

The Scottish Genealogist

THE QUARTERLY JOURNAL OF THE SCOTTISH GENEALOGY SOCIETY

CONTENTS

	Page
REGISTER OF MARRIAGES IN THE HOLY TRINITY EPISCOPAL CHAPEL, DUNFERMLINE, 1843-1854 ... <i>By D. McNaughton</i>	I
SCOTTISH STONE-MASONS IN TEXAS <i>By Donald Whyte</i>	4
QUERIES	6
THE ARMS OF MAXWELL OF CALDERWOOD ... <i>By Colin Campbell</i>	7
ENGLISHMEN IN THE SCOTTISH EXCISE DEPART- MENT, 1707-1823 <i>By J. F. Mitchell</i>	16
SUPPLEMENTARY CATALOGUE	28

By its 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, 21 Howard Place, Edinburgh, and subscriptions paid to the Hon. Treasurer, 21 Craigcrook Road, Edinburgh.

The Scottish Genealogist will be published quarterly. Subscription is 15/- (\$2.50) per annum (post free). Single copies are available from the Hon. Editor at 4/- (\$0.75) post free.

All material for publication must be sent to the Hon. Editor, c/o Messrs Shepherd & Wedderburn, W.S., 16 Charlotte Square, Edinburgh, 2, in a form ready for immediate use. MSS. must be fully referenced, signed and previously unpublished.

Publication in *The Scottish Genealogist* does not imply that all views therein are accepted or admitted by The Scottish Genealogy Society. Authors, and not the Society, are responsible for errors of fact.

All communications submitted should be accompanied by a stamped addressed envelope (or other means of return). Published matter will not be returned; but will become the property of the Society and filed for reference in the Library.

Reproduction from *The Scottish Genealogist*, in part or in whole, may not be made without permission.

REGISTER OF MARRIAGES IN THE HOLY TRINITY EPISCOPAL CHAPEL, DUNFERMLINE, 1843 - 1854

By *DUNCAN McNAUGHTON*

This chapel was founded in 1841 in Bath Street, now Pilmuir Street, Dunfermline, though the congregation did not much exceed 100 members. A register of marriages begins in 1843, and a register of deaths in 1848. The register of baptisms, begun at the same period, is still in use.

REGISTER OF MARRIAGES

- | | | |
|------|----------------|--|
| 1843 | October 24th | Thomas Dick, jun., merchant, Dunfermline, to Mary Anne, Morman, residing at Pitfirrane.
Edward Birch Field, Incumbent. |
| 1847 | May 16th | John Fulton, weaver, Dunfermline, to Anne Thomson, residing in Dunfermline. |
| | September 29th | Frederick Rogers, Esq., of St. George, Hanover Square, London, to Georgiana Mary, daughter of Andrew Colville of Ochiltree, Esq., by J. Marindin, Rector of Bacton Wester, Dorset. |
| 1849 | February 5th | Michael Bohane, Preventive Officer, North Queensferry, to Ann Harskine, by Wm. Bruce, Incumbent. |
| | December 17th | George Woods, labourer, and Isabell Anderson, both of the parish of Dunfermline, by Wm. Bruce, Incumbent. |
| 1851 | January 13th | Thomas Fairhall Hudson and Mary Ann Maule, both of the parish of Carnock, by Wm. Bruce, Incumbent. |
| 1852 | March 8th | George Fletcher, Riddler in the Iron Works, and Caroline Yardley, both of the parish of Dunfermline, by Wm. Bruce, Incumbent. |
| | Christmas Day | John Walker, millman, and Mary Ann Crowther, both of the parish of Dunfermline, by Wm. Bruce, Incumbent. |
| 1853 | July 18th | William Henry Rogers, labourer in Malleable Iron Iron Works, and Susannah Crowder, both of the parish of Dunfermline, by Wm. Bruce, Incumbent. |

REGISTER OF DEATHS, 1848-1854

of the Holy Trinity Episcopal Chapel, Dunfermline

- | | | |
|------|---------------|--|
| 1848 | September 8th | Robert Boyle, son of Widow Boyle, aged 3 years. |
| | September 9th | Elizabeth Jane Gray, infant daughter of Mr Robert Campbell, Ironfounder. |

	October 29th	Richard, son of George Joyce, weaver, New Row, Dunfermline, aged 5 years. (Fever.)
	November 5th	Jane, daughter of George Joyce, weaver, Dunfermline, aged 9 years. (Fever.)
	November n.d.	Henry, son of Mr Henry Orr, Ironmonger, Chapel Street, Dunfermline, aged 2. (Fever.)
	November n.d.	Isabella Dixon, infant daughter of Mr H. Orr, Ironmonger. (Fever.)
1849	February 1st	Rebecca, wife of James Ashcroft, flaxdresser, Dunfermline, aet. 51. (Dropsy.)
	June 19th	—— infant of —— Maburn (blank in MS.), labourer at the Malleable Iron Works, Dunfermline, labourer.
	August 8th	Janet, daughter of Thomas Robertson, Manager of Fordel Colliery, aet. —— . (Consumption.)
	September 11th	Mr James Grier, sen., Manager of Lord Elgin's Colliery, Baldridge House, aet. 62. (Dropsy.)
	December 3rd	Robert, infant son of James Cadden, shoemaker, Pittencrieff Street. (Teething.)
	October 31st	John Campbell, late weaver —— a pauper in Dunfermline Poor House, aet. 78. (Old age and diarrhoea.)
1850	February 10th	Dorcas Young, widow of Sergeant McKay, Gibb Street, Dunfermline, aet. 73. (Dropsy etc.)
	February 18th	Charles, infant son of Charles Young, labourer, in Dunfermline Iron Works.
	April 22nd	George Joyce, carpet shoemaker, New Row, Dunfermline (late weaver), aet. 30. (Asphyxia.)
	June 7th	Mary Ann, wife of Hugh Lavery, weaver, Woodhead Street, Dunfermline, aet. 53. (Cancer.)
	December 14th	John, infant son of John Doherty, weaver, from Dundee, in lodgings, North Chapel Street. (Croup.)
	December 31st	James, son of James Henderson, weaver, Baldridgeburn, Dunfermline. (Gastric Fever.)
1851	June 4th	Mary Ann, daughter of Thomas and Caroline Corsen, labourer in Dunfermline Malleable Iron Works, aet. 1 year.
	June 12th	Moses Henry, son of Edward and Mary Ann Medlicott, labourer in Malleable Iron Works, aet. 1 year.
	June 14th	John, infant son of Thomas Dick, jun., Yarn merchant, Knabbie Street. (Diseased liver.)
	August 15th	John, infant son of George and Maria Hart, labourer in Malleable Iron Works.

	November 6th	Sarah, wife of Thomas Knott, labourer in Malleable Iron Works, aet. 48. (Obstruction of bowels.)
1852	January 2nd	Elizabeth, wife of James Cadden, shoemaker, Pittencrieff Street, aet. 43.
	January 11th	William Bruce, son of John Walker, flaxdresser, Baldrige Burn.
	February 18th	Henry, son of Henry Hubbal, labourer in Malleable Iron Works, aet. 17 months.
	February 19th	George, son of George Thomson, hawker, Baldrige-burn, Dunfermline, aet. 2. (Water on head.)
	April 19th	Jane, daughter of the late Mr James Grier, manager of Elgin Colliery. (Cancer.)
	August 25th	Sarah, the wife of John Gillespie, High Street, Dunfermline, aet. 41. (Decline.)
	October 15th	Isabella, daughter of Thomas Dick, jun., Yarn Merchant, Dunfermline, aet. 3. (Water.)
1853	August 23rd	Ann, infant daughter (illegitimate) of Ann Joyce, widow, Nethertown, Dunfermline.
	October 16th	Isobel, daughter of John Macdonald, Procurator Fiscal, Dunfermline, aet. 11. (Gastric fever.)
	November 22nd	Matthew, son of Caleb Scarf, labourer in the Malleable Iron Works, Dunfermline, 4 yrs. 7 m. (Diseased liver.)
	November 23rd	Jane, daughter of John O'Neill, collier, Forth Iron Works, Oakley, 2½ yrs. (Water on brain.)
	November 3rd	Jane, widow of Richard Joyce, Nethertown, Dunfermline, aet. 65. (Dropsy.)
	December 2nd	Sarah, wife of ———— Monro, gardener, Torryburn. (Dropsy.)
	December 31st	Nancy, daughter of James Miles, labourer in Malleable Iron Works, Dunfermline, aet. 2. (Smallpox.)
1854	January 21st	Mary, daughter of James and Eliza Collie, labourer in Malleable Iron Works, aet. 2½ yrs. (Smallpox.)
	May 3rd	William Alexander Hunt, late of the Stamp Office, Dunfermline, aet. 79. (Heart disease.)
	September 24th	George, son of Widow Joyce, Nethertown, Dunfermline, aet. 4. (Bowel complaint.)
	October 2nd	George William, infant son of George Barclay, Sheriff Clerk, Dunfermline, 2 months. (Water in head.)

SCOTTISH STONE-MASONS IN TEXAS

In a country so vastly peopled as the United States of America, it would be extremely difficult, if not impossible, to determine the extent of Scottish influence, but it is considerable. Scots pioneers manned new settlements, were among the first to declare for Independence, played a major role in the Revolutionary struggle, and had a significant influence on the Constitution.

A booklet entitled *Scottish Contributions to the Making of America*, published in 1950 by the United States Information Service, relates that at least ten of the Presidents who have succeeded Washington, were of Scots or Ulster-Scottish lineage. In addition at least six Vice-Presidents and more than 150 cabinet members have stemmed from Scotland or her kinfolk in Ulster. About half the Secretaries of the Treasury could be named as of Scottish descent, and nearly a third of the Secretaries of State. The voluminous *American Dictionary of Biography* contains the names of numerous Scots who distinguished themselves in the country of their adoption.

Apart from the famous, however, there have been many more who, as artisans, have contributed to the history of the United States. The present article concerns a group of Scottish stonemasons, who emigrated to Austin, Texas, in the 1880's. The mighty south-west could have welcomed these workmen warmly, for Scots had already won places in Texas history. Sam Houston, of Ulster-Scottish descent, won Independence from Mexico in 1836, and became President of the Republic. When the territory was admitted to the United States in 1845 by President James Knox Polk—who had good Scottish blood lines—Houston became Governor. In the struggle for Texas, four Scots died at the Alamo in March, 1836. They were Robert W. Ballentine, John McGregor, Isaac Robertson and David L. Wilson. Other heroes like James Bowie were of Scottish kin. William Carroll Crawford, a Methodist circuit rider, who died in 1895, and many other Scots signed the Declaration of Independence from Mexico. As it was, the humble Scottish masons were received with mixed feelings when they commenced work on the Capitol building at Austin, and they may well find a place in the early history of American trade unions.

Mary Starr Barkley, in her *History of Travis County*, tells us that the use of convicts on the Capitol work caused the Association of Granite-Cutters to boycott the work, and that about sixty-two granite cutters from Scotland worked for \$4.00 per day. J. Everetts Haley, in *The XIT Ranch of Texas* (p. 53), quoting from Forrest Crissey's article *The Vanishing Range*, relates moreover, that the contractors found themselves in the United States court, charged with importing labour under contract.

It appears that the contractors sent to Aberdeen, Scotland, for labour, and that 86 men went out. When they found out more about the situation,

24 of the men returned home, and 62—who may have been unable to do so—continued on to Austin. Other nationalities, Italians in particular, were also employed on the Capitol building. The Rev. Roy L. Crawford, a retired Methodist preacher, of Winters, Texas, who is a member of the Scottish Genealogy Society, kindly copied from a payroll in the State Library of Texas, a list of “Scotchmen,” employed under Gus Wilke, sub-contractor, in July, 1886. The list follows:

Robert Anderson
 George Anderson
 John Allen
 Wm. Brown
 James Brown
 James Creighton
 James Cooper
 William Dickie
 George Deans
 Geo. Davidson
 Andrew Durno
 Alexander Elphinstone
 James Edwards
 George Edwards
 George Glennie
 Alec Gibb
 John Grant
 Alec Greig
 Isaac Gray
 Alec Sheppard
 James Ewan
 George Smith
 Peter Smith
 Alec Steel
 Wm. Scott
 Geo. Thom
 W. R. Thom
 James Taylor
 David Taylor
 Geo. Stoddart
 David Walker
 Malcolm Urquhart
 James Mitchell
 G. Acosader

Wm. Walker
 Edward Robertson
 Charles Harmon
 Geo. Kelman
 Thomas Kesson
 James Laing
 Alec Mann
 Hugh Munro
 Geo. Moir
 Alec Moir
 Alec Milne
 Wm. Merchant
 Samuel Miller
 W. M. McDonald
 David A. Nicholl
 John Patterson
 Alec Robertson
 Robert Robertson
 Charles Kennie
 Alex Robb
 Wm. Knight
 John McDonald
 David Weir
 George Green
 Robert Milne
 Adam Catto
 Wm. Cadenhead
 Robert Kennedy
 Andrew Kennedy
 Ed. McCabe
 John Bowie
 Geo. Clements
 Hugh McGee

The list contains 67 names, but the number may have varied from time to time. The Rev. Roy L. Crawford informs the writer that Miss Thalia Summers, of 3541 Virginia Blvd., Dallas, believes that her grandfather, John Peddie, who died in 1896, worked on the Capitol building. He was the son of James Peddie, blacksmith at Stanley, parish of Auchtergaven, Perthshire, and Helen Waddel, and was born there on 20th September, 1858. He married Fannie Bell Price. Another Scot said to have worked on the Capitol building was Thomas F. Nairn, who retired to Elgin, Texas. It is possible that Scottish masons and stone-cutters went to Austin in other groups, or singly to join fellow workers. Mary Sears, columnist of the *Fort Worth Star-Telegram*, writing on 9th March, 1965, about The Daughters of Caledonia, founded in 1899, says: "Back in the 1880's, when St. Patrick's and St. Ignatius' were being built, it was Scots stonemasons who were setting the blocks of stone." She mentions two men, Peter White and William Taylor, who left descendants. It was the wives of stonemasons who organised the Daughters of Caledonia.

DONALD WHITE.

QUERIES

GALBRAITH (PETER).—Manuscript lists of Births, Marriages and Deaths of members of the family of Tennant, Dalrymple and Gairdner were compiled by Mr Galbraith from Parish Registers, etc., and formed two volumes. These lists were mentioned in the Bibliography in "A Chronicle of the Family of Gairdner" by W. H. Bailey which was published in 1947. Any information about the whereabouts of these lists would be most gratefully received.

WHITTON.—Material, printed or original, on the history of the family of Whitton, who appear to originate in Roxburghshire is sought by K. C. Whitton, 260, Butt Street, Albury, N.S.W.

McKENZIE.—Information is sought about Alexander McKenzie of Kilchoman, Gearach, Isle of Islay, who is shown in the 1841 Census of Islay as born in Argyllshire and being aged 48, and as married to Janet McKenzie (aged 43) with nine children. Who were his parents, and where did he come from? In the Parochial Register at Kilchoman is shown the birth on 13th October and baptism on 23rd November, 1834, of Alex., son of Alex McKenzie and Janet Ferguson in Tornisdale. Were there any descendants? Details to P. Mackenzie, 122, Kane Avenue South, Winnipeg, 12, Manitoba, Canada, who is prepared to pay reasonable fees.

THE ARMS OF MAXWELL OF CALDERWOOD

By COLIN CAMPBELL

In his interesting article, "The Armorial Register of Sir David Lindsay of the Mount" (*Scottish Genealogist*, IV, No. 1, Jan. 1957, pp. 12-19) Lieutenant-Colonel H. A. B. Lawson, Rothesay Herald, mentioned that in Lindsay's Ms. (c. A.D. 1542) the arms of Maxwell of Calderwood are depicted as "Argent, a saltire Sable, a chief paly of six Argent and Sable." Lt.-Col. Lawson remarked that in 1630 Lord Lyon Sir James Balfour of Denmiln had noted that the Maxwell arms should have "a bordure batalzie Arg. and Azure" instead of the chief, and should be quartered with those of Denniston. Lt.-Col. Lawson further suggested that the chief in the arms as given by Lindsay is derived from the arms of Armstrong (argent, three pallets sable); Robert Maxwell, second son of John 8th of Calderwood having married Susan Armstrong by 1591; and that the Calderwood arms in Lindsay would thus be a later addition to his ms.

The Maxwell of Calderwood seals from 1416 to 1564 (SAS Nos. 1908-1911) show, as Lt.-Col. Lawson states, the Maxwell saltire within a bordure counter-compony, the Denniston quartering being added by 1471. The arms were matriculated thus, the bordure being sable (not azure) and argent, in Lyon Register in 1672-7 and 1793 (Paul 1903: No. 4862). In the Armorial de Berry, c. 1445-50 (*Bibliothèque Nationale*, Paris, Ms. fr., 4985, fol. 160; Clouston 1938: pl. IX) the arms of *Ceulx de quarehut* (*conarehut* if q = con) are shown as: argent, a saltire sable within a bordure azure (interesting in view of Balfour's note). Clouston (pp. 102, 113) indentified this as the Maxwell of Calderwood coat. Lt.-Col. Lawson cited some other examples of the Calderwood arms with the chief, charged with pallets, or paly, in the Forman Advocates' Library Ms. (c. 1562), and in some eighteenth century collections; and referred to the matriculation by Lord Farnham in 1900 (after his succeeding to the Calderwood baronetcy in 1885) quartering the arms as given by Lindsay (see also Paul 1903: No. 4917).

However, a much earlier example of the Calderwood arms with the chief is in the painted Scots Roll¹ in Sir Thomas Holme's Book II (British

Museum, Add. Ms. 45133, formerly Clumber Ms. 189, fols. 52v-56v, pp. 111-118). The last shield but one, on fol. 56v/p. 188, is that of *Maxvell of Cauderwode*, argent, a saltire sable, on a chief argent two pallets sable.

Some general description of this very important ms., acquired by the British Museum in 1938, and first mentioned, I believe, in Wagner 1939, will be in place. Sir Thomas Holme's Book II is described (Wagner 1950: 92-97) as a collection of mss. of the fifteenth and early sixteenth centuries. The Scots Roll is followed on fol. 57 by three standards drawn in trick, described as taken at Brampston Moor (Flodden, 1513). The roll, and other mss. in the book, bear signs of ownership by Sir Thomas Wriothesley (Garter King of Arms 1505-1534). Holme, who owned other sections of the book and who may have owned the roll, was Clarenceux King of Arms from 1476 to 1493 (*op. cit.*, 156, 146).

The Scots Roll, which we describe from photostats kindly supplied at various times by Sir Anthony Wagner and by Mr C. R. Humphery-Smith, and from a blazon furnished by the latter, contains the crowned shield of the King of Scots on fol. 52v, and, on fols. 53-56v, the arms (shields only) of two royal dukes, twenty earls, twenty-one lords and eight "lords of" (these latter descriptions being, apparently, used indiscriminately), *Ban'man Skrymgour* (the King's banner-bearer), two knights, five persons designed "of that ilk," thirty-three other chiefs, minor barons, or lairds, and twenty-one persons designed by surname only; in all a hundred and fourteen coats. The roll begins with *The Kyng/of Scottes; Duc prince of Rottisay; Duc of Albony*; a blank shield; *Erle of Rosse*; and ends the *Lord of Commo; the Lord manypany; Maxvell of Cauderwode*; a blank shield; *fforst' of Crostorfyn*. All shields have names written above, with several corrections among the earls, and are carefully painted in four rows of five shields each to a page. Five royal and eight other Stewarts appear; nine Douglasses; Crichton, Dunbar, Hay, three each; Edmonston, Lauder, Lindsay, Livingstone, Maxwell, and Ross, two each; other families, one each. There are twenty-nine quartered shields of which three bear inescutcheons.

Sir Anthony Wagner (1950: 95; 1956: 113) dates this roll as c. 1490-1500, and because of this, and the matter of the Calderwood arms, it is proper to set out the reasons for ascribing an earlier date (first suggested to me by the late Dr D. L. Galbreath) at some length. The original creations of the twenty earldoms all date from before 12 August 1452, the latest being the Earls of Huntly (cr. 30 Oct. 1444-3 July 1445), Ormond (1445, before 3 July), and Errol (12 June-12 August 1452). Of new creations of old earldoms, the latest are Buchan (after 1444), Caithnes (12 June-8 July 1452), Atholl (on or before 17 June 1455) and March, of whom below. William Sinclair, Earl of Orkney

(fol. 53v), who was created Earl of Caithness on 28 August 1455, appears as Earl of Orkney only. No new earldom or dukedom created after 1455 appears in the roll (there were nine such creations from 1457 to 1488) and no later creation of an older dukedom or earldom. Four earls created 1457-24 October 1458, and one created in 1473, appear in the rolls as lords; three (Arran, 1467; Glencairn, and Bothwell, both 1488) are not in the roll at all.

The ms. contains all Scottish earldoms created before August 1452, excepting Wigtown (created 1341, resigned 1372); Avandale (cr. 1437, merged with Douglas in 1440); Strathearn; and Menteith. Malise Graham, who succeeded in 1413 as Earl of Strathearn, was deprived of that title in 1425-27, and became a hostage in England for the ransom of James I in the latter year, being then created Earl of Menteith, while the earldom of Strathearn was given to the 20th Earl of Atholl (uncle of both James I and of Malise) who was forfeited in 1437 (Balfour-Melville 1936: 149-150). Menteith was not exchanged as hostage until 1453, when the Earl of Douglas arranged his release; he sealed a document on 17 December of that year (SAS No. 1107), and sat in the Parliament at Edinburgh in June 1455, when the Douglasses were forfeited (Dunlop 1950: 146, 155 n. 2, 156).

Of the two dukedoms (fol. 53v) Rothesay pertained (and pertains still) to the eldest son of the Sovereign. From 1452 to 1460 this was the future James III (who, according to Powicke 1961: 448, did not hold the title), from 1473 to 1488, the future James IV. The arms given for the *Duc of Albany* (Albany) are those of the first line of dukes, forfeited in 1425. Albany's arms are followed by a blank shield, without name. It is odd that this should be so, for in the third row on the same page are the arms of the *Erle of March & lorde of man*: quarterly: 1, Scotland; 2, earldom of March; 3, Isle of Man; 4, Annandale. These are the arms (obviously assigned either by his father or by the Lord Lyon of the day) of Alexander Stewart, second son of James II, born about 1454, styled Earl of March on 4 August 1455 (Powicke 1961: 482; created before 8 July 1455 according to CP I, 80), and confirmed as Lord of Man on 15 November 1455, shortly before the Scottish expedition against that island (Dunlop 1950: 176; SAS No. 2576). He was created Duke of Albany between 4 July 1457 and 3 July 1458.

That the roll, whatever its date, presents the Scottish nobility of.c. 1454-1455 is shown by the Douglas coats. On fols. 53 and 53v there are the arms of four Douglas brothers: *Erle of murray*, *Erle of Dowglas* (these two immediately precede the Stewart Earl of March), *therle Ormund* (Earl of Ormond) and "*the Lorde Balvany*" (John Douglas of Balvany). Moray, Ormond and Balvany, in rebellion against the Crown, were defeated at the battle of

Arkinholm, on 1 May 1455; doubtless the last occasion on which their three coats were displayed together in the field. The Earl of Douglas was already in England, where he died in 1491; Moray fell on the battlefield; Ormond was captured and executed by June 1455; Balvany fled to England but was captured and executed in 1463. In the Parliament of 9 June 1455 forfeiture was pronounced against Douglas (June 10), Moray (June 12), and Balvany; Ormond being forfeited about the same time (Powicke 1961: 474, 485, 486; Dunlop 1950: 156, 237). The rival Earl of Moray, James, 2nd Lord Crichton, created Earl 12 June-18 July 1452,² who died in August 1454, appears on fol. 54 as *the Lord Chrechtòn*.

However, Lord Crichton's kinsman, George Crichton of Cairns, is shown on fol. 53v as *threle of Cattenes*, the arms being quarterly: 1-4, Caithness; 2, Crichton; 3, Cairns (see Clouston 1938: pl. X; SAS Nos. 305-307). The Earl, so created 12 June-8 July 1452, also died in August 1454, and this, as Dr Galbreath pointed out to me, may be the only instance of his arms. The *Erle of Athall* (fol. 53, quarterly 1-4 Atholl, 2-3 Stewart) is Sir John Stewart of Balveny, James II's half-brother, who was so created on or before 17 June 1455; and another coat of interest is that of *the Erle of buichane* (fol. 53), quarterly 1-4 Buchan, 2-3 van Borssele, for Wolfert van Borssele, Count of Grandpré, who married Mary, daughter of James I, in 1444; she died s.p.s. on 20 March 1465, her half-brother Sir James Stewart being created Earl of Buchan in 1470. (The arms of "Wolfert de Borselen, comte de Grandpré et de Bouchain," quarterly: 1-4 sable, a fess argent (van Borssele); 2-3 azure, three garbs or [earldom of Buchan], with a motto *Pour a jamés*, the initials R.T. and "une grenade enflammée" appear on several folios of *Bibliothèque de l'Arsenal* [Paris] Ms. 5196; see *Bulletin d'Information de l'Institut de Recherche et de l'Histoire des Textes*, No. 4, 1955, p. 133) The *Erle of Craford* (fol. 53) became Duke of Montrose on 18 May 1488.

When we come to the lords, the picture is different. Eighteen of the twenty-nine were created before the end of 1455 (not counting *the Lords of Darneley*, created in 1452 or 1460), the latest of these being *the lord Catkarth* (fol. 54) created between 1452 and 18 July 1454. But five appear who were created between 1458 and 1492; and *the Lorde Collevelle* (fol. 54) was so created on 24 April 1604, and *the Lord of Jhonston* (fol. 56) on 20 June 1633. *The Lorde Balvany* and *the Lord of Dalkythe* are on fol. 53v, *the Lord of Commo*³ on fol. 56; it is doubtful whether the second (created Earl of Morton, 14 March 1458) was ever created Lord Dalkeith (see, however, *Highland Papers* II, 154 n., referred to in Note 4 below) and the other two were never created lords of Parliament. Evidently the compiler of the roll did not always distinguish between lords and minor barons;⁴ and indeed the distinction does not

appear to have been clearly made in Scotland at this time. Further, six lords created between 1455 and 1489 appear in the roll as commoners; while another six, created from 1444 to 1454 (five of whom are mentioned in Dunlop 1950: 137-8 as created at the Parliament of 12 June 1452), and six, created 1457-1491, are not in the roll at all.

In particular, *the Lorde of Lorne* (quarterly: 1-4 Lorne with the field or, apparently the original tincture; 2-3 Stewart plain) follows *the Lord Cambell* on fol. 53v. Campbell was created Earl of Argyll 1457-24 October 1458; in 1470 he had a crown charter of the lordship of Lorne, following on a resignation by his wife's uncle (Walter Stewart, 3rd Lord Lorne) whose title was changed to Lord Innermeath by 1471. The Lord of the Isles appears on fol. 53 as *Erle of Rosse* (quarterly: 1-4 the Isles, 2-3 Ross); he was forfeited in 1475-6, and created a peer of Parliament as Lord of the Isles on 15 July, 1476. A new earldom of Ross (Stewart) was created in 1481. Five lords in the roll (not counting the Crichton Earl of Moray) had been created earls by 1473; *the Lord Lassly* (fol. 54) created Earl of Rothes 5 November 1457-20 March 1458; *therle of the Lord Kyth* (sic), (fol. 53v), created Earl Marischal 20 March-4 July 1458; and *the Lorde of Darneley* (fol. 54), Earl of Lennox by 6 August 1473; besides Lord Campbell and "*the Lord of Dalkythe*" already noticed.

Coming to minor barons, knights and others, we find six were created lords of Parliament between 1454 and 1490. They include *Sir Andrew Stewart* (fol. 54v), quarterly: 1, Scotland; 2, Stewart with a label of five points gules; 3, Lennox; 4, Fife; round the quarters a bordure compony argent and azure. Sir Andrew was eldest son (of doubtful legitimacy) of Sir Walter Stewart of Lennox who was executed at the same time (1425) as his father Murdoch, 2nd Duke of Albany of the first creation. The bordure compony infers that the compiler of the roll considered him illegitimate. He was created Lord Avandale or Lord Stewart of Avandale "probably shortly before 18 October 1456" (CP XII pt. 1, 271; CP I, 80 n. (a) gives the year as 1439, SAS No. 2660 as 1459). With his brothers, he was legitimized in 1479, and the bordure compony had been dropped from his arms by 1842 (SAS, *loc. cit.*). He was Chancellor of Scotland from 1460 to 1482. *Canady of Casill* and *Levynston of Calendar*, created, respectively, Lord Kennedy and Lord Livingstone by 1458, are on fol. 54v. There are no commoners in the roll who had been created peers by 1454. The compiler's information, then, showed, apart from earlier obsolete coats, the Scottish nobility as it stood in 1454-1455.

As to the author, it is tempting to guess at Sir Gilbert Hay, who translated a fourteenth-century heraldic treatise, *L'Arbre des Batailles*, at Roslin Castle in 1456, at the request of William Sinclair, Earl of Orkney and Caithness

(Stevenson 1901). But, judging from photostats, the ms. of Hay's translation (which, according to Stevenson, is not in Hay's own hand) is in a different hand from that of the legends in the Scots Roll. Further, the Sinclair Earl of Orkney appears on fol. 53v, the last of the Earls, as *therle of Orkenay*, quartering Orkney with Sinclair; the Earl of Caithness, two shields back, is George Crichton. Orkney was created Earl of Caithness on 28 August 1455 and was Chancellor of Scotland from 1454 to 1456. If Hay did indeed compile the roll, it was presumably before Orkney commissioned his translation, for he would likely have placed his patron's arms nearer the beginning.

If one looks for the author among the Scottish heralds of the time, interesting indications appear. The arms of *Wemis of Rerass* and *Wales of Cragy* are the second and third on fol. 55, and *Balzea of Herryk* is the last. Now Sir John Wallace of Craigie and the Douglas Earl of Ormond led the force which, in 1448, defeated the English at the battle of Sark; and in 1467 Adam Wallace of Craigie was Unicorn Pursuivant (Dunlop 1950: 93; Grant 1946: 7). William Bailly was Albany Herald in 1452, and David Wemyss was Marchmont Herald, but not until thirty years later. Considering the prominence assigned to the Douglasses we may assume that the author was a partisan of theirs, and I suggest Adam Wallace of Craigie. Stevenson (1914: II, 445) states that David Dundas of Newliston was Lord Lyon King of Arms from 1450 to 1484, but Grant 1946: 16 (where he is called Duncan) says that this is incorrect. The Lyon of that time, whose name is apparently unknown, went on diplomatic missions to England in May, to France in December, 1456 (Dunlop 1950: 166-7, 169 n.). There were many comings and goings of English and Scottish heralds to and from their respective countries at this time.

The English Rouge Croix Pursuivant was sent to Scotland in 1460, and Windsor Herald was sent in 1461 (*op. cit.*, 214 and n; 224). It was Sir Thomas Holme himself who was appointed Rouge Croix c. 1458 and who was Windsor from c. 1461 to 1476 (Wagner 1950: 146). He may have acquired the ms. at this time. After 1455 the roll would no longer be up to date for the working herald, and its interest would be historical. Thomas Benolt, Windsor in 1502 and Clarenceux from 1511 to 1534, the rival of Wriothesley, owned "A booke of armes of diyers' gentilmen of Scotland. painted," and an account of the descent of "the erle of Ormond" (Wagner 1956: 154, 156) but the latter reference is probably to Thomas Boleyn (peerage of Ireland) created in 1529.

None of this explains why the compilers of fifteenth and sixteenth century armorials thought that the Maxwells of Calderwood bore a chief with pallets, or paly, or a bordure azure, while the Maxwell considered their cadency mark to be a bordure counter-compony. But if one begins to draw a bordure

compony (not counter-compony) across the top of a shield, and then leaves it uncompleted; the result is a narrow chief paly. Some such mistake may be the origin of this coat, but it clearly antedates 1591. Arms with saltires and chiefs are numerous in Scottish heraldry.

Lt.Col. Lawson further raised the question of whether a chief charged with pallets is more correct than a chief paly. In the Maxwell arms in the Scots Roll, the field of the shield and the chief are both argent, which is not generally considered good heraldry. In Scotland the best-known arms of this type are those of Keith, Earl Marischal, officially recorded in 1672-7 as: argent, on a chief gules three pallets or (Paul 1903: No. 1277). Lord Lyon Paul, as Lt.-Col. Lawson points out, wrote (Paul 1900: 191) that Lindsay's Ms. of c. 1542 "makes all coats which bear pallets or bars paly or barry of six, probably because it was easier to divide a shield into six rather than into seven parts." On page 68 Paul referred to the Keith arms in Lyon Register as having the chief gules with three pallets or, saying that there was no doubt that the "chief paly or and gules" was an old bearing, being used by a Keith in 1316; on page 138 he described the Keith arms in the fine Irvine brass, c. 1457, at Aberdeen (fig. 61) which shows a chief charged with three pallets, as being so depicted "in opposition to the later practice of making it paly of six or and gules." Nisbet 1722: 70, 75, mentions both versions and says "sometimes the *Chief*, for the Name of *KEITH* is Argent, *three pallets* Gules; which is not good *Armory*, to lay a *Chief* Argent on a *Field* Or [sic]; so that that first [i.e. the chief paly of six] is better than the last." As Nisbet, earlier in the same paragraph, had blazoned the arms as argent, on a chief gules three pallets or, one sees how many inconsistencies can arise with so simple a coat.

The Keith and Dickson arms in Lyon Register down to 1901 (see Paul 1903) have the chief gules with three pallets or. The chief paly of six or and gules seems to survive only in the second quartering of the arms of the University of Aberdeen, matriculated in 1888 (*op. cit.*, No. 1273). Stevenson 1914: II, 264, mentions "the red pales on the golden chief of the Keiths, the Scottish Earls Marischal's silver shield."

The chief paly appears to bear the prize for antiquity. It was used by the Marischal in 1316 (SAS No. 1446) while the pallets appear in the arms of Edward Keith (a cadet?) in 1320 (No. 1447). Of the fourteen Keith seals listed in SAS, A.D. 1316-1608, eight have the chief paly of six while six have it charged with pallets.

In the early armorials the practice is more uniform. The *Armorial de Gelre*, c. 1382-85 (*Bibliothèque Royale*, Brussels, Ms. 15652-56, fol. 65; see Stevenson 1914: I, pl. XIV), the *Armorial de Ballenville*, c. 1380 (*Bibliothèque*

Nationale, Paris, Ms. 5230, fol. 55), the Armorial équestre de la Toison d'Or et de l'Europe, c. 1437-40 (fol. 131; Larchey 1890: pl. CXV), and the Scots Roll itself (fol. 53v) all give the Keith arms as: Argent, a chief paly of six or and gules; except that Bellenville makes the chief paly gules and argent (but the argent may be a faded yellow). Gelre is the work of a herald, Toison d'Or is thought to be such, and Bellenville, according to Dr Paul Adam-Even, is the work of the author of Gelre (AHS LXXV, 1961, p. 54). The arms of *Mariscalli Comitis* on the heraldic ceiling, c. 1520, in St. Machar's Cathedral, Old Aberdeen, are parted per fess. in chief paly of six or and gules, in base argent (Geddes & Duguid 1888: pl. XIV, No. 30). The authors (p. 116) considered the Keith arms, as matriculated in 1672, to be a departure from ancient usage. The matter raises interesting questions as to the authority of medieval *versus* later examples.

NOTES

- 1 Most writers on Scottish heraldry state that there are no Scottish rolls of arms of earlier date than the sixteenth century, but things are not quite as bad as that. Wagner 1950: 37, 54, 66, mentions (besides the Scots Roll), the Fife Roll, *temp.* Edward I (fourteenth-century copy), 31 shields, which, from the description, appears to contain Scottish coats; the Balliol, c. 1332, 35 shields; and the Bruce, c. 1370, 30 banners (incomplete). There are, of course, several Continental mss, containing Scottish arms which date from well before 1500. The publication of a catalogue of Scottish armorials is much to be wished for.
- 2 In view of this creation, the red saltire painted over the first and fourth quarters of the Douglas Earl of Moray's arms in the Armorial de Berry, fol. 158 (Clouston 1938: pl. V) may be intended as a deletion.
- 3 Sir Patrick Dunbar of Cumnock; I am indebted for this identification to Sir Iain Moncrieffe of Moncrieffe, Albany Herald, *per* Professor W. Douglas Simpson.
- 4 For some useful notes on the difference between major barons (lords of Parliament) and minor barons in Scotland, see *Highland Papers*, II, 138, 153 n. 2, 241, 244 (Scottish History Society Publications, 2nd ser. XII, 1916); *Proceedings of the Dumfriesshire and Galloway Nat. Hist. & Antiq. Soc.*, 3rd ser. XVIII (1931-33), pp. 298-313; *Gordon Peerage Case*, 1929; CP I, xxvii, and footnotes to 15th-century Scottish baronies, *passim*.

REFERENCES

- AHS: *Archives Héraldiques Suisses* (annual of the Swiss Heraldic Society). Neuchâtel, Switzerland.
- Balfour-Melville 1936: *James I, King of Scots*, by E. W. M. Balfour-Melville. London, 1936.
- Dunlop 1950: *The Life and Times of James Kennedy, Bishop of St. Andrews*, by Annie I. Dunlop, O.B.E., D.LITT., Edinburgh, 1950.

- Clouston 1938: "The Armorial de Berry (Scottish Section)", by J. Storer Clouston, in *Proceedings of the Society of Antiquaries of Scotland*, LXXII (6th ser., vol. XII), pp. 84-114, plates IV-XIV. Reproduces, in colour, the whole of the Scottish section of Ms. fr. 4985 (c. 1445-50), *Bibliothèque Nationale*, Paris.
- CP: *The Complete Peerage*, vols. I-XII, revised edition by Vicery Gibbs and others. London, 1910-1959. (Used for dates of creations, etc., of Scottish lords.)
- Geddes & Duguid 1888: *Lacunar Basilicae Sancti Macarii Aberdonensis: The Heraldic Ceiling of the Cathedral Church of St. Machar, Old Aberdeen*, by W. D. Geddes and P. Duguid. New Spalding Club Publications, Aberdeen, 1888.
- Grant 1946: *The Court of the Lord Lyon 1318-1945*, edited by Sir Francis J. Grant, K.C.V.O., LL.D., Albany Herald, Edinburgh, 1946. Scottish Record Society Publications, Part CXLVIII.
- Larchey 1890: *Ancien Armorial équestre de la Toison d'or et de l'Europe au 15e siècle*, edited by Lorédan Larchey. (Facsimile in colour of *Bibliothèque de l'Arsenal*, Paris, Ms. 4790) Paris, 1890.
- Nisbet 1722: *A System of Heraldry, Speculative and Practical*, by Alexander Nisbet. Edinburgh, 1722.
- Paul 1900: *Heraldry in Relation to Scottish History and Art*, by Sir James Balfour Paul, Lord Lyon King of Arms. Edinburgh, 1900.
- Paul 1903: *An Ordinary of Arms contained in the Public Register of All Arms and Bearings in Scotland*, by Sir James Balfour Paul. Edinburgh, 1903. (Gives all arms recorded from the beginning of the Register [1672] to the end of 1901.)
- Powicke 1961: *Handbook of British Chronology*, edited by Sir F. M. Powicke and E. B. Fryde. Second edition, London, 1961. Royal Historical Society Guides & Handbooks No. 2. (Used for creations, etc., of dukes and earls.)
- SAS: *Scottish Armorial Seals*, by W. R. MacDonald, Carrick Pursuivant. Edinburgh, 1904.
- Stevenson 1901: *Gilbert of the Haye's Prose Manuscript (A. D. 1456): Volume I. The Buke of the Laws of Armys [Arms] or Buke of Bataillis*, edited by J. H. Stevenson, Edinburgh, 1901. Scottish Text Society Publications, No. 44.
- Stevenson 1914: *Heraldry in Scotland*, by J. H. Stevenson, Unicorn Pursuivant, Glasgow, 1914.
- Wagner 1939: *Historic Heraldry of Britain*, by (Sir) Anthony R. Wagner (now Garter King of Arms). Oxford, 1939.
- Wagner 1950: *A Catalogue of English Mediaeval Rolls of Arms*, by Anthony R. Wagner, Richmond Herald. Oxford, 1950. Society of Antiquaries, *Aspilogia*, vol. I.
- Wagner 1956: *Heralds and Heraldry in the Middle Ages*, by A. R. Wagner, Richmond Herald. Second edition, Oxford, 1956.

I understand that the Scots Roll is among those to be edited by Sir Anthony Wagner in the series *Aspilogia*.

ENGLISHMEN IN THE SCOTTISH EXCISE DEPARTMENT, 1707-1823

By J. F. MITCHELL

The Scottish Excise and Customs Departments were formed as two independent departments of the civil service at the Union of 1707. One is sometimes confused with the other, as when Scott in *The Heart of Midlothian* and many others following him wrongly attribute the genesis of the Porteous riots to a raid on the customs office and officers at Pittenweem in 1736.¹ Whether this confusion extended to the character and composition of the Scottish Excise Department, or the Revenue Departments as a whole, is a matter which will be considered later in this article.

Some of the twentieth century history books make a reference to an English element in these departments, such as—

“... the unsympathetic attitude of the new English excisemen . . .” in *Scotland* by R. L. Mackie, 1916, page 510. (See also page 511 for a reference to customs officials at Pittenweem in 1736.)

“... the influence of a horde of objectionable English officials . . .” in *The Political History of England* by William Hunt and I. S. Leadam, 1921, vol. ix, page 108.

“... the commissioners appointed to manage the collection of the revenue on the English model were, for the most part, composed of Englishmen . . .” in *The Union of England and Scotland* by James Mackinnon, 1907 issue, page 361.

“... English revenue officials . . . quartered in Scotland . . . the promiscuous mob of officials who were sent across the border . . .” “... excise and customs officials from England . . . by all accounts a sorry lot . . . these strange officials . . . the objectionable officials . . .” in *History of Scotland to the Present Time*, 1911, vol. iii, page 103, and *The Legislative Union between England and Scotland*, 1914, page 132, both by Professor Hume Brown.

“... the commissioners of customs and excise appointed for carrying out the Union were chiefly Englishmen . . . The under officers of the Court of Exchequer and the Boards of Customs and Excise established in Scotland were chiefly English . . .” in *History of England in the Eighteenth Century*, 1920, by W. E. H. Lecky, vol. ii, page 307.

These comments were probably intended to refer only to the early years of the Union, but in general no indication is given as to the length of time

they were thought to apply. They leave the impression that there was a preponderant English element of somewhat inferior standards of behaviour in both departments.²

The present article deals principally with the composition of the excise establishment in Scotland and not with the customs. It may be remarked, however, that there is some strong evidence of nepotism on the part of one of the original customs commissioners in the matter of new appointments in his service. The first five commissioners of customs were three Englishmen—Sir Alexander Rigby, James Isaacson and Lionel Norman—and two Scots—Sir Robert Dickson and the Hon. William Boyle. According to additional Ms. 30229 in the British Museum (quoted by P. W. J. Riley in his *The English Ministers in Scotland 1707-1727*, published in 1964) in May 1709 Boyle, Dickson and Isaacson asserted with respect to Rigby that “crowds of people from Lancashire and other parts attended him for posts and preferments, some his near relations, some bankrupts, some infirm and others dismissed officers from the revenues of customs and excise of South Britain, in so much that it has been taken notice of that he has put in most unqualified persons and more officers than all the rest of the commissioners and many of them having supplied the best places instead of some gentlemen who had behaved themselves well in the revenue under the late taxmen and of whom there was no other cause of dismissal than to make room for these his friends. This began to raise clamours among the Scots”

One contemporary source frequently quoted is the Jacobite anti-Union George Lockhart of Carnwath, one of the 31 Scottish commissioners for the Union; his comments were first published anonymously in 1714³—the new revenue commissioners were “partly English and partly Scottish,” the latter “downright renegadoes; vast numbers of surveyors, collectors and in short all or most of the officers of the customs and excise were sent down from England and these, generally speaking, the scum and canaglia of that country these fellows treated the natives with all the contempt and executed the new laws with all the rigour imaginable.” Lockhart, however, does not seem to have a high reputation for reliability among modern historians, see the references to “the disgruntled and mischief making Lockhart” in *The Treaty of Union of Scotland and England*, 1950, by George S. Pryde, page 31.

Another contemporary commentator was Daniel Defoe, at that time in Edinburgh as a spy for the government in London. In his letter of 19th July 1707 to Harley (quoted in *Historical MSS, the Duke of Portland, Welbeck Abbey*, 1897), he wrote “It has been reported they are discontent here at the many English who came hither for places but that, I think, is groundless.”

Later in his *History of the Union* he has "the people raised innumerable clamours at the officers who came from England and here" (i.e. in the excise) "as well as in the customs the clamours against the Englishmen being employed has laid hold of, but the conduct of the commissioners here likewise answered that pretence, for no sooner had the officers sent by the commissioners in England as above done the work they came about, viz. in directing and instructing the officers in Scotland, but the greatest part of them were back again and so few Englishmen remained in the Excise that it is not worth noting." (Some statistics of this "run-down," taken from excise salary books are given later in this article.) One Joseph Oldmixon, an Englishman, wrote something to the same effect in his *Memoirs of North Britain* 1715, London, but his historical work is said to be "of little value now as its main purpose was to promote the cause of his party" (see his biography in *Encyclopædia Britannica*, 14th edition).

Whatever may have been the extent of the English penetration into the Scottish Excise Department during its early years it may be accepted that three factors would contribute to a prevalence of exaggerated rumours, namely (1) the Union itself was unpopular in the country, (2) among many Scots there was a bitter hatred of the English to which various past events had contributed, and (3) even in England excise levied in the same way as it was proposed to be levied in Scotland was a most unpopular tax—its introduction during the Commonwealth had been accompanied by riots and Dr Johnson defined it in his *Dictionary* as "a hateful tax levied upon commodities, and adjudged not by the common judges of property but by wretches hired by those to whom excise is paid."

In 1823 the Scottish Excise Department become incorporated in the Excise Department of Great Britain and Ireland, and the transfer of staff between the constituent countries became common. The present inquiry covers the whole of the 116 years of separate existence of the Department.

It will be convenient to deal with the Department in two divisions, the Headquarters Staff and the Collecting Staff.

HEADQUARTERS STAFF

Throughout the 116 years the Board consisted of five commissioners and the names of the English holders of these posts, as well as of the other posts at headquarters in Edinburgh, are given below. The dates are dates of occupancy of the posts concerned and the percentage of English occupation in terms of man-years has been added in some categories.

Commissioners: David Ross 1707-1726, John Whetham 1707-1714, Alexander Forbes 1708-1715, Henry Robinson 1725-1735, Thomas Broughton 1725-1729, Richard Dowdeswell 1730-1758, Richard Somers 1730-1737, Christopher Wyville 1735-1738, Christopher Rhodes 1738-1761, Richard Dauber 1758-1771, George Burges 1761-1768, Thomas Wharton 1771-1811, James Sedgwick 1809-1815, Samuel Rose 1809-1823, William Porter 1815, Woodbine Parish 1815-1823. English percentage 34.

Secretary: Richard Dowdeswell 1707-1730, Richard Dauber 1755-1758, George Burges 1758-1761. English percentage 25.

Comptroller: John Parsons 1707-1715, Peter Crisp 1716-1722, Barnaby Barrow 1722-1732, Christopher Rhodes 1732-1738, John Gough 1738-1743, Stephen Penny 1743-1775. English percentage 58.

Cashier (Receiver General): None. English percentage 0.

Solicitor: Richard Dowdeswell 1707-1730, William Clifton 1730-1741, Thomas Wharton 1765-1771, William Jackson 1807-1812, John Gleed 1812-1823. English percentage 49.

Auditor: George Tilson 1707-1738, William Williams 1739-1786. English percentage 68.

Accountant General: 1707-1751, all Scots.

Senior Accountant General: (1751-1823); Edward Swift 1768-1777.

Junior Accountant General: (1751-1823); Edward Swift 1766-1768. English percentage all Accountants General 6.

Accountants: Bryan Battye 1707-1716, Edward Swift 1725-1766, Eaglesfield Griffith 1723-1755. English percentage less than 18.

Assistant Solicitor: Thomas Wharton 1760-1765. English percentage 4.

Deputy Auditor: Francis Philipson 1708-1738. English percentage 26.

Comptroller's clerks: Edward Mascall 1711-1715, Richard Cross 1713-1716, Sandys Wolrych 1714-1749, Robert Griffith 1749-1754. English percentage, small.

Other clerks: all Scots.

General Surveyors: Matthew Powell 1707-1719, John Dale 1725-1739, Thomas Bennet 1725-1738, Anthony Hobson 1725-1732, John Gee 1732-1749, Edward Wyville 1738-1791.

General Supervisor: Matthew Powell (at Glasgow) 1709-1719.

The English commissioners were thus in a majority of three to two on the Board from August 1708 to May 1714 (Whetham, Ross and Forbes), June 1725 to November 1726 (Ross, Robinson and Broughton) and September 1730 to October 1737 (Robinson or Wyville, Dowdeswell and Somers). This is a

total period of just over 14 years. For the remaining 102 years the ratio of English to Scots was two to three or one to four.

So far it has been assumed, in view of their previous English excise experience, that Ross and Forbes were English. Their names and some other facts given below suggest otherwise.

David Ross joined the English Excise Department in 1689 and had been General Surveyor of the London Brewery for seven years when he applied in May 1707 for an excise place in Scotland; the English Excise Commissioners vouched for his "knowledge, integrity and behaviour" and he was immediately appointed one of the original commissioners in Scotland (*Calendar of Treasury Books 1707-1707*, page 262). He "resigned his office to George Ross, Esq." (who later became 12th Lord Ross) in November 1726 and died 10th June 1730, age 70, buried in St. Cuthbert's, Edinburgh (*Establishment Book*). His testament (*Edinburgh Testaments*) and a retour show as his heir his daughter Anna, wife of George Ross of Rosstrevor, Ireland. In St. Cuthbert's parish register (baptism of daughters Elizabeth in October 1708 and Ann in June 1710) his wife's name is given as Barbara Forbes (a name with a Scottish flavour, see below) and the witnesses were his Scottish colleagues Alexander Wedderburn and John Montgomery of Wrae, John Trevor of the Court of Exchequer and Uthred McDougall, merchant and burghess. St. Cuthbert's parish register has the marriage of his daughter Ann to Robert Ross junior of Rosstrevor in April 1727. He was a witness at the registration of birth of a daughter of John Ross accountant excise in 1719 and of a son of George Ross, General Surveyor of Excise in July 1723 (*Edinburgh Births*). Apart from those mentioned here, there were nine other Ross's in the Department while David was a commissioner. In order of frequency of Scottish surnames in 1860 Ross came 16th.⁴ DNB has 29 biographies for the surname, of whom at least 21 are Scottish. "David" was a common Christian name among the Ross's of Ross-shire (*History of the Clan Ross*, by A. M. Ross, 1932). All these facts, especially the association with presbyterian churches for entries of births, marriage and burial, and the recording therein of the wife's maiden name, create a very strong presumption that David Ross, Excise Commissioner, was of Scottish extraction. In this connection it may also be noted that in the late 17th and early 18th centuries there were Ross families with Scottish connections settled in and around London (see *The Scottish Antiquary*, vols. iv. to viii.).

Alexander Forbes was Accountant General, Excise, England; in December 1707 he was paid £150 (incident bill in Scottish Record Office) "for his great experience and pains taken for near six months in methodizing the Accountant's Office and instructing the Accomptant" (who was George Drummond, later to become Edinburgh's greatest Lord Provost) "and others relating

to this revenue." During this visit to Edinburgh he was made an honorary burgess and guild brother of the city. He returned to Edinburgh as Commissioner in August 1708 and died in January 1715 (*Establishment Book*). I have been unable to find any further information concerning him in Scottish records. "Forbes" is an old Aberdeenshire name (*vide The Scottish Nation*). DNB has 34 Forbes biographies of whom at least 28 are evidently Scottish. The name therefore suggests Scottish lineage.

If either Ross or Forbes is treated as Scottish the term of English preponderance on the Board is reduced from 14 years to 8 in the 116. If they are both treated as Scottish the man-years percentage of English commissioners on the board becomes 29 instead of 34.

THE COLLECTING STAFF

Excise was collected by excise officers, popularly known as "gaugers." These were grouped under supervisors, one or more supervisors in each "Collection," there being from 12 to 16 collections in all Scotland, each under a collector. Throughout the whole period 1707-1823 three Englishmen are known to have held collectors' posts, namely Bryan Battye, previously accountant (see ante) in Aberdeen 1725-1726 and Inverness 1726 till he died in 1728; Matthew Powell, promoted from general supervisor, in Fife 1719-1726; and John Gee, who was collector of Aberdeen when he died in 1749.

Under the Act of Union the English system of collection of excise, based on "gauging," had to be introduced, and for this purpose the Treasury instructed 6 supervisors and 22 officers from the excise department in the north of England to proceed to Scotland in order to instruct the collectors and their staff in the new methods (*Calendar of Treasury Books and Papers 1706-1707*, pages 273, 520.)

Apart from the Edinburgh and Argyll collections the collectors from 1707 to 1714 were as follows, all of them being Scots. Dates after 1714 when the held collectorships are included—

Charles Craingelt of Gogar (Blairlogie), Fife 1707-1718;

William Craik of Duchrae, Dumfries 1707-1720;

Patrick Dunbar, Caithness 1707-1714;

James Freebairn, Perth 1713-1715;

John Gordon of Kirkconnel (Kirkcudbright), Ayr 1707-1717, Glasgow 1717-1724;

David Lidderdale of Torrs (Kirkcudbright), Teviotdale 1707-1715, Berwick 1715-1721, Haddington 1721-1725, Dumfries 1725-1732;

Robert McClellan of Barclay (Kirkcudbright), Glasgow 1707-1709,
 Robert Martin of Burnbrae, Aberdeen 1707-1711;
 James Ogilvie, Aberdeen 1711-1716;
 William Oliphant (later 11th and last Lord Oliphant), Linlithgow
 1707-1715;
 John Paterson of Craigie, Perth 1707-1713;
 Alexander Seton of Preston (Linlithgow), Berwick, i.e. Haddington
 1707-1714, Linlithgow 1715-1725; and
 David Steuart, Moray, i.e. Inverness 1707-1723.

A similar list for supervisors who held such posts in 1707-1714 follows, with dates of beginning and end of supervisorship. The names of those who came from England—twelve of them—are in *italics*; the remaining five were doubtless Scots.

John Beale, 1707-1738 Fife, Aberdeen, Perth, Teviotdale, Ross, Inverness.
John Christian, 1712-1721, Ayr, Teviotdale, Berwick, general supervisor 1722-1728, collector Inverness 1728-1739.
James Freebairn, 1711-1713, Aberdeen; see collectors.
John Gathorn, 1708-1720, Wigton, Linlithgow, Inverness, Elgin, Aberdeen, Glasgow.
Richard Jesson, 1707-1708, Wigton.
John Lupton, 1707-1711, Elgin, Aberdeen.
Thomas Maddison, 1708-1711, Fife, Perth, Elgin.
Patrick Montgomery, 1713-1740, Ayr, St. Andrews, Linlithgow, Paisley, Stirling.
James Ogilvie, 1708-1711, Linlithgow, Wigton, Aberdeen; see collectors.
Robert Pannell, 1708-1710, Aberdeen.
George Sinclair, 1709-1711, Aberdeen.
Christopher Smailes, 1708-1709, Aberdeen.
Reginald Steadman, 1707-1715, Ayr, Glasgow.
Charles Stockdale, 1709-1733, Fife, Caithness, Elgin, Aberdeen, Hamilton, Wigton, Dunfermline, Dumbarton.
Henry Tirry, 1707, Linlithgow, Fife.
Charles Wakefield, 1708-1713, Berwick, Teviotdale.
Lancelot Wynne, 1708-1716, Paisley, Fife, Wigton, general supervisor 1716-1721.

The names of the English excise staff sent to Scotland in 1707, as shown by the salary books, were the following two general supervisors, three supervisors and 25 officers—

General Supervisors: Roger Blundell and William Leece;

Supervisors: Ralph Leicester (from Leeds), John Pollard (from Lincoln), and Matthew Powell (from Nottingham); and

Officers: John Beale (from Hexham), Henry Fisher, John Gathorne (from Cultercoates in Durham), Edward Hayward (from Newcastle), James Hodge, John Hutchinson (from Richmond, Yorkshire), Richard Jesson (from Settle, Westmoreland), William Kilvington (from Rodbar, Northumberland), Thomas King, John Lupton, Thomas Lyon, Thomas Maddison (from Beverley, Yorkshire), Richard Nicholson (from Richmond, Yorkshire), Robert Pannell, Thomas Percivell, Thomas Slack, Christopher Smailes (from Shipton, Westmoreland), Reginald Steadman, Charles Stockdale (from Morpeth, Northumberland), Henry Tirry, George Wake (from Brigg, Lincolnshire), Charles Wakefield (from Howden, Yorkshire), Cuthbert Wightman (from North Shields, Durham), Richard Williamson (from Bury, Lancashire), and Lancelot Wynne (from Easingwold, Yorkshire).

Starting with 25 officers (gaugers) from England in May-June 1707 the salary books show that the number of them remaining at later dates were—end of 1707, 13; end of 1708, 5; end of 1709, 3; June 1710, 2; May 1711, 1 (Percivell in Kelso who continued till 1718).

The total number of gaugers in Scotland shown in the salary books of July 1709 (still excluding the Edinburgh and Argyll Collections) was 111, so that Defoe's remarks about the rapid decrease in numbers of the English gaugers until there were so few left as "not to matter" had some justification. This decrease took place by reason of promotion to supervisor (12 cases), death (1 case in 1709), or disappearance, presumably by return to England.

The surnames of these 111 gaugers were—Alexander, Balvaird, Barlow, Beattie, Bennet, Beverage, Blair, Blaw, Brown (2), Burdon, Burt, Calderwood, Carlile, Clendinning, Corbet, Coustoun, Crawford, Dewar, Donaldson, Douglas, Drummond, Dunbar (2), Elliot, Fish, Fithie, Forle, Fouler, Gairdiner, Gemill, George, Grainger, Grant, Haddan, Hamilton, Hedderwick, Heigie, Hood, Hunter, Irving, Jardine, Johnston, Kennedy, Kilvington, King, Kirk, Kirkpatrick, Laidler, Laing, Leckie, Lewthwaite, Little, Livingston, Loudoun, Louttit, McAllan, McGiven, McKenzie, Mackie, McKie, McMurray, McNaught, Martin, Mercer, Miller, Millikin, Miln, Montgomery (2), Mure, Myles, Nesmith, Ogilvie, Orrock, Oustin, Pantin, Patone, Pearson, Percivell, Pettrie, Pinkston,

Quinn, Rae, Renton, Reoch, Robertson, Rolland, Ross, Ruthven, Sharp, Sinclair, Singleton, Sloss, Smart, Spittell, Stalker, Stark, Stewart, Struthers, Taylor, Thomson, Wallace, Walmsley, Watson, Whyte, Wightman, Wilson (2), Woodrow, Wright. (Figures in brackets here give number of persons with that surname.)

In the above list Kilvington, Percivell and Wightman are the sole survivors of the 1707 English contingent. Grainger is also known to have been English from the biography of his son James, eminent physician and poet; in *DNB* and *The Scottish Nation*. The father, it is said, was formerly of Haughton Hall, Cumberland, but owing to some speculation was obliged to sell his estate and accept a post in the excise; attachment to the house of Stewart in 1715 is also suspected. The salary books show him as gauger in Duns from August 1708, then Kelso and Dalkeith, after which supervisor in Stirling till June 1715.

Very little is known about the remaining 107 gaugers beyond their excise careers, but most of the names look Scottish, especially lowland Scottish. The current number of the Edinburgh Telephone Directory gives them all (with perhaps slight spelling variations) except Balvaird, Blaw, Forle, Lewthwaite, McGiven, McNaight, Oustin and Pinkston—some of these exceptions are certainly more Scottish than English. *The Surnames of Scotland* by Black has all but Barlow, Lewthwaite, Oustin, Pinkston, Quinn and Walmsley. The salary books of 1707 show that Forle, Heigie, Ogilvie and Rae were taken over from the pre-Union Excise administration in Scotland.

The Annual Report of the Registrar General of Births, Deaths and Marriages in Scotland for 1860, page lvi, has tables showing the 50 commonest surnames in Scotland and England in descending order of frequency (see below for the first fourteen names in each table).⁴ In this list, disregarding small variations of spelling, numbers 3, 4, 5, 6, 8, 11, 13, 14, 16, 26, 28, 35, 36, 37, 38 and 45 (Brown, Robertson, Thomson, Stewart, Wilson, McKenzie, Johnston, Miller, Ross, Taylor, Watson, Hamilton, Grant, Hunter, White and Martin) are represented in the above list of 107 gaugers.

The Registrar General for England has a similar table for the commonest names in 1853⁴ and its numbers 4, 6, 10, 11, 13, 22, 31, 36, 46 and 48 (Taylor, Brown, Johnston, Wilson, Wright, Walker, White, Martin, Bennet and Watson) are also represented in the 107 gaugers. This is a shorter list than the Scottish one and has not so many in the top-frequency names.

The general impression left from a study of the 107 surnames of July 1709 is that in all probability the great majority were Scottish.

Now take the whole Scottish Excise Department from 1707 to 1828, of which there were about 4,500 members.⁵ Direct evidence of birth or race is

available for only a small percentage of these and would be of little assistance in formulating an estimate of total English representation during the period. Here again some statistics of names afford a useful guide. Taking the first fourteen names, respectively English in 1853 and Scottish in 1858, in the tables of commonest surnames referred to above,⁴ the actual number of employees bearing these surnames in the Scottish Excise Department 1707-1828 were—

Scottish table—Smith 40, Macdonald 25, Brown 52, Robertson 54, Thomson 43, Stewart 52, Campbell 93, Wilson 37, Anderson 59, Mackay 23, McKenzie 17, Scott 36, Johnston 33, Miller 29.

English table—Smith 40, Jones 2, Williams 1, Taylor 15, Davies 1, Brown 52, Thomas 3, Evans 0, Roberts 1, Johnston 33, Wilson 37, Robinson 3, Wright 12, Wood 13.

Other common names on the Scottish first fifty list which do not appear on the English first fifty list, with number of Excise representatives, are—Ross (16th) 46, Fraser (18th) 33, Henderson (24th) 39, Mitchell (27th) 49, and Grant (36th) 43; also the clan names Murray 26, Maclean 14, Morrison 29, Cameron 10, Macleod 8, Ferguson 28, Macintosh 11, Graham 26, Macgregor 6, Munro 14, Sinclair 11, and Gordon 26. The number of Campbells at 93 is some way ahead of the next commonest, namely Anderson, 59. The Campbells were pre-eminently successful in obtaining jobs under government and it is noticed that their name occurs more frequently in *Officers of the Bengal Army 1758-1834* by Major V. C. P. Hodson (1947), than any other Scottish name (Campbell 59, Grant 47, Stewart 45, Scott 40, Hamilton 30, Macdonald 29, Fraser 28, Murray 27, Gordon 26, Anderson 23, etc.). The earliest recorded Macgregor in the excise was in 1779.

Any evidence of the existence of English excisemen in Scotland given by the records of baptism of the Scottish Episcopal Church which I have seen has been negative. The records of Old St. Paul's Scottish Episcopal Church, Edinburgh, from 1735 to 1765 detail about 200 baptisms in which the occupation of the father and, in some cases, of the witnesses, is given; only one excise father is recorded, one John Cumming, who, it so happens, was apparently of Scottish extraction;⁶ similar results are given by the Leith Episcopal Register 1733-1775, which shows only one excise parent and he is known from retours and Edinburgh testaments to have been Scottish.⁷

A local history, *The Parish of Campsie* by John Cameron, J.P., Kirkintilloch, 1892, is seriously misleading in its comment “. . . . The Supervisors and other excise officers were nearly all Englishmen and their graves are to be seen in a portion of the old burying ground at the Auld Aisle, Kirkintilloch. This corner practically records the last resting places of these strangers and

sojourners in the service of the Excise, nearly all of whom hailed from the south of England." Actually, four English excisemen are mentioned in the inscriptions but the deaths occurred between 1825 and 1840 at a time (i.e. after 1823) when interchange of excise personnel between Scotland and England was common. In any case the excise salary books for Kirkintilloch give the names of very many others who, to judge from their names and perhaps other details, were almost certainly Scottish.

The general conclusions I would draw concerning English representation in the Scottish Excise Department from 1707 to 1823 are—

Treasury control was exercised by sending 30 members of the English establishment to Scotland in 1707 for a limited time to train the new Scottish staff and by maintaining throughout the period of 116 years English representatives among the Commissioners and headquarters controlling staff;

for 14 out of the 116 years there was a majority (three to two) of Commissioners sent from England, but otherwise they were in a minority of two to three (49 years) or one to four (52 years);

to begin with, four of the six controlling officers at headquarters in Edinburgh were English (1707 to 1730), but fewer thereafter; from 1786 to 1807 none of the principal controlling officers was English; the subordinate staff of clerks and accountants at headquarters was nearly all (much less than 18 per cent.) Scottish throughout;

the English training staff sent in 1707 gradually returned to England, was promoted or died off—otherwise the great majority of the collecting staff was Scottish. By July there remained only 3 excise officers with 9 supervisors and 3 general supervisors out of the original lot sent from England, which included 25 officers; at the same time the salary books recorded a total of about 140 collectors, supervisors and officers, and this not counting the staff in the Edinburgh and Argyll collections. In the 116 years there were only three collectors known to be English, viz. Bryan Battye 1725-1728, Matthew Powell 1716-1726, and John Gee after 1742 to 1749.

In terms of percentages over the period 1707-1823 the figures are—

	<i>English</i>	<i>Scottish</i>
Commissioners	30	70
Principal controlling officers at head- quarters, about	35	65
Collecting staff (at a guess)	3 or less	97 or more

There is no independent evidence to support the wild assertion of Lockhart of Carnwath in so far as it might apply to the Scottish Excise

Department, that at its inception "most of the officers were sent down from England and these, generally speaking, the scum and canaglie of that country," or to indicate, again as regards the excise, that they belonged to a "promiscuous mob of officials who were sent across the border by all accounts a sorry lot" as referred to by Professor Hume Brown, though these statements are not inconsistent with the allegations made in 1709 by three Customs Commissioners in relation to the Customs Department.

NOTES AND REFERENCES

- 1 It is correctly stated in *The Trial of Captain Porteus* by Wm. Roughead (Notable Scottish Trials), 1909, and *Domestic Annals of Scotland* by R. W. Chambers, 3rd edition, p. 594, that the attack at Pittenweem in 1736 was on James Stark, Collector of Excise, from Kirkcaldy.
- 2 No reference to an English element in the Scottish excise is to be found in *Thoughts on the Union between England and Scotland* by A. V. Dicey and Robert S. Rait, 1920, or in *The Making of Scotland* by Robert S. Rait, 1929.
- 3 These comments later appeared in *Affairs of Scotland 1702-1715* by George Lockhart of Carnwath, printed in London in 1817, 2 vols.; see vol. i, p. 223.
- 4 *The 6th Annual Report of the Registrar General for Births, Deaths and Marriages, Scotland*, besides giving the 50 commonest names in Scotland and England has also the 39 male and 51 female commonest Christian names in Scotland, the Scottish examples being based on certain registration statistics for 1855-1858; his 12th *Annual Report* for 1866, p. lvii, has the 150 commonest surnames based on 1863 registrations and his *Annual Report for 1937*, Appendix VII, gives the 100 commonest Scottish surnames based on registrations in 1935. *Special Report on Surnames in Ireland* by Sir Robert E. Matheson, LL.D., 1909, quotes the 1853 table for England and the 1863 table for Scotland as well as Irish statistics.
- 5 *Cards of Members of the Scottish Excise Department 1707-1828* by J. F. Mitchell, 1964—this is a micro-film in the Scottish Record Office, Old Register House. It gives particulars, arranged in alphabetical order of names of known members (about 4,500 of them) of the Scottish Excise Department 1707-1828; the particular sources of information on which the cards are based are—

In Scottish Record Office

Salary Books 1707 to about 1828 except missing *inter alia* 1711-1714, 1718-1719, 1736-1739, 1742-1752 Edinburgh 1707 to 1771, Argyll 1707 to 1714, Fife various between 1766 and 1783; *Establishment Book* giving names and salaries of all Commissioners (with some personal information) and holders of posts under the Board at headquarters in Edinburgh 1707 to about 1790; *Excise Duties and Licences*, useful for names of officiating officers and for periods not covered by extant salary books; photostat copy of *Treasury State Papers from Home Office, Scotland*, series II from 1707; various sasines, retours and testaments.

In Library, Board of Customs and Excise, Beam House, Mark Lane, London.

(It is anticipated that some of these, or copies of them, will be sent to the
Scottish Record Office)

Printed copies of *Annual Reports of the Scottish Excise Incorporation* from 1747-1748 to 1827-1828 (gives names in alphabetical order by Collections of optional entrants in 1747 after which membership was compulsory for all new excise officers; for later years information is given about marriage, etc.); *Excise Incorporation Minutes* for 1744-1755, 1760-1766 and 1778-1827 and some particulars re annuitants in 1849-1861; *Ages and Capacities 1794* has name, age, years of service, number of family with brief character report—includes Robert Burns; *Minutes of Scottish Board of Excise 1799-1830* in 58 volumes; *Establishment Minutes, Scotland, 1824-1830*; *Treasury and Excise, Scotland, 1811-1823*, mostly regarding pensioners; *Excise Certificates, Scotland*, have personal information about many of the new entrants from about 1808 to 1828.

Other Records

Publications of the Scottish Record Society dealing with post-1707 events, in particular indexes of testaments, burgesses of Edinburgh, Canongate, Glasgow and Dumbarton, Edinburgh and Canongate marriages; *12th Report of Parliamentary Commissioners (5) Revenue, etc., 1825* with list of all employees in July 1823; *Calendar of Treasury Books (and Papers)*, various volumes 1706-1718 (and 1729-1745)—published by H.M. Stationery Office; *Parliamentary Papers (Superannuations)* from 1825 to 1874 for pensioners; *Scots Magazine* 1739-1817; *Edinburgh Magazine* 1817-1826; *Edinburgh or Scottish Almanacs* from 1756 for names of commissioners, occupants of principal posts at headquarters, collectors and supervisors; *Journal of an Excise Supervisor in the South of Scotland* (Ms. 2797 in National Library) for many names in 1710; *Fasti Ecclesiae Scoticae*; *Matriculation Album of the University of Glasgow*; *Musgrave's Obituary* to 1800; *The Prisoners of the '45* and *A List of Persons mentioned in the Rebellion of 1745* in the Scottish History Society's publications, 1927-28 and 1890; *The Scottish Nation*; *DNB*; *History of the Royal Company of Archers, 1875*, Paul; *The Faculty of Advocates in Scotland*, Grant, 1944; *Index of Personal Estates of Defuncts 1827-1866*; *Melville Papers* (Mss. 14 and 59 in National Library); *The Lord Provosts of Edinburgh*, Wood, 1936; *Kay's Edinburgh Portraits, 1837*; *Political State of Scotland in 1788*, C. E. Adam; *History of Ayrshire and its Families*, Paterson, 1847; *Aberdeen Journal, Notes and Queries*; *Stewart's Letter Book 1715-1752* (Scottish Historical Society); *Fasti Academiae Mariscallanae Aberdonensis*; Mss. of John Philip Wood and Joseph Train in National Library; *Abridgments Sasines 1781-1840*, "Under the Dome," Old Register House; various monumental inscriptions; much information has also been got from pre-1855 parish registers of births, marriages and deaths, with the special help of Miss H. M. Woodford, Miss E. W. Binning, Mr D. C. Cargill, Mr Cargill, jun., Mr R. W. Munro, Mr Donald Whyte and Mr J. T. Whitley.

6 *Northern Notes and Queries or Scottish Antiquary*, vols. 5 and 6.

7 Scottish Record Society's publication *Registers of the Episcopal Congregation in Leith, 1733-1775*, edited by Angus McIntyre, 1949.

SUPPLEMENTARY CATALOGUE

A Supplementary Catalogue of the books belonging to the Society has now been prepared and is available to members at a cost of 1/6d. There are still copies of the original Catalogue at a cost of 2/6d each.

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, Honorary Secretary, Honorary Treasurer, Honorary Editor, Honorary Librarian, 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 issue of *The Scottish Genealogist*, 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, LL.D., Royal Banner Bearer of Scotland.
<i>Hon. Vice-Presidents</i>	Sir Thomas Innes of Learney, K.C.V.O., LL.D., 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., G.B.E., LL.D.
<i>Chairman of Council</i>	Sir Iain Moncreiffe of that Ilk, Bart., D.L., LL.B., Ph.D., Albany Herald.
<i>Hon. Secretary</i>	Miss Joan Ferguson, 21 Howard Place, Edinburgh (Tel. CAL 5321).
<i>Hon. Treasurer</i>	D. C. Cargill, 21 Craigcrook Road, Edinburgh.
<i>Hon. Auditor</i>	D. H. S. Forbes.
<i>Hon. Editor</i>	Ivor R. Guild, W.S., c/o Messrs Shepherd & Wedderburn, W.S., 16 Charlotte Square, Edinburgh, 2.
<i>Hon. Librarian and Editor of Dictionary of Scottish Emigrants</i>	Donald Whyte, F.S.A.(Scot.), 4 Carmel Road, Kirkliston, West Lothian.
<i>Council</i>	Duncan McNaughton, M.A., F.S.A.(Scot.), (Deputy Chairman). Miss E. W. Binning, M.C.S.P. J. H. C. Milligen. J. F. Mitchell, C.I.E. J. T. Whitley. Mrs R. E. Shiels. Miss E. M. Mein. Mr and Mrs R. W. Munro. Miss Patricia Baxendine.