

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. 0d. (\$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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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

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EDITORIAL

THE greatest help can often be obtained in tracing a family from the Census Returns and, having found so much assistance, one is apt, like Oliver Twist, to demand more. Why, one asks, should not a married person be required to give the number, names and ages of his or her children in addition to the other information given in the Return.

Unfortunately, few of those completing the Returns are genealogists, or appreciate the opportunity given to them to record in as permanent a form as is possible, and at no cost, the details of their lives, their parents, and their children. The greatest reluctance is shown by many to giving any information at all, and accusations are bandied about of civil servants with nothing better to do than pry into other people's business. Often the greatest persuasion is needed to get the forms filled in at all in their present form. Little is known as to the accuracy of details supplied, but doubtless, just as some women are later found to have underestimated their age in completing their Marriage Certificates, so too the illegitimate have been legitimated by some other means than the subsequent marriage of their parents, and frequently other inconvenient evidence of past misconduct has been overlooked entirely in enumerating the household.

Human nature may well be too much for the genealogist, yet it would be encouraging if the scope of the Census Return were widened, even if some of the further information asked for were not compulsorily required but optional only. In so complex a matter as census forms it is not for us to offer advice, and we would do no more than voice a request for further information to be extracted if possible. For there can be more to a census than the capacious card indexes which enable the officials to peddle the latest statistical information over the counter to the planner and the economist.

Permission has generously been given by The Heraldry Society to reprint an article entitled "Recent Campbell Matriculations and Grants" which has recently appeared in its quarterly Magazine "The Coat of Arms." We are most grateful for permission to do so, and regret our delay in making proper acknowledgement. By this step a departure is being made from the rule which has hitherto been in force of producing nothing that has already appeared in print, but in this case there is good reason for making available to members an excellent article of Scottish interest which they might not otherwise have the opportunity of seeing.

The Heraldry Society was founded in 1947 and incorporated under the Companies Act 1948. Its objects are "to promote and encourage the

study and knowledge of and to foster and extend interest in the art and science of Heraldry, Armory, Chivalry, Precedence, Ceremonial, Genealogy, Family History, and all kindred subjects." While akin to our own objects these lay greater emphasis on heraldry, and last year the Society published an excellent book "The Colour of Heraldry" containing fine coloured restorations of brasses and effigies with an accompanying description and explanation of the costume armour and heraldry. The address of the Society's Secretary is East Knoyle, Wiltshire.

THE EARLDOM OF ATHOLL IN THE THIRTEENTH CENTURY

by A. A. M. DUNCAN

TILTING at Sir James Balfour of Denmilne is an easy, and to some dishonourable, occupation. There are few criticisms of his transcripts of charters, for his bad reputation is widely known; but this reticence of historians makes it no easier to disentangle the bogus from the genuine in his voluminous collections. A man whose works earn him a serious conference also surely deserves serious criticism.

There still passes in all the Peerages an account of the transmission of the earldom of Atholl to the Strathbogy family which is dependent on his work. This account is worth examining; in the writer's opinion Balfour has invented an earl and countess of Atholl who did not exist.

In the Scots Peerage¹ the Reverend John Anderson gives the following succession which I have summarised and amended (as to dates) in the light of the subsequent publication of the Coupar Angus charters.

III Henry, earl before 1198, died c. 1200-1210.

IV Isabella his older daughter, married (a) Thomas of Galloway, styled earl in January 1211, died in 1231

? (b) Alan Durward who seems to have acquired the style of earl between 11 June and 25 December 1244 and probably demitted it between 23 February and 7 July 1235. He died in 1275, [and is more likely to have purchased the title with wardship of Isabella's heir than to have married her. A.A.M.D.].

V Patrick son of Isabella and Thomas of Galloway, styled earl on 25 September 1237, and murdered in 1242.

¹ Vol. i, pp. 415-433.

VI Forueleth younger daughter of III earl Henry married (a) David de Hastings who is styled earl in August 1244 and died before 3 July 1247 survived by his widow.

VII Ada daughter of Forueleth and earl David de Hastings married (a) John de Strathbogy son of David de Strathbogy who was alive in 1226 and who was third son of earl Duncan of Fife. Anderson says: "Lord Hailes in his [Additional Sutherland case, cap. 5, p. 9, note g] quotes a charter by John earl of Atholl and Ada the countess, confirming to the monks of Coupar the grant of the lands of Invervack which had been made to them by David earl of Atholl father of Countess Ada. Lord Hailes misdates this charter in 1283, thus confounding the granter with a later John of Strathbogie his grandson; but the date 1254 assigned to it by Sir James Balfour who alone has preserved a note of it assures us that Ada . . . was the daughter of David of Hastings and the wife of an earl John who clearly brought the name . . . of Strathbogie into the family of Atholl."¹

VIII David de Strathbogy son of Ada and John, styled earl in December 1264, died 6 August 1270 at Tunis.

IX John de Strathbogy his son, styled earl in February 1284, executed 7 November 1306.

X David de Strathbogy, for a time supported Robert I and was made Constable of Scotland by him, but defected to Edward II and died c. 1327.

XI David de Strathbogy, recognised in Scotland only for a short period c. 1335, he died in that year.

We wish to examine the evidence for the existence of VII Ada and her husband. The footnote of Lord Hailes, published in 1771, referred to by Anderson reads as follows: "Confirmation by 'Johannes Comes Atholiae et Adda Comitissa' of the lands of Inmith to the abbacy of Coupar 'quas David Comes Atholiae pater Addae Commitissae dedit'. 1283. Sir James Balfour, MS. Collections, Advocates Library."² Skene, to whome Anderson also refers, makes the following comment: "by misdating a charter . . . in 1283 in place of 1254 which is the date given by Sir James Balfour by whom alone a note of this charter has been preserved they confound David de Strathbolgie . . . with his grandfather David de Hastings."³ These words show

¹ Scots Peerage, i, 424-5.

² Additional Sutherland Case, c. 5, p. 9, note g.

³ Celtic Scotland, iii, 289 n.

that Skene saw Balfour's note, but they also suggest, in the rewording by Anderson, that Anderson did not see it.

Did Hailes see Balfour's note? The answer is certainly in the negative. The charter is in fact first quoted in print by Nisbet in 1744: "He [John de Strathbolgy] as earl of Athole and Adda Countess of Athole his wife confirms a deed of the lands of Inmeth to the monks of Coupar *quas David Comes Atholiae pater Addae comitissae* Athole had formerly given . . . and they then jointly ratify . . . the deed in the 1284."¹ Here are the words also quoted by Hailes, who has slipped over the date (1283 for 1284). But Hailes also says the charter was given by 'Johannes comes Atholiae et Adda Comitissa', and this is not in Nisbet in Latin. This fact at first suggests that Hailes saw Balfour's note and got additional words from it, but in fact all thirteenth century grants made by one who is an earl *iure uxoris* are made by the earl with the consent of his wife, and not jointly. What Hailes has done is turn Nisbet's English into Latin. Further evidence of this borrowing is the mis-spelling Adda for Ada. This is found in Nisbet and Hailes but not in their Balfourian source to which we shall refer.

Nisbet and Skene, then, used Balfour's manuscripts but Anderson and Hailes did not. Nisbet gives his reference more exactly than Hailes, as 'Balfour's collections title Athole' which sends us for the source of all this to Balfour's manuscript peerages.

The earliest of these, and the only one which concerns us, is Advocates MS. 33.2.41² (unpaginated) where there is a long amended entry under Atholl.

The relevant genealogy is given as follows:—

1. Henry de Galloway married Alice Mortimer, by whom he had a son Thomas and a daughter Ermagard who died unmarried.
2. Thomas de Galloway his son married Isabella (family unknown) and had a son Patrick.
3. Patrick de Galloway his son, succeeded in 1246. "Bot he hed a daughter name Ada married during her fathers' lyffetyme to Jhone Cumin. Floruit regnante Alexandro 2 rege et obiit in anno 1222 being brunt in his bed" by Bisset.
4. "Jhone Cumin in right of hes Ada de Gallovay [sic] being heretrix and sole air to Patrick earll of Athol ves earll" in 1253. He had issue two sons, Patrick and John and a daughter Ermagard married to Patrick earl of March.

¹ Nisbet, *System of Heraldry*, II, Appendix, p. 176.

² National Library of Scotland.

5. Patrick Cumin succeeded his father, was killed in his bed by Bisset under Alexander III in 1259.
 6. Walter Cumin succeeded in 1259 and had a son David who succeeded him.
 7. David Cumin, made Governor of Scotland by Edward Balliol in 1334, was killed and forfeited in 1336.
- 8-15. Various Stewart earls.

The unsatisfactory nature of this account must have been clear to the pioneering Balfour, and although the two Ermagards were allowed to stand, the two earls Patrick both killed by Bisset, one in 1222, the other in 1259, were obviously one person. Under no. 4, the words 'regnante . . . 1222' were first deleted and a nearly correct date for earl Patrick's murder, 1240, was added on the authority of Boece. Then Balfour discovered the existence of earl David de Hastings and had to fit him in. Entry 4 was followed by a new, unnumbered entry: "Dauid de Hastings earll of Atholl, vide after the Steuart at the seing[†]" and entry 5 was amended to read:

5. "Jhone Cumin in right of hes Ada de Hastinge hes vyffe being heretrix and sole air to Dauid de Hastings earll of Atholl. . . ."
 As the entries now read early Patrick (4) had a daughter Ada married to John Cumin and was killed by Bisset in 1240, earl David de Hastings had a daughter Ada married to earl John Cumin (5) and earl Patrick Cumin (6) was murdered by Bisset in 1259. Balfour to simplify his account therefore deleted the remainder of the passages and words quoted or summarised in black type above, leaving earl Patrick (4) to be followed by David de Hastings whose daughter Ada married John Cumin (5). Their two sons were now David (not Patrick) and John, and earl David Cumin (6) replaced earl Patrick Cumin.

A wholly new entry about earl David de Hastings was appended to the Atholl earldom at "seing[†]" According to this earl David had married the aunt by the mother's side of earl Patrick (4). He gave a charter to Coupar abbey quoted from fo. 11 of the lost cartulary of that house,² married Forulissa de Cumin, daughter to Walter earl of Menteith and had by her a daughter Ada married to John Cumin (5).

¹ i.e. sign.

² A grant of Invernack, variously called by Balfour Inmith, Inmath, Inmeth. Dr. Easson thought wrongly that this was a different place from Invervack (Coupar Angus, I p. 49, 116). The cartulary text is noted in Balfour's abbreviate (Rogers, Register of Cupar Abbey, I, 332, no. 31). The full text is copied in the peerage manuscript discussed above (evidence that Balfour had the cartulary and not merely his abbreviate at this time). It has never been printed in full.

One may point out that originally earl Patrick's mother Isabella was of family unknown to Balfour. Now she and her sister, Forulissa are Cumins, daughters of Walter [Cumin] earl of Mentelth. Balfour implies though does not say that both David de Hastings had a new grant of the earldom, but he does say that David de Hastings and his daughter married Cumins. In fact David de Hastings became earl in right of his wife Forulissa who as Balfour correctly says was the maternal aunt of earl Patrick but was a daughter of earl Henry and not a Cumin. One may point out that Balfour is obsessed with the house of Cumin.

Why did Balfour have to alter his genealogy? Clearly because he had found earl David de Hastings and his wife 'Forulissa'. And an examination of the manuscript shows that he found them in the lost Coupar cartulary, which had come to his hands after the peerage was drafted. Thus he adds 'Cumming' (the illegitimate son of earl Henry) in the margin on the authority of that manuscript, and various other references to it are added. But in the main its evidence was interpreted by the powers of a vivid genealogical imagination. The result is nonsense.

But this was not enough for Balfour. He has invented the Cumin earls of Atholl and he now believes in them. And so he follows his appended account of earl David de Hastings with a long attack upon Ralphe Brooke, York Herald for including in his **Catalogue and Succession of the Kings Princes Dukes . . .** [etc. (1619)] four earls of Atholl, the later ones summoned to the English parliament, and upon Augustine Vincent who wrote a highly critical commentary on Brooke but accepted these earls. Brooke's account is in many respects correct, and unlike Balfour he knew of the Strathbogy earls of Atholl who in the fourteenth century adhered to Edward II and III and were not recognised in Scotland. Balfour indicted Brooke for postdating earls John and David, by which Balfour meant VIIa and VIII of the Scots Peerage while Brooke wrote of earls VIII, IX, X and XI. The whole diatribe against Brooke is a Balfourian farrago, designed to prove his obsession that the Strathbogy earls were Cumins of Strathbogy. This string of obiter dicta and quotations from documents is unfortunately too long to be quoted in full.

1. That these earls were Comyns is clear to Balfour from a charter in his possession, quoted in full and granting an annual rent from Stragartney to John de Logy. It bears to be granted by David de Cumin comes Atholliae dominus de Strathbolgie et constabularius Scotiae. Either the words de Cumin are an interpolation or the whole charter is a forgery.

2. That John Cumin acquired the earldom through Ada de Hastings is vindicated by a charter of earl John granting 'Deo et monasterio sanctae

Marriae de Cupro et monachis ibidem Deo seruientibus omnes terras de Innath quas David bone memoriae comes de Atholl pater Adae de Hastings comitissae eis dedit et confirmauit'. This summary is the evidence for the existence of Ada and her husband, who, Balfour assures us, was the second son of Malcolm Cumin of Strathbogy. The reference given for the charter is *MS. ex antiquo registro monasterii de Cupro*, i.e. the lost Coupar cartulary. No folio reference is given. We will return to this point.

3. Brooke and Vincent in their ignorance suggested that earl John died in 1306, as indeed he did. Scorning the evidence of mere English chronicles, Balfour avers that earl John lived and died much earlier, for earl David his son gave to Dunfermline abbey four virgates in villa de Comrey to pray for the soul of "Johannis de Cumin comitis Atholiae de [?] et] quondam domini de Strathbolgie bone memorie patris nostri nuper defuncti, vich [i.e. apparently earl John's death] ves in anno 1254 et regni Alexandri 2 Scottorum regis [blank] anno and not in [1306]. Balfour thought that Alexander II died after 1254. This charter is not in the Dunfermline cartulary and is unknown. The words de Cumin are interpolated, if the whole thing is not forged.

4. Balfour finds in the register of Inchaffray page 20 a charter by 'David de Cumin comes Athollae dominus de Strathbolgie et constabularius Scotiae'. The constablenesship dates this charter, did it exist, to 1306 or later, but according to Balfour it is confirmed by Alexander III in a charter of the third year of his reign which says that John Cumin earl of Atholl was David's father. This royal charter is said to be taken from the old register of charters of Alexander III and a roll of charters of the same king 'anno 5 regni sui.' Earl David, Balfour concludes, 'lived in anno 3, 4, et 5 regni Alexandri 3 qui fuit anno salutis 1259.' This suggests that Alexander III came to the throne c. 1254-6. No such charter is to be found in the Inchaffray register. No royal confirmation is known and it is fairly certain that no roll nor register of Alexander III survived in Balfour's time. The name "David de Cumin comes Atholiae" is impossible.

Everything in this diatribe is unreliable. Embedded in a string of arrant nonsense which is rightly ignored stands the reiterated marriage of Ada and John Cumin which, suitably amended by the omission of 'Cumin' is still relied upon by peerages.

If the rest be nonsense can we not still accept the charter by earl John as extracted by Balfour and quoted in (2) above? Balfour says that John was earl in 1253, and that he died in 1254, but against all those from Nisbet to Skene who have cited him, he does not date the charter. None of those

¹ and it cannot be found in the Inchaffray cartulary or charters.

who have cited him have quoted his extract in full, which is not perhaps surprising, since, with the exception of Skene, they all relied on Nisbet's initial quotation from Balfour's extract. Now in spite of his reference to the Coupar cartulary, this charter is not to be found in Balfour's abbreviate of the lost Coupar cartulary, an abbreviate which seems to have a summary of every charter.¹ In consequence Nisbet must be quoting, as his reference suggests, from our peerage manuscript, and not from the Coupar abbreviate. Balfour gives no folio reference to the cartulary for this charter. For all others he gives a folio reference which can be traced in his abbreviate and it is a fair conclusion that he simply invented the charter. On the other hand, it could be argued that, at the time Balfour wrote his attack on Brooke and Vincent, he had in his hand the Coupar cartulary itself, and that he found the charter there but failed to include it later in his abbreviate. This is just possible but very unlikely.

Let us now turn back from the attack on Brooke and Vincent, past Balfour's addendum on David de Hastings to the main Atholl entry, with its considerable alterations. Though these were not all made at one time, they were made in consequence of two discoveries: the date of earl Patrick's murder (1240) which does not concern us here, and the existence of earl David de Hastings. In effect, after Patrick de Galloway was entered David de Hastings; John Cumin in right of Ada de Galloway was altered to read Ada de Hastings; and Patrick Cumin became David Cumin. Thus before Balfour knew that there was an earl David de Hastings he said that an earl John had married an Ada de Galloway. Only after David de Hastings was discovered did Ada become his daughter. The evidence for David de Hastings came from the Coupar cartulary,² and all these alterations, the addendum on earl David de Hastings and attack on Brooke and Vincent followed from Balfour's acquisition of the Coupar cartulary. In that cartulary we are told to find a charter by earl John and mentioning his wife Ada de Hastings—the only charter known to us or to Balfour which did mention them. Yet earl John and his wife Ada were in Balfour's scheme of things before he had the Coupar cartulary. It seems an inescapable conclusion that Balfour had decided on transmission of the earldom through Ada of 'Galloway' and John 'Cumin', that he later acquired the Coupar cartulary evidence of David de Hastings's existence, and in consequence altered Ada's patronymic. He then produced an extract from a non-existent Coupar charter to back up her existence and marriage. The charter-extract itself is entirely Balfourian common-form, and in so far as it explains the

¹ Rogers, Register of Cupar Abbey, I, 319-351, from Advocates MS. 33.2.9.

² Balfour does not seem to have used the Melrose Chronicler's account of the murder of earl Patrick (1242, not 1240) and earl David's succession.

relationship of the donor to an earlier earl, it is like other Atholl charters to Coupar Abbey¹ and could have been based on them.

If we seek an explanation of Balfour's obsessive desire to link the house of Cumin with the earldom of Atholl it may be that we can find it in the inventory of a brief chancery roll of Alexander II. Of its five items the last two are: 'Carta Walteri Cumyng de comitatu de Mentelthe. Carta Patricii Cumyng de comitatu Atholie.'² The second 'Cumyng' may be an erroneous repetition from the first; in any case it is highly unlikely that Balfour saw this inventory. A more likely source is the statement of Bower that Alexander Cumin (later earl of Buchan) and John Cumin (the Red) were cognati of earl Patrick of Atholl. If related thus—i.e. through his mother Isabella—it can only have been through her mother Margaret, wife of earl Henry, who was certainly aided during her viduity by Walter Cumin earl of Menteith.³ There is no proof that countess Margaret was a Cumin but it is not improbable. One final connection between the families may be noted; earl Malcolm (father of earl Henry) married Hextilda widow of Richard Cumin. Earl Patrick was great grandson of Hextilda and earl Malcolm, John (the Red) Cumin stood in the same relationship to Hextilda and Richard Cumin, Alexander Cumin was their grandson. But none of these connections makes Cumins of the earls of Atholl.

There are four considerations which should dispose of Countess Ada and earl John for good. The first is the worthlessness of Balfour's account and charter-extract. The second is the complete absence of any named earl of Atholl in the troubled years between 1249 and 1258 when Henry III interfered in Scottish affairs so that several documents listing the Scottish baronage survive today in English sources.⁴ The third is an entry in Balfour's abbreviate of the Coupar cartulary:

87. Omnibus sanctae matris ecclesiae filiis etc. David de Strathbolgy comes Athollae salutem. Noveritis me pro salute animae meae et pro animabus domini David de Hastings quondam comitis Atholiae et Forflissae comitissae suae et Elenae quondam sponsae nostrae confrmasse . . . monachis de Cupro donationem illam quam Nessus medicus domini regis eis dedit, viz. terras de [Dunfallandy near Pitlochry].⁵

¹ e.g. Coupar Angus, no. L.

² R.M.S., I, Appx. II, nos. 4, 5.

³ see Scots Peerage, I, 419, n. 1.

⁴ The 'M earl of Atholl' mentioned in A.P.S. I, 115 is a mistake probably for Malise earl of Strathcarn.

⁵ Rogers, Register of Cupar Abbey, I, 348. An attractive scheme would make this Elena daughter of David de Hastings and Forueleth. But she cannot have taken the earldom to David de Strathbogy as it passed to his son by another wife.

The witnesses include Robert bishop of Dunkeld and Alan Durward, but the former must be Balfour's error for Richard, as the charter is certainly one of the earl David who died at Tunis in 1270 (VII in the Scots Peerage). The unusual feature of this charter would be the mention of the grantor's grandparents and wife and the omission of his mother and father. The charter makes sense only if there had been no holder of the earldom between David de Hastings and Forueleth on the one hand, and David de Strathbogy on the other.

The fourth consideration is the simple one of ages. Earl David was knighted at Christmas 1264, when he must have been at least 14. He was born by 1250, and his parents must have been married in 1249 or earlier. Yet in spite of their comparative maturity, those parents have left no trace of their existence in any document of the 1250s except Balfour's charter extract. At some date after 1214 the right of countess Isabella was unsuccessfully contested by a younger sister,¹ presumably Forueleth, and since their father died c. 1200-1210, Forueleth must have been fairly old by c. 1250. Her husband was apparently of age by 1216, and it is likely that they were married long before succeeding to the earldom in 1242, since it would be Forueleth's husband rather than the lady herself who would contest the right of Isabella and her husband. If Forueleth had a child, it must surely have been born long before 1247, when earl David de Hastings was dead. It is thus quite possible that they had a daughter who was mother to earl David de Strathbogy and whose husband died before Forueleth. It is equally possible that Isabella and Forueleth had a sister who married David de Strathbogy (alive in 1226 and third son of earl Duncan of Fife) and that their descendant was earl David de Strathbogy. But it must be emphasised that, Balfour apart, there is no evidence of the relationship between the David de Strathbogy of 1226 and his namesake, the earl of 1264-70. Nor, Balfour apart, is there evidence of the precise relationship between the ancient house of Atholl and the Strathbogy earls. The negative evidence is that for one reason or another the earldom was in wardship between c. 1250 and c. 1260. The only testimony to the names of Ada and John de Strathbogy, to their descent, and to their holding the title, is Sir James Balfour. And on all counts that testimony is worthless.

¹ Palgrave, *Documents and Records illustrating the history of Scotland*, 40-1.

BURNS' EXCISE ASSOCIATES

(Continued from Vol. VI, Nos. 1 and 2)

THE remainder of this article deals with those associates of Burns in the excise who, like him, held the rank of "officer" or "gauger." After a few weeks of instruction in 1788 with James Findlay in Tarbolton, Burns took charge, on 2 : 9 : 1789, of the Dumfries 1st Itinerant division comprising ten parishes around his farm of Ellisland, a few miles north of Dumfries. This was exchanged for Dumfries 3rd Footwalk a year later, and finally from 6 : 5 : 1792 till his death on 21 : 7 : 1796 he had charge of Dumfries 1st Footwalk and lived at his house in Mill Vennel, Dumfries. His supervisor and collector remained unchanged throughout his service (Alexander Findlay and John Mitchell previously mentioned) but there were frequent changes of personnel among the officers, and Burns probably came across some twenty or thirty of them from 1789. Reference is therefore made below to a selection only. These include all those who took part in the Rosamond adventure of February 1792, namely Crawford, Lewars, Penn and Rankine (three of whom were later involved in divorce proceedings as defendant and witnesses); those mentioned in his letter of 1 : 1 : 1790 from Ellisland to Dr. James Anderson, agricultural writer and editor of *The Bee*, Edinburgh, namely Lewars, Thomson, Penn and Marques, as subscribers to the first copy ; and others mentioned in *Burnsiana*, as previously defined (Vol. VI, no. 1 page 16.) The following brief information is given about some of those not mentioned by name in *Burnsiana*—

William Craig ; Annan 1789 to 1792 ; d. 1817.

John McCulloch ; Lochmaben 1790, Lockerbie 1803 till d. 1817.

James Hosack ; Dumfries 1st Itinerant 1793 to 1796 ; d. 1837.

John Grant ; Dumfries 1st Itinerant 1792-93 ; resigned 1798.

Wm. Johnston ; Dumfries 3rd Footwalk October 1789 to August 1790, when he retired and Burns took over from him ; d. 1804. widow Elizabeth Rodgers drew annuity till 1807.

John Brown ; Dumfries 1st Itinerant August 1791, 3rd Itinerant May 1792, Tarbolton October 1792, invalided out 1793 ; is " Dr. Brown the devil killer " of Kay's *Edinburgh Portraits*, which has some pages about him and his idiosyncracies ; went through the siege of Gibraltar, 1779-83, as a gunner ; composed a doggerel poem " Hunger him out the gauger," a vituperative outburst against his old colleagues ; about 1805 he was giving much trouble to the authorities in Aberdeen, Airdrie and Greenock by his allegedly blasphemous and seditious speeches ; d. about 1822. Kay's *Edinburgh Portraits* ; *Greenock Advertiser* 3. 7. 1805 and 9. 10. 1805.

George Gray ; he and Burns exchanged divisions in 1792 ; he had been in office since 1772, mostly in Dumfries ; d. 1810 age 74 ; widow Mary Armstrong drew annuity till 1824 ; children William excise officer Dumfries 1800 to 1818, George writer, Margaret Young, Agnes, Jannet and Mary ; in 1792 " a good officer, courts popularity." (Tombstone St. Michael's, Dumfries—" the whole tenor of his life was unblemished"—*Memories of St. Michael's* by McDowall, Dumfries Testaments and parish register, Scots Magazine 1807 and 1810.

John Mitchell ; the only ground for supposing that he was known to Burns is an assertion in S. Weir Mitchell's book quoted below ; officer from 1758, mostly in Ayr, where he d. in retirement in 1812, age 80 ; married Agnes Tait 1760 in Kelso, probably daughter of Alexander Tait excise officer and Agnes Thomson ; children Elizabeth 1763, John 1765, Alexander 1766, Susannah 1768, James and William 1772 and Spencer Cochrane 1775. S. Weir Mitchell, a great grandson, erroneously claims that this John Mitchell, the parents of these children, was the Collector of Dumfries but goes on to say " I know from family letters of the descendants of my great-uncle William that Burns was often at the house of my great grandfather, who lent him money from time to time. It is also known that when in despair he proposed to emigrate to America, he was not only persuaded not to go by Blacklock, the blind poet, but was then substantially assisted by my ancestor." John Mitchell was a cousin of John Loudon Buchanan, the famous road designer, whose mother, Susannah, was daughter of John Cochrane of Waterside and cousin of Thomas Cochrane excise commissioner and later Earl of Dundonald. From this and other evidence it may be inferred that the exciseman was the son of another John Mitchell and Elizabeth, eldest daughter of this John Cochrane. A grandson, John Kearsley Mitchell (1793-1858), was an eminent American doctor and his son, Silas Weir Mitchell (1829-1914), LL.D. Edinburgh, had a distinguished career as a doctor, poet and author in Philadelphia. There are probably still descendants of the exciseman's sons Alexander, William and Spencer Cochrane in New England, on the Pacific coast and elsewhere in America. See also note below on Wm. Penn who m. daughter Elizabeth. (A brief history of two families, the Mitchells of Ayrshire and the Symons of Cornwall by Silas Weir Mitchell, Philadelphia, 1912 ; parish registers Yetholme, Kelso and Ayr ; Ayr Advertiser 6 : 2 : 1812 ; Scots Magazine 1812 ; Greenock Advertiser 1 : 2 : 1805 ; Ayr sasines 5 : 9 : 1729 and 14 : 12 : 1732 for Cochranes ; Dictionary of American Biography for two Mitchells and Encyclopaedia Britannica for S. Weir Mitchell.)

George Wishart ; officer in Dumfries 1756 till retired July 1789 age 60 and lived there till d. 1810, when the Scots Magazine said of him " A

very inoffensive and honest man. He has bequeathed to the hospital a park in the immediate vicinity of the town containing about 3 acres of land and which is most certainly a magnificent donation to that useful institution as it may be valued at nearly £600 ;" a retour of 1820 shows that he was son of a Dumfries gardener and that his heir was his cousin's son, James Taylor, Esq., of Ellisland.

In the remaining notices the arrangement followed is as before (Vol. VI, page 16) i.e., for each person comes first in brackets a brief reference to what is said in Burnsiana, as previously defined, then the results of recent investigations followed, again in brackets, by authorities other than excise records, for these results. It should be noted that in many cases the officers named may have served some years in the department as "expectants," Burns himself was never an expectant or supernumerary, but joined directly as an officer.

Walter Crawford ; (Crawford when a riding officer at Annan kept a journal in January and February 1792 describing his activities up to the capture of the 70-ton smuggling schooner Rosamond near Browhouses on the upper reaches of the Solway on 29 : 2 : 1792. From the information in the journal Lockhart has given a somewhat theatrical version of Burns' part in the capture, which gained wide credence as well as some criticism until extracts from the journal were for the first time published in the Scotsman of 11 : 11 : 1932 and the Burns Chronicle of 1934. Even so late as 1951, however, a "Life of Burns" followed the Lockhart version, saying :—

Burns "waded sword in hand through the waters of the Solway to subdue a crew of smugglers more numerous and better armed than the men at his own back." Evidently Crawford's account deserves greater publicity. He claims to have boarded the vessel alone on 28 : 2 : 1792 and then saw that the crew numbered 24 and were well armed, so he sent Lewars the 26 miles to Dumfries and himself went to Ecclefechan to bring reinforcements. The next day, having assembled 44 well equipped dragoons, and having also the help of excise officers Burns, Lewars, Penn and Rankine, he decided to attack. Three columns were formed, headed respectively by the Quartermaster, Burns and Crawford, and these waded out, sometimes up to the breast in water, to the boat lying stranded some distance from the shore. The ship's guns could not be brought to bear on the boarding parties; when the latter were within a hundred yards of the ship the crew jumped overboard and decamped across the sands to the English coast. The ship was found to be almost empty except for some carronades and her tackle—see also original ms. of Crawford's Journal in the National Library.' Officer Edinburgh 1790, Dunfermline 1793, Culross 1795, St. Andrews 1800 to 1810;

d. in Fife 1814. As a soldier in the South Fencibles he married Jean McLaren of Edinburgh 1782; in 1793 she secured a divorce, testimony about Crawford's promiscuity having been given by Lewars and Rankine; in jail for debt in Edinburgh three weeks in May 1793; m. again 1803 Margaret Arnot, who drew a widow's annuity to 1824; in 1792 "but middling," age 30, so was younger than Burns and junior in service; Lockhart calls him "superintendent;" there was no such rank in Excise; as riding officer he ranked as officer and was never promoted above this rank. (Edinburgh marriages, Consistorial Processes and Decrees 1793.)

James Findlay; (Burns' excise instructor in 1788 and same year m. Jean, "the divine Miss Murkland," one of the "Mauchline belles" and daughter of George Murkland, merchant in Mauchline; Findlay was thought to be the hero of "wha is that at my bower door," but this is denied by W. B. Campbell in *A Burns Companion*, 1953). Officer Ayr 1786, Tarbolton 1787, Ayr 1789; tide surveyor Greenock 1812 (part of the period at Greenock commanded an excise boat); retired on pension £150 a year 1825; d. 5:4:1834 at Greenock, "much respected by all who knew him;" b. 1755 Carmunnock, Lanarkshire, evidently son of John Findlay there; the *Greenock Advertiser* has various references to him — seizures of contraband spirits in April and May 1808, 1814, 1816, and March and December 1817; deaths of his son George in 1817 at Kingston, Jamaica, of himself as above, and of his only surviving son Alexander Murkland at Gourock in 1839, age 33. (*Greenock Advertiser*, parish registers of Carmunnock, Tarbolton and Mauchline.)

John Gillespie; (unsuccessful suitor of Jean Lorimer, Burns' "Chloris;" with Burns' letter to him of about 1791 a poem was enclosed and mention made of Lewars and Thomson as the great rivals for Miss Jeany. The poems "Craigietoun Wood" and "Oh Poortith Cauld" are supposed to have been written for him—see *De Lancey Ferguson and Silences that speak* by Pitcairn Anderson.) Supernumerary Dumfries June 1791; officer Woodhouse (near Gretna) November 1791, Gatehouse 1793, Portpatrick 1793, Cumnock 1808; retired 1808; in 1792 "a good officer," age 29; son of James G., junior, merchant, Portpatrick who was probably son of James G., shipowner, Stranraer and Helen Agnew; with wife Mary Stevenson acquired property in Portpatrick in 1805 and in Stranraer in 1809; Crawford's journal for 9:2:1792 shows that he had been out with Gillespie to learn the residence of the smugglers and the roads frequented by them. (Wigton sasines, the *Journal of Walter Crawford*.)

James Graham; (Burns' letter of 25:4:1795 to John Edgar, accountant in the excise office, is an explanation for a defect in the returns due from him as officiating supervisor—he explains that the culprit was James

Graham, officer of Sanquhar, who had not promptly complied with Burns' request to send the returns at once —see Annandale.) Supernumerary Dumfries 9:9:1788; officer Sanquhar 6:6:1789, Bridgend (Maxwelltown, Dumfries) 1800; retired on pension £32 a year 1810; d. 1834; in 1794 (not 1792) age 32, 3 of family; widower from 1807 or earlier.)

John Lewars, junior; (Findlater and Lewars were Burns' closest friends in the excise; was the exciseman of "The deil's awa' . . .;" mentioned in letters of Burns—1:11:1790 to Dr. James Anderson re The Bee; February 1794 to an Edinburgh bookseller referring to the exertions of Mr. Lewars, "a young man I once introduced to you;" 17:5:1796 to Mr. Thompson, sending the poem "Jessy" (Lewars), "a young fellow of uncommon merits; by far the cleverest fellow I have met with in that part of the world. His only fault is D-M-cratic heresy;" lived with his sister Jessy in a house in Mill Brae or Vennel, Dumfries, opposite Burns', whose children were sent to stay with the Lewars during the poet's last illness, in which Jessy Lewars played the part of a "ministering angel." For Lewars' part in the Rosamond affair and after, see Crawford above and for his affection for Chloris see Gillespie. For some time he rented the farm of Lauder in Caerlaverock and ultimately retired to Ryedale Cottage, Troqueer, where he d. September 1826; m. Barbara Howe, Gretna in 1799 and had a son John d. abroad unmarried and daughter Bessie (Elizabeth Garthwaite) who m. 1827 William Montgomery, farmer, Urr, leaving sons Andrew, Hugh and William; he was the son of John Lewars, supervisor of excise, Dumfries, who d. a few months before Burns entered the excise; Jessy Lewars m. James Thomson, writer, Dumfries, and d. 1855, age 77; she was the subject of many poems written by Burns in 1796, including "Oh wert thou in the cauld blast." Chambers mentions an incident in Dunscore where Burns and Lewars had made a seizure of smuggled tobacco. The Rev. Char. Rogers in *The Book of Robert Burns* (1889) gives a good deal of information about the family.) Officer Denny 1790, Dumfries 2nd Lieutenant 3:6:1790, 1st Itinerant 1799 till retired 1807 when about to be a supervisor; reason for retirement not known but perhaps it was to farm in Caerlaverock; resumed as supervisor Kincardine on Forth 1817, Linlithgow 1817, Dunkeld 1818, Inverary 1818, Montrose 1819, Dumfries 1820; retired on pension £160 a year October 1824; d. 1826 age 57; son John Kerr b. 1800 and appointed expectant in 1828. In 1819 Lewars and his son and another expectant were attacked when trying to arrest a smuggler; Barbara Howe drew widow's annuity till after 1828; Joseph Train says he got from Lewars or his widow the ms. containing an account of Burns' purchase of four carronades in 1792—and these papers he handed to Sir Walter Scott. I have not been able to trace Lewars' birth though the following births of children of John

Lewars, senior, and his second wife Mary Aird have been noticed in parish registers—Margaret 30:9:1760 at Kirkcaldy, Jean 24:12:1761 at Kilmarnock, Agnes 23:9:1763 at Kirkcaldy, Helen 22:1:1765 at Kirkcaldy, Mary 17:12:1766 at Old Meldrum and James 19:3:1755 at Falkirk. Jessy may have been born in Linlithgow, where her father was supervisor from May 1770 to July 1780. There was an Alexander Lewars in the excise from 1770 till he d. in 1776, son of a John Lewars, and he might very well have been the half brother of the deil-borne exciseman. (Parish registers; tombstone St. Michael's, Dumfries; Memorials of St. Michael's by McDowall; Consistorial Processes and Decrees 1793; correspondence of Joseph Train, ms. in National Library of Scotland—he succeeded Lewars as supervisor Dumfries in 1824; letter to Scotsman 11:11:1932; the Journal of Walter Crawford.)

John McQuaker; (In January 1794 Burns wrote to commissioner Robert Graham proposing as a measure of economy that the 2nd Dumfries division be absorbed by two neighbouring divisions, adding "if my plan takes, let me recommend to your humanity and justice the present officer of the 2nd division. He is a very good officer and is burdened with a family of small children which, with some debts of early days, crush him much to the ground." This was John McQuaker—see Annandale and De Lancey Ferguson. Burns was evidently not lacking in professional initiative, but the spectacle of an excise officer making such proposals direct to the highest authority is surely one at which a modern civil servant would look askance.) Supernumerary Ayr 1774; officer Irvine 1776, Mauchline 1776, Lanark 1780, Burntisland 1781, Inverkeithing 1786, Kennoway 1787, Dumfries 3rd Itinerant 24:10:1788, Dumfries 2nd 6:7:1789, Prestons 1803 till d. 1811; in 1792 "middling good," age 41, 7 of family; he remarried in 1803 and his widow, Ann Chalmers, drew annuity till after 1828; in 1801 he applied unsuccessfully for his son John to be admitted to the excise.

Hugh Marques; (Burns' letter of 1:11:1790 re subscription to the Bee.) Supernumerary Dumfries 1:9:1790; officer Woodhouse (Ecclefechan-Gretna) 24:12:1790, Glasgow 1791, Edinburgh 1796; supervisor Dunblane 1809, Dalkeith 1809; port surveyor Leith 1814; retired 1827 age 62 on pension £160 a year, d. 1846; in 1792 "an active officer" and in 1793 "honest, active and capable;" perhaps married 1793 but shown as bachelor 1807 to 1828; other Marques' in Scottish excise were Alexander 1803-08), Archibald (1814-15) and William (1810-41), who was latterly a collector, also John Marquis (1825-34).

Andrew Pearson ; (Burns' letter January 1794 to commissioner Robert Graham—in which he proposed the abolition of Dumfries 2nd division, see McQuaker above—"for further information on the subject permit me to refer to a young beginner whom you lately sent amongst us—Mr. Andrew Pearson, a gentleman that I am happy to say, from manners, abilities and attention, promises indeed to be a great acquisition to the services of your honourable board.") Second clerk in the office of Secretary, Excise, 1789 till d. unmarried 2 : 8 : 1823 age 50 ; it is not clear why he was in Dumfries in 1794 ; his father, from a brewing family in Linkton, Kirkcaldy, held the important post of secretary, excise, jointly with an aged colleague born 1705 ; his elder brother David was principal clerk to the Secretary ; his mother was a daughter of Rev. David Balmain of Westerkirk, Dumfriesshire and her only brother had risen in the excise to be commissioner 1785-87 ; his cousin, Catherine Balmain, m. 1793 the Hon. Fletcher Norton, a Scottish baron of Exchequer and son of Lord Grantley, ex-speaker of the House of Commons. (Tombstone, Cannongate, Edinburgh ; History of Society of Writers to the Signet ; Greenock Advertiser 12 : 8 : 1823 ; Fasti II 240, Scots Magazine 1789, Retours 1825 ; Fife sasines 1802 and 1824 ; Edinburgh sasines 1796, 1817 and 1818.

William Penn ; (with Lewars and Marques mentioned in Burns' letter of 1 : 11 : 1790 ; for his part in the Rosamond affair see Crawford above.) Collector's Clerk Ayr 1777 to 1781 ; supernumerary Ayr 1786 ; officer Paisley 1786 ; collector's clerk Dumfries 1788 ; officer Bridgend (Maxwelltown, Dumfries) 1789, Dumfries (succeeding Burns) 1796 ; d. 1799 ; in 1792 "a good officer," age 32, 5 of family ; in 1786 m. Elizabeth daughter of John Mitchell excise officer Ayr above, she d. 1848 in Glasgow and was then recorded as Elizabeth Kearsley, the name of her sister-in-law in America ; S. Weir Mitchell's book quoted under John Mitchell above says Penn was thought to be the son of a Dumfries solicitor and I assume the allusion here is to the Matthew Penn who in 1796 sent Burns a tailor's bill for the volunteer uniform ; children Agnes 1787, Margaret d. young, Matthew and Elizabeth Kearsley ; "William Penn the father, as I gather from two letters, was intimate with Burns. They were in the habit of walking together accompanied by a dog who wore on his collar 'Robert Burns poet his dog.'" Agnes m. William Sherwood, actually one of the Symons of Hatt in Cornwall, a family traced back to 1498 and still existing ; Major-General Wm. Penn Symons, 1843-99, was a grandson ; Elizabeth married a Hamilton of Dunfillan and they emigrated to Canada, a descendant in 1912 being J. W. Hamilton in Minneapolis ; these Penns may have come from Liverpool as they are not traceable in Dumfries parish records and in 1805 Agnes visited a Miss Penn in Liverpool, an aunt. (Paisley Abbey parish register ; Glasgow

Herald 16:6:1848; burial register St. David's Glasgow 1:6:1848; S. Weir Mitchell's book quoted under John Mitchell officer above; DNB supplement for Maj.-General Symons; BLG 1952 for Symons of Hatt.)

John Rankine; (see Crawford above for Rankine's part in the Rosamond affair of 1792 and the divorce proceedings of 1793.) Supernumerary Dumfries 20:2:1792, i.e. a week before he was called out with Burns, Lewars and Penn in the Rosamond affair; officer Edinburgh 5:4:1792; supervisor Dalkeith 1799, Paisley 1800, Musselburgh 1803, Port Glasgow 1804; retired Leith 1810 on pension £60 a year; d. after 1817; in 1792 "a good officer" age 30; remained unmarried; son of John McCrankine who was son of James McCrankine weaver Maybole; another John Rankine in the excise from 1739 was nominally supervisor Dumfries from 1789 till his death on 4:3:1791, while Alexander Findlater officiated for him. (Ayr sasines 1802, 1805 and others.)

Leonard Smith; (Burns' letters of 10:5:1788, 23:9:1788 and 31:7:1789 to commissioner Robert Graham of Fintry were pleas to be allowed to take up excise duties in the district in which his farm was situated, and so displace Smith, who lived in a farm near Ellisland; he urged that Smith, a "wealthy son of good fortune," had been left some legacies and was quite opulent, and so a removal would do him no harm; these requests were granted and Burns started in this division on 7:9:1789—De Lancey Ferguson.) Officer Dumfries 1778, Glasgow, 1786, Dumfries 1787, Ochiltree 1789, left without authority and was suspended 1790, officiating appointments in Dumfries 1793 to 1795; restored Lochgelly 1796; discharged 1796; in 1792 "pretty good, drinks," age 38; m. before 1786 Henrietta, b. 17:1:1762, one of the seven daughters of the Rev. Andrew Beveridge, minister of Caerlaverock parish and of Jean (d. 1778) daughter and heiress of Alexander Ferguson of Fourmerkland; it may be that Smith's "opulence" was derived from the estate of his wife's mother; in 1800 petitioned the Board to be reemployed but the petition was rejected; Smith died before 1805, and his wife before 1821, when their daughters Jean, Margaret Fleming and Catherine became heirs portioners of Stepford in Holywood parish, Dumfries-shire, but on the death of Jean, the last of these, about 1828 the property passed to Smith's cousin, Lieutenant William Smith in Thornhill; the 1786 testament of Margaret Beveridge mentions Smith, her brother in law, as then in Isle, presumably in parish Kirkmahoe. (Dumfries Testaments, Dumfries Abridgements of Sasines 1790 to 1830, Retours 1827 and Fasti II 259, which does not mention Smith as Henrietta's husband; Smith is also mentioned in the Consistorial Process in which Samuel Colvin in 1790 unsuccessfully sued for a declaration that he was the husband of Smith's sister in law, Isobel.)

Adam Stobie ; (" It is certain that the duty, necessary we presume, for keeping up the reduced pay, was all the time performed out of kindness for Burns, by a young expectant of excise named Stobie ; to whom, therefore, in reality the gratitude of those who love the memory of the bard must be considered as chiefly due"—Chambers. This relates to the time when Burns was off duty during his last illness, when his pay would have been reduced but for Stobie's self sacrifice in carrying out the duties of the post without extra remuneration—see also Burns, excise officer and poet by John Sinton, 1897). Officer Glenluce, Gatehouse and Newton Douglas 1793-94, supernumerary Dumfries 1794-95, Dumfries 3rd Itinerant 3 : 11 : 1795, Queensferry 25 : 8 : 1796, Dunfermline 1800, St. Philip 1804, Carron, 1807, Edinburgh 1808, Pinkiepens and Fisherrow 1811, d. 13 : 4 : 1820 age 49 and buried in Inveresk churchyard ; m. Agnes Brown who drew a widow's annuity till after 1828 ; children Janet b. Queensferry 1799 and Mary and John b. Dunfermline 1800 and 1802. The Rev. J. M. Webster in his *History of Carnock* (1938) makes a notable contribution to our knowledge of Stobie and his forbears. The family had been portioners of West Luscar in Carnock parish, Fife, from about 1550, when John Stobie was laird. There followed three Adams in direct succession. The second of these Adams was a redoubtable covenanter who, during the killing times, was on different occasions fined, sentenced to banishment and again to transportation to Virginia (a fate from which he seems to have escaped by accident) for having attended conventicles and been present at Bothwell Brig ; his wife was a granddaughter of the Rev. John Row, an early historian of the Church of Scotland, and Adam Stobie, the exciseman, was great great grandson of the covenanter. This exciseman's father, John Stobie, was also an exciseman from 1776 till 1804, when he was " put on the charity," i.e. invalided out on a small annuity ; he d. in 1818. One of his daughters, sister of exciseman Adam, was mother of the Rev. Gavin Lang of Glasford parish, grandmother of Principal Marshall Lang of Aberdeen University and great grandmother of Archbishop Lang of Canterbury and of Dr. Lang, a Moderator of the Church of Scotland. Adam's younger brother James Raeburn Stobie was also an exciseman but after marriage left the excise, developed shipping interests and was lost with his ship in the Mediterranean.

It is of interest that two of Burns' colleagues, friends and benefactors, Collector John Mitchell and officer Adam Stobie, are buried in Inveresk parish churchyard and that there is no monumental inscription to commemorate either of them. (*Parish Registers of Queensferry, Dunfermline and Inveresk and History of Carnock* by the Rev. J. M. Webster, 1938.)

Archibald Thomson; (apparently one of the suitors of "Chloris," see Gillespie above; mentioned in Burns' letter of 1 : 11 : 1790 on subscriptions to the Bee.) Supernumerary Dumfries 10 : 3 : 1790; took over from Burns Dumfries 1st Itinerant division on 1 : 9 : 1790 but held it only to 12 : 5 : 1791 when he was discharged; he was then recorded as "slow, requires spurring," age 29, single.

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J. F. MITCHELL.

REVIEW

Scottish Family Histories held in Scottish Libraries—compiled by Joan P. S. Ferguson (published by The Scottish Central Library—pp. 194. Price 21/-)

In this book the works listed are alphabetically arranged by family name, subdivided into branches and set out with a simplicity and clarity that makes it an easy book to refer to. It is over thirty years since Stuart & Paul's valuable list of Scottish family histories appeared, and this volume records not only the many new works printed but also the histories which have emerged since that time.

As is made clear in the prefatory note, the catalogue is restricted to printed books and pamphlets but does not include the very extensive holdings of the National Library of Scotland or the holdings of the Edinburgh University Library contained in a three volume printed catalogue of that Library of 1918-1923. It is, however, the assembling and ordering in one list of family histories held in 76 libraries, urban, county, university, and institutional.

Sir Thomas Innes of Learney in his introduction, after offering advice to those starting out to write a family history of their own, commends the book as a necessary work of reference to all so minded and a boon to many searchers. For anyone to whom time is money this book is a money saver, or in financial jargon an investment with a high yield and of blue chip quality.

HERALDIC CEILINGS AT PITFIRrane HOUSE, FIFE

by DUNCAN McNAUGHTY

PITFIRrane near Dunfermline, Fife, was for centuries the mansion of the Halkett family, now died out in the male line. On the death of Miss Madeline Halkett in 1951, the house and grounds were purchased by the Dunfermline Carnegie Trust, and now form the clubhouse and course of the Dunfermline Golf Club. While there appears to have been a mansion on the site in the early 15th century, the main buildings of the present day date largely from the end of the 16th century, though the central keep is probably older. Two armorial ceilings decorate the dining-room and what was the Blue Drawing room. They are comparatively modern having been painted by the last baronet Sir Peter Halkett just after his marriage in 1856, no authoritative description has survived apart from two sketches by the late Miss Halkett which are not detailed. The following account therefore attempts to give as full a description as possible.

The authority followed in planning the original work was obviously that of the Douglas Baronage and Peerage and reflect the errors of these works. Unfortunately no authentic family history has come down to us, though Chalmers in his history of the family in his "Dunfermline" mentions a genealogical treatise in the possession of the family which has not survived the dispersal of the library. It cannot be traced in the family papers in the National Library.

The Halketts of Pitfirrane stemmed from Philip de Hacet of Lumphinnans in Fife and Ballingall in Kinross in the 14th century. A third of Pitfirrane and Lumphinnans were held from the family of Lochore, with whom Philip was connected by marriage. A further third was acquired in 1399, and Philip's son David was the first to be designated "of Pitfirrane." The remaining third was acquired from the abbey lands of Dunfermline at the Reformation in 1560. In addition much of the adjoining land was acquired throughout the centuries.. The direct male line died out with Sir James Halkett in 1705, when the name and estates were assumed by Sir Peter Wedderburn of Gosford in the right of his wife Janet, sister of Sir James. Again the name and estates passed to the Wedderburns in 1779, in the person of Sir John Wedderburn, descended from Elizabeth Halkett, sister to Janet, who had married Sir Henry Wardlaw of Pitreavie, and whose daughter Mary had married Charles Wedderburn of Gosford. Sir Peter Arthur Halkett who died in 1904 was the last male representative of this family.

The Wedderburns of Gosford were descended from the family of Wedderburn, long associated with Dundee. Sir Peter Wedderburn the founder of the Gosford branch was the third son of James Wedderburn, Clerk of Dundee, and Margaret Goodman. Sir Peter, with the help of his uncle, physician to Charles II acquired the estate of Gosford. The Douglas account of the origin of this branch is erroneous.

The ceilings consist of 36 shields in all, 25 in the Dining Room, and 13 in the Blue Drawing Room, with casts of the Rose of the Wedderburns and the Falcon of the Halketts appearing between each. The arms displayed are indicative of the family to which the person belonged rather than their right to display the particular coats. The following descriptions are numbered from left to right from the door of each room.

The arms of the two families are repeated in the various shields, impaled, with those representing their respective wives.

Arms of Halkett of Pitfirrane : Sable, three piles conjoined in base argent, and on a chief gules a lion passant guardant or.

Arms of Wedderburn of Gosford : Ermine, a chevron between three roses barbed vert, all within a bordure azure

Authorities : The book of the Wedderburns (BW.)

The Pitfirrane Writs, Scottish Record Society (PW.)

The Douglas Baronage (DB.) The Douglas Peerage (DP.)

Chalmers' "Historical and Statistical Account of Dunfermline" (Chalmers.)

DINING ROOM

1. **Arms of Wedderburn, impaled Forrester** for James Wedderburn, b. circa 1500, d. at Dieppe circa 1553, eldest son of James Wedderburn c. 1450-1514, burgess of Dundee, and his wife Janet Barry, eldest daughter of David Forrester of Nevay. (BW I 58) Douglas states that he was an ancestor of the Gosford branch, but this is erroneous.

Arms of Wedderburn.

Arms of Forrester : Argent, three buffalo horns sable, stringed gules.

2. **Arms of Halkett, impaled Cunningham** for William Halkett of Pitfirrane d. 1500/01, grandson of David Halkett of Pitfirrane who married before 1484 Margaret, daughter of Alexander Cunningham of Polmaise and Auchenbowie, Sheriff of Stirling, descended from the Cunninghams of Kilmaurs. (PW 60. Nisbet I 193.)

Arms of Halkett.

Arms of Cunningham : Argent, a shakefork sable.

3. Arms of Wedderburn, impaled Ogilvie for Peter Wedderburn, Lord Chesterhall, 1693-1756, eldest son of Alexander, youngest son of Sir Peter Wedderburn, Lord Gosford, who married Janet, daughter of David Ogilvie, Captain 11th Dragoons, son of David of Inusto. The undifferenced arms of Ogilvie of Airlie are not appropriate here. (BW. I 401.)

Arms of Wedderburn.

Arms of Ogilvie (Airlie): Argent, a lion passant guardant gules, crowned with an imperial crown, and collared with an open one.

4. Arms of Halkett, impaled Lundy (Lundin) for Patrick Halkett of Pitfirrane d. 1573 who married (2) after 1560 Elizabeth, daughter of John Lundy of that ilk.

Arms of Halkett.

Arms of Lundy: Pale of Six, argent and Gules, and on a bend azure three cushions or.

There are a number of variations of the arms of Lundy prior to the reign of Charles II who allowed the use of the Royal arms in virtue of their descent from the Royal family of Scotland.

5. Arms of Wedderburn, impaled Lawson for David Wedderburn of Craigie, Dundee 1495?-1560, son of David Wedderburn, burgess of Dundee, who married Helen Lawson before 1534. Douglas connects her with the Lawsons of Humble, but this is incorrect. (BW. I 58.)

Arms of Wedderburn.

Arms of Lawson: Here—Argent a saltire azure, and on a chief of the last three gerbes or.

This is the same achievement of the Lawsons of Humble but the metals and colours are different.

6. Arms of Halkett, impaled Murray of Blackbarony for Robert Halkett of Pitfirrane eldest son of George Halkett and Isobel Hepburn, who married June 1595, Margaret, eldest daughter of Sir John Murray of Ettleston and Margaret Hamilton of Innerwick (Burke's Peerage 1959 p. 1632. PW. 348.)

Arms of Halkett.

Arms of Murray of Blackbarony: Or, a fetterlock azure, and on a chief of the last three mullets argent.

7. Arms of Liston of Humble, impaled Halkett for Robert Liston of Humble, Linlithgow who married January 1502/03 Margaret, daughter of William Halkett of Pitfirrane and Margaret Cunningham. (PW.)

Arms of Liston of Humble : No arms of Liston of Humble can be traced, but appear here as :—Azure, nine bezants, 3, 3, 2, 1.

Arms of Halkett.

8. **Arms of Halkett, impaled Murray for Sir James Halkett of Pitfirrane** who married (2) 1656 Ann, daughter of Thomas Murray, Provost of Eton, a son of Murray of Woodend, and Jane Drummond, who claimed descent from the Earls of Perth. Ann Murray was at one time governess to the children of Charles I and died in 1699 at the Abbot's House Dunfermline. (Chalmers.)

Arms of Halkett.

Arms of Murray (Tulliebardine) : Azure, a cross patee between two mullets argent, all within a double tressure, flory counter flory or.

The arms of Murray should also carry the badge of Nova Scotia, not shown here. These should not have been displayed for Ann Murray.

9. **Arms of Wedderburn, impaled Ramsay of Brackmonth for Alexander Wedderburn of Kingennie**, who married 1582 Helen Ramsay of Dundee. The arms of Brackmonth appearing here are due to an erroneous statement in Douglas that this was Helen Ramsay of Brackmonth. (BW. I 129.)

Arms of Wedderburn.

Arms of Ramsay of Brackmonth : Argent, an eagle displayed sable, beaked and membered gules.

The proper arms of Ramsay of Brackmonth should also display another eagle displayed on the breast of the first eagle. This is not shown here.

10. **Arms of Halkett, impaled Ayton for John Halkett of Pitfirrane** who married early in 1516 Elizabeth, daughter of Andrew Ayton, Governor of Stirling Castle and Master of Works to James IV. Elizabeth was the widow of Henry Bothwell of Urquhart. Andrew Ayton was of the family of Ayton of Dunmuir, now Ayton, Fife. The family assumed the arms of Ayton of that ilk shown here in the 18th century. Andrew's seal shows—Quarterly, 1 and 4, a chevron between two stars in chief, and a chevron in base. 2 Ayton, 3 an anchor. (Nisbet I 123. PW. 69.)

Arms of Halkett.

Arms of Ayton of that ilk : Argent within a cross engrailed four roses of the second, tipped vert.

11. **Arms of Halket of Pitfirrane.**

12. Arms of Wedderburn of Gosford and on an Escutcheon of Pretence the Arms of Halkett of Pittfirrane for Sir Peter Wedderburn of Gosford who assumed the name and arms of Halkett in 1705 on succeeding to Pittfirrane in right of his wife, Janet Halkett sister of Sir James Halkett. (PW. 675, 691.)

13. Arms of Wedderburn originally ascribed by the family to James Wedderburn of Blackness as the founder of the Gosford branch. This was based on an error in Douglas. The founder was Sir Peter Wedderburn, 3rd son of James Wedderburn of Kingennie. (BW. I 454.)

14. Arms of Halkett, impaled Hill for Sir Peter Arthur Halkett, the last baronet who married 1856 Elizabeth Anna Hill, eldest daughter of Captain Richard Kerwan Hill of St. Colombs, Londonderry and Margaret Halkett, daughter of Sir Peter Halkett and Ann Todd. (BW. I 390, 13.)

Arms of Halkett.

Arms of Hill: No arms of Hill of this family can be traced but appears here as:—Azure, three cats' heads cabossed or, and on a chevron of the second five arrow heads sable.

15. Arms of Wedderburn, impaled Wardlaw of Pitreavie for Charles Wedderburn of Gosford, 2nd son of Sir Peter Wedderburn and Janet Halkett, who married c. 1719 Mary, daughter of Sir Henry Wardlaw of Pitreavie and Elizabeth Halkett younger sister of Janet Halkett. (BW.)

Arms of Wedderburn.

Arms of Wardlaw of Pitreavie: Quarterly 1st and 4th. Azure three mascle or 2nd and 3rd. Azure three water bougets or.

16. Arms of Halkett, impaled Moray for Sir Peter Halkett who married before 1734 Lady Amelia Stewart, second daughter of Francis, 3rd son of the 7th Earl of Moray and Jane Elphinstone, 2nd daughter of John, 4th Lord Balmerino. (BW. I 380. DP. 504 Peerage of Scotland.)

Arms of Halkett.

Arms of Moray: Quarterly, 1st and 4th Or, a lion rampant gules within a double tressure (Scotland) all within a bordure compone argent and azure (Stewart of the Royal Family) 2nd Or, a fess cheque argent and azure (Stewart of Co. Down) 3rd Or, three cushions pendant within a double tressure gules, flory counter flory (Randolph, Earl of Moray).

These are merely indicative of the family connection and not the arms which would have been displayed by Lady Amelia.

17. **Arms of Wedderburn, impaled Hamilton** for Sir John Wedderburn of Gosford who married (2) Mary, daughter of the Hon. John Hamilton (2nd son of Thomas 6th Earl of Haddington) and Margaret, daughter of Sir John Home of Blackadder. Sir John Wedderburn assumed the name of Halkett in 1779. (PW. 718. DP. 319.)

Arms of Wedderburn.

Arms of Hamilton (Haddington): Quarterly 1st and 4th Gules, on a chevron between three cinquefoils argent, a buckle azure between two muchetors (spots of ermine), all within a bordure or, charged with eight thistles vert as the paternal coat of Hamilton of Innerwick, with a suitable difference. 2nd and 3rd Argent, a fess wavy between three roses gules, barbed and seeded proper as a coat of augmentation for the earldom of Melrose.

This should not be displayed for the daughter of a second son.

18. **Arms of Halkett, impaled Montgomerie of Skelmorlie** for Sir James Halkett who married c. 1649 Mary (Margaret) daughter of Sir Robert Montgomerie of Lochranza and Skelmorlie and Lady Anne Campbell, daughter of Archibald 7th Earl of Argyll. (PW. 568.)

Arms of Halkett.

Arms of Montgomerie of Skelmorlie: Quarterly 1st and 4th. Azure, three fleur de lis or, for Montgomerie, 2nd and 3rd three annulets stoned azure for Eglinton. Over all a sword in pale proper.

19. **Arms of Wedderburn, impaled Dickson** for Peter Wedderburn of Gosford who married c. 1653 Agnes, daughter of John Dickson of Hartree. Peter, later Sir Peter Wedderburn was the first of Gosford. (BW. I 369.)

Arms of Wedderburn.

Arms of Dickson: (Dickson of Bughtrig in 1672) Azure three mullets argent and on a chief as many pellets gules. (BW. I 369.)

20. **Arms of Halkett, impaled Conway** for Sir John Halkett 9th baronet, who married Amelia Ann Conway daughter of Colonel Conway of the family of Conway of Ragley, England. (Chalmers. BW. I 380.)

Arms of Halkett.

Arms of Conway: These cannot be traced in the English Records but are here:—Sable, two annulets gules on a bar argent, between two barrulets of the same.

21. **Arms of Halkett, impaled Fletcher** for Sir John Halkett who married (1) 1758 Elizabeth, daughter of Andrew Fletcher of Saltoun Lord Justice Clerk. (BW. I 387.)

Arms of Halkett.

Arms of Fletcher of Saltoun : Sable a cross fleury between four escallops argent.

22. **Arms of Halkett, impaled Hepburn of Waughton** for George Halkett of Pitfirrane who married July 1575 Isobel daughter of Sir Patrick Hepburn of Waughton and Margaret Lundy, daughter of William Lundy of that ilk. (PW. 213.)

Arms of Halkett.

Arms of Hepburn of Waughton : Quarterly 1st and 4th. Gules, on a chevron argent a rose between two lions (Hepburn) 2nd and 3rd three martlets gules (Gourlay)—used until 1604.

23. **Arms of Wedderburn, impaled Halkett** for the marriage of Sir Peter Wedderburn of Gosford and Janet Halkett, eldest daughter of Sir Charles Halkett of Pitfirrane and Margaret Murray July 1694. (PW. 628.)

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24. **Arms of Halkett impaled Lundy** as No. 5.

25. **Arms of Halkett impaled Conway** as No. 19.

26. **Arms of Halkett impaled Hepburn** as No. 22.

27. **Arms of Halkett impaled Stewart of Moray** as No. 16.

28. **Arms of Halkett impaled Hill** as No. 15.

29. **Arms of Halkett impaled Ogilvie of Balfour** for Patrick Halkett of Pitfirrane who married (1) before 1543 Marjorie, daughter of William Ogilvie of Balfour and Anne Durie, daughter of Durie of that ilk.

Arms of Halkett.

Arms of Ogilvie (Airlie) : Argent, a lion passant, guardant gules crowned with an imperial crown and collared with an open one.

30. **Arms of Wedderburn, and on an Escutcheon of Pretence the arms of Halkett of Pitfirrane** as No. 12.

31. **Arms of Halkett impaled ?** The arms shown here are stated in the late Miss Halkett's plan to represent a J. Halkett who married c. 1597 a Janet Wedderburn, but this cannot be traced. The only marriage of a J. Halkett at that time was that of John Halkett 2nd son of George Halkett who married Maria van Loon, a Dutch lady whose coat of arms is not known. Nevertheless the arms of Wedder-

burn seem to appear in the coat here viz.

Arms of Halkett.

Arms of : Quarterly 1st and 4th. Wedderburn 2nd argent pale engrailed azure, impaled argent a pallet azure. 3rd argent a pallet azure impaled argent a pale engrailed azure.

- 32. Arms of Wedderburn impaled Hamilton as No. 17.**
- 33. Arms of Halkett impaled Montgomerie of Skelmorlie as No. 18. The sword is omitted here.**
- 34. Arms of Halkett impaled Murray of Blackbarony as No. 6.**
- 35. Arms of Halkett impaled Murray for Sir Charles Halkett who married 1675 Janet daughter of Sir Patrick Murray of Dryden and Pitdlinnie and Mary Alexander daughter of William 1st Earl of Stirling.**
Arms of Halkett.
Arms of Murray : Azure, three mullets argent.
- 36. Arms of Halkett impaled Ayton as No. 10.**