

The Scottish Genealogist

THE QUARTERLY JOURNAL OF THE SCOTTISH GENEALOGY SOCIETY

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By the constitution, the Scottish Genealogy Society exists "to promote research into Scottish Family History," and "to undertake the collection, exchange and publication of information and material relating to Scottish Genealogy by means of meetings, lectures, etc." By the expressed desire of the Original Members, the Society was to remain an academic and consultative body; and was not to engage itself professionally in record searching. Arrangements will be made by which the Society can supply a list of those members who are professional searchers but any commissions of this kind must be carried out independently of the Society.

Monthly meetings of the Society are held from September to April in the St. Andrew Society Rooms, 24 Hill Street (Castle Street end), Edinburgh, at 7 p.m. on 15th of the month. (In the event of the 15th falling on Saturday or Sunday, the meeting is held on the following Monday.)

Membership of the Scottish Genealogy Society is by election at an annual subscription of £1 10s. od. (\$4.50) (inclusive of *The Scottish Genealogist*). This subscription which is payable on 1st October entitles members to receive the Magazine during the following year beginning with the January issue. Inquiries may be made to the Hon. Secretary, 28 Pitbauchlie Bank, Dunfermline, and subscriptions paid to the Hon. Treasurer, 74 Brunstane Road, Joppa, Midlothian.

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MESSAGE FROM THE LORD LYON

“Tribality and Inheritance are,” wrote Professor G. G. Coulton, “the dominant characteristics of Scots folk.” Amongst high and low, genealogies were taught word for word, to children, around the fire-side in the evening, or after prayers on Sunday morning. Whilst the Lyon Registers covered main lines and major branches, the old “Burgh Propinquity Books” showed parallel records amongst burgh families.

In our rapidly-moving modern days, old traditions and forms of handing down become less effective, and, to those across the seas, are often unavailable. The scientific value of genealogy involves the need for a corresponding economic approach to clan and family annals. Not only are gatherings of genealogists necessary, but also a medium of record more specialised than the publications of our history societies. *The Scottish Antiquary*, and later on *Scottish Notes and Queries*, filled this need; but with the demise of the last, nearly 30 years since (mainly from lack of adequate editorship), Scottish genealogy was without a specialist publication until the Scottish Genealogy Society courageously launched *The Scottish Genealogist* in 1954. Now, under skilful and enthusiastic management and editorship, which have surmounted the problems and difficulties facing even an established publication—now, in its fifth volume, *The Scottish Genealogist* comes before its readers in normal print, and the Society will deserve the support of all interested in Scottish genealogical studies in providing this invaluable medium for co-ordination of clan and family history.

Opportunity now arises for wide co-operation amongst our family historians. As in America, steps might be taken to list those of our members and subscribers who specialise in this or that family. There may be opportunities for noting, as they appear, small points of special pedigree interest.

Most of the main lines of our Scottish families have been adequately “done.” The demand is for more details about the families of the gudemen (feu-holders), tacksmen, and the households in the crofts, clachans and cottartowns. Here there is much scope for research and investigation—much of it amongst parish and estate records and correspondence. How many lairds or factors realise the rich stores of badly-wanted material lying in business-rooms and lumber-lofts, or the presses of the local solicitor?

Will our local newspapers, as formerly, open their columns to the fruits of local studies in genealogy and descriptions of their local customs and home-life—details wherein our districts and provinces had each their own marked individuality? A series of concise articles on local families and customs might well get their paper filed in the New York Public Library—or banned by that at Wick! Such articles might be noted in *The Scottish Genealogist*, for the information of future searchers. Directly or indirectly our magazine, adequately supported, should be the key source for guidance and reference to the rich storehouse of material.

Our Scottish approach to pedigree links the romance of the familial sentiments of Burns and Scott, and goes to maintain all that is best in our ancient inheritance. To this end may *The Scottish Genealogist* make a rich and abiding contribution.

A SURVEY OF PRE-1855 GLASGOW BURIAL GROUNDS

ANYONE wishing to make a complete investigation of records of deaths in Glasgow from about 1800 to 1854 is quite likely to encounter difficulty, owing to the facts that (1) a large number of burial grounds existed, for some of which records more or less accessible are still in private hands, (2) the names of some of the grounds have changed, as well as the names of the streets in which they are situated, and (3) after the graveyard has been located it may in a few cases be very difficult to obtain access to it, if one wishes to see the inscriptions, or the burial ground may even no longer be in existence as such, as happened in the case of Wellington Street Church Crypt and Blackfriars (numbers 12 and 4 below).

Moreover, the extensions of the boundaries of the City of Glasgow in the nineteenth and twentieth centuries may create doubts as to whether a burial ground was within Glasgow or not. It is to be noted that Rutherglen is still outside the city boundaries.

It is regrettable that copies of existing records in private hands are not available for consultation and that to obtain information one has either to write to the custodian (which, in my experience, sometimes produces no reply) or make a personal visit.

It is regrettable also that there are not more records of tombstone inscriptions. A complete list of these in Blackfriars churchyard (number 4 below) exists and I have handed over to the Hon. Secretary lists of inscriptions on the legible stones in Cheapside Street (number 15 below) and in John Street (number 9), but one would like to see lists for some of the other smaller ones—St. Andrews Episcopalian (6), Anderston Old (14), North Street (13), Abercromby Street (7), Ramshorn (5) and Abercromby Street R.C. (8), especially the less accessible parts like the crypts and immediate surroundings of Ramshorn (5) and Anderston Old (14).

One more regret remains to be expressed, namely that a few years ago all the gravestones in one burial ground were given to a builder to make rubble.

An attempt has been made to set out below such information as the genealogist may like to have available concerning various grounds now within Glasgow Corporation area. The grounds concerned, arranged with reference to geographical position, are :

Centre—(1) Cathedral, (2) Cathedral Crypt, (3) Necropolis, (4) Blackfriars, (5) Ramshorn, (6) St. Andrews Episcopalian.

East Inner—(7) Abercromby Street, (8) Abercromby Street R.C., (9) John Street, (10) Christchurch Episcopalian.

North Inner—(11) Sighthill.

West Inner—(12) Wellington Street Crypt, (13) North Street, (14) Anderston Old,

(15) Cheapside Street.

South Inner—(16) Gorbals, (17) Southern Necropolis, central and east divisions,

(18) Southern Necropolis western division.

East Outer—(19) Eastern Necropolis, (20) Tollcross, (21) Shettleston.

North Outer—(22) Maryhill.

West Outer—(23) Partick Quaker, (24) Govan.

South Outer—(25) Kirklane, Pollokshaws, (26) Cathcart Old Church.

Now for details (alternative names of burial grounds are given in brackets).

(1) Cathedral (High Church, includes St. Mungo's, but does not include the crypt, see No. 2), High Street, Glasgow, C.4 ; maintained by the Corporation ; burial records, 14 vols., 1699 to 1854, in New Register House ; burial records, 1855 to 1860, and scroll registers with entries for High Church Old and New burying grounds, 1855 to 1898, in Mitchell Library, Glasgow, which has also lair registers Nos. 1 to 6 and account of lairs in new burying grounds, 1808 to 1825 ; 668 burials in 1815, 1,271 in 1818, 911 in 1820-21, and 1,731 in 1830-31.

(2) Cathedral Crypt (Old Barony, Barony Church and Aisle) ; burial records, 1805 to 1835, in New Register House ; 3 burials in 1830-31 ; not mentioned for 1815, 1818 or 1820-21.

(3) Necropolis, Cathedral Square, off High Street, C.4, and near the Cathedral, where it is a prominent landmark ; burial records in an office near the entrance ; opened in 1833 and maintained by the Merchants' House, Glasgow ; "Sketches of Glasgow Necropolis" by George Blair, M.A., 1857, mentions about 60 tombstones ; office (T. L. Graham Reid, Collector), 7 West George Street, C.2 ; about 30 acres and 36,000 burials to date (caretaker) ; for information about burials write to the Superintendent, Castle Street, Glasgow, C.4.

(4) Blackfriars (College) ; this was attached to the old Blackfriars or College Church in the lower part of the High Street. The whole property was acquired in 1875 by the North British Railway and the bodies moved elsewhere ; burial records, 1776 to 1854, in New Register House ; "*Glasghu Facies*," McUre, edited by J. F. S. Gordon, LL.D., 1875, has a copy of "all legible inscriptions in the churchyard," i.e., about 86 inscriptions ranging from 1699 to 1868 ; total burials for Blackfriars and St. David's (next entry), 413 in 1815, 1,014 in 1818, 725 in 1820-21, and 204 in 1830-31.

(5) Ramshorn (St. David's, North West), on north side of Ingram Street (previously at this point called Canon Street), opposite the north end of Candleriggs Street. The main portion is maintained by the Corporation ; there are an enclosed part round the church and a crypt under the church in which burials have taken place but this area is not generally accessible to visitors and is under the control of the church—the church officer lives in the neighbourhood ; opened for interments about 1720, in the crypt under the church about 1825 ; burial registers were maintained from 1722 ; now available, 5 volumes, 1766 to 1854, in New Register House. Some records of lairs and burials, 1855 to 1872, are in the Mitchell Library, which has also four scroll registers with entries for High Church and Ramshorn, 1855-1898 ; 12 burials in the crypt in 1830-31.

(6) St. Andrew's Episcopal (St. Andrew's by the Green); 1,950 square yards; north side of Greendyke Street, C.1, and facing Glasgow Green; opened in 1751; Churchyard consecrated 1808; burial register, 1808 to 1890, in custody of the Rector, the Rev. J. H. Brown, Christchurch Clergy House, 142 Crown Point Road, Glasgow, S.E.; some burials from St. Jude's Episcopal Church, Glasgow, took place here; 14 burials in 1815, 24 in 1818, 20 in 1820-21, and 4 in 1830-31; burial ground gate generally locked.

(7) Abercromby Street (Calton, Blackfauld), Abercromby Street, S.E., about 50 yards from London Road; 6,355 square yards; northern part opened by Calton Incorporation of Weavers in 1786 and southern part in 1822; burial records, 4 volumes, 1792 to 1854, in New Register House; burying ground cash book, 1786 to 1875, register of lairs from 1825, mortality book, 1841 to 1849, burial register, 1855 to 1860, and mort cloth book, 1819 to 1856, in Mitchell Library; 402 burials in 1815, 557 in 1818, 456 in 1820-21, and 809 in 1830-31.

(8) Abercromby Street Roman Catholic Chapel (St. Mary's), S.E.; north of preceding, nearer the Gallowgate; in charge of the parish priest; no burial records known; 5,333 square yards; burials began in 1839; tombstones.

(9) John Street (Bridgeton, Tullis Street), Tullis Street, S.E. (previously known as John Street), between Glasgow Green and Main Street, Bridgeton; maintained by Glasgow Corporation; location burial records not known; possibly connected with previous Bridgeton Church of Relief; 3,743 square yards; Macleod says it was opened in 1811 and closed in 1876; maintained by the Corporation; about 42 stones with legible inscriptions of which I have passed on list to the Honorary Secretary; 161 burials in 1815, 263 in 1818, 295 in 1820-21, and 229 in 1830-31.

(10) Christchurch Episcopalian, east side of Brook Street, Milend, S.E., just round the corner from the Rectory, 142 Crown Point Street, S.E. (Brook Street runs north from London Road); burial records in 2 volumes, 1837 to 1858 and 1859 to 1890, are with the Rector, the Rev. C. Leighton; tombstones were destroyed (except one which was buried) a few years ago when permission was given to use the churchyard for air-raid shelters; opened about 1837.

(11) Sighthill Cemetery, Springburn Road, N.1, started by a joint stock company in 1840; 46 acres (Imperial Gazetteer of Scotland, edited by J. Marius Wilson, about 1857); burial records from 1845 in office in the Cemetery; maintained by the Corporation.

(12) Wellington Street Crypt no longer exists; this church moved from Cheapside Street, Anderston, an anti-burgher church (see No. 15) in 1827 and burials then commenced in its crypt; 488 square yards; in 1879 the congregation removed to Wellington Church, University Avenue, and 820 bodies were disinterred and nearly all reinterred in the Necropolis; 31 burials in 1830-31 (Wellington U.P. Congregation Church, Glasgow; historical sketch, 1792-1892).

(13) North Street (Woodside Street north and south, Woodside cemetery, Anderston) is in North Street, Anderston, C.3 (the Mitchell Library is at the north end of the same street); 4,962 square yards; maintained by the Corporation; opened in 1823;

burial records, 1830 to 1854, 1 volume, in New Register House ; 268 burials in 1830-31 ; burial register (north and south sections), 1874 to 1878, and for 1877 to 1916, in Mitchell Library ; is over the wall from Anderston Old, No. 14.

(14) Anderston Old (Anderston Relief, Anderston U.P., Main Street, Anderston), entrance from Heddle Place, Argyle Street, C.3 (separated from previous, No. 13, by a high wall) ; gates are generally locked but the keys are with the church officer ; burials in churchyard and crypt, 2,563 and 277 square yards respectively ; started 1771 ; burial records with the session clerk, Mr. Jas. McGregor, 15 Kennoway Drive, W.1 ; 242 burials in 1815, 168 in 1818, 184 in 1820-21, and 125 in 1830-31 ; many people from central Glasgow are said to be buried here (McUre, 1879 edition).

(15) Cheapside Street (Anderston Associate or anti-burgher, St. Mark's) lies between Cheapside Street and Piccadilly Street, Anderston, C.3, a short distance from the two previous ; 2,700 square yards ; the original church and graveyard began in 1792 and the congregation moved on to Wellington Street in 1827 (see No. 12 above) ; the church is now St. Mark's, Church of Scotland ; the part immediately around the building is kept locked and contains tombstones bearing the surnames Kirkwood, Forlie, Swanson, Kennedy, McKinley, Pollock, Ferguson, Nasmyth, Thyne, Fairlie, Binnie, Mackintosh, Zuill and Mitchell ; the remainder of the ground is maintained by the Corporation but is in a neglected state ; there are only about ten legible inscriptions remaining with surnames Kirkwood, Swanson, Ure, Hamilton, Fraser, Morison, Blackwood, Brocket, Borgain and Yool ; burial records were maintained from 1792 but are not now traceable ; 157 burials in 1815, 150 in 1818, 191 in 1820-21, and 123 in 1830-31 ; an article in the *Glasgow Herald* of 7th March, 1914, mentions the neglected state of this graveyard and the few grimy stones ; buried here were James Macfarlane, the Glasgow poet, and Hugh Buchanan MacPhail, commander of the Comet.

(16) Gorbals, Rutherglen Road, C.5 ; 12,047 square yards ; maintained by the Corporation ; burial records, 3 volumes, 1807 to 1854, in New Register House ; the Mitchell Library has a new burying ground lair register from 1826 and burial records from 1855 to 1917 ; according to Macleod burials began in 1770 ; 501 burials in 1815, 745 in 1818, 1,370 in 1820-21, and 1,403 in 1830-31.

(17) Southern Necropolis, Central and Eastern divisions, Caledonian Road, C.5 ; these were joint stock ventures ; the central portion was opened in 1839 or 1840 and the eastern portion in 1846 ; 11 acres ; burial records at the Cemetery, begin 21st July, 1840 ; enquiries about burials to the Superintendent at the above address.

(18) Southern Necropolis Western Portion, adjoins the preceding ; according to Macleod was opened in 1850 ; a joint stock venture converted into a limited liability company in 1936 which went into liquidation about 1945 ; burial registers are with the Corporation Parks Department, which now maintains the grounds, but as these registers are in the Corporation vaults it might be difficult to consult them.

(19) Eastern Necropolis (Janefield), 1,264 Gallowgate, Parkhead, Glasgow, E.1 ; maintained by the Glasgow Eastern Necropolis Company, Ltd., 175 West George Street, Glasgow, C.2 ; opened in 1847 as a joint stock venture ; burial records at the cemetery.

(20) Tollcross, just off Tollcross Road, E.1 (continuation of Gallowgate), around Tollcross Central Church South ; started in 1806 in connection with Tollcross Church of Relief ; burial records from 1806 at the cemetery ; there is another entrance in Corbet Street, Tollcross, E.2 ; not mentioned in Cleland for 1815 or 1818 ; 146 burials in 1820-21, and 192 in 1830-31.

(21) Shettleston, E.2 ; maintained by the Corporation ; records not traced ; 65 burials in 1820-21, and 54 in 1830-31 ; perhaps connected with the chapel begun in 1750 at what was then a small village 3 miles east of Glasgow.

(22) Maryhill Parish Church, Main Street, Maryhill, N.W. ; probably opened before 1830 ; no burial records traced ; tombstones ; mission work began in 1834.

(23) Partick Quaker, in Partick, W.1 ; no tombstones ; list of burials from 1811 to 1857 in the *Scottish Genealogist* of April, 1957.

(24) Govan Churchyard, Govan Road, S.W.1 ; maintained by the Corporation ; burial records, 1817 to 1854, in New Register House ; tombstones, including some of much older date.

(25) Kirk Lane, Pollokshaws, S.3 (Kirk Loan), near Burgh Chambers, Greenview Street, S.3 ; date of opening unknown ; tombstones ; gate generally locked, apply to Superintendent, Eastwood Cemetery, Parks Department, for access.

(26) Cathcart Old Church, Carmunnock Road, S.4 ; maintained by the Corporation ; tombstones ; burial records, 1746 to 1854, in New Register House.

Perhaps should also be added to the above list the Eastwood old churchyard, out on the Pollokshaws Road to the south ; it is maintained by the Corporation ; tombstones ; no known burial records.

Other important burial grounds in Glasgow opened after 1854 include (year of opening shown in brackets)—Western Necropolis, Cadder Road, Maryhill, N.W. (1882) ; Lambhill Cemetery, Balmore Road, Maryhill, N.W. (1881) ; Craigton Cemetery, off Paisley Road, S.W.2 (1873) ; Cardonald Cemetery, 545 Mossbank Boulevard, S.W.2 (1873) ; Cathcart Cemetery, off Clarkston Road, S.4 ; and Riddrie Park Cemetery, Cumbernauld Road, E.3 (1900).

The above survey is in part based on information received from (1) the Librarian, Mitchell Library, Glasgow ; (2) the Director of Parks, Corporation of Glasgow ; and (3) the incumbents of various churches to which some of the burial grounds have been attached, in the case of (15) Cheapside Street, from the Clerk of Presbytery—to all of the above I have to express my thanks.

Much information has also been obtained from the following books in the Mitchell Library, Glasgow, or the National Library of Scotland :—

(1) *Report on the Burial Grounds in Glasgow*, 1876, by Kenneth M. Macleod, Sanitary Inspector ; this book mentions 18 of the burial grounds listed above and gives dates of opening and area of each ground.

The following books and pamphlets issued by James Cleland, LL.D., Superintendent of Public Works, Glasgow :—

(2) *Annals of Glasgow*, 1816 (further editions in 1817), gives statistics of burials in 1818, including the Town Hospital, presumably at the site in Clyde Street where

skeletons have recently been dug up.

(3) *Rise and Progress of the City of Glasgow*, 1820, gives statistics for 1818.

(4) *Historical Account of Bills of Mortality, Glasgow*, 1836, gives statistics for 1830-31 and mentions that there were then 18 burial grounds in the city and parishes placed under the management of 14 wardens.

(5) *Letter to the Duke of Hamilton and Brandon re the Parochial Registers of Scotland*, 1834, gives statistics for 1820-21.

(6) *The Former and Present State of Glasgow*, 1840.

Further information will be found in *Glasghu Facies* by McUre, editions of 1830 and 1872, vol. 2 (latter edition edited by Gordon).

J. F. MITCHELL.

CHIEFS IN THE CRADLE :

Some Highland Tutorships

(A paper read to the Scottish Genealogy Society on 15th May, 1957)

Introduction

MUCH of the raw material which the genealogist must use to weave the story of a family or clan is dry stuff—a threadbare patchwork of names and dates and places, dug out of the dark recesses of the national or local archives, the family charter-chest, or the jottings of long-dead ancestors, and hung out on the family tree like the offerings above some holy well.

But sometimes we are more fortunate. A letter from the court or camp, or even from the domestic fireside, may send a shaft of light into the dimness of other days. A trenchant accusation or an enthusiastic defence may illumine the pages of some old lawyer's brief. Or a half-forgotten annalist, whose very name is not remembered, may by one telling phrase remind us that the people of whom we are reading were once living creatures like ourselves.

Such a phrase, to me, is the one which—in a hurried but I hope happy moment—I have set at the head of this paper. It occurs in several different versions of an account of a skirmish somewhere at the back of Ben Wyvis in Ross-shire perhaps 500 years ago, known as the battle of Bealach nam Broig (the Pass of the Shoes), because some of the combatants tied their shoes to their breasts for protection against arrows. The Munros and their allies had almost exterminated an invading force of the western clans, but they “had a sorrowful victory of it”: “there were killed,” says the chronicler, “eleven Munros of the house of Fowlis that were to succeed one another, *so that the succession fell to a child then lying in his cradle.*” And in all that we shall examine—and some of it may seem arid enough—I ask you to keep in the forefront of your minds that picture: if not of an infant lying in the cradle, at least of a child or a boy born to a great inheritance, but still too young to assume responsibility as Chief of his Clan.

And as a corollary to this picture, there is the other, which has placed on our records and in our traditions such proud titles as the Tutor of Maclean, the Tutor of Macleod; the Tutors of Appin, Balnagown and Cromarty; the Tutors of Foulis, Glenstrae and Lovat; and the Tutors of Kintail, of Strowan and of Sutherland. (For, as Jamieson’s *Dictionary* points out, “such a guardian was invariably designed from the name of the estate put under his charge”—in the Highlands at anyrate.)

If the system of Tutorship as it applied to the Chiefs of the Highland Clans is imperfectly understood, I’m afraid the genealogist must be held partly to blame. Unlike the historian, we like to trace out the line of one family before going on to the next; and what we do for purposes of clarity is apt to keep each branch in a watertight compartment of its own. So a Chief who succeeds during his minority may seem to have no history, and a few years or even a decade may go unrecorded in the story of the Clan; or at best the reader must wait for a score or perhaps a hundred pages before the genealogist fills the gap when he turns to the family to which the appointed Tutor belongs.

Yet this business of Tutorship is so closely linked with genealogy that we are better, when we meet it, to see and treat of the family or Clan as a single unit.

Let me first briefly explain my plan in preparing this paper. The question of Tutorship and Minority is basically one of common sense and human needs, but to appreciate its workings in practice some knowledge of the law is necessary. This is not a legal treatise on the subject—you can find that set out far better than I could do it in our great institutional writers (Stair, Erskine and the rest), or in the legal dictionaries and encyclopedias. I must begin, however, by trying to make the outline of the legal system clear. (In passing, I should point out that in this paper we shall be dealing with the effects in the Highlands of the feudal system of succession, and not with the old law of tanistry, by which (says Skene in his *Highlanders of Scotland*) “if the person who ought to succeed was under age, his nearest male relation succeeded and *retained the chiefship during his life*, although the proper heir had in the meantime attained majority.” It is, nevertheless, worth keeping this old law in mind, as a possible explanation of the early cases where the Tutorship system appears to have “gone wrong”).

From a general outline of the system we shall turn to study Tutorship as it affected the Clans of the Highlands of Scotland. In doing so, I hope I need not apologise for taking some of my examples from the Clan whose history I know best; and if you have patience you will find the horizon widening, as we look to all the Clans in which I know there have been Tutors during the minority of their Chiefs to illustrate the different aspects of the general theme.

A word must also be said of the period with which we are to deal. Tutorship still exists as an institution today, but we will be discussing its operation principally during the three centuries up to the break-up of the old Clan system—say from the accession of the first King James in 1424 to the Heritable Jurisdictions Act of 1747. A few examples will emerge from outside that period, but you will find as we go on that the richest quarry of contemporary material dates from the seventeenth century. And we must to some extent be bound by the availability of contemporary sources, and the existence of surviving detail which will provide more than the dry recital of facts of which I have spoken.

Kinds of Tutor

In Scotland, 21 is the age of presumed legal capacity in either sex. Until he or she arrives at that age, a person is in law a minor. The term is divided into pupillarity, or absolute incapacity (from birth to 14 in males, and 12 in females); and minority strictly so called, or limited capacity—the period from 14 or 12 to 21, when, owing to inferior judgment or discretion, the minor requires the protection of the law.

To guard the pupil and his estate and to administer the Clan's affairs, there were three kinds of Tutor: they were either named by the father, or they took office by legal title, or they were appointed by the Sovereign's paternal power.

The *Tutor-nominate* (or testamentar)—that is, named by the father before his death—was preferred to both of the other kinds of Tutor. Most of the instances which we shall be discussing are in this category. A Tutor-nominate required no preparatory solemnity to enable him to act; the very nomination itself being sufficient.

Failing an effectual appointment by the father, the child fell to the guardianship of a *Tutor-at-law* (or Tutor-of-law). The nearest agnate, or kinsman on the father's side, of 25 years of age, was entitled to this office. He was ordinarily the person who would succeed to the pupil's estate (any younger child, though heir-presumptive, would also be a minor); and as such he was held to be the best guardian of the pupil's estate—but the worst of his person, which was therefore given to the mother or nearest cognate. The Tutor-at-law was served upon a brieve of Chancery after inquiry (as appears by an Act of 1474) as to who was the proper person to be appointed; but there are only about half-a-dozen such appointments relating to Highland Chiefs recorded in the list—covering the years 1572 to 1700—contained in the second of the three tall quartos collectively known as the *Retours*. The Tutor-at-law had to serve himself within a year and a day from the time that he became entitled to appointment, and by an Act of 1672 he had to make an inventory of the pupil's estate, upon intimation to the friends on the father's and mother's side.

Failing Tutors-nominate, and a Tutor-at-law, the royal authority could be granted in Exchequer to a person or persons to act for the pupil as *Tutors-dative*. "Though it be in the arbitrement of the king to choose whom he thinks fit," says Stair, "yet he will have regard to the interest of the pupil, to give a tutor, either who was nominate by the father, but not legally, or who was nominate by the mother or grandmother, though having no legal power, or the nearest of kin, though they have neglected to serve within a year. But of all these he may take the best of such as offer or are willing : seeing with us all tutors are free to accept or refuse."

Finally, a word may be added about Tutors appointed to those who were mentally weak or insane. By the Act of Parliament, 1585, cap. 18, the nearest agnates or kinsmen of "natural fools, idiots or furious persons" were to be served, received and preferred to their tutory. Ordinarily the tutors of idiots were the Tutors-at-law, and records of their appointment are listed along with these in the *Retours*. This Act by custom was extended to deaf and dumb persons.

The Tutor's Entry

Life was an uncertain affair in bygone days, and the Chiefs of Highland Clans, like other folk, were often cut off in their prime. Surprisingly enough, in spite of the common reputation of the Highlanders, early death was more often due to natural causes than to violence. It is only to be expected, however, in the days when the Chief led his clansmen in battle, that there should be some cases of a child succeeding by the death of the Chief in the field : Pinkie left the Munros and the Macfarlanes with a child as Chief, and the same fate befell the Macleans at Inverkeithing. These were national affairs, but clan feuds also took their toll—Munro of Foulis at Bealach nam Broig, Macdonald at Eilean Donan, Fraser of Lovat at Loch Lochy (Blar-na-Leine, the Field of the Shirts), and Macgregor at Glenfruin. A boy of 15 became Earl of Sutherland, with disastrous results, when his father was poisoned in 1567, and nine years later an Earl of Huntly, whose death at Strathbogie was due to his "having taken a fit while playing at football," left his son, a minor, to succeed him.

I have only found two cases where the heir was born after his father's death. Munro of Foulis in 1635 and MacLeod of Dunvegan in 1706 or 1707 were posthumous sons, and these clans went through long minorities. Four successive Mackintosh Chiefs between 1524 and 1622 succeeded as minors ; the Macleans had five successive minorities between 1648 and 1716, and the same happened to the MacLeods of Dunvegan between 1590 and 1707 ; and there were three minorities in the Frasers of Lovat between 1544 and 1576—their annalist lamented that it was that family's fate "to trist with bad tutors."

Nor was there always a suitable male in the family to act as Tutor ; so sometimes we find a stranger appointed. After Loch Lochy there were said to be only four Frasers left alive, and "whatever need there was of a tutor, none is extant to officiate, being all cut off in the battle" ; but the clan was saved from extinction because the widows of eighty of the fallen each "brought forth a sone, and every one lived to be a man." A Munro of Foulis whose father was killed in a skirmish "on the King's business" in

Lochaber in 1505 had "some friends to oversee his affairs"; and we find Sir John Grant as Tutor to Mackintosh in 1622, the Marquess of Argyll to Lochiel in 1641, Lord Middleton to the Marquess of Huntly in 1672, and Sir George Monro to Lord Reay in 1688. An uncle of Lovat in 1672 was specifically "secluded" from the estate and Sir George Mackenzie of Tarbat was named Tutor to the minor.

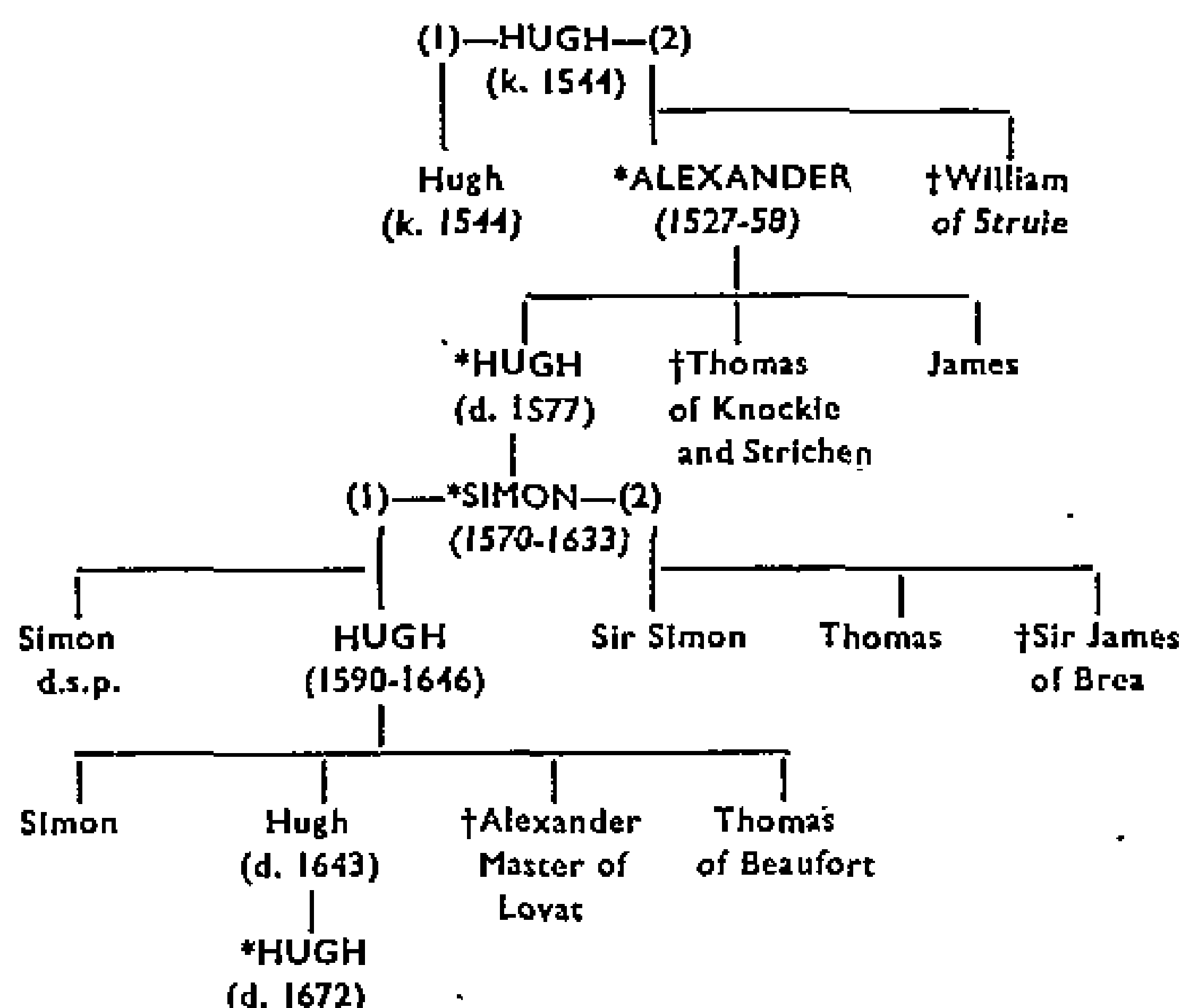
In most of the minorities which occurred in the Highlands, the government of the clan was vested in someone appointed by the late Chief before his death. This has usually to be assumed, for (as we have seen) a Tutor-nominate required no preparatory solemnity to enable him to act. More loosely, however, friends and relations, and even the Clan itself, seem to have taken a hand in the business of Tutor-making. There is one graphic account of how the Frasers met to acknowledge the Tutor as their temporary Chief, and another where the whole Clan Chattan gathered to declare their loyalty to a Tutor or "Captain"—the document drawn up on that occasion can still be read, and it is in print.

FRASERS OF LOVAT

Chiefs are indicated by capital letters

*Succeeded as Minors.

†Tutors



Taking the Fraser account first, we will see what the *Wardlaw Manuscript* has to say about the selection of a Tutor of Lovat. (This is a discursive and detailed family history from which I shall have occasion to quote more than once; the author was the Rev. James Fraser, minister of Wardlaw or Kirkhill, who had a great pride in his Clan.) When the young Lord, Simon Fraser, was a child of seven years old in 1577, there was some doubt as to who should be Tutor of Lovat. His father, who had also succeeded as a minor, had as Tutor his uncle Fraser of Struie, who was still living and felt he had some claim to the office. Here, then, is the minister's account of the "general meeting

of the leading men of the name of Fraser, appointed for regulating the great affaires of the Lordship, and settling a tutor dureing the minority of the young Lord ” :—

“ When the prefixt day, May 24, came, the friends convened frequently at Glasscham in Foyness, neare the Stockfoord of Ross : there came presently William Fraser of Struy, late Tutor, the young Lord’s great granduncle, Thomas Fraser of Knocky, afterwards Strachin, my Lord’s uncle, Hugh Fraser of Culboky, William Fraser of Foyer, Hugh Fraser of Belladrom, some of the house of Farrelin and Rilick ; and all with their followers were not under 300 men. Thomas Knocky, being the nearest be line, declared to all met that the first thing meet to be stated in that convention was anent the tutory ; that being once settled other things consequentiaall would naturally and genuinly succced. William Fraser of Struy replied that the mater needed no debat who should be tutor, for, seeing my Lord Lovat did not determin that point at his death, nor named any for that office, it would follow of will that he should be tutor, haveing managed that trust so well before, as his subscribed accounts present did clearly confirm ; and as he should so he would be tutor now also. Thomas Knocky replied that the reason whey he fell tutor to Lord Alexander, his brothers sone, was becaus he was nearest of line, and that same reason *a pari* would authorise him, being brother to the deceased Lord, and uncle to the young minor, and that in point of conscience, grace, and nature would oblige him to be more kindly and dutifull to his nephew than any else. Culboky and Foyer seconded strongly what Strachin had averred, and that it was legall, besids being naturall, that the nearest of kin, being a man of credit and honor, should enter tutor, and that the contrary, which was urged, would be of very bad and dangerous consequence . . . ”

So much for the arguments : now follows the debate and the decision :—

“ A great heat of unbeseeeming altercations ensued, and the meeting split into factiones, and the worst was feared that the two factions should fall in blud. At length those of Strachins faction fall serious with Struy, telling him that it was most injourious to deal so with his relation, nor would he suffer to have his own right so baffled or questioned by a farther off relation when he was tutor to the late Hugh Lord Lovat, and that he would do well not to insist in it seing we had enemies might step in at the breach, and at last the lawe would deceed the mater in Strachins favour ; quhich would make a lasting ruptur, and it was no time of fead betuixt so neare relations . . . ” (After an unavailing appeal to Lady Lovat to mediate) “ at length Struy succumbd, and Strachin succeeds tutor by the unanimous conscent of all present. Had maters gone wrong to a further litigation, it was thought that Foyer and Belladrom would side with Struy ; but at best it would make a sad rupture, and play a dismall game to our enemies, who were wishing as well as waiting such occasiones and opportunities. When they dissolvd, and came jointly to pay a visit to my Lady, she welcomed them, and seemed to be very well pleased, intreating them to keep unity and amity among themselves, as it well becam them.”

R. W. MUNRO.

(To be continued.)

NOTE OF PRINCIPAL AUTHORITIES

James Viscount Stair : *The Institutions of the Law of Scotland*.

G. J. Bell : *Principles of the Law of Scotland*.

W. M. Morison : *The Decisions of the Court of Session*.

Inquisitiones de Tutela (in *Retours*, vol. II).

James Fraser : *Chronicles of the Frasers* (The Wardlaw Manuscript).

ORIGIN OF GREIG

IN the course of delving into the family history, I have tried to ascertain the origin of the surname Greig. Here in New Zealand, 12,000 miles and 100 years from the old country, the evidence is inadequate, obscure and inconclusive. Somewhere among the readers of this Journal may be one with the answers.

It has been our understanding that Greig was derived from MacGregor during those bitter and turbulent years in the 17th and 18th centuries when the clan name was proscribed. The family tradition is that we took part in the '45 and broke up immediately after, two sons going to Virginia and one, for a time, to Ulster. This tradition and the resemblance in name led us to accept without question the connection with MacGregor.

But this supposed 17th century origin is not necessarily correct. In its various forms, Greig is generally of much older origin and direct derivation from MacGregor cannot be assumed in all cases. The first form of the name was recorded in the early 13th century. Greig, a more recent version, appeared in Fife in the early 16th century, well before the proscription of MacGregor. It is now the standard Scottish form and a fairly common name.

G. F. Black's *Surnames of Scotland* (1946) provides a link between MacGregor and Greig without, however, drawing attention to it. Gregorius or Gregory was of early religious significance and the name was borrowed by the Gaels. But the point of origin was not St. Gregory the Pope but Girig or Grig, 4th in succession from Kenneth MacAlpine. His name was later Latinised by the Church as Gregorius. "He is the Gregory the Great of the feudal fabulists and the legendary ancestor of the MacGregors." When he comes to Greig, Black says categorically "Girig is the source of modern Greig." Greg, Grige, etc., are shown as earlier forms.

According then to Black, MacGregor and Greig are parallel names of common origin.

Adam and Innes in their *Clans, Septs and Regiments of the Scottish Highlands* (4th Edn., 1952) list Greig as a variant of MacGregor and as a sept of the clan. They point out, however, that there is a good deal of guesswork about the clan link of many names. Other writers including Kermack in his brief *Clan MacGregor* (1953) merely quote Adam and Innes as to Greig being one of the clan names.

There is no space here, nor am I well enough informed, to examine the conflicting views on the origin of MacGregor. The traditional claim of descent from Griogair, 3rd son of Alpin, is disputed by Skene; Kermack holds much the same views. According to Skene, Girig, not Griogair, is the supposed origin: "When Hector Boece invested the obscure usurper Grig with the name and attributes of a fictitious king

(Gregory the Great) and connected him with the royal line of kings, the Clan Gregor at once recognised him as their eponymous ancestor and their descent from him is now implicitly believed in by all MacGregors." Between Black and Skene there is at least some measure of agreement that Girig is the source of MacGregor.

Griogair and Girig might have been, if not the same person, at least connected. Both names can be rendered Gregory and both appeared in the 9th century. Girig is said to be the son of Dungaile, a Briton of Strathclyde (*Dict. Natl. Biog.*). According to G. Eyre-Todd (*Highland Clans of Scotland*, 1923) one Doungeal, eldest son of Griogair, was the first MacGregor.

Let us now examine the statement of Adam and Innes that Greig is a direct variant of MacGregor. This derivation could have occurred in various ways.

(a) As a diminutive: Greg is the dominant syllable. MacGregor has also been spelt variously, including MacGreigor (1682).

(b) As a compulsory variant during the proscription of the clan name. Many expedients were adopted, names quite unlike MacGregor.

(c) From the transplantation of 300 MacGregor tenants to Aberdeenshire in 1624 by the Earl of Moray. Some of them settled there. The change in district and the fact that their name was then actively proscribed led to permanent changes in name. Some became Grigor; Gregory was probably another variant (though one writer says that the academic Gregorys came from a MacGregor minister at Dundee). Greig is another possibility; the name appeared in the 17th century in the extreme north-east of Aberdeenshire where there seems to have been a colony of them, though rather far from the Mackintosh country.

(d) A similar state of affairs could have arisen from the progressive expropriation of the MacGregors, first in Argyll and then in Perthshire, by the Campbells from about the 14th century. At the end of the 15th century MacGregors had reached the Tay: more arrived in the 16th century. Some may have spilled over into Kincardine, Clackmannan, Kinross and Fife where Greig is now commonly found. Far from the three glens and their Gaelic kindred, they might have adopted names like Greig and Gregory, Greer and Grierson, not blatantly Highland, yet reminiscent of ancestral ties. Any such change would have been reinforced in the 17th century by the proscription.

Other books on surnames give other possible or related derivations of Greig:

(a) Greigh (Gaelic)—herd, hence herdsman. Greig or Gregor could also come from the Latin Gregorius which in turn could come from the Greek gregorios—watchful. Note also the Latin grex, gregis—a flock. All these words are related to a common idea. Hence the association of MacGregor and Greig could be that of a common root.

(b) Greg, grige (Gaelic)—fierce. Again, this has also been cited as the origin of MacGregor, and particularly apt it is too!

(c) Greg, Gregg, Gregory, Gregson and Grigg appear in England and Ireland. In that case all are derived from Gregory which, before the Reformation, won great favour from its religious association. Gregory was a popular Christian name in

Yorkshire ; Gregson was a common surname in Lancashire ; Gregg was common in the north of England, Grigg in the south. (But the New Zealand Griggs of Longbeach, though emigrating from Cornwall, are descended from MacGregors who left Scotland at the end of the 17th century when the proscription was reimposed).

Despite the large number and variety of names listed by Adam and Innes as septs of MacGregor, the Clan Gregor Society lists as clan names only those containing Gregor or Grigor. Even Gregory is included, though doubtless only if of Scottish origin. This exclusiveness probably arose from the circumstances of the abolition of proscription in 1774. Immediately after there assembled over 800 men bearing the name MacGregor, many having quickly and gladly shed their enforced Campbell, Drummond, Murray, etc. Except so far as some of them may have reassumed the clan name, the Greigs, Whytes and others did not take part in the revival.

The Lord Lyon advises that "down to 1903 the records show only one Greig getting arms supposing a connection with, I won't say MacGregor, but that more shadowy thing, the so-called 'Clan Alpine' . . . The other Greigs bear arms indicating no connectional supposition with MacGregor or Clan Alpine at all, and their connection seems to be rather to Fife and possibly Kincardineshire."

Now where does all this get us ? It seems that :—

1. Greig, in its various forms, is a very old Scottish name.
2. It is found mainly along the east coast Lowlands, principally in Fife.
3. It is derived in some way from Gregorius or Gregory but not necessarily direct from MacGregor, though that is likely in some cases.
4. Gregorius or Gregory probably refers to Girig or Grig, the 9th century king.
5. Alternatively, Gregorius may be of ecclesiastical origin.
6. The origin of MacGregor is disputed ; it seems more likely that Girig rather than Griogair is the source.

7. In that event, MacGregor and Greig are parallel names of common origin which would account for the Lowland distribution of Greig and the Highland distribution of MacGregor and for the general assumption that Greig is a sept of the clan.

As for Girig, king or usurper, he is an elusive and somewhat legendary man. His era is one of the poorest recorded in Scottish history and every historian seems to have a different account of him, usually uncomplimentary. Here it is relevant to observe that he was a great supporter of the Church, hence the eulogy referred to.

The Church also dedicated to him in the reign of William the Lion (1165-1214) a church called Eglisgirg—later spelt Eccles-greig—Greg's church. The parish is now called St. Cyrus, after the patron saint of the church and of Girig himself. Now, this place is on the coast of Kincardine, about half-way between Fife and Aberdeenshire, the range over which Greig is commonly found. Note also that the dedication preceded by not many years the first record of Greig in one of its early forms : Walter Greg witnessed a charter of the Earl of Fife in about 1214-1226. Could this mean that when Black says that "Girig is the source of modern Greig" the latter was derived from Ecclesgreig ? If so, this would account for the geographical distribution of Greig in Scotland being confined largely to the East Coast Lowlands. And did the trans-

cription of Eglisgiring into Ecclesgreig match the earliest record of the spelling Greig as a surname? The latter spelling has been traced back to 1515.

Note—Researches undertaken since the above was written, disclose two Greigs listed in the *Prisoners of the '45* " (perhaps our two?). One from near Forfar joined Ogilvy's regiment at Dundee in January, 1746, when the Prince's army split into three sections after Falkirk, Ogilvy being given the task en route of getting more recruits in the Braes of Angus, the Highland part of his own territory. This Greig, whatever may have been his origin, fought in the Highland unit raised nearest to his abode in the Lowlands. (The MacGregors apparently attached to Murray's regiment went north by a different route.)

B. D. A. GREIG.

THE DUNDAS FAMILY

Old Cadet Branches of West Lothian

I. DUNDAS OF DUDDINGSTON

WILLIAM, second son of Sir William Dundas, XVth of that Ilk (killed at Flodden in 1513),¹ and Margaret, daughter of Archibald Wauchope of Niddrie-Marischal, was progenitor of the family Dundas of Duddingston. He married Marjory Lindsay, portioner of Duddingston in the parish of Abercorn, and they had two sons, namely William, who spent several years in Sweden, married a Swedish lady (name unknown) and had two daughters, Margaret and Grizel; and (2) David, of whom below.

David Dundas of Priestinch, the second son, obtained the lands of Duddingston before 1593. He was Sheriff-Depute of Linlithgow and is frequently mentioned—in his official capacity and otherwise—in the *Register of the Privy Council*. Incidents connected with his life serve as examples of the rudeness of his time. In 1588 he complained to the Council that "thair wes ane grey cursour stollin and awaytane" from him, moreover, two mares and a horse, which animals he had "challengeit and apprehendit" in the hands of Sandie Wemys in Hawik and others named, who refused to restore the same. The Council ordered Sandie and his accomplices to restore the horse and mares or show cause to the contrary within six hours of being charged, under pain of rebellion.² In 1594 Claud and Alexander Hamilton, sons of James Hamilton of Livingston, were denounced as rebels for what would now be termed vandalism.

With several accomplices they had gone to "the ffauld of Priestinche quhair shamefullie thay hochiet and slew with swordis sevin young ky with calf, sax oxin and fyve stottis and queyis of three yeirs auld." Again, at the mill of Philpstoun, pertaining to James, Lord Lindsay of Byres "heretably" and to David Dundas "in tak and assedation," they had "brak the stanes, quheillis, hopper," etc., and had held "bendit pistollettis" to the breasts of the millers and made them swear they "sould dwell na langair at the said milne." They had also set fire to stacks at Duddingston, "of purpois and intention to haue brint the haill barneyaird."³

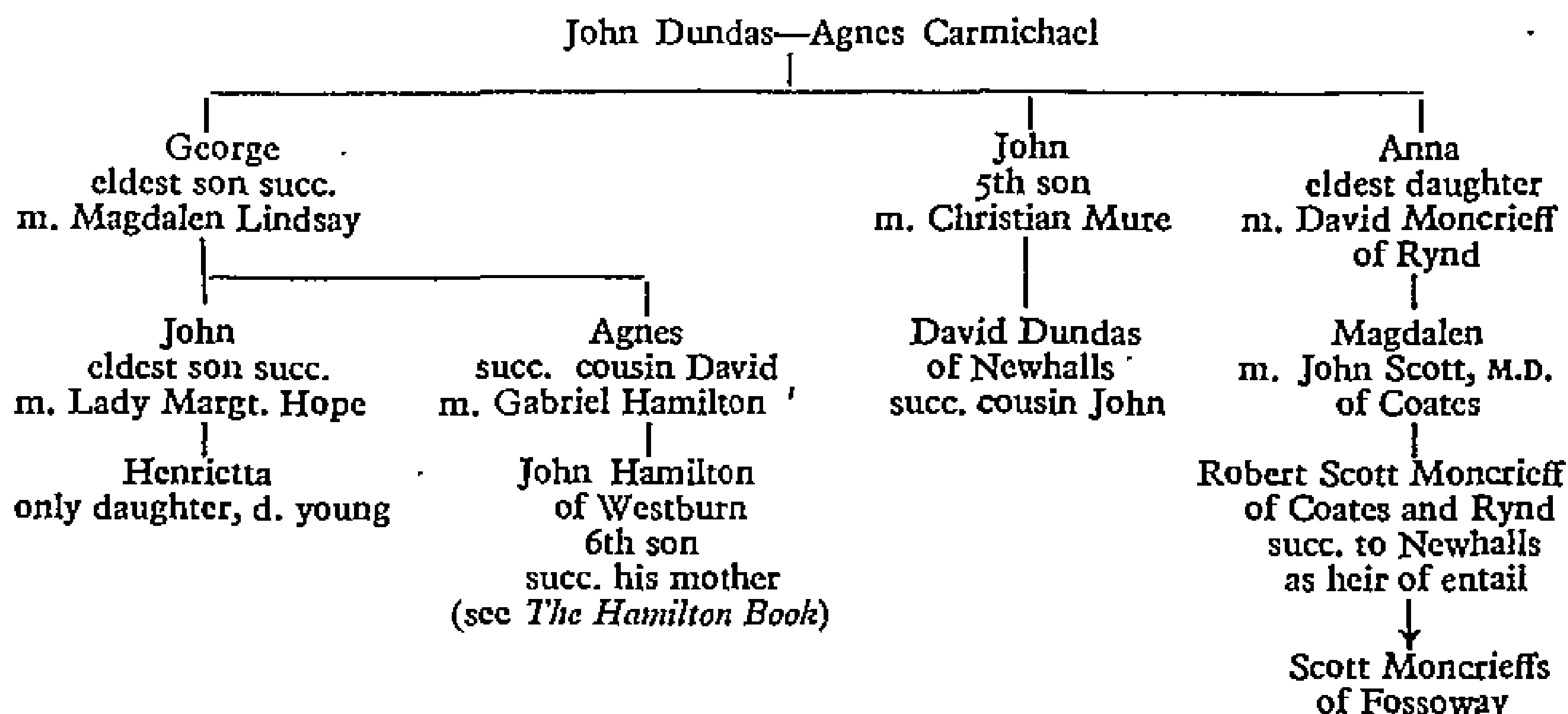
Styled of Priestinch, David witnessed a charter of the quarter oxgate of land of Over-Newliston called Serjeandland, 17th February, 1596/7.⁴ He was on the assize in 1608 at the trial of Margaret Hertside for stealing pearls and jewels belonging to the Queen.⁵ David married Marjory, daughter of John Hamilton of Orbiston. In 1582 he was accused of committing incest with Jeane Hamilton, Countess of Eglintoun.⁶ When Dame Jeane died in 1596 she left to David "xl lib." to buy him "dule claithis."⁷ (mourning attire). David Dundas and Marjory Hamilton had two sons, James, of whom presently; and George, who had a charter of part of the lands of Smiddiehill in the barony of Abercorn in 1625:⁸ he was progenitor of the family Dundas of Manour, in Perthshire.

James Dundas of Duddingston, the elder son, married Isobel, daughter of William Maule of Glaster, a son (by his second wife) of Robert Maule, XVth of Panmure, and by her who married secondly, James Hamilton of Parkley, had issue George, of whom presently; and William, who was granted the liferent of the lands of Magdalens, near Linlithgow, by Jean Bruce, widow of Walter Dundas of Magdalens, but he was forfeited by the Scottish Parliament and his rights over Magdalens were granted to Charles Mairland of Haltoun, Mid Lothian:⁹ William died unmarried.

George Dundas of Duddingston was served heir to his farher in 1618. In 1631 he appears as heritor for the whole lands of Duddingston (except 3 oxgangs which pertained to George Dundas, apparent of that Ilk) and the town and lands of Newton, Gallowflats, quarter of the lands of Duntarvie, half of the Craig thereof, and of the town and lands of Easter and Wester Laws (St. Serf's Law), (except 2 oxgangs pertaining to George Dundas, apparent of that Ilk).¹⁰ George was a Commissioner of Supply in 1643.¹¹ He was on the Linlithgowshire Committee for War in 1643, 1644, 1646 and 1647;¹² again in 1648 and in 1649.¹³ In 1649 he was a Commissioner for the University of St. Andrews and a Commissioner for the planting of kirks.¹⁴ An act for paying him £100 sterling due by the public was passed in 1648.¹⁵ He was Member of Parliament for Linlithgowshire, 1649-50.¹⁶ George married Catherine, daughter of John Moneypenny of Pitmilny and died in 1684 leaving a son, John, his successor.

John Dundas of Duddingston, born in 1641, was a Commissioner of Supply in 1678;¹⁷ again in 1689 and in 1690.¹⁸ He married Agnes, daughter of Sir David Carmichael of Balmedie, and had several children. George, the eldest son, succeeded his father. David, the second son, was admitted an Advocate at the Scottish Bar in 1699 and died unmarried.¹⁹ The fifth son, John, was apprenticed to James Anderson, W.S., and entered Writer to the Signet in 1712. He was Presenter of Signatures,

CHART EXPLAINING SUCCESSION TO DUDDINGSTON AND NEWHALLS



1718; Fiscal, 1723-5; Lyon Depute, 1728-1744,²⁰ and he married in 1711, Christian, daughter of Adam Mure of Blackhall, apothecary, with issue a son, David. John purchased the estate of Newhalls, in the parish of Dalmeny, about 1727, and he died on 22nd April, 1769, aged 87. Anna, eldest daughter of John of Duddingston and Agnes Carmichael, married at Edinburgh on 13th June, 1703,²¹ David Moncrieff of Rynd and had with other issue (who died young or unmarried) a daughter, Magdalen, who married John Scott, M.D., of Coates, and succeeded to her father's estate of Rynd.

George Dundas of Duddingston was a Commissioner of Supply in 1695;²² again in 1702 and in 1704.²³ Styled "younger of Duddingston," he was on the assize at Linlithgow in 1722.²⁴ He married Magdalen, daughter of the Hon. Patrick Lindsay, second son of John, XIVth Earl of Crawford and 1st Earl of Lindsay, and had, with other issue a son, John, of whom presently; and a daughter, Agnes, who eventually succeeded to Duddingston.

John Dundas of Duddingston married at Hopetoun House on 20th December, 1745, Lady Margaret, fourth daughter of Charles, Earl of Hopetoun. They both died in 1788 having had an only daughter, Henrietta, who died on 24th April, 1749. John's cousin, David Dundas of Newhalls, succeeded as heir male.

David Dundas of Duddingston and Newhalls, born 11th November, 1730, executed a deed of entail by which his cousin, Robert Scott Moncrieff of Coates and Rynd succeeded to Newhalls.²⁵ When David died Duddingston passed to his cousin, Agnes Dundas.

Agnes Dundas of Duddingston, who died about 1792, married Gabriel Hamilton of Westburn, Cambuslang, a scion of the family Hamilton of Torrance. They had a

large family. Agnes, who became a widow about 1762, was succeeded in her estate of Duddingston by her eldest surviving son, John Hamilton of Westburn, who took the additional surname of Dundas.

An account of the family Hamilton Dundas of Duddingston appears in *The Hamilton Book*, by Lt.-Col. George Hamilton (privately printed, Edinburgh, 1933). Major Gabriel Hamilton Dundas, Austrian Army, the last member of the family mentioned in that work, died in 1885 at Iglo, Upper Hungary, aged 71.

The present house at Duddingston was built in the early part of the XIXth century by the family Hamilton Dundas, who sold the estate to the Earl of Hopetoun about 1842. According to tradition the old house was as large as the present mansion of Hopetoun House. The arms of the family Dundas of Duddingston are blazoned : Argent, a lion rampant holding a man's heart, Gules. Crest, a dexter hand holding a star, Azure. Motto, *Essayez*.²⁶

DONALD WHYTE.

NOTES AND REFERENCES

¹The view is sometimes expressed that many persons whose names disappear from records about 1513 are wrongly stated to have died at Flodden. The fact that Dundas of that ilk died on Flodden Field under the banner of his sovereign is clear from the *Dundas Manuscripts* in the National Library of Scotland (cited as *Dundas MSS.*, N.L.S.). It would be interesting to compile a list of persons whose deaths at Flodden are so well authenticated.

²*Register of the Privy Council of Scotland*, 1584-1592, vol. iv, p. 443-4.

³Pitcairn, R., *Ancient Criminal Trials in Scotland*, vol. i, part ii, p. 345. Edinburgh, 1833.

⁴*Dundas MSS.*, N.L.S. (Charters).

⁵Pitcairn, *op. cit.*, vol. ii, p. 555.

⁶Pitcairn, *op. cit.*, vol. i, part ii, p. 100. Jeane Hamilton was the fourth daughter of James, Earl of Arran and had married Hugh, third Earl of Eglinton : as the parties were within the fourth degree of consanguinity and a Papal dispensation had not been obtained, the marriage was dissolved in 1562. Vide *The Peerage of Scotland*, by Sir R. Douglas, edition by J. P. Wood, Edin., 1813, vol. i, p. 500.

⁷Fraser, Wm., *Memorials of the Earls of Eglinton*, vol. ii, p. 235. Edin., 1859 : privately printed.

⁸*Registrum Magilli Sigillum*, 1620-1633, vol. viii, No. 832.

⁹*Ibid.*, 1660-68, vol. xi, No. 55. The posterity of Dundas of Magdalens migrated to Ireland.

¹⁰*Binns Papers*, 1320-1864, No. 141, edited by Sir J. Dalrymple of Binns and J. Beveridge, M.A. Edin., 1938 : Scottish Record Society.

¹¹*Acts of the Parliaments of Scotland* (cited as *Acta Parl. Scot.*), vol. vi, part i, p. 29.

¹²*Acta Parl. Scot.*, vol. vi, part i, pp. 53, 201, 562, 568.

¹³*Ibid.*, part ii, pp. 31, 188.

¹⁴*Ibid.*, pp. 138, 503, 300.

¹⁵*Ibid.*, p. 327.

¹⁶*Ibid.*, pp. 291, 536. Foster, J., *Members of Parliament, Scotland*, 1355-1882, p. 111. London 1882 : privately printed.

¹⁷*Acta Parl. Scot.*, vol. viii, p. 226.

¹⁸*Ibid.*, vol. ix, pp. 71, 141.

¹⁹Grant, F. J., *The Faculty of Advocates in Scotland*, 1532-1943, p. 16. Edin., 1944 : Scottish Record Society.

²⁰*History of the Society of Writers to H.M. Signet*, p. 141. Edin., 1936.

²¹Paton, H., *Edinburgh Register of Marriages*, 1701-1750, p. 165. Edin., 1908 : Scottish Record Society.

²²*Acta Parl. Scot.*, vol. ix, p. 375.

²³*Ibid.*, vol. xi, pp. 22, 144.

²⁴*Binns Papers*, No. 550.

²⁵Wood, W., *The East Neuk of Fife*, p. 103. Edin., 1887. Seton, G., *The House of Moncrieff*, pp. 127, 128. Edin., 1890: privately printed.

²⁶Nisbet, A., *A System of Heraldry*, vol. i, p. 281. Edin., 1720. Paul, J. B., *An Ordinary of Arms*, No. 3845. Edin., 1903.

NOTICE

LECTURE PROGRAMME

MONDAY, 17th FEBRUARY, 1958. Burgh Records. Miss H. Armit of the City Chambers, Edinburgh.

MONDAY, 17th MARCH, 1958. Schoolmasters of Abercorn, Dalmeny and Kirkliston. Donald Whyte, F.S.A. (Scot.).

TUESDAY, 15th APRIL, 1958. A Royal Mile Tour of Old Edinburgh. Illustrated, with special reference to Scottish family houses. J. Stanley Cavaye (President, Edinburgh Festival Voluntary Guides Association).

QUERIES.

V/1. DEPORTATIONS.—Is it known when and to what parts of the world deportation for (a) political and (b) other offences began and finished? What official record is there of such deportations, and are there any useful published sources?

J. M. D.

V/2. CLAN FRASER SOCIETIES.—A printed constitution (undated) of the "Clan Fraser Society of Edinburgh and East of Scotland" has been found in a copy of Alexander Mackenzie's *History of the Frasers* (published 1896). An attempt was made to organise the clan in Canada in 1868 by John Fraser de Berry, but "The Clan Fraser in Canada" was not instituted until 1894. Is anything further known about these societies?

A. N. F.

V/3. BIGLEY.—Wanted any information concerning the Bigley family, particularly Joseph Bigley, supposed to have lived around Edinburgh. Came to the United States in the latter part of the 1700's, and settled in Lancaster County, Pennsylvania.

S.E.C.

THE SCOTTISH GENEALOGY SOCIETY

At a General Meeting of the Scottish Genealogy Society, the following Constitution was adopted on Saturday, 4th July, 1953 :—

1. The objects of the Scottish Genealogy Society are :—

To promote research into Scottish Family History.

To undertake the collection, exchange and publication of information and material relating to Scottish Genealogy, by means of meetings, lectures, etc., etc.

2. The Society will consist of all duly elected Members whose subscriptions are paid. A President and one or more Vice-Presidents may be elected at the Annual General Meeting.

3. The affairs of the Society shall be managed by a Council consisting of Chairman, Vice-Chairman, Honorary Secretary, Honorary Treasurer, Honorary Editor, and not more than twelve other Members. A non-Council Member of the Society shall be appointed to audit the accounts annually.

4. Office-Bearers shall be elected annually. Four Ordinary Members of Council shall retire annually in rotation, but shall be eligible for re-election. At meetings of the Council, a quorum shall consist of not less than one-third of the members.

5. An Annual General Meeting of the Society will be held at or about the end of October, on a date to be determined by the Council, at which reports will be submitted.

6. Members shall receive one copy of each publication issued by, or on behalf of the Society, but these shall not be supplied to any Members who are in arrears.

7. No alteration of this Constitution shall be made except at the Annual General Meeting of the Society, when a two-thirds majority will be required.

THE SCOTTISH GENEALOGY SOCIETY

<i>Hon. President</i>	The Right Hon. The Earl of Dundee.
<i>Hon. Vice-Presidents</i>	Sir Thomas Innes of Learney, K.C.V.O., Lord Lyon King of Arms. The Right Hon. The Countess of Erroll, Hereditary Lord High Constable of Scotland. The Right Hon. The Lord Lovat, D.S.O.; M.C. The Right Hon. The Earl of Crawford and Balcarres, K.T.
<i>Chairman of Council</i>	Captain Sir Iain Moncreiffe of Moncreiffe, Bart., Unicorn Pursuivant of Arms.
<i>Hon. Secretary</i>	Duncan McNaughton, M.A., F.S.A.(Scot.), 28 Pitbauchlie Bank, Dunfermline, Fife.
<i>Hon. Treasurer</i>	J. H. C. Milligen, 74 Brunstane Road, Joppa, Midlothian.
<i>Hon. Editor</i>	Miss Jean Dunlop, B.A., Ph.D., 30 India Street, Edinburgh, 3.
<i>Council</i>	R. W. Munro (<i>Deputy Chairman</i>). Miss I. F. Grant, LL.D. Ivor R. Guild, W.S. Donald J. MacDonald, F.S.A.(Scot.). J. M. McGill, F.S.A.(Scot.). Rev. Donald Mackinnon, D.D. J. F. Mitchell, C.I.E. Miss M. F. Moore, M.A., Ph.D. Donald Whyte, F.S.A.(Scot.). Miss H. M. Woodford.