiliers, who also represented Kincardineshire as representative of the attainted earls, obtained leave to repurchase the Southesk estates from the York Building Company for what, even then, was represented to be a mere song, though the sum was £36,870. He did not live, as it were, to inherit, dying at Stamford in 1765 on his way to take possession.

About a year later Eleanor, the sheriff's granddaughter, daughter of Sir Michael Bruce, married Thomas, second son of Brisbane of Brisbane (by Isabele, daughter of Sir Thomas Nicholson of Ladykirk), whose elder brother James dying three

¹ Dalreagle, *Ac. Aud.* Dereagle, as also Symson. Derivation doubtful, probably from deerg, red, *i.e.* reddish land: as Derrigal, Waterford; Darrigle, Mayo; the Dargle, Wicklow (Joyce, ii. 39). Glenruther, Klonridder, Pont. riderch, "glen or slope on the knight's riddery." Glenluchart, "the mouse's glen." Fintalloch, "white hill." Myrtoun (Saxon), "dwelling by the mere."

² *Autobiography of Mary Grenville* (Mrs. Delaney), iii. 627. Lord Galloway died at the baths of Aix, 24th September 1773.

years later, the bridegroom became himself the heir. There had been an older connection between the Brisbanes and the Agnews of Galdenoch. A son of this marriage—General Sir Thomas M'Dougall Brisbane—rose to considerable eminence as a soldier, a man of science, and a successful colonial governor.

In 1764 the only daughter of the sheriff's eldest son died in London, aged thirteen.¹ Her mother, who was a person of some fortune, lived in Marlborough Street, now best known from its heading for police intelligence; then, however, a fashionable quarter, the Duke of Argyle's residence being adjacent.

The general had been much attached to his granddaughter, having had a picture taken of her not many months before her death, which is still at Lochnaw.

Among the sheriff's few surviving contemporaries as a laird was Sir William Maxwell, who, although his junior in age, had succeeded his father Sir Alexander in 1730.

Monreith, always a centre of hospitality, was soon after doubly *en fête* on the occasion of the marriage of Jane, the elder daughter of the house, to Alexander, fourth Duke of Gordon. The marriage itself was celebrated at Ayton, in Berwickshire, her sister's house; her younger sister Eglantine afterwards marrying Sir Thomas Wallace of Craigie.

The duchess, to no small share of beauty, added a ready wit and great strength of character, and soon became a power in the State as well as in society. The haughty Pitt had to acknowledge the value of her assistance in support of his administration; and the position she had made for herself doubtless assisted in the extraordinarily successful connections she effected for her daughters, marrying three to dukes, the fourth to a marquis. It is pleasant, moreover, to be able to add that, amidst all the distractions,—fêted, flattered, sought after in the highest circles,²—her heart always beat warm towards Gallo-

¹ Died 16th June 1764 Miss Elizabeth Agnew, daughter of Mrs. Agnew of Marlborough Street, and granddaughter of Sir Andrew Agnew, Bart.—*Lloyd's Evening Post*.

² Sir William Wraxhall, a contemporary authority, thus writes: "I shall speak of her with great impartiality, from long personal acquaintance. She was

way; and when queen of fashion, she had not unlearned her mastery of the Galloway vernacular.

She dumfounded a dandy at a supper-party at Carleton House, who to gain her good graces affected a great liking for the Scottish tongue, declaring that there was not a Scottish phrase he did not perfectly understand. "Rax me a spawl o' that bubbly jock,"¹ replied the duchess, without changing a muscle of her face; and the exquisite, having first looked blank, slunk away in confusion, as the commission was performed to her satisfaction by a cavalier hailing from the north of the Tweed.

Although the sheriff was doubtless pleased at the social success of the fair girl he had watched with interest from early womanhood, he himself now seldom if ever visited the metropolis. But in his old age he had exertions imposed upon him in his magisterial capacity, in which also the Laird of Monreith was equally concerned, requiring nothing short of military experience to carry out. They were called upon to cope with an outbreak of smuggling renewed and carried on on a scale and with an audacity hitherto unknown.

The older race of smugglers, though often desperate characters individually, relied principally on the secret sympathy and assistance of the farmers and their workers, who for obvious reasons, except in the very last extremity, were anxious to avoid violence.

one of the three daughters of Sir William Maxwell of Monteath (*sic*), a Scotch baronet; and the song, 'Jeanie of Monreith,' which I have heard the Duke of Gordon sing, was composed to celebrate her charms.

"She might aptly have represented the Juno of Homer; her features however, noble, pleasing, and regular, always animated, constantly in play, yet displayed no timidity. They were sometimes overclouded by occasional frowns of anger or vexation, much more frequently lighted up with smiles. The administration did not possess a more active partisan; confiding in her rank, her sex, and personal attractions, she ventured to send for members of Parliament to question, to remonstrate, to use every means for confirming their adherence to the government. . . . In her daughters centred her ambitious cares; for their elevation no exertions seemed too laborious. It would be vain to seek for any other instance in one history of a woman who has allied three of her five daughters in marriage to English dukes, and a fourth to a marquis."—Wraxhall, *Posthumous Memoirs*, ii. 313, iii. 266.

¹ Equivalent to "Reach me a wing of that turkey." Spawl, strictly the shoulder (*épaule*, French); spule-bone, shoulder-blade.

The new phase in the offence was that men of substance, business training, and apparent respectability,¹ not mere truculent Dirk Hatteraicks, built large and well-appointed vessels for the trade. Not content with the secret assistance of tenants and their men, they themselves took leases of farms at high rents, cultivation being a secondary matter carried on mainly as a scheme to enable them to keep a large staff of men and horses without incurring suspicion. All classes were more or less demoralised; proprietors asking no questions as long as they paid their rents; the *real* farmers sympathising actively as before, their hinds delighting in the new service, which had just enough danger about it to make them the heroes of the ale-house. In short, there was a general conspiracy in favour of the contrabandists; and many of the justices themselves were wilfully blind as to what was going on under their very noses.

Money placing brains, as well as brawny arms, at the service of the smuggling companies, the most ingenious plans were carried into effect for baffling the preventive officers.

Caches were contrived which remained long undiscovered; three of the most typical of which were at Clone and Drumtroddan on Sir William Maxwell's property, the third at Drummahowan on the sheriff's. At the latter the cliff is pierced by a long cave, apparently ending in deep water; but the rocky roof, seeming to descend, does not touch the dark pool, which only divides the cavern, but expands beyond it, a dry bottom here affording a retreat not readily detected. How far its dimensions have been enlarged by art we cannot say; but as a place of refuge almost undiscoverable, it was doubtless known to the natives centuries before their acquaintance with tariffs or custom-house officers.

At Drumtroddan, almost within sight of Monreith House, the smuggler tenant outwitted the exciseman by a very simple stratagem. A fire-proof chamber was constructed under the

¹ Not only did merchants embark capital in smuggling ventures, but ministers and many of the smaller lairds connived at it. The minister of Anwoth, Rev. Robert Carson, was deposed from his office because he not only smuggled himself, but encouraged others to do so.—*Scots Magazine*, 1767.

kiln. Over and over again the place was searched by coastguardsmen on certain information, but for long in vain. A watch was kept on the officers, and the instant they hove in sight the kiln fire was lighted, and the stone by which alone the store could be entered was inaccessible. At Clone, also on the Bay of Luce, a more elaborate arrangement was made, by which the excisemen may be said to have been doubly tricked. One chamber was formed under ground, which was useful for ordinary operations; but below this again was formed a larger one, strongly arched over, and only accessible from below it. In this the more valuable contraband goods, or those they were not prepared to run, were placed; and if perchance the revenue men discovered the upper of the two chambers, they got but a small portion of the booty, never thought of burrowing below it, and thus were tricked at the moment they plumed themselves on complete success.

Although now verging on fourscore, old Sir Andrew was constantly in the saddle in this active campaign against the contrabandists; now presiding at meetings of justices, now receiving reports, now encouraging the coastguardsmen, or endeavouring so to dispose the troops sent to assist the magistrates as to defeat the deeply-laid plans of the scoundrels. Much of the lawlessness now rampant was doubtless due to the stupid fiscal policy of the government, which made smuggling so profitable that those engaged in it, what between the means of pay and popular sympathy on their side, could oppose force to force.

In one of the many collisions which ensued, these desperadoes daringly turned the tables on their assailants at the moment they themselves appeared to have fallen into a trap. The justices learned that on a given night three vessels would discharge valuable cargoes at the Crow's Nest in Luce Bay; this consequently brought strategy into play. The coastguardsmen were to muster in force and watch, but not interfere with the disembarkation. A large party of soldiers were marched from Stranraer after dark and placed in ambush near the Luce. The

smuggling caravan was made up, put in motion, the coastguardsmen laughing in their sleeves, meaning to take them in the rear. The plan as arranged by the authorities seemed all but carried out; but somehow a little bird had carried intelligence of it to the smugglers, who prepared accordingly. The loaded horses were passing in long files towards the interior, the jubilant excisemen followed, and in due time the expected discharge of muskets told them that the smugglers had stumbled into the ambush laid for them. On they rushed with a cheer, but what was their mortification and surprise to find that they had scattered the regular troops like chaff before the wind, and were marching on as if nothing had happened, showing much too strong a rear-guard for them to venture to attack!¹

A sad catastrophe closed the portals of Eglinton Castle to Sir Andrew, where the beautiful Suzanna still kept house for her unmarried son. This son, a man of varied accomplishments, of much ability, and one of the greatest agricultural improvers of the day, riding (24th October 1769) in his own grounds, interfered personally, somewhat imprudently, with a poacher, whose offence was aggravated by the fact of his having been previously caught and forgiven;² and the earl insisting that he should give up his gun, in the struggle he was shot, and died the same night, sincerely lamented by a wide circle of acquaintances, a warm friend, exemplary in his public and private conduct. The shock to his mother was so great that she left Eglinton, never to return.

¹ There were upwards of 200 of them when they left Glenluce in Galloway; they had all been loaded at Glenluce Bay from three smuggling vessels. The band was attacked near Glenluce by a party of the military, and some excise officers of the neighbourhood. But the military, consisting of a sergeant and sixteen men, were defeated, got their firelocks broke, and many of themselves much hurt.—*Edinburgh Weekly Magazine*, 1771.

² Mungo Campbell, officer of excise at Saltcoats, had been detected poaching upon his estate, but passed from prosecution on his promising not to repeat the offence. The earl insisted on having his gun; he said he would sooner part with his life, desiring his lordship to keep off if he valued his own. Lord Eglinton still pressed forward, and Campbell fired at him within three or four yards. Campbell was convicted at Edinburgh, but escaped a public execution by hanging himself in jail.

Her only surviving son, Archibald, succeeded as eleventh earl: an active soldier, who gained his lieutenant-colonelcy by raising the 77th Regiment, then Highlanders.

Owing to his connection with the sheriff, he had been nominated an elected member for the boroughs of Wigtown, Whithorn, and Stranraer; but being simultaneously chosen for the shire of Ayr, he had naturally preferred to represent his native county.

The circle that had lived through the '45 was rapidly breaking up. His brother James of Bishop Auckland died in 1776. But of all the friends of Sir Andrew's early youth, none were more remarkable than Lady Loudoun, already mentioned, who, though now a nonagenarian, still lived in cheerful intimacy with her early friends, and eventually outlived them all: the wonder of her age, she died in the full possession of her faculties, within a few months of her hundredth year.¹

On the 22nd August 1771, Sir William Maxwell, a younger man than the sheriff, passed from the scene. Sir Andrew did not, however, long survive him. Though in his eighty-fourth year, he still seemed hale and hearty, taking horse exercise daily; but within a few months after this, riding to the Scar, which projects into Loch Ryan, a favourite haunt, his horse stumbled on the shingle, and he had a heavy fall, from the effects of which he succumbed, and died before the close of the year; the long evening of his days having been passed among his own people, by whom he was universally loved, long regretted, and among whom his memory is still green.

Eccentric, and perhaps a little irascible, he won and retained the regard and respect of all orders, his heart being known to be in the right place. He has been favourably and kindly noticed by authors of the most opposite schools, religious and secular, Jacobite, Whig, and high Tory. All have a good word

¹ She was born 4th September 1677, died 3rd April 1777.

Wight, who made an agricultural tour shortly before her death, visited the countess, and records: "She surprised me with her knowledge of husbandry, discoursed on the qualities of various grasses, etc. In a word, her farm graces the county of Ayr, and might grace the richest county in Britain."

to say for the Whig colonel, the last of the long line of the Hereditary Sheriffs of Galloway.

Mackenzie, with pardonable partiality for a Gallovidian, writes of him as "the heroic Sir Andrew Agnew," quoting with pride another author's expression, "Sir Andrew Agnew was accounted one of the bravest men that ever entered the British Army"; adding, "He was never present at any action in which the English were defeated, though he fought in many battles."¹

Chambers, whose leanings were Jacobite, writes of him as "a skilful and successful officer, distinguished by deeds of personal daring, as well as eccentric peculiarities of manner, which made him a favourite in the fireside legends of the Scottish peasantry."²

M'Crie, an elegant writer and well-known church historian whose sympathies are entirely with Covenanters and Cameronians, whereas the sheriff was a firm adherent of the Established Church, relates as the result of his own personal inquiries: "Many are the traditional anecdotes related of Sir Andrew Agnew, the famous lieutenant-general, and it deserves to be added that this distinguished officer, with all his eccentricities, was a good man. And that in consequence of his strict attention to religious duties in which he met little sympathy, he exposed himself to trials of moral courage hardly less severe than those which had tested his military prowess."³

The last we shall quote is Sir Walter Scott, whose likings were not with the Whigs, and whose historical sketches are apt to take colour from his Tory politics; yet he characterises Sir Andrew Agnew as "famous in Scottish tradition, a soldier of the old military school, severe in discipline, stiff and formal in manners, brave to the last degree, and somewhat of a humourist."⁴

¹ Mackenzie's *History of Galloway*, ii. 417, and Appendix 46.

² Chambers's *Eminent Scotsmen*, vol. v. p. 4.

³ Rev. Thomas M'Crie, D.D., *Memoirs of Sir Andrew Agnew, Seventh Baronet*.

⁴ Scott's *Tales of a Grandfather*.

CHAPTER L

COUNTRY LIFE IN THE EIGHTEENTH CENTURY

A.D. 1771 to 1792

Though the Brownie of Bladnoch lang be gane,
The mark o' his feet's left on mony a stane.

IN parting with the last hereditary sheriff, we may add a few notices of the family and friends that survived him; and of country life a century ago.

Sir Stair Agnew, who had become a widower shortly before 1771, settled then at Lochnaw, and for over thirty-five years carried on the even tenor of his way, receiving a few friends very quietly in his old-fashioned house, and superintending the improvements carried on at the leisurely pace in keeping with the locomotion of his day.

Nothing could have been more opposite than the general characteristics of the father and the son; the son rarely going from home, the father riding from Richmond to the Borders, or from Connemara to Donaghadee, to hold his courts at Wigtown, or hurrying hence from the Low Countries on so short a leave, if business called him, that a great part of his time must have been expended upon these journeyings.

Local tradition is very suggestive as to their different characters: The father, bluff and hearty, pictured (even when over fourscore) as riding booted and spurred wherever duty called him; the son, even early in middle life, as taking the air in his chariot drawn by four black long-tailed horses. The son, however, although he lived perhaps more quietly than

many of his neighbours, kept accounts minutely accurate, which enable us to give trusty details of the supply of a country household 120 years ago. They are kept so clearly that on the first ten years' accounts we are able to strike an average of what was annually used.

From the home farm there were yearly delivered at the kitchen 54 wedders, 6 ewes, 13 lambs, 3 bullocks, 2 heifers (as to the beef the numbers are always identically the same, there being some variation in those of the ewes and lambs).

And from the barns, with entries distinguished as what are delivered "to the housekeeper" and "to the cook": 26 bolls 7 stone of meal, 26 stone of groats, a few stones and auchletts of barley meal, and 16 bushels 8 auchletts of malt.

Suggestive of less butcher meat in the servants' hall than now, but much more good "porridge and milk," and no stint of ale.

Poultry figures largely in the domestic economy. There are frequent entries of receipts from, or allowances to, "the egg wife" and "the hen wife," evidently different officials; there being even a separate establishment for turkeys, for which, in the breeding month, "auchletts"¹ of groats and meal were liberally apportioned as well as corn. The number of geese, ducks, and hens and turkeys reared for the table was very considerable.

Coal was but sparingly used; for several consecutive years we find three tons and a half twice entered within ten days in November, seven tons in all, and these brought free to the castle by the tenants under the name of "carriages"; these seven tons representing the entire annual consumption. But immense stacks of peat were yearly reared, 3540 loads being due by the leases, cut, wined, carried, and stacked as bailie-work.

Leith or Edinburgh wine-merchants then kept cellars in the country. Good wine was procurable at Stranraer, Wigtown, and Glenluce. We find a running account of the year 1773-74

¹ Auchlett=two stone weight, or a peck measure. "A measure of meal, Wigtownshire; half of the firloft or the auchlett, or portion of the boll."—Jameson.

“of Sir Stair Agnew of Lochnaw, Baronet, in account with Oliphant and Co. for sundry wines got from their cellar in Stranraer in the care of John Bowie.” The detail includes :

578 bottles	Port No. 1,	at 18s. a dozen
218	„ Sherry	„ 19s. „
18	„ Madeira	„ 18s. „
3	„ of Lisbon	„ 18s. „
48	„ Claret Nos. 1 and 4,	at 42s. and 32s. respectively. ¹

A year or two later there are entries of 24 dozen and 16 dozen of port respectively from John M'Cracken, Glenluce, and 24 dozen port, 4 dozen cherry (*sic*), 18 bottles claret, from Robert Murray, Wigtown. Prices not stated.

In subsequent years, port figures largely in the account-book, but hardly any claret; clearly showing that, whether from increased taxation of French wines or change of taste, port was taking the place in a country gentleman's cellar filled by claret a generation earlier. No memorandum as to spirits can be found, though it is notorious that brandies, whiskies, Hollands, and rum were all in frequent requisition; this suggesting the suspicion that Sir Stair, like other justices, having paid value for such commodities to the parties supplying them, asked no questions for conscience sake, and asked for no receipt. Custom, stronger than law, sanctioned such doings, not only with the easy-going lairds of Galloway, but with many English magnates of much higher pretensions.²

¹ We have previously noted that claret and sack (sherry) were delivered for Marshal Stair thirty years previously at Culhorn, both at 20s. the dozen.

² Lord Malmesbury gives an instance of more glaring complicity in the shape of a county magnate actually at the moment Chairman of the Board of Customs: “Mr. Hooper of Heron Court had married Lady Dorothy Ashley, and was Chairman of Customs. Lord Shaftesbury, father of the noble philanthropist, told me that about 1780 he was sitting at dinner in the hall at Heron Court with his relative, the latter with his back to the window. Suddenly an immense clatter of waggons and horses disturbed the meal, and six or seven of these, heavily loaded with kegs, rushed past at full gallop. Lord Shaftesbury jumped up to look at the sight, but the old squire sat still, refusing to turn round, and eating his dinner complacently. Soon after a detachment of cavalry arrived with their horses blown, and asking which way the smugglers had gone. *Nobody would tell them.* The smugglers had dashed through two deep fords close by, which the soldiers had refused, and so lost their prey.”—*Memoirs of an Ex-minister*, p. 5.

A popular baronet, always resident in Galloway, regular in his attendance at the Justice of Peace Court, and very considerably Sir Stair's junior, thus humorously described to the author "the usages" which obtained in those days and for some time after. By chance (!) the laird would happen to find himself sitting in a ground-floor room just after dark, the shutters all shut but one. Presently a well-understood tap was heard on the casement, the candle was instantly blown out, the window opened, and with mysterious whispers a cask was passed in by unseen hands. The bringers disappearing, the light was re-struck, and the barrel carried by the initiated to the cellar. No one in the house except those concerned knew anything of what had been done; no invoice was given, but shortly after he would be met casually near his house by a person who, exchanging a masonic sign, stated the sum required, which was honourably paid, a bill or written receipt being the last thing either party was likely to preserve.

At Sir Stair's accession, the fifth Earl of Stair returned to Culhorn, from which he had been ousted in 1748. His story was a singular one. The marshal's favourite nephew, on his uncle's death he had taken possession, and assumed the title as third earl, and had also taken part in Parliamentary proceedings; but by a decision of the House of Lords the honours were adjudged to his cousin James. He dying without issue in 1760, in pursuance of the remainders in the patent the title went to William, Earl of Dumfries, who thus became also fourth Earl of Stair. But he also dying in 1768 with no surviving son, John Dalrymple, as above, then succeeded without dispute as fifth earl, and on a vacancy arising in 1771 was chosen one of the sixteen representatives of the Scottish Peers, and took an active part in Parliamentary life, especially deprecating every measure calculated to provoke hostilities with America. He married a daughter of George Middleton, a London banker (a cousin of Sir Charles Middleton, created Lord Barham). In him Sir Stair found a kindly neighbour. In a letter to his son he expresses the hope that he will always show himself grateful for

the kind interest Lord Stair had always taken in their welfare. Lord and Lady Stair were constantly in Galloway. He died at Culhorn the 13th of October 1789 (leaving a son John, the sixth earl), she surviving him and dying, also at Culhorn, the 3rd of February 1798.¹

Sir William Maxwell, who had succeeded to his estates a few months earlier than Sir Stair, and married Katherine, daughter of Blair of Adamton, was a good type of the Galloway baron, dispensing the hospitalities of Monreith "at a bountiful old rate"; with somewhat of a warm temper, but quite as warm a heart.

The sixth Earl of Galloway had died at the baths of Aix in 1773, and had been then succeeded by his son John, married to Anne, daughter of Sir James Dashwood of Kirklington Park, Oxfordshire. The seventh earl vigorously followed in his father's footsteps as a planter and improver, and took great interest in beautifying the paternal seat.² Though studiously courteous in his intercourse with his neighbours, his somewhat distant manners were by a more free and easy set easily ascribed to pomposity, the more readily believed from the fact of his holding a variety of high appointments. He was a Lord of the Bedchamber and a Lord of the Police, and immediately after his accession gazetted Lord-Lieutenant of the county. A funny story connects itself with this latter dignity. Sir William Maxwell had been told that he ought to pay his respects to his lordship on the occasion. The two were very different in manner: the peer dignified, even formal; the baronet outspoken and blunt, apt also to express himself very plainly if anything put him out.

Sir William long hesitated before waiting on the new lord-lieutenant. He could have cordially entertained my lord, or

¹ His father, Hon. George Dalrymple, was fifth son of the first earl. He purchased Dalmahoy, county Edinburgh, was an advocate, and appointed a Baron of Exchequer.

² His parish minister writes: "His Lordship's designs are great, and he is accomplishing them by planting at the rate of 200,000 plants every year."—*Old Statistical Account*, i. 244.

have accepted an invitation from him ; but it went somewhat against his grain to volunteer to make the kotoo.

However, being at last over-persuaded, he ordered his horses and went. He was of course received with the greatest affability, the morning wore pleasantly away, and he rose to take his leave, when, thanking Sir William for the honour he had done him by his visit, Lord Galloway unfortunately and tactlessly added, "Possibly you are not aware that I have a day for receiving friends, and any Friday that it suits you in future to come here, I shall be too happy to receive you." Before the sentence was half finished, the baronet's blood was at boiling heat. This was not a Friday! his visit had been a mistake!! he had been thought a bore!!! Sir William's eyes flashed fire; refusing any explanation, declining in any way to be patronised, he said plainly and proudly: "A day of your ain! I know but ae Lord who has a day of His ain" (then *piano* and feelingly), "God forgive me if I do not always rightly keep His day!" (then the voice rising *fortissimo*), "De'il tak me if I'll keep yours!" He flung himself into the saddle and was off.

The lands of Freuch were at this moment in occupation of Margaret,¹ Countess Dowager of Dumfries, on whom they had been settled as her dower; but by her consent, about 1775, they were disposed of by the trustees to the Honourable Patrick Maitland, seventh son of the sixth Earl of Lauderdale, who married the Dowager Countess of Rothes,² and settled at Castle M'Dowall, henceforward called Balgreggan.

This year also Sir Stair unadvisedly made a second marriage, of which, long before the honeymoon was over, he took the rue. He seems, however, to have been little inconvenienced by this, except in pocket, as, within a few days of the wedding, a virtual separation was arranged, perfectly to the satisfaction

¹ Margaret, daughter of Ronald Crawford of Restalrig, married 1771 Patrick M'Dowall, fifth Earl of Dumfries, by whom she had a daughter Penelope, who married John Lord Mount Stewart, eldest son of the fourth Earl of Bute.

² Jane, daughter of Captain Maitland of Soutra, married 1763 ninth Earl of Rothes; secondly, 1774, the Hon. Patrick Maitland of Balgreggan.

of the lady's friends. She had already been well dowered, and Sir Stair agreed to pay a liberal allowance.

This fact, not very generally known, was the occasion of an amusing county incident a year or two later.

At Stranraer there was a gathering of the neighbouring gentry, who afterwards sat down to dinner at the George Hotel. Dinner over, and just as the punch-bowl had been carried in, a tremendous clatter was heard in the street outside. Sir William Maxwell (who was at the bottom of the plot) called loudly to the waiter to go and see what it was all about. The man went out, and returning exclaimed excitedly (as he had been coached to do), "It's Lady Agnew, gentlemen, gone up in a carriage and four to Lochnaw." Significant glances were exchanged, the punch silently sipped, till presently Sir Stair slipped quietly out, and uproarious merriment ensued as within a few moments his carriage wheels were heard roaring loudly on the track.

According to the habits of the day such practical joking was rarely allowed to pass as child's play; but Sir Stair was too pleased to find that this was really a hoax to quarrel with any of his merry friends about the matter.

At the end of 1777, General James Agnew, eldest son of Sir Stair's uncle, Major James of Bishop Auckland, was killed in the American war, after an eventful military career commenced at the siege of Louisberg in 1745, followed by much service in the Low Countries; and he then had taken a distinguished part in the earlier actions of the War of American Independence, having commanded successively the 44th and 64th Regiments, and led a division at the battle of Brandywine, 11th June 1777, one of the few successes of the royal troops, in which, though severely wounded early in the day, he continued at the head of his brigade until the battle resulted in victory, and gave the English possession of Philadelphia. General Agnew was there given a distinct military command, and took up his quarters in a country house in the village of Germantown, now actually forming a part of the "Quaker City." Although he was killed at this place, whence the battle

had its name, he had within a few weeks, already endeared himself to all classes in the locality. His death at the time seems to have been lamented by honourable foes; and so fragrant is his memory still, that on the centenary of the battle, 4th October 1877, an interesting and feeling article recalls many particulars of the fight, with kindly notices of the general, which was courteously sent to the author by an unknown hand from Philadelphia.

There is considerable discrepancy as to details between the English official account, accepted as historical, and that partly traditional, in Philadelphia. The former, abbreviated, is as follows:

“Musgrove was almost overpowered by Washington, when Brigadier-General Agnew came to his assistance, and attacked the Americans with great spirit. In a short time Washington’s columns were either foiled or repulsed, and he then retreated, leaving 800 killed and wounded and 400 prisoners. The British loss was 500 killed and wounded. Among the former was Brigadier Agnew.”¹

The American account is as follows:

“We never recollect a 4th of October to have passed without the announcement, ‘This is the anniversary of the Battle of Germantown.’ There is nothing in the fact that the Battle of Germantown was not a success to the American arms that need cause us to hesitate in its celebration. Our former foes assist us in honouring victories over their very selves. We are all brothers again, with one ancestry and one mother-tongue. The buildings and localities most intimately associated with the events of the Battle of Germantown are Chew’s House, or the ‘Battle-ground’; the Concord School-house, the scene of the ambush; Morrishouse, the headquarters of General Howe; and the Wister homestead, the headquarters of General Agnew. . . . On the eventful morning of the 4th of October 100 years ago, General Agnew mounted his charger, and set out from the old mansion to take his part in the impending

¹ Holmes, *Annals of America*; almost verbatim, *Pictorial History of England*.

battle. When he was about leaving the house, he observed the housekeeper Justinia hoeing in the garden, and being a man of amiable and kindly disposition, though trained from his youth to war, he advised her to leave such occupation for the present and take up her quarters in the cellar as the only place of safety. Agnew never achieved his purpose of leading his command at the Battle of Germantown; for, on approaching the rising ground on the main street, near Washington Lane, he fell a victim to an ambuscade, and was shot by a party concealed behind the wall of the Concord School-house. The individual to whom tradition has ascribed the credit (if credit there be in shooting a defenceless man from behind a stone wall) of having fired the fatal bullet that deprived the general of his life was one Boyer, who subsequently died we believe in the poorhouse. General Agnew was carried bleeding to his headquarters, which he had recently left so full of life and health, and laid upon the floor of the west parlour, the boards of which his blood still stains, the scrubblings of a hundred years having failed to erase it. General Agnew was of a distinguished Scottish family; the head of his house being Agnew of Lochnaw. He was son of James, xv. (*sic*) Hereditary Sheriff and Knight, and 4th Baronet of his name, and of the Lady Mary Montgomerie, daughter of the Earl of Eglinton. He was a veteran in arms, having taken part in the French and English wars in the Canadas and elsewhere, was present at the capture of Louisberg, and at the siege of Quebec in 1759. His letters and bearing prove him to have been a determined and gallant foe, a gentle and tender-hearted knight. Our feelings cannot fail to warm towards such an enemy, nor need we hesitate to do him honour.”¹

A letter docketed “To Mrs. Agnew, from Gen. Agnew’s Orderly, Alexander Andrew,” inclines rather to the American version of the story. It seems a genuine production, but being somewhat long and involved in style, we omit much that is irrelevant:

¹ *Germantown Telegraph*, Germantown, Philadelphia, 3rd October 1877.

“ Philadelphia, 8 March 1778.

“ Dear Madam,—When the Regiment [the 44th] embarked at Cork, Col. Agnew took me to be his servant, with whom I had the honour to live very comfortably and happy until the day of his death, being his principal servant.

“ In all places wherever his person was exposed, I was there by his side, an eye-witness to all his sufferings: in Boston, Halifax, Statue Island, on the expedition to Danbury, in the Jerseys, Maryland, Pennsylvania, in three pitched battles, namely, 27 Aug. /76, 11 Sep. and 4 Oct. /77. On the expedition to Danbury, the General was knocked down by a ball which left its mark for about a month. At the Battle of Brandywine, the General had the misfortune to be wounded by a cannon ball, but continued to lead his Brigade; and, though he was very much indisposed, yet he commanded his gallant troops until they beat off and remained masters of the field. During this action the General remained at the head of the 64th, which suffered more than any of the Brigade.

“ The army then proceeded to that unfortunate place called Germantown, the 4th of October being the particular and fatal day which your Ladyship has cause to remember, and I have much reason to regret.

“ To let you know the particulars of that day: between the hours of 9 and 12, as the Brigade was following in an oblique advancing line, the General, with the pickets at their head, entered the town, turned down the street to the left, but had not rode twenty or thirty yards when a party of the enemy, about a hundred, rushed out from behind a house about 500 yards in front of the General, then in the middle of the street; and he, all alone, only me, received a whole volley. The fatal ball entered the small of his back near the back seam of his coat, and came out a little below his left breast; another ball went through and through his right hand. I at the same time received a slight wound in the side, but just got off time enough to prevent his falling.

“The doctor and Major Leslie just came in time to see him ; he could only turn his eyes and look steadfastly on me with seeming affection ; he departed this life without the least struggle and with great composure, about ten or fifteen minutes after he received the ball. I then had his body brought to his former quarters, took his gold watch and purse, which I delivered to Major Leslie. I then had him genteelly laid out, had a coffin made the best the place could produce ; his corpse was decently interred the next day in the churchyard, attended by a minister and the officers of the 44th Regiment.

“Dear madam, I beg you will excuse this liberty, and if your Ladyship please to send me a few lines I will be under great obligations. And believe me to be, with sincerity and due respect, madam, your most obedient and humble servant,

“ALEXANDER ANDREW.”

Two years before, as a reward for his services, James Agnew had been appointed an aide-de-camp to the king. By his wife, Elizabeth Sanders, he had a son Robert, who at the time of his father's death was a captain in the 58th Regiment. He married Katherine, daughter of Conway Blennerhasset of Castle Conway, County Kerry, and had a son James, a military officer, and afterwards Colonial Secretary at Dominica, who squandered the property at Bishop Auckland ; and a daughter Margaret, who married Harman Blennerhasset, who accepted American naturalisation.¹

Montgomerie Agnew, “the little man” of whom his father writes as being in 1745 at the school at Breda, had consider-

¹ He became somewhat notorious as an early coloniser of the western banks of the Ohio, where an island still bears his name. He engaged later (*circa* 1812) with ex-Vice-President Aaron Burr in filibustering attacks on Mexico.

Margaret Agnew, his wife, was also his consin. In a published memoir of Harman Blennerhasset, it is stated that “while on a visit to his sister, Lady Kingsale, Harman Blennerhasset became engaged to a Miss Agnew, daughter of the Governor of the Isle of Man. The lady in question had more than her share of accomplishments and good qualities,” etc.

The connection with the Kingsales is correct, but we can discover no memorandum as to James Agnew ever having been Governor of the Isle of Man, and doubt the fact.

the only daughter of Capt. Robert, Son of James Agnew.

able professional success. In 1759 the nucleus of the 17th Regiment of Light Dragoons was a squadron: Lord Aberdour being squadron officer; Montgomerie Agnew, captain; the Hon. Robert Sandilands and Thomas Maitland, lieutenants; besides two cornets. He saw much service, principally on the staff; his commissions being dated: Lieutenant-Colonel, 1777; Colonel, 1782; Major-General, 1793; Lieutenant-General, 1798; General, 1803.

By the curious custom of the day, having never served as a regimental field officer, his name, after he became a colonel, was retained until his death as captain of the 1st Dragoon Guards, as which he drew pay. He was the last titular Governor of Carlisle, no successor to the keeping of that old Border fortalice being named after his death in 1808.

He is supposed to have been taken prisoner by the French during the American War. But all papers relating to his private life or military adventures, if ever written, have been lost. The late Marquis d'Aigneaux mentioned to the author, as an early recollection, that his grandfather had discovered two of the Scotch Agnews among French prisoners from America, and on becoming answerable for their custody, was allowed to entertain them at his château near Bayeux until regularly exchanged. He always insisted that one was styled "Colonel," and was an officer of the "Regiment du Roi, ou de la Reine": a description tallying with his rank as colonel, as also the title of his regiment, the King's Dragoon Guards.

Another son, Alexander, entered the navy, became a post-captain, and had a son, Thomas Ramsden, gazetted to the 82nd Regiment, who served the campaigns of '8, '9, '12, and '13 in the Peninsula, was present at the capture of Oporto, battles of Talavera and others, up to Vittoria, in which battle his thigh was fractured; he was promoted to a veteran battalion, and afterwards appointed Governor of Tipner Fort, near Portsmouth,¹

¹ Captain Thomas Ramsden Agnew died 8th June 1874, aged eighty-four. By his wife, Anna Drury, he had Edward Frederick, captain 34th Regiment, and adjutant Durham Militia; and James, captain 39th Regiment.

where the old gentleman, easily recognisable with his wooden leg, was equally appreciated for his good stories and hospitality. He had also a daughter, Mary Montgomerie, married to George Patrick, a merchant at Durham.

Major James had several daughters, of whom the eldest, already mentioned, had married Lord Braxfield; Katherine, the second, married Sir Richard Van den Bempte Johnstone, of Hackness Hall, Yorkshire, M.P.; and Lucy,—Lady Lockhart in a family tree,—whose husband we have not traced. *She had no issue.*

As to Mary, the eldest, almost simultaneously with her brother General Agnew's death her daughter (also Mary) was married to Mr., afterwards (Sir John Ord) Honeyman, raised to the Bench as Lord Armadale; thus adding a third law lord to the small circle of connections with whom Sir Stair kept up intimate relations. Lady Armadale is said to have shone as at once a wit and a belle in the Augustan age of Edinburgh society. An impromptu of hers has become classic.

At a large dinner-party at her Edinburgh house, the famous Henry Erskine was among the guests. After dinner, port wine was by mistake put upon the table labelled "claret." The butler was desired to change it, but, somewhat suspiciously, the so-called claret on trial again proved to be port. Upon this, Erskine broke out in rhyme, and amusingly parodying a song then in vogue, exclaimed:

Kind sir, it's for your courtesie
When I come here to dine, sir;
Oh, for the love ye bear to me,
Gie me the claret wine, sir.

Without a pause, Lady Armadale followed on:

Drink the port, the claret's dear,
Areskine, Areskine;
Ye'll get fou on't, never fear,
My joe Areskine.¹

¹ Dean Ramsay's *Reminiscences of Scottish Life*. "Areskine," as the name was anciently written and usually pronounced in Scotland. Henry Erskine was fourth son of the tenth Earl of Buchan, by Anne, daughter of Sir Hew Dalrymple of North Berwick: King's Advocate 1785, Dean of Faculty 1786.

Braxfield's second daughter married a Clanronald Macdonald; and his eldest son, Robert Dundas, married Lady Lilius Montgomerie,¹ daughter of the twelfth Earl of Eglinton.

The third law lord alluded to was Sir Stair's brother-in-law, Sir William Baillie, Lord Polkemmet. Most of his colleagues would have agreed with him that punch was the best remedy for almost all ills that flesh is heir to; but the good Lord Polkemmet went further and asserted it to be an actual requisite for judicial reflection. He confided to a friend that, when sorely puzzled by the conflicting speeches of counsel, his rule was to go home, carefully read all the pleadings, "let them wamble," as he was wont to say, "in his wame for twa or three days wi' the toddy, and then gie my ain interlocutor."

This year also died Sir Thomas Hay of Park. Notwithstanding the loss of a leg at Prestonpans, he lived hale and hearty to a good old age. He left a son and daughter: the latter, Suzanna, married to John Dalrymple of Dunragit; the former dying without issue in 1794, when the estate passed to his sister, whose husband assumed the name of Hay and was created a baronet in 1798 with the designation of Park Place; the older baronetcy of Park passing collaterally to a cousin tracing his pedigree to the second son of the second baronet.

The justices seem not to have been as active in campaigning against smuggling as in the days of the last hereditary sheriff; the local magnates being lukewarm in the matter, and the tide-waiters often not unwilling to connive, so that at last the chiefs of the exchequer hit upon the idea of giving the military a personal interest in their captures. This new move the smugglers at first met with boldness, and "an affair" of the sort in the Bay of Luce has a place in the annals of the year, as if a record of warfare.

Two rakish-looking luggers, mounting respectively twenty-two and fourteen guns, stood boldly in for Luce Bay, and bringing up near Philip and Mary Point, made preparations for

¹ By whom he had two sons: John, captain 3rd Light Dragoons, and James, major 15th Hussars.

discharging their cargoes; Clone being adjacent, one of their as yet undiscovered depôts. Troops at the time were stationed at various points along the seaboard, and the supervisor, with five-and-twenty regular soldiers and a stalwart band of coast-guardsmen, promptly made for the Mochrum shore, and drawing up his forces in line upon the beach in sight of the luggers, supposed he had checkmated them. But he reckoned without his hosts. A boat put off from the ships, and a cool and well-mannered desperado addressed the party to this effect: That he begged they would kindly retire a little way, as it did not suit them to be watched too closely, promising that if they would remain out of sight for a few hours, they should receive ample refreshment and compensation for their trouble; but that if they preferred to try conclusions, he must warn them that his guns were trained upon their columns, ready at the first signal he should give to fire a broadside right among them, followed by the landing of a hundred men better armed than themselves, who would simply sweep the whole party from the ground. The douce supervisor found himself placed in a dilemma. Cannon-balls would render futile any discharges of the muskets of the period; the skipper's address had unhinged the nerves of both blue jackets and red. He himself felt little stomach for a fight with odds against him. The word was given to retreat. Hardly were the soldiers out of sight than strings of pack-horses, emerging unmolested from the hill-side, were rapidly loaded and driven inland; and when the last blue bonnet had disappeared, the prudence of the exciseman was rewarded, and the watchers gratified by finding six-and-thirty ankers of good spirits left for them on the beach.

This too easy success in their "affair" strangely proved to the smugglers the ruin of their trade. Stung to the quick by the ridicule, not to say the scandal, which the incident brought down upon those concerned, the authorities set to work in earnest to regain their laurels.

An active inspector-general brought experts to bear upon

the smugglers' labyrinths; and with picks and spades prosecuted his underground researches with such effect that, before the winter had set in, the famous cellars at Clone and its neighbourhood (including the second tier hitherto undiscovered) had yielded 80 chests of tea, 140 ankers of brandy, 200 bales of tobacco, and very many other commodities of a value so great that even the private soldiers of the escort got for the job sums such as few of them had ever handled before, in many cases the prize-money being more than equivalent to a year's pay.¹

One fine April day in 1778, the good folks at Lochnaw being quite unaware of the impending danger, the redoubtable Paul Jones was creeping along their back shores, and making for Loch Ryan. Acting on information, he deemed himself certain of destroying shipping, plundering at pleasure, and especially capturing a Government tender, and recruiting his ranks with the seamen he had heard they had impressed. No adequate resistance could have been offered. There were no artillery volunteers in those days. Happily for Stranraer, when almost at the mouth of the loch, a shift of wind and a storm brewing on the horizon obliged him to relinquish the prize which seemed almost within his grasp.²

Putting about, he ran before the wind to Whitehaven, where, taking the garrison by surprise, he spiked the cannon, and applied a torch to the crowded shipping in the harbour. Then, crossing the Solway, he paid his famous visit to St. Mary's

¹ The exact sums were: Lieutenant, £269:14s.; serjeant, £42:16:10; corporals, £28:14:4; privates, £14:5:8½. Much larger shares being given to the Preventive Service men, skilled excavators and officers of excise.—*Scots Magazine*, 1778, p. 329.

² We quote from his log: "The next morning (19th April), off the Mull of Galloway I found myself so near a Scotch coasting schooner loaded with barley, that I could not avoid sinking her. Understanding that there were ten or twelve sail of merchant ships, besides a tender brigantine with a number of impressed men on board, at anchor in Loch Ryan, I thought this an enterprise worthy my attention. But the wind, which at first would have served equally well to have sailed in or out of the loch, shifted in a hard squall, so as to blow almost directly in, with an appearance of bad weather. I was therefore obliged to abandon my projects."

Isle; his intention being to make Lord Selkirk a prisoner, and to retain him as a hostage until the Government agreed to a general exchange of prisoners with the Americans. His Lordship was fortunately away from home; but Paul sent a party to his house, where they were received by Lady Selkirk with great presence of mind, and, speaking them fairly, she escaped with the loss of a portion of the family plate.¹ To do him justice, Paul Jones repurchased the plate from his own men, and returned it some time after, with a polite letter to her ladyship. He stood out again up the Irish Channel, evidently having a hankering after Loch Ryan. But when just abreast of Belfast Lough, he encountered the English war-vessel *Drake*, of 20 guns, just coming out. Paul Jones at once ran up the Stars and Stripes, ordered his helm up, and gave the first broadside. The action was warm and obstinate; but though the *Ranger* only mounted 18 guns, they unfortunately worked the best, and in an hour the enemy called for quarter, having her fore and main topsail yards both cut away, the fore-topgallant yard and mizzen-gaff both hanging up and down the mast, the jib shot away, her sails and rigging cut to pieces, the captain and first lieutenant mortally wounded, and 42 men *hors de combat* out of 160. Having received considerable damage himself, he returned to Brest, and was heard of no more in the Irish Channel.

Jones was a *nom de guerre*, his real name being John Paul; his father having been gardener at Arbigland in Kirkbean. He was not without a certain amount of good feeling and generosity, and was of undoubted courage and ability; but a man who adopts the questionable calling of a privateer, preys upon peaceful traders of his native land, and sinks vessels that have struck their colours, because he cannot burden himself with prisoners, seems very closely allied to a pirate.

In 1784, by the kind assistance of Lord Stair, Sir Stair's

¹ It so happened that all the more valuable plate was in Edinburgh for repair; what was taken was inconsiderable in quantity, and very old. Paul Jones, in returning it, asked the countess how his men had behaved, saying he was determined to punish any who had misconducted themselves.

son Andrew procured a commission in the 12th Regiment, which he joined on appointment at Stranraer, the headquarters being at Ayr; and after some service in the district, he was sent to the Channel Islands. In 1785 Sir Stair's mother, Dame Eleanor, died in her 87th year. By her will, dated 21st August 1783, she "bequeaths to her dear Andrew Agnew, my grandson, and son to Sir Stair Agnew of Lochnaw, my diamond earrings and drops, diamond buckles, and pearl necklace with two strings of pearls and gold clasps, and also my deceased son Andrew's picture and miniature, set in gold, with case."¹

The only surviving member of Sir Stair's family now at home, was his daughter Isabella, who in 1789 married Mr. Hawthorne Stewart of Physgill.

All arrangements as to settlements he placed in the hands of Lords Armadade and Braxfield; and as both, especially the latter, were men much distinguished in their profession, we may insert a letter from each of those that passed on the occasion.

"Edinburgh, 4 August 1789.

"Dear Sir,—I had the honour of receiving your letter of the 1st August. You may be well assured that business interesting

¹ She leaves what money she has resting pertaining and belonging to her, or sums of money that may be owing to her, equally and proportionally among her seven surviving daughters, appointing "Dame Mary Agnew, otherwise Bruce," wife of Sir Michael Bruce of Stenhouse, sole executrix. And among other bequests, "To Eleanora my daughter, her said father's field-bed with blue stuff curtains, feather bed, bolster, and pillow and mattress; and the green and red silk curtains of another field-bed and a calicoe quilt; and my gold watch and seal. To my daughter Anne the furniture appertaining to her bedroom. To my daughter Grizel the furniture appertaining to her bedroom, with 60 yards of printed cotton. To my daughters May (Lady Bruce), Katherine (Mrs. Gillon), Wilhelmina (Mrs. Campbell), and Grizel Agnew, all my household linens, including bed, table, and tea linens, to be equally divided among them. And further to my said daughter Grizel the furniture of my drawing-room, new and old, and all the looking-glasses and pair of candlesticks, which commonly stand in the drawing-room. One silver teapot, two silver milk-dishes, two small silver plates, one silver basin, and one pair of silver candlesticks, a large silver tureen spoon, and four salts with two saltspoons; my plated silver sugar-dish and bread-holder, 12 silver tablespoons, and 12 teaspoons, my plated castor frame, two glass cruets with silver tops, my large clock, and all my table and tea china, 18 green-handled table knives and forks, one carving knife and fork, six tea knives, etc., and my best set of white stone plates and dishes. (Signed) E. AGNEW.

"Vans Hawthorne, Writer, *Witness*, and Robert Lumsdaine, my Servant."

to your family will be attended to by me, and particularly anything relating to your daughter, whom Mrs. Honyman and I have been so happy in having with us.

“I have considered the articles proposed by Mr. Hawthorne Stewart, and laid them before Lord Justice Clerk; and as you desire our opinion, I take the liberty of suggesting that considering her rank, situation, youth, and merit, we humbly think that the jointure should be larger than proposed. [Here follow criticisms of other details.]

“I beg leave to assure you for myself and Mrs. Honyman, that whatever tends to your daughter’s happiness and comfort will be particularly agreeable to us.

“Lord Justice Clerk, with whom she is a great favourite, desires me to express the same sentiments, and that we wish her much happiness in her married state. I will be in particular surety for her making a good wife.

“I shall have occasion to be in Galloway about the 20th September, when I mean to have the honour of waiting upon you at Lochnaw. Lord Justice Clerk, and Mrs. Honyman, join in offering best compliments to you, Mr. and Miss Agnew.—And I am, dear Sir, your most obedient servant,

“WILLIAM HONYMAN.

“Sir Stair Agnew of Lochnaw, Bart.”

That from the Lord Justice-Clerk is most genial and characteristic, written in a clear almost feminine hand.

“Stirling, 10 Sept. 1789.

“Dear Sir,—Yours I received this morning. I have perused the scroll with attention, and in general think it well drawn. However, in order to prevent any dispute” (he offers various pertinent suggestions, concluding thus:) “And now permit me to wish you and your daughter much joy and happiness in the intended marriage. She is an amiable young person, and possessed of the sweetest temper and disposition, which bids fair for making a happy marriage. Indeed she is so much possessed of my good

opinion that if it should prove otherwise,—which God forbid!—I should pronounce it not the fault of *her*. So there is no reason to be apprehensive of any such event.

“Mrs. M’Queen, who is with me here, desires to join with me in love and best wishes to you and the bride.—And I am, dear Sir, your most obedient humble servant,

“ROBERT M’QUEEN.

“Sir Stair Agnew of Lochnaw, Bart.”

Two remarkable west country men were now in their prime.

The one, Burns, the subscription edition of whose poems was published in 1787; the Duchess of Gordon munificently subscribing for twenty-one copies, and the names of several of the young laird’s brother officers of the 12th appearing on the list, attesting their presence in the country.

The other, Macadam, whose family was from Galloway, but who was now a small proprietor in Ayrshire; where, as a road-trustee, he was already experimenting on that system, which, bearing his name, has revolutionised the art of road-making in Europe.

Great was the need of better roads in Galloway. We can at least approximate a date at which any spring carriage could first have been driven to Lochnaw. A bridge (at a much lower level than that of the present roadway) spans the Aldouran burn; on the old arch is carved 1787; before this the deep stream course was unbridged.

The late Sir William Maxwell used funnily to tell how expensive it was to his grandfather if his lady took a fancy to drive to Wigtown; for “there were five march dykes in the 10 miles, in each of which a slap had to be redd for my Lady’s coach, and rebuilt afterwards.”

Sir Stair dabbled a little in road-making; forming a new approach, considered doubtless a great work in its day, a smooth surface of adequate width extending for what was thought far then, about a mile and a half both ways. This led him into an act of vandalism, as, sad to say, he ruthlessly sacrificed the Court

knowe, or moat, one of those artificial mounds so dear to the eye of the antiquary. The maker's contract is before us, dated Lochnaw, 1791: "I will engage to make the new road with the Court hill."

Sir Stair continuously occupied himself in improvements, not great in their scale, but, with the one exception of the "Court Hill," carried out with taste and judgment. He planted a little, drained a little, imported a little lime, and was quite extravagant in his fences. Indeed in this he unnecessarily multiplied, as not only were sums expended on them out of proportion to the rental, but a great number have had since to be pulled down, to admit of breaks sufficiently large for modern cropping. Two improvers of the date went far before him in energy and skill. Lord Stair, as reported by his minister in 1791, "had divided and enclosed his lands, drained swamps and marshes, made excellent roads, imported lime in great quantities, planted on an average annually at least 20,000 trees, and states that, as a result of his Lordship's improvement, a farm which preceding 1790 was let for the sum of £7:2:6 was relet at £195, and another previously £48:4:8 had just been let for £245."¹

Much attention was called to the management of Basil William, Lord Daer, to whom his father had made over the lands of Baldoon. These in 1783 were sold to Lord Galloway at a price founded on a rental of £5000 a year; with this curious stipulation, that Lord Daer should retain a lease of the whole estate for ten years, paying Lord Galloway £70,000 a year, that at the end of that time the land should be revalued, and that Lord Galloway should pay twenty-five years' purchase of the full valued rent above £5000 a year. So judicious had been Lord Daer's farming that on the termination of this lease the value of the property was ascertained to have been so permanently enhanced, that with mutual satisfaction there was adjudged and paid £125,000 over the previous purchase-money by Lord Galloway to Lord Selkirk. We say Lord Selkirk, for

¹ *Old Statistical Account*, 335.

unfortunately Lord Daer, a young man of no common acquirements and popularity, had predeceased his father. Lord Selkirk himself lived till 1799, when he was succeeded by his seventh and only surviving son, Thomas, as fifth earl; known rather for his energy in another hemisphere, being the founder of the Red River colony, now absorbed in Manitoba with its great city of Winnipeg.

Young Agnew was on a flying visit to Lochnaw from the Channel Islands, at his sister's marriage. The young Laird of Monreith was then a brother soldier, but we almost doubt whether he attended in his uniform, as although gazetted as a cornet to the 23rd Light Dragoons, according to the curious abuse of the period, he was just ten years old! He early, however, showed himself an energetic soldier. At fifteen he was a captain; when he got his majority we do not know, but when only twenty-five or twenty-six, he raised a battalion of the 26th, which he commanded at the battle of Corunna, where he lost a leg. Previous to this he had been chosen member for the county, which he represented from 1805 to 1812, and afterwards from 1822 to 1830. Few men were better known in Scottish convivial and sporting circles, in the early part of the present century. He was decidedly a character, and a story, once well known, deserves repetition.

We must premise that above Monreith is a conspicuous hill, much like the Maiden Pass in Colvend, called Barhullion.¹ Colonel Maxwell lost a bet for a considerable sum, but under circumstances sufficiently suspicious to warrant him to decline payment, until the matter was referred to arbitration. The case was considered by a committee of the Caledonian Hunt,² and given against him, he considering himself the victim of sharp practice, and vowing revenge. In pursuance of this plan, the person to whom he had lost, was invited to Monreith, he having

¹ The present accomplished proprietor translates Barhullion "hill-top of the hollies." The late William Maxwell, father of the Colonel, always considered it to mean "the hill of the pass." Schiehallion in Perthshire is usually anglicised "the maiden's point," and "bar" might equally so be rendered.

² These are supposed to have been the Marquis of Queensberry and William Maule, afterwards Lord Panmure.

the unenviable reputation, rightly or wrongly, of systematically keeping his head cool, and profiting at high play by the signs of companions more careless than himself.

The roof-tree of Monreith rang with merriment; the wine passed freely, and the colonel indulged in tall talk, and seemed playing into the hands of his guest, who was on the watch to get him to back his reckless assertions. The opportunity offered. The colonel asserted that from a hill close by, we could any clear day see five kingdoms. The gambler betted him £100 that we could not. The colonel closed, making the reservation that the old kingdom of Man was one of these. To this, after a rapid mental calculation, the guest agreed; his great anxiety being to have the bet booked forthwith, and the company present named the judges. On a fine clear morning, Colonel Maxwell led the party to the top of Barhullion, and proceeded to business; "Here" he said, pointing below, "is the kingdom of Scotland." "Good" said his friends. "To the west is Ireland." "Good again." "Eastward you see St. Bees Head, there's England." "Right." "And south there's the Isle of Man." "Agreed." A long pause ensued, the wagerer mentally discounting his cheque. At last, chuckling, he said, "Well, my friend, and how about the fifth?" The colonel looked him steadily in the face, then slowly and solemnly raising his hand, said, "Look aboon ye, man; there's the kingdom of Heaven, and maybe ye'll never be nearer it."

The laugh that followed was not shared by the wagerer. He refused to see it, and formally declined to accept the unanimous verdict of the company. At last it was agreed to refer the matter to a committee constituted as before, whose decision this time was in the colonel's favour. The biter was bit.

The young Laird of Lochnaw was now serving in garrisons in the south of England, and in 1791¹ his regiment was ordered

¹ Forty years later the young soldier's son, the late Sir Andrew Agnew, seventh baronet, was much gratified by receiving a letter to the following effect:

"Dalkeith, 29 March 1833.

"Honourable Sir,—Having had the pleasure of being well acquainted with your most worthy father whilst in the army, I venture to address you.

to Cork, he himself going on detachment to Kingsale. Here the local magnate was Lord Kingsale, whose family residence overlooked the town: a resident landlord of the best Irish type of the period, adored by his dependants, profusely hospitable to strangers, seldom going far from home, except in coast trips in his yacht, in which he greatly delighted. Early invitations to young Agnew and his brother officers, gratefully accepted, led to dinners and dances, drives to Dune-Patrick and Ringrone, or yachting expeditions to Courtmacherry and Glandore. Like most soldier officers, the young lieutenant immensely enjoyed the easy gaiety of Irish life. The usual result followed, and he soon fell deeply in love with the peer's eldest daughter.

Lord Kingsale's consent was naturally made dependent on the approval of Sir Stair, who was immediately communicated with. But he, whilst in no way disapproving the connection, for prudential reasons very strongly counselled delay.

This advice was most unacceptable to the lovers. Letters of entreaty were allowed to remain unanswered. Lord Kingsale felt himself unable to encourage them; when young Agnew persuaded the fair lady to solve all difficulties by elopement. A neighbouring clergyman consented to marry them, and in a few days they reappeared at Kingsale, with a duly attested copy of the register of their marriage.¹ This was enclosed to Sir Stair by Lord Kingsale, who felt some delicacy in breaking the news, and anxiously waited the reply.

This was unexpectedly satisfactory, and the letter which follows gives a pleasant peep behind the scenes:

"My acquaintance with your truly respected father began at Chatham. We were 12 months in garrison there. He was indeed beloved by all who knew him. When they went to Ireland, the regiment I belonged to went to Windsor. I never knew any officer more beloved. He was a very handsome man. With sincere esteem, I have the honour to be your most obedient servant,

"JAMES M. WATSON.

"Sir Andrew Agnew, Bart., M.P., House of Commons, London."

¹ Andrew Agnew, Esq., Lieutenant in H.M.'s 12th Regiment, and the Hon. Martha de Courcy, daughter of John, Lord Baron of Kingsale and Ringrone, were joined together in holy wedlock in the Parish Church of St. Multose, the 21st day of May 1792. Signed by the Rev. John Stewart, officiating clergyman, witnessed by the churchwardens.

“Lochnaw, 6th June 1792.

“My Lord,—I had the honour of receiving your Lordship’s letter of the 31st of last month, acquainting me of my son’s marriage with your daughter. I beg to assure your Lordship that I am very happy my son has had the good fortune to match with so noble and ancient a family.

“I acknowledged the first letter from my son, dated 1st November, informing me that it was his intention to pay his addresses to Miss de Courcy, and hoping to obtain my consent. I wrote him that I thought he was too young to go into the married state, that there were some incumbrances on the Estate, and advised him most strongly to delay the marriage till these were paid off, which would be in a few years.

“He afterwards wrote me two letters on the same subject, which I never answered, and was greatly surprised to receive a fourth from my son informing me of his marriage, and begging my forgiveness and blessing; and hoping I would give him an opportunity of presenting his wife.

“I immediately wrote that I freely granted his first request, and that I should be very happy to see my daughter Mrs. Agnew and himself as soon as they pleased, and that I would do everything in my power to make the place agreeable.

“I have wrote to my agent, Mr. Hawthorne at Edinburgh, to be here next month, as by that time I expect they will be here, when I intend a contract shall be made; and before it is extended on stamp paper, I will cause my agent to send you a scroll.

“The young people must learn to be economists; for if a gentleman once runs into debt upon the head of an entailed Estate, it puts it out of its power to recover. Your Lordship may be assured that I shall do all manner of justice to Mr. Agnew’s settlements according to the entail.

“I am much obliged to your Lordship for your good opinion of my son. I beg respectful compliments to all your Lordship’s family, and particularly my blessing to my daughter. I have

the honour to be your Lordship's most obedient humble servant,

STAIR AGNEW.

"To the Lord Kingsale."

To his son he had already written :

"Lochnaw, 3 June.

"Dear Andrew,—I just now received yours informing me of your marriage with Lord Kingsale's daughter, asking my forgiveness and blessing. I freely grant you both, and pray the Almighty to guide and watch over you. I shall be happy to see my daughter and you here; I hope she will find this an agreeable place. You wrote me you intended leaving the army. The sooner you dispose of your commission and come here, the better. And we shall converse between ourselves of family matters. Compliments and blessing to my daughter.—Dear Andrew, your affectionate father,

STAIR AGNEW."

And a fortnight later :

"Lochnaw, 18 June.

"Dear Andrew,—I received yours of the 24th. I thought Mrs. Agnew had been at Kingsale; I am happy you are both well. Enclosed I send a bill on the Paisley Bank for £20. It will defray your expences to this place: the sooner you come it will be the more agreeable.

"I am happy my letter to Lord Kingsale is so satisfactory to him. Compliments and blessing to my daughter. Write me when this comes to hand.—Dear Andrew, your affectionate father,

STAIR AGNEW.

"To Lieut. Andrew Agnew, 12th Regiment, Dublin."

The visit of which there had been such happy anticipations was destined to a speedy and sad termination. Within two short months of the reception of the young couple by the tenantry and neighbours, the same party reassembled at Lochnaw in sombre garb, to follow the bridegroom to an early grave.

Lord Kingsale, who was on his way to pay his first visit at Lochnaw, was met at Donaghadee by the news that his daughter was a widow, and only arrived to reconvey her in deep mourning to her old home. However cordially Sir Stair may have pressed her to remain at her new one, utterly disconsolate in the first moments of her grief, she naturally preferred returning with her father to her own family. Here some months after (21st March 1793) she gave birth to a posthumous son, Andrew,¹ who in 1809 succeeded his grandfather as seventh baronet, the eighteenth in direct descent from the first owner of Lochnaw, and the twenty-second from Sir John Aignell, Knight of the Shire for Hertford, who had been present at the signature of the Ragman Roll by the Galloway Barons in 1296.

Having thus traced the family fortunes from the Norse adventurer who made himself a home in France, up to the death of the grandson of the last Hereditary Sheriff of the Galloway branch, we let the curtain fall in 1792.

It is desirable that a full century should elapse before local stories are published, which—especially true of queer ones—lose half their point if names are suppressed.

Sayings and doings which have made sufficient impression to be retained by tradition for more than a hundred years, may fairly be considered the property of the public.

Antiquity makes all the difference in the world as to the view taken by descendants of the merit or demerit of questionable deeds.

¹ The birth of the late Sir Andrew took place under circumstances which impart to it a melancholy interest. His father, Lieutenant Agnew, during a visit which he paid, with his bride, to the paternal home at Lochnaw, was seized with sudden illness, the result, it is said, of over-exertion in hunting, and died on the 11th of September 1792, in the twenty-sixth year of his age. The disconsolate young widow, stunned by the sudden blow, returned to Ireland in a very weak state of health, and suffered so much and so long before her delivery that the medical men announced to her mother, Lady Kingsale, their fears that it would be impossible to save both mother and child. It was a painful moment, but Lady Kingsale entreated for a delay of five minutes; this was allowed, and the birth was safely accomplished. The posthumous child spent his early youth in Ireland under the care of his mother and the guardianship of his maternal grandfather till he succeeded to his property.—D. M'Crie, *Life of Sir Andrew Agnew, Seventh Baronet of Lochnaw*, p. 17.

Tell a man publicly that his father or his grandfather was a sheep-stealer or a burglar, and, however notoriously true the charge, he will certainly resent it. But place an indefinite number of "great-greats" before the term grandfather, and prove from unimpeachable record that the said ancestor was an incorrigible cattle-lifter, and habitually when on moonlight forays made free with the insight plenishing of the best houses lying in his way,—in other words, stole whatever he could lay his hands on,—far from being offended at his forefather being written down a thief, he will infallibly be amused, and more likely than not be really pleased that so remote an ancestor has been authentically traced.

It only remains to say a few words as to the county circle with whom we have become familiar.

At Culhorn the sixth Earl of Stair had succeeded his father in 1789. He was born in 1749, served as a Captain in the American War, and was sent home with despatches by Sir Henry Clinton, after one of the few successes there of the British army. In 1782 he was appointed Minister Plenipotentiary to the King and Republic of Poland, and in 1785 Envoy Extraordinary and Minister Plenipotentiary to the Court of Berlin. In 1790 he was chosen a Representative Peer. He never married, but his mother, Lady Stair, kept house for him till her death, which took place at Culhorn, the 3rd of February 1798.

The sixth earl lived much in Galloway, and was the best of neighbours, dying deeply regretted at a good old age in the year 1821.

The member for the Shire was Colonel Andrew M'Douall of Logan, first returned in 1785, and sitting continuously until 1796 (and afterwards from 1802 to 1805).

In Parliament he strenuously advocated the adoption of Portnessoch rather than Portpatrick, as the harbour most suitable for the short sea passage.

He probably was not master of the antiquarian argument, that when the Macuddican or saintly little Cuthbert was with his mother miraculously floated in a stone currach from the

Irish shores to Britain, the ocean currents wafted him straight to Portnessoch (Rhinsnoc, as the Saxon cleric wrote it)—the elements themselves thus evidencing Portnessoch as the proper port for communication with Ireland.

In default of being up in this legendary lore, he paid large sums out of his own pocket for the creation of a quay, which, through lack of a breakwater and continual dredging, has now almost silted up.

He also raised a body of volunteer horse, which he commanded in person in England, thus freeing regular troops for service in the Peninsular War.

Sir William Maxwell, whose little tiff with Lord Galloway has now become classic, was still to the fore, happy in having transmitted to another generation the helpful gifts of a good presence and popularity. His son, as well as himself, was now a visitor at Loch naw, as we find from entries in Sir Stair's cellar-book.

His brother Hamilton, a veteran in the field, colonel of the 74th Highlanders, had the year before (15th May 1791) gained fresh laurels under Lord Cornwallis, at the first battle of Seringapatam, where he acted as brigadier. So complete was this victory, that Tippoo Saib signed a surrender of one half of Mysore, and paid down 33,000,000 rupees as the ransom of the other half.

A bevy of fair daughters again made Monreith a point of attraction; of whom the eldest married Murray of Polmaise, a second Mr. Du Pre of Wilton Park, Buckinghamshire, and a third, "Wee Jean," under the auspices of her aunt, the Duchess of Gordon, made quite a sensation at her *début* in London, her beauty rivalling that of her relative, though rather of the type of the "Pocket Venus" than of Juno.

Brilliant prospects seemed before her in the gay capital, and at the Prince Regent's court; but when these were discussed, her aunt, somewhat to her disappointment, found her heart had been left behind in Galloway, to which she was always true. In due course she married the young Laird of Freuch, and presided

for more than forty years, with great acceptance, over the hospitalities of Balgreggan.

There the Hon. Patrick Maitland, and Lady Rothes his wife, were constantly resident till 1797, when he was succeeded by his son John, the fortunate husband of Jane Maxwell.

A certain coolness at this time had unfortunately arisen between Lord Galloway and Sir Stair, a protracted lawsuit loosening the ties of cousinship, already very remote.

Certain lands in Sorbie parish had been held in "runrig" between the Stewarts and Agnews from time immemorial. Lord Galloway naturally wished to have them divided, and being unable to come to terms with Sir Stair himself, applied to the Court of Session to appoint an arbitrator. This they did, but Sir Stair, being dissatisfied with the award, appealed the case over and over again; the rights of the matter we cannot pretend to determine, but the verdict going finally against him, he had perforce to submit, though certainly not satisfied.

This, however, did not affect his interest or his friendliness for the younger members of the family, the Stewarts of Garlies, which generation were adding effectually to the Galloway roll of naval and military heroes.

Lord Garlies (eighth Earl of Galloway on his father's death in 1806) had entered the navy in 1780. He served with his uncle in the action with the Dutch on the Doggerbank, and was promoted to be lieutenant in 1789.

He served under Lord Hood in the Mediterranean as master and commander, and obtained post rank in 1793. He commanded the *Winchelsea* at the reduction of Martinique, of Guadaloupe, and of St. Lucia; being thus mentioned in Sir John Jervis's despatches: "Captain Lord Garlies acquitted himself with great address and spirit on the occasion, although he received a bad contusion from the fire of a battery against which he had placed his ships in the *good old way* within half musket shot."

He again commanded the *Lively* frigate at the famous victory off Cape St. Vincent, 1797, from which Sir John Jervis (his old commander) took his title as an earl.

In 1805 he was appointed a Lord of the Admiralty, which, though intended to be complimentary, he doubtless deeply regretted, as preventing his being present at Trafalgar;¹ the more so, as he was a great admirer and intimate friend of Lord Nelson, by whom he was much esteemed.

His next brother, William, in 1792 a captain in the 22nd Regiment, passed through the higher ranks of the famous 95th, now the Rifle Brigade, distinguishing himself at Ferrol, Copenhagen, Egypt, and almost every action in the Peninsula; as colonel-in-chief of the Rifle Brigade, and brigadier, Wellington had no more efficient aid. From early youth he was excessively popular, and when the wars were over, he returned to Galloway, and as a Lieutenant-General and G.C.B. settled at Cumloden, where he delighted to fight his battles over again.

Though fortunate in securing well-earned military rewards in fame and popularity, he was unlucky in receiving wounds in almost every one of the numerous engagements in which he took part; oftener, it is believed, than any officer in the British army. From these he often suffered much, especially from a musket-ball at Ferrol, by which splinters of a flask were forced into his breast, and which doubtless shortened his life.

Among the privileged retainers who had a billet at Cumloden was his soldier-servant's wife, one of the extraordinary products of unlimited service in older days of the British army,—who, having for years marched, bivouacked, and hung about the battlefields of the corps they belonged to, could go anywhere, do anything; full of resource, nurse, doctor, cook, tailor, and who, if true-hearted, were invaluable—and such, the General asserted, was Mrs. Bryce.

Pointing to her as she came in sight, he was fond of telling that once, having gone into action and been severely wounded, he galloped back to his tent, and was soon attended to and bandaged by his servant's wife. After a little rest, he bade his

¹ He married 1797 Lady Jane Paget, second daughter of the Earl of Uxbridge, afterwards Marquis of Anglesea. Same year he was appointed Lord-Lieutenant of Wigtownshire. He became a rear-admiral 1810.

servant bring round his charger, who telling his wife as he went out, she flew in, and implored him to remain quiet. The good advice was unheeded. In a few minutes the Brigadier was in the front, and again, in an inconceivably short time, was carried back worse wounded than before. Mrs. Bryce was summoned, but just anger got the better of softer feeling; and with tears of laughter the General was wont to relate that as he lay suffering in his tent, he heard her break out in a voice of passion to her husband, "It serves him right; as he would go, after all I had told him."

A third brother, Montgomerie, was thrown into nearer connection with Sir Stair, by marrying a sister to Sir William Honeyman, the husband of his favourite cousin, Mary M'Queen. He also stayed more at home, representing the Stewartry in Parliament for many years (1803-1812), and took an active management of the family estates.¹

In 1792, Lord Galloway's two elder daughters were already married: Lady Katherine (in 1785) to Sir James Grahame of Netherby, the well-known minister of state; Lady Susan (1791) to the Marquis of Blandford, eldest son of the Duke of Marlborough. Shortly afterwards Lady Harriet married Lord Spencer Chichester, second son of the Marquis of Donegal, afterwards created Lord Templemore; and Lady Charlotte, Sir Edward (afterwards third Lord) Crofton.

At this date we find a Colonel Nisbet Balfour (a general, and colonel of the 39th Regiment) Member for the Boroughs, as later, James Graham of Kirkstall, one of the Lowthers, and others entirely unconnected with Galloway, the explanation of which is, that the representation of these boroughs being entirely in the hands of the Earls of Galloway, and yet, their elder sons not being eligible to be members for Scotch constituencies, they were obliged to come to terms with persons who could command an English Close or Rotten Borough, and exchanged seats. At

¹ Sir William Stewart's son Horatio married his cousin Sophia, daughter of the Hon. Montgomerie Stewart, whose son has succeeded as heir of entail to the estates of Broughton and Kellie—Horatio Granville Murray Stewart.

this moment, whilst Colonel Balfour was representing the Wigtown Boroughs, Lord Garlies was sitting for Saltash.

Sir Thomas Hay of Park had succeeded his father in 1777. His sister Suzanna married John Dalrymple of Dunragit. He died unmarried in 1794, when the baronetcy went collaterally to a distant relative, his estates devolving on his sister. Mr. Dalrymple thereupon assumed the name of Hay, and was created a baronet in 1798, by the style of Sir John Dalrymple Hay of Park Place.

After the death of his only son, Sir Stair's life was much that of a recluse. He took little part in public business, rarely going from home, though always pleased to entertain old friends and neighbours, including the rising generation; his daughter, Mrs. Stewart of Physgill, assisting him to do the honours.

He, however, always took a special interest in all that concerned his tenants; his land-management was considered a model in the Shire. Scrupulous that rents should be fair, "live and let live" being always his maxim, he insisted on punctuality of payments; whilst his was probably the only estate within a long range, on which there was not a farthing of arrears, there was none on which the relations between landlord and tenant were more cordial.¹

Year after year his estate register, which shows the state of his stock, the amount of produce, and details of every sort, records such triumphs as:

117 cheeses made from the summer's grass.²

20 July. Rye grass cut.

¹ Thirty years later, the good management of the Lochnaw estate was still proverbial. His grandson, the late Sir Andrew Agnew, seventh baronet, thus writes to his mother:

"July 1821.

"When I told Sir William Maxwell the other day that my tenants could not pay, he thought it the worst news he had heard yet, *so noted were they for punctuality*."—M'CRIE, *Life of Sir Andrew Agnew*, p. 64.

This was when the depression, consequent on the fall in value of agricultural produce, at the close of the long war, was at its height.

² These must have been very small, even assuming them to be the Galloway met, double the Imperial.

117 cheeses	39 stone 5 lbs. nett.
113 cheeses	36 stone 7 lbs. nett.
107 cheeses	35 stone 1 lb. nett.

- 3 Aug. Meadow begun to cut.
 14 Oct. Horses all put into stable.
 12 Nov. Ploughing begun—eighteen yokings.

The estate-improvement most in vogue the last decade of the century, was building dykes; these, having been few and far apart, were now unduly multiplied, and having been reared at a cost out of proportion to the rental, have almost all had to be removed, and to be rebuilt in shape and size consistent with the modern system of cropping.

The old gentleman's cellar-book partly serves the purpose of a diary, as:

“Physgill here. 6 bottles port.

“15 July, ditto. 12 bottles port.

“At different times up to 29th Aug. (Physgill left) 42 bottles port.¹

“Captain Maxwell. 6 bottles port.”

(this being the young laird of Monreith just come of age).

Among innumerable anecdotes preserved by those who had known him, one is especially characteristic.

During his enjoyment of the property, with rising rents, land-valuing had become a profession. Many of those practising it were doubtless superior men; some were charlatans, who, on very insufficient examination, affected to pronounce offhand what land could grow, and what it should be worth per acre.

A certain valuator having persuaded Sir Stair to give him a commission, and having executed it, brought his report to Lochnaw Castle in high feather, handing it in for the baronet's perusal in the morning, with the understanding that they would discuss it further after dinner.

Sir Stair, taking up the papers, hastily glanced at the sum total, which astounded him; then looked at the values placed to

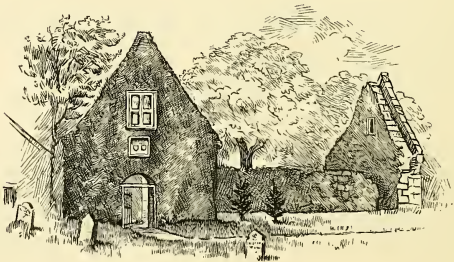
¹ Physgill, Mr. Hathorne Stewart, his son-in-law. The 54 bottles of port wine were not drunk at a bout, but in the course of a visit extending over some weeks, during which we find entries in the farm-book for “Corn for Physgill's horses,” and “meal for Physgill's dogs.” In 1798 is an entry, “12 bottles port for the Rev. Andrew M'Cubbin's ordination.” Mr. M'Cubbin was parish minister for 53 years.

the farms one by one, his anger rising as he read. Few were not doubled at least; when at last, noting a rent which was actually *trebled*, he threw down the report in a rage, and violently rang the bell, abruptly asking the servant who answered it, "Is that fellow gone yet?" "Oh no," was the surprised reply; "he expects he is to have the honour of dining at the Castle to-day." "I canna see him, send him away," Sir Stair peremptorily cried; "he'd ruin me and my tenants too out of hoose and ha'. He canna stay here."

Sir Stair's own people long cherished his memory with affectionate regard, knowing well that a spirit of genuine kindness underlay a certain testiness of expression. *They* took no exception to his stay-at-home habits. As he drove leisurely about in his carriage-and-four, now exchanging a dry joke with a dependant, now welcoming a neighbour to share his bottle of port, to them he was the very model of the good country gentleman. His indifference to the gay world of fashion was with them a merit; to them he seemed one of the few who came up to their idyllic standard, whose habits of life gave point to the poet's appeal to landowners in general:

O wad they keep aback frae courts
 And please themselves wi' countra sports.
 It wad for every ane o' them be better,
 The laird, the tenant, and the cottar.

Sir Stair lived for 17 years after 1792, dying 28th January 1809, in his seventy-fifth year.



CHAPTER LI

CONCLUSION

There is a history in all men's lives,
Figuring the nature of the times deceased :
The which observed, a man may prophesy,
With a near aim, of the main chance of things
As yet not come to life.—2 *Henry IV.*

OUR task is done! We have recovered tolerably continuous notices of the Sheriffs of Galloway and their neighbours during the period of their enjoyment of hereditary office; and, to gratify family curiosity, have traced the footprints of their forefathers backwards to the fief in the Bocages of Normandy, where they first found a local habitation and a name. We offer the results of our researches as a very humble contribution to Galloway history.

The style of the work, from its very nature, is desultory, the material heterogeneous, and thrown together with little artistic skill; the only merit we venture to claim for it, being accuracy. For every statement made there is reference to authority. In the case of private writs, the charter chest is indicated from whence they are quoted; and of public ones, the locality of the archives in which they are to be found, or the title of the volume in which they have been published, is given in full, so that verification is simple.

We have endeavoured to bring the light of modern inquiry to bear on the mists of fable which have so long obscured the early history of Galloway; venturing also to suggest the interpretation of various place-names in the province as we came

across them. In this we have been assisted both by the works, and by direct communications from, such masters in this branch of philology, as Dr. Reeves, the Bishop of Down and Connor, Dr. Joyce, and Dr. M'Lauchlan.

That the reign of error as to matters lying at the root of Galloway history should have continued almost until yesterday is surprising, justifying Lord Hailes's bitter remark (made a century ago), that "Scotland has been reformed from Popery, but not from Boëce."

It seems passing strange that a Galloway minister of culture should, in the year 1840, adopt such a statement as that "fifty-five years before the Christian era, 10,000 men marched under Cadallane, Governor of Galloway . . . to oppose the landing of Julius Cæsar."¹ And it seems yet more unaccountable (Novius having always been known to be classic Latin for Nidh or Nith) that it should have been left for Mr. Skene, after the middle of the nineteenth century, to demonstrate that the terms *Novantæ* and *Niduari* were synonymous.

Our historical sketch, imperfect as it is, may encourage others, better qualified for such a task, to pursue the subject, and to realise that the history of the province, even when entirely stripped of fable, abounds in incident, which by abler pens might be expanded into a narrative of thrilling interest.

A marked feature in the character of Galloway Picts was their susceptibility—in its best sense—to female influence. Five such recurrent episodes in as many following centuries we throw together in conclusion, so as to bring this chivalrous trait into relief.

First of the dames in question is Ingibiorg, her name happily suggestive of divine protection and peace,² whose marriage with

¹ Mackenzie's *History of Galloway*, i. 45.

² Ingibiorg—translated by the French Ingeberga, by the English Ingoberga—is still a common name in Norway.

Ingebjorg in old sagas is a demi-goddess directing wind and rain. Root *ing*, "a Teutonic divinity." *Ing*, "the son of Tuisco"—held to be the ancestor of Swedish kings, is doubtless the name-father of the Anglic or English race. As a prefix, *ing* conveys the sense of the clearness and the brightness of the divinity. But at the end of a man's name it indicates his son; at the *end* of a place-name, it means an inhabitant; in the *middle* of a place-name, a meadow. In later times the idea of divinity merged in that of an angel, from the Greek "angelos," and

Malcolm Canmore, *c.* 1067, cemented the union of Galloway with the rest of Scotland.

Of her private life, her appearance, or even her pedigree, we know little; but history attests her influence over the Galwegians to have been far-reaching, leaving it to be inferred that, with whatever admixture of Norse blood, Galloway Pictish blood royal ran in her veins. We read of her first as wife of Thorfinn, the mighty jarl who, whether by inheritance or conquest, ruled nine Scottish earldoms (rikis), Caithness, also the Orkneys, many Western Isles, and Galloway. On Thorfinn's death, *c.* 1066-1067, the young widow was wooed and won by Malcolm Canmore, who, with her hand, claimed peaceable possession of Galloway.¹

On Thorfinn's death, moreover, four earldoms lying between the Spey and the Firth of Tay, had thrown off the Norwegian yoke, and submitted to Malcolm, not as husband of Ingibiorg, but as heir by Celtic law to his father Duncan; Malcolm himself having already conquered Moray with his own sword from the Shakesperian Macbeth.² That Malcolm himself had some shadowy claims on Galwegian allegiance, through Kenneth, whom the Galwegians had assisted in uniting the Pictish and Scottish crowns, can hardly be doubted. But these did not become paramount until united to those of Ingibiorg.

The exact nature of Ingibiorg's rights cannot now be explained; we only know that they were recognised both as regards her husband, herself, and their issue, reappearing in the case of her great-grandson.

"Ingoberga passed into Engelberga, an angel in connection with peace, splendour, and protection."—Yonge's *History of Christian Names*, ii. 245-290.

¹ On Thorfinn's death, Malcolm appears to have endeavoured to conciliate the Norwegian element in the country by making Ingibiorg, the widow of Thorfinn, his wife; by whom he had a son, Duncan. She did not, however, survive the birth of her son many years.—*Celtic Scotland*, i. 414.

² Malcolm attacked Macbeth at Lunnannan, and slew him 5th December 1058.—Hailes, *Annals*, i. 3.

Mr. Skene, however, says "that Thorfinn died in 1057, appears to afford the most plausible explanation of the sudden termination of Macbeth's kingdom. Macbeth, finding himself isolated, with the forces of Cumbria and Lothian in front of him, and a hostile population behind him, in place of the support of the Norwegian earl, would fall back upon his own hereditary province of Moray."—*Celtic Scotland*, i. 412.

Malcolm
Canmore
- his
widow
Earl

The marriage consummated, the Galwegians submitted peacefully to Malcolm's rule; and all that we know about its nature, or the circumstances attending it, is of itself a proof that it was a period of peculiar calm.

Happy is the country that has no history.

Ingibiorg left two sons, Duncan and Donald: the former, Duncan, given up to William the Conqueror as a hostage, in 1072, and brought up by him at the Anglo-Norman court; the latter predeceasing his father in 1085.

On Malcolm's death in 1093, his brother, Donald Bain, promptly seized the throne. But Duncan was as promptly released by William Rufus, and, assisted by a band of Anglo-Norman adventurers, won back his crown, and was cordially acknowledged by the Galwegians. Soon after he was assassinated at the instance of his uncle and half-brother Edward, who reigned conjointly for three years, when (*c.* 1097) they were themselves dispossessed by Edgar, Duncan's half-brother. In this settlement the Galwegians entirely concurred; and so strong was Edgar's hold upon the province, that he was able to will it away to a younger brother, disintegrating for a time the kingdom of Scotland.

Having in this the concurrence of Ingibiorg's grandson, Duncan's son, Galloway, as is well known, accepted David, first as earl, and next as king; and even when Fergus was suspected of favouring a rising by Angus, Earl of Moray, in 1130, the people held aloof; as also when Malcolm M'Heth or Wymond appealed to them on Pictish principles, they rose *en masse* in support of David, which is greatly to be attributed to the example of loyalty set them by William, son of Duncan.

King Duncan had married Ethreda, daughter of Gospatrick, Earl of Northumberland, and by her left a son, William above named, who married Alice de Romellie, heiress of Skipton and Craven. When the Galwegians mutinied against David, near Durham, in 1138, and the king's life was actually in danger, William the son of Duncan was alone able to control them. Yielding him implicit obedience, they

suffered themselves to be led off on a long detour through Craven, and thence to Lancashire, where, recovering their discipline, they distinguished themselves by defeating a large body of English men-at-arms at Clitheroe, and were led back perfectly amenable to his control. William Fitz-Duncan died in 1151, leaving a son, also William, historically known as the "Boy of Egremont."¹

In 1160, Malcolm the Maiden having tried the patience of his subjects by dancing attendance on the English king, a rising of the earls of Scotland was planned, in favour of the youth variously styled "William the Noble" and the "Boy of Egremont." On Malcolm's return, the rebellion collapsed, the Galwegians only remained in arms; and this is easily to be accounted for when it is remembered that William the Noble was the great-grandson of their favourite Ingibiorg, whose direct influence over them we thus see extended to the third generation. Happily for Malcolm, the premature death of the Boy of Egremont removed this formidable competitor from his path.²

Whilst the influence of Ingibiorg decided the Galwegians towards the close of the eleventh century to accept the sovereignty of Scotland as their ard-righ or head-king,—an entire change in their political constitution,—early in the following century Elizabeth, daughter of the English king, by marrying Fergus, overlord or Regulus of Galloway, accelerated changes as radical in the laws and language of the province.

¹ A charter of Bolton granted just after her husband's death is worded: "Adeliza de Rumelli consensu et assensu Willelmi filii et hæredis mei et filiarum mearum," and among the witnesses is "Willelmo filio meo de Egremont."—*Celtic Scotland*, i. 473.

Mr. Skene points out that—

"Wyth Gyllandrys Ergemawche"

may mean Gillandres, Celtic Earl of Ross, and Ergemawche may be a clerical error for Egremont.

² William Fitz-Duncan, usually called the Boy of Egremont, as grandson of King Duncan, eldest son of Malcolm III. by Ingibiorg, had a direct claim to the throne.—*Celtic Scotland*, iii. 66.

"Ingibiorg, the mother of the Earls," married Melkoff (Malcolm), King of Scotland, who was called Langhals. Their son was Dungad, King of Scotland, the father of William, who was a good man. His son was William the Noble, whom all the Scots wished to take for their king.—*Col. de Reb. Alb.* 40, p. 346.

The name of the young bride on the lips of her new subjects, Ealasaidh (Ailsa), conveyed an idea of dignity and grace, expressed poetically "breasted like a swan."¹

Her Palace Isle not only had special attractions for Anglo-Norman adventurers, but here young Celtic chiefs had opportunities of meeting and courting Anglo-Norman damsels, to qualify themselves for which it was *de rigueur* to converse in French.

By his marriage with Elizabeth, Fergus became son-in-law of the English, and brother-in-law of the Scottish king,² securing him a place beyond the bounds of Galloway, among the highest magnates of the land; and her connections enabled her to secure for their son Uchtred an alliance with Guynolda,³ daughter of Waldeve, granddaughter of the Northumbrian Earl Cospatrick, richly dowered with English lands and gold.

Such influences, extending far beyond her lifetime, enabled her grandson Roland to secure by marriage the office of Constable of Scotland, with vast estates, and these again were further increased in the person of her great-grandson Alan, a magnate so powerful as to be considered a fitting match for a daughter of the princely houses of Huntingdon and Chester, having the full blood-royal of Scotland in her veins.

That the personal influence of the Lady Elizabeth was a civilising one, is indirectly proved by the great change for the

¹ Elizabeth; as a Hebraic name means "God's oath." In Gaelic Eala is the wild swan; Seidh, the prow of a vessel.

² Ruddiman, in his notes to Buchanan, speaks of King Alexander's marriage with Sibylla, Elizabeth's sister, as "an unequal alliance": a remark thus criticised by Lord Hailes:

"Mr. Ruddiman's notions are altogether modern. He forgot that Ermingarde, the wife of William the Lion, and Jane, the wife of James I., were descended from bastards of the royal family of England. Such an alliance was not held dishonourable in these days."—Hailes, *Annals*, i. 56.

He had previously stated that, "it being the policy of Henry to cultivate amity with Scotland, he bestowed Sibylla on Alexander"; so far from being considered dishonourable, the gift of her hand was supposed sufficient to reconcile Alexander to the loss of Galloway and the Lothians. If we are to believe William of Malmesbury, Sibylla was the plainer of the two sisters.

³ More properly Gunhilda, variously written Gunnhildur, as in the case of the queen of Eric Broadaxe, and Gunhild, the Danish princess, whose murder in England was avenged by her brother Sweyne; also Gunnilder. Root, gunnr, Norse, "war or battle," "war battle maid."—Yonge's *History of Christian Names*, ii. 316.

worse in the progress of the province, which took place the moment that influence was withdrawn.

Fergus remarried, and, as is usually supposed, a Celt; but whatever the nationality of his second wife, after his union with her "he failed in his duty to his royal master," and brought upon himself and his province the penalties of rebellion. Moreover, the future conduct of Fergus's two sons indirectly testifies to the difference of their upbringing, and that entirely in favour of Elizabeth.

Uchtred, her son, followed the enlightened course of his father's early days, in the lifetime of his mother; whilst Gilbert, the son of her successor, headed a rebellion against this brother in the name of nationality, but really in opposition to any progress and improvement. Having defeated his brother, he killed him under circumstances of terrible barbarity, massacred all Anglo-Normans he could catch, and threw back the civilisation of the province for half a century; but all his professions of psuedo-nationality were seen through, and he dying, execrated by all good men,¹ Roland, Elizabeth's grandson, was recalled to his rights by the general voice of the people.

The date of Elizabeth's coming to Galloway was much earlier than is to be inferred from the usual slipshod way of writing Galloway history, in which Fergus is held to be the successor of Ulgric and Dovenald, military leaders much younger than himself, never lords of Galloway at all. The slightest allusion to dates proves Uchtred, Elizabeth's son, to have been of man's estate before 1139 (and her grandson Roland before 1175), whilst her daughter Africa was married to Olave, a king of Man, who succeeded in 1102, and whom, although he reigned forty years, we may fairly suppose to have been married before 1130. Her marriage is probably to be dated soon after the settlement of David as Earl of Galloway in 1107, in which

¹ In the year 1185 died that lover and wager of civil war, Gilbert . . . and other Galwegians who in Gilbert's time had been the instigators and whole cause of hostile feeling and war, in which struggle the aforesaid fosterers of wickedness and their abettors perished by the avenger's sword.—Fordun, *Annals*, 17.

Fergus both acquiesced and assisted. Fergus's death, as an *old* man, is chronicled at Holyrood in 1161, pointing to the probable date of his birth as between 1080 and 1084.

The feudal system, with its salient feature of primogeniture and indivisible succession of the heir-male, of which Fergus's marriage with Elizabeth implied the recognition, though rudely overturned by Gilbert, was amply revindicated by Elizabeth's grandson Roland; and its practice was firmly and finally established in its application to heirs-female, in the case of her great-grandson Alan's heirs.

Of these, by far the most admirable was the Lady Dervorgille, whose memory survives, redolent of the "wyne and wax, of game and glee, the sons of ale and bread," emblematising the happiest half-century of Galloway history.

Of her name (Dearbhforgail),¹ the rendering given by the Four Masters—"purely fair daughter"—tallies with the historian's description of the lady:

Scho wes rycht plesand off bewte.²

Greatly gifted by Providence, with a fine presence, and vast wealth, as gracious as she was fair, munificent as she was rich, she was a daughter of whom Galloway may well be proud. Her mother, Margaret, was daughter of David, Earl of Huntingdon, by Maud or Matilda, daughter of Hugh Kevelioc, Earl of Chester; her grandfather David being youngest son of Prince Henry,³ son of David I. (who predeceased his father), his two other brothers being Kings Malcolm and William the Lion.

¹ "Later critics," says Miss Yonge, "make it 'the true oath,' from *derbh*, 'an oath,' and *fior-glan*, 'true.'"

On her seal to the charter of Balliol College it is *Devorgulla*. Fordun writes it *Darworgilla*.

Edward III. summons her as his vassal to the Welsh wars as *Dervorgoyle*.

² *Wyntoun*, bk. viii. chap. ix.

³ The children of Prince Henry (who had had the honour of Huntingdon conferred on him by Stephen in 1136) by his wife Ada, daughter of William, Earl of Warrenne, were King Malcolm, born 1142; King William, born 1143; David, Earl of Huntingdon (as above), born 1144; Ada, *m.* 1161 to Florence, Count of Holland; Margaret, *m.* 1160 to the Duke of Brittany, and secondly to Bohun, Earl of Hereford.

Prince Henry had a son John, known as "John the Scot"; he dying without issue, his two daughters—Margaret, Dervorgille's mother, married to Alan of Galloway, and Isabella, married to Robert de Bruce—became his co-heirs.¹

Dervorgille was born in 1213, and in 1233 married John Balliol of Barnard Castle, curtly described as "Dives et potens," who owned wide lands in France and England, the united wealth of the pair being very considerable indeed. In 1239 Alan of Galloway died, when the western half of Galloway fell to Roger de Quincey, who had married her elder (and half) sister Helena, the lands east of the Cree being divided between herself and her sister Christian, married to the Earl of Albemarle. In 1246 this sister died, and Dervorgille, becoming her sole heir, inherited the undivided rule of eastern Galloway.

Meanwhile John, Earl of Huntingdon, her uncle, had died in 1237 without issue, his lands passing to the king (Edward III.), and these in 1257 the king divided, giving a moiety to Isabel John's sister, and her husband, Robert de Bruce, the other to Dervorgille, as heir of her mother Margaret; Dervorgille's share including—with the honour of Huntingdon—the manors of Luddington and Tokesay, County Lincoln, Duffield in Yorkshire, the manor, with the town and castle of Fotheringay, in Northampton.

In 1249 she gave birth to a fourth—but the *only* son who survived her—John Balliol, the future king.

In 1268 her husband, who seems in every way to have been worthy of her, died, lamented by gentle and simple, and his loving wife reared two noble monuments to his memory: the one the Abbey of Dulce-cor or Sweetheart in Galloway—a very model of the most pleasing development of architecture, where the flowery tracing of the decorated Gothic enriched the severer dignity of the Early English; the other in England, no less

¹ Earl David begat of his wife Matilda one son, John, who succeeded him, and three daughters. Margaret he gave in wedlock to Alan of Galloway, who of her begat a daughter, Darworgilla; his second daughter, Isabella, he gave to Robert de Bruce, who of her had a son, Robert; and a third, Ada, he joined in matrimony to Henry of Hastings.—Fordun, *Annals*, 30.

than that college at Oxford, which, still standing pre-eminent in learning, immortalises the name of her highly cultured lord.

The statutes were signed at her Castle of Botel in 1282.¹ The incorporating charter is preserved as the most highly prized relic of the college: the seal entire, representing on one side a female figure, — an effigy of herself, holding a shield in each hand, bearing respectively the arms of Galloway and of Balliol; two shields underneath showing the achievements of Chester and Huntingdon. On the reverse side the arms of Balliol—gules, an orle argent—are impaled with her own (those of Galloway)—azure, a lion rampant, argent. Above them, under cornucopia, the devices of Huntingdon and Chester are repeated, the three garbs of the former being especially distinct.²

Some, and some only, of her many magnificent and beneficent works are thus chronicled in quaint doggerel by Andrew of Wyntoun,³ who stands higher as a historian than as a poet.

Now to rehers it is my will
Sum wértws dedis off Derwörgill.

Scho fowndyt in to Gallway
Off Cystews ordyre ane Abbay;
Dulce-Cor scho gert thaim all,
That is Swet-Hart, that Abbay call;
And now the men off Gallway
Callys that sted the New Abbay.
Howssys off Freris scho fowndyt tway
Wygrowthne, and Dundé [war] thai.
In ekyng als off Goddis serwyce
Scho fowndyt in Glasw twa chapellawyis.

¹ Datum apud Botel in octavo assumptionis gloriosæ Virginis Mariæ anno gracie MCC. octogesimo secundo.

² The repetition of the three garbs suggests reference to the Comyns,—whose arms were azure, three garbs or—with which great house she was doubly connected; Alexander, Earl of Buchan, being Lord of western Galloway, and John Comyn, Lord of Badenoch, her son-in-law.

³ Andro of Wyntoun was a canon regular of St. Andrews before 1395, and was elected, by favour of his brother canons, prior of the monastery of St. Serf's, in Lochleven, in that year, when we may suppose him to have been at least forty years of age, as he himself complains of feeling the infirmities of old age in 1425.—M'Pherson's Preface to Wyntoun's *Chronicle*.

And in the Unyversyté
 Off Oxyndurde scho gert be
 A College fowndyt. This lady
 Dyd all thir dedis devoutly.
 A better lady than scho wes nane
 In all the yle off Mare Bretane.

And, long as the list is, it is far from being complete; among many omissions being those of her famous bridge over the Nith, with its nine arches, a marvel of its time, having, when first built, no equal in Scotland; as also the Franciscan or Greyfriars Abbey of Dumfries, before the high altar of which Robert Bruce, her cousin, stabbed her grandson, the Red Comyn, 10th February 1306.

There is a tradition, probable enough, that Kenmure Castle was planned and inhabited by her husband; its fine site, a large mound, commanding picturesque views over the Glenkens, the remains of a fosse easily defensible, which can still be traced, recommending it as suitable for a chieftain's residence. The present castle, however, though parts of it are sufficiently old, dates from after the Brucian settlement, and in its present form was reared by the Gordons of Lochinvar.

In England, Fotheringay Castle, with its well-timbered chase,¹ was her favourite residence, where she was often styled "the Lady of Fotheringay."

She died, however, at Barnard Castle, the princely seat of her deceased husband, in 1289; but, by her express desire, her remains were conveyed to her native Galloway, where they still lie in the beautiful Chapel of Sweetheart, her husband's heart embalmed in spices, in an ivory box, having been laid reverently upon her breast.² Truly never a lady was more worthily loved and lamented.

Her only daughter, Marjory, married the Black Comyn of

¹ Her uncle, John the Scot, obtained a grant from the king of ten bucks and ten does out of the Forest of Rokingham to store his park at Fotheringay.—Dugdale's *Baronage*, i. 610.

² The abbey, when built, was known as New Abbey, afterwards Dulce-Cor, or Suave-Cordium, from the embalmed heart. The parish was known as Lach-Kendelach, from Cendelaidh, a Pietish king; changed about two centuries ago to New Abbey.

Badenoch, by whom she had a son, also John, distinguished as the Red.

A tombstone, which has disappeared, bore this tribute—and a most inadequate one—to her memory, written by Hugh de Burgh, Prior of Lanercost :

In Devorgilla moritur sensata Sibilla
 Cum Marthaque pia, contemplativa Maria ;
 Da Devorgillam requie, Rex Summe, potiri,
 Quam tegit iste lapis cor pariterque viri.¹

To her gentle memory, rather than to any merit of their own, was due the hold which her descendants had on the affections of the Galwegians ; love to herself intensifying the abhorrence in which they held the murderer of her grandson, a hate which no blandishments could modify, nor repeated decimations and forfeitures subdue.

Even when the Bruces had for twenty years been acknowledged as conquerors, and recalcitrants held down by the firm hands of King Robert himself, and his able lieutenant the Earl of Moray, the Brucian party were in such a hopeless minority among the masses, that the mere appearance of Dervorgille's grandson,—almost unattended,—on the scene, roused such enthusiasm that the royal officers felt resistance to be hopeless. And it was the over-security engendered by this easy triumph in Galloway that led to his allowing himself to be surprised at Annan, at Christmastide 1332. And although he eventually retired discredited to France, yet had he or his brother left any direct issue traceable from their favourite Dervorgille, the Galwegians at least would hardly have allowed the succession of Robert the Steward to the throne to have been undisputed.

Just a century after the death of Dervorgille, the Princess Egidia, wife of the young and redoubtable William Douglas,

¹ Which may be translated :

In Dervorgille dies a sage Sibyl,
 Pious as Martha, contemplative as Mary ;
 Deign, Supreme Ruler, to grant Dervorgille rest,
 She whom this stone covers holding her husband's heart.

reigned for a time supreme in the hearts of the Galwegians. Beauty, if combined with grace, seldom fails to rouse the spirit of chivalry latent among men of every rank; and the presence of the fair Egidia at the court of her grimmer father-in-law, tended at once to stabilitate and popularise the power of the Douglasses, then rising to its zenith, and which remained paramount for four generations following; thus proving herself a power in the province of her adoption. The rhyming Wyntoun recognises the Dame Gyles

that then was
The fairest of fassoun and of face
That men mycht find that day lywand
Though they had sought owre all Scotland.

The description of all historians may be summarised in the words, "The loveliest woman of her age."

The King of France is said to have become enamoured of her by a mere description, and sent an embassy—a painter in the suite—to solicit her hand. But Egidia refused to sit for her portrait, or to renounce her troth pledged to her Galloway knight.

If it was her rare loveliness that chiefly attracted the golden youth of the province to her husband's standard, her qualities of heart retained them in his service; and we have already pictured her watching from the Tor of Craigoch the triumphant return of his flotilla from Carlingford and the Isle of Man; as also how her husband, impatient of peace, unadvisedly quitting home duties and his exemplary wife, fell, whilst in search of adventure in foreign lands, by the assassin's dagger.¹

The Lady Egidia had, with other provisions for her dowry, a sum from the customs of the wool of Galloway. This she did not long enjoy,² however, but died in the land where she was so

¹ Europe acknowledged William Douglas her bravest and most gallant knight; England, Ireland, Man, and several parts of the Continent witnessed his prowess; the success of his arms procured him many foreign titles. — Noble's *Genealogy of the Stewarts*, 32.

² There is a charter under the Great Seal, "dilecto et fideli nostro Willelmo

much loved, comparatively young, leaving a daughter almost as lovely as herself. This second Egidia, known as the "Fair Maid of Nithsdale," married Henry Sinclair, Earl of Orkney, and had by him a son, William, who in her right became Lord of Nithsdale and Sheriff of Dumfries.

A fifth lady, who, while firmly wielding feudal power, yet owed the ready acquiescence in her rule to her virtues and ability, was the Princess Margaret, Countess of Douglas, Duchess of Touraine, the eldest daughter of Robert III. Her mother, Annabella, daughter of Sir John Drummond of Stob Hall, the common ancestor of the Earls of Perth, Viscount Strathallan, and the Drummonds of Hawthornden, was famed "for her beauty, sense, spirit, and generosity." Although married as early as 1357, she had no children till 1378, after which she bore David, Duke of Rothesay (starved to death in Falkland Castle), King James I., Margaret, Mary, and Elizabeth.

Margaret was married early in the century, and the superiority of Galloway, settled upon her by her husband as a life estate, was confirmed to her by her brother, King James, on his return from captivity. She ruled the province from her husband's death in 1424 to 1440, a veritable queen; her rule characterised, as universally allowed, by benignity and wisdom.

Instances are not wanting in which female influence as strong, if more ephemeral, was exerted over the Galwegians by the call of mere beauty in distress,—when, reckless of consequences, the word of the fair one whom they had allowed to cast the glamour o'er them became temporarily their law.

Thus in 1494 we find them prepared to risk a war with England, daring almost certain defeat, in the cause of the fair

de Douglas, militis, et Egidie carissimæ filie nostræ," of £300 sterling annually out of the customs of Edinburgh and other towns, dated 26th December 1386.

In Noble's *Genealogy of the Stewarts* she is called Giles or Agide; who adds: "This daughter of King Robert II. is by Dr. Abercrombie thought to have been legitimate, but other historians say otherwise" (p. 33). Her legitimacy certainly seems probable.

Catherine Gordon, the White Rose of the Borders. And in 1568, ardent Presbyterians as they were, they for once were deaf to the warnings of their ministers, and rode forth *en masse* to retrieve the fortunes of their beautiful Queen Mary, although their gaining victory for her, would have restored Roman Catholic supremacy.

These are softer passages in the history of rough times.

Of the names thus recalled, that of Dervorgille stands out with the greatest lustre, as under her, Galloway reached an acme of prosperity, to which it did not for centuries reattain.

The establishment of the Agnews at Lochnaw, with which properly our story commences, was on the contrary the period of the lowest depression, resulting from the disastrous wars of succession; room being made for them there, by the forfeitures attendant on the final expulsion of Dervorgille's grandson, Edward Balliol. The people were pauperised, their lands lay untilled, their herds thinned by merciless requisitions, the native forest wantonly wasted by the axe and firebrand, whilst the old ties were broken which had previously subsisted between peasant and proprietor.

War had, however, worn itself out, and the very fact of the newly appointed Constable being able to maintain himself, with such small resources as were at his disposal, amongst a population to which, if not absolutely hostile, he was a stranger, proves this to have been a moment of tranquillity, which, although enforced only by circumstances, yet had in it the elements of revival from the long depression.

Taking, therefore, this as a starting-point, we may glance at the progress and fluctuations of the slow return to prosperity.

Improvement has advanced with such electric speed during the present century, that we are apt to forget how slow was the progress of civilisation during those preceding it; and it is startling to find how *little* the conditions of social life had improved between the death of Dervorgille and that of the last hereditary sheriff 500 years later, also how *much* the habits of his days differed from those of ours.

We may class our points of comparison under the heads of Order, Agriculture, Locomotion, Domestic Comforts, and Learning.

1. Dervorgille's was a time of peace, whence progress and content. And when, a century later, the reign of law revived under Archibald the Grim,—heavy as his hand fell latterly on the Constable of Lochnaw,—his undisputed power, with capacity for government, revived the slowly returning prosperity. And the reins of power being as ably handled by the Duchess of Touraine, this progress was continuous until 1440. At her death, the brutal and impolitic murder of her grandsons shook all confidence in the Government, and predisposed the Galwegians to side with the Douglasses against the Crown. Hence, again, war and waste. The Crown was victorious in the end, but it was a far cry from Holyrood to Galloway; feudality ran riot, and the power of the king, as then only represented by his sheriff, was insufficient to control it. Matters got worse; the defeats of Flodden and of Pinkie following on the Solway Rout. The minority of Mary, and the religious struggle of the later years of her reign, still further weakened the hand of Government during the times of the third, fourth, fifth, and sixth sheriffs; and it was only when James VI., indifferent king as he was, found himself strong enough to confer justiciary powers on the seventh sheriff, and to support him in their exercise, that order partially reigned in Galloway. The union of the crowns further strengthening the executive, a contemporary authority thus writes of the times of the eighth sheriff: "Certainly Galloway has become more civil of late than any country bordering on the Western Sea."¹ But these halcyon days were brief. Civil war broke out, followed by long struggles for religious liberty, which, if somewhat fanatically conducted, were resisted with scandalous barbarity; the fortunes of the country falling to their lowest ebb in the days of the tenth sheriff. All classes were dissatisfied and disaffected. The Revolution of 1688 brought a turn for the better. Confidence in Government

¹ Lithgow, *Nineteen Years Travayle*, 1632.

soon became general. Galloway was but slightly disturbed by the risings of '15 and '45, and after the latter date the reign of law was permanently assured. In short, in the days of the twelfth and last hereditary sheriff the province was as tranquil—hardly more so—as in those of Dervorgille.

2. As to agriculture, it was not till the latter years of the tenth sheriff, and after the succession of the eleventh, that any real improvements, or system, were introduced. The yield in 1700 was less than in 1300; but intelligent attention was thenceforward given to the breeding of cattle and cultivation of grasses. Turnips and potatoes were introduced in the time of the eleventh sheriff (the latter not till 1725); but the amount of either of these crops, for many years after, was insignificant.

Thorough drainage was not understood; drainage with tiles had not been thought of; equally unknown were guano or phosphates as manures. A little lime imported from Ireland, carried in creels slung over horses' backs, and a little marl when it could be found, were the only aids to the midden, as revivifiers to the surface of the soil, already exhausted by injudicious and indiscriminate turning.

3. As to locomotion, the twelfth hereditary sheriff would certainly have been as incredulous as Dervorgille had he been told that the century following his decease would see railway trains rushing from end to end of the province, telegraphs bearing messages at lightning speed; he would even have smiled at the idea that steam could drive vessels in and out of his ports against wind and tide; his wildest dream as to what a following generation might witness, barely extending to the establishment of a coach between Dumfries and Portpatrick.

What are now popularly called the good old coaching times (though they really hardly lasted twenty years) had not dawned till long after the birth of the last sheriff's great-grandson.

Journeys in Galloway had to be performed at the date of the abolition of heritable jurisdictions, exactly in the same way as in the days of the Balliols, all alike riding on horseback.

The bridge built by Dervorgille over the Nith was not

supplemented by similar works on the Dee, Cree, Bladenoch, and Luce, until the times of the tenth and eleventh sheriffs; and as many considerable burns remained still unbridged, no spring carriages could attempt their passage.

In four centuries nothing had been gained in luxury or speed, and something lost in picturesqueness. The thatched wayside inn offered the twelfth sheriff a less luxurious resting-place than the cloistered abbeys where Dervorgille would have been entertained; and the homespun suits of his gillies, and train of baggage-ponies, would have contrasted ill with her cavalcade, the gay pennons of her lancers fluttering before and behind, hawk and hound following in her retinue.

4. As to domestic comforts, the houses of the baronage had more comfort and better fittings than in the days of the heirs of Alan, though far from luxurious according to ideas of modern times. Handsome furniture was scanty, as bringing it from a distance entailed expense and risk, and what was made at home was clumsy. The castles were somewhat better glazed than the old strengths, but plate-glass was unknown in Galloway except for small mirrors.¹

Gas was absolutely unknown, as well as electric light, the usual candles during all the period being tallow for the household generally; wax being sparingly used, as an expensive luxury. A lucifer match would have been as great a wonder to the last sheriff as to Dervorgille, their retainers alike knowing no easier process of fire-raising than by flint and steel.

The last sheriff, like his forebears, was content to draw his water from the well. We doubt whether in his time there was a single cistern in the province furnished with pipes for supplying a kitchen boiler; such a thing as hot and cold water laid on to the upper stories was unheard of; no manse in a teind-exhausted parish would now be built without conveniences then unknown in the mansions of the wealthiest of the province.

As to the table, there were by the seventeenth century vege-

¹ Plate-glass was used elsewhere for coach windows, but no coaches traversed Galloway roads previous to 1747.

tables and many garden fruits unknown at the date of the Brucian settlement. But the sources of supply of meats, wild and tame, were much the same, though so little advance had been made in providing cattle with winter keep, that the Galloway housewife up to the close of the last century, still as in the middle ages, salted down her mutton largely in autumn. Little fresh meat was served at table in winter; until the other day old residents always called ham, as we now know it, a "bacon ham," in contradistinction to the "mutton ham" which had been as common in their youth.

The sheriff's claret was probably better than the "vinum clarum" and wines of Gascony and Poitou stored in hogsheads in the cellars of Botel and Cruggleton, as were perhaps his port and Canary sack. He also had his square bottles of Hollands, his cognac and whisky, not known in the days of Dervorgille; as also, in token of advancing civilisation, clocks and watches supplemented the dial and the hour-glass,¹ and family pictures were interspersed with the tapestry hangings on the walls.

But whilst baronial houses thus slightly profited by the civilising influences of the hand of time, there was no such change for the better in any accessories to the comfort of the dwellings of the poor. Of the cot-houses of the last sheriff's day, it may shortly be said that those of the hinds and herdsmen of Dervorgille could not possibly have been worse. If a little more substantial in construction,—hers are said to have been of wattle and mud,—the durability was positively a disadvantage; as, one-roomed, with no flooring, no grate, no opening window, the longer such hovels stood the greater the accumulation of soot, dust, and smells, in the reeking, unventilated cell, which the pig and poultry shared with the family.

5. But the real coign of vantage from which the twelfth sheriff's insight plenishing compared favourably with Dervorgille's was his library. He had well-filled bookshelves, tomes in

¹ It has been affirmed that King Robert Bruce had a watch, *c.* 1310; but this is doubtful, and we may safely conclude that Dervorgille had none. A handsome watch of the last sheriff's is in possession of the author, said to have been worn at the battle of Dettingen, and still going well.

the clear print of the Clarendon Press; whilst if she had any except missals or costly illuminated copies of the Gospel, they were ponderous volumes in MS., as difficult to handle as to read.

Not that there were not scholars in her days,—the priors and canons of her religious houses were quite as familiar with the classics, and could handle Latin conversationally, with an ease unknown to the members of the Presbyterian Synod of Galloway,—but the learned were a caste, the upper classes thought school learning an unnecessary part of the education of any, excepting those who aspired to Church preferment, and the point in which the progress of civilisation was most apparent in the days of the latter sheriffs was a general diffusion of knowledge among all classes.

This was greatly accelerated by the invention of printing, introduced into Galloway early in the sixteenth century.

Previous to this, educational progress had been slow. Dervorgille had munificently endowed the College at Oxford, which still leads in learning,—nearly 200 years before Bishop Turnbull founded the University of Glasgow (1451), henceforth to be the Alma Mater of Galloway students.

In the days of the earlier sheriffs, no gentleman of rank could in general either read or write (though it is said that a few ladies—possibly Dervorgille's daughter among the number—had mastered the former accomplishment); and it was not until 1494, in the time of the third sheriff, that an act was passed subjecting any man of substance to a fine of £20 who failed to put his eldest son to school in order, as it is expressly stated, that “they who are to be sheriffs may have perfect Latin and understanding of the laws, and thus have knowledge to do justice in the realm.” It naturally required a generation for this to take effect.

In the times of the fourth sheriff printed books got into circulation. Whether his son, the fifth sheriff, could read or not, is doubtful; he almost certainly could not write.

But in his time it is on record that many of the baronage

had secret meetings to read Wycliffe's Testament. As also (c. 1542) we have read of Patrick Vaus buying and reading "a Sallust and a Silva" (he, however, was being educated for the church).

The sixth sheriff, born about 1530, is the first whose name we find signed to documents. He doubtless could read, but such of his letters as are preserved, are not holograph, the writing of his signature being execrable. In his time parish schools were put much on the footing on which they afterwards remained (1567).

The seventh sheriff, born about 1552, who was also justiciary, was the first who could both write well and read; thenceforward not to be able to do so was amongst gentlemen the exception, not the rule.

This glance at the phases of Galloway life respectively at one hundred, and six hundred years ago, reminds us also that a greater change has come over the habits of all classes in the one century intervening, than in the five which preceded it. And this naturally suggests a further question, Are these changes for the better?

The "good old times" is a favourite phrase, but it is usually difficult to justify its application to any particular date.

Within the present century, a cultured and kindly Galloway earl objected to the weekly service of a Liverpool steamship to a port on his property, on the ground that too much gadding about was destructive to the purity and honest simplicity of rural life.

For long the same nobleman successfully resisted the building of a bridge across the Dee, really preferring the primitive mode of access by ferry-boat to the royal burgh, exactly as it had been in the happier days of King Alexander. And so matters might have remained until now, had not the unlucky drowning of a sheriff placed a knock-down argument in the hands of the innovators.¹

¹ In 1848, William Ireland, Stewart-Substitute of Kirkeudbright, was drowned whilst crossing this ferry in his carriage. The bridge was not finished until 1874. Its length is 500 feet, by 23 broad.

Consistent to the last, far from rejoicing that steam on land as well as on sea had come in aid of the development of agricultural resources, he viewed the building of a railway station near his gateway much as the Celtic chief who had ruled there before him, had eyed the construction of a Roman camp; grieving that the echoes of his isle should be rendered hideous by the steam whistle.

As orthodox an opponent of "Reform,"—but of a coarser type,—was old Armstrong of Sorbie, a famous toper, who openly avowed his regret at the banishment of drunkenness from polite society. He had often assisted at bouts, at which, whilst bottles were unlimited, glasses were but few (sometimes indeed one wine-glass did duty for all the company). Despising the new-fangled talk of temperance from the bottom of his heart, bitterly contemptuous of well-ornamented sideboards whence liquor was not pressed upon the guests beyond the bounds of reasonable sobriety; "Ah, boys!" he would sadly exclaim, as a party rose where all were decently sober, "it was a better world when there were more bottles and fewer glasses."

Such individual objectors, whilst proving valuable witnesses as to the *measure* of our changes in habits of travel and manners, in their estimate of their *advantages*, may be held to be the exceptions proving the general rule.

Change is not necessarily improvement. But, in every point with which we have dealt,—security of life and property, farming skill, facilities of carriage, the comfort of all classes, the general diffusion of education,—the Galloway of to-day has as greatly improved on that of the last hereditary sheriff, and at a greater rate, than had *his* times on those of the Balliols.

The present century has had its ups and downs, its times of depression, and difficulties may still lie before us. Still, from the Revolution Settlement of 1688 to the present date, the progress of the province has been always onwards, and all classes and all the conditions of life are happier now than they have ever been before.

In short,—to any sufficiently interested in the Province to

have followed these rambling notices of the past,—the moral which our pages point should surely be—Content.

Few, we suspect, will not concur with the remark, that however amusing it may be to inquire into the ways of the olden times, it is pleasanter to walk in those of the present. And on Galloway ears, the words of the Preacher fall with peculiar significance, “Say not thou, What is the cause that the former days were better than these? For thou dost not inquire wisely concerning this.”

APPENDIX

I.—PEDIGREES

1. AGNEWS OF LOCHNAW

A PEDIGREE dating from before the Conquest can at best be only accepted as approximately correct. With whatever confidence old pedigrees are given in genealogical works, these are not to be taken as equivalent to legal evidence; they merely convey some idea of the general belief, and the inquirer must judge for himself as to the *bona fides* of the writer.

French writs very definitely connect Herbert d'Agneaux, Lord of Agneaux, before the accession of William the Conqueror, with Henry de Agneux or de Agnes of Redenhall Manor in Norfolk. The said Henry also retaining properties in France.

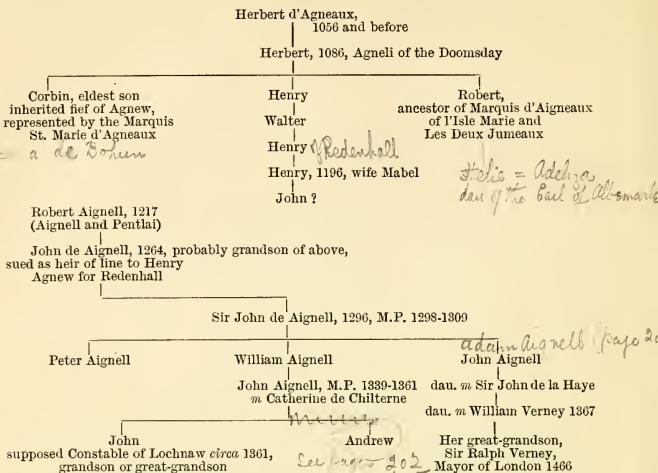
We cannot trace the rise of the Aynells of Aignell and Pentlai in Hertfordshire; but in 1264 we find John de Agynell of this branch suing Bartholomew de Yatingdon for the restitution of Redenhall as heir of line of the Agnews of that branch.

The last possessor of Aignell and Pentlai was John (his father, William);—his son, whom we believe to have been the first Constable of Lochnaw, left behind him a half brother, Andrew; and the names Andrew, John, and William reappear as the Christian names of the first Sheriff of Galloway, of whose family we have authentic details.

We read of a son of the "Lord Agneaux" getting the keeping of the Castle of Lochnaw from David II., but there is a hiatus in the pedigree, his grandson being "oppressed by the Earl of Douglas," his castle blown up, and all papers disappearing.

The names of two generations are thus entirely lost; after which the direct succession in the male line is a matter of certainty.

Up to this point, the pedigree must be accepted as tentative.



4. Andrew, First Hereditary Sheriff of Galloway, *m* 1426 dau. of Sir James Kennedy of Dunure; had issue:—Andrew; Gilbert; and Patrick—the last written *filias naturalis*. Died 1455.

5. Andrew, wife supposed to be a M'Douall, had:—Quentin; William of CROACH; John; Nevin. Died 1484.

6. Quentin, *s* 1484. *m* 1470, Mariotta, dau. of Robert Vaus of Barnbarroch by Lady Euphemia Grahame (who remarried Sir William Stewart of Garlies), and had:—Patrick; Michael; Mariotta; *m* John de Murehead of Bulleis and Lauchop.

7. Patrick, *s* 1498. *m* Katherine, dau. of Sir Robert Gordon of Lochinvar by heiress of John Accarson of Rusco, and had by her:—Andrew; Katherine, *m* Ninian Adair of Kinhilt; Margaret, *m* William Cairns of Orchardtown; Christina, *m* Blaize M'Ghie (probably of Balmaghie).

8. Andrew, *s* 1514. *m* Agnes, dau. of Sir Alexander Stewart of Garlies by Elizabeth, dau. of Alexander Kennedy of Blairquhan, and had:—Patrick; Gilbert of GALDENOCH; Alexander of ARDOCH, Helen, *m* John M'Culloch of Torhouse. This Sheriff was killed at the battle of Pinkie.

9. Sir Patrick Agnew, *b* 1529. *s* 1547. *m* 1550 Jane, dau. of Sir James Gordon of Lochinvar, and had Andrew; Patrick (called of Sheuchan, 1596), *m* Agnes, dau. of John Stewart, Parson of Kirkmahoe; William of BARMEILL; Thomas, whose son Patrick *m* Helen, dau. of Sir Antony Dunbar of Machermore, and succeeded his uncle, William; Quentin; Katherine, *m* first, 1575, M'Kie of

Larg, secondly, 1593, Alexander Gordon of Clanyard; Helen, *m* John M'Dowall of Curghie.

10. Sir Andrew Agnew, Justiciar as well as Sheriff, *s* 1591, having *m* 1577 Agnes, dau. of Sir Alexander Stewart of Garlies by Katherine, dau. of Lord Herries of Terregles, and had by her Patrick; Andrew, in Knocktym, *m* Mary M'Dowell; Alexander of BARVENAN; Quentin; Jean, *m* James Kennedy of Cruggleton, son of Sir John Kennedy of Blairquhan by Margaret, dau. of the 4th Earl Marischal; Rosina, *m* William M'Clellan of Glen Shannoch, by whom she had Thomas, 2nd Lord Kirkcudbright.

11. Sir Patrick, *s* 1616. *m* Margaret, dau. of the Hon. Sir Thomas Kennedy of Culzean by Elizabeth, dau. of David M'Gill of Cranstoun-Riddell, M.P. 1628-43. He left Sir Andrew, knighted in his father's lifetime; Col. James of AUCHROCHAR, *m* Marian, dau. of Kennedy of Ardmillan; Patrick of SHEUCHAN, *m* Elizabeth, dau. of William Gordon of Craighlaw; Col. Alexander of Whitehills (had issue, Andrew, his heir); Jane, *m* 1621 Alexander M'Douall of Logan; Agnes, *m* 1622 Uchtred M'Douall of Freuch. Elizabeth, *m* J. Baillie of Dunragit; Marie, *m* Hew M'Dowall of Knockglass; Rosina, *m* 1632 John Cathcart of Genoch. 1832

12. Sir Andrew Agnew, *s* 1661, having *m* 1626 Lady Agnes Stewart, only daughter of Alexander, 1st Earl of Galloway, by Grizel, dau. of Sir John Gordon of Lochinvar, M.P. 1644-51 and 1665-71. He left Andrew; William, *m* Elizabeth, daughter and heiress of Patrick Agnew of Castle Wigg; Grizel, *m* 1650 Hugh Cathcart of Carlton; Margaret *m* 1656 John Maxwell younger of Monreith, and secondly, the Rev. Walter Laurie. 2.

13. Sir Andrew Agnew, *s* 1671. He married 1656 Jane, dau. of Sir Thomas Hay of Park, M.P. 1685-1701. Had James; Andrew, *d* young; Thomas, cornet in Royal Scots Dragoons, *d* 1690; Grizel, *m* Sir Charles Hay of Park.

14. Sir James Agnew, *s* 1701. *m* 1684 Lady Mary Montgomerie, dau. of Alexander, 8th Earl of Eglinton, by Lady Elizabeth Crichton, dau. of William, 2nd Earl of Dumfries, and had:—
 1. Andrew, *b* 1687. 2. Patrick, an officer in Enniskillen Dragoons, *d* young. 3. Charles, a cavalry officer, *d* young.
 4. James, major, Kerr's Dragoons (now 7th Hussars), of Bishop Auckland, *m* Margaret, dau. of Thomas Wilkinson of Kirkbrigg (see below). 5. Alexander, Lieut. Earl of Orkney's regiment (Royal Scots). 6. George, a cavalry officer, *m* Elizabeth, dau. of Sir James Dunbar of Mochrum, afterwards Capt. Royal Scots. see page
 7. Peter, Lieut. Cadogan's Dragoons, now 6th. 8. John, Lieut. Earl of Cadogan's Dragoons, afterwards Capt. 8th Dragoons, now Royal Irish Hussars. 9. Jane, *m* 1705 John Chancellor of Shieldhill. 1705
 10. Margaret, *m* 1700 Col. Andrew Agnew of Lochryan.
 11. Anne, *m* James Nisbet (in Orkney).

15. Sir Andrew Agnew, eventually Lieut.-General, Governor of Teignmouth Castle, *b* 1687, *s* 1735, having married 1714 Eleanor, dau. of Thomas Agnew, son of Alexander Agnew of Lochryan, and had :—1. Mary, *b* 21 April 1715, *m* 1738 Sir Michael Bruce of Stenhouse, *d* 1775. 2. Elizabeth, *b* 24 April 1716, *m* 1752 Charles Innes of Urrell. 3. Eleanora, *b* 5 Sept. 1717, *d* 1795. 4. Andrew, *b* 7 Sept. 1718, *m* 29 August 1750 Elizabeth Dunbar, *d* 1751. 5. Thomas, *b* 10 July 1720. 6. Katherine, *b* 3 Aug. 1722, *m* 1749 John Gillon of Wallhouse. 7. Jean, *b* 6 Sept. 1723. 8. Anne, *b* 28 Dec. 1724, *d* 1799. 9. Grizel, *b* 19 Feb. 1726, *d* 1806. 10. Wilhelmina, *b* 6 Sept. 1727, *m* 1758 John Campbell of Skerrington. 11. James, in the Royal Navy, *b* 1 Jan. 1729, *d* at sea *c.* 1749. 12. Margaret, *b* 7 May 1730. 13. Suzanna, *b* 6 July 1731. 14. William, *b* 1733, *d* in garrison at Gibraltar 1756. 15. Stair, eventually his successor, *b* 9 Oct. 1734. 16. Penelope, *b* 12 Jan. 1736, *m* Alexander Agnew of Dalreagle, and had by him Patrick, afterwards a general. 17. Patrick, *b* June 1739, *d* young.

16. Sir Stair Agnew, *s* 1771, *m* 23 June 1763 Marie, dau. of Thomas Baillie of Polkemmet, sister of William Baillie, a Lord of Session by the style of Lord Polkemmet, had issue :—1. Andrew, *b* 26 May 1766, *d* 1 Sept. 1792. 2. Eleanora, *b* 26 March 1764, *d* 5 June 1777. 3. Isabella, *b* 20 June 1765, *m* Robert Hathorne Stewart of Physgill. 4. James, *b* 4 Aug. 1767, *d* 1 April 1772. 5. Mary M'Queen, *b* 21 Dec. 1768, *d* 14 Jan. 1775.

Sir Stair Agnew died 28 June 1809.

17. Andrew Agnew, as above, predeceased his father. He married 21 May 1792 the Hon. Martha de Courcy, dau. of John, 26th Lord Kingsale, by Susan, dau. of Conway Blennerhasset of Castle Conway. He died as beforesaid, 5 Sept. 1792. His posthumous son, Andrew, being born 21 March 1793.

18. Sir Andrew Agnew, *b* 1793, *s* his grandfather 1809. He married 1816 Madeline, youngest daughter of Sir David Carnegie of Southesk, representing the forfeited Earls of Southesk, by Agnes, dau. of Andrew Elliot, last English Governor of New York, M.P. for Wigtownshire 1830-37, left issue :—1. Andrew, his successor, *b* 2 Jan. 1818. 2. John de Courcy Andrew, *b* 1819, Capt. R.N., Flag-Lieut. to Sir Charles Napier in operations in the Baltic 1854, *m* first, Anne, dau. of the Rev. David Wauchope, second, Patricia Elizabeth, dau. of William Henry Dowbiggin, third, Patricia, dau. of Sir Alexander Ramsay of Balmain, and has issue. 3. David Carnegie Andrew, *b* 1821, in Holy Orders, *m* Eleanora, dau. of George Bell, F.R.S.E., *d* 1887, and left issue. 4. James Andrew, C.E., *b* 1823. 5. Agnes, *b* 1825, *m* Rev. T. B. Bell. 6. Martha, *b* 1826, *m* Fredk. L. Maitland Heriot of Ramornie, Sheriff of Forfar. 7. Elizabeth, *b* 1829, *d* 1830. 8. Madeline Elizabeth, *b* 30 Jan.,

d 8 Nov. 1830. 9. Stair Agnew, C.B., *b* 1831, Lieut. 9th Regt., Passed Advocate 1860, Registrar-General for Scotland, *m* Georgina, dau. of George More Nisbet of Cairnhill, and has issue. 10. Thomas Frederick Andrew, *b* 1834, *m* Julia, dau. of Charles Pelly, M.C.S., is an agent for the Bank of England, and has issue. 11. Gerald Andrew, Lieut.-Col. retired, *b* 1835, served with 90th Light Infantry at the relief of Lucknow, *m* Margaret, dau. and heiress of the late William Bonar, and has issue one daughter. 12. Michael Andrew, *b* 1837, *d* 1839. 13. Mary Graham, *b* 1838, *m* James Douglas of Cavers, *d* 1885.

19. Sir Andrew Agnew, 8th Baronet, *b* 1818, served with 93rd Highlanders in Rebellion in Canada 1838, afterwards Capt. 4th Light Dragoons, *m* 1846 Lady Mary Arabella Lousia Noel, dau. of Charles, Earl of Gainsborough, by Arabella, dau. of Sir James Hamlyn Williams, Vice-Lieut. for Wigtownshire, and M.P. 1856-68, and has issue :—1. Madeline Diana Elizabeth, *b* 1847, *m* first, Thomas Henry Cifton, Esq., of Lytham, M.P. for North Lancashire ; second, Sir James Williams Drummond, of Edwinstown and Hawthornden. 2 and 3. Arabella Frances and Caroline Charlotte, *b* 1848, twins. 4. Andrew Noel, Barrister Inner Temple, *b* 14 Aug. 1850, *m* 1889 Gertrude, dau. of the late Hon. Gowran Charles Vernon, 2nd son of 1st Baron Lyvedon. 5. Henry de Courcy, merchant in Calcutta, *b* 1851, *m* 1885 Ethel Anne, dau. of Capt. Thomas William Goff, and has issue Dorothea Alma. 6. Louisa Lucia, *b* 1853, *m* 1877 Duncan Macneill, Esq. 7. Mary Alma Victoria, *b* 1854, *m* 1875 the 11th Lord Kinnaird. 8. Charles Hamlyn, *b* 1859, Capt. 7th Hussars, served Burmah Campaign in the Royal Scots Fusiliers. 9. Quentin Graham Kinnaird, *b* 1861, Lieut. Royal Scots Fusiliers, has been A.D.C. to the Governor of Madras, and to the General Commanding in Burmese Campaign 1885-86. 10. Gerard Dalrymple, *b* 1862, Lieut. The Buffs. 11. Rosina Constance, *b* 1863. 12. Marguerite Violet Maud, *b* 1866, *m* 1890 Francis Dudley, 3rd son of Sir James Williams Drummond.

2. AGNEWS OF CROACH OR LOCHRYAN.

1. William, son of Andrew Agnew of Lochnaw, second hereditary sheriff, received from his father, *c.* 1460, a part of the Barony of Innermessan, known as the Lands of Croach.

2. Nevin Agnew, his son, named in a deed of 1498.

3. Gilbert Agnew of Croach, and Margaret Mure, his spouse, named in 1528.

4. Nevin Agnew, in possession of Croach 1534.

5. Gilbert Agnew of Croach, named in deeds of 1547 and 1550 ; in 1566 had possession of Culmalzie.

6. Alexander Agnew of Croach, and Jane Macnaughten, his wife, in possession 1575.

7. Gilbert Agnew is named as apparent of Croach 1618. Whether he succeeded is doubtful.

8. William Agnew, 8th Feb. 1620, served heir to his father to Kairne (in Kirkcolm). In a return of 1620 described as "heir of Nevin Agnew, his great-grandfather," *m* Mary, dau. of John M'Douall of Logan.

9. Alexander Agnew, *m* Sarah Elizabeth, dau. of John Dunbar of Mochrum, by whom he had Andrew, his heir, and Thomas, Captain in Royal Grey Dragoons, whose daughter Eleanora *m* Sir Andrew Agnew of Lochnaw. It is to be noted that in the curate's lists his wife is named Florence Stewart.

10. Andrew Agnew, a colonel in the army, served in the Greys in Marlborough's campaigns, *m* first, 1700, Margaret, dau. of Sir James Agnew of Lochnaw, by whom he had a son, Thomas; second, Margaret, dau. of Kennedy of Dunure, by whom he had a daughter, Eleanor.

11. Thomas Agnew, an officer of the Guards, *d* unmarried 1736. His sister, Eleanor, *m* Sir Thomas Wallace of Craigie, by whom she had an only daughter, Frances Anne, *m* to John Dunlop of Dunlop, to whom she carried the property of Croach.

3. AGNEWS OF GALDENOCH.

1. Gilbert,¹ in possession 1574, *m* Margaret M'Douall, coheiress of Uchtred M'Douall of Barjarg, who died 1610.

2. Uchtred, son of the above. We find him in possession 3rd July 1523, and died 1635, leaving four sons: Patrick, Hugh, Gilbert, Uchtred, to whom Sir Patrick Agnew of Lochnaw was guardian.

3. Patrick *m* Anna Shaw of Ballygelly, an offshoot of the Shaws of Greenock, and had Patrick, Agnes, Mr. James, and Margaret, who married Hugh Adair, by whom she had a daughter, Isabella, *m* William M'Kie of Maidland.

4. Patrick, succeeded 1669, *m* Marian Brisbane of the house of Brisbane. On the 24th March 1670 "was served heir to Gilbert Agnew of Galdenoch, his great-grandfather, of the lands of Bruchjarge."

5. Patrick Agnew, parted with Galdenoch, *d* 1705. He had a brother, Andrew, merchant at Belfast, whom we cannot trace further.

4. AGNEWS OF WIGG.

1. Sir Patrick Agnew, sixth sheriff, had by Janet, dau. of Sir James Gordon of Lochinvar, a third son, William, first

¹ We find a discharge by "Gilbert Agnew of Galdenoch to Thomas Kennedy in Barzarac (Baryerloch) of £100 and 4d. on behalf of Mr Patrick Wause of Barnbarroch, quho wass adetit to me for the same." Dated 22nd April 1858.

of Barneil and Wigg, and a fourth, Thomas, who had a son, Patrick.

2. William Agnew, dying without issue in 1625, left his estates to his nephew, Patrick, as above, who *m* Helen, dau. of Antony Dunbar of Machermore, and had a daughter and heiress Elizabeth.

3. Elizabeth Agnew, *m* William, second son of Sir Andrew Agnew of Lochnaw, ninth sheriff, and by him had issue.

4. William, also Agnes, *m* Charles Stewart of Tonderghie, and had a daughter, Elizabeth.

5. William Agnew, dying unmarried in 1738, Hugh Hawthorne, son of his niece Elizabeth (who had married Hugh Hawthorne, a merchant in Edinburgh), became heir to Castle Wigg, and *m* Anne, dau. of Colonel Patrick Vaus of Barnbarroch.

5. AGNEWS OF SHEUCHAN.

1. Patrick, third son of Sir Patrick Agnew of Lochnaw, eighth sheriff, received Sheuchan from his father, and *m* Elizabeth, dau. of William Gordon of Craighlaw, by whom he had issue: 1, Andrew; 2, Jean, *m* 1667 John Blair of Dunskey; 3, Margaret, *m* 1673 Alexander Adair of Dromore.

2. Andrew, *m* dau. of M'Douall of Logan.

3. Robert, *m* Margaret, dau. of M'Douall of Freuch.

4. Margaret, who carried the lands to John Vaus of Barnbarroch. *See Burrows' Landed Gentry.*

6. ISSUE of Major JAMES AGNEW, fourth son of Sir James, eleventh sheriff, and Lady Mary Agnew, by ~~ELIZABETH~~ *Margaret* WILKINSON of Kirkbrig.

1. James, a general officer, killed at Germanstown, America, 1779. *See page*

2. Montgomerie, *b* 1730. Served in the 17th Light Dragoons and 1st Dragoon Guards. Died a general, and Governor of Carlisle, 1808.

3. Alexander, Captain R.N., and had a son, Thomas Ramsden Agnew, long Governor of Tipner Fort.

4. Mary, *m* to Robert M'Queen, Lord Braxfield, by whom she had several sons and a daughter, Mary, *m* to Sir John Ord Honeyman.

5. Katherine, *m* to Sir Richard Bempde Johnston, M.P., of Hackness Hall, Yorkshire.

6. Philadelphia, in a family tree called Lady Lockhart. Her husband we have not traced.

II.—SECOND CHARTER OF HEREDITARY SHERIFFDOM,
1452.¹

JACOBUS Dei gracia Rex Scottorum omnibus probis hominibus tocius terre sue Clericis et laicis Salutem Sciatis quod pro Singularem favore zelo et dilectione quos gerimus erga dilectum familiarem nostrumque Scutiferum Andream Agnew, et pro suis suorum filiorum gratuitis serviciis nobis multipliciter impensis et impendendis Dictum Andream Agnew Fecimus Constituimus et ordinavimus et per presentes Facimus Constituimus et ordinamus vicecomitem nostrum de Wigtoune Tenendum et habendum dictum officium vicecomitis de Wigtoune cum pertinentiis dicto Andree Agnew pro toto tempore vite sue et post ipsius decessum Andree Agnew filio et heredi apparenti dicti Andree et heredibus masculis de corpore suo legitime procreatis seu procreandis Quibus forte deficientibus Patricio Agnew filio naturali dicti Andree patris et heredibus masculis de corpore suo legitime procreatis seu procreandis Quibus forte deficientibus Gilberto Agnew filio etiam naturali predicti Andree Agnew Senioris et heredibus masculis de corpore suo legitime procreatis seu procreandis in feodo et hereditate imperpetuum Quibus personis supra dictis deficientibus Nobis et successoribus nostris libere revertend. de nobis et heredibus nostris cum feodis proficuis emolumentis libertatibus commoditatibus et asiamentis ac justis pertinentiis suis quibuscunque tam non nominatis quam nominatis ad ipsum officium spectant. seu quovismodo juste spectare valeant. in futurum libere quiete plenarie integre honorifice bene et in pace sine aliquo retinemento seu obstaculo quocunque Cum plena et libera potestate curias vicecomit. ordinand. inchoand. affirmand. tenend. finiend. et quociens opus fuerit continuand. Sectas convocand. et convocari faciend. amerciamenta exitus curiarum et eschaeta levand. ac pro eisdem si necesse fuerit distringendi transgressores et delinquentes puniend. plegia recipiend. et convocand., brevia de capella nostra sibi Andree presentata seu sibi aut dictis personis post sui decessum in dicto officio ministrantibus presentand. ad officium vicecomitis spectant. recipiend. aperiend. et eis debite deserviri faciend., lites et questiones in dicta curia motas seu movendas ad ipsas curias spectantes audiend. decidend. et debito fine terminand. Maros et Serjandos de suis officiis removend., et alios eorum loco tocians quociens eis expedire videtur imponend. unum vel plures sub ipsis deputatum seu deputatos in dicto officio quando et quociens eis placuerit substituend. vel deputand., pro quo seu quibus respondere tenebuntur, qui similem et eandem in premissis habeat seu habeant potestatem Et cum potestate sciam armorum

¹ 29th July 1452, viz. a few months after the assassination of William, eighth Earl of Douglas, by the king, James II.

demonstrationes faciend. et vicinarios patrie ad summonend. aggregand. suscitand. et excitand. omnes et singulos inhabitantes dictum vicecomitatum pro defensione patrie ac si necesse fuerit ipsos inhabitantes pro resistentia nostrorum rebellium et ligiorum nostrorum defensione ad nos vel ad nostrum locum tenentem conducend. absentes remissos et inobedientes pro eorum defectibus prout decet corrigend. et puniend. Et generaliter universa alia et singula que ad officium vicecomitis de jure vel de consuetudine pertinere dinoscuntur faciend. exercend. et perimplend. et exequend. stat. et grat. habentes et habituri totum et quicquid dictus Andreas aut persone prescripte substituti vel deputati ab eis vel eorum aliquo in dicto officio juste seu rite duxerit seu duxerint faciend. Faciendo dictus Andreas et prefate persone onera et servicia ad dictum officium vicecomitis pertineñ. debita et consueta. Quare universis et singulis quorum interest vel interesse poterit stricte precipiendo mandamus quatenus dicto Andree et post sui decessum prefatis personis aut eorum substitutis seu deputatis in omnibus et singulis dictum officium concernentibus prompte respondeant, pareant et intendant sub omni pena que competere poterit in hac parte, In cujus rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus Testibus reverendis in Christo patribus Jacobo Willelmo Johanne et Thoma¹ Sancti Andree² Glasgueñ. Moravieñ. et Candide Case Ecclesiarum Episcopis Carissimo consanguineo nostro Georgeo Comite Angusie Willmō Domino Creichtoune nostro Cancellario et consanguineo predilecto, Dilectis consanguineis nostris Patricio Domino le Grahame³ Thoma Domino Erskin⁴ Willmō Domino Somyrvile⁵ Johanne Domino le Lindesay de Biris Andrea Domino le Gray Magistro hospicii nostri Magistris Johanne Arous Archidiacono Glasgueñ. et Georgeo de Schoriswod rectore de Cultre clerico nostro Apud Edinburgh vicesimo nono die mensis Julij anno domini Millesimo quadringentesimo quinquagesimo Secundo Et regni nostri decimo sexto.

The Seal lost—marked on the back “5 Aug. 1729 ꝛ Bruce.” Presented by Mr Robert Dalrymple, Writer to the Signet, and regrata as a probative writ.

¹ Thomas Spence, Bishop of Galloway, on resignation of Bishop Vaus, who was still living.

² James Kennedy, Archbishop of St Andrews, *half-brother of Angus*; William Turnbull, Archbishop of Glasgow, founder of the college there; John Winchester, Bishop of Murray, an Englishman who came to Scotland with James I.; George, fourth Earl of Angus, nephew of James I.

³ The grandfather of Lord Graham had married for his second wife Angus's mother, the Princess Mary Stewart, also mother to Kennedy.

⁴ Erskine was connected with Angus through the House of Mar, and had a daughter married to Douglas of Lochleven.

⁵ Lord Somerville was probably nephew to Bishop Vaus, his mother being of that name.

III.—ROLL OF THE RENT OF THE SHERIFFDOM, 1649.

THE Roll of the Rent of the Shreffdome of Wigtoune made and sett down be the Commissioners undersubscryvand appoynted for that effect by act of the estates of Parliament of the kingdome haldin at Edinburgh the furth day of August 1649, which Commissioners having mett upon the furth day of September last, and having judiciale given their oaths to use their best endeavours for a right and true informatione of the rents of the haill shire, and to proceed faithfullie and impartiallie in prosecuting their commissione and instructionnes relating thereunto, which they have carefullie performed in every poynt: After serious and mature deliberatione they gave, made, and sett down the Roll following in articles according to the number of the severall parosches in the said shire, and have cast up the summs according to the directione of the Parliament.

WIGTOUNE.

James Erle of Galloway for self and remanent heritours, fuers, lyverenters, and proper wodsetters within the said paroschine. Their money rent extends to¹ 1566 13 4

Payit in meill and beir in the said paroschine sex bolls pryce and measure aforsesaid. Which being converted into money 29 00 00

Suma, etc.² 1595 13 4

Payit in casualities and customes in the said paroschin 9 11 4

Payit in mortified rent to the minister schoole mr. of the said parosch 576 :: 06 :: 00

Payit to His Matis. Excheqr. 40 :: 00 :: 00

KIRKINNER.

John Vause of Barnbaroch for self, etc. 3321 :: 17 :: 04

Payit in victual, meill, and beir, etc. 818 :: 02 :: 00

Suma, etc. 4139 :: 19 :: 04

¹ The sums of money are expressed in words before the figures.

² Sums of the whole money rent and payments by and attour the deductions afterwrettin.

Payit in casualities and customes	28 :: 15 :: 00
Payit in few dewtie to the Colledge of Glasgow	34 :: 13 :: 00
Payit in mortified rent to the minister and schoole mr.	964 :: 17 :: 00
Payit in victuall to His Matis. Excheqr.	114 :: 16 :: 00
Payit to His Matis. Excheqr. in money	136 :: 13 :: 04
Payit of mortified rent to Mr Andrew Ramsay	164 :: 00 :: 00

SORBIE.

James Erle of Galloway for self, etc.	3020 :: 09 :: 04
Payit in victuall, meill, and beir, etc.	1118 :: 17 :: 00
	<u>4139 :: 06 :: 04</u>

Payit in customes and casualities

	—————0—————
Payit in few dewtie to the Colledge of Glasgow	271 :: 06 :: 08
Payit in mortified rent to Mr Robert Blair	10 :: 13 :: 04
Payit in mortified rent to the minister and schoole mr.	733 :: 06 :: 08
Payit of victuall to the minister fyfteen bolls	72 :: 00 :: 00
Payit to his Matis. Excheqr.	24 :: 00 :: 00

WHITHORNE.

James Erle of Galloway for self, etc.	3876 :: 13 :: 04
Payit in meill and beir, etc.	1643 :: 06 :: 08
	<u>5520 :: 00 :: 00</u>

Payit in feu dewtie to the Colledge of Glasgow	551 :: 13 :: 04
Payit in mortified rent to Mr Robert Blair	42 :: 00 :: 00
Payit in mortified rent to the minister of Port- mongomerie	60 :: 13 :: 04
Payit in mortified rent to the minister and schoole-maister	1000 :: 00 :: 00

GLASSERTON.

James Erle of Galloway for self, etc.	2528 :: 13 :: 04
Payit, etc.	1928 :: 10 :: 08
	<u>4457 :: 04 :: 00</u>
Payit in casualities or customes	29 :: 06 :: 08
Payit in few dewtie to the Colledge of Glasgow	305 :: 06 :: 08
Payit in mortified rent to the minister and schoole mr.	893 :: 06 :: 08
Payit to His Majesties Exchequer 41 :: 06 :: 00	

MOCHRUM.

John Dunbar of Mochrum for self, etc.	3897 :: 13 :: 04
Payit, etc.	239 :: 05 :: 00
	<u>4136 :: 18 :: 04</u>
Payit in customes and casualities 102 :: 03 :: 08	
Payit in tale dewtie to the Colledge of Glasgow	100 :: 00 :: 00
Payit in mortified rent to the minister, schoole mr., and poore	1000 :: 00 :: 00

KIRKOWAN.

William Gordon of Craighlaw, etc.	4363 :: 17 :: 04
Payit, etc.	91 :: 16 :: 08
	<u>4455 :: 14 :: 00</u>
Payit in customes and casualities 256 :: 00 :: 00	
Payit in mortified rent to Mr Andrew Ramsay 110 :: 13 :: 04	
Payit in mortified rent to the minister and schoole mr.	844 :: 00 :: 00
Payit to his Matis. Excheqr. 25 :: 00 :: 00	

GLENLUICE.

James Ross of Balneill, etc.	4095 :: 13 :: 04
Payit, etc.	2005 :: 16 :: 08
	<u>6101 :: 10 :: 00</u>

Payit in customes and casualities

	188 :: 13 :: 04
Payit in few and tale dewtie to the Colledge of Glasgow	890 :: 00 :: 00
Payit in mortified rent to the minister and schoole mr.	866 :: 13 :: 04

NEW PAROSCH OF GLENLUCE.

James Ross of Balneill for self, etc.	2360 :: 11 :: 04
Payit, etc.	207 :: 17 :: 00
	<u>2568 :: 08 :: 04</u>

Payit in customes and casualities

	118 :: 00 :: 00
Payit in few and tale dewtie to the Colledge of Glasgow	205 :: 13 :: 04
Payit in mortified rent to the minister and schoole mr.	613 :: 06 :: 08

INSCH.

John Erle of Cassiles for self, etc.	5450 :: 00 :: 00
Payit, etc.	741 :: 11 :: 04
	<u>6191 :: 11 :: 04</u>

Payit in customes and casualities

	161 :: 06 :: 08
Payit in few and tale dewtie to the Colledge of Glasgow	195 :: 00 :: 00
Payit in mortified rent to the minister of Portmongomerie	111 :: 13 :: 04
Payit of victuall twantie five bolls	116 :: 00 :: 00
Payit in mortified rent to the minister of Stranraver of vll. fyftein bolls	72 :: 00 :: 00
Payit of victual twantie eight bolls	135 :: 06 :: 08
Payit to his Matis. Excheqr.	153 :: 03 :: 04
Payit in mortified rent to the minister and schoole mr. of the said paroschiu	652 :: 13 :: 04

KIRKCUUM.

John Erle of Cassiles for self, etc.	4015 :: 05 :: 04
Payit, etc.	708 :: 02 :: 00
	<u>4723 :: 07 :: 04</u>

Payit in customes and casualities

—0—

Payit of few dewtie to the Colledge of Glasgow 130 :: 00 :: 00

Payit in mortified rent to minister and schoole mr. 1000 :: 00 :: 00

LESUART.

Sir Patrik Agnew of Lochnaw, Knt. Barronet, etc.	1600 :: 00 :: 00
Payit, etc.	884 :: 08 :: 00
	<u>2484 :: 08 :: 00</u>

Payit in casualities and customes

30 :: 05 :: 03

Payit in mortified rent to the minister and schoole mr. 366 :: 13 :: 04

Payit of meill and beir to the minister twantie sex bolls 125 :: 13 :: 04

PORTMONGOMRIE.

Sir Robert Adair of Kinhilt, Knt., for self, etc. 1672 :: 13 :: 04

Payit in mortified rent to the minister of Stranraver 66 :: 13 :: 04

Payit in mortified rent to the minister and schoole mr. of ye said paroschine 470 :: 13 :: 04

STAINKIRK.

James M'Dowell of Garffland for self, etc.	3468 :: 06 :: 08
Payit	1918 :: 16 :: 08
	<u>5387 :: 03 :: 04</u>

Payit in casualities and customes

130 :: 00 :: 00

Payit of few and tale dewtie to the Colledge of Glasgow 103 :: 00 :: 00

Payit in mortified rent to the minister and schoole mr. 560 :: 06 :: 08

Payit of victuall twantie fyve bolls

120 :: 16 :: 08

Payit to his Matis. Excheqr. 57 :: 13 :: 04

KIRKMADIN.

Sir Robert Adair of Kinhilt, Knt., for self, etc.	3100 :: 00 :: 00
Payit, etc.	1674 :: 15 :: 00
	<hr/>
	4774 :: 15 :: 00
	<hr/>

Payit in casualties and customes

20 :: 16 :: 00

Payit in mortified rent to the minister and
 schoole mr. 733 :: 06 :: 08

Payit of victuall threttie bolls 145 :: 00 :: 00

Payit to his Matis. Excheqr. 14 :: 06 :: 08

The totall of the present valuationne of the shyre, besyde the mortified rent and what is payed to the Excheqr., extends to the sowme of threescore eight thousand sevin hundreth twantie ane punds five shillings 68721 :: 05 :: 00

The mortified rent and what is payed to the Excheqr., ministers, and schoole mrs. of the said paroschins by and attour the said sowme extends to the sowme of eightene thousand fyve hundreth threttie six punds 19 18536 :: 19 :: 00

WILLIAM KENNEDY.

ANDREW AGNEW.

A. HAY of Ariullane.

ALEX. M'CULLOCH of Ardwell.

P. AGNEW of Shechane.

BALDONE¹

Some counties are endorsed "productit before the Committee";

or

"productit in the Committee;"

or

"produced befor the Committee of Estates."

Some valuationes were not productit till February or March 1650.

The Wigtownshire valuation is peculiar, in giving a separate leaf to each parish. [I see a very few others do the same.]

The valuation of the Shreffdome of Wigtoune 1649, productit 5 Dec. 1649.

This is called The New Valuation. In some counties this valuation is compared with *the former valuation* (no date is given). I observe that Perthshire and Kincardine had increased; Stirlingshire and Kirkcudbright had decreased. [No comparison is given for Wigtownshire.]

¹ Each page of the original is signed as above.

[The following items conclude the STEWARTRIE OF KIRKCUDBRIGHT]:

Present valuation	. . . . .	115875 :: 19 :: 07
Mortified rent	. . . . .	2745 :: 05 :: 10
Former valuation	. . . . .	165090 :: 15 :: 05
“Restis to balance the present valuation with the former”	. . . . .	50067 :: 15 :: 10

IV.—DESCRIPTION OF THE SHERIFFDOM OF WIGTOUN BY SIR ANDREW AGNEW of LACHNAW and DAVID DUMBAR of BALDOON.

THE Sheriffdom of Wigtoun has upon the east and south ye Stewartrie of Kirkcudbright, and is divided therefra by a ferry of 4 miles of breadth called ye Water of Cree, being of that breadth 12 miles up, and from that ferry northward up the said Water of Cree.

The Baillerie of Carrick within ye Sheriffdom of Air bounds ye said sheriffdom of Wigtoun on ye north, and bounds upon the south by ye sea qlk is betwixt Scotland and the Isle of Man.

The length of this shire is from the Mule of Galloway to ye Water of Cree 30 miles, and fra the Isle of Quhithorn to the Rounetree 30 miles, being the breadth of the same.

The principal rivers within this shire are first ye River of Cree, qlk borders or divides ye Shire from ye Stewartry, and hath its source from Carrick, qlk river abounds with salmons and spurlings, and falls in the sea at ye sands at Wigtoun.

The next river is Blaidzenoch, flowing from Loch Maban and mountanous parts of Penninghame, abounding with salmon, and goes ye length of 20 miles ere it fall in ye sea at ye sands at Wigtoun.

Into wc. river runs ye Water of Tarff, flowing from Airtfeild in the moors of Luce, and falls in ye river under Cracchlie.

The Water of Malzie, flowing from ye Loch of Mochrome, runs by Creloch and falls in ye said river at Dalrygle.

The Water of Luce, flowing from ye Carrick March, goes 12 miles ere it fall in ye sea at ye sands of Luce.

In this water there runs in ye Crore Water, flowing from Airtfeild, and runs 6 miles ere it fall in Luce at ye Moor-kirk.

The Water of Solburn, flowing fra Lochconnall, runs 4 miles ere it fall in Loch-ryane.

Poltantoun flowing from Auchnatroch runs 8 miles ere it fall in the sea at Luce.

Abbacies are Glenluce and Saltside.

Priories, Quhithorn.

In it there are two Presbyteries, Wigtoun and Stranraar.

In Wigtoun Presbytery there are 9 kirks, viz. Wigtoun, Monygoof, Penninghame, Kirkowane, Mochrome, Glasertoun, Quhithorn, Sorbie, Kirkineir.

In Stranraar there are 9 kirks, viz. Stranraar, Staniekirk, Kirkrovenant, Glenluce, Inch, Leswead, Kirkbrunie, Port-Montgomerie, and the Moor-Kirk of Luce.

Names of the salt-water lochs that run in the land are Lochryan and Luce, qlk environs the Presbytery of Stranraar so nearyt it makes a peninsula, seeing there the two lochs, the one upon the south and the other upon the north, are only 3 or 4 miles distant.

Loch-Ryan runs in the land 10 miles from the North Sea and stoppeth betwixt Innermessan and Stranraar.

Luce Loch runs fra tha Mule of Galloway to ye Craigs of Craignangatt 16 miles, where it ceaseth upon the Mochrome shore, in ye mouth whereof there ly three rocks called Bigistarrs.

Fresh-water lochs in Stranraar Presbytery are the Loch of Dalskilpin, being half a mile of breadth and a mile of length.

The lochs of Incherynnell and Inche, wherein stands a tower called Castle Kennedy belonging to ye E. of Cassils, with sundry other lochs, with the Loch of Saltside whereupon the old abbacy stands.

Lochnair Loch belonging to the Sheriff of Wigtoun, wherein ye kings of old had an house, beside qlk stands the House of Lochnaw.

Principal houses in this shire are Drumoir, Logan, Ardwall, Killesser, Balgregan, Clonyeart, Garffland, Dunskey, Lochnair, Corswall, Gladienoche, Chappel, Castle Kennedy, Innermessan, Craigcaffie, Park, Synenes, and Carstreoche.

Salt-water lochs within the Presbytery of Wigtoun are the Loch of Wigtoun, 4 miles broad and 8 in length, on qlk loch there is a bank of shells that furnishes ye countrey wt. lime and never diminishes, the samin being burnt wt. peats.

Fresh-water lochs in that Presbytery are Applebee, one mile of breadth and half a mile of length, Ravenstoun of ye like quantity, the Quhite Loch of Mairtoun, qlk never freezes, whereon the Laird of Mairtoun's house stands.

In the Loch of Mochrome there are bred a number of herons and wild geese wt. other fowls, qron stands ye Laird of Mochrome's house.

The lochs of Ochiltrie, Lohmaberie and Lochconall.

The castles of Iyll, Glasertoun, Feisgill, Wig, Ravenstoun, Crugiltoun, Barmbaro, Brughtoun, Baldoon, Torhouse, Grange, Craiglaw, Mochrome, Castle Stewart, and Cleray.

Burghs royal in this shire are Wigtoune, being ye head burgh of the shire, having a good harbour, beside qlk stands ye ancient monument of King Galdus, from whence ye shire has its name called Gallovidia. The other burgh is Quhithorn qrin the Priorie stands.

Burghs of barony—Stranraar and Innermessan.

Harbours—Loch Ryan, Port Montgomerie, the Isle of Quhithorn, and Wigtoun.

REMARKS.

I have quoted the above entire from a MS. volume 4to in the Advocates' Library, titled *Sibbald's Collections*. The handwriting is of Sir Robert's amanuensis—a very neat ancient hand, and the spelling almost like the modern.

Sir Andrew Agnew's portion seems to end after the "Principal Houses." In Dunbar's portion the houses are all castles. He spells the lake Lochmaberry, Lochmaberie; Sir Andrew spells it Loch Maban, which is a mistake; perhaps he wrote it Loch Mabarie, and the mistake then lies with Sibbald's amanuensis, who has twice put a dot above the first stroke of the *w* of the name Lochnaw, thus making it appear "Lochnair." Twice he seems to have put *t* for *c*, which in the old alphabet is a common mistake, *c* being formed Γ, and *t*, ℓ. The two mistakes of this kind are Bigistarrs and Carstreoche, which should be Bigiscarrs and Carscreoche.

The castle spelt Iyll is the Isle of Whithorn Castle.

The monument to King Galdus is on the farm of Torhousekie, three miles from Wigtown, on the field beside the road to Kirkcowan, and is now called the Standing-Stones of Torhouse, or the Druidical Circle.

With regard to heritable jurisdictions, I observe that William Houston of Cutreoch was Heritable Bailie of Busby in the parish of Whithorn.

V.—CHAMBERLAINS OF GALLOWAY.

1455-62.	William, Abbot at Dundranane.
1462-85.	Adam Mure.
1495-96.	{ James Lyndsaye of Fairgarth. { Edward Spittall.
1498-99.	M. Cuthbert Bailye.
1499-1506.	John Dunbar of Mochrum.
1507-10.	{ The same, along with { M'Clellan of Bomby.
1512-16.	Thomas Forestare.

1517-27.	Gilbert, Earl of Cassilis.
1527-28.	John Campbell.
1529-30.	Gordonne of Lochinver.
1530-32.	Kardlus Campbell.
1533-35.	Vaus of Barnbarroch.
1535-43.	David Crauford of Park.
1564-66.	Sir John Stewart of Mynto.
1563-74.	William Ewart (receptor).
1574-77.	John Adie (receptor).
1577-82.	Allan Cathcart (chamberlain).
1582-85.	George Gordoun.
1588-97.	Geddes of Barnebauchill.
1595-1609.	Sir Andrew Agnew of Lochnaw.

VI.—BISHOPS OF GALLOWAY

DURING THE PERIOD OF THE SHERIFFS.

Alexander Vaus	1420	Gavin Hamilton	1606
Thomas Spence	1451	William Coupar	1612
Ninian Spot	1459	Andrew Lamb	1619
George Vaus	1489	Thomas Sydserf	1634
James Bethune	1508	James Hamilton	1661
David Arnot	1509	John Paterson	1674
Henry Weems	1526	Arthur Ross	1679
Andrew Durie	1540	James Atkins	1680
Alexander Gordon	1558	John Gordon	1688

VII.—MEMBERS OF PARLIAMENT

FROM THE ACCESSION OF JAMES VI. TO THE UNION.

SHIRE OF WIGTOWN.

1617.	Laird of Barnbarroch.
1621.	Laird of Bomby.
1628.	Sir Patrick Agnew of Lochnaw.
1633.	Sir Patrick Agnew of Lochnaw.
1639.	Laird of Kinhilt.
1641.	Laird of Kinhilt and Laird of Myrtoun.
1643.	{ Sir Andrew Agnew, Sheriff of Galloway.
	{ James M'Dowall of Garthland.
1644 (January).	Sir Andrew Agnew, younger of Lochnaw.
1644 (June).	Sir Andrew Agnew and Laird of Garthland.

- 1645-47. { Sir Andrew Agnew, Sheriff of Galloway.
Laird of Garthland.
- 1648-49. { Sir Andrew Agnew, Sheriff of Galloway.
Sir Robert Adair of Kinhilt.
1650. { Sir Robert Adair.
Colonel William Stewart of Castle Stewart.
1654. Sir James M'Dowall of Garthland
- 1656-58-9. (this commonly called the English Parliament).
1661. { Uchtred M'Dowall of Freuch.
Richard Murray of Broughton.
1665. { Sir Andrew Agnew of Lochnaw.
Sir David Dunbar of Baldoon.
1667. { Sir Andrew Agnew of Lochnaw and
William Maxwell of Monreith.
1669. { Sir Andrew Agnew of Lochnaw and
William Maxwell of Monreith.
1670. { Sir Andrew Agnew of Lochnaw and
William Maxwell of Monreith.
1672. { Sir James Dalrymple of Stair and
William Maxwell of Monreith.
1673. Sir James Dalrymple of Stair.
1678. { Sir James Dalrymple of Stair and
Sir Godfrey M'Culloch of Myrtoun.
1681. { Sir James Dalrymple of Stair and
Sir David Dunbar of Baldoon.
1685. { Sir Andrew Agnew of Lochnaw and
William Stewart of Castle Stewart.
1689. { (Grand Convention of Estates) Sir Andrew Agnew
of Lochnaw and William M'Dowall of Garthland.
1690. Same continued as Parliament. Sessions 1690,
1693, 1695, 1696, 1698, 1700.
(Laird of Garthland died).
1700. { Sir Andrew Agnew and
William Stewart of Castle Stewart.
1702. { William Stewart of Castle Stewart and
John Stewart of Sorbie.

STEWARTRY OF KIRKCUDBRIGHT.

1612. { Sir Robert Gordon of Lochinvar and
William M'Culloch of Myrtoun.
1617. M'Culloch of Myrtoun.
- 1628-33. Sir Patrick M'Kie of Larg.
1639. Sir Patrick M'Kie of Larg.
1641. Laird of Earlston.
1643. John Gordon of Cardoness.
1644. William Grierson of Bargattoun.

1645. { Laird of Cardoness and
 { Laird of Bargattoun.
 1645. Laird of Carsleuthe.
 1646-49. William Grierson of Bargattoun.
 1661. David M'Brair of Newark and Almagill.
 1663. David M'Brair.
 1665-67. George Maxwell of Munches.
 1669. Sir Robert Maxwell of Orchardton.
 1670-72. Sir Robert Maxwell of Orchardton.
 1678. Richard Murray of Broughton.
 1681. Sir Robert Maxwell of Orchardton.
 1685. Hugh Wallace of Inglistoun.
 1689. (Convention).
 and to { Hugh M'Guffoch of Rusco and
 1700. { Patrick Dunbar of Machermore.
 1702. { James Murray of Broughton and
 { William Maxwell of Cardoness.
 1706. { William Maxwell of Cardoness and
 { Alexander M'Kie of Palgown.

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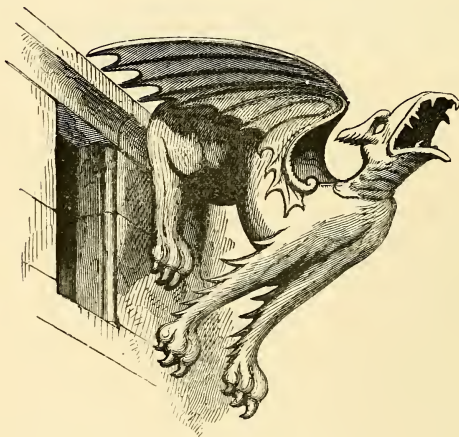
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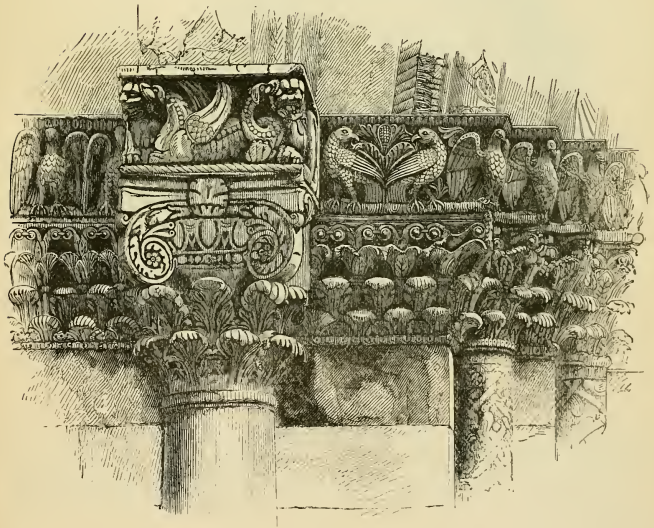
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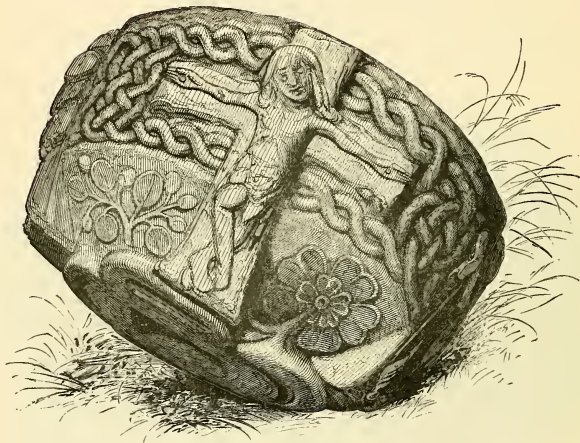
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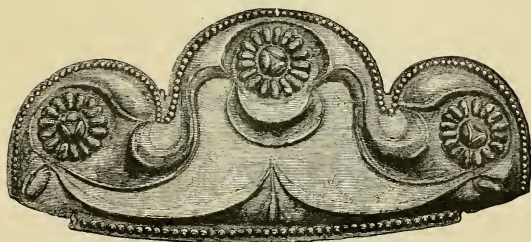
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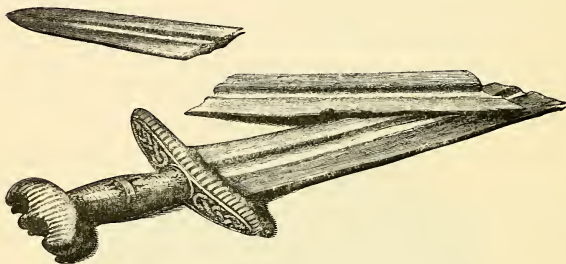
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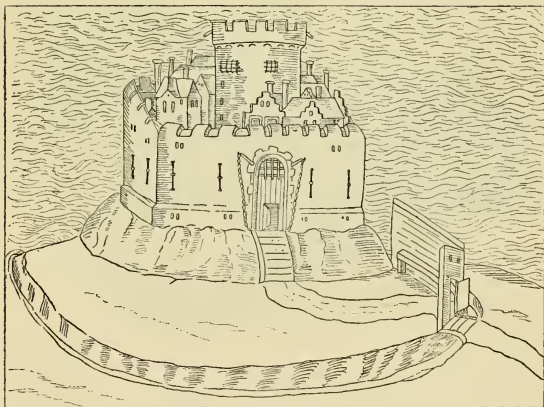
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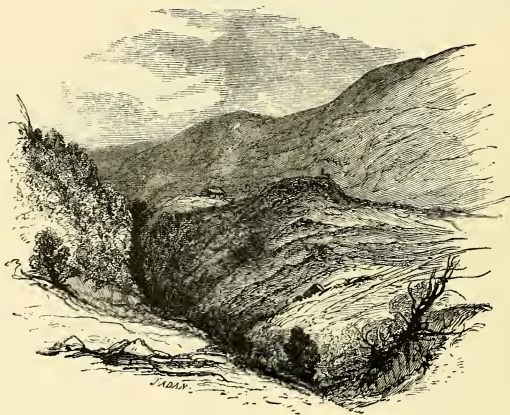
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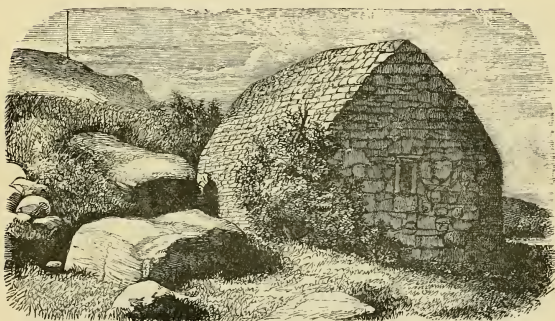
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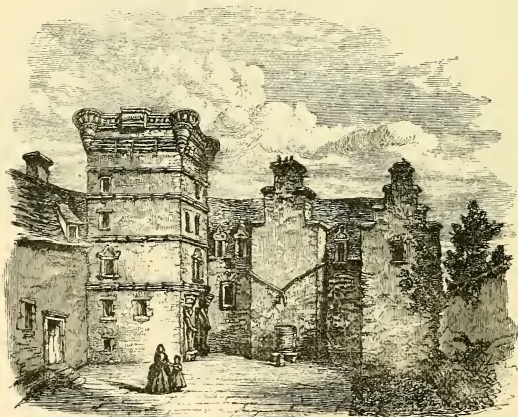
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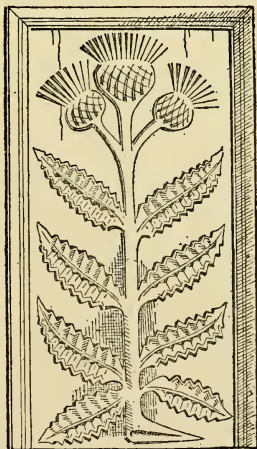
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