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THE LAIRDS OF DUN

BY THE SAME AUTHOR

STORIES TOLD BY THE MILLER

TALES OF MY OWN COUNTRY

SONGS OF ANGUS

BONNIE JOANN, AND OTHER
POEMS

THE NORTHERN LIGHTS, AND
OTHER POEMS



HOUSE OF DUN, NORTH SIDE

[Frontispiece]

THE LAIRDS OF DUN

By VIOLET JACOB

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**TO THE MEMORY
OF
MY BROTHER
THE NINETEENTH LAIRD**

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V. J.

PREFACE

THIS book is not supposed to go out in the trappings and panoply of a Family History. It is a mere attempt to show the succession of the Lairds who have owned the estate of Dun since the day Sir Robert Erskine acquired it in 1377. Its boundaries have shrunk much since then; the personages who were born within them have almost disappeared into the distance; but though the male line of Erskine of Dun failed more than a hundred years ago the place still remains the home of the direct descendants of Sir Robert.

It has not been easy to call up these forgotten figures from the flood of dates and documents, a few letters and many books. Legend has glimmered like a will-o'-the-wisp on its brink, but that has not been allowed to pass for anything but what it is, a deceiving phantom. I have tried to state nothing but what is proved, and where legend or conjecture has not been omitted it is given for what it is worth. Of dates and verifications there are perhaps more than is ornamental, yet it seems to me that all are necessary; and though I have had to sketch bits of history, stale to most readers, I have brought them in only where they are needed to account for the motives and actions of the characters.

I have passed over those sales and exchanges

of small pieces of land which would be proper to a more ambitious record than mine, and space has restricted me, in all but a few cases, to an account which only includes the Lairds, their wives and children.

V. J.

CHAPTER I

HOUSE, KIRK AND BARONY

THE House of Dun stands in the county of Angus, at the far eastern end of Strathmore through which the South Esk runs to empty itself into the Basin of Montrose. Between the tidal marshes of the Basin and the North Sea there is a strip of land on which the town of Montrose is built, and the river washes its quays on its seaward way through a harbour which, within living memory, was full of fair-haired, ear-ringed sailors ashore from the vessels in the Baltic trade. In the back streets near the dock a touch of Scandinavia lingered until a couple of score years ago in spite of the deadly uniformity that was so soon to begin its creeping progress over the world. But a stranger may yet look up at the pediment of the Town House and learn from the mermaids supporting the arms of Montrose the amphibious character of the place. The tall steeple of the parish kirk, seen from far out at sea, throws its shadow at low tide on the wet sands of the Basin; and on winter nights the sound of the bar thundering beyond it is carried far in across the fields.

The Grampians lie along the northern horizon, distant enough to be a shadow-swept mystery and near enough to be a rampart between Angus and Mearns and the Highlands. The broad spaces of

sky hang over a land hampered by no fretful detail of close lane and narrow field, steeped in a light that seems, to those who have eyes for it, to belong to no other region.

A rich farming country of spacious arable land and heavy woods slopes to the hills; the cottages and farms with which it is sparsely sown catch the declining gleam on their walls; and the self-contained look of the white gable-ends, aloof against the background of hill and tree, strikes the heart of the home-coming son of Angus with a charm as of some attractive trick of manner in a familiar friend.

All Angus may be described as a country of gable-ends, and Montrose more than any other part of it, for by reason of the two waters that flank the town's narrow foothold on dry land, the ground used to be leased for building in meagre lots called twelve-foot rigs, making it necessary for houses to be set with their gable-ends to the street. This peculiarity was made a great point of by its neighbour Brechin, which from its own secure position eight miles in from the sea, bestowed on its citizens the contemptuous name of "Gable-endies." In the eternal stream of derision that flowed between the two in old times, the Montrose people replied with the epithet of "Torn hatties," as a jeer at the alleged disreputable looks of their rivals. One cant phrase that they invented will be remembered while the two towns stand: "*Tak' in yer sarks! The Brechiners are coming!*" This was the warning cry of Montrose guidwives to each other if they spread their washing outside the walls to dry.

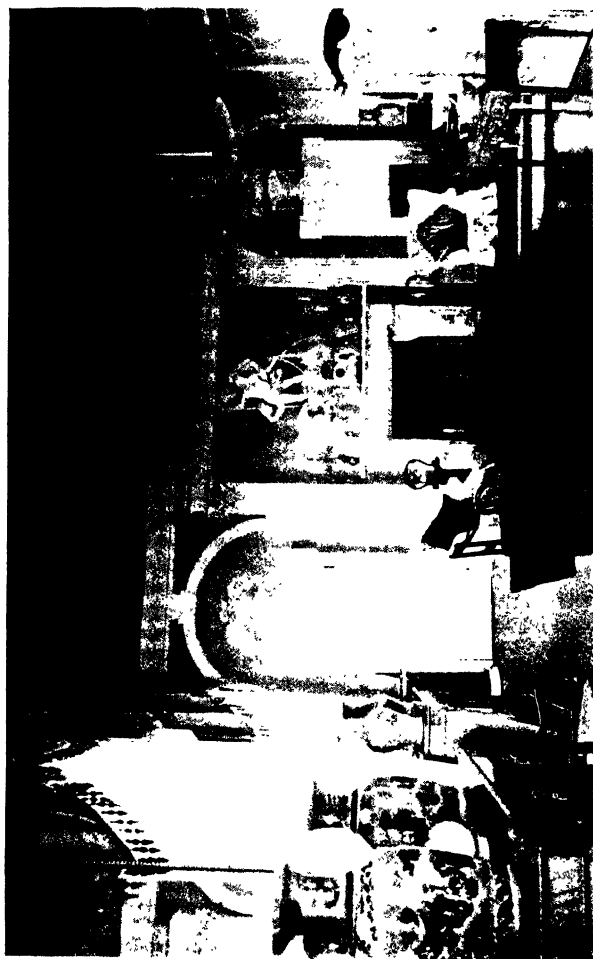
The high road from Montrose to Brechin runs parallel with the north shore of the Basin, and almost midway between the two towns it passes in front of the House of Dun rising, grey and solid, from its grass parks. Ancient gean trees in its east approach once held their twisted arms in fantastic angles against the winter skies till spring covered them with a sheet of white and they passed again through summer into the flaming red of their autumn leaf. But age and the gales have taken their glory now and left only a few battered trunks; even the great beech trees are fast thinning in the storms of these later years.

The present House of Dun is not of a very great age for it only dates back to 1730. The elder Adam was responsible for its design and it was built by David Erskine, Lord Dun, a judge of the Court of Session. Its rooms are high and well-proportioned, but with the exception of the drawing-room, whose walls are decorated with allegorical figures and trophies in plaster-work, in no way remarkable. It is said that the Italian artist who did the ceiling, died of the long strain of finishing it whilst he lay on his back on a scaffold. Outside, the flower garden planned by Lady Augusta Kennedy-Erskine a century later, with its yew hedges and stone steps descending from terrace to terrace with the fall of the ground, creeps up under the south windows and lightens the Georgian solidity of the place. But the trees that shelter it on three sides give it a tremendous solemnity, and the associations that brood like a cloud of witnesses about it seem as much a part of its life as the coming and going of latter-day feet, or the voice

of the tall clock over the arch in the stable-yard.

Westward, across the burn that falls down a deep den between the old kirk set in its gravestones, high above the water, stood the original castle of Dun. All that is left of it now is an arched gateway, supposed to belong to the early sixteenth century, and the foundations that intersect the lower part of the kitchen garden, cropping up here and there where it abuts on the kirkyard at its southern end. It was from here that the four knights, John the Laird, his sons John and Alexander and his brother Thomas, rode out together to Flodden, never to come back. Here too, in the castle, John Erskine, the fifth Laird, entertained his friend John Knox with many other adherents to the new-born reformed Kirk of Scotland; here in the kirkyard close by Knox dispensed the Sacrament. It is said that a monument was put up on the spot where he stood, but if this is true the last fragment of it disappeared long before the memory of anyone now alive.

Dun Castle was twice taken; once by the famous Adam Gordon of Auchendoun as he made his way home to Aberdeen after routing the troops of the Regent Mar, and once when it was sacked by the troops of the Marquis of Montrose; for the Laird at the time was a Covenanter and came of ancestors bred in every tradition of the reformed Kirk. It is supposed that many of the Dun Papers were destroyed in that raid. Whether this be fiction or not, Lord Grange, in a letter to Woodrow dated 1726,



THE DRAWING-ROOM, HOTEL OF DUN

declared his opinion to be that many of them were suppressed by the biographer of Montrose.

"Sir," he writes, "I give you hearty thanks for your acceptable letter with John Erskine of Dun, the Superintendent's life; Most of it which I have now read and will soon be done with it, and then give it to Lord Dun, to whom I read the part of your letter concerning it. He believes that one Wisheart, who wrote Montrose's life, got many of the Superintendent's papers from Lord Dun's own grandfather. If that man was among them, it is to be feared he would sink or destroy all which he conceived might do justice to the Reformation and Reformers. However, my lord promises to search for all that may yet remain, that you may peruse them."

These papers have not been discovered.

After the sacking of the castle, the next description of the family dwelling-place comes from "Information for Sir Robert Sibbald anent the Shire of Forfar," by Auchterlony of the Guinde; this is to be found in Macfarlane's *Geographical Collections*, published by the Scottish History Society. The probable date of Auchterlony's account is between 1683 and 1722.

"Dun, the whole parish did formerly belong to the Laird of Dun, so did the parish of Logy and the Barrony of Arrot. It is ane ancient and honourable family; it is a great house, well planted, good yeards and orchards the situationne is pleasant and extraordinarie good land, hath a large outer court and the Church at the Southeast syd thereof and the minister's Manse hardby it lyes on the northsyd of Southesk where he hath a good fishing. Mr Lichtoune, Minister in the diocese of Brichen. The Laird patrone."

In a Charter of Mortification¹ made by John

¹ *Reg. Mag. Sig.*

Erskine of Dun, Mariot Graham and their son John, of certain annual rents to a chaplain at the Mary Altar, the little parish kirk is spoken of as the Kirk of St Andrew the Apostle. The four walls—all that now remains of it—are covered with ivy through which the steep gable-ends can scarcely thrust their way, and when the new kirk was built very early in the eighteen hundreds it was turned into a family vault. That it stands on the foundation of the identical building spoken of by Auchterlony can be seen from his location of its site and by the fact that its architecture dates from the further end of the seventeenth century. The only reference to the actual structure in the Dun Kirk Session papers is the record of a bill for mending the windows in 1703.

“Impr. ane little glass window measuring two fouts and ane half and twenty inches is one pound three shill. and six pennies. More eight iron Cleiks for the wiers is five shill. six pennies. More three glass bands is two shilling. More for the fixing the rest of the windows together with ane eleven losens is fourteen shill. and six pennies.”

On 7th March is added :—

“The Session delays the payment of the glassier's accompt in respect that he is now dead, and in the meantime appoints Alexr. Campbell to speak to his relique anent the payment thereof.”

“April 11.

The accompt was paid.”

Another entry refers to the “mortcloth” used to cover the coffin :—

“13 Sept. 1702. It was decided that considering the

mortcloth is worn and that people scruple to give so much for it as formerly it shall be lent out of the parish for £2, 10s. and within the parish for £1, 10s."¹

The kirkyard lying round the kirk is a very ancient one, though none of the gravestones left above ground go further back than the sixteen hundreds; but for one stone above the grass there must be ten below it, and several have been dug up of late years whose devices and inscriptions fell from them in crumbling shards from the damp of their long internment. There are many "table" tombstones and many that bear the wealth of horrid emblems beloved of generations to whom the material part of death was so overwhelmingly present. The skulls and skeletons leer out among their attendant hour-glasses and spades and cross-bones like ironical comments alongside the words of faith, making a bystander wonder which of these contrasting elements was the real belief of those who chose them in honour of their parents and spouses and children. Perhaps the ample cloak of custom covered them all alike. Besides a few quaint verses and the ploughshares and hammers of working men and the vicious-looking scissors of tailors there is nothing very uncommon; yet this green place is worth going into for its remote feeling, though it lies cheek by jowl with the apple trees and cauliflowers of the kitchen garden. The bell of the old kirk was fixed in a tree overhanging

¹ The Montrose Parish Registers show that they had a thrifty way in the town of keeping a couple of mortcloths, differing in grandeur, to suit different purses. In 1674, Nicholas Erskine, an old woman, had "the use of the bells and best mortcloth, for which was paid £6, 6s. 8d." The Town Officer is described as having had "the 2nd mortcloth and bells gifted."

the iron gates of the kirkyard and pulled by a rope that dangled from the branches.

The parishes of Dun and Egglisjohn—Langley, as it is called now—were originally separate, but after the Reformation they were joined¹; Egglisjohn kirk has been merely a chapel for pilgrimage, with only the teind, or tithe, of one plough of land, and had not the means of maintaining a minister; so the two were incorporated into one. Dun parsonage was once annexed to the Priory of Elcho and its teinds belonged to Elcho nunnery.² In 1593 the Laird of Dun, with his eldest son, had a tack of these from the Prioress and her nuns; she was the only one of the ten ladies able to sign the tack without help, for the other nine could not write. The names of these holy women read so romantically that they must be given, if only for the fineness of their sound:—

“ Eufame Lesley, prioress, given wyth our hand.

Dame Katherine Lorimour.

Dame Elspet.

Dame Margret Towrs.

Dame Eufame Swenton.

Dame Christene Moncreffe.

Dame Isbel Barkley.

Dame Christene Redpethe.

Dame Evefame Lesle.

Dame Helenour Stewart.

with all our handis at the pen leid in our cheptour hous.”³

At the end of the eighteenth century the death of the Laird's only son in the Irish Rebellion left Alice and Margaret Erskine heirs-portioners of the estate; Margaret married Lord Kennedy, afterwards

¹ *Reg. Epis. Brech.*

² *Ibid.*

³ Dun Papers.

Earl of Cassillis and eventually Marquis of Ailsa, and her sister, who remained a spinster, predeceasing her, Dun passed into her hands. Lady Ailsa made many changes, and one of them was the dismantling of the old kirk and the building of a new one not quarter of a mile away. The oak carving, of which there was a great deal, was sold with the pulpit; and the sale of the latter was the more deplorable because it was a good specimen of seventeenth century carving. It was rescued some years later and it now stands in the new kirk. It is a tall structure, raised on a wooden support or pedestal, not unlike the stem of a chalice. The lower part of it is modern and is stained to match, as far as possible, the beautiful dark oak above; the very high back ends in a circular sounding-board and just behind and over the minister's head is a shield bearing the arms of Erskine and those of Wishart (see p. 150). The shield is flanked by the initial letters I and E, with a scroll above it on which is carved *Preach the Word*. Below on a panel is the date 1615. The cross crosslet fitchée on a pale sable had been the arms of Dun since 1400, and appear on the shield of the first John of the House of Dun at that date.¹ Here on the pulpit shield the pale does not appear; possibly it was carved in very low relief, or was merely indicated by the two incised perpendicular lines which have worn away through time. The cross crosslet on the first John's shield is interesting as it constitutes one of the earliest evidences of the claim of the house of Erskine to the earldom of Mar.

There are only two other bits of the old

¹ Macdonald's *Scottish Armorial Seals*, No. 874.

decoration left; one is a ribbed panel which has been set below a window in the west wall, and the other is a strange, attenuated cherub carved in oak and looking more like some emblem of mortality than the merry little fragment of holiness such creatures are supposed to represent. It has made its way back, and one may divert oneself by imagining that the words *Laus Deo* which surmount its head, are an expression of its feelings at finding itself once more in its own parish.

In the reign of William the Lion the lands of Dun are said to have been Crown property and to have been given by that king to John of Hastings. During Robert Bruce's reign the Hastings family forfeited its land because of its allegiance to Edward the First of England, and Dun was granted to Alexander Bruce,^{1, 2} the king's nephew, who held it till it passed soon after into the hands of David of Strathbogie,³ son of the Earl of Atholl. But the same fate which had overtaken Hastings overtook Strathbogie and his adherence to England cost him his possession.⁴ Then in David the Second's reign one William Wiseman obtained a charter of the barony and sold it in 1375 to Sir Robert Erskine of that Ilk⁵ in Renfrewshire, whose descendants have occupied it without interruption since that date. Dun was once counted as "one of the three great Barronys of Angus," which were ranked thus (*forte metri gratia*) Dun, Duddop (Dudhope) and Panmore (Panmure).⁶

¹ *Reg. Mag. Sig.*

² Killed at Halidon Hill.

³ Died 1335.

⁴ *Reg. Mag. Sig.*

⁵ Robertson's *Index*.

⁶ Macfarlane's *Genealogical Collections*, vol. i. (Published by Scottish History Society.)

The present estate is but a small piece of the land that formed the original barony ; this consisted of Dun, Egglisjohn, Puggeston, Balwylo and much of what now belongs to Stracathro and Craigo. To this was added in 1495 an eighth part of the lands of Logy-Montrose.¹ Other portions of the property were sold over and over again. Dun held lands in the Mearns at various times, for in 1468 there is a Charter of Resignation by Robert Mortimer in favour of John Erskine and his heirs of the lands of Balandro² in the shire of Kincardine ; and in 1555 a Confirmation of a Charter by John Erskine of Balhaggartie to his namesake of Dun of “the lands and barony of Easter Brechin alias Wester Morphie, or Morphy-Fraser ; viz., Mains, Petbidlie, with the cruives and salmon fishing on the North Esk ; the lands of Cantirland with Manor House, the lands of Kynnard with superiority of Lumgair, with their lake and fishing.”³

In 1603 John Erskine was retoured in “the dominical lands of Dun ; lands of Balwylo, Cotrow, Somes Hill Fordhouse and Glenskinno, with mill ; lands of Tayock with advocacy of the Chaplainry of the Virgin Mary in the Church of Dun ; fishing in the water of Southesk ; lands of Meikle Carcary, of Balnillo and Whitefield ; office of Constable of Montrose with lands and fishings and the common in the Muir of Montreathmont.”⁴

Newbigging, with Colt and Caple and the myre-lands (the sands and marshland north of the Basin) were in the possession of Alexander Erskine in 1637, having previously belonged to other members of the family.⁵

¹ *Reg. Mag. Sig.* ² *Ibid.* ³ *Ibid.* ⁴ *Ibid.* ⁵ *Ibid.*

Dun's Mill is by the roadside on the way to Brechin, a hundred yards or so from the west approach to the house, but it has not been working for over twenty years; the wheel is still, though the water runs by curling and leaping along its green field from the mill dams. The miller, as white as snow, used to be a familiar figure on the old steps that lead to the millhouse door. There was a tiny hamlet there but it was pulled down at the same time as the kirk was shorn of its oak. Tradition says that a Montrose witch, Catherine Lyall, went to the mill and had a difference with the miller. The quarrel was about the multure, and Catherine cried, "The Deil burn the mill afore I come back!" and the place took fire as she spoke.

There seem to have been a good many witches about Angus and the Mearns, but Catherine is the only one who has left any legend connected with the Parish of Dun. In the sixteenth century the Laird, who was John Knox's friend, received a letter from the Laird of Dunipace in Stirlingshire complaining of having been summoned before the Presbytery of Montrose for "accusing" a witch, Ann Gib. The summons was apparently not in order, for Dunipace says:—

"Albeit the prisbetre of Montross was nather my ordinar (district) nor the vitches, Ann Gibbis, sche bein within the Mernis and I within Stirling, nor my bretherin the complenaris, the ane bein within Brechin, the other lykwayis within the Mernis I comperit (appeared) bein maist villin to chalenche and accwse the vitch. . . ." ¹

There was small chance for these poor creatures.

¹ Dun Papers.

A little west of the mill was the quarry of Dun, now hidden in a clump of trees and almost choked by undergrowth. Bishop Pococke speaks of it in his *Tours in Scotland*, in 1760, as "Dun Quarry, which is a mixture of limestone and sand, and as I apprehend, a marl of rotten stone good for manure."

The nearness of Dun to Montrose and Brechin had the effect of drawing the Erskines much into the affairs of the two towns. It was the Laird of Dun from whom the citizens sought arbitration in their disputes and to whom they turned for support and protection in the troublous times. The castle was so near that, even in days when the highway was no more than a horse track and peaceful travellers had to look to their arms before taking the road, communication was not difficult. It is easy to picture some douce Brechin provost, decent and round, ambling across the unenclosed country to confer with the Laird with no worse obstacle to confound him than the Witches Den, a sharp cleft with running water that still bisects the modern high road east of that town. Standing in the Den of Dun and looking up to the top of its tall banks, one can imagine the little knot of horsemen stealing down from their fortress between the trees and clattering among the stones of the burn as they started for their three-mile gallop alongside the marshes of the Basin in response to some message carried hot foot from Montrose. More than once they were to obey the summons to the shore to meet the English and help to drive the invaders into the sea.

But the proximity of the Castle of Dun was not

always an unmixed advantage to the town of Montrose, as it found later to its cost. The story of young Erskine and his following, of their chivying of respectable citizens, of the bitter and amazingly-worded cry that went up from the latter into the ears of James the Fourth in those merry days before both king and culprits ended their lives at Flodden, must be left to another chapter.

In spite of such outbreaks the family were sturdy supporters of the Church, and the altarage of the Virgin Mary in the Cathedral of Brechin was much enriched by them.¹ This cathedral was an important ecclesiastical centre and in consequence the country was well supplied with small chapels. The site of one or two of these may be seen now though not a stone remains of the buildings themselves. One, that of the chapel of Egglisjohn, lies about a mile east of Dun, near the dwelling-house of Langley, but it is covered with trees and there is nothing to tell the passer-by of its former existence. The lands of Egglisjohn came back into the family of Erskine of Kirkbuddo² (see Appendix A), but they are now divided into Langley and Broomley, and of these two, only the latter belongs to Dun.

There is no well-authenticated ghost to trouble Dun; neither monk nor white lady to scare the loiterer in the Den nor uncomfortable shadowy inmate of the house. Vague traditions exist of a limb falling from one of the spreading yew trees of the kitchen garden at the death of a Laird, and, in the event of twins being born in the family, the arrival of one of them in the world with a black

¹ *Reg. Episc. Brech.*

² *Forfarshire Returns.*

leg. But, though the generation that is thinning every day has seen the death of two Lairds and the birth of twin sons in the direct line, these tales have been proved by the event to be futile; and only the Scottish poet, George Beattie, has thought fit to invent a spectre for the place in his ballad of "The Murderit Minstrel."

CHAPTER II

A STATESMAN AND HIS SON

THE beginning of the family of Erskine of Dun almost coincides in date with the accession of the Stewarts, for in the year 1377 the Scottish knight, Sir Thomas Erskine, received the barony¹ by charter from his father Sir Robert.

To give some idea of Sir Robert Erskine, it is necessary to look back on the history of the England and Scotland of his day and on the relations existing between the two kingdoms.

It will be remembered that, at the death of Robert Bruce, his son, the successor to his crown, was a child of five years under the tutelage of Randolph, Earl of Murray, guardian of Scotland. Finding an infant upon the Scottish throne, Edward the Third of England saw the beckoning of opportunity and agreed to help Edward Balliol—son of the unlucky John Balliol who had been made King of Scotland by Edward the First—with arms and men if he would put himself at the head of an army to invade the north. Balliol agreed, and swore, in the event of his own success, to become the vassal of England. So the expedition set out and the Earl of Murray went forth with his troops to oppose it.

But he was not destined to meet his country's

¹ *Reg. Mag. Sig.*

enemies in battle, for he died at Musselburgh and left Donald, Earl of Mar, to step into his vacant place. Only ten days after this event, Mar allowed the English army to surprise and rout him near Perth, when he himself perished on the field of Dupplin Moor. Then Balliol was crowned at Scone, where the sacred stone, once David King of Israel's beatified pillow, had rested until stolen by Edward the First, and the English King's plans seemed in a fair way to be accomplished. But there was no beatified pillow for Balliol, who one night was chivied out of his slumbers by the Scots and hunted, half-naked, across the Border.

In spite of its ignominious end, the adventure was repeated the next year, when Balliol with Edward's help defeated the Scots again, afterwards dividing Scotland with his ally. The adherents of the rightful King, David the Second, then sent him with his wife Joanna to be out of harm's way, Sir Andrew Murray of Bothwell being chosen guardian of the kingdom, and the fighting went on merrily till Edward the Third began his hundred years' war on France. Then Balliol, left to shift for himself, was finally driven out of the country, and in 1346 young David, who had returned to his own, advanced into England, but was taken prisoner and remained in the hands of the English for eleven years.

It was in these disturbed times that Sir Robert Erskine came upon the scene as one of those who crossed the marches into England in David's cause and, as Crawford says in his *Officers of State*, "ravisched the country and carried away many Prisoners of Quality."

When proposals were framed for the king's redemption he was one of the envoys chosen to treat with the English, and he was concerned in all the futile negotiations for David's freedom that went on for the next five years. It was only in 1354 that his efforts and those of his colleagues brought the matter to anything near an issue. The Treaty of Newcastle was signed and David, then twenty-seven years old, was sent home to consult with his people, leaving important hostages behind him; in case of his failure to settle the terms of his release to the liking of his subjects, he was to go back to captivity in England at the following Easter.

Here again the negotiations ended in smoke. The English terms were pronounced impossible to accept and David returned to exile to watch the failure of one abortive proposal after another till, in 1357, he was set at liberty at last. The conditions of his freedom were two thousand marks sterling paid to England and the observation of a ten years' truce, or one that should last till the whole sum was in English possession. If these terms were not kept, David was to go once more into captivity; if hindered from doing so, he was to send the Great Steward in his stead with other men of importance; king, prelates, lords and merchants were to consent to excommunication should the agreement be infringed. To this treaty, as to the preceding ones, Sir Robert Erskine's name was affixed,¹ and among the twenty hostages sent to England was Thomas Erskine,² his son.

¹ Robertson's *Index*, p. 108, No. 25.

² *Cal. Doc. Scot.*, Nos. 1649-1651-1660.

Sir Robert was High Chamberlain of Scotland¹ in 1350, and it is believed that he had acted in that capacity since the Battle of Neville's Cross. He held the office for seven years, as well as from 1363 to the end of 1364.²

In 1359 he appealed to the Pope, Innocent VI., for a dispensation of release from a vow. He had sworn to go to the Holy Land to fight the Saracens and to make a pilgrimage to St Catherine's Convent of Mount Sinai. But now, on account of the great pressure of war and business, national and otherwise, he found his pious plans difficult to carry out and he appealed to Rome for deliverance from them. The answer he got was that if the time of his departure was already fixed, he might postpone it for a year; but of whether he went or stayed we hear nothing. The papal reply is dated 11th August 1359.³

Sir Robert accumulated a good deal of land at various times, but as the list of his acquisitions has no bearing on the history of Dun, which became the heritage of his younger grandson, it need not be set down here.

He was made Justiciary of all Scotland beyond the Forth and in 1360 Keeper of the Castles of Edinburgh, Stirling and Dumbarton.⁴

When David the Second died, Sir Robert, who had served him faithfully for over thirty years, prepared to give the same loyalty to his successor. Robert the Steward, or Stewart, founder of the family destined to reign over Scotland for three

¹ Robertson's *Index*, p. 73, No. 42.

² *Exchequer Rolls*, p. 2 preface, cxxv.

³ *Papal Reg. Petitions*, i., 346. ⁴ Crawford's *Officers of State*.

centuries. The storm-clouds that gathered at his accession and the part Sir Robert played in dispersing them are best described by Wyntoun in his *Rhyiming Cronykil* :—

“ Quhen King Davy thus was dede,
 His Sister's Son in to his sted,
 Schir Robert Stewart wes mad King
 Specialy threw the grete helpyng
 Of good Schir Robert Erskyne.
 Dat Edinburgh, Dunbertene and Strevelyne
 Had in his keyping then all thre,
 Worthy, wys and lele was he.
 He knew Roberte the Stewartes Rycht ;
 Dare-for he helpyt hym with all hys mycht
 To gare hym haue that hys suld be
 Dan com he wythe a gret Menye
 Tyl Linlithgw, quhare then was
 De Erle William of Douglas,
 Dat schufe hym for to mak hym Bar,
 But George the Erle of March thare
 And John hys Brothyr, wyth these men
 Com again the Douglas then,
 So thet thys Erle of Douglas
 Threwch thare streutht astonayit was.”

He did homage at the coronation of the new King and was present when the succession to the Crown was secured to the Stewart family.¹ A band was made by Robert, Earl of Fife, with consent of his brother John—afterwards King Robert the Third—binding the Earl to be a faithful friend to Sir Robert and his family, and this band was sworn on the gospels and sealed by both the brothers.²

Sir Robert stoutly upheld the Church and gave largely to it, and both he and Beatrice, his first wife, were admitted to the privileges of brotherhood in the Abbey and Convent of Arbroath³ in

¹ *Acta Parl. Scot.*

² *Mar's Peerage Evidence.*

³ *Chartulary of Arbroath.*

return for the gifts with which they endowed it. There is a charter by Robert de Erskine of that ilk, with consent of David, King of Scots, by which, for the safety of his soul, the soul of Christian Keith, his spouse, also the soul of Beatrice, his wife deceased, and the souls of his father and mother, he gives, grants and confirms to two chaplains to perform divine service within the Cathedral church of Brechin, part of the barony of Dundee; also five merks from the barony of Dun. It is dated 8th November 1360.¹

In 1365 he resigned Dun to his son Thomas and King Robert ratified the surrender²; the charter is dated 1377 and is the last public deed with which he was connected. Then, being old, he retired from Court and public life and died eight years after, "between Whitsonday and Martinmas."³

It is from Wyntoun's *Cronykil* that the only personal glimpse of him is to be got, though from his long patriotic career and from the important trusts he held it may be gathered that he was "worthy, wys and lele." He married first Beatrice Lindsay,⁴ daughter of Sir Alexander de Crawford⁵ and widow of Sir Archibald Douglas, who had been Regent of Scotland and was son of that Sir William Douglas known as "le Hardi."⁶ Sir Archibald fell at Halidon Hill and after his death Beatrice was living in the fortress of Cumbernauld when it was besieged by the English.⁷

¹ Papers belonging to the town of Montrose. ² *Reg. Mag. Sig.*

³ *Exchequer Rolls*, iii., 141-142. ⁴ *Papal Letters*, iii., 564.

⁵ Supposed killed at the Battle of Stirling.

⁶ Died imprisoned in the Tower of London, 1297.

⁷ *Scots Peerage*.

The castle took fire and she and her companions were forced to capitulate. She was taken prisoner but soon released and, at some date after 1335, married Sir Robert Erskine. She died before 1352, in which year he married Christian Keith, widow of Sir Edward Keith of Sinton¹; and the curious history of this second marriage is found in the papal dispensation which had to be got before it could take place, the deceased wife and the living bride being related in the fourth degree. Sir Robert had been at feud with the Menteiths on account of some private matter, had wounded and imprisoned Walter Menteith with his brother and slain some of their followers; and to heal the breach between the families an alliance was proposed between him and Christian, who was cousin to the victims. Pope Clement VI. was appealed to, but he died before he could issue the dispensation, and the applicants were deceived by the clerk who had charge of the application and who sent word to the prospective bride and bridegroom that the business was safely put through. They, taking this to mean that the dispensation was issued, proceeded to marry and have children before they found out the mistake and were obliged to renew their plea to Clement's successor, who granted it; and the marriage was declared valid and the children legitimate.² But these apparently died in infancy, as it has been usually supposed that Christian had none by her second husband, the only mention of them being in the dispensation. She survived him and died about 1387.³

¹ *Scots Peerage.*

² *Cal. Papal Petitions*, i., 286.

³ *Exchequer Rolls*, iii., 141, 185, 217.

Sir Robert had by his first wife, Thomas, who succeeded him, and Nicholas, who received the barony of Kinnoull on his father's resignation.¹ He had also a daughter Marion, who married Maurice Drummond of Kincaig. He was a son of Malcolm Drummond, whose daughter Margaret was David the Second's Queen.²

Like his father, Sir Thomas was a man of considerable influence and many affairs; he had spent some time across the Border before the final release of David the Second, and after that event he was again a hostage and committed to the custody of John de Coupland,^{3,4} though neither history nor tradition says in what part of England his detention was passed. But it is likely that his long sojourn in what was then a more civilised community than his own gave him a wider outlook on the world than that common to the Scottish knights of his time. The circumstances in which knighthood⁵ was conferred on him were strange and happened before 16th April 1369. He was married to Mary Douglas, only child and heiress of Sir William Douglas, known as "the Knight of Liddesdale."⁶ Mary herself had had some adventures, for a few years before she married Sir Thomas she had, like him, been sent to England as a hostage, though for her father. There she got permission to marry one of Edward the Third's courtiers, Peter Tempest. But the wedding did not take place and she is next heard of as the wife of Reginald, son and heir of William

¹ *Reg. Mag. Sig.* ² *Scots Peerage.* ³ *Acta Parl. Scot.*

⁴ Probably the captor of David II. at Neville's Cross, 1346.

⁵ Robertson's *Index*, pp. 86, 209.

⁶ Died 1353.

More of Abercorn, who divorced her before 1365, when she had a papal dispensation to marry Thomas.¹ When their child was born she died, and her attendants could not make up their minds whether the baby had arrived dead or living. Its father claimed the liferent of her estates, maintaining that the child had lived, while James Douglas,² the Knight of Liddesdale's next heir, claimed them on the ground that it was born dead, and the mentality of those days decided that the matter should be put to trial by personal combat. The duel was to be fought at Edinburgh in the King's presence and, before it began, the two men were knighted, James Douglas by Sir Archibald Douglas 'the Grim,' and Thomas Erskine by his own father. After they had laid about them for a short time, the King intervened and commanded them to be separated and led out of the lists. But as this produced no agreement and they were about to fall to again, he interposed a second time and the dispute was ended by the acceptance by Sir Thomas of a sum of money in lieu of his rights, while Sir James got the estates.³

Thomas must have been a good deal about the Court, for he appears as a witness to royal charters, and when David Duke of Rothesay was made Lieutenant General of the kingdom he was one of those appointed as his special advisers.⁴ He was Keeper of Edinburgh Castle and Sheriff of Edinburgh.⁵

¹ *Douglas Book*, pp. 253, 254.

² Died 1420 of "quhew," or influenza.

³ *Fordun*, ed. 1871, p. 370 n.

⁴ *Acta Parl. Scot.* ⁵ *Exchequer Rolls*, ii., 364.

In 1385 an invading force from England under the Duke of Lancaster landed at Berwick, and the ships that followed with the commissariat for the troops entered the Forth and ran in south of Queensferry with supplies and men. Sir William Cunningham¹ then attacked them with a small following and Wyntoun, describing the affray with his usual lively minuteness, says that Sir Thomas and his brother Nicholas came up suddenly on the east side "fast rydand and with a joly cumpany," trying to cut off the invaders by getting between them and the water. The enemy fled when they saw this manœuvre and made for their boats, but Thomas was too quick for them, slaying many and driving the residue into the Forth. For this timely act he got less credit than he deserved, as many attributed its success to the interference of St Columba, who had already been put out by an attempt on the part of the English to burn his monastery on the island of Inchcolm.

Three years after he is heard of at the Battle of Otterbourne, for Wyntoun announces that

"Schir Thomas of Erskyn was
Fellely wondyt in the face."

He married secondly, before 13th April 1370, Janet Keith,^{2 8} widow of Sir David Barclay of Brechin⁴ and daughter of Sir Edward Keith of Sinton.⁵ Her mother, Lady Keith, was the

¹ Sir William Cunningham of Kilmaurs, died before 1415.

² *Scots Peerage*.

³ She is called "Lady Joanna" in a Renunciation by Peter de Kocburn of Henryland to her and her spouse of an annual rent of a pair of golden spurs and the superiority of the lands of Dalgles, 8th December 1383. (*Scots of Buccleuch*, ii., 13.)

⁴ Died before 1369.

⁵ Died before 1351.

Christian Keith who was married (*v. supra*) to Sir Robert Erskine, he being her second husband. It was on the strength of Janet Keith's descent from Gratney, Earl of Mar, that the Erskines based their claim to that peerage, which was restored to them by Queen Mary Stuart; the earldom comprising Strathdon, Braemar, Cromar and Strathdee with the lands and lordship of Garioch.¹ The very complicated story, lasting over a hundred and fifty years, of the various claims to the earldom which had become dormant on the death of Isabella Countess of Mar, in 1408, are clearly set forth in the *Scots Peerage* and need not be recounted here, as it is not material to the house of Dun. It is enough to say that Gratney, Earl of Mar, had a son Donald, Earl of Mar, killed at the Battle of Dupplin, whose line ended with the Countess Isabella. Gratney had also a daughter Ellen, married to Sir John Menteith, Lord of Arran, Skipwith, Knepdale and Strathgartney. They had a daughter Christian, married first to Sir Edward Keith, and secondly, to Sir Robert Erskine; Sir Thomas's first wife Janet being the offspring of Christian's marriage to Sir Edward Keith.²

Sir Thomas received two hundred and sixty-six pounds, thirteen shillings and fourpence for the ward and marriage of his step-daughter,³ heiress of Sir David de Barclay, and he and his wife Janet were granted "a portable altar" by Pope Boniface IX.⁴ There is a charter by Adam Forster⁵ of Corstorphine

¹ *Mar's Peerage*, Min. of Evidence, p. 121.

² *Scots Peerage*.

³ *Exchequer Rolls*, ii., 433.

⁴ Vatican Archives, *Avignon Regesta*, pp. 272-389.

⁵ Sir Adam Forrester, three times Provost of Edinburgh, died 1405.

of his lands of Carcary¹ in the barony of Dun to him and to John Erskine his son, dated 6th March 1400, and another by Sir John Erskine of Dun, resigning the same to Walter Ogilvie,² dated 18th March of the same year, just twelve days later.

Sir Thomas was to die in exile. He fought in the Battle of Homildon Hill, and was one of the sixty-five knights taken prisoner and carried to England in the defeat that was its result. He never saw his country again, for though there is no actual record of his death, at Martinmas 1403 his pension of one hundred pounds was paid to himself, and on the following Whitsunday was paid to his widow.³

¹ *Carnegies of Southesk*, ii., 502.

² *Ibid.*

³ *Exchequer Rolls*, iii., 606.

CHAPTER III

THE FIRST LAIRDS

JOHN,¹ second son of Sir Thomas and the said Janet Keith or Barclay, was the first Laird of Dun; for though his father and grandfather held that property they held it as an adjunct to their other possessions. But this man, their descendant, was simply Laird of Dun. He received the lands from his father about twelve years before the latter's death, the charter being ratified by King Robert the Third,² 25th October 1392. In it he is called 'Sir John.'

As there were no death duties to be avoided in the thirteen hundreds, the reasons can only be guessed which prompted the custom prevailing in the family—to quote the *Spalding Club Miscellany*—of “vesting the fee of the property in the eldest son while the father retained the liferent, both being designed ‘of Dun’ at the same time.” It may have been that the existing state of society created the likelihood of armed quarrels between a dead man's relations over the succession, but it is probable that the obligation laid upon barons of taking the field personally at the head of their men on the king's summons had more to do with it, and that it was merely the lifting of certain

¹ Also ancestor of the Erskine of Pittodrie (*Scots Peerage*).

² *Reg. Mag. Sig.*

responsibilities from shoulders no longer fitted, from age, to bear them.

Very little is known of the first Laird, indeed not even the name of his wife; and the only other allusions to him are made in a charter¹ he granted to a man called Philip de Camera on 20th August 1419, of the marsh of Glenskinno, and the following charter, translated and given here in full, in which he appears as a respecter of the Church.

“Charter by John Erskine, Knight, to Walter, Bishop of Brechin, of the lands of Eglysjohnne. November 9, 1409.

“To all the faithful in Christ to whose notice these letters come, John de Erskyn, Knight, Lord of Dun [gives], greeting in the Lord. Be it known to your community that because we have held that my ancestors claimed that the Bishop of Brechyn and his men dwelling in the Bishop's lands of Eglysjohnne within my barony and lordship of Dun in the Sherifdom of Forfar, were bound to make attendance at the Court of Dun and [perform] the services used and wont; and they compelled them to do these things, and fined them, and claimed that they held the superiority. I indeed have claimed that counsel service is owed me by the Bishop and his inhabitants of Eglysjohnne and the Superiority thereof. Nevertheless, because my ancestor of pious memory, Sir Thomas de Erskyn, moved by devotion during his lifetime, remitted, condoned and quit-claimed to the Bishop of Brechyn and his successors for himself and his heirs and assignees all such attendances and services, annual rent of corn and whatever else was wont to be done by the Bishops themselves and their men; for which remission and condonation the Bishop for the time being should annually cause to be celebrated the anniversary of the Knights of pious

¹ Dun Papers.

memory, Robert de Erskyn, my grandfather, and Thomas de Erskyn, my father, once a year in the Cathedral Church of Brechyn, by the Chaplains of the Choir saying solemnly at vespers the Placebo and Dirige, and on the morrow one solemn requiem mass, for which the Bishop shall cause to be given to the Chaplains ten shillings Scots money from the Martinmas rents of his lands of Eglysjhone; I indeed moved by the same devotion on account of my reverence for the Holy Trinity, and that the memorial of my fore-said ancestors may be renewed yearly, on account of the affection which I have for the Reverend Father in Christ, Sir Walter, by the Grace of God, now Bishop of Brechyn, quit-claim, condone and renounce to the said Lord Bishop and his successors for all time, for myself and my heirs and assignees, and all having rights from us, all services, demands, attendances on account of himself and his men, the annual rent of corn due in the old days, and all other services used and wont. And I freely grant to the said Bishop and his successors, and so far as is in my power, for myself and heirs and assignees I give and mortify to the Church of Brechyn the lands themselves of Eglysjohnne with all their pertinents and liberties in field and pasture, in moor and marsh, and all other easements which their occupiers were wont to enjoy in time past, reserving nothing to myself or my heirs, except the holy prayers and supplications of the Lord Bishop, and the annual memorial of my forbears to be made from year to year as aforesaid, by the Chaplains of the choir of Brechyn, to whom the Lord Bishop and his successors for the time being shall give annually ten shillings current money from the Martinmas rents of the said lands as is set forth above. In Witness Whereof my seal has been clearly appended to these presents, and granted at Brechyn in the said Cathedral Church on the ninth day of November in the year of Grace one thousand four hundred and nine.

“Witnesses, Venerable men Cuthbert, Dean; Gilbert Broune, Singer; Mr David de Idvy, Archdeacon; John Lyel, Treasurer of the Church of Brechyn; a noble man,

Alexander de Ogilvy,¹ Sheriff of Angus; Gilbert de Carnegy;² and John Brekebell, Chaplain, Notary public; and many others."³

The bishop to whom he made these renunciations was Walter Forrestar, lately Canon of Aberdeen and secretary to the king. He was made Bishop of Brechin in 1401 and died in 1424.

There is no record of the first Laird's death nor is its date known. The second Laird, Alexander, is an even dimmer person, but there is proof of his existence in the charter⁴ dated 28th January 1449, by which he resigns the dominical lands of Dun and the lands of Balwelawe in the barony of Dun and shire of Forfar in favour of his son John de Erskine, reserving to himself and his spouse Jonet, their respective liferents, but there is nothing extant to tell from what family Jonet came. This charter and a similar one resigning the barony of Dun⁵ in favour of the same John are dated at Edinburgh in 1449. In 1451 he confirmed a charter of the lands of Balneley,⁶ to be holden of himself, to Alexander Lindsay, a natural son of the fourth Earl of Crawford; and among the papers of Graham of Fintry is an acquittance and discharge,⁷ dated at Pomfret in 1452, to Alexander Erskine of Dun for two hundred merks out of the three hundred promised by Robert Graham of Ewisdale (ancestor of Fintry) on contract of John Erskine, son of Alexander and Marjory, daughter of the said Robert. Alexander must have died before 1454, for in that year John Erskine of Dun put his seal

¹ Sir Alexander Ogilvy, of Auchterhouse, died 1421.

² Son of Duthac de Carnegy, who was alive in 1367.

³ *Reg. Episc. Brechinensis.* ⁴ *Reg. Mag. Sig.* ⁵ *Ibid.*

⁶ Dun Papers.

⁷ *Scots Peerage.*

to "a Brieve¹ in the Brechin Charter Chest which is the Verdict of an Inquest preceding upon a Brieve out of the Chancellerie, in which Walter Carnegy of Kinnaird lamentably complains that Lord Huntly has burnt his house and his Charters."

For the birth of this John, his successor, who was the third Laird, there is no date, but the Family Bible makes the following statement of his death:—

"Ane nobill man, John Erskyne, umqll Laird of Dun, departit this lyff upon the 15th day of March 1508 Zeirs & was buriet at Dun."

His wife predeceased him and her death is recorded in the same place:—

"Ane nobill woman, Dame Marjory Grahame, umquhill Ladie of Dun, departit this lyff upon the 17th day of May the Zeir of God 1504, and was buriet at Dun."

With regard to the third Laird's character, the only hint of it is not promising. In 1479 he, with David Graham of Morphy, was sued² by Christina, Lady Grahame for the "wrangwise spoliatioun and withholding" of three chalders of meal and barley "spulzeit³ and takin' fra hir" by the said persons. The Lords Auditors decreed that they should make reparation for what they had done and instructed the Sheriff to mulct their lands of the stuff owing to her. The Laird's deed was all the more unbecoming because he himself had been Sheriff of Forfar⁴ a few years earlier. But he seems to have had some pretensions to piety, for there is a charter by him, dated 12th May 1490, with consent of his wife and of their heir, granting to a chaplain,

¹ Macfarlane's *Genealogical Collections*.

² *Acta Auditorum*, p. 87.

³ Robbed.

⁴ *Kirkbuddo Writs*.

for the altar of the Blessed Virgin Mary in the Parish of Dun, to celebrate divine service; an annual rent of twenty shillings from two tofts and crofts¹ in the Mearns and from another croft and toft lying nearby; an annual rent of six merks from their townhouse (hospitium) and tenements in the burgh of Montrose, in Murray Street; also an annual rent of twenty shillings from the tenement of the said John, called "the Sey-house." He reserved to himself and his heirs the right of presenting "a useful chaplain" to the said chapel when a vacancy occurred.² He was assessed for Arrat at £7, 6s. 8d. "cum cariagis et serviciis consuetis."³ He is mentioned as serving on a jury at the Sheriff Court of the county in 1495.⁴

He renounced the lands of Dun to his heir John, after which King James the Third granted a charter,⁵ dated 7th July 1473.

His sons were :—

JOHN, the fourth Laird, of whom later.

THOMAS, killed at Flodden.⁶

ALEXANDER, who witnessed a charter in 1508 and was infeft in half of the sunny quarter of the lands of Fordes⁷ (now Fordhouse) "in security for his bairnes part of the gear."

ISOBEL, married Lundy of Benholme. She is described in the charter which her father received from her of the lands of Tulloch and Benholme as his "filia carnalis."⁸

¹ Toft: "a bed for plants." (Jamieson.)

² *Reg. Mag. Sig.*

⁶ Dun Papers.

⁷ Dun Papers.

³ *Reg. Episc. Brechinensis.*

⁶ Family Bible.

⁸ *Reg. Mag. Sig.*

⁴ *Ibid.*

JOHN, the fourth Laird, survived his father but a short time, for five years after the elder man's death the cataclysm of Flodden burst over Scotland. In his father's lifetime he married Katherine Monypenny,¹ a daughter of William Monypenny of Pitmillie. They had a charter from William Bishop of Brechin of the lands of Drumme in the barony of Welhill in the Sherifffdom of Forfar.² He was a man of action and influence, holding many positions of trust. He was arbiter in a decreet arbitral³ between Archibald 'Bell the cat,' who was Earl of Angus, and John, sixth Earl of Crawford, as well as being appointed one of the arbiters in any dispute that might arise out of the marriage contract of Archibald Douglas⁴ and Margaret Hepburn,⁵ sister of Adam, Earl of Bothwell.⁶ He must have stood well with the authorities of his day, for when the Lindsay family was at war with itself for possession of the Castle of Innerqueich he was directed to hold it for the Crown.⁷ It needed a strong hand to cope with the wild Lindsays in the broken country east of Alyth in which a fragment of the ruin of Innerqueich still stands.

"Queich Castle," as it is now called, was then a stronghold built over the junction of the river Isla and the Water of Alyth. To-day there is nothing left of it but a solitary piece of wall, most

¹ "Instrument of Kenning a Tierce to Katherine Moneyppenny' (Dun Papers).

² *Reg. Episc. Brechinensis.*

³ *Douglas Book*, iii., 135.

⁴ Afterwards sixth Earl of Angus, died 1557.

⁵ *Scotts of Buccleuch*, ii., 118.

⁶ Killed at Flodden.

⁷ *Acta Dominorum Concilii.*

of its stones having been carried away for the building of the neighbouring farms. The river, narrowing a little, curves before it reaches the foot of the castle rock and the purring voice of its flow comes up through the woods that clothe its banks. Not long before Erskine was ordered to take over his charge, Alexander, Master of Crawford, son of the fifth Earl, was granted Innerqueich as a special residence¹ and he, having gathered together a suitable band of scoundrels, began from his vantage point to lay waste the country. In so doing he fell in with his brother John² and had a fight with him resulting in his own defeat; he was stabbed and carried into the castle. There he was reported to have died of his wounds; but it was the general belief at the time that he had been smothered in bed by the connivance of his wife Janet Gordon, daughter of the second Earl of Huntly. Having got rid of the Master, she married Patrick, third Lord Gray, and although she had no children by her late husband she did her best to get possession of Innerqueich, and actually collected the rents of its dependencies though these had been resigned by charter to Adam Crichton of Kippendavie.³ It was in the disputes occasioned by her high doings that the castle was handed over to John Erskine. Speaking of Janet Gordon, Lord Lindsay says in his *Lives of the Lindsays*: "Whether guilty or not, her husband's blood can only be shifted from her by referring it to the hand of her brother-in-law, Earl John . . . and

¹ Jervise's *Lands of the Lindsays*.

² Afterwards sixth Earl of Crawford, killed at Flodden.

³ *Acta Dominorum Concilii*.

the truth is lost for ever in the bloody ocean of Flodden."

The same bloody ocean swallowed John Erskine too, though he survived his perilous responsibility for twenty-two years.

His eldest son John was a brilliant vision of that glow of stirring ruffianism which still lit up the close of the Middle Ages in the kingdom of Scotland.

Here the nobles and barons were in constant conflict with one another, and when it suited them, with the king; and the civilising influences now creeping into England with the art of printing had stopped short of the Border. The invention of gunpowder, just dawning on the world was, curiously, to make for peace. The feudal barons and their retinues, encased in steel and armed with lances, were no longer the men to whom kings looked in national emergency; they were turning to the trained mercenaries with firearms, against whose weapons the valiant but self-seeking nobles and their horsemen were beginning to find themselves at a disadvantage. Scotland had not yet felt that change when John, who afterwards attained the honour of knighthood, was in his youth; and people still fell upon each other from behind rocks and went happily forth to break the heads of all with whom they disagreed. The accomplished and fascinating James the First, that poet, painter, athlete and musician, with his enlightened ideas and firm hand, had done his best to bring his kingdom to a more orderly state; but he had gone rashly to work and had paid the penalty of his zeal by his tragic end at Perth. James the Second had

spent his life in conflict with the Douglasses and had murdered the Earl with his own dagger ; James the Third, less warlike than his father and grandfather, had been made prisoner and taken to Edinburgh Castle by his nobles and had died after his flight from the battlefield of Sauchieburn in a mill-house by the wayside at the hand of a subject.

Though the state of the country was improving under James the Fourth, there was still more than enough of brawling and plundering. Angus was no better than its neighbours, and the Erskines, with all the temptation of their nearness to two flourishing towns, were probably worse ; in any case, the young John collected his followers and descended on the parish of Pert, south and west of the North Esk, and there he set about devastating the lands lying round the kirk. For this he had to answer to the Bishop of Brechin and to make good the damage. There is a notarial certificate among the Dun Papers granted by Walter Clerk, a priest of the diocese, stating that the offender had “appeared on the lands of the umquhile Walter Ogstoune of Pert and had there given satisfaction to the tenants and servitors of the said Walter for felony committed by John Erskine and others and that these quit-claimed the said offenders for ever. Dated July 9, 1490.”

After this he seems to have been quiet for some time but soon he set out to look for trouble again. What began the conflicts between Dun and the burgesses of Montrose arose from the fact that he—young John Erskine—was guardian to Henry Graham of Morphy,¹ a minor and his near

¹ *Acta Dominorum Concilii.*

kinsman through Marjory Graham of Fintry, his grandmother; so when the magistrates of Montrose called in question the right of Morphy to certain fishings in the North Esk, he fell with all the ardour of youth upon the town, terrified the inhabitants and seized their fishing nets and cruives. These cruives were traps made of wattle wedged in between two walls built in the beds of rivers near enough to the sea to feel the ebb and flow of the tides. There were ancient regulations in Scotland about the removal of these contrivances at the end of the week, which were called by the people 'the Saturday slap'; and James the First, when he set himself to reform the laws, caused cruives to be put down for three years on account of the destruction of spawn which they occasioned, under a penalty of one hundred shillings. In the particular dispute mentioned both sides seem to have quarrelled amongst themselves and the affair, which was very complicated, was compounded.

But in 1493 there was fresh trouble. Sea fishing and cruive fishing were the principal means of support to many of the inhabitants of the town and John seized them again. This proceeding struck dismay into Montrose, but the citizens, afraid to offer him open battle, had to content themselves with bringing an action against him. This, however, did not do them much good, for as the official record of the affair has it, the Lords Auditors decreed that John Erskine, younger, fear of Dun, "dois na wrang in the occupatioune of the croys of Montrose and fisching of the Samyn in the watter of the North Esk." The reason of this decision was the production in court by Erskine's



MONTROSE IN THE EARLY NINETEENTH CENTURY



OLD KIRKYARD OF DUN

representative of an instrument which proved him to hold these fishings directly from the provost and bailies of the town.

But this did not satisfy John ; and in the month of June, soon after the settlement of the dispute, he began a perfect carnival of rioting and plunder which lasted for the rest of the year. He had already been bound over to keep the peace ; but it was little he cared for that and he and his father with their retainers descended upon the town one night, attacking all who had the boldness to resist and turning the peaceful seaport upside down. Their doings are thus described in the agonised petition which the inhabitants sent up to James the Fourth, discovered accidentally among some old papers in the record room of the burgh. It is dated October 1493, and in spite of its outlandish spelling it shall be given as it stands because of the inspiring wealth of its phraseology and the most human note of outraged clamour that runs through it :—

“ Souerane Lord,

Unto your graciouss henes¹ lamentabille menis and complenis youre legis, the hail communitie of youre burgh of Montrose upon John of Erskyn elder of Dunne, of gret crimis, accione of injuris, hurtes, dampnages and scatheys, done til us be him and his folkis, batht of auld and of neu ; and nowe of late he has causit his sone, Johnne of Erskyn, Master Robert Erskyn, Vat Erskyn and Thomas Erskyn, and otheris with thaim, to dystroy and ete all oure corne that grew apone our comone lande. And, tharafter incontinent, this beande done onder cience of nycht, come bodyn with speris and bovis to youre saide burgh and bostit² oure alderman, he beande in his bed.

¹ Highness.

² Threatened.

Sayand thai suld pul done his hous abuf his hede, and remaint to se gif ony of us valde cum furth till haf sclane us."

The foregoing sentence gives such a lifelike picture of the way the oppressors went to work that the whole scene rises before a reader's eye; the dark town sleeping between its two waters suddenly awakened by the noise of the riders who came "bodyn" with their spears and bows. (It is a pity that the word *bodyn* merely means 'armed,' for it sounds at once so inexpressibly sly and so grotesque that it brings a note of pantomime into the story.) Then, the narrow street filled with threats and the stamping of horses as the alderman peers from between whatever did duty for blankets in those days, and the quietness that falls as the band conceal themselves to see if anybody will be unwary enough to come out.

"Alsua, Soueraine Lorde," continues the clamorous lament, "on Sanct Nineaneis Day last bypast, quhare our fischers, their wyffis and seruandis were gaderende thair bait in your watter, has thai hef done sene your saide burgh was fundit and antecedit, he sends his folkis and spalzeit them of thair claithis and withouldis the Samyn."

The appeal goes on in the same breathless strain to tell how, in their "injuris diuress," they wrote to "my lord Duk of Montross"¹ and sent the letter to him, and how the messenger was

¹ David, fifth Earl of Crawford. On 18th May 1488 James the Third created Duke of Montrose. In October of the same year a Recissory Act was passed; but got a new Charter, assuring the title to him for life. It is evidently as Sheriff of Angus that he was applied to, though he had been obliged to resign that office after the Recissory Act. He died 1st October 1493. (*Scots Peerage*.)

“onbuschit and slaine” by “Vilyame Liddel who dwelt withe Vat Erskyn his sone.”

“And dayley and Nychtley,” they assure his majesty, “the saide Johnne of Erskyn’s folkis rydis bodyn with speeris and bovis chakand and evetand as apone¹ to the day without youre towne apone the nycht within quhare thai may get us at opin to stryk us done.

“And has an Innis within youre saids tounne and haldis ane scruande of his within the samyn, to resaff thair saide folkis invaderis of us nychtly ande daly; and sua demanis² us that we der not pass na gate to exercise merchandice for danger of the saide Innis and dredoure of our lyffis. And has pendit folkis in the saide Innis, and schaipes to battail the samyn anent youre market-cross aluterly thair throw to halde us ande youre burgh perpetually ondere subbicione. Quharfore we beseik youre gracios henes of remeide that we may lyff in pece, as otheris of youre legis and borrovis; and that the saide Larde of Dunne, his sonis and householde remains at his awin place of Dunne; and that the saide Innis that is within youre saide burgh be closit, and that we may be quyt of the danger theroff. And that we may hef youre gracious letteris direckit to my Lord of Innervaecht and other gret barons to suple defende us fra the gret violence and injuris of the saide Laird of Dunne and his folkis vnto the tymn that youre henes will declene to set youre ayre of justry to remeid thir crimis and injuris, with mony and diverss otheris done of auld to youre burgh be him and his folkis, this xxx yeris bygane, the quhilkis we haff in ane other writ onder oure secret seale; the quhilk is oure prolixit to shaw youre henes at this tymn. Bot gif it plesit the samyn at the reverence of God, to waik tharto, the quhilk byll we sulde haff present to youre henes in youre last parlyament. Ande under hope of reformation ande gude reule in tymn to come, we sesit quhile now of neu he had broken apone us committand slauchter ande othir gret injuris, as saide is.”

¹ In wait for us.

² Handles.

The letter ends with a further request to James that he will listen and deliver them by his reverence to God and for the well-being of his own soul.

The king inclined his ear, and a 'Sumonde of Spulzie' against the malefactors was sent out which directed the Sheriff of Angus and his deputies to bid them appear before him in Edinburgh; but there is no account of what happened and whether they were punished. The only sequel is a deed dated at Dundee in 1501, in which the king pardons "the premeditated felony committed by John Erskine, younger, of Dun, against Walter Ogilvie . . . and others in the burgh of Montrose, and also remits all crimes and offences . . . previous to the date of the present remission, excepting treason and homicide . . . provided he give satisfaction to those aggrieved, that in future no . . . complaint be found against him." The king also forbade anyone to do him injury on account of his past misdeeds.¹

Whether this is a belated pardon for his earlier sins, or whether it refers to a fresh outbreak, it is impossible to say; but John Erskine, younger, of Dun, must have been a volcanic neighbour for a peaceful town.

Although the fourth Laird had enjoyed so many positions of trust, that did not restrain him from taking an active part in his son's depredations, for he is cited with him in the complaint of the burgesses and in the Sumonde of Spulzie; the Robert and Thomas complained of may have been the Laird's brothers or his sons; it is impossible to tell, because the names are repeated in the younger

¹ Dun Papers.

generation; if they were sons they must have mended their ways in later life, for Robert became eminent in the Church and Thomas in the State.

By his wife, Katherine Monypenny, the Laird had five sons :—

JOHN, whose doings have been described, was knighted, and is spoken of as ‘Sir John’ in every charter subsequent to 1510 in which his name occurs and in the Family Bible, where his death is recorded. He married Margaret Ruthven, daughter of the first Lord Ruthven and widow of Alexander, second Earl of Buchan,¹ ² a lady who, by the time she died, must have had almost as great an experience of marriage as Bluebeard or Henry the Eighth. As a child she was betrothed to John Oliphant, grandson of the first Lord Oliphant, but in 1494 a notarial instrument was taken showing that the marriage was not solemnised, owing to the bride’s reluctance, her reason for it being that she had “no carnal affection for him.”³ She then married Buchan, who left her a widow. Before 1st June 1508 she had married Sir John Erskine, by whom she had a son John, afterwards Superintendent of Angus and the Mearns, and a daughter Katherine, who married Robert Arbuthnott of that Ilk.⁴ ⁵ Widowed again, by December 1515 she was the wife of James Stewart of Ryland, who was killed in Edinburgh before March 1524-25,⁶ and was in his turn replaced by

¹ Died 1505.

² *Reg. Mag. Sig.*

³ Protocol Book of James Yong, W.S.

⁴ *Scots Peerage.*

⁵ It is said that Margaret had another daughter by Sir John, who married a Strachan of Thornton.

⁶ Dundee Protocol Book.

William Wood of Bonnytown. This marriage was annulled.¹ After all her wanderings her final resting-place was Dun. The Family Bible says :—

“ Ane nobill ladye, Dame Margaret Ruthven, countas of Buchan, umquhile Ladie of Dwn, depairtit frae this lyff upon the fyft day of August, the yeir of God jaj v^o fourtie aucht yeris. Diet and buriet in Dwn.”

Why she should have returned as a corpse to the place she had left two bridals back does not appear, but as nothing is known of her adventures with her third and fourth husbands, except that she was separated from the latter, it looks as if she had no children by either of them and had made a home, when she might no longer attract a fifth, with her son.

Sir John gave up his rights to the lands of Spittalscheills in Kincardineshire in 1509 in favour of the hospital of Montrose because the master of that institution proposed to build a new church from the foundation; and as Thomas Erskine, his brother, had a life interest in them, he applied to the master for compensation on his behalf.² With his wife he received from his father in 1508 the sunny half of the lands of Balwylo and Glenskinno with the mill, paying yearly to the king the services of ward and relief.³ It is likely that they lived at Balwylo, half a mile as the crow flies from the Castle of Dun. The inventory of Sir John's personal estate was made after his death (Appendix B).

¹ *Liber Officialis St Andree*, p. 50.

² Charters of the Burgh of Montrose. Dated in the Churchyard of Holyrood.

³ *Reg. Mag. Sig.*

The younger children were :—

THOMAS, of whom later.

ALEXANDER, killed at Flodden.¹

ROBERT, a priest. With Alexander he witnessed a charter of Hedderwick² which their father had from Alexander Maule, dated at Montrose, 17th August 1490. He became Rector of Murtle in 1500, of Ferne in 1502, and of Glenbervy in 1526.³ He was later Chancellor of Moray.⁴

WALTER, or 'VAT,' witnessed a charter⁵ by Sir Thomas of Brechin, his brother, in 1541, which proves that he survived Flodden. He was also attorney⁶ for John Erskine his father, 17th August 1490.

The daughters were :—

ELIZABETH, married Sir George Falconer of Halkerton, by whom she had two sons, Alexander, who died in his father's lifetime, and David, his heir.⁷

ISOBEL, married Cramond of Aldbar,⁸ 2nd September 1541.

JANET, married Alexander Durham of Grange, who upon his own resignation got a charter under the Great Seal,⁹ "Alexander Durham de Grange et Jonetae Erskine ejus sponsae terrarum de Grange et Molendum de Grange," dated 27th April 1525.

Katherine Monypenny survived her husband

¹ Dun Papers.

² *Scotts of Buccleuch*, ii., 121.

³ *Ibid.*

⁴ Dun Papers.

⁵ *Ibid.*

⁶ Bonholme Charters.

⁷ *Scots Peerage*.

⁸ *Reg. Mag. Sig.*

⁹ Douglas's *Baronage of Scotland*.

eighteen years. Her last entry in the Family Bible is as follows :—

“Ane nobill ladie, Dame Katherine Monypennie, umquhile Ladie of Dwn, depairtit this lyf upon the third day of Marche, the year of God jaj v^e threttie ane yeirs.”

Higher up on the page comes the record of the catastrophe which made her a widow :—

“Ane nobill man, Johnne Erskyne of Dwn, Thomas Erskyne his brother, Sir Johnne Erskyne, his sone and aire, and, Alexander Erskyne, his uther sonne, depairtit fra this lyff in the battell of Flouddown, upon the nynt day of September, the yeir of God, jaj v^e threttein yeirs.”

The fourth Laird does not appear to have followed the family custom of resigning the barony to his heir during his life, so as father and son died the same day, Sir John cannot be counted in the actual line of Lairds.

There was no standing army in Scotland in those times. The wapinschaws, of which four were held in the year, taught the people something of the use of arms. On the outbreak of war the Crown sent out a summons to the civil power and the landowners, announcing the place of meeting and giving roughly a week's notice; nobles and barons then mustered their retainers and led them personally to join the king.

In the autumn of 1513 James the Fourth's great host assembled on the Boroughmuir of Edinburgh, where the suburb of Morningside now stands, to advance into England; lords, knights, bishops, gentlemen, men of the soil—the entire fighting strength of Scotland; and with them John Erskine, Thomas (his brother), young Sir

John and Alexander. The old Laird had made his will (see Appendix B), naming his wife and Thomas (his son) executors. The latter was left behind in charge of the castle and estate and of the three ladies, Katherine Monypenny, Margaret Ruthven and another, who is said to have been the wife of Thomas the elder. Even after this long lapse of time it is tragic to look back across the centuries and picture these women—a handful out of the countless throng of others of all degrees—utterly cut off as they were then from all echo of the battle; for whom the first and only news of their men was the dire news that they were lying in that circle made of the whole chivalry of Scotland which was found on the morning of September the 10th round the dead body of King James.

CHAPTER IV

THOMAS OF BRECHIN

AFTER Flodden the fourth Laird's son Thomas, in whose charge everyone and everything had been left, found himself with the whole burden of the barony on his shoulders; his mother Katherine Monypenny was living at Dun, as well as the widows of his brothers John and Alexander. Tradition says that there was another lady under the roof, widow of Thomas, his uncle. All these had to be protected and provided for and—what was no doubt the crowning responsibility to him—there was the heir, the little boy whose turbulent father's burgess-harrying days were over for ever.

His difficulties must have been great. There were many widows round Dun besides those in the castle, and the dearth of men on every landed estate was a serious thing for the agriculture from which all drew their living. Scotland was in a dreadful condition of disorder. She had taken her defeat with the greatest dignity, for the merchants of Edinburgh, left in authority whilst the magistrates were in the field with the king, had calmed the stricken townspeople and set an example of fortitude which had its effect. But there was the continual fear that the English would take advantage of the propitious moment to invade the country,

and in the holocaust of responsible and gallant men there was hardly anyone left to man the different departments of the State. The Queen-Regent was stubborn and headstrong and a daughter of England; there seemed to be no foundation on which to build the security of a shattered society. The Church was disorganised too. The Archbishop of St Andrews,¹ with a host of lesser priests, had died fighting, and in the absence of so much that had been considered stable, bands of thieves roved about the kingdom, out for robbing and murdering, a menace to the poorer inhabitants who were trying to make enough to keep themselves and their children from starving. They had lost their own able-bodied men and they had lost those who were their protectors as well as their masters.

Reading, in general, of the chaos in which Scotland was plunged, and in particular, of the number of people dependent upon his wisdom and his efforts, one wonders how Thomas contrived to fulfil his trust to his dead brother. But he gave his nephew an education that was to bring him forward in later life and enable him to play an honourable part in the interests of Church and State; he husbanded the barony staggering under its load of reliets and steered the family through the lean years until the child was of an age to take the management upon himself.

It is known that in 1525 he was a married man, for the king feued the lands of Bringall in the lordship of Brechin to "Mr Thomas Erskyn of Haltoun and Elizabeth Scrymgeour his wife."²

¹ Alexander Stewart, natural son of James IV.

² *Reg. Mag. Sig.*

The date on which he acquired these lands of Haltoun, lying close on the border of the Mearns, is uncertain, but until 1531 he was styled Thomas of Haltoun, or Hatton, and he only dropped that designation to take a more important one upon himself.

There is a letter to him

"makand him gentleman and squyar in our soverane Lordis hous for all the dais of his lyfe; and for the gude and thankfull service to be done by the said Mr Thomas to our soverane Lord in the said office, his hienes gevis and grantis to the said Mr Thomas . . . hors meit and mannis meit to himself and his tua servandis and thre hors baith symmer and winter, reservand his fee and levery claim this to our Soverane Lordis will; to be haldin and to be hed the said office with fre busche (*bouche*, Fr.) of court hors meit and mannis meit as is above written . . . with command in the samyn to our Soverane Lordis maister of househald . . . and to cum to answer and obey to the said Mr Thomas of fre busche of court, hors meit and mannis meit to himself and his tua servandis and thre hors zeirlie."

22nd September 1526.¹

In March 1526-27 he had a feu of Kin craig, Balbirnie Mill, half of Arrat and Lichtonhill, in which he is described as the Secretary² of James the Fifth (then a minor, a child of twelve), and from this time forward his life became an increasingly busy one. His nephew the Laird was nearly eighteen years old, an age which was considered a more responsible one than it is now; and no doubt the uncle felt himself freer to turn to his own affairs, apart from those of Dun. In October of the same year he had a feu of the ancient Castle

¹ *Reg. Soc. Sig.*

² *Reg. Mag. Sig.*

of Brechin,¹ and two months later a feu of the customs of Montrose² from Alexander Lindsay, Master of Crawford. In 1528, the young king granted him Lawis, Baldowy, Unchoquhy and one-third of Monyfeith,³ on the forfeiture of the queen-mother's troublesome second husband Archibald, sixth Earl of Angus, whose tyranny over his stepson was now broken. In the same year Thomas resigned the lands of Panlathie which he held on the same forfeiture.⁴ Being a member of the royal household, he must have been through all the many intrigues and alarms that had hemmed the boy James round since he had entered his service; the grappling of Angus for the Regency he coveted, the thralldom of the Douglasses and the high-spirited youth's escape from it.

In 1529 he was granted a feu of the lands of Tampalon⁵ in reward for public services, and a couple of years later the king gave him the same lands in fee.⁶ In this deed he is first described as Thomas of Haltoun, *Knight*. At various dates of the same year he received charters of the lands of Pitbeidlie, the lands of Kirkbuddo and Ethiebeaton, as well as those of Morphy-Fresale or Fraser, with the fishing and cruives in the North Esk.⁷

The accounts of the Lord High Treasurer⁸ show that in 1531 Sir Thomas was sent on a mission to Pope Clement the Seventh.⁹ They

¹ *Reg. Mag. Sig.*

² *Ibid.*

³ *Reg. Mag. Sig.*

⁴ *Registrum de Panmure*, ii., 386.

⁵ *Reg. Mag. Sig.*

⁶ *Ibid.*

⁷ *Ibid.*

⁸ Robert Cairncross, afterwards Bishop of Ross.

⁹ *Acta Parl. Scot.*

contain the following note of what he received to maintain him in his travels :—

“To the Secretar the tyme of his first passage to Rome in ambassatry . . . VI^c LXVI lib. XIII^s III^d. ”

Later in the same year he was sent to France and the same source gives the list of his expenses :—

“Item to Schir Thomas Erskyne of Haltoune, knyght, secretare and Ambassatour in France, to his ordinaire expensis in France the space of four moneth estimate to XXX^o days ilk day havand to his ordinaire expensis as said is VIII frankis ilk frank extending to X^s vid in Scottis money; summa of the frankis IX^c LX frankis, summa of the scottis money extending to . . . V^c IIII lib.

“Item to my said Lord Secretare be the Kingis speciall command to his extraordinare lxxxix angell nobillis pece extending to XXXII^s; summa I^c XLII lib VIII^s; and alsua to his extraordinare maid in finance IIII sous ilk frank X^s vid; Suma of the frankis in scottis money I^c lxxv lib. ixs vid. Summa total of this extraordinare III^c VII lib. XVII^s vid. Item to David Lindsay,¹ herald, to his expensis passing with the said ambassatours II^c frankis.

Summa.....I^c V lib.”

On the 10th of February 1541 he ceased to be Thomas of Haltoun, for he sold the lands of Haltoun and others lying near them with the salmon fishing in the North Esk and the gift of a chaplaincy in Dundee, which were bought from him by John, fifth Lord Erskine.² He then became known as Sir Thomas Erskine of Kirkbuddo. Next year King James founded the College of Justice, of which he made him a Senator.³ He was despatched

¹ Sir David Lindsay of the Mount, afterwards Lyon King-of-Arms.

² *Reg. Mag. Sig.*

³ Burke's *Landed Gentry*.

again to France,¹ accompanied by David, Abbot of Arbroath (the future Cardinal Beaton) to treat with Francis the First for the hand of his only daughter Magdalene. James was already betrothed to Marie de Bourbon, whose father was Duc de Vendôme; but when he went to the French Court to meet his affianced bride he had fallen furiously in love with the sixteen-year-old Magdalene instead and was determined to have her in spite of the warnings of his friends and counsellors, who were averse to the marriage because the princess, though very beautiful, was consumptive. But James would not listen. To enhance Sir Thomas's position as ambassador on so great an occasion and on account of his services, he desired him to assume the style, title and arms of the lordship of Brechin and Navar, quarterly with his own arms in heredity, adding a red centre line or pale, to show that he was not absolute proprietor but held them as a feuar.² He also granted him, when about to start, the half lands of Dunfin, Downy and Colongy, which he exchanged for the lands of Newbigging in Inverarity shortly afterwards.³

In the next nine years he sat at intervals in Parliament,⁴ and during and after that time till his death, he seems to have been occupied in the buying and exchanging of land. In 1540 he was made Constable of Montrose, which office he transferred in the following year to his nephew John Erskine, elder of Dun, in liferent, and John Erskine, younger, in fee.⁵

In 1543 he sold the lands of Kirkbuddo⁶ to his

¹ *Reg. May. Sig.*

² *Ibid.*

³ *Ibid.*

⁴ *Acta Parl. Scot.*

⁵ *Dun Charters.*

⁶ *Ibid.*

nephew of Dun and Barbara de Bearle his spouse, and seven years later he exchanged the lordship of Brechin and Navar with Lord Erskine for the lands of Balhaggarty¹ in Aberdeenshire.

When Henry the Eighth's army under the Duke of Norfolk was preparing to invade Scotland, James commanded Sir Thomas Erskine with David Lindsay of Edzell to

"put ordour to our lieges of the Earldom of Crawford, Dun, Brechin, Edzell and Montrose anent thair furthecoming to our army and oist (host) and to caus the vnable personis to mak the coist and furnissing vpon mair able personis that may nocht furnys thameself, to pass for thaim in our sevice. . . ."²

This must have been one of the last duties demanded of him by the king, for on account of his age he had leave to stay away from that expedition which was so soon to go to pieces at Fala Muir.³ The lands of Foullarton of Cragy, forfeited after this disaster, were made over to Sir Thomas, who had a gift of escheat of them.⁴

After the terrible rout at Solway Moss, broken-hearted and exhausted by a low fever, James died at Falkland Palace because he had no longer the will to live. His secretary survived him eight years, dying between 8th July 1550 and September 1551.⁵

Only one shadow of doubt is cast on his complete loyalty to his sovereign. It may have had substance behind it but, judging from his character and career, it is more likely that King James had listened to malicious gossip about a

¹ *Reg. Mag. Sig.*

² Dun Papers.

³ Pittodrie Papers (*Spalding Club Miscellany*).

⁴ *Ibid.*

⁵ *Exchequer Rolls*.

man whose position could not fail to bring him many enemies. He writes to him thus:—

“Secretar, I commend me rycht hartlie to youe and weit ye that it is murmuryt hyr that you sould a spolkyne with George¹ and Archibald² Douglas in England quhilk ware again my command and your promys quhat we departyt. And mayre atonyer (more astonishing) the cuntra sayes that ye weyll tayk sylver to pat by my matrys I beseik yow schaw yow lyk ane gud treu servand to me at thes tym consyderant that I gawyf my materyis and credeynsce to na vder man bot to yow and be ane gud servand and ger them lle (make them lie) and ye sall want na thyng and bher yow honestly and stoute and tayk na feyr of na thyng and be nocht varyand and at your cumming wyll God ye and all yourys sall thynk it weyll waryt. And prayeing yow to tayk thes in [mind?] for ye beand ane gud servand and lelle and trow to me I sall be ane gud tru and constant maister to yow for and I had nocht remembered me rycht on the gud servyce that ye have down to me I had nocht schawyn yow that I herd spolkyne for do to your awin honor for I sale never trow ille one to (until) the tym that I se the contrayre. And remember one thes that I have writyn to yow and apon all vther my crandys nocht elleys bot God kyep yow.

At Edynburge the

xiiij day of May

Youris James R.”³

Sir Thomas's wife Elizabeth is said to have been the daughter of Sir James Scrymgeour of Dudhope, Constable of Dundee.⁴ He had two sons by her, Thomas his heir, who was betrothed in

¹ Sir George Douglas, brother to Angus, formerly Master of King James's Household.

² Sir Archibald Douglas of Kilspindie, formerly High Treasurer.

³ Pittodrie Papers (*Spalding Club Miscellany*).

⁴ Burke's *Landed Gentry*.

infancy to Janet,¹ daughter of Sir William Forrester, son of Alexander Forrester of Corstorphine,² and John, who became Rector of Arbuthnott,³ a tack of which parish he granted to his father. Elizabeth died before 30th September 1546, for on that date Sir Thomas had married Agnes, daughter of the fourth Earl of Airlie.⁴

In 1537 the elder son, Thomas, had a royal license to go on pilgrimage to France, Italy and other countries beyond seas in company with his first cousin, Erskine of Dun (formerly his father's ward), the latter's son John and Master William Erskine, parson of Duthell. On their travels they were not to be "summonit, callit, followit nor accusit thairfor." Five years later they made another journey of two years to the same countries under the still more elaborate protection of their Sovereign. The list of those who were forbidden to meddle with them being "all our iustices, lieutenantis, wardenis, iustice clerkis, shereiffis, stewartis, their deputis, crownaris, ther deputis, thesaurer advocate, lordis of our counsale and all uther our officiaris and monisteris of our law, spirituale and temporale, past present and to cum. . . ." The fact that no rumour of misdoing concerning them has come to light is much to their credit, for surely no body of persons has ever enjoyed such an opportunity for crime.⁵

¹ The marriage never took place (*Scots Peerage*).

² *Scots Peerage*.

³ Dun Papers.

⁴ *Keg. Mag. Sig.*

⁵ Dun Papers.

CHAPTER V

THE FIFTH LAIRD

FOR those who look back on the moving and coloured spectacle of history, there passes now and again some figure which seems to pause and answer their gaze with the revealing eyes of a real, understandable humanity. They are not all spectres, those strangely clad people who were once set in the actual places with which we are familiar, who saw the contours of the hills as we see them, and the passage of the seasons, though the land they walked on had an aspect unrecognisable now. John, the fifth Laird, is a man who has left a definite impression behind him, brave, ardent, watchful, valiant; crafty too, in his way, but one of those scarce people who, though they possess the larger virtues, contrive to charm others mainly by the smaller ones.

Though children were much older in mind at the beginning of the sixteenth century than they are now, he was hardly of an age to realise what a different world the Battle of Flodden had made for him. His grandfather and granduncles, in those times of early marriages, are likely to have been men in the prime of life and to have seemed to him little older than the devil-may-care father who had vanished with them; the noise and movement of all these stirring men had gone.

infancy to Janet,¹ daughter of Sir William Forrester, son of Alexander Forrester of Corstorphine,² and John, who became Rector of Arbuthnott,³ a tack of which parish he granted to his father. Elizabeth died before 30th September 1546, for on that date Sir Thomas had married Agnes, daughter of the fourth Earl of Airlie.⁴

In 1537 the elder son, Thomas, had a royal license to go on pilgrimage to France, Italy and other countries beyond seas in company with his first cousin, Erskine of Dun (formerly his father's ward), the latter's son John and Master William Erskine, parson of Duthell. On their travels they were not to be "summonit, callit, followit nor accusit thairfor." Five years later they made another journey of two years to the same countries under the still more elaborate protection of their Sovereign. The list of those who were forbidden to meddle with them being "all our iustices, lieutenantis, wardenis, iustice clerkis, shereiffis, stewartis, their deputis, crownaris, ther deputis, thesaurer advocate, lordis of our counsale and all uther our officiaris and monisteris of our law, spirituale and temporale, past present and to cum. . . ." The fact that no rumour of misdoing concerning them has come to light is much to their credit, for surely no body of persons has ever enjoyed such an opportunity for crime.⁵

¹ The marriage never took place (*Scots Peerage*).

² *Scots Peerage*.

³ Dun Papers.

⁴ *Reg. Mag. Sig.*

⁵ Dun Papers.

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Dun must have been very quiet. His grandmother, his mother and the other ladies were rigid figures praying for the dead in the kirk of St Andrew the Apostle hard by the walls. To the feudal household he had become something very important, especially as he had no brother to divert the eyes of the widowed women from him. Probably there were cousins, for though his uncle Robert was a priest and his aunts married, and presumably living with their children on their husbands' estates, the surviving brothers may have had wives and families. There is no mention of any child of Alexander, the youngest of the four dead men. The mainstay of the sad community was Thomas, whom his father and brother had made executors¹ of their respective wills jointly with their wives.

The first thing heard about the boy Laird is that he was summoned with his tutors in 1514 to attend an array of the kingdom² at Edinburgh, as it was expected that the English might be on the point of invading Scotland. One of his tutors was James Stewart of Ryland,^{3,4} whom the enterprising Margaret, his mother, took as her third husband before the end of the following year; the other, of course, was Thomas Erskine.⁵ Richard Melville of Baldovy in Angus, father of Andrew Melville the scholar and reformer, appears as one of his 'curators'⁶ in 1526.

As the country began to recover itself, art and

¹ Dun Papers (Testament of John Erskine of Dun, August 1513).

² Dun Papers.

³ Killed at Edinburgh before 1525.

⁴ Dun Papers.

⁵ Report V., *Historical MSS. Commission*.

⁶ *Ibid.*

the literary influences that James the Fourth had done so much to encourage began, very slowly, to look up again. In his reign, barons and freeholders were required by Act of Parliament to educate their heirs at the grammar schools until they had mastered Latin, after which they were to have three more years of education in Art and Law ; so that those who should become Sheriffs or Judges Ordinary might thoroughly understand their duties. If they failed to obey, they were liable to a fine of twenty pounds. John Major, writing in the next reign, about the time when young Erskine was in his uncle's charge, lamented that children of gentle birth were not being taught letters or good manners.¹ The idea of education as a necessity had hardly dawned on the rough lords and barons ; their minds were bound up in sport, conviviality and fighting, occasionally with the king's enemies, but more often with their own friends ; but a few of them were beginning to send their sons to France and to foreign colleges to complete their studies, and Thomas was determined that his nephew should lack none of these advantages. T. F. Henderson, in his *Scotland in the Time of Queen Mary*, quotes Kirkcaldy of Grange,² Sir James Sandeman and Erskine of Dun as being "trained in all accomplishments that were required of the gentlemen of the period," giving Woodrow as his authority. John Erskine's only biographer besides Woodrow—Bowick, sometime a clerk in the Town Clerk of Montrose's office—says that the youth was educated at King's College, Aberdeen,

¹ *De Gestis Scotorum*, i., viii.

² Sir William Kirkcaldy of Grange, executed 1573.

under Hector Boece ; but the older writer maintains that he went to a foreign university ; and as the latter's book was sent for criticism to Lord Dun, the descendant of its hero, whose information was nearer the fountain-head and who saw no reason for altering it, it seems likely that his information was the better of the two. Erskine's after-life proves that, in either case, he made good use of his time and that, though brought up to books as well as to the sword, he was equally at home with both.

When he was in his thirteenth year the question of his marriage began to occupy his uncle. The Lindsays were near neighbours and very powerful in Angus and they had a marriageable daughter of the right age ; the head of the family, David, eighth Earl of Crawford, looked upon the young suitor with favour. The contract¹ was signed in Dundee, 20th December 1522, between John Erskine, with consent of his tutors and Lord Crawford, wherein it was agreed that the wedding of the Lady Elizabeth Lindsay was to take place as soon as the bridegroom should arrive at "the perfect age of fourteen years." Two days before the ceremony, Crawford was to pay over seven hundred merks for the redemption of Erskine's lands.² It was also settled that "a year's profit" of John Erskine's lands should be bestowed by him, John, upon his sister Katherine, "for her marriage."³ She became the wife of Robert Arbuthnott of that Ilk⁴ in 1525. Her husband had a charter of the king's salmon fishings⁵ at

¹ *Report V., Historical MSS. Commission.* ² *Ibid.* ³ *Ibid.*

⁴ *Scots Peerage.*

⁵ *Reg. Mag. Sig.*

Inchbervy; he died in 1528-29, and she survived him and died at Arbuthnott without issue.¹

In the year of his marriage, Erskine had a charter of the customs of Montrose² from his father-in-law, and the Charter of Confirmation of this states that he paid a silver penny yearly in the name of blench farm to the Earl and his heirs.

On 3rd April 1529 he had a Precept of Sasine of the lands of Hedderwick and Claylek,³ as heir to John Erskine his grandfather; and in the same year a Precept of Clare⁴ from David, Abbot of Aberbrothock,⁵ under the same succession.

He was now twenty and he signalised the beginning of his third decade by murdering a priest.

There is no contemporary record, except the 'Instrument of Assythement' in the Dun papers, to tell of the deed, and that says little enough; it does not even reveal the amount of the blood-money paid by him to James Froster, burgess of Montrose, and Egidia Ros, parents of the dead man, who declared that they had received "real recompense and satisfaction." In these days a strange custom was tolerated by which a murderer was able to buy himself off the punishment of his misdeed. There was a recognised scale of compensation and money was paid over by the malefactor to the nearest relation of the victim or to the person who would be most likely to demand retributive justice. In return he was given a Letter of Slaines, or Assythement.⁶

¹ *Scots Peerage.*

² *Reg. Mag. Sig.*

³ *Reg. de Aberbrothock.*

⁴ Benholme Charters.

⁵ Afterwards Cardinal David Beaton, murdered 1546.

⁶ The Lord Advocates of Scotland (G. Omond).

The bell tower of Montrose parish church was the scene of Sir William Froster's death. It occupied the place on which the modern tower with its slim, high steeple now stands; square and rather squat, it carried nothing above its parapet little over fifty feet above the street, and it was plastered with oyster shells cemented on to the elevation. A dog-faced gargoyle with fore-feet planted against the wall, as though to descend it head foremost, spewed the rain water from each corner on the citizens' crowns. The entrance to the tower was on its northern face up an outside stair, so John was saved the sacrilege of chasing his man across the church; doubtless the quarrel, or attack, had begun in the open and doubtless the church door was locked, or Froster would have taken sanctuary at the altar. The *Spalding Club Miscellany*, vol. iv., suggests rather naïvely that "the event must have left a painful impression on Erskine and given a bent to his future career"; but that seems to be putting the cart before the horse. If anyone received a painful impression it is likely to have been Froster; and judging by Erskine's career, in which his hatred of popery put him in the very van of the lay forces of the Scottish Reformation, his deed was a misguided expression of religious opinion. The Instrument of Assythement was signed¹ at Montrose, 5th February 1530, "in the house of Katharine Monypenny, Dowager of Dun," which shows that this lady had removed herself from the castle to the town. In the Dun papers it is stated that she was buried at Montrose.

¹ Dun Papers.

It is significant that Erskine's deed was committed at a time when Scotland was stirring with the throes of the approaching Reformation. The increased coming and going between the kingdom and the continent, and the educative forces set in motion by this traffic were beginning to make men think and question. Two years earlier, Patrick Hamilton, Abbot of Ferne, had been burned at St Andrews for teaching the doctrines of Luther, and Henry Forrest, a Benedictine friar of Linlithgow who shared his opinions, shared his fate. Forrest was burnt at the northern end of the cathedral, high at the edge of the coast, so that "the heretics of Angus should see the fire." That ghastly sight affected the beholders in different ways; also, Hamilton's bearing at the stake had not been lost on those who were gathered to see him die. Possibly the murder of Froster was the outcome of some ordinary quarrel, but the deep resentment against intolerance and popery that was growing in the land may have had more to do with it, especially as the murderer was a man who was to labour most of his long life in the Protestant cause.

Some writers have said that John Erskine fled the country secretly; others, that he immediately went abroad as a pilgrim; but there seems to be no trustworthy statement extant that can raise either of these suppositions to the dignity of a fact. The Dun Papers prove that later—nine years afterwards—he had a license from James the Fifth to go out of the country on pilgrimage with his eldest son, but at such a distance of time it is not possible to connect the event definitely

with Froster's death. All that is known about him for the next half-dozen years is that, at the age of twenty-five, he resigned the barony of Dun to his heir,¹ John, according to the family habit, reserving his own liferent and his wife's terce and that he handed over to his mother two houses with their gardens on the east side of Murray Street in Montrose.²

It was in 1534 that David Stratoun was executed for heresy. The two young men were friends, David being a younger son of Stratoun of Lauriston who had a castle on the top of the cliffs some miles up the coast. He had inherited a small property a little west of his father's house, on the hillside; a bare, bleak place where he worked his farm and drew part of his income from his salmon fishings which lay below the cliffs above the North Esk running to the sea. The nets were spread at the river-mouth as they are to this day. Tradition tells of Stratoun as a powerful, headstrong man with a contempt for scholars and books; truculent and irreligious, he avoided churchmen, and Spottiswoode in his history of the Church speaks of him as "quarrelous" by nature and adds that, through frequenting the company of the Laird of Dun he had become another man.

But the Church had its eye on him and the Vicar of Ecclesgreig, a parish adjoining that of St Cyrus, demanded a tenth of the fish taken in his nets. At this the unregenerate part of Stratoun rose up and he refused to obey, but finally modified his refusal by an untimely jest. He told the Vicar that if the Prior of St Andrews wanted a teind of

¹ Dun Papers.

² *Ibid.*

his fish he could have it by coming to the place where it was collected. Then he ordered every tenth fish to be thrown into the sea. Soon afterwards he was accused of denying the Church's right to tithes and summoned to Holyrood to answer for it to the Bishop of Ross.¹ Many other persons were brought before the Court on charges of heresy at the same time and among them Norman Gourlay, a priest. Stratoun's plea was that the fish teind was too heavy and the Church too grasping. Gourlay's crime was more definite, as he denied the existence of purgatory and the jurisdiction of the Pope ; but Stratoun, refusing to recant his words, was condemned to be burnt and suffered at the same stake with the priest, encouraging him to the last. All this must have sunk deep into the Laird of Dun's mind and helped him to lay the foundation on which he was afterwards to build.

In 1538 his wife, Elizabeth Lindsay,² died, leaving him with, certainly, three sons ; but it is difficult to sort out and apportion the seven—John, Robert, William, Thomas, James, a second John, and Alexander—whom his two wives, between them, brought into the world. But Elizabeth was undoubtedly the mother of the first three.

In 1541 he received a charter in feufarm from Thomas of Brechin of half the lands of Arrat³ with its mill ; and in addition to its rental he undertook to furnish his uncle with "two footmen with halkirkis and pikkis" to serve in the king's army when required ; in a Charter of Confirmation by

¹ James Hay, died before 1539.

² Dun Papers (Obits of the Lairds and Ladies of Dun).

³ *Reg. Mag. Sig.*

him in favour of his son John, dated in the same year, he is spoken of as being Provost of the Burgh of Montrose.¹ By this time he had repaired the loss of Elizabeth Lindsay by marrying a Frenchwoman, Barbara de Bearle.² According to Macfarlane's *Genealogical Collections* she was the daughter of the Sieur de Camnecourt, a nobleman of Picardy, and was at the time he met her a lady-in-waiting to Marie of Lorraine, who had just arrived in Scotland as the bride of James the Fifth; John and Barbara were married at Dunfermline. Her seal, with that of her husband, are in the British Museum (see Appendix C).

In 1542 he was again licensed to travel for two years,³ and set off for France and Italy, taking with him as travelling companions his cousin Thomas Erskine, son of Thomas of Brechin, and one John Lamby of Duncany.⁴ Many Acts had been passed respecting Church matters, and several people had gone to the stake on the Castle Hill of Edinburgh; but by the Laird's return a great concession had been made to religious freedom, and all classes were now allowed to read both New and Old Testaments in the vulgar tongue. Secular events too had moved quickly; King James had died; Mary Stuart had arrived in a world that was never to forget her, and the Earl of Arran,⁵ her nearest relation, had been made Governor of Scotland.

Though John Erskine was living peaceably

¹ *Reg. Mag. Sig.*

² *Ibid.*

³ Dun Papers.

⁴ The farm of Duncany, now called Dunkenny, is still occupied by the Lamby family. It stands near the Kirk of Eassie.

⁵ Afterwards Duke of Châtellherault, died 1575.

with his new wife at Dun, he was nearing the place where the flow of his destiny was to turn into a swift channel and be swept out into the full flood of the religious struggle. There had come to Montrose one of those people who seem marked out to influence events far greater than themselves. This was George Wishart, of the family of Pittarrow in the Mearns. His father's estate lay on the confines of Angus, and Erskine had known him long before he came to live so near him. Wishart had decided to settle in the town where, as Bowick expresses it, he had "taken up the ferula." In other words, he was acting as schoolmaster and teaching the Greek New Testament. According to M'Grie in his *Life of Knox*, Wishart was not the first to introduce Greek into Montrose, for about eight years earlier Erskine had, at his own expense, established a Frenchman named de Marsillier there to give instruction in the language.

It was not long before the charge of heresy was brought against Wishart, and he fled to Bristol before the uplifted hand of the Church. There he was accused again and went to Germany, returning to Britain in 1542. Next year he was at Cambridge for a short time and then turned his face northward once more and went boldly back to Montrose, where he found a welcome there from Erskine, who kept him at Dun till he started on a tour of the country to preach the reformed doctrines. Tradition has it that the Laird thought his activity premature, and told him so, but Wishart did not heed his friend and went his way. At Dundee, crowds listened to him, and when the Church stepped in again to forbid him he went on to Ayr, Mauchline, and

other places, protected by Lord Glencairn¹; for Glencairn's sympathy was with the Reformers. From the west he hurried back to Dundee. Plague had broken out there, and standing on the arch of the Cowgate Port he preached encouragement to the sick and dying huddled together in the 'sick men's yairds' outside the walls, and to the whole inside them. He must have been a fine sight, his dark figure against the sky, high over the anguished mass; "a man," as Tilney, one of his pupils, describes him, "of tall stature, pole-headed,² and on the same a round French cap of the best." When the plague abated he returned to Montrose, and while he was there a curious incident, told by Woodrow, befell him. This writer says that it was "Cardinal Myll"³ who caused a letter to be written to him, as though from the Laird of Kinnear, in Fife, he being sick and desiring Wishart's presence. Wishart started at once, going on foot and being accompanied by many townsfolk who were to keep him company for the first bit of the way. They left the town and went along the north shore of the Basin of Montrose, crossing the Tayock Burn that now flows under the highway, but which then must have poured over their path. The tide comes up the salt marshes and further on the ground rises into high sand-hillocks covered with bents and whin. The place was then called 'the Cunningar of Tayock.' It still remains though its area has lessened, and on stormy days the wind still blows the sand in over the fields by Tayock

¹ Alexander, fourth Earl.

² Short-haired.

³ Probably Mylne, Abbot of Cambuskenneth.

Farm. As they neared the Cunningar, Wishart stopped and was silent. Then he said: "I am forbidden by God to go on this journey." He turned home, asking his friends to go to the high ground and look over. There at its foot, on the Back Sands skirting the Basin's shore they saw, concealed by the hillocks, an ambush of armed horsemen waiting for Wishart, emissaries of the Church. After this he went again to preach at Dundee, 'sair against the judgement of the Laird of Dun.' He continued until he was arrested at Ormiston, tried by a conclave of bishops and burnt outside the Castle of St Andrews, whilst Cardinal Beaton watched his end from the walls. He was the second of Erskine's friends to die at the stake. Three months after, Beaton was murdered and had his dead body exposed on the place where he had sat. "Fie! fie! I am a priest!" he cried, as his assailants pressed upon him. "You shall have such mercy as you gave George Wishart," was the reply. And with Beaton one of the first obstacles to the Reformation in Scotland was swept away.

Erskine's relations with the Cardinal must have been outwardly good, judging by an undated letter that he received from him enjoining his presence at a meeting of the Estates.

"Rycht honorable and traist cousing, I commend me hartlie to you, nocht doutting but my lord gouenour has written specialye to you at this tyme to kepe the diet with his lordship at Edinburcht, the first day of Nouember nixt to cum quhilk I dout not bot you will kepe, and I knaw perfiltie your gude will and mynd euir inclinait to serue my lord gouernour, and how ye are nocht onnely determinait

to serue his lordship at this tyme be your self bot als your gret wais and solistation maid with mony your gret freyndis to do the samin, quhilk i assuris you sall cum baytht to your hier honour and the vele of you and your houss and freyndis, quhilk you sall be sure I sall procure and fortyfie euir at my power, as I haue shevin in mair speciale my mynd hereintil to your cousing of Brechin, kynchit; Praing you effectuously to kepe trist, and to be heir at Sanct Androwis at me this nixt Vedinsday, that we ma depairt all togydder by Thurisday nixt to cum, tovarit my lord gouenour, and bring your frendis and seruandis with you accordantly, and as my lord gouenour hais speciale confidence in you at this tyme; and be sure the pleasour I can do you salbe euir reddy at my power as knavis God quha preserue you eternall.

At Sanct Androwis the 25th day of October.

D. Cardinall¹
off Sanct Androwis.²

To the rycht honorable
and our rycht traist cousing
the lard of Dvn."

The Laird's family was growing up and his eldest son married; besides Elizabeth Lindsay's children he had several by Barbara de Bearle. He was not yet forty, but one may suppose that the maintaining and settling of young people who acquired wives and children of their own before they were eighteen must have made many a parent prematurely old. And now matters other than domestic were becoming urgent. By the end of 1547 the Battle of Pinkie had been fought with the English and the Scots defeated; yet Scotland was determined not to give up Mary Stuart, and

¹ Dun Papers.

² The signature places the date of this letter with certainty, as after 1538, Beaton having been made Cardinal in December of that year.

she was taken to an island in the Lake of Menteith for safety. But the English army of Somerset had penetrated far into Scotland and towns and castles had been seized and garrisoned by the invaders. It was an anxious time for all loyal subjects, and though Erskine's heart was with the Reformers and the Queen-Dowager's French party naturally on the other side, he ranged himself with her when it was a question of the liberty of his country. In January of 1547-48 he received a letter from her :—

“Traist freind, we grete you hartlie wele Forsamekill as we hard be my lord of Montrose report of your gude will and mynde, schawin annentis the defence of the liberte and commone wele of this realm, and of your gude service done onto our derrest dochter, your souerane, and hir autoryte, quharof we hartlie thankis you, praying you till contynew in the samyn as ye haue done in tymes bipast, nocht dwtand bot ye will sua do, assuring you, as our suer beleve is, that we sall haue sic support of freindis hastelie for the relefe of this cuntrie ffurth of trubill, that is now instant, that ye and honorable men sic as ye salbe thairthrow so glaidlie confortit, that ye sall think you to haue chosin the best part to haue had¹ you sa trew and honorable agains the enemys, for the defence of this your natyve realm, quhilk sall not fail to be grefe, fere, and skayth till otheris that hes done the contrar; Quhairfor we think we addettit to do onto you sic plesour as we may, according to our dewtie, the quhilk we sall nocht fail till accomlishe in euery behalf, conform to your gude deserving, and God Almychty conserue you At Striueling castell the alevynt day of Januar.

la bien vostre

Marie R.

To our traist freind
the larde of Dvn &c.”²

¹ Held.

² Dun Papers.

A second letter, received by him in his capacity of Constable of Montrose, followed not long afterwards :—

“Traist Freind, we gret you hartlie weill, Forsamekill as we are surlic informit that thair is certain schippis at the port of Montrose, in purposie to pase furtht of the realme with wictall, quhilk is contrar to the commine weill gif that ony schip or schippis pase, here it is our will, and also charges you, that gif thar be ony schippis lading, or to be lading with ony victallis that ye arreist the samyn, and escheit them till our use, the quhilk to dow, we commit to you our full power, an else we aduertyst you of siclyk at your departing, and thus weill fair ye At Stirling the 12th day of Merche instant.

la bien vostre

Marie R.

To oure weill belouit and traist frend
the lard of Dwn, and prouest
of Montrose &c.”¹

At the Council of Stirling it was decided that the French King should be appealed to, and by summer six thousand men were sent to Scotland by Henry the Second; as the price of this help Mary Stuart was to go to France and her marriage with the Dauphin to be settled definitely. The French troops were accompanied by André de Montalambert (Sieur d'Essé) who had been made Lieutenant-General of the French army in Scotland, and Leo Strozzi.² From Jean de Beaugué's *Histoire de la guerre d'Écosse pendant les Campagnes de 1548-49* we find that Erskine had joined the French forces, probably with that “7 or 800 Horse

¹ Dun Papers.

² Pietro Strozzi (called Leo) a cousin of Catharine de' Medici.

Arm'd after the Scottish manner" to which the author refers. The town of Haddington was d'Essé's first objective and they approached it by way of Musselburgh. "Mr d'Essé," says the translation, "intreated the Laird of Dun, a Scots gentleman, to go along with Captain Loup, Lieutenant to Mr d'Étauges . . . to discover the Enemy in case they had taken the Field, appointing Mr d'Étauges . . . to follow them with the remainder of the Light Horse, to support them." Captain Loup went to a village above Haddington where he sent out fifty lances to try to lure the enemy from the fort, but having no success he returned to d'Essé. The latter despatched a small force to occupy the hill and as the English then sallied out in large numbers there was a sharp skirmish. After several little affairs of the kind they fell back on Musselburgh. When the main body had advanced and d'Essé was pitching his camp under the walls there were other sallies from them in the last of which "Mr d'Andelet¹ nicked the enemy so fairly" that he fled leaving a good many behind him "exposed to Execution." There is an amusing description of a Highlander who "went straight upon a party of the English that had engaged a few Frenchman . . . and with incredible Celerity Seizing one of them, in spite of Opposition, truss'd him upon his Back and in this Plight brought him to our Camp; when we observed that the Enraged Captive had Bit his Shoulder in so Butcherly a manner, that he had almost Died of the Wound."

Erskine is described as being detached and

¹ Commanding the French infantry.

scouting with Lord Hume, a French officer and three hundred horse, and bringing back word of the enemy near Alnwick. The Scottish camp was now on the alert and the author reports that "on the night preceding the day of battle . . . about one or two hours before Day" the English appeared upon the hill to find d'Essé ready for him and his four or five thousand horse. After some delay the battle was joined. Erskine saw a good deal of fighting, being "upon the Head of some Scots, all Brave Fellows, and headstrong enough to Undertake the most Dangerous Exploits"; and he was in the final charge with d'Essé, d'Étauges and Hume. "Mr d'Essé, my Lord Hume, the Laird of Dun and the rest of our horse did Wonders, as before," says Beaugué; "broke in upon their Ranks and carried all like a Torrent before them . . . such was the terrible Consternation of the Vanquished that 18 of them tho' Armed cap-a-pie, yielded their Persons and Arms to the Discretion of a few Country Women who were afterwards Enrich'd with Ransom, the Price of the Cowardice."

After this the Queen-Dowager appeared in camp and congratulated the victors; and according to Beaugué, continued "for several Months to Praise the Slain and to gratify the Surviving." It was decided to attempt to starve out the garrison of Haddington and d'Essé withdrew to a short distance. There were various surprises attempted by the English but without any happy results. Once, their cavalry was sent out under cover of darkness but were repulsed by Hume and Erskine, who were on guard that night. "They're both Scots men of Quality," adds the author, "and have

given Signal Proofs of their Loyalty and evinc'd themselves inferior to none in the World either in Courage or Conduct."

A fresh army was sent from England and pushed into Scotland and a fleet put to sea to cruise about the coast and interrupt any further supplies from France. D'Essé asked for more troops but was unable to get them, so he was obliged to raise the siege and retired, hampered by the enemy. The English Admiral went up the coast doing what damage he could.

Erskine had gone home, Beaugué says, because of the bad state of his health, but it is more likely that he had news that hastened his return. He had held the Constablership of Montrose for some few years and, with English ships hugging the shore, it was advisable that every responsible man should be at his post along the sea-board. It is said that, on his way north, he had fires lit in conspicuous places to warn and raise the country. The first thing he did was to collect all his own retainers and lie with this small force in the town. That other reasons than health had brought him home is further suggested by some orders¹ that came to the town of Dundee. These were to "waig a hundred soldiers" to go to Angus and that the townsmen were to be under Erskine's command "on pain of life, lands and guidis."

The English ships were not long in coming. They sailed up and lay far out waiting for darkness to make their way into the South Esk, and might have done so had it not been that their lights became visible to the watchers on shore. It seems

¹ Keith's *History of the Kirk*.

a curious thing that they should carry lights on such an occasion; but it is supposed that, being ignorant of the navigation of the watermouth, they had sent small boats ashore in the dusk and captured pilots from the fisher people on the south bank of the river; and that these, finding themselves on enemy vessels, secretly hung out burning stuff to warn the townsmen. In any case, their approach was known, and Erskine, the Constable, waiting in the castle he had fortified, had made his dispositions.

Beaugué speaks of his preparations. "Though his Illness pleaded for Sleep and Rest, yet he never retired by Night till he had first visited the guard of a Fort which, with Incredible Diligence, he had caus'd to be Rear'd" . . . and was frequently wont to say, "That as Men of Honour are bound to fear Shame, so they are oblig'd by the same Rule not to shun Dangers or Troubles." It is permissible to doubt whether Erskine ever said this; it has such a true smack of the grandiloquent Beaugué.

He had called up every person in the town capable of bearing arms, and collecting these, divided them into three troops—merchants, tradesmen, prentices and the *personnel* of his own retinue. There is no mention of the presence of his sons, but we may take it that any who were of an age to carry a sword were there.

To explain his plan of action it is necessary to describe the ground on which he had to carry it out. The castle stood at the Basin's edge at a point west of the town, just at the head of the strait formed by the river and the arm of the sea;

further down the shore was another eminence, called later Horloge Hill, from a dial that was once placed on it. It is now quite flat, having been carted away as ballast for the Baltic brigs; but it stood about halfway between the castle and the North Sea that washes the links eastward of the town.

Erskine sent one division of his men to Fort Hill, on which the castle stood,¹ and put another behind Horloge Hill, nearer to the watermouth, and taking, as Beaugué says, "the most Nimble from his third division, he began his scouting and with only one Man at his back, he approached so nigh" (to the coming ships) "that he could distinguish their words and observe their Scarfs." He then withdrew to his third division and formed them up upon the shore.

The English came in unopposed past Horloge Hill and, seeing nothing but a small body of men, left their ships and fell upon it. They were met by a hail of arrows and the Constable with his own force attacked fiercely. It was a most successful surprise and a prodigious *mêlée*, and it took the English some time to find out exactly from what quarter the storm had burst upon them, but they fought sturdily. After a little the Scots began to retire, disputing the ground as they went, and the enemy, supposing that this burgher defence was giving way, pressed them harder as they retreated, and when Erskine had drawn them almost under the rising ground of the castle, his first division

¹ It was on the piece of rising ground where the Infirmary now stands. The Fort Hill used also to be known as "Constable Hill" in remembrance of the Laird of Dun's fight there.

came suddenly out and joined in the battle. For a moment the English were checked; the hill was against them but they struggled on desperately. Dawn was not far off, and though the townsmen had fought with the greatest resolution they were much outnumbered. Then as daylight began to appear the English were aware of the third division coming from behind Horloge Hill. Without waiting to see how large the reinforcement was and conscious that it must cut off their retreat to their ships, the invaders broke and made for the place of landing. The Constable then began the pursuit, and it is said that in this rout about two-thirds of the invading force were killed or put out of action. Beaugué calls this defence "a nice piece of Martiall Cunning," and says that the Constable's troops were "so Skilfully ranked that notwithstanding that their weapons were Ridiculous, the enemy took them to have been Arm'd after the French Fashion." Buchanan also speaks of Erskine's defeat of this raid.

There is one more letter from the Queen-Dowager to him. He was making a permanent stronghold of his hastily constructed defences and had asked her for more guns, though not for the French commander whose advent seems, from the Queen's words, to have disturbed him considerably. Perhaps he had wanted to command the French troops himself, either because he would have liked the experience, or because he thought in this way to make the native and the foreign element work better together; but the queen had other ideas. Beaugué's description of the Montrose defences is interesting and gives some notion of the difficulties

the Constable must have had. It is no wonder that he wanted more artillery.

"Montrose is a fair Burgh . . . where the river Esk enters the sea, its Road is not so safe, but the Harbour is good, and ships may get into, or out of it with any tide whatsoever . . . the Fort it has at present, is scarcely of any use at all; it wants Water and is so very little, that it can neither lodge a Garrison, nor contain Provisions; Moreover, it is Built upon Moving Sands with dry turf, and is not . . . capable of being in any way Flank'd."

"Traist Freind," writes Marie of Lorraine, "we grete you hartlie Forsamkill we haue reaaunit your writing teuching the cuming of the capitane Beauchastell and his cumpany, It was nocht our mynde till take ony of your heretage fra you, nor yet to forget your gude seuce vnrewardit bot as ye ken your desire was of artalrie and men to the fort, and sowardis will neuer mak obedient seruice without they haue ane capitane till command thame, and it is nocht our mynde that ye sulde want onything that pertennis to you, bot that thai suld be vsit be your command and aviss, and gif thare be ony cuntre men that will think or say othirwayis nor it is wele of the cuntre and alis youris, we vnderstand wele that thai kepe nocht ane trew part nor mynde for the wele thairof, for quhat wald it avale the keping of the fort, bot gif it war for the sauffte of the hale cuntre, for and we war othirwayis myndit we mycht causs make ane othir fort in quhat part of the cuntre we pleysit, and fortify the samyn, quhethir thai cuntre men will or nocht, that thinkis ye do nocht your dewtie; praying you herfor that ye will haue regard to your awin wele in that behalf, or nocht take hede to the consall that is nocht for your wele nor yet for the wele of the cuntre, considering that we haue made report to the king oftymes of your gude seruice, and of your houss, and will not fail till caus the sain to be rewardit quhilk we haue promysit to you, and as we think the entering of the said capitane sall relefe you of part of

cummyr and pyne, and God conserue you At Edinburgh the 29 day of August 1549.

“ We think strange that thai men suld cum thare and not be ressauit, for we assure you that thai cum thare in na intent bot till kepe that Fort, and nocht till hurt you in your heretage or any othir thing, and als it is nocht best that this thing suld be done, considering we haue writing sac mekill gude of your part till the king, or that now ony thing suld be schawin of you to the contrar.

la bien vostre

Maric R.”¹

Beauchastel was a gallant officer, as Beaugué relates further on in describing the spirited bid he made to rescue d’Étauges when he was taken prisoner; but it is evident that Erskine had been making difficulties, and there is a hint of restrained anger in the Queen’s postscript which might well have burst over the head of a less useful man.

But the danger from England was passing over and Montrose was free of its menace by sea; Haddington was now the only place left in English hands. More French reinforcements came to Scotland, and at the end of the year the country was cleared of the enemy.

¹ Dun Papers.

CHAPTER VI

THE FIFTH LAIRD AND THE REFORMATION

IN 1550 the Treaty of Boulogne was signed. French influence was strong and the French soldiers who remained among the Scots were beginning to get into difficulties with the people. The Queen-Dowager went to France for a year and in 1554 she replaced Arran as Governor. The Laird of Dun had laid by his sword when the smouldering Reformation, whose flame had been overshadowed by the national danger from England, began to glow anew. It was in September of 1555 when John Knox came from Geneva and stayed for a month with him at Dun; here he preached, and all the principal men of Angus as well as their poorer neighbours came to hear him; Erskine also invited him to meet Maitland of Lethington and other men of influence.¹ In the year following Knox visited him a second time and dispensed the Sacrament,² which was attended by crowds from Angus and the Mearns.

A friendship began between Knox and Erskine which was to last the whole of the former's life. There were four years dividing them, Knox being the elder. The Laird was a valuable ally, if only because his tact and knowledge of a more polished world enabled him to counteract the effect of the

¹ *M'Crie's Life of Knox.*

² *Laing's Life of Knox.*

Reformer's asperities; for all the respect due to Knox cannot hide the fact that he must have been hardly bearable at times, and that he considered his sacred message to include a wealth of offensive language. The fame of his preaching spread abroad and he was ordered to appear at the Blackfriars' Kirk in Edinburgh to answer for his views. Erskine and several others were ready to go with him and give him their support; but nothing came of the summons, and on the day when he should have made his appearance he preached to a larger concourse than ever.

The Laird of Dun was one of the first people of influence to sign the Covenant and Articles of Reformation¹ and attended his friend's exhortations both in public and in private. It was under his roof that Knox began formally to organise his associates against the Mass, and from these meetings there arose that body which came to be called 'the Congregation'; the common people heard him gladly until he returned to his flock at Geneva, where he remained for two years. He was brought back to Scotland by a summons signed by the advocates of a reformed Church, among whom was John Erskine.²

Soon after the message was despatched the Laird had to turn his thoughts from Church to State. He was sent to France as one of the Commissioners who were to witness the marriage of Mary Stuart³ to the Dauphin, and among his eight colleagues was Lord James Stuart,⁴ natural

¹ Knox's *History of the Reformation in Scotland*.

² Tytler's *History of Scotland*.

³ *Acta Parl. Scot.*

⁴ Afterwards the Regent Moray.

brother of the young Queen. There was no end to their disastrous adventures. As they cleared the Firth of Forth on their way out they were taken in a great storm, and two ships carrying the bride's plenishings went down off Boulogne; from these, a couple of Commissioners, Lord Rothes¹ and the Bishop of Orkney,² managed to escape. The stay of the Commission at the French Court proved none too pleasant, as they were asked to go far beyond their instructions and such demands were made on them that they were glad to turn their faces homewards. On the way, the Bishop of Orkney and Lord Cassillis³ fell ill and died, and Lord Rothes and Lord Fleming⁴ followed. There was a suspicion of poison, deepened by the remembrance of the uncomfortable relations which preceded their farewells. Out of the nine who started, Erskine and four others were all who came back.

On his return he threw himself definitely and for ever into the business of the Reformation, and began to read and expound the Scriptures publicly. He was chosen to petition the Queen-Regent and the bishops that the Sacrament and religious services might be conducted in the vulgar tongue, but, according to Woodrow, was "sent back with threats." As the Queen-Regent stiffened herself against the rising power of the Congregation its members held yet more closely together, and the last touch needed to consolidate them was given when Walter Miln, the priest of Lunan, in Angus, was burnt on the usual charge. He was nearly eighty,

¹ George, fourth Earl.

² Robert Reid.

³ Gilbert, third Earl.

⁴ James, fourth Lord Fleming.

and the people of Angus, who had now stoked the Protestant fire with their third martyr, formed themselves up behind Erskine to see the matter of the Reformation through. He was to become what might almost be called the Ambassador of the Congregation.

Meanwhile, preachers were added daily to their ranks and were summoned to Edinburgh by the authorities to vindicate themselves. They appeared with such a large following as to amaze their opponents; there were riots and the image of St Giles was thrown down and broken by the mob. The Regent was again petitioned without avail, and the preachers were summoned anew to Stirling, this time for refusing to attend the Mass. A large body of Protestant gentlemen from Angus and the Mearns marched to Perth and a like contingent, with which went John Knox, met them from Dundee. Though they were unarmed they meant to give protection to the preachers, and they sent Erskine forward to parley with the Queen.¹ She temporised and was conciliating; so much so that he wrote to the assembly he was representing telling them not to advance and giving them hopes of her consideration. Her next proceeding was to put them all to the horn. He retired from his mission, convinced of her double-dealing.² Next day Knox preached in the parish church of Perth, after which a priest went to the altar and began to celebrate Mass, whereupon there arose such an uproar that the church was wrecked, for the crowd in the street joined the wreckers. This was the

¹ M'Crie.

² Keith's *History of the Affairs of Church and State in Scotland*.

declaration of hostilities. "Pull down the nests to dislodge the rooks," said Knox.

The Queen concentrated eight thousand men at Auchterarder, and the forces of the Congregation fortified Perth and sent for help to their supporters in the west. Messengers were sent to the Reformers to ask them on what terms the town would surrender. The reply was freedom of worship and safety for the worshippers; and as reinforcements under Glencairn were found to be advancing, the Regent agreed, promising that no French soldiers were to be quartered within the walls. Erskine was employed in these negotiations; but as the Regent contrived to evade her agreement, he, with Lord James Stuart and other leaders, went off to St Andrews,¹ to which he was followed by the men of Angus and Mearns. Here there were fresh riots and a great destruction of Church property and beautiful buildings.

The Regent and her troops had gone to Falkland and marched on Cupar with the idea of subduing St Andrews. But the enemy's army had been swelled by a new supply of men from Fife and Lothian, so an armistice was agreed on, and this proving fruitless, the Congregation's forces surrounded Perth, which surrendered, and the garrison was allowed to walk out of the town. The Queen-Regent made herself safe in Dunbar Castle.

It was unfortunate that the foolish excesses of the Reformers' adherents did not abate with their improved position. Against the will, even of John Knox—who had egged them on in the first instance—to say nothing of the wills of Lord

¹ Knox's *History of the Reformation*.

James and the secular leaders, they committed the folly of burning the Abbey and Palace of Scone. Their popularity suffered, and colour was given to the rumour put about by their opponents that they meant to make Lord James king; their volunteer force, no longer active, began to fall away and dribble back to its shops and farms. The Regent's army marched on Leith and occupied it, then Edinburgh. A conference was proposed by the Congregation, and in the end it was conceded that their followers might worship in accordance with their consciences, but were to abstain from attacks upon the old religion. They returned to Stirling to consolidate their new liberty and their plans.

But, as the French King died about this time, Mary Stuart became Queen of France, and the Reformers began to dread the menace of an increased French influence; they decided to propose a league with England against France. A thousand French soldiers had landed at Leith and the Regent was fortifying the place; the Reformers repaired to Edinburgh, where they signed an Act deposing her as a tyrant and betrayer of her country. Erskine had been appointed one of a council 'having authority with the next Parliament erected by common election,'¹ by the reformed party, and in that capacity he signed the Act. But the Congregation had not a sufficient army to withstand its opponents, and after a severe reverse they returned to Stirling; Maitland of Lethington, the Secretary of State, had joined them and he was sent to England to get support from Protestant

¹ Keith.

Elizabeth. On Christmas Day the Regent's soldiers drove the Lords of the Congregation out of Stirling and St Andrews. But a fleet sent by the English Queen frustrated her plans and an English army crossed the Border; her troops returned to Leith, and she herself took refuge in Edinburgh Castle.¹ After much fighting all sides grew weary; the Queen-Regent died, and finally the Treaty of Leith was arranged, in July 1560, between Scotland, France and England. It was settled that the French soldiery was to leave the kingdom and a Parliament to meet. French influence was at an end.

With the cessation of the long disputes and fighting the Protestants found that the end of their travail was in sight. The Parliament which assembled dealt drastically with the Romish power in Scotland, and the first General Assembly of the Kirk met.

Now that their position was almost assured, the Lords of the Congregation set about the building of their New Jerusalem. At the coming together of the Parliamentary Estates in August the Confession of Faith was drawn up and ratified with little opposition. There was a meeting of the Reformed Church to settle constructive and administrative matters, and thirty Commissioners were made to help the new order of clergy, besides forty-three others, some of whom were to preach and instruct the people. Erskine was declared eligible to be a minister,² and though he was a layman he was elected to the latter number. He

¹ *Diurnal of Occurrents.*

² *Row's History of the Kirk of Scotland.*

and Glencairn were chosen to 'suppress and purge' the Abbey of Paisley of idolatry.¹

Early next year the Book of Discipline was laid before the Estates and produced great discussions on questions of Church property; before it closed Mary Stuart had returned, a widow of nineteen, to Scotland, to be precipitated into a very whirlpool of conflicting views presided over by the intimidating figure of Knox. Because she went to Mass on the morning after her arrival, the Lords of the Congregation were "grittumlie annoyit," says the *Diurnal of Occurrents*.

In 1562 five Superintendents were appointed to be responsible for the five ecclesiastical dioceses into which the young Kirk of Scotland had divided the kingdom. Their duties were to travel their respective districts, arranging for the building of places of worship, reading and expounding as they went. They were forbidden to stay more than twenty days in one place, which fact alone would make heavy demands on their strength, and were obliged to preach three times a week; four months was the limit allowed them in the year to remain in their homes. They were to persevere in their work until all the kirks in their circle of power were provided with ministers. The five appointed were: John Spottiswood, Superintendent of Lothian; John Willock, of Glasgow and the West; John Carswell, of Argyll and the Isles; John Winram, of Fife and John Erskine, of Angus² and the Mearns. To this band of devout and peripatetic Johns was the infancy of the youthful Kirk confided. On the death or

¹ Sadler's *State Papers*, ed. 1809.

² Woodrow.

deposition of one of their number, the elders and magistrates of the chief towns and all the kirks were to nominate his successor from the worthiest of the ministry; those who objected to the candidate were to appear at the chief town of the bereaved diocese, where the ministry of the province with the other Superintendents were to 'try their learning, manners, wisdom and ability to govern, publicly,' and were to bring with them the votes of the congregation they represented. Superintendents were to be subject to the correction of elders and ministers of the whole province. No sinecures, these appointments, surely. "What obedience Mr Spottiswood promised at his admission may be verified by the Book of Common Order," says William Scot, in his *Apologetical Narration*, "the proud prelat, his son, the Archbishop of St Andrews, said he will not be subject to such a crue."

Knox went to Angus to be present at the Laird of Dun's installation,¹ but though Erskine started thus impressively godfathered, his first experience in charge of a diocese was not entirely successful. Perhaps his methods were too lenient to satisfy the drastic notions of his brother Reformers; perhaps he found, as many have done, that the civilian is more of a handful than the soldier; for though at the General Assembly of 1562 he complained of the schoolmaster of Arbroath² for infecting his pupils with idolatry, he was himself censured for want of discipline in his charge. It was stated that popish priests of loose character

¹ M'Crie.

² *Booke of the Universall Kirk of Scotland* (pub. Bannatyne Club).

were suffered to be readers in the kirks; that young men were admitted to the ministry on insufficient examination; the "Gentlemen of vitious life" were made elders; that ministers were lax in their Sabbath duties, coming late to them and departing as soon as the sermon was over. It was a serious indictment, the strangest part of which, to modern ears, was that his ministers did not resort to the exercise of prophesying.

But the Kirk could not have been very much displeased with him, for in 1564 he was elected Moderator of the General Assembly¹ and each month drew him deeper into its affairs. For a man whose health seems to have been indifferent from middle age onward he must have got through a lot of work. Besides being Provost of Montrose, his business for this year included visitations in Nithsdale, Galloway, Kyle, Conyngham and Clydesdale; judging from the *Booke of the Universall Kirk*, his duties were interminable.²

In spite of the conflicts that had set the Queen-Regent and himself on different sides, it is likely that she had spoken well of him to her daughter.³ He had fought gallantly in her army before Haddington and stoutly defended one of her sea-ports; her letters to him had been worded in a spirit of friendly reliance; and he would never have been chosen by the wary Congregation to approach her with its petitions at Perth had not that astute body known he would be personally acceptable to her as an envoy. No doubt it was owing to this that when Mary Stuart wished to

¹ *Booke of the Universall Kirk of Scotland* (pub. Bannatyne Club).

² *Ibid.*

³ See Letter, p. 71.

know something at first hand of the disquieting new doctrines and sent for the Superintendents to preach before her, she added, "of all others I would gladly hear the Superintendent of Angus, for he is a mild and sweet-natured man with true honesty and uprightness."¹

The grim joylessness of the Reformers lay on the people like a black frost and it was small wonder that Erskine's voice was heartening to the young queen. How great the policing of all gaiety was can be seen from the *Diurnal of Occurrents*, which records the narrow escape of a shoemaker's servant who ventured to play in the masquerade of Robin Hood and was condemned to the gallows for it. As his friends were unable to get the egregious sentence modified, there was a riot among the craftsmen of Edinburgh and they broke into the Tolbooth and set the 'condampnet cordwainer' free.

When the question of Mary's marriage to the Catholic Darnley arose, Knox's vehement opposition came to her ears and he was ordered to present himself at Holyrood. Calderwood's description of their interview, taken from Knox, is well worth quoting in full :—

"Nane went in with him to the Queen's cabinet but John Areskine of Dun, Superintendent of Angus. The Queen began to cry out in fume, that never prince was so used as she was. 'I have borne,' said she, 'with all your rigourous speeches, uttered against myself and my uncles. I have sought your favour by all possible meanes; I offered you presence and audience whensoever it pleased you and yitt I cannot be quite (quit) of you. I vow to

¹ Keith.

God I sall once be avenged.' Her chamber-boy, Marvock, could skairse gett naipkins to hold her eyes drie, for teares. The yowling, beside womanlie weeping, stayed her speech. Mr Knox, having patientlie susteined her first fume, at opportunitie answered, 'True it is, Madame, your Grace and I have been at diverse controversies, yitt I never perceaved your Grace to be offended at me. When it sall please God to deliver your Grace from that boundage of darknesse and errour wherein yee have been nourished, for lacke of right instructioun, your Majestie will find the libertie of my tongue to be nothing offensive. Out of the preaching place, Madame, I think you have not occasioun to be offended at me; and there, Madame, I am not master of myself, but must obey Him who commandeth me to speak plainlie, and to flatter no flesh upon earth.'

" 'What haue ye to doe,' said she, 'with my marriage?'

" 'Please your Majestie,' said he, 'patientlie to hear me. I grant your Grace offered to me more than I ever desired or required. But my answer was then, as it is now, that God had not sent me to await upon the courts of princes, nor upon the chambers of ladeis, but to preach faith and repentance, to such as please to heare. In preaching of repentance, Madame, it is necessar that the sinnes of men be noted, that they may know wherein they offend. The most part of your nobilitie are so addicted to your affections that neither God's word, nor the comoun wealthe are dylie regarded, therefore it becometh me to inform them of their duetie.'

" 'But what have ye to doe with my marriage?' quoth she, 'or what are ye within this comoun wealthe?'

" 'I am a subject of the same,' said he, 'Madame; although I be neither erle, lord nor baron in it, yitt God hathe made me, how abject soever I seeme in your eyes, a profitable member within the same. Yea, Madame, it apperteaneth to me no lesse to forewarne of such things as may harme it, if I foresee them, than to anie of the nobilitie, for my office and calling so craveth. Therefore, Madame, to yourself I say, as I said in publick, Whensoever the nobilitie of this realme sall consent that ye be subject

to an unfaithfull husband, they doe so farre as in them lyeth to banish the truthe, betray the freedom of this realme and perhaps in the end, sall bring small comfort to yourself.'

"At these words yowling was heard, and teares might have been seene in greater abundance than the mater required. John Areskine of Dun, a man of meeke and myldde spirit, to mitigate her anger, praised her beautie and excellent parts, and said that all princes in Europ would be glade to seek her favours. But such manner of speaking was nothing but to cast oyle on the flaming fire."

It seems from this account as though Erskine's words to the queen were mere sops of flattery, dragged in to stop the storm of anger and humiliation that his companion had stirred up. But it must be remembered that he probably agreed with everything that had been said, though his own manner of saying it would have been very different. But Mary was at that time furiously in love with Darnley, and that had as much to do with her outraged distress as had the interference of Knox, which all her training had made her resent as absolutely unwarrantable. It can be guessed that this was in Erskine's mind and that what he meant to convey was that, should she reject Darnley, she would find plenty of others, with even greater attractions, only too happy to take his place. But the tactful Superintendent had blundered for once and was but "casting oyle."

"Mr Knox stood still without any alteratione of countenance, a long season. At lenth he said, 'Madame, in God's presence I speak. I never delyted in the weeping of anie of God's creatures; yea, I can skarse weill abide the teares of my own boyes, when my own hand correcteth them, muche lesse can I rejoyce in your Majestie's weeping.

But seeing I have offered you no just occasioun to be offended, but have spoken the truthe as my vocatione craveth, I must beare, howbeit unwillinglie, with your Majestie's teares, rather than hurt my conscience or betray the comoun wealthe by silence.'

"The Queen was then more offended, and commanded him to passe out of the cabinet, and abide her further pleasure in the chamber. The Laird of Dun stayed; tarried neyr the space of ane houre.

"After this the Reformer fell to upon the ladies who were sitting in the antechamber and preached, forcibly and dismally, to them.

"So passed the time till the Laird of Dun willed him to depart to his hous till new advertisement. The Queen would have the Lords of the Articles to be judge, whether suche speeches deserved not punishment. But she was counselled to desist, and so that storme ceased."

In 1565 she married Darnley.

In this and the two following years John Erskine was again chosen Moderator of the General Assembly.

His election to the office is described :—

"First for eschewing of confusion in reasoning and that any brother should speak in his rowme with sic modestie as becomes the ministers of God's word to doe, with the whole consent of the bretheren present, was chosen John Erskine of Dun, Knight, Superintendent of Mearns and Angus to be Moderator at this tyme who acceptit the office upon him."¹

This is interesting as being the first mention of his knighthood, and though after this date various references to him call him Sir John Erskine, Knight, he does not seem to have made much use of his distinction and probably attached

¹ *Fasti Ecclesiæ Scotticane.*



MARY STUART, JOHN KNOX, AND JOHN ERIS

From the painting by William Allan, A.R.A.

very little importance to it. Perhaps he may have thought it unsuitable to the semi-clerical character of his occupations. But, notwithstanding his eminence in the Kirk he did not always satisfy his strenuous colleagues and censure fell upon him again. His reply to the accusation that he had been remiss in his visitations is rather curious. He admitted that he had visited few kirks during the foregoing months, observing that, had he done more, these visitations were unlikely to have been profitable, as *those who stood in most need of his correction and discipline were, for the most part, his friends with whom he would have lodged.*¹ Not many of his brother Reformers would have allowed that difficulty to hamper them.

His health had been no better and a year later he asked to be relieved of his calling, being unequal to its duties because of his continued ill-health, and though his petition was not granted he was allowed to appoint helpers.² He was only just fifty-seven, so his trouble must have been due to some mischance or delicacy of constitution, though the next year saw him put forward the same plea and get the same reply. He had many things to do besides his own duties and was employed in a variety of ways. He was on a commission anent the Jurisdiction of the Kirk³; he signed Knox's letter to Eight Bishops in favour of objectors to clerical vestments, 'surplice, corvet, cap and tippet,' described as "dregs of that Romish Beast"⁴; he sat in Parliament⁵; in the January of 1567 he, with the Superintendent of Lothian,

¹ Woodrow.

² *Ibid.*

³ *Acta Parl. Scot.*

⁴ Calderwood.

⁵ *Acta Parl. Scot.*

assisted the Bishop of Orkney to crown James the Sixth, the infant son of Darnley and Mary.¹ Knox, who preached the Coronation sermon, reports that Erskine and Lord James Stuart—now Earl of Moray—took the oath to maintain the Reformed religion on behalf of the young prince, Mary, a prisoner in Loch Leven, having appointed Moray Regent. On 20th December the Reformed doctrine was ratified by Parliament and papal authority and the Mass abolished.

It was in Moray's short Regency that Erskine became a Privy Councillor² and again sat as Commissioner for Montrose.³ He was also appointed to visit the Sherifffdom of Aberdeen and Banff and examine the universities for abuses and popery, the result being that, with the approbation of the Kirk, he deprived the Principal and the Regent of the college of Old Aberdeen of their offices.⁴ He was one of the arbiters between Huntly⁵ and those he had despoiled in Aberdeenshire, Angus and the Mearns,⁶ for Huntly was of Mary's party and had been harrying all who acknowledged the Regency; he was a member of the Committee of Estates called by Moray to consider on what conditions Mary could be brought back.⁷

In 1570 Moray was assassinated. An odd legend is quoted by Woodrow as being vouched for by 'the ministers of the Church who were in the family of Dun.' The Regent was staying at Dun with the Superintendent and they were talking

¹ Woodrow.

³ *Acta Parl. Scot.*

⁶ George Gordon, fifth Earl.

⁷ Woodrow.

² Privy Council Register.

⁴ *Scot's Apologetical Narration.*

⁶ Privy Council Register.

at a window of the castle that looked on a green. Erskine turned to Moray with tears in his eyes and said, "Ah, woe is me, my lord, for what I perceive is to befall you shortly, for in a fortnight's time you will be murdered!" The Regent was shot and mortally wounded by one of the Hamiltons from the upper storey of a house in Linlithgow within a month.

The queen's adherents held their last stronghold in Edinburgh Castle and Lennox, father-in-law of Mary and now Regent, went to Stirling in August to hold a Convention. The six-year-old king was present, and like many another child, horrified his elders by an extremely untoward remark. Wearied with the long talking, he looked idly up at the roof and saw a broken place in it. "There is a hole in this Parliament," he observed in a pause. Almost immediately after this Huntly surprised them with a body of horse and foot and but for the timely help of Mar, it might have gone ill with the king's lords. But though the day was turned in their favour, Lennox was killed in the skirmish and Mar stepped into his shoes with the shadow of Morton behind him. The struggle between the two parties continued throughout the year.

Church matters were far from quiet as the new Regency went on. The resentment caused by some of the doings of Parliament was seething, the poverty of the clergy further embittering it. An announcement made in Mar's name to the effect that those who gathered the 'thirds' allotted to the ministers¹ should do so no more, aroused

¹ The Privy Council had laid a tax of one-third on all Church property. This had been allotted, half to Queen Mary and half to the ministers.

consternation, particularly as suspicion grew that Morton was its real author; for he had already managed to divert a part of the Kirk revenues into his own pocket and would be glad to divert the whole.

The clerical order had always formed one of the Estates, and the Romish bishops still sat in Parliament in spite of the fact that they were deprived of their religious functions. But as time went on and Sees became vacant the spiritual branch of the legislation began to decay and it was feared that, if one of the Estates were suffered to lapse, the Acts of the Regents during the king's minority might come to be pronounced illegal. Parliament, foreseeing this, called upon certain of the Reformed clergy to vote as successors to the deceased prelates and appointed nominal bishops to the Sees who were to attend the meeting of the Estates. Here was an unsurpassed opportunity for the greedy nobles. Morton, for one, had not lost it. He had obtained from Mar the revenues of the Archbishopric of St Andrews and this being illegal—the patrimony of the Church being in no way forfeited—he realised that, should Episcopacy ever return, the prelates might take proceedings against those who had diverted the ecclesiastical revenues. To obviate this difficulty it seemed best to the secular interest to restore the order of bishops, which would be reckoned in the future to have acquiesced and would abandon all claim to the great possessions of the ancient faith. The country, alive as it has always been to the charm of nicknames, immediately christened this spurious hierarchy 'the Tulchan Bishops,' a tulchan being the image of a

calf fashioned out of a bundle of straw enclosed in a calf skin and used to deceive reluctant cows into giving their milk.

This was no good prospect for the poverty-stricken ministry, and they foresaw their meagre stipends disappearing in the general scarcity behind the convenient screen formed by the Tulchans. Erskine, exasperated by the situation, took up his pen and wrote to the Regent (see Appendix D), defining the boundaries of temporal authority and insisting that the Kirk must have sole power in its own province. He defended the character of the ministers, observing that, had the nobility proved their purity of motive as well as they, the Kirk would be in a different position. It was a reasonable letter, much interspersed with quotations from the Scriptures but very clear; though Calderwood in speaking of it, says: "We find that the Superintendent of Angus could not distinguish between a Superintendent and a Bishop; that he taketh Titus for a Bishop; which error he acknowledged afterwards when the Second Booke of Policie was contrived."

The letter was followed in a few days by a second which, while touching again on the subject of the 'thirds,' went on to other matters affecting the Kirk. The Conference at Leith, at which all these vexed questions were to be thrashed out, is alluded to by Erskine; but he tells the Regent plainly that he sees no use in attending it himself, nor in his colleagues doing so if it be true that all discussion of the 'thirds' is, as the letter seems to suggest, not to be allowed.

Mar replied very temperately and tactfully,

regretting that the Superintendent had not come in person to confer with him, and agreeing that the inhibition on the collectors should be withdrawn. It was a most disarming answer, with just that touch in it of pensive reproachfulness likely to appeal to a generous nature; and in January 1572 the Convention met at Leith. Mar having annulled the offensive decree about the 'thirds,' the Superintendents went to it. Its objects were the planting of kirks and the promotion of better Kirk government; it was to have all the effect of a General Assembly, and full authority was given to Erskine and Winram, as Superintendents of Angus and Fife, accompanied by some other men of weight, to settle the polity of the Reformed Church. Among the results of the Convention was the preservation—or rather the re-establishment, at any rate during the king's minority—of archbishops, bishops, abbots, and priors, whom the First Book of Discipline had abolished. Their powers and privileges were to be drastically curtailed; but their reintroduction proved to be the beginning of the long and bitter struggle between Presbytery and Episcopacy. At the General Assembly held at the Tolbooth of Perth, of which Erskine was Moderator¹ the scheme drawn up at Leith was suffered to stand, though it was reluctantly consented to by many who saw no other way out of the tangle in which Church and State were involved. Woodrow says: "The Laird of Dun vigorously opposed them (Tulchan Bishops), and as far as I can guess, unwillingly and for peace, consented to them." Knox was

¹ Woodrow.

failing fast and could not attend, though he gave his approval ; his work was nearly over, for he died in November 1572, a few days later than Mar.

Erschine's health was no better, nor his work less hard ; he had many troubles besides the death of the Reformer. Barbara his wife had died¹ at Montrose during the year, and the loss of Mar must have been a heavy one to him. At Dun there was to be trouble too. In 1573 Morton, the new Regent, who was far more than the evangelical pirate for whom some have taken him, had got his firm grip on Scotland ; but in spite of it the Gordons were not yet quiet, and Adam Gordon of Auchindoun still made havoc in the Mearns and was busy besieging the House of Glenbervy. His barbarities at Towie Castle were not forgotten. There, when the Master of Forbes' wife refused to surrender the place in her husband's absence, he had set fire to it and burned her and her children ; 'playing,' as Bannatyne said in his *Journal*, "King Herrot in the North." Some of the king's lords were encamped at Brechin, at which town they had collected their forces to check him ; but Gordon got wind of it, and by a midnight march surprised and routed them ; the affair was so sudden and so derisive to constituted authority that it became known as the Burd (or Jest) of Brechin. He returned, chuckling, to finish his misdeeds at Glenbervy and afterwards went to Montrose. It was but a step from there to Dun and he attacked and took the castle. History tells nothing of what reception he met with, though it is known that he went home with much loot. The

¹ Dun Papers.

Superintendent's office only permitted its holders a bare four months out of the year at home, so he may easily have been absent. His heir John had died some years earlier, but he still had a sufficiency of sons left by Elizabeth and Barbara, so that he should have been able, according to the Psalmist, to speak with his enemies in the gate.

About this time the ecclesiastical authorities put forward another complaint against their hard-working servant, and from the reply Erskine made to the General Assembly when he came before it, he may be judged a direct and dignified speaker. Inchbrayock is an island at the mouth of the South Esk, now joined to the mainland by a suspension bridge¹ on the Montrose side, and by a stone one on the other. At low tide there is a trickle of water under the latter; and within the memory of the very old, funerals passing from the south shore to the graveyard—now the only remaining vestige of the site of Inchbrayock Kirk—used to carry the dead over the stepping-stones that lay in the river-bed. The Superintendent was charged with having demolished this kirk and amalgamated it with another.

"Hearing in my absence," says he, "that a complaint was given upon me alleging that I had destroyed . . . the kirk of Inchbrayock and joined it to the kirk of Maritoun, I . . . declare to your wisdoms my part in that cause. I never did destroy a parish kirk but would have the reparation of all. As to that kirk . . . I, in my visitation, finding it spoiled and broken, did request that the parishioners repair to the kirk of Maritoun, being near them, until their own kirk was bigged, the which I wish

¹ Demolished and a concrete one built to satisfy the demands of traffic, 1930.

to be done shortly and what is in me lyeth to further the same shall not be omitted. This is the truth . . . and if it be found otherwise I shall build the kirk at my own expenses. If your wisdomes think any fault herein, I am subdued, and shall obey your godly judgement."¹

Their wisdomes had nothing to say.

Morton's avarice grew like a gourd. Having done all he could for the peace and order of the kingdom he could not keep his hands off its money, and the clergy were easier to plunder than the laity. The matter of the 'thirds' came up again and this time he was resolved to collect them himself in place of those appointed by the Superintendents. He would fix the amount of the stipends and be responsible for their payment; if the experiment were found unpractical he would promise to return to the old method. The result was the systematic starvation of the Kirk, whilst its ministers were often refused even the wretched stipends left them; Erskine, Winram and Spottiswoode, out of patience at last with Morton's behaviour and weary of the appeals of the flocks for which they could do so little, sent in their resignations.² They were not accepted and they were desired to continue in their offices till the next Assembly. Erskine was again appointed to confer with the Regent on the jurisdiction of the Kirk,³ a mockery which cannot have been pleasant to him; also he was exempted from attendance on Sheriff Courts⁴ so that he might have more time to give to the requirements of his office.

In spite of its unwillingness to part with him,

¹ Woodrow.

² Calderwood.

³ *Acta Parl. Scot.*

⁴ Woodrow.

the Kirk seemed never tired of making complaints of the Superintendent of Angus. The General Assembly of 1575, whilst desiring him to continue in his work, began to find serious fault with him for having admitted one Robert Mersar to the ministry¹ at Banquhar Ternitie,² whom they objected to as being unable to discharge his cure. His defence was that he had admitted Mersar on the advice of his brethren of Aberdeen, who had examined and approved the candidate. It was also urged against him that choirs in his diocese were "ruinous." But as he informed them that these were supported at his own expense "as best he might," the complaint was heard of no more.³ Melville, in his *Diary*, says of him, "the Laird of Dun dwelt often in the town (Montrose) and of his charity entertained a blind man who had a singular good voice. Him he caused the doctor of our school to teach the Psalms in metre and sing them in the Kirk."

The date at which he resigned his Superintendentship is vague, as he continued to be referred to as Superintendent, having been asked to retain that title for life.⁴ Judging by the amount of ecclesiastical business he was still employed in, it is difficult to see wherein he benefited by the change; he is spoken of in the *Booke of the Universall Kirk* as "one of the gravest of the ministry," but it might well have been added that he was one of the most industrious. And now, being about to retire from his more important duties, he, probably by his own request, obtained the living of Dun and became minister of

¹ Woodrow.² Banchory-Ternan.³ *Booke of the Universall Kirk*.⁴ Woodrow.

his own parish. He was presented to it by King James on the 11th of August 1575, and collated by Winram,¹ his colleague, Superintendent of Fife, on the 20th of that month (see Appendix E).

At the next General Assembly it was decided that though the offices of bishop and pastor had been declared by a former ruling to be the same, they were now to be considered different, and it was agreed to appoint Visitors to relieve the Superintendents of some of the burdens laid on them. The Laird of Dun and his youngest son John helped in the choice of these men who continued their work till the erection of Presbyteries.²

Woodrow says that, after this year, Erskine was "not much designed by his title . . . in the Registers." The Kirk now set to work to frame the Second Book of Discipline, and he was among those employed upon the mass of reports and amendments that went to its making³; he also helped at its revision and the report on it put before the Assembly of October 1577.⁴ At last, in the June Assembly of the next year, he and his colleagues were able to inform the Kirk that the result of their deliberations had been put before King James and that he had read it graciously, promising to stand by the Reformed faith.

Morton's dwindling popularity and the people's objection to his profligacy and grasping character had ended in his resignation of the Regency and the youthful James was in the hands of a very different set of men. Now that the strong grip was gone the country began to relapse into the disorder which Morton had made it his business to curb.

¹ *Reg. Sec. Sig.*

² Woodrow.

³ *Ibid.*

⁴ *Ibid.*

The General Assembly groaned over the apostates in the country and all Commissioners were enjoined to be active in punishing them 'as adulterers.' The Kirk set the Laird of Dun on the track of the Master of Gray^{1, 2}; the estimation in which this person was held may be illustrated by the following answer given by the minister of Dunfermline to the king. It was rumoured that the Master's house had been shaken one night in a very mysterious manner.

"Why," asked King James, "is that house alone made to shake and totter?"

To this very sensible question of a boy of twelve the divine replied, "Sir, why should not the Divill rock his ain bairns³?"

It will be seen further on that this was not the end of the Laird of Dun's trouble with the Gray family.

The state of Scotland was far from peaceable, resounding with the intrigues of the dethroned Morton, the quarrels of the nobility and the clamour and disputes incident to the youth of a growing Church. A letter was presented to the General Assembly by the king asking for peace and that ecclesiastical matters might stand as they were for a season. But the whole body clerical was panting to get its spiritual affairs settled on the footing for which it had fought so hard. The petition was read amid little sympathy. A committee, headed by the Laird of Dun⁴ and including Thomas Duncanson, minister of the royal household, was waiting with a yard-long list of

¹ Woodrow.

² Patrick, afterwards fifth Lord Grey.

³ Hume Brown's *History of Scotland*.

⁴ Woodrow.

requests. It was desired that parents should be forbidden to educate their sons in Paris or in papistical places; that the University of St Andrews—which, it was feared, was making sheep's eyes at the Pope—should be overhauled; that 'ordour should be put to' Jesuits throughout the country (the Pestilent Dregs of a most Detestable Idolatry," as the Assembly called them); that nothing should be allowed to interfere with the General Assemblies; that excommunication, when pronounced, should be effectively carried out; that another minister should be added to the king's household, two being needful. The youthful James and the aged Laird must have been wearied of the sight of each other, for, as Woodrow says, hardly a deputation went into the royal presence without Erskine to smooth its way. Among his other activities was the punishment of "the strang and idle beggaris and vagaboundis and provision for the puir and misterfull¹ that aucht to be cared for."²

A very dangerous personality descended from France upon the kingdom in the shape of Esmé Stuart, Lord of Aubigny and nephew of Lennox, the king's late grandfather. James struck up an ardent friendship with him and created him Earl of Lennox. The clergy, like a black row of crows on a fence, croaked at him with suspicion; Elizabeth glowered in the distance, and all were right. James, with the misbegotten shrewdness that was his, tried to have it supposed that he intended to convert Lennox, who actually declared his conversion in St Giles'. But it availed him so little that the king

¹ Needy.

² Privy Council Register.

caused Craig, the minister added to his household, to compose a Confession abjuring popery. He signed it himself and it was administered to his council and subjects much as quinine might be administered in a malarial neighbourhood. Episcopacy was soon after condemned and bishops ordered to demit their Sees. In the April Assembly of 1581 Presbyteries were established and final sanction given by an Act to the Second Book of Discipline. A little later Morton, whom Lennox had succeeded in ruining by an accusation of complicity in Darnley's murder, was beheaded. Though Erskine must have had his hands full in these unquiet days, the only thing recorded of him is that he and Alexander Campbell,¹ Bishop of Brechin, settled a dispute² about teinds to their mutual satisfaction; his health seems to have failed yet further as he had a license given him by the king to eat flesh during Lent,³ and another, dated a month afterwards, to eat flesh on the forbidden days of the week,⁴ which records the curious fact that the Kirk still retained this relic of Rome. A letter written to him at this time shows that he had been too ill to be present at the General Assembly.

" . . . your presence," writes the Moderator, " would have beine to vs comfortable and maist profitable for the weightie maters we have in hand, quhilk seing it has pleasit God be the weakness and disease of your body to deny vs, we maist earnestlie request you that from tym to tym ye will let vs vnderstand your godlie counsell and iudgement concernyng the vphold of thir ruynous walls of afflicted Jerusalem. The Lord God preserve you for the

¹ Died 1668.
Dun Papers.

² *Registrum Episcopi Brechinensis.*

⁴ *Report V., Historical MSS. Commission.*

confort of your puir bretheren, and defence of his cause
in thir maist dangerouse dayes.

From Sanct Adres the xxx of Julij 1580

Your brother to his power for euer

Thomas Smeton.¹

at the command of the bretheren send in commission." ²

James's marked leaning towards Episcopacy and his desire for absolute power were fostered by the favourite who, having come to work for the restoration of Roman Catholicism, found his task the easier in that he had been made First Gentleman of the Bedchamber as well as High Chamberlain. Through a couple of Jesuit priests he entered into a conspiracy with Spain, the Guises and the Pope, and twenty thousand men were to be landed in Scotland to help in a revolution whose aim was to re-establish the old religion. The existence of this plot was known to the ministers though its details were not. The king was determined to restore bishops and they were to be appointed by himself, for through them he hoped to control the Kirk; the ministers were for the most part determined he should do no such thing, maintaining that he had no right to dictate in spiritual matters. In these schemes he was urged on by his High Chamberlain.

After the Assembly of 1582 a conference was held between the Commissioners of the Kirk and those of the Court, the upshot of which was a command from the king that the ministers should give him a list of their grievances and they prepared their case accordingly. Erskine was the

¹ Also Principal of Glasgow University, died 1583.

² Dun Papers.

only layman¹ among the body of men who brought their indictment into the king's presence; their complaint was absolutely direct, namely, that the king, urged by evil counsellors, had taken upon himself that spiritual authority which should only belong to the Kirk. Lennox and Arran,² his favourite and chief advisers, who were present, were furious, and Arran dared them to sign their treasonable Articles. They did so without hesitation one after another though a secret message had reached one of them to say that their lives were not safe unless they refrained. Lennox and Arran were dismayed, the king speechless, but they were dismissed quietly.³

The nation was growing tired of Lennox. He had made enemies of one or two people with whom he had better have remained friendly and the ministers stood grimly against him. He resolved to make a bid for complete victory. His idea was to seize the gates of Edinburgh and hold the streets with a strong force; then, having by the unexpected stroke paralysed resistance, to demand that his chief opponents should be given up to him.

But he was not the only person in Scotland with something to venture. Mar⁴ and Gowrie⁵ with others of the lords got wind of what he proposed. James had gone a-hunting in Athole and was resting at Perth on his way back when they persuaded him to go with them to Ruthven Castle. The day after their arrival he found himself a

¹ Tytler's *History of Scotland*.

² Captain James Stewart, son of the second Lord Ochiltree, created Earl of Arran, 1581.

³ Tytler.

⁴ Second Earl, afterwards High Treasurer.

⁵ First Earl.

prisoner. His captors forced him to proclaim himself a free agent and personally to write to Lennox ordering him to leave the country before the expiration of a month. Lennox wavered, but though he had a certain following he knew that Scotland was against him. The ministers exulted and the General Assembly called the Raid of Ruthven, as it was styled, an 'Act of Reformation.'

Gowrie and his friends supported Protestantism ; and the Kirk, its 'thirds' restored with its liberty of speech, lived in peace till, after ten months, James escaped to Falkland where his usual *entourage*, shorn of Lennox, gathered round him. The perpetrators of the Raid, with the exception of Gowrie, were not allowed to show their faces at Court. The palmy days of the Kirk were over, and James stood keeping his feet by balancing the two religions one against the other. The Laird of Dun appeared once more, this time with a deputation¹ sent to try for some sort of reconciliation between the king and those concerned in his ignominious adventure at Ruthven. They met with no success. A further attempt was made by the Protestant party to get the king once more under control, and Mar, Angus² and others seized and occupied Stirling Castle as a rallying point ; but the prompt arrival of James with a large force frustrated their ends. There is a license to the Laird of Dun, dated a few days before this event and signed by James, permitting him to remain at home³ from the projected foray.

In 1584 king and Kirk came to handgrips.

¹ Calderwood.

² Eighth Earl, "guid Archibald."

³ Dun Papers.

A series of Acts called by the people the "Black Acts," proclaimed him head of the Church as well as of the State. No General Assemblies were to be held without his permission, and the bishops, elected as he had determined they should be, by himself, were to become his creatures; any appeal from these innovations was to be held as treason. In Patrick Adamson, Archbishop of St Andrews, he had found the tool he wanted for the building of an Episcopacy controlled by the Court. Ministers were called upon to appear before this prelate and to sign the Act under threat of the loss of their benefices. Many signed, and many others escaped from their dangerous position into England; the country was angry and lost no opportunity of showing its sullen disgust. The appearance of Adamson in an Edinburgh pulpit produced the dispersal of the congregation and bishops were insulted in the streets; dismay fell upon that part of the ministry which had withheld its signature at the news that the Laird of Dun, their earliest protector among the barons, had ranged himself with the party they loathed¹ and was using his influence to bring the recalcitrant clergy to submission; being, as Calderwood afterwards called him, "a Pest to the Ministers of the North." His admirer, Woodrow, excuses him, saying, "he had now grown old and wanted (lacked) full information of that affair and seems from his fears of extremity against ministers and out of a too great regard for peace, to have been prevailed upon to fall in with this corruption."

It was near the end of the year when James

¹ Tytler.

ordered the ministers to subscribe to the Acts, and before he held this pistol to their heads a letter came to Erskine from the Earl of Montrose¹ and John Maitland,² Secretary.

"Jesus. My lord and fader after maist hartly commendationis I resaut your letter, ass alsua delyuerit your letter to the king's maiesty, quha tuik all your aduys in gud part, except the conuenying of the mynistris togidder quhill obediens be first to his maiesty's statutis, and to this effect his maiesty is content to send you ane commissioun for the mynistris off Anguss and Mernis, with the form of ane band to be subscryuit be the said mynistris within your jurisdiction, in conformitie to the band the mynistris hess subscryuit in thir quarteris, and seing that the mater debetable is nocht ane mater of consiens, I think ye sall do uell to accept the king's maiesty's gud will and fowor in gud part, for his maiesty hess that gud oppynioun off yow that he will be layth to see any seditioun provyit or mynistrat in your bundis, for his maiesty is alwayss uell myndit to yow in your particular, giff that the causse be nocht in your selff, for truly his hiness hess alss gud oppynioun off yow at this present, ass he hess off any subiect in Scotland Sua loking for your consent in the premissis, I commit yow in the protectioun off Almychty

at Edinburgh xviii days off Nouember, anno 1584.

Your seruant to power

Montroiss.

John Maitland.³

To the rycht honorabill
the lard off Dun this deluer."

Woodrow, speaking of Erskine at this juncture, goes on to say :—

"Mr Petry tells us that he saw the original patent which the King grants to 'John Erskine of Dun, our well-

¹ John Graham, third Earl.

² Maitland of Thirlestane, afterwards Chancellor. ³ Dun Papers.

beloved clerk and commissioner in Ecclesiastical causes, the exercise of spiritual jurisdiction in the Diocie of Brechin, provided that his authority in any grave matter be limited . . . to the counsell of 13 of the most godlie and ancient pastors of the said Diocie, to be elected forth of the whole synodall Assembly, and allowed of us, with answer of our Privy Council, or most of them.'"

"The King," continues Woodrow, "under the influence of Mr Patrick Adamson, had, in this hour of darknes, assumed to himself all spirituall jurisdiction, and the bishops or commissioners, received all their powers from him . . . I do not think this gentleman (Erskine) exercised this power, neither find I the least footsteps of his acting at this time as the King's commissioner in spiritualls. And, if such a patent was sent him, he was a better man than to accept of it. His compliances, in this hour of tentation wer too many, but when the weight was off, I find him going on heartily with his bretheren in the reformation of abuses; and I doubt not that he and severall others wer sensible of their failours, and all was forgot when matters came again to their right channel."

It is a great pity that nothing penned by the Laird at this time remains to give a hint of the exact part he played, for what Patrick Adamson wrote to him two months after the letter from Montrose and Maitland does not appear to bear out Woodrow's pronouncement.

"Ples your lordship I receavit your letters and quheir your lordship inquiryis of the commissoun, I vnderstand that samyn was directit to your lordship, be that samyn messenger quha cariit the letteres to me; the desyr of his maiesties obligatioun extendis no forthir bot to his hienes obedience, and of sic as bearis charge be lawfull commissioun in the cuntrie, quheirof his maiestie hes maid ane speciall chose of your lordship; as for the dioces of Dunkeld, I

think your lordship will vnderstand that his maiestie's meining at your cuming to Edinburt, and as for sic pairtis as is of the diocese of Sanct Androwis, in the Mernis and Anguse, I pray your lordship to take ordour thairin for the obedience and conformitie as your lordship has done befor that they be nocht compellit to travell forthir bot thair suspendis (suspension?) may be rather helpit nor hinderit My lord I am assurit your lordship reparing toward court salbe ane gude vork, as ye bestowit mony in your tyme for ane Godlie tranquillitie in the estait, quhilk we will luik for at the tyme appointit; willing your lordship in that quhilk pertennis to the diocese of Sanct Androwis, to do as ye do in Brechin and assuring your lordship ye sall do his maiestie acceptabill service. Mr Robert Pont¹ is heir and avattis with me and others upon your lordship cuming to Edinburt Swa committis your lordship verie hartly to God. From Sanct Androwis the xxii of Januar 1584.

Your lordship's verie assurit in the Lord

P. Sanct Andros.²

to the richt honorabill
the lerd of Dune.

"The kingis commissioun send your lordship vas directit to Mr James Melvin in Arbroath."

The brethren of Montrose, Angus and Mearns addressed Erskine a week after Adamson wrote, in a letter rather obscure for want of context, but expressing an affectionate confidence in him (see Appendix F).

But the Laird was getting very old and his working life was nearly over. In the following year his signature³ was appended to the League entered into by James and Elizabeth of England as

¹ Churchman and Senator of the College of Justice, died 1606.

² Dun Papers.

³ Privy Council Register.

a counter to the Holy League proclaimed in France and supported by Spain, but public duties were getting to be beyond his power. His private affairs were giving him trouble too, and in 1585 he caused a summons¹ to be sent to the Abbots of Arbroath and Cupar, the Bishop of Brechin and others for the non-payment of his stipend (see Appendix G). But though all were ordered to pay the arrears under pain of being outlawed there seems to have been further difficulty. The Dun Papers contain a draft letter from him to the king in which he puts his case. He calls the debt his "pension," and it had no doubt been continued as such since his retirement. The draft is undated, but the date that has been assigned to it is *circa* 1588; and as a grant is recorded in the Brechin Episcopal Register on 25th of November 1587, it is clearly a response to this appeal; it places Erskine's letter a little further back.

"Pleis your matie," he writes, "to consider that I am your Grace's subiect and a barrone of your Grace's realme, and that of ane of the most ancient of yeiris. I haf bein ane faithfulle seruande to your Hynes nobill predicessouris and to your Grace's self vnto this day. I haf euer bein obedient to your Maiestie's lawes, ordinances and proclamatiounes. I haf usit me sua that my nyctbours complenit nocht on me. I was neuer accusit for cryme befor your Grace's justice, I tuik neuer remission for ony offence in respect of the quhilk your maiestie aucht the mair to regard me. Ffather I neuer sparit my travellis, my bodye nor guidis in seruing my Prince and for the commoun welth, of sum thinges thair of I will put your Grace in remembrance in the weiris we had with Ingland quhen the Inglis men possessit Dondie bruchtie (Broughty)

¹ Dun Papers.

Craig and the forth thair I defendit the countrie at my power frae the invassiones at the desyr of the Queinis Grace Regent, and the Duck of Chatelroy¹ thane governour. I biggit ane forth in Montrois, tuik up ane gret number of men of weir for a lang tyme and furnisit all of my awin guidis, sua that the sowme debursit be me extendit twentie thoussand merkis as the comptis buir (bear) and yet my be sein efter this at the queinis Grace regents desyr, and the esttatis of Parliament I passit to France in commissioun with the lordis that was directit for the maryage of the Queinis Grace your Maiesty's mother, my expenses thair was gret as they that wes in companie dois knawe, after this knowing how necessar it wes to a brig to be vpon the noir (north) watter at the desyr of thame that had the gouernance and recompense promisit me I biggit that brige and warit (spent) gret sowmes thairvpon as they that luikis on the work may consider, the queinis Grace regent, and the council willing to recompens my gret costis referrit to myself quhat accident(?) or ether thing I wald desyr for recompence, I beand loth to press thame duesse(?) tyme. Than at the last in the Queinis Grace's tyme your Maiestie's mother, wes assignet to me (quhill further mycht be had) this pensioun that I haif now of the kirk quhillk wes na recompance to me, for the same haif I spendit yeirlie in the causs of the kirk and now presentlie in using and fulfilling ye office that I haif of your Grace and the kirk I haif possessit it thir mony yeiris past, and now to tak it frae me cane nocht be without my gret distresse to see my guid service sua ingratlie recompansit theirfor I maist humblie beseik your Grace that I may bruik my possessioun but for a yeir, hoping or that tyme be passit I sall be delyuerit fra the bondage of corrptione. Your Maiestie's guid answer I desyr.

Your Maiestie's humbill and obdient subiect

Jhone Erskyn."

¹ Arran.

James's reply to this was a grant to him for life of those payments whose restitution he had demanded, in consideration of his

"lang, earnest and fruitfull travellis . . . in the suppressing of superstitioun papistrie and idolatrie and advancement and propagation of the evangell . . . and in his diligent . . . perseuerence in the samyn . . . to the greit glorie of God and the singulare confort of all his heines subiectis within the boundis of Angus and Mearns now flurischeing abundantlie in the preching of the trew Word of God and rycht administratioun of the Sacramentis be the Grace of God and ministrie of the Laird of Dwn. . . ." ¹

This had the merit of being a cheap gift.

Though he had been deputed to decide on places for the erection of presbyteries, and appointed with others to visit the districts of Angus and Mearns his work was now only nominal, and William Christison ² was employed to carry it out as he was no longer equal to the exertion. The same assistant was empowered to design manses and glebes in his stead.

Yet once more the old Superintendent carried a Kirk petition to the king ³ and sat for the last time in the General Assembly in 1587, at which time he was put on a committee to collect all the Acts of Parliament concerning the Reformation. ⁴ He had worked hard for his country and his faith, but though he had written to his king that he hoped to be delivered from earthly bondage in another year, he was not freed till 1589.

¹ *Report V., Historical MSS. Commission.*

² Minister and Reformer, Commissioner for Dundee at the Leith Convention of 1572.

³ Woodrow.

⁴ *Booke of the Universall Kirk.*

"Then," as Woodrow says, "he got to his rest."¹

Every writer who alludes to the Superintendent of Angus and the Mearns has a good word to say for him; and he has passed down on the lips of those interested in the history of his time as an eminent man. The Kirk still holds his memory in great reverence and his halo is sufficiently distinct to make a reader wish to see whether it is a real one and whether it fits. Outside Woodrow's *Biographical Collections* no life of him has been published but by Bowick, the Town Clerk of Montrose's underling, whose account comes from one brought up in the traditional atmosphere of veneration for his subject. He gives few references, mixing history and legend in his enthusiastic little book. Someone who signs himself "Scoto-Britannicus" has also put pen to paper on Erskine's account in 1879 in a small booklet.

The two writers among his own contemporaries who have written most about him are Buchanan and Spottiswoode in his *History of the Kirk of Scotland*.

"He was one of the first men of rank," says Buchanan, "who openly espoused it (the Reformation). Through the arduous struggle he never shrank from danger, while the amenity of his manner softened down in some instances the unpalatable truths he was commissioned to speak to royal ears. He was, of the first Reformers, the only one who enjoyed anything like Court favour; but it was without any dereliction of integrity and any compromise of principle."

¹ Dun Papers.

Spottiswoode says that

“before the Reformation his house was, to those who were heretics, a special place of refuge. . . . He governed (his charge) to his death, most wisely and with great authority, giving no way to the innovations introduced nor suffering them to take place within the bounds of his charge while he lived. . . . Wise, learned, liberal and of singular courage, he, for divers reasons may be said to be another Ambrose.”

To part of Spottiswoode's eulogy Woodrow has a few words to add. He observes, referring to its penultimate sentence,

“this pronouncement will bear a double sense. If, by the innovations, he means the Discipline and Presbyteries' Government of the Church, what we have now seen shows this to be no just part of his character; if, by innovations, he means the Tulchan Bishops, we see how much he opposed them, with what authority and zeal he writes to the Regent on this head. We have seen his part in erecting Presbyteries, after some false steps he had fallen into in his advanced years. . . . He was a person of singular providence and liberality and considerable learning and very bold and zealous. His good temper led him to yield too much to the importunity and specious pretexts of the Queen Regent, Earl of Morton and King James, which was his only infirmity that I know of. But above all he was singularly pious and religious and from his close walk with God, had sometimes singular communications of his mind.”

It is difficult at this distance of time and with the slender record that remains of the fifth Laird, to know how far his action in the matter spoken of by Woodrow was right; whether, in the uncompromising thunder of the Reformation, he was inclined to yield for a time in some points in order

to smooth the advance of the new doctrines, or whether his powers of resistance were at fault. Certain it is that the tact which had been so useful to the Kirk in its most harassed days existed beside a real strength. He had stood boldly from the very first and his steadfastness when every man's hand was against the Reformers had upheld that threatened minority which started the movement; it should be remembered that fashion and worldly advancement are as powerful in one century as in another and will be so till the Millenium; and that Erskine, whose interests had so far lain with the influential part of the world, had identified himself sturdily with the unpopular one.

One of the most remarkable things about him was his balance of mind. Few men with his intense convictions, and in the stress of the Kirk's most troubled days, would have escaped fanaticism so completely; but he was calm enough to steer without fear or truculence through that sea of conflicting interests, of knaves and ruffians and placemen, that was the Scotland of Queen Mary and King James.

It was not only in matters of the Kirk that he served his country. He fought well under d'Essé at the siege of Haddington, and was personally responsible for the defence of Montrose against the English which his energy and foresight carried out with unqualified success. There is no doubt that the good education given him by his capable uncle, Thomas of Brechin, and his foreign travel had fitted him for the varied parts he was to play, and that these advantages had fallen upon a nature entirely fitted to assimilate them. If the fact that a man is

appreciated by those who differ from him be a great recommendation, the fact that he is appreciated by those who differ from each other is an even greater one. He who could be acceptable to Mary Stuart, George Buchanan and Archbishop Spottiswoode must have had some remarkable qualities ; but these, with the subtle Queen-Regent, the hectoring Knox, the rough Stratoun and the courteous, scholarly Wishart with his 'french cap of the best' were alike in their regard for him.

He was generous and charitable. There is a letter in the Dun archives from Francis and Marie, King and Queen of Scotland, directing him to take over the charge of the Blackfriars' Hospital in Montrose. The friars, described as being 'full of ipcrasie,' had been misapplying the funds for the relief of the sick poor, and the Lords of the Privy Council had ordered their organisation to be broken up and themselves ejected. The spoil of the Blackfriars Place was to be distributed to the needy and another hospital built. This charge was especially given to him because of his 'fayth, consience and pietie towart the poore.' He must have had some feeling for the arts ; enough at any rate to make him pay out of his own pocket for the choirs of his kirks and for the maintenance of the blind man with the singular good voice. Planting and land cultivation occupied him too. There is a descendant of the Japp family living in England now who speaks of an ancestor of his own as coming over from Holland about the time of John Knox to teach the then Laird of Dun the system of land irrigation used in the Netherlands. One James Anderson, minister of Collace in Angus,

became lyrical in his honour and wrote a poem called "The Winter's Night," in which he praises his many attainments :—

"I cannot dite as thou hast done deserve,
In Kirk and Court, country and commonweal,
Careful the Kirk in Peace for to Preserve,
In Court thy counsell was stout and true as steele.
Thy policy¹ decorates the country weel
In planting trees and building places fair
With costly brigs ouer waters plaine repaire."

The last line, hardly a pattern of literary skill, refers of course to the North Water bridge over the Esk, which bears the Dun arms carved on the parapet at its southern end. How brilliant, or how merely serviceable his brain may have been it does not seem possible to estimate. What remains indisputable is his character; also it is safe to deduce that, besides being an honest man and one of immense moral strength, he was that rare being, a true man of the world; the whole world, not only a part of it; acceptable as much to one grade of it as to another.

By his first wife, Elizabeth Lindsay, the Superintendent had three sons :—

JOHN, who got the fee of Dun from his father, 15th February 1534,² and received with him from Thomas of Brechin the gift of the Constablership of Montrose. He predeceased him, dying in 1563.³ He married Margaret Hoppringle and was confirmed with her in a charter dated 1547.⁴ She afterwards married Andrew Arbuthnott of that Ilk.⁵

¹ Domain.

² *Reg. Mag. Sig.*

³ Dun Papers.

⁴ Crawford's *Notes* (Advocates' Library).

⁵ Douglas's *Peerage*.

John Erskine had one child by her, Elizabeth, who married Robert Collace of Balnamoon¹ in the year of her father's death.

ROBERT, who succeeded.

WILLIAM, who had with his father a charter, to the former in fee, to the latter in liferent, of the lands of Sheriffbank in the barony of Kinawtie² from John Stewart, third Earl of Buchan. He is also proved by a charter which he witnessed in 1541.³ He is said to have married Agnes Guthrie in 1549 and to have had issue.

JAMES, believed to have been the eldest son of the Superintendent's second wife Barbara de Bearle. He married Jonet Grahame. There is a Charter of Confirmation of a Charter of Sale in 1562 in favour of himself with her and their heirs of the lands and barony of Easter Brechin, *alias* Wester Morphy, viz., Manis, Pitbeiddie with the cruives and salmon fishing on the water of North Esk with the lands of Cantirland and Kynnard and the superiority of Lumgair.⁴ James, who was known as 'James in Pitbeiddie,' was in the Church and had a gift of the Archdeaconry of Aberdeen with the Kirk of Rane and a mansion and lodging in Old Aberdeen for life in 1565.⁵ He had a stipend of £1000 Scots in 1567; in 1570 he was presented to the parsonage of Dun by James the Sixth, and four years later he also had charge of the Kirk of Egglisjohn with a stipend of £63, 6s. 8d. Scots. He died early in 1574.⁶

¹ Dun Papers.

² *Reg. Mag. Sig.*

³ Dun Papers.

⁴ *Reg. Mag. Sig.*

⁵ *Reg. Sec. Sig.*

⁶ *Fasti Ecclesiæ Scoticanæ.*

The order of birth of the younger sons is not clear. They were :—

THOMAS, who was also in the Church, and was presented to the parsonage of Dun on the death of James; but it does not appear that he was ever installed there because when their father the Superintendent became minister of Dun the living is spoken of as being vacant by the decease of umquhill Mr James Erskine, *last possessor*.¹ In his will he is called “Thomas of Quhytfield.” One of his executors was his father, whom failing, he appointed John Erskine of Kirkbuddo, his brother.² He is said to have married Helen Strathachlin and to have died in 1578.

ALEXANDER, married Christian Stratton. They had a tack of all the lands belonging to the Blackfriars of Montrose.³

JOHN, who received from his father and his mother Barbara de Bearle the lands of Kirkbuddo and a piece of land called Hole-myln with its appurtenances, 8th January 1571.⁴ There is a precept confirming two charters to him—(1) by his father, of a Charter of Sale of the lands of Egglijohn; (2) a Charter of Feufarm granted by the Commendator of Arbroath Abbey of the shadow half of the lands of Hedderwick and Claylek, dated 18th August 1585.⁵

It seems probable that he, like two of his half-brothers, was in the Church, as Woodrow speaks of him as having helped his father in the

¹ *Reg. Sec. Sig.*

² Commissariat Records of Edinburgh.

³ *Reg. Mag. Sig.* ⁴ *Ibid.* ⁵ *Reg. Episc. Brech.*

choice of assistants for the Superintendents. His death must have taken place in 1603, the lands of Kirkbuddo having been in non-entry for twenty-seven years when his son George was served heir to him.¹ His wife was Barbara, daughter of Alexander Strachan of Carmyllie.

Only two daughters of the Superintendent can be traced, though he may have had others :—

JEAN, who had a tocher of three hundred merks and was married to Alexander Forrester of Garden.² Her arms are carved upon her husband's tombstone in the floor of Leckie Vault—once the pre-Reformation aisle of St Andrew—in the West Kirk of Stirling. It is not known which of the two wives was her mother.

MARGARET, daughter of Barbara de Bearle. She married Patrick, son of Thomas Maule of Panmure in 1562, and had a son, also Patrick, who became first Earl of Panmure. She must have met her husband when he was at school at Montrose, for he finished his education there at the age of fourteen and married her. They had seven daughters,⁴ two of whom married into their mother's family. Margaret died in 1592⁵ and was buried in the choir of the kirk of Panbride.

¹ *Forfarshire Retours.* ² *Dun Papers.*

⁴ *Register of Deeds*, xxxvii., 313.

³ *Scots Peerage.*

⁵ *Scots Peerage.*

CHAPTER VII

ROBERT OF ARRAT AND OTHERS

ROBERT ERSKINE, the second son, became sixth Laird. His wife was Katherine Graham, daughter of Robert Graham of Morphy, and the couple got a charter of Arrat, Lichtonhill and other lands in 1545.¹ After that date he appears in the family papers as 'Robert of Arrot'; and the farm of Arrat's Mill on the South Esk peering through the trees east of Brechin must be somewhere near the site of his dwelling-place. He had gone through a long time of heir-apparency and the shouldering of the more active part of his aged father's secular duties. The Superintendent's responsibilities to Montrose and the countryside brought him a good deal of troublesome work, and in 1578 he and Robert were called in to deal with one of those huge family rows which at least have the merit of enlivening the researches of minor historians.

The *personnel* of this tumult and its setting are worth description. John Stewart, fourth Lord Innermeath, had a charter of the lands of Redcastle (for which, incidentally, he had to pay "ane red rose in the name of blench"²). The four walls of its tower are still standing and are one of the most romantically placed ruins in Angus, for it is built

¹ Dun Papers.

² *Reg. Mag. Sig.*

on a piece of high ground overhanging the Lunan Water, which makes its slow progress along the pastures of a shallow strath and reaches the North Sea through the bents and sandhills of the coast. The tower is of red sandstone, a landmark that stands out against the great sweep of Lunan Bay. Although many loads of tourists roll by on the coast road to Arbroath, it does not seem to be much overrun, perhaps because all that is left of it may be seen from the highway, and it has none of the gravel paths and inane ornamental shrubs with which the desperate taste of respectable bodies of bunglers have mocked so many austere ancient piles.

The chatelaine of Redcastle was a lady of enterprising history, Elizabeth Beaton of Criech, who had married Lord Innermeath and become his widow in 1570.¹ After this she was courted by James Gray of Duninald, son of the fourth Lord Gray, and though she was of sufficiently ripe years to have been one of James the Fifth's many mistresses,² she accepted him. He is described as 'ane young gentleman unlandit or providit of leving' whom she married, 'in hoip that he should have mantenit and defendit and done the dewtie of ane faithfulle husband to hir in hir age.'³ This arrangement had the usual result. She had several sons by her first marriage and a daughter Marjorie who, with her second brother John Stewart, was one of her father's executors.⁴ Things were happening in this household which caused James the Sixth to write to Dun for the protection of the children

¹ Privy Council Register. ² *Ibid.* ³ *Ibid.*

⁴ *Acta. Parl. Scot.*



REDCASTLE.



THE REMAINS OF ALEXANDER ERSKINE'S HOUSE IN MONTROSE.

from the undesirable step-father whom their mother had been silly enough to give them. The Privy Council Register says that the house of Redcastle belonged to Gray and his wife; the king's letter says that its contents belonged to the children.

"Missue the Kingis Maiestie. Traist freinds we greit you hertlie weill. According to our former letteris send you it is our mynd, be the advise of our counsale, that the personis being in the hous of Reidcastell, bot chiefflie John Stuart, brother of our cousing, James Lord Innermeath, sall efter the randering of the hous of the Reidcastell, be saufflie and without all harme be convoyed to our presence, be sey or land as ye sall think maist sure and expedient, and the guidis and plenessing being within and about the sam, seing the same pertenis to the faderlis bairnis of our said umquhill cousing, vpon inventair, to keipe them in your handis and possessioun quhill after hering the principal mater be vs and our counsale we send you new and further directioun, as ye will ansuer to vs thairupon; ffor quhilk this our lettere salbe to you sufficient warrand. Subscribit with our hand at our castell of Striueling, the 14 day of May, and of our regn the twelft year.

James R.

Leuinax

R. Dunfermling.^{1,2}

To our traist freind the lard of Dwn
and Robert Erskine his sone and
apparand air, or ather of thame."

The Superintendent was too old to deal with the trouble, but Robert obeyed and, having secured young Stewart, gave him into the charge of Lennox.³

¹ Robert Pitcairn, Commendator of Dunfermline Abbey.

² Dun Papers.

³ *General Register of Deeds*, xxiii., 161.

In the following year it was considered safe for Stewart to return, and the king addressed the Laird of Dun again :—

"Traist freind. . . . It is now fund and discernit be decret of vs and the lordis of our secreit counsale, that the hous of Reidcastell, being now in your handes, salbe deliuerit to our consignace the Lady Innermeath, scho findand caution for payment making to you of the chargeis and expensis maid be you in keping of the same and now seing our cousigne and seruand John Stewart, brother to the lord Innermeath, is to repair in that cuntrie, and that be ressoun of the deidlie feid standing betwix him and sindrie your nychtbouris he is in danger to be persewit thairfor we well desyre you maist effectuouslie that ye will vpon the recept of this our lettere deliuer the hous to our said servand, that he may mak his residence thairin, for the better saulftie of his persoun during his remaining in that cuntrie he findand sufficient caution to you for pament of the said chargeis and expensis mad by you, as ye will do ws acceptable seruice and gude pleasour. Thus we commit you to God at our castell of Striuling, the xxvi day of September 1579.¹

To our traist freind
the lard of Dwn, eldare."

The allusion to the neighbours of Redcastle must have referred in particular to James Gray, for Duninald was but a few miles up the coast ; no sooner were Lady Innermeath with her son and daughter installed, than the young knave fell upon them with all the forces he could collect and seized the place.² Marjory, who was the wife of Lindsay of Vayne, took refuge in the tower, and tradition says that she was about to have a child and miscarried in consequence. The king

¹ Dun Papers.

² Privy Council Register.

sent commands to the Provost and Bailies of Dundee :—

“Traist freinds . . . For ordour taking with this notorious and professit rebellion of James Gray, sonne to our traist cousing Patrik Lord Gray and his complices, withalderis and detenaris of the house of Reidcastell, notwithstanding of our hiest charge of treasoun direct to thame for delyuerie thairrof to the officiar executour of the same, we haue thoctt conuenient for removing of the example of sic insolence from any subiect professing our auctoritie, to direct our commissioun to the laird of Dun, younger, with power to him thairin, to conuocat our liegis in wierlyke maner, and to forbeare na kynde of wearelyke ingyne that in any way may serve to the recoverie furth of thair handis, Quhairin, becaus we haue imployit the concurrence of your toun amangis vtheris, we will desyre your earnistlie to conforme you to the said commissioun in all pointis, and put the same to present executoun as ye will do ws hartlie pleasour and gud seruice. Thus we commit you to God at Halyrudehouse this xii of Merche 1580. James R.”¹

Robert seems to have settled the business without help from Dundee, for the king's warrant to him to hand over Redcastle is dated only two days after the order to the Provost went out.

“Rex. Johnne² Erskine, younger of Dun, we greit you weill. It is our will and we charge you, that ye, incontinent efter the sycht heiroyf, rendir and delyuer in the handis of our traist cousing James Lord Innermeath, the house of Reidcastell lautlie recoverit be you furth of the handis of James Gray and certain of his adherantis, together with the haill plenising and insycht ye fand

¹ Dun Papers.

² The mistake in addressing Robert is not wonderful, he being the first ‘younger’ of Dun to have any other name but John for two hundred years.

thairin, be inuentour thairof subscriuit with your hand, to the end it may thairby be testifeit quhat and howmekill ye recoverit thairof, or intromettit with, at your first entrie to that place, and that ye mak the hail dores within the house opin and patent unto you to that effect, as ye will ansuer to vs, keiping thir presentis for your warrand. Subscrut with our hand at Halyrudehouse the xiv day of Marche 1580. James Steuart."¹

This struggle had gone on for two years. Gray was put to the horn,² and Lady Innermeath was soon rid of him for good as he seduced her niece Isabel, and was divorced by her.³ He finally met his death in Dundee at the hand of some unnamed person.⁴

All that can be gathered about Robert comes from the letters he received; one from Adam Erskine, Commendator of Cambuskenneth, has to be explained by the state of domestic affairs in Scotland at the time. Though Morton had resigned the Regency he was still as powerful as ever, and that party of nobles which was determined to stand against him had the High Chancellor, John Earl of Atholl, as its head. The compromise between them was no real agreement, but soon after it Morton gave a banquet in Stirling to which Atholl was invited, and on his return home the Chancellor was taken ill and died. As usual, when anyone of more account than an outcast was removed suddenly, the cry of 'Poison!' rose on all sides and suspicion fell on Mar, who was a partisan of Morton. The Superintendent was summoned among others to the inquiry, which took place at

¹ Dun Papers.² Privy Council Register.³ Edinburgh Commissary Decrees.⁴ Privy Council Register.

Stirling; and Adam Erskine, who seems to think that it may be difficult to get the old man so far, wrote to Robert:—

“ Efter maist hairtlie commendatioun ye sall wit that the kingis grace hes directit his missue to the laird your fathair, to be heir vpone the fyftene day of this instant, and that for tryell of my lord Atholis pussoning, and to that effect the king hes ordanit his haill counsall to be heir present at the said day. Thairffoir ye sall do all that ye can at your fatheris hand to forder him heir with diligenss, ffor my ladie Athoill, togidder with sindrie of my lord Atholis freindis, is to be heir at the said day; I dout nocht bot ye will do thairin as ye tender the kingis estait and my lord of Maris weill and honour; ffor thair is sindrie gret materis to be intrettit at the said day, the quhilkis gif they be weill handillit at this tyme, it sall put my lord to the gretter rest. As ffor newis I haif nane bot sic as your fathair sall let you understand, the king nor my lordis freindis can be content of ane excuiss at this tyme, the rest referris to meting Committing you to God, frome Strueling castell the tent day of Mai 1579.

Euer your assurit

A. Cambuskenneth.¹

To his maist assurit freind,
the Larde of Dvne yongar.”

No poisoning was proved against Mar nor anybody else, as the doctors disagreed in their verdict.

The Commendator had some need of ‘maist assurit’ friends. He was a man never out of money difficulties; and a few years later, when he was banished for some offence, Robert was one of those who stood surety that he would depart out of

¹ Cartulary of Cambuskenneth.

the United Kingdom within thirty days and remain abroad during the king's pleasure. As he never left Scotland at all, Robert and the rest of the cautioners had each to pay up two thousand five hundred pounds for him.¹

Another of Robert's letters comes from Lord Crawford²; he writes to tell him that John Lyon, younger, of Cossins, a cadet of the house of Strathmore, is in Stirling and after no good.

" . . . this present is to schaw you that we ar suirly informit that Jhone Lyoun, younger of Cossinis, is presently in Striuling awaiting on Mr Thomas Lyonis ordors, and specially in our contrair quha come with the maistir off Glamis³ as ane of the mest speciall inter-pryssouris to haiff murderit ws in our bed, *quhilk wes fer by his dewtie*, and in that respect the maist parte of his lewing that presently he hes to leiff vpoun he haldis off ws in wedset wnder redemptioun, quhilk we as yit wald nathir redeme our selff nor yit mak na vther assigney thairto, albeit that syndry tymes we haiff fund occasioun mowit be him to haiff done wtherwayis, and the small dewety that he aucht to pay yeirly to ws we culd neur obtene thankfull payment thairoff, quhilk hes mowit ws to persew him be ordour of law, and hes obtenit lettres off horning on him for the sam caus, quhilk lettres with the execwtionis thairoff we will request you mest effectuisly to ressaue, and to present thame to the king his maiestie, quhen ye find the said Jhone Lyoun within the castell and that ye will report to the kingis [grace] his dissobeysance, altho he be presently at his [grace's] horne, and to beseik his [grace] that ordour may be fund thairintill. Thus nocht douting off your guidwill and kyndnes towartis ws heirin, as we salbe redy to acquite the sam quhen it sall pleis charge. Committing

¹ Privy Council Register.

² David, eleventh Earl.

³ Died 1608.

yow in God's eternall protectioun, ffrome Cairny the
xiii off August, 1579.

Youris maist assurit to our power

Craufurd.

To our rycht traist cousing,

Robert Erskine off Dun, younger.”¹

The Cossins family was descended from the fifth Lord Crawford's daughter, who married Lyon of Baky,² a son of the third Lord Glamis, and the claims of the Cossins ladies and their issue are said to have been a source of great trouble. When Crawford wrote, the Lyons and the Lindsays had been at feud for a number of years, so that he was doing wisely in keeping out of Stirling and entrusting his business to Robert Erskine.

The irony of it is that Robert, whose time had been a good deal taken up by official virtue, 'sorting,' as we Scots call it, evil-doers at Redcastle, conveying his aged father to tribunals of justice, carrying his kinsman's grievances to the king, blazed up in an apothecosis of villainy transcending all the miscreants he had pursued. His son Samuel committed suicide; and as the property of all suicides was claimed by the Crown, his widow Grisell and their child were left destitute. The burden on Dun was very heavy at that time, for the estate was providing for no less than four ladies. Robert's wife had her liferent of Balwylo and Balnillo; her daughter-in-law, Agnes Ogilvy, had hers of Glenskinno and half of the lands of Leys; Margaret Keith, contracted to Robert's grandson, hers of Somershill, Tayock and Puggeston with the fourth part of Fordhouse. Added to

¹ Dun Papers.

² Killed at Flodden.

these, Margaret Hoppringle (widow of Robert's late elder brother John, and now Lady of Arbuthnott) was still drawing her liferent of six chalders of victual from the three-quarters of Fordhouse not disposed to Margaret Keith.¹

Doubtless the king must have taken these burdens into account when he remitted the forfeited property of her dead husband to Grisell²; but it did not find its way to her as Robert of Arrat laid hands upon the whole and put her from the possession of the sunny half of the lands of Bonnyton and Inverarity which Lord Crawford had feued to her and Samuel the year before.³ It would be interesting to hear what the Superintendent, at peace in the kirkyard, would have thought about such a business. The letter received by Robert shows the opinion of King James.

"Traist freind we greit yow weill. It is heavalie lamentit to ws apoun behalff of our louit Grissell Forrester, relict of Samuell Erskyne, your sone, that albeit we promittit to grant and dispone in fauor and for the support of hir and hir barne, your oy⁴ the escheit of hir said umquhile husband fallin in our handis for the allegit putting of violent handis in his awin persoun, yitt ye have be contraventioun of ws and our thesawrer, under pretence and promeis to apply the said escheit to the wse and behulff of hir and hir barne, purchest our gift thairwpoun and the vertew of the samyn not onlie mellit and intronettit with the haill cornes, guidis and gear belonging to your said sone and his spous Bot secludit and put hir maist schamefullie and vnnaturally frome the possessioun and proffeit of that rowme belonging to

¹ *Reg. Mag. Sig.*

² *Report V., Historical MSS. Commission.*

³ *Reg. Mag. Sig.*

⁴ Grandson.

him and hir in conjunct feftment, quhilk we think verry strange, and a mater sua inconsciabie in your persoun, being in the rank and estimatioun of a baroun in the cuntry, and of sa godlie and honorable ane hous, as we have not harde of the lyke. We wald be gladd that as all guid persounis regraites and pieties the cais of this semple and young gentilwoman wraikit and redactit in mesary, as appeires, be your vngodle and vnnatural dealing, sa ye wald remord your awin conscience, and baith for the accomplisshement of our promeis maid first to dispone the said gift to hir and hir barne, and your awin honour and natural dewatie, ye will tak sic ordour as sche may be restuorit to the guides, cornes and vtheris intrometit with be yow, as said is, or ony vtheris vnder yow be vertew of that escheit, and to the possessioun of that sowme belanging to hir in coniunct feftment, sua that we heir na farther occasioun of complent thairanent howsaeuer ye pretend rycht thairto be the said gift of escheit. Vtherwais to assuir yourselff that we will querrel and call the samyn in questioun, and challenge yow of your dewtie and promeis thairanent as the caus merites. Sua leuking for your ansuer with the beirar to the effect, in cais of your refuissell of this our godlie requeist above written, we may put remeid thairto. We commit yow to God, of Striuling the xvii day of August 1590.

James R."¹

Robert died in 1590, two days after Christmas Day.² By his wife Katherine he had six sons and two daughters :—

JOHN, styled 'of Logy,' of whom later.

THOMAS, married Agnes Moncur.³

SAMUEL, already spoken of, who married Grisell Forrester.

¹ *Report V., Historical MSS. Commission.*

² *Dun Papers.*

³ *Ibid.*

HENRY, witnessed a charter, 1578.¹

ARTHUR, married Margaret Maule,² his cousin, sister of Patrick, first Earl of Panmure.

ALEXANDER, married Madeline Melville,³ daughter of ? Melville of Dysart.

ELIZABETH, married George Wishart,⁴ younger, of Drymme.

ÆGEDIA, or GILES, married John Douglas⁵ of Tilquhillie.

With two exceptions, Robert's younger children have passed from history as mere names and no account of their doings is left; what preceded Samuel's desperate deed is a blank. The other exception is Henry. However undesirable a murderer may be as a contemporary, he is apt to be welcome to a light-minded reader a few hundred years afterwards. From the Privy Council Register in 1591 comes the complaint of Bailie George Wardlaw of Montrose proclaiming that Henry Erskine, brother of John of Logy, had slain James Greg, a burgess of the burgh. By virtue of his office, the Bailie had called upon certain of the inhabitants to help him to secure Henry, who was still at large in the town. But they having no mind to the business, refused, and the culprit escaping, the luckless bailie was left to deal with him single-handed. At this the friends of the deceased turned upon him, 'raised lettres' against him, charging him anew to seize Henry and bring him before the justice; "quhilk," as he said, "being ane im-

¹ Dun Papers.

³ Dun Papers.

² *Registrum de Panmure.*

⁴ *Ibid.*

⁵ *Ibid.*

possibilitie to me," he commanded other burgesses, William and David Guthrie, to do their duty. But William and David Guthrie had no mind to it either. Not only did they refuse, but

"after mony injouris and dispytful speechis uttered agains him they convocat their haill kin, freinds and allya in armes and maist awfullie invadit and persewit him of his lyff, hurt and woundit him in divers partis of his body, to the effusion of his blude in greit quantities and hed not failit maist shamefullie to have slayne him for the laichfull executioun of his office wer not be the providence of God and help of sum nyctbouris, he gat entres within his awin hous. And not satisfeit therewith they, assissted be . . . town clerk of the said burgh, dailie as yitt lyis at await for the said bailie's slaughter."

As charge had been given to the burgesses named and as neither of them appeared, whilst the complainant appeared personally, the Lords decreed that they should be pronounced rebels.

John of Logy¹ succeeded his father, but he had barely six months to live when he became seventh Laird, and a handful of business papers is all that remains to tell of his short span. In 1586 his grandfather, the Superintendent, transferred his own stipend to him with certain restrictions; Logy was to pay him a thousand merks Scots, six hundred before the next Whitsunday and four hundred at the drawing up of the transference, also to settle various small liabilities; and if he obtained for him an acquittance of four hundred merks owing to George Erskine—a burgess of Montrose and probably a relation—it was to be considered a sufficient discharge of

¹ *Reg. Mag. Sig.*

that much of the sum.¹ In 1589 he had a gift of the 'thirds' of the ecclesiastical benefices granted to the Superintendent² during his lifetime. Logy seems to have had money to spare, for when Lord Crawford was shut up in Edinburgh Castle for his share in an affray with the Lyons at Stirling he went surety for him³ and five years later he became cautioner for John Scott⁴ for a thousand pounds.⁵

He died on 7th June 1591.⁶ By his wife, Agnes Ogilvy, sister of the fifth Lord Ogilvy of Airlie, whom he married in 1589, he had three sons and four daughters:—

JOHN, styled 'of Nathrow,'⁷ his heir.

DAVID, who had a gift of the chaplaincy called Nomini Jesu⁸ founded at the Altar of All Souls sometime situated in the Cathedral of Brechin. This seems to have been some sort of bursary by which he was to benefit for seven years 'for his sustenance at the Schools,' 27th March 1578. He married his cousin Jean Maule,⁹ sister of the first Earl of Panmure and had two sons, John¹⁰ and Alexander.¹¹ He died before 1610.¹²

ROBERT, of whom later.

JEAN, contracted to Patrick Panter,¹³ of Newhameswalls, 8th July 1577.

¹ Dun Papers. ² *Registrum Epis. Brech.*

³ Privy Council Register.

⁴ John Scott in "Hundleshope" a relation of the Thirlestane family (*Hist. of Selkirk*, Craig Brown).

⁵ Privy Council Register.

⁶ Dun Papers.

⁷ *Reg. Mag. Sig.*

⁸ Privy Council Register.

⁹ *Scots Peerage.*

¹⁰ Pitcairn's *Criminal Trials.*

¹¹ *Ibid.*

¹² *Ibid.*

¹³ *Gen. Reg. of Deeds*, xvi., 443.

ISOBEL, }
 ANNAS, } of whom later.
 HELEN, }

A swift mortality of Lairds had set in with the death of Robert of Arrat; Logy had scarcely settled into his place before he was gone and fifteen months saw John of Nathrow vanish too. In his father's lifetime Nathrow had married Margaret Keith,¹ second daughter and co-heiress of Lord Altrie, who was a younger son of the fourth Earl Marischal. There is a Confirmation of a Charter by Logy, dated 25th August 1588, in fulfilment of their marriage contract with the consent of the bridegroom's great-grandfather the Superintendent, and that of his grandfather Robert, giving him and his heirs the lands and mill of Logy-Montrose with the fishings in the North Esk²; and in the same year the bride had a charter of Arrat.³

Whether the fact that he had found a wife with money influenced Nathrow, or whether there was some undercurrent of discontent among Logy's younger children cannot be determined, but read in the light of subsequent events, the latter appears to be more likely; in any case he returned Logy-Montrose and its appurtenances to his father in the following October in order that a better provision might be made for his brothers and sisters.⁴ The same representatives of the elder generations made over to him the lands and barony of Dun and the Constableness of Montrose, giving Margaret her liferent of various portions of land.⁵

¹ *Reg. Mag. Sig.*

⁴ *Ibid.*

² *Ibid.*

³ Dun Papers.

⁵ *Reg. Mag. Sig.*

Nathrow died on 1st October 1592.¹

By his wife he had a son and a daughter :—

JOHN, his heir.

MARGARET,² of whom nothing is known.

These two were left by his testament to the tutorship of their mother and others therein mentioned.³

If she may be judged by her signature, of which there is an example extant, the Laird's widow must have been an educated woman. The letters are very legible and firm and those of her Christian name, which she spells "Margat," are beautifully formed and have an artistic individuality interesting in any century, ancient or modern. She did not remarry for seven years—a long time as things went then—but finally became the wife of Sir John Lindsay of Ballinscho,⁴ a son of the tenth Lord Crawford. The square tower of the castle she lived in is still standing in the rough grass of a farm road between Forfar and Kirriemuir. Its name has long since been corrupted into Benshie.

In 1603 Margaret's son was served⁵ heir to his father. Five years earlier he had become the recipient of a deed executed in his favour by Lord Spynie. It is unnecessary to quote the interminable Translation by Alexander, Lord Spynie⁶ in favour of John Erskine of Dun,⁷ but it shows that the young man's grandfather, Robert of Arrat, having had to pay dearly as surety for the Commendator

¹ Dun Papers.

² Dun Papers. ³ *Reg. Mag. Sig.*

⁴ *Scots Peerage.*

⁵ *Forfarshire Retours.*

⁶ First Lord Spynie, 4th of the tenth Earl of Crawford, died 1607.

⁷ Dun Papers. .

of Cambuskenneth, had sold his right to collect the two thousand five hundred pounds Scots, which constituted a debt on the part of that dignitary. This had apparently been acquired by Spynie, who now transferred it to John as a gift, there being no record in the Translation of any money transaction between the two.

John took to wife Magdalen,¹ daughter of James Halliburton of Pitcur in 1607 and died (according to *Forfarshire Retours*) in 1608. The Dun family bible says that he “dep^t frae this lyf on Fredday be aucht howrs in the morn q^{lk} was the Twentie thre of Merche anno 1610.” Magdalen was liferented in the lands of Glasgennocht, with the miln thereof et cet., Fordes, Somishill, Balwelo and Pugistown, also the corn-miln of Dun; the Mains of Dun with the tower.² By John Erskine she had a daughter Margaret, who married William Durham of Grange in 1622.³

To some, the mere name of a human being of whom no likeness exists creates a subconscious portrait; and about the words ‘Magdalen Halliburton’ there rises a suggestion of rich hair, of gracious suppleness and alluring eyes. Sad it is that there should be no way of correcting or amplifying—or even of controverting—these mental pictures that are so real in their illusion; yet one touch can be added from the following episode in Magdalen’s short widowhood, namely, that she wore her hair in plaits. At some time before the April of 1611 she was back at her father’s house. Perhaps it was a relief to old Pitcur when his

¹ *Reg. Mag. Sig.*

² *Ibid.*

³ *Ibid.*

daughter transferred herself from his roof to the protecting arms of Sir John Carnegy, afterwards first Earl of Northesk, whom she soon married¹; for John Crichton of Airliewicht² cast his eyes upon her and having 'shakin off all feir of God and reverence for the law' determined to abduct Magdalen from Pitcur. He chose a day on which he knew that the master of the house would be absent, and Halliburton started for the Mearns where he had some business, never dreaming that a little troop had been brought together and was lying not far off at Newtyle, to wait till he had got well out of Angus and over the county border. Among Airliewicht's companions were his uncle, Robert Crichton³; there were also James Crichton in Muirside and another James Crichton, brother of the Laird of Strathord. This band of relations and armed followers gathered on an evening at Airliewicht and set off with morning, dividing as they neared their destination. The greater part went to Newtyle to wait till they were needed; Airliewicht, accompanied by another kinsman, James Crichton in Forgardenny, a man called Lamb and a couple of others, rode up to the gates of Pitcur.

Though old Halliburton was away Magdalen was not alone, for her sister Jean with her husband, Graham of Fintry, was staying in the house. Airliewicht, finding that the Laird of Fintry was in the place, asked for him and explained that he

¹ *Reg. Mag. Sig.*

² A nephew of the Admirable Crichton and grandson of Robert Crichton, King's Advocate in 1562.

³ Sir Robert Crichton of Cluny.

had come to see him on business. He was admitted and received with pleasure by everybody and he, Fintry and the two ladies sat down to dine. This suited him very well and the next thing to do was to decoy them outside the gates of Pitcur; his suggestion was that they should go out on the green near the house and amuse themselves with a bout of running at the glove and they trooped out, ladies and all. While the sport was going on he sent to his friends at Newtyle. These were armed with 'long gunnis, haquebutis and pistolettis prohibite to be worne be the lawis of this realme . . . swordis, gauntelettis, plaitsleevis, secreits and uther vaponnis invasive,' and they swooped upon the party disporting itself on the green of Pitcur.

The rest is best given in Magdalen's Supplication as it was put forth for her by Sir Thomas Hamilton, the King's Advocate.

"John Creichtoun, assistit be thame, pat violent hands on me, the said Magdalen, band me hand and foote kaist me four severall tymes upon horseback and I doing quhat in me lay to withstand thame . . . they prsentit bend pistolettis to my breist, schoring (swearing) with mony horrible aithis to schut and discharge the same at me and my sister . . . and our servandis there present and finding them selfis unable to effectuat that thair wicket interpryse they schamfullie, crullie and unhonestlie with haquebutis and bandit staffis gaf me and my . . . sister and Thome Robertsoune . . . mony bauch,¹ blac and bloody straik . . . reft myne heid geir of my heid, careyd the same away with thame, pullet the plettis of my heare out of my heid and left me and my said sister for deid quhereof we ar yit lyand bedfast . . . not lyk to convalesce." She demands that the culprits should be apprehended at their own

¹ Bitter.

houses "if they ony haif" and if not, then at the market cross and charged as if they were present to appear in court; they having disappeared into "severall secrete corneris of the countrey."

On the back of the petition is

"Apud Edinburgh xxiiij Aprillis 1611. Fiat in petitur.

Signed. S. R. Cockburne."

Written at the foot,

"Sir, pleis pas this."¹

Magdalen's second husband, Sir John Carnegy of Ethy, was created Baron Lour, and in 1647 Earl of Ethy. These titles he exchanged in 1662 for that of Earl of Northesk and Baron Rosehill.²

When Magdalen married him and removed to Ethy she brought her bed with her from Dun and it remained at Ethy until recently, when the place was sold. It is an oaken four-poster; and as its head is carved with M. H. and the arms of Halliburton of Pitcur and J. E. with the arms of Dun, she finished her final spell of married life lying beside her second husband under the initials of her first one.

¹ Privy Council Register.

² *Reg. Mag. Sig.*

CHAPTER VIII

“MURTHOUR”

WHEN the ninth Laird breathed his last the family had shrunk from its customary size. The troops of sons and daughters with which the preceding generations flanked themselves had melted like mist; he himself had been one of two children, and his uncle David was dead. Magdalen had given him no son. There was nobody left but his uncle Robert, his four aunts and David's little ten-year-old boy (now the heir), with his younger brother, Alexander. Jean, the eldest of the sisterhood, was married, but Isobel, Annas, and Helen lived with their mother at Logy; Robert was the only man in this nest of women.

There are two Logys near the House of Dun within a short distance of each other; Logy-Pert, situated on what was then the Muir of Pert—now shrunk to the size of a village common—and Logy-Montrose on the North Esk. It was at the latter, the home of Agnes Erskine—Lady Logy, in Scottish parlance—that there rose the black spectre of the evil that was to engulf the family. To-day it is only a very small hamlet protected by a clump of tall trees. A ruinous white house of two storeys stands alone with an overgrown garden beside it, the windows gape and the steep roof is broken. It is known as ‘the old manse of Logy,’ but it is

built on the foundations of a yet older structure. As there is no trace of any more ancient dwelling to be discovered about the place these may well be the foundations of the original Logy that sheltered Robert and his womenkind. The river runs east of it, below deep banks across which you may look up the wind-swept slopes to the irregular chain of lesser hills between the Grampians and the coast.

Robert was a man of some standing; he had been a Councillor of Montrose and was a Bailie of that burgh in 1602.¹ Lord Mar² was Provost in the following year, and Robert and his uncle, Arthur Erskine, had been second and first Bailies respectively,³ and both got themselves into trouble, for while David was alive there was a mighty row in Montrose in which Arthur and Lichtoun, Laird of Usan, were the chief combatants and they were fined five thousand merks each. David and Robert either joined in it or had a separate riot of their own with the Lichtouns and were ordered to Dundee to remain there till the Privy Council should declare its will against them, under a like penalty. Arthur, with one William Bailley, a burgess, and Alexander Douglas in Balhoussie, went surety for them, and had himself to go into ward in Blackness Castle. As the Privy Council record of these disturbances gives no dates of month and puts all the entries together under 1604, it is impossible to know how many of them there were and who was against who. They only serve to show that after two hundred

¹ *Charter Chest of Montrose*, vols. i., ii. ² John, seventh Earl.

³ *Charter Chest of Montrose*, vols. i., ii.

years Montrose was still the chosen arena of the family.

The two little fatherless boys, John and Alexander, had not been left in Robert's care, as might seem natural; the guardian to whom they were committed being another John Erskine, probably a relation, and minister of Ecclesgreig.¹ He had been selected by the ninth Laird on his deathbed as tutor testamenter to his dead cousin's children. It has been supposed that he and John Erskine of Kirkbuddo, the Superintendent's youngest son, were the same person; but that is an error, as Kirkbuddo was dead by the end of 1603,² while the minister was alive till 1621.³ His inventor and testament-dative were confirmed at the Commissariat of St Andrews on 4th July of that year. He must have been a man of character, for it is told of him that he was the only minister north of the Tay to oppose the Five Articles of Perth when James the Sixth called the Assembly there to impose a form of worship which the country detested. Though James's henchman, Archbishop Spottiswoode, managed to force a successful issue, the Conference must have been a strange affair if Row's account of it is to be believed. The Articles were read 'with the advertisement to all voters,' he says, "Remember upon the King, the King will have the Articles concluded, yea, if ye will not pleasour the King in this, we thirteen sall doe the turne by you." Before the voting a threat was made to report

¹ Assingation of Agnes Ogilvy, Lady Logy, in favour of Dame Magdalen Halyburton, Lady Carnegie (Dun Papers).

² *Forfarshire Retours*.

³ *Fasti Ecclesiae Scoticanæ*.

every dissentient voter's name to James. No debating upon separate Articles was allowed and all had to be passed in the lump. Eighty-six of the ministers were docile and forty-seven, including Erskine, risked having 'the turne' done by them.

In 1614 the Reverend John was translated to Dun,¹ and it is supposed that the arms of Erskine of Dun, quartering Wishart of Pittarrow, on the pulpit of Dun kirk—already spoken of—are his; they are dated 1615, the year after his translation to the parish, and must have stood behind his head during the years that he preached there. If this be so, it may possibly answer the question of his parentage and prove him to have been born in a family possession; for there was a George Erskine, younger, in Cottrow of Dun, whose wife was Katherine Wishart. Her testament was confirmed at the Commissariat of St Andrews, 11th December 1592. This couple may have been his parents. To carry speculation further, the pulpit was possibly his gift, for he was a man of substance as times went. At the time of his death his utensils and books were valued at two hundred pounds Scots; and three hundred and thirty-three pounds, six shillings and eight-pence Scots was owing to him for the building of the manse, its inventory amounting to seven hundred and thirteen pounds, eleven and fourpence Scots.²

It would be instructive to know whether it was for his qualities alone that he had been chosen as tutor or whether any feeling of distrust had made the dying Laird pass Robert over for him.

¹ *Fasti Ecclesiæ Scoticanæ.*

² *Ibid.*

Robert was bitterly aggrieved that the choice had not fallen on himself because he was 'as nearest agnat¹ of blude to thame . . . defraudit of the charge of thir bairns and thir estait.' It is the last two words of this sentence that tell what Robert really regretted. The first growl of the storm that was coming sounds in an entry in the Privy Council Register, dated 12th November 1610.

"The Lords being informed that David Blewhouse² in the Leys of Dunne, Thomas Scone there, George Kirk there, Gilbert Campbell there, and Irische James, ane vagabounde, have upon some godles wicked and detestable opinioun resolved to take the lives of John Erskin of Dun and Alexander Erskin his brother, two young boys, the eldest not past ten years, either by poison, witchcraft or some other devilische practise. Commission under the Signet subscribed by Blantyre,³ John Prestoun⁴ and Sir J. Hamilton⁵ is given to John Earl of Mar to apprehend the said persons and to keep them apart in differēpt chambers, and if on their examination there shall appear to the said Earl a probability of the truth of the charge but the said persons shall preise (try) to obscure the same or any other contradictioun in their dispositiouns there to cause put them to the tortour."

The strange story that follows is taken from the Denmyll MS.; the folio is in the Advocates' Library, now the National Library of Scotland.

Circumstances had put Robert into the exact position of the wicked uncle of romance, for the lives of the children John and Alexander were all

¹ Nearest relation on the father's side.

² The Privy Council Register calls Blewhouse "a quack."

³ William, Lord Blantyre, died 1632.

⁴ John Preston of Valleyfield, afterwards knighted by James VI.

⁵ Sir John Hamilton of Magdalen, afterwards Clerk Registrar, "a good man, but void of learning" (Scotstarvet).

that stood between him and succession to the barony of Dun; no doubt he looked upon the guardianship of the minister less as an affront than as a strong obstacle. 'Within the place of Logy, about Mydsomer in the year of God I^m sex hundreth and ten yeiris' he and his sisters Isobel, Annas and Helen consulted together how they were to get rid of their nephews and decided that witchcraft and poison were the means that would suit them best. Having settled that, two of the sisters departed from Logy and went to the Leys of Dun where the aforesaid *possé* of scoundrels had their habitation.

The Leys is now a farm which sits on a slope above the modern kirk of Dun looking over a stretch of miles of wooded country towards Forfar. Behind it the ground drops again to a burn, across which Dun's Muir then lay; it has been reclaimed, but it remains rough and unkind to this day; the haunt of tinker and tramp. The smoke of their fires curls up yet from the thickets of broom. It must have been a perfect refuge for the 'vagabounde' Irische James.

The women arrived at the Leys and unfolded their plan to Blewhouse. He was to find and engage a witch who would do away with the boys, and for this service they undertook that Robert should pay him with 'ane possessioun' out of the lands of Dun and five hundred merks in silver on the morning after their death. They went back to Logy having, as they thought, driven their bargain.

But either they had made too sure of their tool or Blewhouse's heart failed him; nothing more being heard from him, Robert himself set off for the

Leys and asked him what was being done in the matter. He was unable to get any good out of the man and returned unsuccessful.

There was little of the dashing adventurer about Robert; rather he appears to have been a mean and cautious knave, a hanger-on to his sisters' petticoats, who had no scruple in trying to shelter behind them when the Nemesis of his crime overtook him. When Blewhouse had disappointed him it was Annas and Helen who made the next move. The MS. goes on to tell how these two 'of the speciall causeing, sending, hounding-out, airt, pairt-taking, counsell and devyse,' rode out of Logy to consult a woman named Jonet Irving, 'ane notorious Witch and abuser of the people.' She lived over the border of the Mearns and the only way of reaching her was by crossing a high, barren hill called the Cairn o' Mount which lies on the skirts of the Grampians between Angus and the valley of the Dee. The present road runs over it through the heather, immensely steep and without an inhabited house, high above a narrow, deep glen; a burn flows southward at the bottom to emerge at a place called the Clattering Brig. This road is certainly the one by which the sisters travelled, because it is the sole opening through the mass of the hill and the most direct route to their goal. The way across it, as they saw it, can hardly have been more lonely than it is now, though it was a mere mountain track through stones and ling. It was late when they started on their sinister journey and 'past in ane evening from the said Place of Logy over the Cairnmonth towardis the Muirailhous.' There they met the witch.

Nobody now is sure of the site of the Muirailhous; but it is supposed by those who know that part of the country best to have stood at a place called Scollie's Cross, formerly a squalid public-house by the intersecting of the Mount road and a track between the village of Auchenblae and Birse. It must have been a long ride to accomplish in an evening from the House of Logy; across the North Esk bridge, past Fettercairn and over the elementary roads of the very early seventeenth century to the worse track that crawled across the height of the Cairn o' Mount; they could not have gone very quickly. But it was summer and the late light of the northern Scottish night, by which a man may often read his book till ten o'clock, was in their favour. There is no record of who went with them. Certainly they would not have gone unaccompanied through those lonely parts in times when all travel was something of a risk; and it is equally certain that any servant they took with them on such an errand must have been in the secret.

There is a portrait of Helen in the House of Dun. It is no great work of art, but it gives a distinct idea of a personality. Everything about her is long; her nose, her eyes over which the eyelids droop, the upper lip above her strong, heavy mouth. Her hair, hanging in curls in the fashion of her day, is bunched over the long oval of her face. She was supposed to be the best of the three sisters, which makes one wonder what the other two could have been like. Her expression is sly, resolute and rather cruel, with a possible humour as its redeeming point; she wears a dark

dress with an ornament in the front of the bodice shaped like a bunch of grapes.

She and Annas went back to their brother at Logy laden with bundles of poisonous herbs that Jonet Irving had given them. She had explained their uses and how they were to be prepared, but Robert was sceptical and would not believe that the innocent-looking things could really take away a human life and had power to do 'that wicket turne for the quhilk they had been brocht'; and he was so much persuaded of this that to satisfy himself he took horse for the Muirailhous. One of his familiar scoundrels from the Leys of Dun, John Kirk, crossed the Cairn o' Mount with him. He came back reassured.

There was much consultation before they could make up their minds to the crime, but the MS. says that they took the herbs at last and kept them lying steeped in ale for a long time; again, when the brew was ready, they debated whether or no it should be thrown away and the plot abandoned, but in the end they agreed to use it.

It is here that the four are shown in their most detestable light; for the poor little victim John was living with them at the House of Logy during the time that they were scouring the country and busying themselves with the instruments of his death, and they must have heard his talk daily and watched his play, knowing how short a time he would have to enjoy it. His smaller brother was with his mother in Montrose, but in order that they might deal with both children at once, two of the sisters mounted their horses and rode to the town taking John with them. Gilbert Campbell

from the Leys, Robert's horse-boy, escorted them; one can picture their start with the little boy between them, pleased, as any child would be, with the thought of the ride and the prospect of seeing his mother at the end of it.

This story is taken from the Dittay, or Charge, brought later against Robert at his trial, and shall be finished in its exact wording.

"And thair, of the said Robert Erskine his knowlege . . . the said poiseable drink was gevin to the saidis tuo boyis, his brother-sones; Quhilk drink, eftir ressaiving thairof wrocht so violentlie upone thame, that immediatlie thaireftir they tuik sic an extraordinar preise of vomeiting, that na persone expected for thair lyfe; Be occasioun of the quhilk poiseable drunk, as ministrat and gevin to thame, the said Johnne Erskine, the eldest of the tuo, contracted sic a deidlie diseas and seiknes, that his skyn turning all blak and his haill nobill pairtis inwardlie consumeing, he dailie and continuallie thaureftir dwynet in gret dollour and pane, to the tyme of death, viz. to the terme of Whitsonday last; at quhilk tyme, he in maist lamentable manner deceissit of the said venemous and poysonable drink, uttering befor his death yhir or the lyk wordis, to all sic as war present, 'Wo is me, that I had richt of successioun to ony landis or leving! ffor gif I had bene borne sum pure cottaris sone, I had not bene sa demanit (handled) nor sic wikket practizes had bene plottit aganis me for my landis!' And sa was crewallie and treasonabillie Murthourit. . . . Lykas, the uther of the saidis tyo boyis remainis as yet sair visseit with intollerable payne, and seiknes universall throw his haill body, be occasioun of the said drink gevin to him at the tym foirsaid; of quhais lyfe thair is na hoip. . . ."

It was not till 30th November 1615, nearly three years after the commission of the crime,

that Robert was brought to justice and his examination begun in Edinburgh. He had been apprehended some time earlier but given bail, and as no bail was forthcoming, put to the horn, in which condition he remained until the above date; there is nothing to show exactly when the horning took place. He was examined by four Lords¹ of the Privy Council, says the Denmyll MS., and 'eftir diuerse denyallis and confrontations with some who avowed that mater upon him, he is come to a cleer Confessioun of the haill treuthe . . . that he was a deallar, consulator and consenter to the Murthour. . . .' In his confession, 'come to,' as it is expressed, 'eftir lang dealling with him thairintill'—which of course means torture—he denounced his three sisters as having been the originators and chief instigators of the murder. Commission was then given to Mar to apprehend them, and direction was given to put Robert on his trial.

On 1st December, next day, this was done, Sir William Newton being prosecutor. The Dittay, to which Robert had confessed, was produced with the Letters of Horning and he was referred to an Assize (see Appendix H). Before the Assize he again confessed, whereupon the confession, signed by him and witnessed by some Lords of the Privy Council was read again. He was found guilty without a dissentient voice and condemned to be beheaded at the market cross of Edinburgh and all his movable goods to be escheat.

¹ Sir Alexander Hay, Clerk of Register, Sir John Cockburn of Ormiston, Justice Clerk, Sir William Oliphant of Newton, King's Advocate, and Sir William Hart. They were directed to use torture, if necessary. (Privy Council Register.)

Before night he was executed.¹

On the same day a commission was given under the Signet to commit Isobel, Annas and Helen to the Tolbooth of Edinburgh, together with Jonet Irving at Muirailhous, Gilbert Campbell and John Kirk; the two last are described as sons of John Kirk in Logy—which place and the Leys of Dun seem to have produced a whole brood of miscreants for Robert and his sisters. All were to be apprehended on suspicion of trafficking in witchcraft and poisoning and for the murder of John and Alexander, their nephews, although, as will be seen later, Alexander was not yet dead. On the 16th of the same month their examination was begun, and as the sisters stoutly denied everything their brother had said, it was decreed that they should be ‘confronted with on (one) who assisted thame in counsell and executioun of that deede’; if they should persist in their denial they were to be put to the torture. There is no further account of their examination, but these bald words give an idea of what the process of justice was like in those days.

The women had a long time to meditate on what was before them as they lay in the Tolbooth of Edinburgh, for their trial was put off until June of the ensuing year. Through the dark months of winter and spring the scaffold must have loomed large to their minds, though perhaps its swift horror was almost welcome to them as an end to the slow days in that gruesome place.

At the trial they were prosecuted, as their brother had been, by Sir William Oliphant. There

¹ Denmyll MS.

appeared for the defence Mr Laurence McGill and Mr Thomas Wilson, advocates, with Mr William Keith, Patrick Bruce and John Erskine, minister of Ecclesgreig. The two advocates produced a Privy Council warrant by which they were charged to appear for the sisters, complaining of the short time given them to prepare the defence and asking for a few days' postponement. This was refused.

It was objected by the defence that the Dittay was irrelevant in three points; first, in the alleged consultation with Jonet Irving, witch; neither the words used by the sisters nor her replies to them had been produced; second, in the alleged receiving of the poisonous herbs for the uses contained in the Dittay, neither the names of these nor their properties had been given; third, the alleged injunctions given for the using of them had not been set down. To this it was answered that the whole indictment covered all the points objected to and that the Dittay should be submitted as it was to the Assize; it was judged to be relevant in spite of the objections put forward.

Sir William Oliphant, for the verification of it, produced a letter written by the uncle of the prisoners, Arthur Erskine, containing their confession of the crime of which they were accused and their penitence for it with a petition that their sentence should be mitigated to transportation. The letter was shown to the minister of Ecclesgreig, and he was asked whether the writing was that of Arthur Erskine. He admitted it to be so.

After this the King's Advocate brought forward the deposition made by Robert that his sisters were the originators of the crime and that they had

acted in the way described. He also repeated the affirmation made by Blewhouse in his former deposition and caused it to be read over to him with those of Gilbert Campbell and John Kirk, desiring the Assize to consider them. The Assize, by a majority of votes and by the mouth of Thomas Craigengelt of that Ilk, found all three prisoners guilty. They received the same sentence as their brother, and Isobel and Annas were executed within twenty-four hours.¹

Helen was taken back to prison, where she remained for nine long months. It was not till the 22nd of March 1617 that she was brought out of ward to hear what her fate was to be. A Privy Council Act had commuted her sentence to one of banishment for life; the reason for this leniency was that she was 'mair penitent though less giltie' than her sisters and therefore deserved more pity. She was to leave the kingdom within forty days and not to return without the king's license on pain of death without favour or mercy. The sentence was announced by John Dow, dempster of the Court.²

Her end was far from the one she contemplated as she lay in her prison, the last survivor but one of Logy's children. She went to Orkney and there she met Patrick Halcro 'in Weir,' great-grandson of Malcolm Halcro, Canon and Provost of the Cathedral in that island, and five years after her condemnation she was married³ to him. Their son Hugh had a daughter who became the wife

¹ Denmyll MS.

² *Ibid.*

³ *Erskine-Halcro Genealogy* (Ebenezer Scott-Erskine, pub. Bell & Sons, York Street, Covent Garden, 1890).



MARGARET ERSKINE, WIFE OF SIR JOHN CARNEGIE
OF BOYACK



HELEN ERSKINE

of the Reverend Henry Erskine, one of the family of Erskine of Shieldfield, in 1674, and gave birth to the brothers Ralph and Ebenezer Erskine, the celebrated divines (see Appendix I). Thus Helen passed from the degradation of the Tolbooth to the ancestresship of pious men whose name, though it had not come down to them through her, was the same as the one she had disgraced.

There are many strange points about this murder story and the strangest one is the lapse of time between the administration of the herbs and the death of their victim—nearly three years, from about Midsummer of 1610 to Whitsunday 1613. The fact that the poison took thirty-five months to attain its end shows that the envenomed ale must have been given to the boys from time to time. Yet how was it that in an age when nearly every disorder the reason of which was not outwardly apparent was attributed to foul play, no member of the family had a suspicion of what was going on? Where was Jean Maule, the children's mother, and where was the specially selected guardian? Jean may possibly have been dead, for there is no mention of her at the trial in which she might be looked for as the principal witness; but the minister of Ecclesgreig, then just translated to Dun, was both alive and present when the sisters were convicted; not only that but he appeared for their defence. How was it that he was so blind as not to guess that his charges were being tampered with? The man who would benefit by their death was one who might have access to them at any time and he had not far to go to find him. Robert's name does not occur in the Com-

mission to Mar for the apprehension of Blewhouse, but it should have been clear to anyone that the death of the brothers would be useless to Blewhouse without the connivance of somebody who would make his part in it worth while. There is nothing on record to bridge the gap between the Commission to Mar and the final retribution ; and the questions that suggest themselves sink back into the half-light that surrounds ancient tragedies, and can never be answered.

CHAPTER IX

ALEXANDER

“OF quhais lyfe thair is na hoip.” The words, which occur in the charge against Robert, are the probable cause of the belief that both boys perished; and the proof that the Alexander retoured¹ in the lands and barony of Dun in 1621 was the brother of the poisoned lad—recovered in spite of the apparent hopelessness of his case—must be set down.

First: the Assignment of Agnes Ogilvy,² widow of John of Logy, who resigns the liferent of Balwylo in January 1614 in favour of her granddaughter-in-law, Magdalen Halliburton, in return for the latter lady's liferent in Mains of Dun, granted, says the deed, by *Alexander Erskine of Dun* and his tutor, John Erskine (the minister of Ecclesgreig). This shows the boy to have been alive a month after Robert's execution. That he lived to manhood is proved by the letters directed to him as Laird of Dun in after years by Patrick Maule of Panmure, which begin “Noble *neroy*.” Patrick Maule was Jean Maule's brother.

When Alexander succeeded to his inheritance and to the Constableness of Montrose³ James the Sixth was still on the throne. Episcopacy had

¹ *Forfarshire Retours*.

² *Dun Papers*.

³ *Forfarshire Retours*.

been established and the Five Articles of Perth were on the verge of ratification; king and people swam in a sea of unrest. The new Laird had been brought up in the tradition of his illustrious ancestor the Superintendent, and in his reverend guardian's charge was not likely to be suffered to depart from it. His marriage to Margaret Lindsay,¹ second daughter of Lord Spynie,² seems to have coincided with his majority, as the baptism of his eldest son, John, is entered in the Montrose Parish Register on 1st May 1662. By 1664 a daughter, Marie, was born and he appointed their mother with James Lichtoun, parson of Dun, and three others as tutors to his two children and to 'any remainent children that sall happin to be procreat,' in case of his own decease before their majority. These had to give an account of their guardianship to 'William Erle of Mortoun Lord Dalkeith,³ Sir John erle of Kinghorn Lord Lyon and Glamis,⁴ Alexander Lord Spynie⁵ and Patrick Maule of Panmure.'⁶ So it seems as if they should have been safe. Perhaps the remembrance of his own childhood was present with Alexander Erskine.

The first piece of purely personal information about him comes in a letter from his brother Henry, an individual of whom there is no mention up to the date on which it was written and about whom

¹ *Scots Peerage*.

² Alexander Lindsay, first Lord Spynie, Vice-Chamberlain to James VI., fourth son of David, tenth Earl of Crawford.

³ William, sixth Earl of Morton, Lord Dalkeith, afterwards Lord High Treasurer of Scotland, died 1648.

⁴ John, second Earl of Kinghorn and tenth Lord Glamis, died 1646.

⁵ Alexander, second Lord Spynie.

⁶ Dun Papers.

nothing further has transpired ; but he has cropped up like a daisy between paving stones ; he may have been a younger child of David Erskine and Jean Maule whom the aunts and uncle were hoping to dispose of later, when justice made its inconvenient swoop and laid them all by the heels. The probability is that he was illegitimate. In any case there is no overlooking him, for he stands up, living enough, in his purposeful and businesslike attitude.

King James had died in the March of 1625 ; but his scheme for the colony of Nova Scotia was still alive when Henry writes, and the Nova Scotia baronetcies were being dangled in front of gentlemen of standing as a method of raising the wind. Three thousand merks, or the contribution and maintenance of a certain number of workmen sent out for two years, was to be rewarded by one of these new dignities and thirty thousand acres of land. The notion of a baronetcy attracted the Laird.

"Right honourable and looving Brother," says Henry, "Having receaved your letter I met with Mr George Flesher, and adversed with him anent your particulaire concerning the patent of ane barronet ; for quhen I was in Ingland I speake to Sir Williame Alexander¹ anent you, quha promisit to keep a patent for yow in a good rowme according as your former place deserveth it weill ; bot I did not obliss yow to imbrace it be my promiss ; till I know your meynd I dafared yet ; bot now seing I find yow be your letter to agree with him in that keind as wthers does (quhilk will cost yow thrie thousand markis) I shall wreat to him with the first paket to

¹ Afterwards first Earl of Stirling, Baronet of Nova Scotia, died 1639-1640.

asseure your patent and place, bot with this condition, that gif ye be not nixt thes that are alreadie past, ye will not be content to imbrace that place and accept of thes conditionis; and that I shall doe at the first occasion; Now, as for that of my lord Marshalleis¹ I cannot weill geive yow my adveise to imbrace it, accept I know the conditionis of it to be free and of the same natures quhilk wther patents are, that are immediately takine of the King; always gif ye can find and traise that the conditionis be good and the place fitt for your house I mean with the first of the barronets, ye may do as ye thinke good and send me word; quhat ye resolve anent that patent of my lord Marshallis; for be it as it will, if it please god I shall make service to yow, and that in your will weather or not we will imbrace it, so this in heast wishing yow all happiness I rest.

Your most looving brother
to serve yow,

Henrie Erskine."

Edinburgh this
16 of Julie 1625."

"I hope ye will let this present my loue and service to your lady."²

Though the scheme of the baronetcy never matured and Henry's trouble went for nothing, the Laird had plenty to keep him busy; he was Constable of Montrose and Sheriff of Forfar.³ In the August of 1626 the Privy Council requested him to remain in office till the following Commission day because the Sheriff-elect, Wood of Bonytoun,⁴

¹ William, sixth Earl Marischal. Had a charter from King James of 48,000 acres in Nova Scotia. He was granted the privilege of coining money within his territories in New Scotland.

² Dun Papers.

³ Privy Council Register.

⁴ Henry Wood of Bonytoun, died 1644. The ancestor of the

a neighbour and friend, was at the horn, though it was hoped that the horning against him would be 'purged' by that time and he able to enter upon his duties.¹ In the next year he had a tack of all the customs of the port of Montrose and other ports from the water of North Esk to the water of South Esk for his lifetime for one thousand two hundred merks yearly for the space of five years.²

By this time the Thirty Years' War had begun; with his family traditions binding him, it was not surprising that he should be drawn into the fringes of the struggle on the Protestant side. His brother-in-law, Spynie, had been made 'General Mustour Master'³ of all the Scottish trained bands, and in 1627 was raising three thousand men for the service of Christian the Fourth of Denmark, who had taken the field on behalf of his co-religionists. There is a letter from Lady Marie Erskine⁴ (daughter of Mar and married at that time to the Earl Marischal) written to one William Delgarno, telling him that her cousin, the Laird of Dun, had become a Captain under the King of Denmark and was enlisting three hundred of these for Germany in that part of Scotland. Delgarno seems to have been employed in some manner on the Earl

family was Wood of Colpnay in Aberdeenshire, one of whose sons married Dorothy Tulloch, heiress of Bonytoun. Their son had a charter of the lands and estate from James IV., 1493 (*St Mary's of Old Montrose*, Rev. W. B. Fraser). The castle stood west of Montrose Basin.

¹ *Report V., Historical MSS. Commission.*

² *Acta Parl. Scot.*

³ Privy Council Register.

⁴ Eleven years afterwards she became Alexander's aunt by marriage, having married, as his third wife, Patrick Maule, first Earl of Panmure.

Marischal's Aberdeenshire lands, and she adjures him to give all the help he can to Alexander.¹

Among those whom the Laird roped in for service was young James Blair, son of Sir James Blair of Balgillo, a place lying in the parish of Tannadyce, on the Dun side of Forfar. He undertook to get him a Captain's commission and to deliver a hundred of his recruits to him at Leith and Dundee by the 12th of June, or as soon as he was able to get them together, and to furnish him with nine hundred dollars at fifty-eight shillings by the 6th of April. With the father of this young man he entered into an agreement that is worth recording for its delicious solemnity of touch.

"Be it kend till all men. . . . We Alexander erskine of Dun and Sir John Blair of Balgillo, knight, Forsamkill as ye acces of drinking Is prohibit bothe be the law of god and man And we willing to give guid exampill to utheris Be our lyff and conversatioun to absteine from the lyk abuse Thairfor to be bund and obleist lykas we . . . bindis and obleissis us *hinc inde* to utheris nocht to drink vyne les or more at no tyme heirefter Except in our awine duelling placeess for ye tyme with utheris or without utheris companie within our awine saidis duelling housis Tuhill the first day of Maii in the year of god ane thousand sex hundreth twentie and eight yearis And im caice it sall happene as god forbid that we or ony of us contraveine the promess in that respect we quha sal happine to braik and contravenie ane pactioun forsaid Bindis and obleissis us our airis and exors to content and pay to the uther of us observer of the said pactioun and conditioun the soume of fyve humdreth markis guid and usuall money of Scotland liquidat and convenit upoun . . . for ye said first failzie and brack And the soume

¹ Dun Papers.

of One hundreth markis . . . forsaide liquidat *toties quoties* for ilk uthe failzie . . . and all remead of law that can be proponit in the contrair And heirto we bind and bleis us our airis and exors . . . in the maist surest forme that can be devysit And for ye mair securitie we are content yat zir pnttis (presents) be Regrat in the buikis of Counsell and Sessioun Commissary Buikis of St Andrews or Brechin Sheriff Court Buiks of Forfar or burro Buikis of Dundee. . . .”¹

This document was composed at Dundee. It had a high sound, but like wise men, its makers saw to it that they might make up at home for everything they denied themselves abroad.

Whilst the Laird had been recruiting for Christian the Fourth the authorities evidently thought that he might have been better employed, for he received an admonition from the Privy Council.

“After our very heartilie comendationis we wrote unto you latelie concerning the warre quhilk his maiestie hes vndertane against the Frenshe king and quharin we craved to be resolved be you quhat number of persons you would be able to furnishe for . . . his maiestie’s service, quharin his maiestie’s honnour and credit is so farre ingadged, but as yitt we have ressaved na ansuer worthie to be returned to his maiestie, and thairfor these are of neu to requeist and desyre you to send in to the burgh of Edinburgh betwixt and the xx day of September nixt, suche number of persons as you may furnishe in this mater and thair delyver them to the Erle of Mortoun and his officiaris . . . and that they may be persounes of good vigour and abilitie of bodie and not of those who are in the common rolls for the service of the King of Denmerke; And looking that you will not be failing to his maistie in this so important a caus, seing at that tyme we must give

¹ Dun Papers.

an accompt to his maiestie of every man's carage in this bussines. We commit you to God from Halyrudhous the last day of August 1627.

Your verie good friends

Geo. Cancell ¹

Winton ²

To our right traist friend
the Laird of Dune."

Linlithgow ³

Hamilton." ^{4, 5}

The Privy Council Register reveals that in addition to the foregoing reminder he was threatened with horning for neglecting to report the number of fencible persons in his parishes.

Next year peace with France was concluded, the unpopular French expedition at an end and he was free to leave military matters alone. He was Commissioner on gunpowder and on the revising of the laws and on fishings; this last must have been the most strenuous business of the lot, for the Commission met at seven o'clock in the morning.⁶

It is clear that among his other activities he was a keeper of bees.

"Right honoll Sir and Loving Sone,"

writes Falconer of Halkerton, whose ardent desire for a beehive seems to have made him call Alexander anything agreeable that came into his head,

"I desyr you according to your promeis to caus delyver to the berar the beescaipe ye promised me I hoip ye will

¹ Sir George Hay of Kinfauns, Chancellor of Scotland. Created Earl of Kinnoull, 1633.

² George, eighth Lord Sefton and third Earl of Winton.

³ Alexander, second Earl of Linlithgow, Admiral of Scotland.

⁴ James, third Marquis of Hamilton, Royal Commissioner of Scotland.

⁵ Dun Papers.

⁶ *Acta Parl. Scot.*

gif me one that be guid as ye salbe assured scho (she)
sall onlie be sent And ye sall have power to command me
in onie thing that is myne My service being rememberit
to your Ladie. I continew

Your Loving Cousing

To serve yow

Alex. Falconer of Halcarton."^{1, 2}

Halcartoune the 13th
of September
1630."

In March of the next year he had a Royal Warrant for transporting grain to the amount of eighty chalders to any port in the king's dominions.³ According to the custom of his predecessors he resigned Dun, getting a Crown Charter of the lands to himself in liferent and to his heir in fee, and reserving the rights of his wife Margaret Lindsay and those of Magdalen Halliburton (now Lady Carnegie of Ethy) whose jointure was still chargeable on the estate. The Confirmation is dated 23rd December 1631.⁴

In the May of 1631 he received the first of the letters from Patrick Maule of Panmure preserved in the family papers. Judging by their contents, there must have been a most solid friendship between this uncle and nephew. Maule was doubly related to him, and his mother being the Superintendent's daughter by his second marriage, he had in him the French blood of Barbara de Bearle; he was a man with many irons in the fire who had pulled his property together and increased its

¹ Sir Alexander Falconer of Halkerton, afterwards Lord Falconer of Halkerton, died 1671.

² Dun Papers.

³ *Ibid.*

⁴ *Reg. Mag. Sig.*

fortunes. He had been high in favour with King James and his friendship with Charles, whom he was later to accompany and serve in captivity, lasted till the king's death. Commissary Maule describes the hard parting between the two men when the Parliament ordered Maule (by that time Earl of Panmure) to leave Carisbrooke Castle. He had a grant of exporting merchandise to Africa and a twenty-one years' monopoly of making soap, and for the latter purpose was licensed to fish in the Greenland seas to provide the oil.¹ He was Sheriff Principal of Angus.² It may be seen from the letter that follows how much the writer and the recipient knew about each other's affairs.

"Sir,

Before the resait of your latter of 12 of Aprill which cam to me the 4 of May I have resaivid a latter from Sir Thomas Hope of youre being with him. I resaivid the contract which you wreitt hee hade send me and before my Lord Marquese was going to Scotland I made an end with him. The advocat give me an account of what youe and hee had resolved in the bussines of myne concerning Lourestone which I doe well aprove of.

"My Lord of Mortone can mak no excuse for his unwillingness to give way to youe for transporeting of victuall but that he was not in Scotland and those that war ther was mor able to Judge of the plantie which was in the Kingdom [than he] could.

"I understand in lyk maner by the advocatt that my Lorde of Spynie hathe past a renunsiatione in my favoures of my Landes of the Barronie of Dunne which I tak soe kindlie from him, not that I think they war in much danger but that hee hathe done it soe freelie which shall obligh me to him and shall mak me strive upone all accations to deserve the sam.

¹ Privy Council Register.

² *Registrum de Panmure*.

"For that bussines which youe left with me anent the making of salt in Ireland I have movit his ma^{tie} therein wher upone I find sae maney questiones and doutes that I cannot ansuer them for that I fear it must lay untill my homcoming, for your deseire anent the houlding of the Shiref of Anguse you shall heer resaive a latter from his ma^{tie} to mak Shiref courtes I shall doe my best to gate you apointed for this year and for your not having of it heer after I can always keep youe from it when it pleses youe and soe I rest

Your faithfull friend and loving onncle

P. Maule."¹

The allusion to the High Treasurer and the 'victuall' suggests that Alexander had met with difficulty about the transportation of his grain, and that Maule had been inquiring into it for him; the whole letter, though some of its contents bear on things that have no context to explain them, shows how well the two understood each other, and how anxious the older man was to be useful to his nephew.

The next was in reply to one from Alexander, none of whose correspondence exists among the family papers. It is taken from *St Mary's of Old Montrose*, and its spelling has been modernised. Maule speaks of it as being written on 5th February 1633.

"Sir,

The Laird of Bonitoune has spoken to me of a purpose which he tells me he proposed to you himself at your last being in Scotland. I find him very willing and desirous to bestow his eldest son on your daughter; Sir, he has desired me to write to you to let you know

¹ Dun Papers.

that he will be willing to remit the whole conditions to yourself, what you will be pleased to give your daughter, or what conjunct fee shall be given your daughter and at your sight to give his son a fee of his estate. Sir, I will assure you one thing, there is not a better disposed youth in this kingdom than young Bonitoune is. If you mind to bestow your daughter in this kingdom it is not an offer to be neglected. However, Sir, you are obliged to the Laird of Bonitoune's respect to you and your house. There is to my knowledge the occasions of good fortune offered to him; but he has a greater mind to deal with you than with any other whatsoever, and will not enter his terms with any till he have an answer from you, written to me. Sir, if you mind to deal, it will be fittest that the matter continue till your coming to Scotland. Sir, according as you enjoin me by your letter I shall most carefully and secretly obey your desire. . . ."

If the possible bride had been a cartload of turnips her disposal could not have been more prosaically handled.

Maule's reply came about a month after; he had no "mind to deal."

"Noble Nevoy,

Yours of the 5th Februar cam to my hand the 10th of March for the bussines youe wreit formarle to me of I am confident that befor this youe must have been asseured if it had bein bussines that I could have caried I should have bein as willing to have perform'd it as youe could have deseir'd it.

"For the propositione made be the Laird of Bonitoune it is even here made such a mosione to me at which tym I aknoleged myself obliged to him for his respect and held myself bound to him for the sam and then I loot him know my resolusione soe much both be myself and that I thought he was soe satisfied with the sam that I should not have hard any mor theirow, but since hee

hath spokin to youe theirin that I will say for an ansuere that I doe aknolege his respect for soe much that I shall ever be redie to requit it with my best service but for my dochter's marriage I have no intensiōe to bestow hir as yett, and whether I shall bestow hir in Scotland or noe I am not yett resolved and this much he was told before and what further to say in finalitie I know not and if I had an intensiōe that way I think youe would not adwyse me thereto, if youe took euerie thing in your consideratione; for the man I confess I neuer hard any thing of him but good, yett I think shee is toe young for him, youe know bonitone hath a great burthan of childrine, and I think his estate be much ingadged and besydes all this hee is but a verie young man himself and during his tym they shall have but a mein astate to live one, and I will be loth to match hir whair shee shall not have a compitent astate to live one, now youe know my mynde fullie and I know youe will mak use of it with discratiōe. . . ."

The ink is faded and obliterated in the lines which follow, and the subject breaks off into another which, for want of context, is misty. But it is evident that Alexander is anxious to get some post about the king, whose visit to Scotland is imminent.

" . . . I believe thar wilbe few gentlemen of qualitie in the kingdom but wilbe thar (Edinburgh) and yett I know it must be chargeable to these that comes as for a place to serve in during his ma^{tie} being there, long befor this all places was appointed and if they hav not, I cannot [think of?] aney place that hade bein fitting for youe unlesse it hade bein a master-houshold and that number hath bein full above these tow years, for the rest of the places I know non that is fitting for a gentleman of qualitie, my lord Mortone is to be at home about the end of this month, and if ther be aney place that youe

have a mynd too I persuad myself hee wilbe willing to give youe contentment in it, for hee and my lord Traquhair hath the disposing of all placis. this is all I can wreit to you in this particulare and soe I rest

Your lowing onnckle and seruand

P. Maule."¹

Charles the First's coming had been awaited by a suspicious and critical nation. His marriage to a Catholic princess did not recommend him to a people which had fought so hard to free itself from Rome; and Scotland guessed that the shadow of Laud at the king's elbow would lengthen till it lay upon the Kirk. The preaching of the English chaplains in St Giles' and the ecclesiastical ceremonies at Holyrood deepened the national distrust, and there was nothing in Charles's chilly aloofness to rouse any personal warmth in individual doubters. Interference with their chosen way of worship by a sovereign who, for all his Stuart descent, was three parts Englishman and one part Papist, was enough to bring nobles and barons—ruffians and schemers though most of them were—into line with the Presbyterian clergy and with those whose heads they would be only too ready to break at any other time. The community drew together and fixed its eyes upon the king and Laud like horned cattle which see a dog in the next field.

But Alexander's uncle was not of a like way of thinking. Though he never put his address on his letters he often speaks in them of 'coming to Scotland,' and is so evidently undecided about

¹ Dun Papers.

settling his daughter there that it must be supposed he spent much time over the Border. He was a great deal about the Court and his affection for Charles was well known; and the years that followed must have put a heavy strain on the friendship between himself and Alexander, for Alexander was with the Covenant.

As time wore on, all Scotland began to understand that the king was resolved it should worship, not after its own fashion but after that of England. The Book of Discipline was to be scrapped and a new Book of Canons framed in which the Sovereign was to be declared absolute Head of the Church; distrust and unrest were everywhere, and the gloomy temper of the nation can be seen in the contemporary accounts of the utterances of wise-acres whose bugaboo minds turned every manifestation of nature not entirely common into an omen.

“About this time a pot of the water of Brechin called Southesk became suddenly dry and for a short space continued so, and bolts up again and turns to its own course; which was thought to be an ominous token for Scotland, as it so fell out.

“About the month of January there was seen in Scotland a great blazing star representing the shape of a crab or cancer having long spaiings spreading from it . . . it was thought by some that this star and the drying up of the pot of Brechin . . . were prodigious signs of great trouble in Scotland, which over truly came to pass.”¹

Private misfortune fell upon Alexander in the spring of 1633, for he lost his wife. The strange little description of her funeral in the Lyon

¹ *History of the Troubles in Scotland.*

Office Records must be given here. She died at Dun

“on March 11th, and was honourably buried upon Thursday 4th of April, being brought from a high loft above some houses without the place and was carried upon two long hand spakes from thence through the closs to the kirk where she was interred in the old sepulchre of that house.”¹

The inventory and testament-dative of her possessions shows that she had a son Alexander, whose birth is not recorded in his father's nomination of tutors to his children. She left this world one thousand and thirty-eight pounds in debt. Part of this was owing to the minister of Dun and the rest to her servants. The inventory says, amongst other things, she owned five horses, ‘ane of them being ane grey.’²

The next few letters from Maule are not of enough interest to be printed here, dealing, as they do with small personal business affairs so much mutually understood that they are not described; once Maule alludes to a contract between himself and the Laird of Ethy, but does not say what it is; once he tells Alexander that he has got the king's consent to the appointment of one James Guthrie to what appears to be some municipal position in Montrose; although he naively remarks to his correspondent that it was a thing very unfitting for His Majesty to do “for he hath no poure to apoint ther clerk.”³ His soap manufacture was going on at the time, and a letter received by Alexander from the rich Edinburgh

¹ Lyon Office Records.

² Dun Papers.

³ *Ibid.*

merchant, Sir William Dick of Braid,¹ who represents himself as having a connection with that industry, reveals how well the world was aware of the good relations between Erskine and his uncle.

“My very honoll and worthie Freind,

Whereas I am persuaded of yo^r honoll intercession with yo^r uncle Panmoore these are showing yo^r hono^r that my neighbor William Gray, now a partner with me in the Sope works for some years to rin Against all dewtie Intends to extrude me haillic after the expyreing of o^r (other) few years, and to procure of y^r Uncle ane right to the whole patent for himselff whilk I take as unkindlie dealing, and expectis that yo^r Uncle be the intercessioun of Mr Maxwell and yo^r selff will never preferr hym to wrong me. For I esteeme it more disgrace to be extendit (taxed) be William Gray, his circumvention, nor any benefit these sope works might be to me. I thank god I am als hable to do a dewtie to yo^r Uncle therefore, als William Gray or any man else. Understand yo^r Uncle's mynd therein and be such a modrator for me in that eirand as I confidentlie expect. For I know no nephew in the land hes more credit, love and respect of ane Uncle nor you have. Sua earnestlie intreating to try yo^r Uncle's intention in this errand and giv me particular advertisement thereof, For your Uncle will find me more readie to serve and hono^r him and do dewtie to him in that eirand nor any man else in my qualitie, Pleas yo^r wo^p to pardone me at yo^r Uncle's hands and yo^r awin bother (both?) that I did not attend and sic you oftener times than I did heir. But I know, Sir, men of yo^r hono^r and place will excuse me that is a man so overcharged with bissines and may not give daylie attendance, So I pray yo^r wo^p doe me the fave^r as to ryt expresslie to yo^r hono^r^s uncle and deliver him this letter, and be my earnest and houl agent And lett me have

¹ Afterwards Provost of Edinburgh. Advanced large sums to the Covenanters and died in great poverty in prison.

answer per this my boy whom I have sent expresslie,
pleas yow lett me know who shall pay me thir thrie
quarters dewties past of this Martinmas So rests

Yo loving & affectionatt Freind
to peace

William Dick.¹

this 28th August
1635."

The raising and losing of money was a perpetual occupation to the nobles and barons. Maule speculated in soap works and Mar in tanning; the borrowing and backing of bills and pledging of land was ceaseless, and the going in and out of the tolbooth for debt frequent.

"And by such practices I have been a loser myself"
(sighs Patrick Earl of Strathmore in his Glamis Book of Record),

"who have paid for my father's cautionerie for the Earl of Seafort fourteen thousand pond and for the Laird of Dun ten thousand pond out of which with the interest of this money I have lyen and am in no possibilitie to recover it."

"Loving Cousing," writes Mar,

"I have sent the bearer my servant And . . .
B . . . r to youe to whome I remitt credit. I entreatt
youe to go wth him to my Cousing my L^d of Montrose And
desyr his L^{dy} to sett his hand to thir band of Mr Tho
C . . . for your releife and Pleagour I missed the eyerl
when I was in Alloway bot I sall send it to him Lett my
Lord know he sall be in no danger. This uther band to
Patrick Wood is to secur money for my journey and to
asseur a part of these moneys to Patrick Wood that he
had advanced to my sone in his travels onely upon my

¹ Dun Papers.

band and my sone's. I am resolved if I gett not helpe by settling my sone or by his ma for mt schemas theyr and yther occasions or that I gett nott some course but (without) the man you know Therein I warrant you I sall be warye eneuch (as I have greatt neede to playe Ladye Dawdye¹) Thatt I sall dispone my lands of Erskyn to releife ther and uther of my most urgent debts at Martinmas so I entreatt you both to sett your owne hands . . . befor my Lord of Montrose (I meane he being present) and so desyr his L to do itt For with God's grace his L nor no freind I have sall ever gett harme by me so long as I have ather Lyfe or land.

I rest in haist

Your verey loving Cousing

Mar.²

at this 12 of April
1637.

To my most loving Cousing
the Layrd of Dune."

¹ Contemporary slang?

² Dun Papers.

CHAPTER X

ALEXANDER AND THE COVENANT

MEANWHILE the troubles between Charles and the Kirk were going from bad to worse. In May Laud's Liturgy was ready. On the Sunday when the new service book was used in St Giles' the congregation rose up in vociferous rebellion, unawed by the presence of bishop or archbishop; and Spottiswoode, now also Lord Chancellor of Scotland, who tried to stay the riot, was stoned on the way back to his house. Commissioners were appointed to present the Scottish people's cause and to demand that bishops should sit no more on the Council. To all the protests of his northern subjects, Charles turned a deaf ear. On the 18th of October the National Petition and Supplication¹ was presented to the Scottish Privy Council from 'noblemen, gentry, ministers, burgesses and commons,' and among those who went to Edinburgh to sign it was Alexander Erskine. Maule, writing to him in the following month, makes a guarded allusion to what is happening, only giving him to understand that he is using his influence to keep the peace; the main part of the letter is taken up with one of his daughters who has just become engaged. He is in England and unable in the disturbed state of things to get home to look after

¹ The document is now in the Register House in Edinburgh, thanks to Dr W. Blaikie, who saved it from going to America.

her interests, and he trusts to Alexander to heavy-father the young woman, his cousin.

“ Noble Nevoy,

Yours of the 16th of this instant cam to my hands the 21st of the sam, and as you wish that I should be cairfull to do all the good I can in this present bussines of the church, bee confident that I shall never bee wanting therein to the utermost of my powar, and believe me, I have not been eidel with my best in knowing to give his matie the true information with as much advantage to those that hath apcar'd in this bussines if possible I could do that I hope (if they be discreete and s[tand] to their ground and not brak among themselves) that the bussines shall have a good euent. I thank youe for giving me notish of what hath past in Jeane's bussines. if ther be lyking betwext them as you con[firm?] I hope God shall bless it. soe as I wreat in my latter from Berweek I lyk the young man soe much, as I conceave him to be, I cannot wish [hir] better bestowed and I [hope it?] may proue to both their hapiness and as youe have deseir'd I have wreatin this enclosed to Jeane though I wreat verey freelic from Berweek to hir of my opinione of him, and indeed I must say this much, that for the leetle tym I wrack of, I was never mor satisfied with a young man's dispositione than I was with his, soe deseiring that youe will be cairfull not onlie in advysing hir but in directing hir in euerie thing, since she hathe noe friend their to whom to relay upon but yourself, I hope she shall neuer proue ungrate for aney fauvour youe shaw hir at this tym and I shall neuer be soe unthankfull as not to aknowledge it a similar obligatione and there is no friend one whom I relay aney part of the cariage of this bussines by yourself and soe I rest

Your affectionatt onnckle
P. Maule.¹

the 22 November 1637.”

¹ Dun Papers.

The young man who had pleased Maule so much that he was ready to bestow Jeane was David, eldest son of Sir John Carnegy of Ethy, afterwards Earl of Northesk. Patrick Wood of Bonytoun who had failed, in spite of Alexander's attempts to secure her for him a few years earlier, had consoled himself with the sister of his first love's successful suitor, and when Jeane went to the altar he was already the husband of Anne Carnegy.¹ Jeane's marriage contract, superintended by Alexander, had been signed at Arbroath² on 17th October, and the 'fineshin' of her marriage referred to by her father in the next letter is her second contract, which was signed at Brechin³ in the beginning of 1638 and of which Alexander apprised him. Sir John Carnegy insisted that his daughter-in-law's dowry should not exceed twenty thousand marks, because he feared that a bride who came with more than that sum in her hand might expect a jointure in proportion to it should she become a widow, and Maule's munificence in the matter so alarmed him that he exclaimed: "These people of the Court would break me with their money."⁴ He agreed to build a house upon the lands of Courthill for Jeane 'to the satisfaction of Sir Alexander Erskine of Dun, Sir Alexander Strachan of Thornton, Sir Robert Graham of Morphie and Henry Maule of Melgund'; she was to have the Mains of Boysack till her own house was ready.⁵

¹ *Scots Peerage.*² *Ibid.*³ *Ibid.*⁴ House of Northesk (vide *History of the Carnegies of Southesk*, Sir W. Fraser).⁵ *Ibid.*

“ Noble nevoy,

Yours of this instant cam to my hands their 16th of the sam whereby I understand [you have concluded ?] the fineshin of Jeane's mariage, for the which I must aknolege youre fauer and kindnesse and which I shall esteame it the greatest obligatione that euer I resave from aney and I should be loith to be so tyed to aney leving creater . . . for the church affairis I can adde nothing [to] what I have wreatin in my former latters to youe, which I hope will come saulic to your hands. I pray that all things may be queited, for the presidant I assure [youe] hathc, soe farr as I can learn, [caried ?¹] himself verey well and I believe if [his advise ?] would be takin hold of, the countrie should have gotine contentment, but what conclusiones was takine and send home with Traquair I am persuadit war resolued befor euer the president cam here. befor the reseat of your latter I hard of youe being in Edinburgh at the tym of the Tumult in Brechin which I was verey glade to heare and am verey well plesed in resaiving the assurance thereof from your self for I should be sorie that you should doe that at which their might be just grounde of exceptione, a man should carie himself soe that their not be notish takine of his behaviour further than his good wishes to the bussines. for the prices of victuall heare, the barley, pease, beenes, and oits is verey deare, for good barley is at fourtie shilline the Quarter, beenes at that sam rait, oits at aughteine and twentie shilline the quarter. I have procured from his ma^{tie} a warrand to the Lord Treasurer for giving [leave] to me for transporting of fiftie chalders of victuall, which I have heerwith send youe the coppie, and withall I have wreattin this latter myself to him theranent, for if youe find that their is aney good therein to be done, cause deliver the warrand with my latter, if otherwyse keepe them both untill I see youe and soe I rest

Your affectionatt onnckle and seruand

the 3 February 1638-9.”

P. Maule.²

¹ This, being a favourite word with Maule, may be suggested here.

² Dun Papers.

On the 19th of February the answer to the National Petition came in the form of a proclamation at the town cross of Stirling, in which the king let his lieges know that the Liturgy was to stand and that any protest or petition against the newly inaugurated schemes for the Church would be regarded as treason and dealt with as such. The nation took refuge in that tremendous defensive measure, the National League and Covenant, and it was prepared by the King's Advocate, Sir Thomas Hope, with Johnston of Warriston¹ and Alexander Henderson.² There can be no doubt that Alexander Erskine was one of the thousands who signed it. It was welcome everywhere but in Aberdeen.

After January, Maule wrote again. Much had happened in the summer and autumn just elapsed about which he might have had a good deal to say; but either his letters have not survived or he did not think it wise to put his opinions into writing. The General Assembly which had met at Glasgow under the Moderatorship of Henderson had been dissolved by the King's Commissioner, but had sat on notwithstanding and swept away the innovations of Charles and Laud. After that, there could be no going back on either side and the king and most of Scotland stood face to face, enemies in all but name.

Water had evidently fallen on this next letter of Maule's, obliterating a good many words at a particularly interesting part, and it can only

¹ Sir Archibald Johnston of Warriston, King's Advocate after Hope.

² Scholar, divine and Reformer.

be transcribed as it stands, its blanks indicated by dots.

“ Noble nevoy,

Yours of the sext Januarie cam to my hands the last of the sam which I was glaite to ressaue, for having to wreit a line formalie to youe and heering nothing from youe made me thinke youe would not wreit to me but I find the not coming of my latter to your hands was the cause. I wreitt to youe befor my . . . coming. I thinke strange of [this] for sur it cam in tym to your house for ansuering of it at this tym. I think ther is leetle salbe in it that requairs an ansuers and for youe not taking exseptione at anything I wreit, I am persuadit if youe will . . . consider what I wreitt . . . you . . . not in ressonne . . . ilancy. but I am sure that . . . thing in that . . . ing or . . . it, what you mein by wreiting that youe never was nor salbe a dissemblar I know not. If such a word was in my latter you will find it is . . . to such a . . . as I am persuadit youe will not find it wrong placed, for though for sure if my latter hath said any such thing it is not in these tereams youe expresse. It is needlesse to [youe?] to say that youe will maintain to the warld that youe ar noe dissemblar for I should be sweir that the warld would tax youe with such a shame, yet if such a word is in my latter I may erre yet I hope it shall not be vercy grosslie. if youe keepe my latter I shall trulie tell youe the sence I wreitt it in. I have both wreittin and spokin that which I thought for your good and the discharge of my dutie. I shall wish that youe may never have caus to repente youe that youe did not harkine to what I said. I shall be glad to heer from youe but the unsertintie of deliuerie of latters maks that I daur not wreit freeilie. his ma^{tie} coming to York the first of Aprill is com to your knoleg befor this wheir there is to be a powerfull armie. how or where it shall be employed if not to [war?] I shall pray for peace but I fear if his ma^{tie} be forced to soe much trouble and charge both to himself and the wholl keengdome that the couenanters

shall not mak soe much of their will as they exspect I am sure they might have made faire conditiones both for Church and kingdome if it hade bein takin in tyme but what they can doe more God knows. I must hope for the best, but I am confident all good men will indeavour to seek peace. For the minister of Brechin I did not wreit to him for I gate so little satisfactions from the Bishop of Brechin at my meeting with him in Edinburgh anent youe and the minister that I repented myself for speaking, for when I desyred him to wreit to give youe a full discharge and a warrant for paying the minister hee did not take notish of aney respect for me heerin but returned me that ansuer that I will not wreit yet if he hade bein heer I should . . . latter have spokin to him . . . I shall speak to the Bishop of . . . to wreit to the Bishop of Brechin anent the minister. youe may be sure I shall euer be willing to doe the best seruice I can to him and shall euer remaine

Your affectionatt onckel

P. Maule."¹

There are points in the two preceding letters that look as if they should be taken together. Maule speaks of the 'tumolt in Brechin' and later is at some pains to prove to his correspondent that he had not called him 'a dissembler,' or that, if he had, he meant something else; it is exasperating that the maltreatment of the paper he wrote on has obscured for ever exactly what passed between them. The tumult with regard to Alexander's commissionership from Brechin to the General Assembly had happened in Glasgow, and Maule expressed himself as being relieved that Alexander had been in Edinburgh at the time. It may well be that what the elder man alluded to

¹ Dun Papers.

was the uproar in Glasgow¹ about the affairs of Brechin. Baillie, describing in his *Letters and Journals* the stormy Assembly of 21st November 1638, gives an account of the particular incident which concerned Alexander Erskine :—

“Certain private instructions had been sent to the Presbytery of Brechin to direct them in their choice of a representative and Erskine of Dun was selected by the voice of *one* minister and some lay elders. Thereafter they met in a greater number and by the votes of all the other ministers and elders, Lord Carnegie, eldest son of the Earl of Southesk and Montrose’s brother-in-law, was chosen. The former commission (Erskine’s) having been transmitted by the Presbytery to be advised by the Tables, was returned with an *imprimatur* at the back of it to this effect, that the election must be sustained, whilst that of Carnegie was illegal, having passed contrary to the instructions given. The leading signature to this bold assumption of authority was that of Montrose, who tendered Erskine’s commission to be read publicly by the clerk of the Assembly.”

That officer, in the innocence of his heart, proclaimed aloud, not only the commission but the superscription on the back ; then, having a sudden vision of the *enfant terrible* he had become, stopped, dismayed.

And now the fat was in the fire. Montrose declared he would abide by every word of it, and Hamilton, the King’s Commissioner, demanded that a copy of the document, both front and back, should be given him with a list naming everybody who had signed it. This was refused.

Here the parson of Rothiemay, who was present, takes up the tale :—

¹ *History of Scotland* (Hume Brown).

“Montrose disputed for Dun, and by eighty persons attested Dun’s election. Southesk disputed for Carnegie, his son, with whom the Commissioner, in Carnegie’s absence, took part; but the Assembly sided with Dun. The stir was so great that the Moderator wished both commissions to have been annulled before such heat could have been. To this Southesk did answer sharply. . . . The contest between Montrose and Southesk grew so hot that it terrified the whole Assembly so that the Commissioner took upon himself the Moderator’s part and commanded all to peace.”¹

All this must have been intensely disagreeable to Maule, and although what is known of the affair gives him no reason for calling Alexander ‘dissembler,’ if indeed he did so, he may have been aware of facts or suspicions about his nephew’s good faith which have not transpired. The Southesks were royalists, as he was himself, and Montrose’s high-handed defence of the Tables in forcing a Covenanting Commissioner on Brechin must have disgusted him.

He wrote no letters to Alexander for about a year, at least none which are extant in the family papers.

In March the war cloud came yet closer down. Alexander Leslie, who had taken Edinburgh Castle which the king had fortified, was made commander-in-chief, and by early June there was a Scottish army on Dunse Law a few miles from the Border and Charles had come north to lead his troops which lay at Birks, hard by Berwick. Here the two armies looked on each other but no attack was made. The Scots were not anxious to fight,

¹ Baillie’s *Letters and Journals*.

though determined to do so if no other way could be found, and Charles, realising what he had against him and uncertain of the temper of his own people, was more averse to it than they. The result of the meeting of commissioners from both sides was the Pacification of Berwick. The royal letter which Alexander Erskine, as Constable of Montrose, received at this time, was dated from Birks.

"Trustie and weill belouit greyt you weill hawing fullie understood of your constant affectione to our seruice and sufferings for the same we give you hartie thankis and as heirtofor we haue wrettime, we will not be unmyndfull thereof but our subjectis who haue offendit ws, hawing at this tyme givin ws satisfacione excepting [accepting] of what we proponit to them we thocht it fitt to acquaint you therewith to the end that ye do not proceed in anie thing touching hostilitie but that you sattill your towne in ane peaceable way and so we bid you hartilie farweill at Berkis. From our Camp the 18th day of Juin."¹

It was in this year, according to the *History of the Troubles in Scotland*, that John Spence, Rothesay Herald, was sent for by the Laird of Dun and taken and apprehended for an anti-Covenanter, and it can only be hoped that this did not happen after the receipt of the above letter.

Alexander was a commissioner to Parliament for Forfarshire in 1639 and 1640²; and in the next year a commissioner for the planting of kirks.³ His remarriage must have taken place at some time within the ten years following Margaret Lindsay's death, but the only guide to its date is

¹ Dun Papers.

² *Acta Parl. Scot.*

³ *Ibid.*

the baptism of his son Robert which the Dun Parish Register shows to have occurred in 1644. Robert may not have been the eldest child of the second wife, but his existence proves that a new lady of Dun had come on the scene some time between his birth and the March of 1633, when Margaret had been carried on hand spakes to her grave. In finding the identity of this second wife there has been some difficulty, but it seems certain that she was Ann Beaton, great-niece of the sprightly Mary Beaton of the Queen's Maries; though, looking at the sepulchral beldame who hangs above a staircase in the house of Dun, it is nearly impossible to believe that. Her great-grandfather Robert, head of the ancient house of Creich in the kingdom of Fife, had been a page of honour to Mary Stuart when she went to France, and was later made Master of her Household, Heritable Steward of Fife and Keeper of Falkland.¹ According to Macfarlane she married, first the Laird of Fullerton, then the Laird of Dun 'and heired both estates.'² She survived her husband a long time and her portrait was painted some years after his death. It is so dark with the density and volume of her weeds that nothing shows up but her hard-featured face glowering from them with that air of blatant resignation which our forefathers thought indispensable to pictures of widows, no matter how long or how timely their widowhood had been. Some have supposed Ann to be the widow of Sir John Erskine, eldest son

¹ Macfarlane's *Genealogical Collections*.

² *lit.*, "gave an heir to."



KING CHARLES II



ANN BEATON, SECOND WIFE OF SIR ALEXANDER
ERSKINE, AGED 72

of Alexander's first marriage, who predeceased his father; but that is absurd. The fact that Ann was not Sir John's wife rests under the ægis of the Great Seal; for the confirmation of a charter by Alexander, dated 1643, speaks of 'Agnes Lichtoun, widow of the said Sir John.'¹ Having removed Ann from her fictitious place by the son, it is easy to transfer her to the unfilled niche by the father; and what helps to establish her there is the letter written to him by the contemporary Beaton of Creich, in which the writer addresses him as "Much honoured Brother," and signs himself "Your affectionatt Brother till Death."²

At the end of July, King Charles went back to England; the Treaty of Berwick had not really cleared the air and neither side had any fixed reliance on the good faith of the other. Then, at the Assembly in August, the Covenanters took the extraordinary step of inducing the Privy Council to make the signing of the Covenant compulsory, thus denying the very spirit of all for which they had stood. Charles, in desperation, ratified the Act through his Commissioner, admitting to Archbishop Spottiswoode that he would do his best to undo the work³; and by summer the two nations were on the brink of war again.

Writing again to Alexander, Maule says:—

"... I expected long to have hard from youe but now bussines [is] come to that height that their is noe

¹ *Reg. Mag. Sig.*

² This, being written some years later, is given in Appendix, to avoid confusion of dates.

³ *History of Scotland* (Hume Brown).

sautie in wreatin for all latters is intersepted. lett me intreat youe (though I could not persuad youe to lave the course that youe are in) that youe would carie yourself with that temper and discracione that their may not be cause to tak greater exceptione at youe than at otheris that is ingadged as youe ar. I beseech youe to say nothing that may show disrespect to your King's person, for that mey preiudge youe and doe no good to this bussines. remember that Kings have long ears. I can wreit noe mor of this but hopes that youe wilbe cairfull what youe say.

"The Earle of Montrose wreat a latter to me since my coming. I acquainted his ma^{tie} with what he wreat to me and showed his ma^{tie} the latter he wreat to Mr Routhen. his onnckle and I returned him his ma^{tie} ansuer ther to which he wreat to him and withall he promised to mak my excuse for not wreating for I could say nothing but what I had spokin to Mr Routhen soe if that my excuse for not wreatin be made and mEND it is enough. but if it be not, Mr Routhen did me the mor wrong for I should be loith to neglect that dewtie which his respect hath ever mereted, therfor I pray youe let him know what I have wreatin. As for what concerns my own affairs, I can wreat no thing of them in particular onnlie I must intreat youe will have an aie towards them th[at] youre adwyse or directione may bee for my good that you will not be sparing, soe far as it will not be preiudiciall to your owin occations. this is all I can say for the present but that I am

Your affectionatt onnckel and seruand

P. Maule.¹

the 11 April
1640."

It could be wished that Maule's caution had not forbidden him to say exactly how the Laird was engaged when he wrote, and there is much of his letter with its allusion to Montrose, King

¹ Dun Papers.

Charles, and 'Mr Routhen,' that it might be of interest to understand; but there was 'noe sautie in wreatin,' so all is left in the dark; and the only light thrown upon his nephew's movements is an order of General David Leslie's directing all officers and soldiers under his command to suffer the Laird of Dun and his servants to pass freely in and out of Edinburgh. It is dated from Multers five days before Maule wrote. Between the conclusion of his letter and its despatch, the writer must have heard from Alexander, and in spite of their differences on the larger issues of those times they relapsed again into their usual matchmaking. Their joint efforts had succeeded in settling Jeane, but her sister Elizabeth still remained. Maule says:—

"this latter was long wreatin befor it was away . . . for that particular of what you wreat conserning my doughter I may first give youe thanks for your cair of her, all I can say of it is I doe not consave that aney that youe could send to me could doe more than lett me know the partie and conditiones but if it plesse god I am resolved to com to Scotland this yeare unlesse bussines go to that extremitie wee shal all be meescrable, and soe if youe keep it in a fair way untill then you shall have the managine of it, for their is [none] whose opinione I will follow but yours theirin. you challengh me much for not wreatin though I have resson accuse youe, for this is the third tym I have wreatin and I have never hard from youe untill now . . . I hope to be the bringer home of my sonnes myself, they present their humble servuces to youe and soe I rest

Your affectionatt onnckle and seruand

P. Maule.¹

the 24th"

¹ Dun Papers.

Elizabeth Maule's marriage to John, second Earl of Kinghorn,¹ took place before the end of the year, and Alexander had successfully disposed of another cousin. This time the bridegroom was a widower; the union did not last long for he died seven years later and she then married George, third Earl of Linlithgow.²

On 20th August, Leslie was in command of twenty thousand men and crossed the Tweed, entering Newcastle ten days afterwards, and in face of this menace Charles consented to another commission to be brought together at Ripon, the conclusion of which took place in London, the Scottish Commissioners ending up their business very successfully for themselves in the English House of Commons. Alexander, still representing the county of Angus in the Scottish Parliament, was at the meeting of the Estates held in Edinburgh early in the following year and was one of those deputed to consider the 'Brotherlie Assistance' in the form of twenty thousand pounds³ promised by the English. The Privy Council Register shows him as being appointed with others to superintend the subscribing of the Covenant in the sheriffdom of Angus (the Confession of 1580 and the General Band of 1589); being on commissions to suppress crime in the Highlands and Papists everywhere; to advise on where forts should be erected and beacons set up and as to how twenty-five thousand foot soldiers were to be conveyed to Ireland. His duties had a varied range, as they included a committee to consider what replies should be given to the king and English

¹ *Scots Peerage.*² *Ibid.*³ *Acta Parl. Scot.*

Parliament and how to collect money towards the repairing of Monyfeith Bridge.

It is not an easy thing to put together a consecutive history of one who is not strictly a public character though he may have been a man of some importance to a limited circle; one who appears only in episodes; who must be reconstructed without the least touch of fiction from the dry bones of dates, deeds, Acts of Parliament and scraps of incident revealed by the chance words of contemporaries that have survived the lapse of time. Had it not been for Maule and his half-dozen or so of letters, and these mainly taken up by the marriages of his girls, there could have been no shaping of Alexander; but the friendship and kinship of these two has made it possible to build a theory to account for things unexplainable at first sight; that, and the light of public events which will occasionally illuminate some figure in some dark corner of the corridor of the centuries.

Just after the Treaty of Ripon was concluded, Charles conceived the idea of coming to Scotland again; the cleft between himself and his own people was widening and now that the Scots had gained so many of their points the moment seemed to be a happy one for a better understanding. He arrived in Edinburgh in August 1641, hoping to secure a following north of the Border that might help him in his troubles at home. He was to preside over the Scottish Parliament, and he meant to hearten those who believed in him, to conciliate those who did not and to assist the undecided—or those whom he considered undecided—to

adherence. Thus, no doubt it was that Alexander Erskine found himself in that year a Privy Councillor¹ and before the end of the ensuing winter, a Knight. He received this honour from His Majesty within his privy gallery at Holyroodhouse.² The discharge of the fees due to the Heralds on his knighthood is dated 9th July 1642. There was also a royal warrant for reserving the Laird of Dun's tack of the customs of Montrose³ out amongst the general tacks of the kingdom. In 1643 he was granted a pension of two hundred pounds yearly "good and usuall money of our Realm of England in remembrance of the services of himself and his progenitors to the State."⁴ It may seem hard to reconcile his pension and knighthood with his opinions; but it is to be remembered that Maule, the king's devoted servant and friend, was exerting himself to keep his nephew within bounds and that Alexander, though a plain baron of Angus, was a commissioner to Parliament, Constable of a burgh which was also a seaport and was intimately related to Lindsays, Ogilvys and Grahams; that Mar was his cousin and Spynie his brother-in-law; and that the astute Maule was safeguarding matters by getting him bound with a chain of obligation to the Crown is probably not a very wild guess.

But events were imminent that were to sweep away alike private interests and private scruples. Charles went south in the end of November to find even greater difficulties with his English subjects

¹ *Acta Parl. Scot.*

² MS. Advocates' Library, Edinburgh, 33.2.7.

³ Dun Papers. ⁴ Privy Council Register.

than with those he had left. Before the next year was out the first battle of the civil war had been fought and it was soon made plain that Scottish sympathy would not go with the king. The General Assembly and the Convention of the Estates met and an alliance was proposed between them and the English Parliament which should aim at a greater uniformity in government and doctrine of their respective churches and the complete suppression of popery and prelacy. The result was the Solemn League and Covenant which was finally approved by both nations; a Scottish army was raised and in January 1644, Leven—the whilom Alexander Leslie—led it across the Tweed.

Montrose had now reconsidered his former views and ranged himself definitely with the king. He had been a prisoner in Edinburgh Castle in 1641 and it was Alexander Erskine, representing a Committee for the Ordering of the House, who had successfully presented his petition for a full hearing in Parliament.¹ Now they were on different sides; Montrose was on his way to Scotland to raise troops for the king and the nation had begun to organise itself for the crisis that was approaching. Men who had sat on the fence were obliged to come down on one side or the other and take up such responsibilities as tallied with their convictions, for the country was in a state of defence and the *cadre* of its defensive forces was being put together in the different sheriffdoms. That of Forfar had appointed Lords Buchan² and Kinghorn with

¹ Baillie's *Letters*.

² James Erskine, Earl of Buchan, fined £1000, under Cromwell, afterwards, for taking part in the 'Engagement.'

‘the Viscount of Dudhop’¹ to the command of foot regiments and the Laird of Dun to that of cavalry. Alexander was also on the Committee of War.²

In the April of 1644, the town of Montrose was drawn into the discord of the time. It possessed two brass cannon which the royalists of Aberdeen were determined to have, and Irvine, younger of Drum,³ who was in command of a force there, descended upon it, horse and foot. There was great consternation; the citizens armed themselves and the great fires they lit upon the steeple were seen far out in the country. The bells pealed and men stood, sword in hand, upon the forestairs of their houses; but it availed them little and Drum occupied the town and set about his errand. His intention was to ship the guns off to Aberdeen, for there was a vessel lying in the harbour belonging to one Andrew Burnett, a bailie of that place with anti-Covenanting principles, and this man had a son living in Montrose who had undertaken to bring them round by sea as soon as they could be got on board.

But it happened that young Burnett and his confederates were to meet their match, for the moment at least, in the unsuspecting James Scot, the provost, who had invented a snug plan for the safety of himself, his possessions and a few other townsmen who were let into the secret. He had cast his eyes on Burnett’s empty ship and then, with his cronies and their merchandise and firearms,

¹ John Scrymgeour, third Viscount, created Earl of Dundee at Restoration.

² *Acta Parl. Scot.*

³ Son of Sir Alexander Irvine, tenth Laird of Drum.

made his way privily to the shore and disappeared into the bowels of the vessel, unaware that he was sharing a goal with the enemy. Mitchell says in his gossiping history of Montrose that a high tide floated her into the fairway. This may or may not be strictly true but it is delightful to believe it and to imagine the satisfaction of her unofficial crew as they glided serenely along on their Noah-like progress to security. The sequel is even pleasanter.

Soon Drum came down to the harbour with the guns to find the ship a little way out and embarked a party of men to board her and bring her in ; but they no sooner reached her side than such a sudden volley was loosed in their faces by the concealed worthies that they were almost blown out of the water. They pulled round and fled. Drum, on shore, spiked the guns, broke up their wheels and set his soldiers free to plunder the town. Then he went off westward meaning to reach an ally in Lord Airlie¹ at Cortachy ; but he heard as he went that Argyll was on the move, so he turned north and retired to Aberdeen. This affair brought disaster to Alexander, for the nerves of the townspeople were shaken by their experience and they betook themselves to Dun with all their valuables on their back and stored them in the castle ; later on the Marquis of Montrose discovered this fact as he came up through Angus, stopped on his way and gutted it.²

Events moved quickly after that spring. Aberdeen was sacked, the Argyll country laid waste, the Battles of Inverlochy and Kilsyth

¹ James, seventh Lord Airlie.

² *History of the Troubles in Scotland.*

fought and won, and Montrose's brilliant campaign ended in defeat at Philiphaugh. In 1646 Charles surrendered to the Scots at Newark and was handed over to the English. In the same year we hear that Alexander was liberated from prison. Why he was put there and how long he had been there remains a mystery, but his companions were the Master of Gray, Sir John Carnegy of Craig and Sir John Ogilvy of Newgrange. All four were set free together on caution of ten thousand pounds¹; it seems likely that they were prisoners of war.

Leslie's army was disbanded on its return from England. Charles was a prisoner in Carisbrooke Castle; and then followed that adventure called the 'Engagement,' in which three Scots Commissioners secretly engaged to send an army for his release if he would consent to establish Presbyterianism when he was reinstated; and though he would not sign the Covenant, the king promised to confirm it by a Parliamentary Act. The majority of Scotland was with them, a demand went to England for his liberation with the establishment of Presbyterian worship according to the Solemn League and Covenant ratified by both nations; and an army was raised in the teeth of the Covenanting clergy, who distrusted him and would have none of him. This force marched over the Border to be destroyed by Cromwell, and the consequence was the drawing together of the extreme Covenanters and the English Independents, the latter demanding the trial of the king. With eyes opened to the possibilities that awaited Charles, Scotland sent an indignant protest, charging them to remember

¹ *Acta Parl. Scot.*

that his surrender had taken place on the solemn understanding that no violence should be done to his person and warning them of the iniquity of breaking their word. But the Independents were not swayed by the threats and remonstrances of a nation bewildered by its own internal troubles, which, moreover, had been lately defeated by Cromwell. Their answer was the execution of Charles.

He was scarcely cold in his grave when his son was proclaimed by the Scots as King of Great Britain, France and Ireland, and Charles sailed from Heligoland for Scotland on 3rd June 1650. Before landing he signed both Covenants. His arrival threw the nation, already divided by the 'Engagement' and by the dissensions of the Covenanting party, into an acute crisis, for England looked upon his acceptance as a declaration of war. Cromwell crossed the Border to find Leslie between Edinburgh and Leith with twenty-six thousand men.

Charles was kept clear of the army. He had to submit to rigorous surveillance and the strength of the troops that were to fight his battles was reduced by the drastic combing out of any units suspected of the faintest 'malignancy'; such a purging eliminated numbers who were more fit for war than the residue left behind. After much manœuvring the two hosts met and the Battle of Dunbar routed the Scots in a tremendous defeat. Cromwell took possession of Edinburgh and the party in the country averse to Charles raised its head higher. The 'Remonstrants,' as they were called, insisted on a yet stronger vigilance; for the

king at Perth, close to Scone where his coronation was to take place, was growing restive, and exasperated by restrictions and the compulsory changes among his companions, he escaped from Perth on the 4th October and made a dash for the Highlands, where he knew that a party of wholehearted royalists was gathered. A letter written to General Middleton by Alexander Erskine shows that he was among those who supported the royal cause and was concerned in the attempt to get him back to Perth. Its only date is 1650, but its contents speak for themselves.

“Dun, 7 p.m.

I resewed your letter with the King's order inclosed and I should have been willing to have done me utmost indewor in it bot bussines is so unhansumlie caried on that I can doe litell or nothing in it; for I am bot newlie come hom myself and Ludquharne¹ and I have been this two dayes out the lenth of Sentjonstone² thinkyng to have found yow befor us and my Lord Ogilvie, bot could newir heir from ather of yow. Bot yesternight being in the Laird of Foullertons we mett my Lord Spaynie³ who told us of the King's eskeep and that he was to be at Cartache that night so we resolwed to have been ther the morning after, quhilk we did and being within a mayll of the house of Cartache we ranckuntred a friend who shuid us that the King was gone from that to the heades of Clowa befor two in the morning, and that Collonell Robert Montgomrie⁴ was ther with two regiments of hors, suche as they war. It was thocht

¹ Sir William Keith of Ludquhairn, Baronet of Nova Scotia, and an Engager. Colonel of Horse in the Duke of Hamilton's regiment.

² Perth.

³ Third Lord Spynie.

⁴ Fifth son of the sixth Earl of Eglinton. Distinguished in the Civil War.

that he want after the King, so we retired and cam to Fanewan (Finavon). My Lord Spaynie and I ar come hither and I shall adwertis all that possible I can, bot the bussines requaris suche heast and dilligens now that give (if) gentellmen and nobellmen of all reankes rune not thegither all is lost. Wharfor, Sir, I wald have yow with all heast bring your shair thegither and marche this way, and what can be done heir I shall doe my best in it with all the dilligens I can, for I will asur yow give ther be not some cours taken to discepat thes forces that ar now thegither they will daylie increas and ruen the King and us bothe. So remitting all to yourself in what shall be my cariage, I rest, Your lowing cosine and humbell servant

(Signed)

S. A. Erskine of Dun.

"Ludquharn is heir this night and is wearied but he will see yow tomorrow [in] tym. We wrat this letter befor we rescived your order. We have sent back the berrer to know the our and place whar we shall meit yow, quhilk we shall pressislie keap bot not in that conditione we should wish."¹

Charles was taking the wild road to the Highlands up through Glen Clova and the Grampians, and Hume Brown in his *History of Scotland* quotes a description of his plight after his ride of over forty miles, "in a nasty room, on an old bolster above a mat of sedges and rushes, overwrought and very fearful."² Fortunately he was persuaded to return to Perth. He was crowned at Scone on the New Year's Day of 1651, though Cromwell had subjugated the whole of southern Scotland.

Alexander lived through the Commonwealth

¹ Report on the *Laing MSS.*

² Balfour, iv., 112-115.

into the Restoration. The new king continued the pension his father had granted him, which was to be paid at Candlemas and Lammas.¹ Tradition has it that he was much at Court; it has been said that he and his sovereign were intimate friends, a notion which appears to have sprung up because of a picture of Charles the Second at Dun which is supposed to have belonged to Alexander; it is possible that the king may have given it to the nephew of his father's devoted Panmure. One thing is very certain, and that is that the Laird of Dun got into bad money difficulties. He had always spent freely; in 1656 there was a Charter of Confirmation by him with consent of David Erskine, now his eldest son, to Sir Robert Graham of Morphy of the whole lands and barony of Dun²; and a few months before his death Sir Robert was retoured in the dominical lands of Mains of Dun with other specified portions of the property, almost enough to cover the whole barony.³ This must denote either a mortgage or security for a heavy debt.

One of his financial mishaps is very plainly described by Lamont in his *Diary*:—

“The Laird of Din in Angus, being at Cupar, was apprehended att the instance of Sir George Moresone of Dairsie and put into the Toll-buith ther. After he came out he began to regrait his bad vsage, as to be put in pryson for another man's debt. Buchan, then being at Cupar also, replied to Din, that he might thinke it ane credit to putt in the tolbuith for such a man as my Lord Buchan.”

The Laird's house in Montrose is described in

¹ Dun Papers. ² *Reg. Mag. Sig.* ³ *Forfarshire Retours.*

the records of the town as being "on the East side of Murray Street, bounded by John Wood's land, near to the huis of the deceased John Nepar on the south. John Jamieson's lands on the north. The lands of the sam burgh on the East and the street on the west"; and Mitchell's *History of Montrose* says, "this house's kitchen had a grate which could roast an ox." When the parish kirk of the town was rebuilt about 1643 and the seats were being redistributed, the Laird of Dun's "dock" was carefully replaced exactly where it had stood "as near to the East syd of the Pillar as it can win."

Alexander died in London. The account of his end comes from Lords Ogilvy and Spynie and one Robert Beattie,¹ who announced it to his eldest surviving son, David.

"13 Februry.

1662-3

Wee hartly condoill wt you, wee have the occatione to wreyt the sadd nieus of your father's death whom it pleased God to call one Tuysdays nocht [night] last being about eight a clock he died, perfectly speaking a little before his death; wold never suffer any to wreit home of his being seek hee was verre honorably buried one thursday night at St Martein's Church accompaneyed wt the most part of our nobilitie and all the gentre ware ther. he ows about ane hundreth & twentie pounds sterling heir & if wee had not ingadged for the payment wrof hes corps had been arrested. wee respected his honor and yours so mutch tht if it had bein mutch more should have done the Lyke, not doubting of your present and speidde remitting tht money to London wreyt to Robert

¹ Beattie seems to have been Alexander's man of business in London.

Beattie one qhm hee shall draw it; qhn wee shall sie evrie one payed & yr discharges gottne wee can not ponctually give you ane accompt of hes deathe, hes man John Johnstone shall bring them home wt him. Yr was a thousand marks hee expected should be sent Androw Merten to accept and paye his bills; & if tht money be not yet sent him to heastne it, for tht severall poor people hee owed as for meatt & lodging the Tallyour wee were necessitat to ingadge payment within 20 dayes, wee shall not doubt but as we have testefied our respects to your Famile yee will at all speid relyve us. correspond wt Robert Beattie & order him to draw, hee will draw it cheaper thn yee can remitt. John Johnstone shall be sent home with the First shype wt your Father's [possessions?] & the accompt thts owing, its inexpressable the regreat wee have of hes death & the sorrifull teddings it will be to the Ladie your mother & Self & to all hes friends.

"At Lenth yee will understand more particularly who was hes Frinds, qht services wee can doe you . . . or ells tht yee maye repose one, & frely comand those qht shall ever be

Sir

Your most affectionet Cussings & servants

Spynie

Ogilvy

Robert Beattie."¹

David made due remittance of his father's debts within the twenty days. Beattie writes :—

"London 15th Martch,
1662-3

Ryt honirabill

I recavet yours of the 9th instant wt the inclosed wh I have delyvred to [all ?] of ym out of my owen hands; My Lord Commissioner² read your letter & said hee

¹ Dun Papers.

² John, first Earl of Middleton.

should be sure yee should come up now, for yt might wylbe he wold backe post for Scotland & the King goith wt^h 4 dayes one his progress to meitt his queyn qho wold not returne thys sex wyks, so I prest My Lord to proceaur you your father's pensione efter adwyssing some tyme, desyred me to get the old one [copied?] I have done it & given him, so hee promisses to demand it from the King, which I questione not but will be granted, & I shall get it done by My Lord Ladderdall¹ I shall give you ane accompt from tyme to tyme as wee procidd. I shall pres My Lord Spynie and My Lord Ogelve to speak him and hold him to it, as they have done this daye to my hearing. The Commissioner is verie mutch your frind I shall not be wanting in acting my part all I did to your Father either allye or dead was but my deutie, I have drawn that 1000 marks on Androw Merten I pray you heastne the rest to him for thyr people will force me to paye them I shall wreyt you prestly qn Lord Middleton is heir, wt my respects to all frends I am

Sir

Your most humble servant

Robert Beattie."²

When Trafalgar Square was built, the churchyard of St Martin's-in-the-Fields was done away with. Lead was very valuable at the moment and other uses than the enshrinement of the dead were found for coffins. Where any trace of the name was distinguishable, the relations of its bearer were informed and asked whether they wished (at their own expense) to have the coffin and its contents dispatched to them. If no reply came within a stated time, the remains were turned out and the lead sold; it is said that the bones were spread

¹ John, afterwards Duke of Lauderdale, Secretary of State for Scotland.

² Dun Papers.

as fertilising stuff over the cabbage fields of Woolwich. The metal was probably fired away in time, so that Death might not be altogether cheated. So the eleventh Laird passed and his tomb too. Few small personal traits have come down to depict him and no characteristic trifles have cropped up in letters or papers except that he objected to hard drinking, would have liked to be a baronet, and kept bees. But the affection and trust breathing through the letters of such a one as Maule, speaks eloquently for him and makes it plain to those who can only see him as a shadow among the shadows of Time that he was a man of some parts.

By his first wife he had three children :—

JOHN, his heir, whose baptism on 21st May 1622 is in the Montrose Parish Register. In 1641 he was Commissioner 'for suppressing broken men' in Angus¹ and is spoken of as Sir John. He married Agnes Lichtoun, who was probably one of the family of Lichtoun of Usan. She had a charter from her husband and father-in-law in 1643 of Balwylo, Balnillo and Someshill; its Confirmation² in 1649 describes her as Sir John's widow and now the wife of Thomas Allardyce, tutor of Allardyce. They had a son John³ by her first husband to whom Sir Alexander was appointed tutor-dative⁴; also a daughter Margaret, married in August 1662 to Sir John Ogilvy of Inverquhar.⁵ There is a portrait at Dun supposed to represent another daughter of Sir John, named Elen, but there is no other information about her.

¹ *Acta Parl Scot.*

³ Montrose Parish Register.

⁶ Montrose Parish Register.

² *Reg. Mag. Sig.*

⁴ Privy Council Register.

ALEXANDER, presumably born after 1624, there being no mention of his existence in his father's nomination of tutors to his children, thus dated. He is named in his mother's Testament. He died on Christmas Day, 1650.¹ He was knighted by Charles the First in 1641, a few days after his father.²

MARIE, born before 1624. Married first Allardyce of Allardyce; secondly, Robert Dunbar of Burghie. She died before 22nd February 1647.³

MARGARET, married Sir John Carnegy of Boysack,⁴ 17th November 1652.

By his second wife, Sir Alexander had :—

DAVID, his successor, of whom later.

ROBERT, baptised 23rd July 1644. Died 2nd November 1652.⁵

GEORGE, died 4th October 1652.⁶

JAMES, baptised 20th April 1646. Died 22nd September 1652.⁷

Only one of Alexander's sons outlived him. The deaths of the last three came so close together—the space of forty-two days covering them all—that it looks as if some epidemic had carried them off.

Margaret survives in a portrait of surpassing ugliness which puts her mother, hanging near, in the shade; for Ann has a certain grisly dignity. Margaret has none. With features cast for solemnity, she wears the wavering smile of one

¹ Dun Parish Register.

² MS. Advocates' Library, Edinburgh, 33.2.7. ³ Dun Papers.

⁴ Dun Parish Register. ⁵ *Ibid.* ⁶ *Ibid.* ⁷ *Ibid.*

who, knowing herself to have drunk a little too much, believes herself shrewd enough to conceal it ; two tresses fall from a wig like the coat of a curly retriever over her glaring décolletage. Sir John Carnegie, who ventured to marry her, was the second son of Lord Northesk and was provided by his father to the barony of Boysack.¹ Their children were John, the heir,² James of Kinnoull and Braikie³ and Margaret, who became the wife of Sir Charles Ramsay of Balmain.⁴ It is interesting, looking at Lady Boysack, to remember that her second husband was a minister.

“ At Montrose and Dun, Dec. 14, 1690.

Betwixt the parties to wit, Mr David Lyel, preacher of the Gospel at Montrose and Dame Margaret Erskine, Lady Boysack. The same Mr David Lyell, God willing, shall marie, espouse and take to his lawfull wife the said Dame Margaret Erskine like as she shall accept and take to her lawfull husband the said Mr David Lyell.”⁵

The lady died at Montrose 18th June 1703.⁶

¹ *Scots Peerage.*

² *Ibid.*

³ *Ibid.*

⁴ *Ibid.*

⁵ Dun Papers.

⁶ *Ibid.*

CHAPTER XI

DAVID

DAVID ERSKINE'S retour in 1655¹ is a rather bewildering document in which he is described as "appeirand of Dun, eldest surviving son of Sir Alexander Erskine of Dun, Knight, heir male of Sir John Erskine, Knight, eldest son to the said Sir Alexander his brother." All this means that David's elder brother (heir to Alexander) died, leaving him (David) his heir ; and if the words *his brother* had been put immediately after the words *heir male of* its sense would have been better expressed. The fact that he succeeded proves that the child John—son to the above mentioned Sir John—had died before his grandfather.

In the year after David became Laird he was made a Justice of the Peace,² and this respectable event was followed by an equally respectable one, namely, his marriage to Jean,³ daughter to Sir James Lumsden, Knight, of Innergellie, and widow of Thomas, eldest son of Sir Gilbert Ramsay of Bamffe. "The marriage feast," says Lamont's *Diary*, "stood in the Laird of Enster, his house, his brother-in-law." The identity of the host has to be explained, but he proves to be Sir Philip Anstruther of that Ilk, in Fife, and the husband

¹ General Retours.

² *Acta Parl. Scot.*

³ Douglas's *Baronage of Scotland*.

of Christian Lumsden,¹ sister to David's bride. Lamont adds that Jean "was now the third lady in that estate of Dun ; his mother (Anne Beaton), his gude-sister (Agnes Lichtoun, Sir John Erskinc's widow), and this, his own lady." So it may be seen that a good deal of money went out of David's pocket in the support of dowagers, as it had done out of those of his predecessors. The first child was baptised in 1668 and called Elizabeth.² The witnesses were all brothers - in - law ; Sir John Carnegy of Boysack, Thomas Allardyce of Duninauld (who had married Agnes), and Sir Philip Anstruther. The entry in the register calls him Sir Philip Enster.

David was very short of money, thanks to the burdens his father had laid upon Dun, but he must have been a good man of business and something of a man of action. His plans of economy had more of attack than defence in them. He meant to make as well as to save. One of the first things he turned his mind to was the great bridge over the North Esk that the old Superintendent had built. It had fallen into disrepair and its parapets had begun to break away and crumble ; but as his means would not allow him to undertake its restoration himself, he applied to Parliament for a grant to be raised from tolls which would enable him to see the work through. The road that the North Water bridge carried, and carries to this day, on its two high arches was then the main thoroughfare to the Highlands and its importance was growing with the growth of the times. Everything bound for the north

¹ Douglas's *Baronage of Scotland*.

² Dun Parish Register.



DAVID ERSKINE'S HOUSE IN MONTROSE

travelled on it, whether wayfarers, merchandise or troops ; among those who had passed over it not so long before was a band of luckless Covenant prisoners on their way to captivity in Dunnottar Castle, who were marched along it and collected for security during the night on the bridge, which had guards posted at either end. As has been recorded, either truly or with an idea of heightening the pathos, it was 'a night tempestuous with wind and rain.'

David's application was successful and the toll was made legal ; twopence Scots for every foot passenger carrying a load, fourpence for each cart, the same for each laden horse and for each bull or cow ; fourpence for each soum¹ of sheep and twopence for each soum of lambs and sixpence for each horse going to market. The toll was to last for twenty years.² Those appointed to collect the customs were the Lairds of Balmain and Pittarrow for the Mearns, and the Lairds of Clova and Balnamoon for Angus.³ Not long afterwards he applied again to Parliament, this time for permission to hold a yearly fair on the Muir of Dun, that whin-grown spot, once the haunt of Irische James. It was an excellent site for the purpose, because the old road from Aberdeen to Perth passed by its southern end. Now, that road is only a green loaning which can still be traced for some miles, disappearing in pasture and arable land, appearing again and merging itself into the tract which was formerly the Muir of Pert, on its way to the North Water bridge. David

¹ Five sheep ; in some places, ten.

² *Acta Parl. Scot.*

³ Dun Papers.

knew what he was about when he undertook the repair of his ancestor's work, for it would bring both beast and man to his fair. The second Wednesday after Whitsunday was the day chosen; every sort of thing was to be sold there, not only oxen and other live stock—bestiall, as they were called—but grain and salt, linen, wool and merchants' stuff. The tolls and customs were to be the property of the Laird of Dun and his heirs,¹ and, with the huckster as active as he was then, these Wednesdays must have brought some addition to his resources; the tale has come down that it was the Lady of Dun who profited by them and that David made them over formerly as pin-money to his Jean.

Dunsmuir fair went on for a great number of years and became so large that it had to be policed, as were many others. At Laurencekirk market, a dozen miles away, there was an official order in 1784 which provided a few halberds for use in keeping the peace with the recommendation that 'three of four stout young fellows' should be paid a shilling a day to deal with disorderly people²; and the great-grandmother of a learned professor now living remembered being at Dunsmuir fair and seeing the Laird of Dun's halberdmen patrolling it. Finally it disappeared before the spreading arms of towns and their intercommunications, and it is said that at the last time it was held its display of wares had dwindled to a solitary cow. There is a well-authenticated episode which happened at another Angus fair that shows the

¹ *Acta Parl. Scot.*

² *History of Laurencekirk* (Rev. W. Fraser).

summary means that were taken with offenders on the spot. A man passing by on the fringe of the crowd saw an old woman sitting at 'the market's mou' and contemplating the scene. He went about his business and passed again on his way home in the evening, finding her still there. "Ye're aye bidin," said he. "Man," she replied, "it's weel kent I'm nae stairter." She then lifted her skirt and he saw that she was in the stocks though she had managed to hide the fact with her petticoats.

On 17th March 1670, David's eldest son was baptised and called John¹; his birth was followed next year by that of a brother, James.²

Looking at the family tree, it is strange to notice how unlucky a race the heirs of Dun were after the Superintendent's day; how many died in youth and how few, even when they survived their fathers, outlived them long. He survived his own eldest son by more than a quarter of a century; Robert of Arrat's first-born, John of Logy, followed his father to the kirkyard in twelve months; Logy's heir, Nathrow, did the same by him, and though Nathrow's successor was Laird for eighteen years he had no son of his own and his heir was murdered before he was ten. David himself was Alexander's third or fourth son, and of the two boys born to him before 1673 neither was destined to stand in his father's place.

In May 1669, David was one of the Commissioners of Excise³ for the shire and in September he became a Lieutenant in Lord Kinghorn's troop of

¹ Dun Parish Register.

² *Ibid.*

³ Privy Council Register.

Militia.¹ In the previous year he, with the Lairds of Bonniton and Edzell and Northesk's eldest son, James Carnegy, were nominated captains in the Angus Regiment of Foot commanded by Lord Carnegie, but all four refused to accept these commissions.²

In 1670 he sold a piece of his property to a man called Robert Raitt of Snawdon.³ The Lands of Sands, as they were named then, are a stretch of sand and marsh skirting the shallow bay between Tayock and the town. Running westward along the shore they are submerged at high tide and exposed at the ebb. Now they are known as 'the back sands.' The old cunninggar of Tayock, already alluded to, rises above them as they spread away by the water's edge below the fields towards the House of Dun. Raitt acquired this tract with the idea of building a protecting embankment which was to start near the Fort Hill of Montrose shutting off a part of the sands from the tide and turning them into valuable agricultural land.

It was six years before the scheme was put into practice. A partnership was formed between Raitt, Lord Kinghorn, Sir Charles Erskine of Cambo and David Mudie, a merchant of Montrose, James Gordon, merchant factor in Rotterdam and Peter Bruce, a merchant burgess in Edinburgh. Bruce was engineer and undertook the construction of the embankment and men were sent from Holland, got together by Gordon to do the draining.⁴ David

¹ Privy Council Register.

² *Ibid.*

³ Appeal of John Erskine against Interlocutor in Stake-net Case, 2nd April 1812 (Dun Papers).

⁴ *Ibid.*

Erskine seems to have had no part in the gamble ; probably he knew too much about the lie of the land he had parted with to want to risk his money in it.

The venture was pure disaster. No sooner was the embankment finished than a storm got up in the North Sea that was a memorable one even for the east coast. The wind rose in a hurricane, the rain poured, the tide came thundering in through the strait and the peaceful burn of Tayock that flows sluggishly through the sandy marsh, draining the fields inland, swelled and rose and rushed out in spate to meet its grander neighbour the sea. In the fury of the waters the embankment fell to pieces and with it the plans of its creators. Some of them went bankrupt. The blame was laid on Maggie Cowie, a witch of Montrose, who was believed to have dipped her finger in the Basin and so brought up the storm ; later, she was burnt and was one of the last victims of the witchcraft obsession in Scotland. The ruin of the structure, whose name has been corrupted into “Dronners” (Drainer’s) Dyke, can still be seen at low tide sticking up through the ooze ; the fag-end of a misplaced enterprise.

The Lands of Sands came back in time to their original ownership. They passed into the hands of Raitt’s widow and were afterwards adjudged, or made over by her to John Scott of Comeston, whose nephew and heir, Hercules Scott of Brotherton, disposed them to David’s third son, Lord Dun.¹

By 1669 the Laird had freed the property from the hands of Sir Robert Graham of Morphy and

¹ Dun Papers.

received a Charter of Resignation from him of the whole amount that his father had imperilled.¹ In these disturbed years he seems to have concerned himself mainly with his private affairs and taken no part in public ones. Episcopacy had been re-established; the Pentland Rising had been followed by the 'Bloody Assize'; Lauderdale, to whom he had looked for help in securing a continuance of the pension made to Alexander, had enjoyed a long spell of power; but the only thing known about David is that, in 1673, he decided to alter his coat-of-arms. The extract from the 'Blazoning of the Coat Armorial appertaining to David Erskine of Dun,' says:—

"The said David for his achievement and Ensyne armoriall bears two coats quarterlie; first argent. A pale sable be the name of Areskine. Second gules A sword in Pale Argent hilted and pommelled Or, be the name of Dun. the third as the second, the fourth as the first. Above the shield ane helmet befitting his degree mantled gules doubled Argent; Next is placed on ane torse for his crest Ane gryphon's head erased proper holding in his mouth A sword in bend as the former. And on the bled thereof this motto In Domino Confido, which coat above blazoned I declare to be the said David Areskine of Dun his true and unrepalable coat and bearing for ever."²

David built or acquired a new house in Montrose for Dun; it stood for over a century and a half with its pair of crow-stepped gables turned to the street. The illustration shows where a door has been filled up and windows altered to suit the requirements of later tenants. It was eventually

¹ *Reg. Mag. Sig.*

² Dun Papers.

sold by one of the great-nephews of David's successor, Lord Dun, from whom it was bought by Robert Dorward, a Montrose merchant who made a great fortune in worsted and left a memorial of himself in the town by the charities he endowed. The foundation of this wealth was laid in a tiny shop on the ground floor of the old house. Before it was taken down, two ancient ladies, the Misses Strachan, lived in a part of it; but there is nothing left of it now and the Town and County Bank flourishes on its site. Its walls are said to have been three feet thick.

David's third son was baptised at Dun in the spring of 1673² and named after his father, and a daughter followed in 1675.² In the next year he had a Gift of Escheat³ of the goods pertaining to William Foularton of that Ilk through the latter being put to the horn at the instance of Lord Panmure for non-payment of four thousand merks Scots.

It is evident that he was not now sitting apart from what was going on in Scotland. After Archbishop Sharpe's murder on Magus Muir and the encounters of Drumclog and Bothwell Bridge the outlawed Presbyterians had to attend their worship secretly in the forlorn corners of the country and he had to do the like. He had kept the religious views of his predecessors sufficiently for them to land him in the Tolbooth, and he must have been somewhere near the Border when he was pursued and taken by Kerr, the Laird of Gredden, as his captor sent him and his companions

¹ Dun Parish Register.

² *Ibid.*

³ City of Edinburgh Miscellaneous Papers.

to Jedburgh. Gredden wrote to the authorities to know what he was to do with his prisoners. He had chased David—‘Laird Dun’ as he calls him—Mr Archibald Riddell, minister, and Turnbull of Knowe, they being ‘as was informd, in the rebellion and sensyne frequenters of field Conventicles.’ Gredden received a letter of thanks and an order for the Laird of Meldrum to despatch the culprits to the Tolbooth of Edinburgh. His pursuit had lost his party a horse and it was recommended that they should have compensation for it.¹ This happened during the autumn of 1680. David’s imprisonment was probably a short one, as many a man’s was who had influential friends. In 1683 he was back at Dun and writing cheerfully to Andrew Martin, who had been his father’s man of business and, judging by the letter, was now his own.

“Dun no^r 1683

Dear Frend

You keaped y^r promise well in cum^s to Dune this last Vacans and yitt in y^r last [letter ?] challenging me for not sending the hors and yitt return[ing] to Edinb^{gh} about the tim y^e desyrd him at balcomie, so if a gentlewoman had not cum to Dune from that place the hors had lost his labour. however I hop to hav the good fortune to see you at Culros for God willing I hop to be ther when the Earll of Mar comes hom and in the meantim I present my services to y^r self y^r kind Ante Liz[beth ?] and y^r Children. I intreat you to send me all the papers you hav anent Crigie’s buseness in al hast. Show Will Kay and Mr Raynald that how soone the Earll of Mar comes hom ther shall be such cours taken with ther affairs as shall be to ther satisfacione and if he cums not before the Latter end of no^r it shall god willing be done. however

¹ Privy Council Register.

show the Infidell Aleppo¹ he shall hav his monie in the End off this month and the sooner you send the papers I'll get the monie the sooner. they were produced in Pitarrow's causs. Let me hear from you as soon as this cums to your hands. I am

dear Frend

Y^r reall Frend and servand

D. Erskine."²

In 1689 David took the Oath of Allegiance to William and Mary.³ He was Commissioner to Parliament in the same year, as well as in '90, '93 and '95; also Overseer of the election of Magistrates for Montrose.⁴ The idea of him as a soldier comes unexpectedly in spite of the fact that he had been in Lord Kinghorn's Militia twenty years before; but the sudden death of Mar in May 1689 reveals that he was serving under him as Lieut.-Colonel of the Regiment of Foot lately raised for William the Third. Sir William Fraser in his *Miscellaneous Papers*,⁵ quotes a declaration from the Muster Roll of that regiment, signed by the Laird:—

"John Keirie of Gogar did give libertie too four and twentie of the Colonel's Company to goe to Alloa who are to returne teusday nixt.

"I, David Erskine, Lieutenant Collonell to the Earl of Mar's Regiment, the Collonell being vacand by my Lordis Mar's Death Doe declare on my Paroll of Honour that I mustered the 3d Companie with the Particular Observations of the twenty four men taken to Alloa by John Keirie and the oy^r observations on the Roll and without fraud or deceit. As witnes my hand att Perth. August, 1689.

D. Erskine Dun."

¹ Presumably a nickname for Will Kay or Mr Raynald.

² Dun Papers.

³ *Acta Parl. Scot.*

⁴ *Ibid.*

⁵ Published Scottish History Society.

About this time a great upheaval shook the family. David had four sons, the baptism of the youngest one, Alexander, having taken place in 1677.¹ John the heir was now twenty years old, 'an honourable youth,' as he is described by the Burgh of Aberdeen when it conferred its Freedom² on him; James was destined for the army; David for the Bar; the first child, Elizabeth, may have been dead, for there remains no further mention of her but that of her baptism; Margaret was not grown up. All of these young people must have been made welcome at their mother's old home of Innergellie.

The Hannays of Kingsmuir lived on a place in Fife near Innergellie. Kingsmuir had originally been Crown land and at one time it possessed a tract of muirland that gave it its name and on which many of the neighbouring people were free to pasture their beasts. It was now an estate with a laird and a laird's family and a daughter of the house named Anna who must have had some outstanding attraction, judging by the havoc she played. The only allusion to the affair is bald and dry but a lot of grief can be read into it; for John fell into her toils and the blast of the Laird of Dun's displeasure was overwhelming. The poor freeman of Aberdeen went down with all hands before it. The paper drawn up for him to sign shows how his father dealt with it. It is dated 1690.

"I Johne Erskine, lawful sone to David Erskine off Dune forassmutch as my gud father att my earnest desyre and requeist has condesendit ffor my going abroad

¹ Dun Parish Register.

² Dun Papers.



DAVID ERSKINE, TWELFTH LAIRD

Therfforwit ye me to be bund and obleigit lykas under the conditions, provisions & ¹ written, I bind and obleis me that I shall never ¹ promise or presume any mariage to no persone or persons withoutt consent of my said father he being on lyffe & particularlie ffor the more satisfacione to my father I doe declaire that I have not nor never shall have any such base intencion with ane Anna Hannay nor shall heirafter corresponde with her or any off her relations and further I bind and obleis my selfe when ever my said father shall recall me to returne home ffor the good off his familie I shall obey his commands & this under the paine of losing all benefitt I can expect or all right & title & interest I can expect as his eldest sone to the estate of Dunc & this in the sincerity of my heart I subscribe." ²

This paper, duly witnessed, was signed ; perhaps in the sincerity of the young man's heart, perhaps not. But he married Anna Hannay in spite of it.

His father died at some date before 23rd July 1710 and Jean, his mother, in 1702. The Dun Kirk Session Records announce : "Received for the use of the mortcloth for the Lady of Dun, two pounds."

John joined the 2nd Battalion of the Royal Regiment of Foot (now The Royal Scots).

The paper speaks of his intention to go abroad and the regiment was just about to embark when it was signed ; but whether he joined at once or later is uncertain, for there is no record of his serving with it until June 1695, when he was appointed as 1st Lieutenant to its Grenadier Company.³ Yet it must be supposed that he had some previous service or he would then have been

¹ Word missing.

² Dun Papers.

³ Dalton's *English Army Lists and Commission Registers*.

ranked as an Ensign. He fought at Blenheim¹ but had left the regiment by 1708, his name not being found in the 'Commissions Renewed' of that date. He was dead by 1710, as a Charter of Resignation received in that year by his brother David, describes him—its recipient—as the *second* surviving son of his father.² After all, if the old man carried out his threat, the culprit was to elude his vengeance and to be in his grave before it could take effect. His is one of those tantalising stories which stop short in the most interesting place, and there is no means of knowing how long or how happily he lived with the woman who had cost him so much. She outlived him till 1736, inheriting her paternal estate; her will was made two years before her death and she is described in it as Anna Hannay, Lady Kingsmuir, relict of Captain John Erskine of the Earl of Orkney's Regiment.³

James, the next brother, only appears in a few letters and is presumed to have died unmarried; but Alexander, the youngest, became a merchant, went into business in Montrose and was ancestor of the Erskines of Balhall (see Appendix K).

¹ Dalton.

² *Reg. Mag. Sig.*

Papers in the possession of Mrs Armour-Hannay.

CHAPTER XII

BENCH AND SWORD

It was the third son who stepped into his father's shoes in 1710. If the luckless John had been set aside by the rigid old Laird, James, the next brother, was not to escape. The reason for this double disinheritance can only be guessed but two explanations seem possible; either James had abetted John in his love affair or there was something in his character that the father mistrusted. He had followed John into the Royal Regiment and was gazetted to its 2nd Battalion as Ensign to Captain Peter MacIlvain at Brede in 1694.¹ Besides being brothers in blood the two were brother officers and may have held together when John made up his mind to throw his prospects overboard for the fascinations of Anna Hannay; and even if that were not so, the letters written later by James to the brother who had supplanted them both reveal him as being often in straits for money and appealing to be helped out of them. If it is a wise child that knows his own father, it is sometimes a wiser father that knows his own child, and old David may have been wise; his struggles to free Dun from the embarrassments left by Alexander must be remembered, and he may have realised that James would only undo

¹ Dalton.

all the work he had done to get them straight. Long before the younger David succeeded, James was writing to him for money. His regiment had left Brussels and was in Ireland.

“Limerick ye last of October 1700.

Dear Brother,

I wrott to you from Dublin to let you know I was sifle arrived; and also desyred to know from you how all was with you; but having receaved no answr, makes me believe you have not receav'd the letter, or other wayes neglected to answr, if the last I bleame you for it, however the reafone of my giving you this is that Ensigne James St Clair¹ intends for Scotland in two or three days; you may remember I told you I was owing him mony which he has now occasiōe for in Scotland, I have it not m'y to pay him; our arriers being nott as yet payed, and he intends to raise his mo'y that he may improve it to some use, which oblidges me to trouble you for to pay him the mo'ey, which amounts to twelve pounds sterling; so I hope you will not faill, upon getting it my recept to use your credit and endeavour to pay him the mo'ey; I being so much oblinded to him I hope you will be the more cairfull about it or in any other thing you can serve him in. I expect our arriers shall be paid gainst the beginning of summer, and if you shall have occasiōe for the mo'ey about that tyme you may have it on your order, for I intend the land shall be no more burdened by me, as for my mistrefs she is married to ane ensigne in the Kdg, ther being but litell appearance of mode mad me give over all thoughts that way; pray lett me know how you are [stated [situated?]] with yours my

¹ Second son of the tenth Lord Sinclair, and would have succeeded as eleventh Lord but for attainder of the elder brother, the Master of Sinclair, after the '15. Died without issue after a distinguished military and diplomatic career in 1762 (*Scots Peerage*). Appointed Ensign in the Royal Regiment of Foot whilst still a child (Dalton).

Brother. will writt you with Ensigne St Clair pray how
 shoon this comes to your hands lett me know from you
 with ane accompt how all the family is and the Country
 news. fo with my best wifhes to you all I am

D^r Davie,

Your affectionate Brother and Servant

J. Erskine.

turne over."

(Here comes an addition by someone who writes
 as though he were a friend of the family.)

"D^r David,

I cannot but acquaint you of the great reformaⁿe
 upon your brother in everything except Snuff to which he
 is as great a slave as ever but defyres you not to lett his
 sister know of it I shall put you to the troble to give my
 moft humble service to all your family particularly to
 Balwellow and his Lady. So wifing us a near meatting

I ever am

Yours in all sincerity

Ro. Straton."¹

addressed

Mr David Erskine, Advocate, to be left att Mr George
 Turnbull's writting Chambers

att Eden^{gh}

Scotland."

David did not fail his brother and gave the
 most minute directions to have his debt paid:—

"Mr Sinclair,

Please to call at Mr Patrick Scott writer to the
 Signet whose lodging is opposit to the cross, north side
 of the street up an iron rael third story high and there

¹ Lieutenant, 2nd Battalion Royal Regiment in 1704 (Dalton).

you will find ane bill payable to you for Twelve pounds sterling

from Sir

Your most humble servant

D. Erskine." ¹

The 'Balwellow,' singled out by Straton, was Robert Myll of Balwylo,² a rich successful merchant and brother-in-law to James and David; his father, James Myll, had been Provost of Montrose and had amassed a good deal of land in Angus. The son, Robert, married Margaret Erskine, to whom he gave in 1726 a liferent of the lands of Fullerton.³ He bought Balhall⁴ from Patrick Lyel and sold it to David Erskine with the Leys of Dun,⁵ which he had also acquired.

At this time Mr David Erskine, Advocate, who seems to have been a very good brother to James, was no hot-headed youth and could never at any time in his long life have fitted to such a description. Law has always had a fascination for the Scot and was in the eighteenth century what the Church was to become in England, the natural destiny of younger sons of land-owning families; he had been educated at St Andrews and the University of Paris,⁶ and at twenty-five he was called to the Scottish Bar.⁷ He was a careful man who took himself and his affairs seriously and, unlike his predecessors, an Episcopalian and a convinced Tory; he was a freeman of countless burghs. In the portrait of him painted later in judge's robes his face is very like that of James,

¹ Dun Papers. ² Douglas's *Baronage*. ³ Dun Papers.

⁴ Register of Sasines, Forfar. ⁵ Dun Papers.

⁶ Family Bible.

⁷ *Faculty Records*, i., 261.

though no two men were less alike in character than they. David was all conscientiousness, carefulness and duty, and if the exaggeration of these good qualities went to make him something of a butt in the Parliament House, the qualities themselves stood his burdened property in good stead. The Family Bible is strong on this. 'When he came to succeed,' it says, 'the estate was mortgaged, but by his constant application to business he redeemed and bought back most of the paroch which he left free of debt to his son John who succeeded him.' But his private cares never seem to have interfered with his public duties; he was a member of the Scottish Parliament, and at the last one, which met in May 1703, he earnestly opposed the impending parliamentary union of the two countries.¹ He and James received the Freedom of Montrose on the same day.²

In 1707, the year in which this occurred, he married an heiress and a very good-looking one, Magdalen,³ daughter of John Riddell of the Haining in Selkirkshire. It is said that she was a woman of excellent brains who, when the old Laird was dead and David in his place, worked hand to hand with her husband in his fight to restore the fortunes of Dun; and that whilst he toiled in his chambers in Edinburgh she carried out his plans at home until the lean years went by and the fatter ones came. David and Magdalen performed the feat of having two children who were not twins in one year.

¹ *Acta Parl. Scot.*

² Dun Papers.

³ Family Bible.

Their daughter Anne was born on 2nd February of 1709, and Jean, who died a few days after her birth, in the following December.¹ In the same year that he succeeded to the estate, David became a judge, and as Lord Dun, replaced Lauderdale as an Ordinary Lord.²

James was now overseas again. His regiment had been despatched to the Netherlands at the beginning of the War of the Spanish Succession, and with it he had served under Marlborough and, like John, had fought at Blenheim. His appointment as Lieutenant to Captain William Kerr³ is dated at the Hague 26th October 1701, three years before that battle; on 1st April 1707 he became Captain,⁴ two years before the victory of Malplaquet. The regiment had been rushed back to England when the French fleet with Louis's pawn, the Chevalier St George, sailed from Dunkirk hoping to make a landing in Britain; but upon their ships being pursued and put from their course by English men-of-war it was recalled to Ghent. It had been part of the division of twenty battalions commanded by the Duke of Argyll at Oudenarde. After the capture of Mons it returned to Ghent to remain there till April 1710, when it marched towards the French frontier with the Allies and invested Douay; it was afterwards detached from the main army and went to besiege Aire on the banks of the Lys, then back to winter quarters at Ghent. James wrote a letter to his brother from that town, which shows that he had again been drawing on him for money.

¹ Family Bible.

³ Dalton.

² Books of Sederunt.

⁴ *Ibid.*



MAGDALEN RIDDELL, WIFE OF LORD DUNS



DAVID ERSKINE, LORD DUNS

Ghent, January ye 20
1711.

D^r Brother,

I've received yours. I hope you're now satisfied I'm in no way neglectful in writing. I wish your assistance may get Sletcher¹ his complement (as I told you in my last) the reflection is with me if not. I thank you for answering my demand as to my management I shall not altogether justify myself but unluckie chance accident oblidges me to trouble you which for the future I shall be very unwilling to do I hope to manage so as to live upon the Queen's pay and repay what I owe. I hope our sister balweloe (Balwylo) has got the lace for head dress and ruffels as she commissioned me and that Sletcher has made no mistake. Pray when you see him desire him to let me hear from him I'll be glade to hear from my Lord Carnwarth² in answer to min. I hope he'll not let me suffer for my kindness to his brother. the other day I had a letter from Lord Patrick Erskine who kindly salutes you and heartily congratulates your preferment. I beg you write to Col Weston and recommend John Erskine who carys himself very weel. I kindly salute your family Ime yours Ja Erskine."³

In 1712 David's only son was born,⁴ and the event must have been a great one to a man whose work went on prosperously and who found himself able to consolidate and safeguard his home and do the best for his dependents. From all accounts of him he had developed into an extremely prim, serious person without much humour, absorbed in the daily plod up the ladder of his profession; about him nothing extravagant, nothing outstanding

¹ Ensign in the Royal Regiment, son of Captain John Slezzer of the Artillery Company in Scotland (Dalton).

² Sir Robert Dalzell, sixth Earl of Carnwarth, sentenced to death for his share in the '15, afterwards pardoned.

³ Dun Papers.

⁴ Family Bible.

but his industry and the integrity of soul which no one has ever denied him. "The pedantry of his talk and the starchiness of his manners," says Ramsay in his *Scotland and Scotsmen* "made him the subject of ridicule to many people who had neither his worth nor his innocence of heart and life." But under all this must have lain some sharp contradictory streak like the crack of light through a split panel which had made him the first Laird of Dun since the days of the Superintendent to venture to rebel against the overwhelming Presbyterian tradition that had held the family. Before the Rebellion of the '15 he also had taken his small secret share in the preparations. When the Laird of Edzell was about to sell his possessions to raise a company for the coming struggle he wrote to Lord Balcarres: "I spoke to my Lord Dun who told me he would write immediately but thought it better to delay till he went to Edinburgh and procured a letter from the Justice Clerk to his brother the Earl of Mar to go along with his own; he's very frank for the project and says he will write wyth all concern and care."¹

David and Mar's brother, Lord Grange, were great friends. Mar and the Dun Erskines had held closely together for generations and the friendship between two such men as Dun and Grange may well go to show how much thicker than water blood was in Scotland. They were in the same profession and both religious, which may have influenced them; but while David's religion covered a meticulous conscience, Lord Grange's was a layer

¹ Crawford Case, pp. 201 *et seq.*, vide *Land of the Lindsays* (A. Jervise).

of hysteria spread like butter on an unscrupulous, profligate life. Ramsay describes an amusing episode in Court when David was on the bench and a civil cause was being tried. One of the witnesses was a Cameronian—a thing abhorrent to him—and when the man was directed to hold up his hand and swear, instead of obeying he remarked that he wished to know whether his Lordship had taken the Covenant. David was petrified and Grange, who was present, suggested as the solution of the difficulty that Dun should take both Covenants on the spot. The jest was too much for the scandalised David and he began with the greatest solemnity to denounce them. “This,” says Ramsay, “made the Court very merry, which was all that Lord Grange wanted.” Perhaps another thing to draw the two judges together was their Jacobitism, though they played no publicly active part in either of the risings. James and his nephew John, son of the younger brother Alexander, are the only two of the Dun family who are known to have done that, and it is possible that David had never been in closer sympathy with the thriftless James than at this juncture, when both were grey-headed.

In 1714 he was appointed a Lord of Justiciary in place of John Murray of Bowhills.¹ James was at home after his long campaigning; and turning his mind to Parliament, he stood for the Montrose Burghs and was elected in 1715.² His letter will show that his political career was not to last long.

“Dr Brother,

This day the parliament assembled and chose Mr Compton speaker wth out any Contradiction but I find a

¹ *Scots Magazine*.

² *Journals of the House of Commons*.

petition against my election when just now I went to see it. I could not have a Copy of it because the petition will not be read befor Munday but the objections it makes are against the towns of Montrose and brechin the first he sayes that the elector was chosen by ane unlawfull Councell the other by bribery which he offers to make appear and having the towns of Aberdeen and dendie (Dundee) wth the unlawfulness of the Electors of the fore-mentioned towns makes him plead a better right than I but I hope brother that youl make such answer to his objections that heil be ashamed of them. the Duke of Argyle standes his great friend. He endeavour all I can to Counterbalance his interist for which reasone Ive drawn upon youe for thirtie pound y^t I assure you much Contrary to my inclination for upon my word I have it not of my own you know thos things cannot be done w^{out} money I hope to manadge so that you shal have no reason to think me extravagant pray lett me hear from you p^t first the petition is ranked the number ¹ so it will give some time to us I think to gett some interest made with the duke of Montrose ² and Lord Rothess ³ its thought the petition will be brought befor the bar of the house of Commons wher little justice is to be expected but only interest determine for though youre not named in the petition youl be brought in for bribery. Ime

D Brother

Yours &cet

Ja. Erskine.

I kindly salute your famyly and all friends

London March y^e 27

1715."

"adress to me for the british coffee house near Chering Cross." ⁴

¹ Word illegible.

² James, first Duke, replaced Mar as Secretary of State for Scotland.

³ John, eighth Earl, afterwards Vice-Admiral of Scotland, and Lord High Commissioner to the General Assembly of the Kirk.

⁴ Dun Papers.

Whether, as James baldly announces, David was 'brought in for bribery' does not appear. Perhaps the words were merely fashioned by his brother to stimulate him in bestirring himself against the petition; in any case James took his seat only to lose it on this count, when his name was erased from the Parliamentary Roll and that of John Middleton substituted¹ for it. This was in the following July,² a few months before the rising of the '15.

When that lamentable enterprise was over and the Chevalier had returned to France, embarking at Montrose in the *Maria Theresa* of St Malo in the blackness of a February night not four miles from David's door, came the trials and executions attendant on it and the Forfeited Estates Commission; and Mar, who had himself raised the Chevalier's standard in Scotland, suffered the loss of his lands and the attainder of his title. Only after long labours imposed upon the Commission by the intricacies of Scottish law and the adroit sympathies of the Court of Session, was the Government able to put these estates upon the market and turn them into money. It was in 1724 that Grange and David rose up to prove afresh the adage about ties of blood. Acting together, they bought the superiority of the earldom with the lordship of Alloa and their attainted kinsman's lands in Aberdeenshire and, having freed them from the load of debt with which they were encumbered, entailed them in 1739 on his son Thomas, Lord Erskine, and his heirs male; whom

¹ The full designation appears to be Col. John Middleton.

² *Journals of the House of Commons.*

failing, on his sister Frances (she had married Lord Grange's third son) and her heirs.¹ Thomas died without issue and they passed to her and her eldest son.² He was restored to the title in 1824.³

The Dun Papers contain the following letter written by Thomas to David a year before the disposition and entail were executed:—

“ My dear Lord,

We are both very sensible of the losses sustained by my Uncle Grange in accomplishing for my behoof the purchase of the estate of Mar, when it was threatened by the York Building Comp^y ⁴ to make purchase of it, as the great pains and expence he was put to in carrying on that transaction & in going to London oftener than once in order to prepare for it, and for that end to transact matters with several persons there.

“That I may in some measure indemnity and make reparation of the losses sustained by him on mine and my family's account, I have of this date drawn a bill on John Watsons to advance to my Uncle £3000 Sterling out of his intromissions with the rents of the Estate of Alloa & I have promised that it shall be allowed him at Compting, I therefore intreat your Lord^{sh} that you will write with my bill to Mr John Watsons, that my promise may be fulfilled; and I hereby become obliged that your giving him credit in his accounts for the said sum never to be challenged by me or any other person whatsoever. By doing this you will much oblige

My dear Lord

Your most obedient and humble servant

T. Erskine.

Edinburgh

Jan. 31, 1737/8.”

¹ *Scots Peerage*.

² Mar Minutes, No. 159.

³ *Scots Peerage*.

⁴ This Company became the principal buyer of the forfeited estates.

In 1730, David's income had so far increased that he began to build himself a new house. The castle of Dun had long been ruined and the mansion that arose on its site, described by Auchterlony, no longer satisfied him. Tree planting was beginning to occupy Scotsmen of property and the setting of life, hitherto a matter of haphazard or custom, was occurring to them as something to be organised and directed. The Superintendent, so much ahead of his time, had planted trees as well as kirks and David's fellow judges being mostly landed men, were off to their country houses to look after their improvements and policies the moment business allowed a holiday. The gentry had begun to move about more since the Union and to see more of other people's circumstances and interests; the roads, still horrific, were improving.

Magdalen had brought him money, though her father's place, the Haining, had been sold and bought by a member of her mother's family, Pringle of Clifton¹; but it is evident from a letter written to David by William Plummer seven years after his marriage that David, perhaps through his wife, either owned the house of Yair or had a feu of it. Plummer lived at Sunderland Hall in Selkirkshire and so had been neighbour to the Haining family; Yair was a few miles away. All three places were near Selkirk town.

Plummer's letter is a digression, having been written many years before the new house of Dun was thought of, but the main part of it is given

¹ He afterwards became a Lord of Session with the title of Lord Haining. With the exception of two legacies, he left all he had to Lord Dun.

here because of the light it throws on David's character as a creditor and for the love of its homely details of the oddments of the roup at Yair. Plummer was getting in David's rents and winding-up affairs for him after the displenishing.

"Sunderland Hall,
Jan. 29, 1714.

My Lord,

I thought you should have had the underwritten accompt of your affairs in this place from me before this time but the truth is that I found it not a little difficult to draw money from such poor people as some of them are who were your debtors and I conclude that you would farr rather choose to have it from them by easy calm methods than to use any severity agⁿt them even although your payment should be delayed a little, and now I can assure you I have procured you payment without any noise which I persuad myself will not only be satisfactory to you but appologise for the delay you have met with. I have sent you hereinclosed a paper containing a particular charge & discharge of all my intromissions with your money for clearing you whereby you will perceave I have charged myself with all the sca^{tt} soumes contained in your list of debts you sent onto me except those of Magdalen Eastounes and Mardon Thorburnes which two you was pleased to forbid me to ask of them and Tho. Elliott in ffairilie his sixpence who alledges he payed it in, putting the tyme of the Roup, & because it is but sure a small soume, & that he so positively affirms that he payed it I thought I would not meik any noise about such a trifle; you will also perceave thereby that I have charged myself with some other things then what was in my List of debts sent onto me, as the rent of the *Mains, the malt, the old iron chimney brace & some Boltes* that was left unsold at the Roup, and see I think all that was in and about the house of Yair belonging to you, be

now disposed of evcept ane meikill old meal ark. I have had some looking upon it in order to buy it, But they will not medle with it and so not being sold I have not chargd myself therewith But I shall tack all paines imaginable to gett it sold afterwards; if possible, only I must say, its old and very sore failed and so not much worth. I only fear you may not be satisfied with my allowing a Croune to go to Ro^t Dalgleish, but he grudged so anent the cornes he bought, alledging he had loss thereof, and really I must owne he would not well have profite thereof, which enclined me rather to give him his Croune than that he should have any ground of clamour. Be pleased to receive from the Bearer a sealed purse containing the some of 269 .13 .0 .Scots for instructing the last articles of discharge.

. . . And thus I have given you as exact and particular ane accompt of all your maters in this country as I possibly can & am very glad that I have had an occasion to do you any service for you may depend upon it that I thought it no trouble But that I did it both frankly and willingly; and now seing the business is at an end, if it shall happen to ly in my way afterward to serve you in any maner of way I hope you will lay your commands upon me.

My wife, my daughter and I make an offer of our kind trouble and service to you & all your Ladies & will be very glad to hear you are well; and so I shall conclude this long epistle subscribing myself

My Lord

Your L^p's truly affec^t & most obedient servant

W. Plummer."¹

In November, just after David had finished the new house, his daughter Anne was married to James, Lord Ogilvy,² son of the third Earl of Airlie; he had been out in the '15 and was forfeited during his father's lifetime. The marriage

¹ Dun Papers.

² *Scots Peerage*.

was a short one, for the poor little bride, shown in her portrait as a fair, slim, rather pensive-looking creature, was a widow in a few weeks. Ogilvy died on 12th January 1731, and was buried at the Chapel Royal of Holyroodhouse. In 1733 she took a second husband, Alexander Macdonald of Sleat, in Skye, and had a son by him named Donald. But ill-luck followed her still and she lost her child in the next year, dying herself within a month of him.¹ Sleat succeeded his father as seventh Baronet; he was almost the only man of standing in Skye who did not join Prince Charles in the '45.

Magdalen, Anne's mother, did not survive her long. In 1736 she died and her grave is, as the Family Bible says, 'within the Grey Friars Church, in her mother, the Lady Haining's burial place.' She must have died in Edinburgh.

There cannot have been much to draw David to the second house of Dun at his leisure times. It must have been a solitary place to him and its new walls dreary. Adam houses suggest comfort and dignity in a daily life that has a rich human setting, but when they have to be inhabited alone, their solemn lines and classic pilasters and their ordered spaces make the silence weigh more heavily. Edinburgh and the Parliament House and the clatter of tongues must have been a refuge for the prim judge, even if his own tongue added little to their liveliness. He was now sixty-three, still in harness and still with years of work left in him to be an anodyne to the blank the loss of his womenkind had made. Probably he did

¹ Family Bible.

not get much sympathy from Grange, who had just got rid of his own not very peaceful wife by one of the most astounding feats ever perpetrated in civilised society. The two judges had been a good deal together in their work, and both were to earn the unmeasured fury of Simon Fraser in the interminable business of the Lovat Estates. Whilst the conflict was dragging on in the Law Courts, the astute old ruffian wrote an account to Charles Erskine, Lord Tinwald, who was Solicitor-General, of an attempt he had made to ingratiate himself with David and out of which he got very little.

" . . . I had the honour to meet your cousin my lord Dunn," he says, "with about a hundred horse of my kinsmen and vassals, and I made as strong and assiduous court to him as I could do to the Duke of Argyll. He was very civil to me and told me at parting that he had not as yet studied my case, but that if the law was for me, he would not be against me. I told his Lordship that I never did nor would solicit any judge; but, law apart, I beg'd a share of his friendship to a man that was a known and faithfull servant to all the Erskines in the world. So we parted on that footing in a very friendly manner; and it is your province, and not mine, my dear Solicitor, to convince that nice judge that I have law on my side. I beg you cause deliver the enclosed to my worthy friend Lord Grange, wherever he is. If his affairs keep him at London I cannot have the confidence to bid him leave them on my account. But you know as well as I that I delayed my cause two Sessions to have his presence; and if he is now absent I look upon my cause as lost."¹ . . .

Simon won his cause, but his victory had a sting in its tail. When Mackenzie of Fraserdale

¹ *Report IV., Historical MSS. Commission, Appendix.*

finally renounced all right to the estates, the price at which he and his sons were to make over their possession and honours to him was settled by arbitration, David and Grange being appointed arbiters. The sum they decided on was twelve thousand pounds. Simon's rage was boundless; "nor will I ever forgive any that had a hand in that villainous decreet arbitral," he wrote to his agent, "but will expose them in public and in private as much as I am able . . . for there never was such villainy committed since there was a lawyer or a writer in Scotland."¹

David's peculiarities had grown deeper as time went on and age came with it. He was not a great lawyer, but he has been described as a useful judge, though such a pronouncement is hardly demonstrated by a story told of him. He was on the Bench on one occasion occupied with a particularly troublesome case and became so much harassed by it that he looked over to where the disputants stood and cried out in a lamentable voice, "Eh, lord! lord! what wull I dae? Eh, sirs, wad ye na mak' it up?" He had his little vanities too, and one of them was his complacent belief that he was a finished English scholar. The language of educated Scotsmen was still the language of their forbears and, while the Union had let some ideas of English speech and pronunciation slip into the country like stray sheep through a gap, the gate was not yet open to admit the flock. After the Porteous Riot three Lords of Justiciary were summoned to the Bar of the House of Commons in connection with the

¹ Lovat Documents.

affair, and Kames, Royston and Dun were the three who went. The evening before they were to appear they supped together, and David began to explain what a master of English he was, and how he was the only one likely to be intelligible. Lord Kames had a different tale. "Deil a word frae beginning tae end did the English understand o' Davie's speech," he told the other judges when they all got home; and though his merry tongue is sure to have let nothing lack in the description he gave, Ramsay of Auchtertyre bears him out. 'He spoke,' writes Ramsay, 'a language peculiar to himself which he called English.'

David went on with his work till he had left the 'sixties behind him and then he found that his powers were beginning to fail. Perhaps his temper was failing too. A letter he got from the parish minister of Dun shows that there was strife between them though it gives no clue to David's cause of complaint. If Ker's speech was as caustic as his pen, he may have been a difficult man to get on with.

"I was surprised to a degree when one of my elders told me yesterday you had called him and others to sign a complaint drawn up by you against me to the Rd presbyterie; the substance of which, as he represented to me, is so groundless that I am persuaded some tale-bearers and malevolent persons have Imposed upon you; it would rather expose your character than mine to carry it before any impartial Judicatory; I bless God I can bid a defiance to any man of Sense and reason to condemn my Conduct in this manner and if your Lo^p will lay aside humour & some busie bodies who have *vij's & modis* stirred you up against me and my family this good while bygone and allow me a fair and calm communing with you,

I shal bear the blame before the world if I vindicate not my Innocency in this & other things which have been Invidiously buzzed in your ears to ranckle your temper towards me.

"I have upwards of these 40 years maintained and exprest such a high regard and esteem for you & your family that the Unbiassed will be ready to think there must be a strange alteration upon you, not to allow me to end my days in the peaceable exercise of my ministrie; Its not worth your while nor mine considering our advanced years, to contend or keep at a distance for such a trifle; My heart is upon things that are eternal and can bear Insult & reproaches which are but for a moment and wishing you may be so likewise, I hope wee will easily accord when we meet. I wait your answer and am wt due respect

My Lo^d

Your soul's weelwisher under much heaviness for the time

James Ker."

Manse of Dun

9 Aprile, 1744."¹

David was slowly making up his mind to retire from the Court of Justiciary. His conscience was troubling him because the long journeys on the road were beginning to be more than he could stand and he deemed it scandalous to hold a position the whole duties of which he had not strength to perform. The Scottish judges travelled their circuits in the saddle and even when road-making had so far improved as to permit of wheel traffic, the custom went on, it being thought a part of judicial dignity to 'ride the circuit.' He wrote to tell Lord Tweeddale²

¹ Dun Papers.

² Charles, third Marquis, appointed to the revived office of Secretary of State for Scotland.

of his intention and received the following answer :—

“ Whitehall, 23 June, 1744.

My Lord,

I am obliged to your Lordship for acquainting me that you intend to resign the office of Commissioner to the Court of Justiciary and I assure you the news gave me great concern. Your great Knowledge and Experience, joined to an unblemished Integrity, have already enabled you to do Singular Service to your Country and I consider the Loss of you in that Court as a publick Loss which cannot be easily supplied ; I therefore hope that you will consider of this affair and that your health will still permit you to continue to act in a Station you have so long and so honourably filled.

I am, with great and real Regard,

My Lord,

Your Lordship's most humble servant

Tweedale.”¹

Apparently David did consider of the affair and took no decisive step till February of the next year, when he again wrote to Tweedale and the Duke of Argyll, informing them of his final decision. This time it was accepted.

“ Whitehall, 7 March

1744-5

My Lord,

I was very sorry to find by your Lordship's of the 9th of February that your State of Health made it absolutely necessary for you to resign your office of Commissioner to the Justiciary. His Majesty has been pleased to appoint my Lord Drumore to be your Successor ;

¹ Dun Papers.

and accordingly I have sent down his Commission by this night's post to Mr Th^s Hay.

"I have the pleasure at the same time to acquaint your Lordship that his Majesty has been pleased to consent to continue to you for Life the Salary of £100 per annum annexed to your former office. Of this I have acquainted Mr Pelham who, I make no doubt, will order the proper Warrant for that purpose.

I am with great truth and esteem,

My Lord,

Your Lordship's most obedient servant

Tweeddale."¹

Lord Dun."

"My Lord,

Though I am very willing to obey your Lord^{sh}'s commands, yet I cannot help doing it with some regret since it tends to deprive our Bretheren of the Justiciary and myself of the pleasure & happiness of your company among us, but as it is agreeable to your Lordship, I shall as far as it lies in my power concur in it, being with great truth & regard My Lord,

Your Lordship's

most obedient

most humble servant

Argyll."^{2, 3}

Lond. Feb 1744-5."

Simon Fraser, hating Dun, expressed himself very differently in a private letter to his agent in Edinburgh.

"I am infinitely glad that my Lord Drumore succeeds my Lord Dun. I truly thought by my Lord Dun's behaviour this year that his head was not right and that my Lord Grange wrote likewise to me of him."⁴

¹ Dun Papers. ² Archibald, third Duke. ³ Dun Papers.

⁴ Report on Laing MSS., *Historical MSS. Commission*.

Lovat had apparently so far forgiven Grange as to correspond with him.

Scotland was now in turmoil. Prince Charles Edward had landed at Arisaig and pressed on to Perth, where he proclaimed his father as James the Eighth and began to collect and organise his army. He had marched to Edinburgh and entered the town, though the castle was garrisoned by king's troops. At Prestonpans he had met Cope and put him to flight, then, after a month spent at Holyrood, he began his advance on England with twenty guns some of which he had taken from Cope and some of which had been brought to Stonehaven and Montrose in French ships. By the middle of November he was before Carlisle, entering the town with a hundred pipers to herald him, and in a few days had started on his ill-advised march to London. The county of Angus being strongly Jacobite and Episcopalian, Montrose town was a centre of the Prince's supporters. The royalists had tried to establish themselves there but by autumn had been pushed out by the rebels ; and on Thursday 14th of November the *Hazard*, a Government sloop of war, rode into Montrose carrying a small force and anchored at the mouth of the Esk in a narrow part of the strait below the fishing village of Ferryden. She lay looking across the arm of water to the quays from which the townspeople could see the black muzzles of her guns. Her commander, Captain Hill, sent off one of his boats to the English Admiral in the Firth of Forth, reporting himself, and began a three days' fire in which he did not do a great deal of damage, probably intending his display more as an ultimatum than

as anything else. Having thus declared himself and discovered incidentally that Montrose was empty of Jacobite troops, he landed on the Monday and made a clean sweep of the town guns from the fort; then he unrigged the shipping in the harbour and carried his booty—four six-pounders and two four-pounders—on board a trading vessel. Having stored them in her he went back to his ship.

James Erskine shared his brother's sympathies; his soldiering days were over. His commission had been renewed by George the First in 1714¹ but he had left the Royal Regiment² by the time that George the Second came to the throne, and as he was now seventy-four, any attempt at active service in the Prince's invading army would have brought advantage neither to himself nor to the Stuart cause. But he was determined to make use of what opportunities he had and he joined a party of Lord Ogilvy's³ men, for in October Ogilvy had raised six hundred soldiers from among his own tenants and gone south with the Prince, leaving a small company at Brechin under the orders of a man called David Ferrier, whom Charles had made Deputy Governor of that town before he went. It is said that the Prince did this on the advice of James. Ferrier was a merchant of Brechin, who owned the farm of Unthank in the neighbourhood, and he and James began to look towards Montrose and to long for the chance of dealing with the *Hazard*, which lay like a watch-dog waiting to intercept such supplies as might come.

On the Tuesday after his arrival, Captain Hill

¹ Dalton.

² *Ibid.*

³ David, Lord Ogilvy, titular Earl of Airlie, died 1819.

pushed matters further by getting into communication with some of the anti-Jacobite inhabitants; and hearing that James Erskine and Ferrier were a few miles from him with a hundred men, proposed that the townsmen should join with him and make a surprise attack on them. But to his undoing he hesitated and let the opportunity slip, contenting himself with seizing and burning a couple of barques that lay at anchor among the rest of the shipping.

Meanwhile the little wasp's nest in Brechin was wide awake; in the dusk of Wednesday evening it sent a scouting party to Montrose in charge of a man whom the Bishop of Ross, recording the history of the affair, calls 'Walter Young, sergent to Captain Erskine' to see how the land lay. Young came back with "a supervisor and two gadgers" whom he had captured.

James and Ferrier took a day to work out the game to be played between them and the ship's commander at the watermouth; one wonders whether James's thoughts went back to the Superintendent's successful strategy in an affray staged on almost the same spot a couple of hundred years before. They started late on the night of Thursday 17th along the salt flats of the Basin's shore, creeping into Montrose at its western side from which they crossed in the darkness to the island of Inchbrayock; from there they would be able to see up and down the strait and keep a hidden lookout upon the *Hazard*. The island was scrubby and uneven and must have given good cover. James, with half their company, took the southern part of it, nearest to the ship, and Ferrier

occupied the north side near the mainland. They lay there all night.

In the morning of Friday when the sun got up over the promontory of Scurdy Ness, they could see a movement on the *Hazard* and a boat putting out from her side and making for the town. They watched her cross the strait, but, as she grounded and her coxswain and crew were landing, a rattle of shot came from somewhere among the houses on shore and they ran back to her leaving one man dead and one wounded. Seeing that the island was the nearest shelter, they pulled for it, and having gained it, found themselves confronted with James; all were taken prisoners and the cox'n only escaped from being shot in cold blood by his intervention. It seems a wonderful thing that Hill should have done so little, knowing that his boat and her crew were on Inchbrayock and did not return; but he made no effort to rescue them, nor to dislodge anyone into whose hands they might have fallen beyond firing promiscuously on both town and island. Ferrier, James and their men were untouched.

On Saturday James got over to the town and made his way from it to the southernmost point of land east of Ferryden, where there was a small fort. Perhaps he was scouting in a general way, but more probably he had information to make him expect what he was now to see; for, towards four o'clock, when the light is already failing at that time of year in the north, he espied a frigate coming up the coast under French colours. He signalled her, and under his direction she came in without a pilot. When Captain Hill saw her, he

sent out a 'signal of decoy' with the intention of bringing her into range of his own fire ; but James kept her well to the south side of the watermouth where, owing to the conformation of the Ness, Hill was unable to reach her. The newcomer carried six guns of her own and brought two brass cannon in her hold, sixteen-pounders ; two of twelve and two of nine ; besides her crew there were several French officers, some Irish soldiers, and about a hundred and fifty of Lord Drummond's¹ regiment on board. The guns were landed and carried to the small fort, three of those belonging to the frigate being kept on the south side of the strait and three on the north, all between the *Hazard* and the sea. During this time Ferrier lay at his post.

At sunrise on Sunday he came out of his lair on the island, covered by the fire of the six guns taken from the French ship and crossed to the pier on the mainland. Through Hill's amazing supineness the merchant vessel in which his captured Montrose cannon were stored was lying alongside it. If there was a guard in her, Ferrier must have overpowered it, for he cut her loose and brought her down to what was called 'the fish shore,' near the sea. The *Hazard* blazed away on him and on the town, but though one of her shots broke right through the merchantman whilst they were working, not a man was injured and they carried four of the guns out of her and up on to the Dial Hill ; by midnight they were in place.

Next morning Hill saw that the game was up

¹ Brother to the titular Duke of Perth.

and a flag of truce was flying on the *Hazard*. Had he realised, on the day before, exactly how matters stood, he might have slipped away in the dead of that night and so saved his ship, for the wind was with him and the frigate could not have given chase with most of her men ashore and all her guns. His lieutenant was sent over to the town with a request that the *Hazard* might be allowed to sail. He was taken to Carnegy, the Laird of Balnamoon, governor of the county for the prince, to meet with a refusal that he was told to send back in the boat which had brought him. There was nothing for Hill to do but surrender and, to add to his misfortune, the boat he had sent to the Forth was lost; she had returned the day before and put into the little harbour of Usan between Montrose and Arbroath, and Ferrier had got wind of it and sent a party along the coast to capture her; the midshipman commanding her escaped, meaning no doubt to get across country to Ferryden to report her loss, but though he was pursued and caught at Duninald, he had managed to throw the despatches he carried into the sea.

No sooner was the *Hazard* in Jacobite hands than another French frigate, the *La Fère* of thirty guns, was sighted making for Montrose. She anchored outside the Ness and there landed Lord John Drummond himself with three hundred men. The joy of James and Ferrier must have been great; so far, all the luck had been with them; but their anxieties were not over yet, for next day brought a new element in the shape of the Government man-of-war *Milford*, of forty guns, and on her appearance *La Fère* cut her cable, and would have

run for it had not the wind been against her. Pursued by the *Milford*, she got no further than the watermouth and ran in. The enemy followed, anchored between her and the sea and opened fire, killing one of her officers who was attempting to cross the river.

And yet, though the prospect had begun to look black for those who had had it all their own way, fortune was not really going to desert them. The *Milford* went aground and stuck tight; she too cut her cable and, as the account says, 'firing to windward and leeward' tried without avail to get afloat and had at last to send a boat to a possible place on the south side with a cable to warp her off. As *La Fère's* crew had escaped to the shore they made no attempt to prevent this from being accomplished though their guns could have hampered it a good deal; their compatriots of the other French ship were getting a couple of the twelve-pounders into a position on land whence they could reach the *Milford* which was making yet more frantic efforts to get off, the tide being at the ebb. But before they could open fire she had succeeded and the *Hazard* was left to her fate.

The substance of this account comes from *The Lyon in Mourning*, by Robert Forbes, Bishop of Ross and Caithness. He adds a note to it saying that Bishop Keith, who lent him the account to copy, had it from 'the foresaid Captain Erskine's mouth, brother to Lord Dun.'

One amusing side-issue of the combat is recorded from Maryton parish, a few miles along the Basin. As it was on a Sunday that the *Hazard* was captured and just at the hour of worship in

Maryton Kirk, the congregation was excited by the sound of firing and some young men, itching to see the fray, slipped out of their places and were off to the harbour leaving their fellow-worshippers and the minister aghast. One of them had his misdeeds visited on him in a drastic way. Several months afterwards he was engaged to be married and applied to the minister, as he wished to be 'cried in the kirk,' or to put it in the English way, to have his banns published. He was indignantly refused, called before the Kirk Session and told that nothing would be done for him till he had acknowledged his scandalous wickedness of the year before and proclaimed his penitence¹; which, spurred by Cupid, he did, consenting to appear at kirk on the following Lord's Day and be publicly rebuked from the pulpit.²

The *Hazard*, being now Stuart property, was renamed *Prince Charles Edward*, then sent to France and used for carrying supplies. Her career was cut short on her first voyage home with twelve thousand pounds on board, for the English man-of-war *Sheerness* fell in with her and chased her along the north coast of Scotland. Her captain made all sail, determined to avoid

¹ Dun was not far behind the Kirk Session of Maryton in zeal, as an entry in the Parish Register will show: "August 19 . . . Robert Thomson, farmer in Maines of Dun, and Isabel Thomson his wife, had a daughter born called Elizabeth baptised in his own house without my consent because he would not be convinced nor confess that his accession to the late horrid and unnatural Rebellion was a sin, but rather asserted it was a duty." (This entry was written by James Ker, the minister, who had addressed himself so tartly to David. Their political differences may have started their trouble.)

² *St Mary's of Old Montrose* (Fraser).

an engagement that might jeopardise his precious cargo. The pursuit lasted for a day and the quarry was pressed so close that thirty-six of her crew were killed by the *Sheerness*' fire; at last she ran in on the sands of Melness on the west side of Tongue Bay on the opposite shore of which stood Lord Reay's¹ house. He was an untowardly neighbour for the ship and moreover had some of Lord Loudon's troops with him. He soon discovered her identity and as the money was being conveyed from her overland to Inverness, he attacked the convoying party and confiscated it.²

Nothing is heard of how James and Ferrier escaped justice when the Rebellion was over and the reckoning paid, though Ferrier is said to have escaped to Spain where he became a merchant in Cadiz for the rest of his life. Where and when James died remains in oblivion, but in the natural course of events there cannot have been very many years left to the enterprising old man of seventy-four.

Eight years went by and Lord Dun was still working. He had reached eighty when his letter of resignation was written.

"To the Right Honble the Lords of Councill and Session,
the humble address of Lord Dun, one of their number,
sheweth

"My very dear Lords and most dear Comrades,

From my very old age and great infirmities that naturally attends it it is full time for me to think now of making resignation of my office. I acknowledge that I have continued too long in the exercise of it more particularly for these several years past after I was dis-

¹ Died 1748.

² Chambers's *History of the Rebellion*.

abled from giving attendance upon both terms and Sessions of thir Court in the year but was obliged from your Lordship's goodness and indulgence to obtain your dispensation of my absence for the first and summer term thereby bringing upon your Lordships an additional burden in supplying the many wants and defects occasioned by my absence with respect to my particular and proper business.

"And now my dear Lords, as my old age grows, so from my experience I find that my great infirmities and weaknesses do proportionately increase, so that its impossible for me to continue longer in office in the prospect of being able in any measure to discharge the duties thereof; therefore am resolved without longer delay to make an absolute resignation of my office into the hands of his most sacred Majesty, who as he has been the great Patron and Support of the Court of Judicature in this part of the United Kingdom, will no doubt take care to have my vacancy supplied with one of greater merit and better qualified for this important office than I ever was.

"I thought it my duty, my dear Lords, and incumbent upon me before I made this step to notifie it to your Lordships in point of¹ for the many [obligations?] I have to your Lordships in the course of many years; without giving your Lordships any further trouble upon the subject. I conclude with my earnest prayer that God Almighty may be pleased to bless you, to preserve you long in life and health that you may be further useful to your Generation particularly in the Station wherein God in his Providence has placed you.

Amen and Amen

D. Erskine." ²

It spite of its wordiness and repetitions, which were part of the man himself, there is something moving about this letter. It has obviously been dictated to a secretary, but the last short sentence

¹ Here the paper is cut through.

² Dun Papers.

is added by his own hand in characters so shaky that it looks as if the old judge had broken down in writing them.

The answer that it brought—even allowing for the usual polite pomp of official compliment—shows that his colleagues had a real affection for him undestroyed by the irritation of his prejudices and long-windedness, and the semi-comic light in which his juniors must have seen him.

“Edinb^{gh} 25th July
1753.

“My Lord,

Your Lordships address to the Court of Session bearing date at Dun the 21 Current was presented by Mr Thomas Gibsone, one of our Clerks and indeed, my Lord, it gave us a great deal of concern to find that your present infirmities bear so hard upon you, which alone at any time would have given us no small uneasiness, but when accompanied with the intention you intimate in yours of making ane absolute Resignation of your office whereby the Court would be deprived of so valuable a member who was ane ornament to the Seat in which he sat we cannot express the reall affliction it gave us.

“Your Lordship is pleased to mention ane Additional Burden brought upon the Court occasioned by your absence for a Session or two past. But we can assure you that there is not one of our Number who would not undergo much greater trouble in order to retain the addition of Dignity to the Court arising from your sitting among them.

“We cannot omit taking notice of the Honourable motives which seem to have moved your Lordship to come to the resolution expressed in your address and the affectionate manner in which you are pleased to express yourself to the Court.

“ Might it please Providence to support you for a little while under your infirmitys and to restore you once more to the Court where for many years you have sat to the general satisfaction of this nation your Lordship should find us all ready in our turn to give what comfort and assistance is in our power to prevent any occasional Infirmary you may labour under proving a stay to the Course of Justice and becoming detrimental to the Lieges.

“ But if your Lordship should on mature reflection still continue in the resolution of resigning your office We can only condole with the nation and lament our own loss and at the same time put up our prayers for ease and support to you while you remain with us on Earth and that hereafter you may be happy in the reward that shall be conferred upon every upright judge. We are

My Lord,

Your Lordship's most obedient
humble servants

(Signed at our desire and in our presence by appointment)

And. Fletcher.”¹

His final resignation went in in August and he would not ask for a pension²; he was succeeded by Lord Auchinleck, the father of “Bozzy.”³

Argyll expressed himself thus :—

“ My Lord, I had the favour of your Lordship's letter and have very unwillingly obeyed your commands in having any hand in the loss we shall suffer in the Sessions by your surrender. I met with Baron Maul and have adjusted the form of your resignation in such manner as appeared to us to be most suitable to the subject matter of it; as this part your Lordship is acting will be thought in the world great and honourable, I am of opinion that this

¹ Dun Papers.

² *Scotland and Scotsmen* (Ramsay of Auchtertyre).

³ *Dictionary of Eminent Scotsmen*.

your last act should vary from the common stile of vulgar Resignations.

I am, my Lord, with great truth

Your Lordship's

Most humble obedient servant

Argyll." ¹

After this David withdrew himself completely from the world; his latter days were spent in a pious leisure and the writing of a little book called *Lord Dun's Advices*, still occasionally to be found in the least disturbed shelves of Edinburgh second-hand book shops, in which he advised, under different headings, almost every description of human creature in the United Kingdom. He died on the 26th of May 1758 and was buried in the old vault of Dun. He had some strange inconsistencies for a man of his type. Ramsay of Auchtertyre, who dwells emphatically upon his uprightness, says, speaking of his Jacobitism, 'how this could be reconciled to the oaths he had taken is not the question here,' and goes on to tell how, 'for a number of years he hardly ever voted on the side of the Crown even when the decision was well-nigh unanimous. This never appeared more glaring than after the Rebellion of 1745. Had he been a Chancellor, it was wrong; but circumstanced as the Bench then was, his single vote was of no avail.'

Perhaps David was thinking of these things when he declined to ask for a pension. It would have been very like him.

¹ Dun Papers.

CHAPTER XIII

TWO JOHN ERSKINES

LORD DUN's son married Margaret, one of the twelve children of Sir John Inglis of Cramond¹ who had been Postmaster-General for Scotland; the marriage took place in 1739,² when he was twenty-seven and she twenty.

The couple had themselves painted by Allan Ramsay and she is set in her canvas with all the elegant charm that painter got into his women sitters. Perhaps it was not only Ramsay who put it there, for John, who lost her early, lived on a widower for the remainder of his seventy-six years. Their children were :—

ANNE,³ born 17th March 1740.

JOHN,⁴ born 11th December 1742.

MAGDALEN,⁵ born 11th March 1744.

The only relic left of their mother is a tailor's bill, which is not dated but must have been presented not long before her death, as Magdalen, who was only three when it occurred, was old enough to be dressed in 'tartan.'

"The La. having Accompt to William Clerk :—

Imprimos fer ane tartan gown making to Mis

Magdalon	00 14 00
--------------------	----------

It. ffor 1 owns thrid	00 02 00
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¹ Douglas's *Baronage of Scotland*.

² Family Bible.

³ *Ibid.*

⁴ *Ibid.*

⁵ *Ibid.*



JOHN ERSKINE, FOURTEENTH LAIRD



MARGARET INGLIS, WIFE OF THE FOURTEENTH LAIRD

From paintings by Allan Ramsay

It. for 3 gowns and pitocitts to my Lady and the gentillwimene	03	12	00
It. fer 2 hodes and mantels to them	01	04	00
It. fer 3 pitocitts making thrid and silk	00	18	00
It. to my Lady gown pitocitt and stays making	03	00	00
It. to Mis Lisebeth pair staves	01	16	00
It. for ane Mourning Wid [weed ?] to my Lady's Pitocitt	01	18	00
It. fer ane Cluik [cloak ?] pad. Cloth	00	10	00
It. fer 3 Pitocitts	00	18	00
It. fer ane owns bone fer ane Staminger	00	09	06
Suma es	16	04	00

Certes a 12 pence of mantis and piticotes a shillin
of the Staves 8 pence of the wead ribons of the
night gown 59 shilling of the accompt payed."

Margaret died at Moffat. The Wells already attracted many sick people and certain of the Edinburgh doctors spent part of the year there with their following of patients. In her case consumption may be guessed, as the other disorders these waters were supposed to benefit are not those which generally attack youth. She is buried in the Moffat parish kirk, where there is a monument thus inscribed: 'Mrs Margaret Inglis, Lady Dun, spous of John Erskine, younger of Dun, Esquire, lies under this stone, who died in this town on the third of July 1747, of age 28 years.'¹

John Erskine's face in Ramsay's picture of him is full of character with its cheerful glance and large, rather coarse, very humorous mouth, but no account of his doings as a young or middle-aged man survives him. The only incident known about him is the sad one of the widowhood which fell on him so soon. Much later, he appears among his descendants in a few lines of description as an

¹ MSS. Collection of John Philip Wood concerning families connected with Cramond Parish.

attractively human old fellow. Whether the streak of piety so strong in his father came out in him is a question ; certainly he had a stridently godly friend in Andrew Wauchope of Niddrie. Wauchope's letter was written to him after the publication of *Lord Dun's Advices* in 1754, and is a wonderful example of how the *bien pensant* could express themselves on paper. John must have sent him a copy of the book.

“ Dear Sir,

I cannot withhold myself from telling you how much pleasure the perusal of the late most friendly and seasonable Advice gave me And what Thanks I think are due to the truly Pious and worthy author of them. But you'll say that I am too much prejudiced in favours of the writer to give any just opinion concerning the performance. I acknowledge my partialitey, and who is it has the happiness to know him but must, and ought to have a deference, for what proceeds from so truly virtuous & good a Christian (*Raro Avis in Terris*) for the man who in an uninterrupted course of painfull and Conscientious labour in the exercise of so high an office has acquitted himself with so much Justice and integrity as to be approved by all good men? I say when such is the man, ought not his words to have weight? and weight they will have (*Magna est Veritas et Prævallebit*) And I hope in God that he will not take him from among us untill he suffers him to see evident signs of the good effect of his doctrine, when he may say (*Nunc Dimittis*).

“ Now my Friend I will take upon me to give you an Advice, which is not to let yourself be disturb'd from what Sneering, Cavilling Criticks may say of this performance (for such you may lay to your account to hear of) But I think I may venture to assure you, that none but those of most unchristian and Immoral Principles, dare

presume to spit their venom, and such deserve not to be regarded.

"It occurs to me upon this subject to take notice to you of a Piece I read lateley; the work of an Eminent Divine of this Countrey, who after enforcing some very Serious and Important Truths indeed, with sufficient weight of Argument Proceeds in the Sequel to undo all he had said, by no less crime than offering Incense to Idols, by lavishing forth such Praises & Encomiums upon those to whom they do not confessedly belong, as would rather seem too high a strain of Pannegerick upon the most deserving; Good God! when one who claims the Title of a minister of the Gospel of Truth can submitt to utter to the world such base Flatterings, what can people think of his belief? But I avert my Eyes from so deform'd an object, and rather chuse to turn them upon the worthy Person who is not weary of well doing. who Preaches forth Glory to God, and Peace and Goodwill towards men. (*Nex Vultus Justantis Tyranni, mente quatit Solida*) and what an amazing Contrast! Whilst with pleasure and admiration we behold the Intelligent, Pious & upright Judge; with detestation & abhorrence we turn from the Infamous, Fawning, Timeserving Divine. But I begin to be afraid now you think I write to show my scraps of Latin; so I conclude with wishing most sincerely that both you & I, and all of us, may receive the fruit of the good seed sown by the faithfull Husbandman and that we may ever have before our eyes, as he has had, that Golden and first Principle of both Law and Equity (*Summum Quignet*) Then may we expect to see that Justice & Peace will flourish in these Lands, which God of his Infinite Mercy Grant may be soon & quickley

I am ever

Your affect^{ed} Friend and most humble servant

A. Wauchope."¹

Jany 21st
1754."

¹ Dun Papers.

On the old Judge's death, Lord Erskine wrote to John in a shorter strain but in one which shows that he had not forgotten how much he was indebted to him.

"Dear Sir,

Both Lady Charlotte and I most feelingly regret yours and our loss, yourself of a most worthy Parent & ours of a most valuable and sincere friend both to ourselves and family; while I have breath my obligations to Lord Dun shall never be forgot; and if any opportunity offers of testifying by more than words my deep sense of what I owe him, to you or any of yours, I will embrace it with the warmest satisfaction. Lady Charlotte joins me in offering our kindest Compliments to any of the young folks that are with you & pray remember me to your Uncle.

I am, dear Sir,

Your most faithfull friend and most humble servant

T. Erskine."¹

John's children were now growing up and beginning to marry and have children of their own. Anne, the eldest, was married to John Wauchope, younger of Edmondston² on 7th December 1766. She had three sons, James,³ John⁴ and David,⁵ all born before the end of 1770. Young John Erskine married, 2nd February 1770, Mary Baird, daughter of William Baird of Newbyth⁶ in East Lothian. They had five children:—

ALICE, or ALICIA,⁷ born 12th January 1771.

MARGARET,⁸ baptised at Dun 4th January 1772.

DAVID,⁹ baptised at Dun 30th August 1773.

¹ Dun Papers.

² Family Bible.

³ *Ibid.*

⁴ *Ibid.*

⁵ *Ibid.*

⁶ *Ibid.*

⁷ *Ibid.*

⁸ Dun Parish Register.

⁹ *Ibid.*

WILLIAM JOHN,¹ baptised at Dun 1st April 1775.

ANN,² baptised at Dun 6th April 1779.

In 1781 the family was gathered together at home; John the elder and John the younger with his wife and their flock of children as well as Magdalen, now a spinster of thirty-four; added to this household was a tutor, the Rev. John Waugh, who afterwards became minister of Menmuir, the parish in north-eastern Angus in which Balhall is situated. After taking up his duties at Dun, Waugh wrote to his sister, Mrs Cupples, at Swinton Manse, near Dunse, to tell her something of his surroundings. He had a pleasant pen.

“ March 14.

My dear Sister,

It would give me great pleasure if anything I could write may amuse you, I know you expect some account of this place and its inhabitants and shall therefore endeavour to give you some idea of each and conclude with the manner in which I spend my time. Mr John Erskine the Laird of Dun is a tall stout man of about forty years of age, He is very industrious in looking after his farm, a piece of ground about two hundred acres he has in his own hand, he superintends his Limekilns with great circumspection and is an indefatigable Hunter. His leisure hours are chiefly employed in playing at Cards, amusing himself with his children, and when his acquaintances pay him a visit he generally makes them very rosy. He does not read, not for want of opportunity but from want of inclination; indeed he was as his father has informed me, much foundered in his education, and it was no wonder for he has had no less than five tutors,

¹ Dun Parish Register.

² *Ibid.*

one of whom was your worthy *gallant* Mr Main. Mrs E. the Lady of the Manor is well looked, I own has not quite so fine a face as Mrs Swinton but has as much affability and converses with ease and great good sense on almost any topic that occurs. She is the mother of five very fine children, two of them my pupils and the other three Daughters, has been eleven years married and is now much about your time of life. She is rather masculine in her diversions, for instance she often walks seven miles before dinner, goes a hunting with her husband in the season and is a great salmon fisher. She has made herself perfectly mistress of Dr Buchan's Domestic medicine and practises, not only in her own family with success, but dispenses medicines gratis to the poor, visits them when sick, prescribes herself, or when the case is dangerous, sends Dr Moody the family Physician. Miss Baird her sister is much the fine Lady, is delicate in her stomach, in her dress, in her entertainments, and in short is quite the reverse of the Lady. She likewise a good looking woman, but is short sighted and sometimes threatened with consumptive complaints; she has a genius for painting and music. Miss B. will leave us when Miss Madie Erskine returns from Edmonston, which is expected soon; she is a maiden sister of the Laird's very notable in all points of family economy, is active, sensible but rather like her amiable sister-in-law too manly in several things. This seems to be the predominant or most conspicuous foible in the female part of this excellent family, for Miss E., younger, discovers strong symptoms of it. His sister Miss Margaret is a great romp, extremely beautiful, but at present delicate being affected precisely like your daughter her namesake. These two ladies are nine and ten years of age, being older than the boys and are accomplished by their governess in all suitable branches of female education, french only excepted, For this your humble servant becomes their preceptor in a few days. David (call'd so from his great grandfather Lord Dun) is rather peevish, apt to be passionate, but withall has a warm heart, and benevolent dispositions. William John



MARY BAIRD, WIFE OF THE FIFTEENTH LAIRD



CAPTAIN JAMES ERSKINE, BROTHER OF LORD DUN

is only five, going six, and yet can read a paper of the Spectator, without wanting a word; He is very manly, spirited and affectionate, Has a wonderful memory for since I came here has got to repeat as exercises, the Church of England catechism, William and Margaret, some of Parnell's Hermit and Pope's universal and many other prayers. If you saw him you would be as fond of him as of Tom Kennedy, however, his brother is the favourite here. I had almost forgot to give you a touch of the old gentleman, who is still alive tho' his Lady (a daughter of Sir John Inglis of Cramond) has been dead these thirty years. He is about seventy three, has still a great deal of spunk, and a vast collection of anecdotes relating to places and persons whom he had seen abroad. He walks out in the forenoon with his gun and takes a nap betwixt dinner and tea, he diverts himself in the evening in reading, Cards or Chess, the last of these games he is particularly fond of. The family is very ancient, as appears from a Collection of Portraits in the Gallery, many of which from their dress seem to have been in the army, and he who made such a figure in the reformation of Scotland is represented with a book in his hand. The house stands three English miles from the pleasant town of Montrose on a fine elevation of $\frac{1}{2}$ an English mile gradual ascent from the Seashore. It was built and the present garden laid out by Lord Dun. A description of these with the pleasure grounds I must reserve till the season is further advanced. David Erskine is much better since I wrote to Mr Cupples. When he rides out or is at play, I reconcile myself to my solitude the best way I can. There is a large room or Hall contiguous to my apartment where the Library is, In it is likewise a grove of myrtles and aromatic shrubs, a telescope and maps, pictures with cabinet of shellwork and a Hobby horse and battledore for the Ladies. The billiard table is out of repair, which is no disappointment, for I should be apt, as has formerly been the case to spend too much of my time at this betwitting game. Here I frequently sit and read or

in the evening play on the fiddle, at other times walk out and listen to the music of the groves. We dine at three, have always two Courses, and after a glass of strong ale and another of Sherry, Sir Crape withdraws. In the afternoon the Children regularly get a dance, when their Mama plays to them on the violin. I breakfast on tea or coffee with Mrs Gregory and the housekeeper, and likewise drink tea with these damsels at night, this does not mortify me as I am at these meals too sharp set to gratify my appetite properly before genteel Company. I meet with the gentry again at Supper when we have commonly over our Punch a very agreeable *tete a tete*; Mrs E. converses frankly and the old cock refers so often to me about classical quotations that I wish Mr Cupples at my elbow. Mr Cupples' letter is rather laconic. . . . I have scarce room to assure you that I remain

Your affect. Brother, John Waugh."¹

The following years brought some gaps in the family. Waugh lost one of his pupils by the death of the eldest boy David,² and the youngest child Ann followed soon after. She was buried at Gilmerton,³ near her mother's old home, so it seems probable that she died there. The cause of her death was her own activity, for she fell on her head whilst sliding down the banisters. It is a pity that the tutor gives no description of her, but she was only two when he wrote and he must have seen less of her than of her brothers and sisters.

The grandfather still corresponded with his pious friend Andrew Wauchope; age had made the Laird of Niddrie lighter-minded and his classic saws began to be mixed with jests. Snuff seems

¹ *Notes and Queries*, Eighth Series, vol. xii., July to December 1897, p. 2.

² Family Bible.

³ *Ibid.*

to have played a great part in the lives of the two families.

“Niddrie Oct 13

1779.

My dear Sir,

I shall mortify you a little; your joke did not pass; you sent me a Carrott which you imagined would be of a piece with my quondam old cheese & truly when I received it from my good neighbour your daughter, two days ago, I thought you had repaid me in kind & I figured to myself that I perceived your jocular sneer; with your wrinkled forehead, let Wauchope take that, quo' you, for his cheese; But as I suspected that you might be a vicious Intromitter with honest Colonel David's goods & chattels I was in hopes there might be something good under the outside musty appearance, so to work I went and shaved off the outside & went almost half inch deep before I could smell any other than half rotten fusty tobacco impregnated with the fumes of a small beer cellar, at last however I distinguished a distinct flavour of the maccoba which I was resolved to trace to the center, but this I found an arduous undertaking; my knife being blunt & a *Couteau* it was, so I was obliged to have recourse to a Saw, which did my business, & found so admirable a fully flavoured [word illegible] that I immediately exclaimed Requiescat in Pace, honest D. Erskine¹ & may John follow him no sooner than he chuses, well I believe for my part, I should be almost tired of the dirty little doings here below before I should finish my Carrott, but I'm not sure neither for I find it is like to go faster than I thought, so.” . . .

Here the paper has been pasted down, but Wauchope continues:—

“. . . one she used to take & my daughter Jane who took two pinches a day & never saw my box than she

¹ General David Erskine, who had recently died.

flies to it, Lord Torphichen says she is the charmingest snuffer. Sister Annie (meaning my son John's wife) will be so delighted with it. But hold, my good girls, for you shall [see ?] for yourselves, & I have a pure blooded one which will cost them the sweat of their brows to make a pinch with in half an hour. So much for tobacco which Jane is convinced is a mighty clearer of the Intellectual Faculties and were you here I should convince you of it by showing you as plain as a pikestaff how all this mighty bustle is to end, for the mean time know thou that—But if you do not think it worth your while to come and hear you have yourself to blame. What, have you nothing to do but dander about the dukes! Paul Jones has left the coast, Montrose has no apprehension of him, so your broadsword & bandolier may now be deposited again in the armoury. Why did you not come to see sights that were never seen here before, a big gun ship with her attendants in Leith Roads & an American prize brought into the [harbour ?] & captured by an Angus man, for shame!

"I must condole with you before I leave you upon poor Jane Hay's walking off, who ever played quadrille like her? Had she but lived to have said Nunc Dimittis, which she might have done not many months hence, it would have been well. But I don't know when I wrote so long a letter which I believe is a manœuvre you are not fond of more than I. So with best Compts from all here to Mary and her goodman (who paid us a visit of half an hour) & particularly to Mady whose intrinsick value I'm sorry is not knowen, I wont [begin ?] again so sans façon Dr John Sincerely yours

(signature cut off)

John Erskine Esqr.

Senissimus of Dun."

Four years later they are still at it—Latin and snuff.

"Caro mi olim Condiscipuli,

'Tempus edax Rerum; I apply this only to your hand, for I see you use a borrowed one & I had as well

do so too, you may say, but take it as it is you may possibly make shift to read it if your glasses are good.

"Quid vitat, as you say, why not snuff a health to order as well as drink? Here's t'ye then but not in your last present, for tho' a gi'n horse should na be lookit i' the mouth yet I must tell you that it is not snuffable nor will be till I get it purified from your frugal envelope viz. Oaken paper, ty'd up with tar'd ropes. Indeed I almost despair ever to get it so well purified as to enter my nose but I know how to put it to a proper use. I shall make excellent cut out of it and so whiff it away. No doubt you take a pipe sometimes as nothing promotes political speculation more than reviewing the present state of affairs through the clouds you environ yourself with, it helps one no doubt to see the objects of your lucubration (I must not say clearer, for you'll call that a bull) but as one views an eclipse you know there's a smokt glass, to prevent being dazzled so the polliticks of Europe seem to be so transcendently misterious at present, that they require to be considered through the medium of tobacco smoke.

"A propos of smoking, what think you of our quondam good Allays, why won't you come hereaway & I'll make all that & several other matters which no doubt seem perfectly misterious to you, as plain as a pikestaff. Lord George's acquittal perhaps may seem extraordinary to you, but nothing plainer than that he acted upon the purest principle, a true Patriot & most loyal Subject. I have matters of much greater moment to communicate to you than all that. If you'll come and smoke a pipe with me, which I think I am pretty sure you will, about the rising of the Session, as I have got Mady's word for it that she winna stir a fit till you come for her. But I shall wear your een as well as my own too much if I go on, so with my girls as well as my own best compliments to your ammanuensis & her husband & in hopes that neither you nor I shall find any O's among our littleans I remain

Dear Sir,

Yours most sincerely

And. Wauchope."

“Nidd.

Feb. 22. 83.

I expect my eldest son & his wife soon when I shall acquaint them of your kind remembrance of them; It would do you good to hear what a proficient in history my eldest littlean is, particularly of Queen Mary, which he rehearst to the great satisfaction of Tytler several months ago. Adieu just going to Church.”¹

John Erskine, ‘the old cock,’ as Mr Waugh calls him, died in 1787.²

The new Laird was a slow-witted man, big, jovial and handsome. Some amusing stories of his kindness and genial ways have come down by word of mouth. He had a huge family of nephews and nieces-in-law settled in Montrose, some of whom lived to be very old; the two last remaining members of it are still recalled by living people and will never be forgotten in the town. At the cost of digression, a little of its history must be given.

Mrs Erskine, Mary Baird, had several sisters, one of whom was unmarried for some time, and it so chanced that a certain Mr Renny of Montrose courted her and was not repulsed, rather to the surprise of her relations. He was a moderately well-to-do tea merchant, highly respectable but insignificant to look at, and her sisters were inclined to make merry over her admirer. But Miss Baird was a woman of determination and finally the matter was settled and he was invited to stay at her home as an accepted lover. The day and hour for his expected arrival came but no Mr Renny with them. Everyone was waiting; at last someone

¹ Dun Papers.

² *Ibid.*

wandered into the housekeeper's room to find a stranger sitting, solemn and displeased, by himself. The answer to the mystery was that a piano-tuner from Edinburgh was due and that the servants had mistaken the prospective son-in-law for him and landed him in the wrong place. However, the shocking situation passed, as all situations, however shocking, do; the pair were married and had fourteen children.

Mr Renny's house was a charming place at the end of one of the long closes of the town; it still stands in a little paved courtyard. Its south windows look towards the harbour and the masts of the ships could once be seen from its top storey. Forty years ago, though mills had sprung up between it and the old streets by the shore, the apple-trees and lilacs of its garden flourished over cabbages and mignonette, carrots and lilies of the valley. But fourteen children are no economy and Mr 'Peekie' Renny—so named by the townspeople from the Pekoe he imported—began to find it difficult to maintain them all. His sons got out into the world and looked after themselves, but even when they were gone a vast concourse of daughters remained, most of whom were plain. John Erskine was a good uncle to them and towards the end of his life he brought one of his nieces to the House of Dun where she was installed as housekeeper to her aunt. She ran the dairy, the beehives and hen-houses and so kept the family in eggs, milk and honey, and the proceeds of what was over after the house had been supplied were to go into her own pocket. She was a great personage who went about in a wide leather belt from which

dangled bunches of keys. She was masterful and plain spoken. It is told of her that, being asked whether some particular dish 'agreed with her,' she replied, "I should like to see my stomach refuse anything I choose to put into it!"

The fair-days in Montrose were grand occasions. The town was crammed with people from every corner of the country and the High Street filled with shows and booths. Farmers' wives and lairds' ladies did not disdain to turn over the wares heaped on the stalls, and the street was noisy with cheap-jacks and drunken men; 'parley-cakes,' gingery and luscious, were sold in myriads from a cart moored up in its midst, the young ploughmen crowding round it, tossing up their coppers to the salesman and holding out their hats to catch the delicacies he threw into them. The throng swung and seethed from causey to causey. On these days John Erskine would ride in, wearing a long coat with great pockets which he filled with sweets from the stalls, gloves, handkerchiefs, ribbons—anything that he thought his nieces would like. When he could carry no more he would trot off and dismount at the head of the close leading to the Renny's house where, standing in the street, he would roar down it at the top of his voice for Kate, his sister-in-law. At this the door would open and the whole drove of young women pour from it to come racing over the court and up the entry to seize their uncle, who, with arms spread wide from his sides, cried, "Tak' yer will! tak' yer will!" as they rifled his pockets.

None of these young misses ever married, nor did any of their brothers, as may be read on

the high tombstone that covers them in the graveyard of the parish kirk. The whole fourteen remained single to the end of their days—a wonderful record.

As time passed Mrs Renny, always masterful, became a tyrant and her husband was reduced to absolute submission. The little old man, grown hard of hearing, used to sit opposite to her at the fireside, the subject of her outspoken scorn, “Can ye no hear me, ye deaf muckle soo?” she would exclaim. His only defence was his repeated assertion that he was not long for this world; but he got no good of that. “Dee and be done wi’t, Mr Renny,” was her reply. She would remark to visitors, “A’body dees but Mr Renny; and he’ll sit nid-noddin’ there till the day o’ Judgement!”

Two of his daughters lived into the eighties of the nineteenth century; frail, gentle old ladies of immense dignity who spoke what they called ‘Court Scots,’ and held a kind of levee every Sunday in the old house. On these days an unchanging circle of select friends were entertained in the drawing-room to cake and wine in the hour between the ‘coming out’ of the Episcopal churches and one o’clock, when the post-office opened its barred doors to give out the Sunday letters. Admission to this gathering was a passport to local distinction. The carriages stood in the High Street till the drawing of the post-office bolts and the swarming in of menservants to get the packets. All this time their masters and mistresses were sitting in the Sunday splendour of black coats and silk dresses in the Miss Rennys’ drawing-room. It was a spacious place with white

Corinthian pilasters running up the wall on either side of the hearth and a *moiré* wall-paper with a design of gold bouquets of fuchsias. This was vastly admired by a child who was present at these restrained entertainments, who has lived to smile with a faint superiority at it, but has returned to the admiration again.

At every garden party the little figures of the two old ladies in their black silk dresses and bonnets with purple feathers might be seen, ushered in and armed out by those whose importance allowed them to do so. When they joined their twelve brothers and sisters inside the kirkyard railings, something of the character of Montrose seemed to be gone.

John Erskine's three remaining children grew up at Dun. Margaret was a beauty and soon acquired a husband; she was married on 1st June 1793 to Lord Kennedy,¹ eldest son of the Earl of Cassillis. The only one left at home was Alice, for William John was in the army, in the 9th Regiment of Dragoons. There is one letter from him to his father, evidently soon after joining, which bears no date of the year but which must have been written after 11th December 1794, as he mentions his nephew Archibald, Margaret's first child, who was born on that day.

“My dear Father,

I got Mr Thomson's letter signed by you but think you might have as well wrote to me yourself or made Mr Thomson do it for himself. I got my mother's letter by which I saw you were all well, also the young Peer. I am in perfect good health and spirits and think myself

¹ *Scots Peerage*.

lucky in having joined my troop at this quarter, where there are two such officers as Capt Donaldson & Mr Mayne, the eldest Cornet, for two more composed, gentlemanly men or keener Sportsmen cannot be, but I am told they are the flower of the Regt. They tell me Major Saunders & all the other officers at Longford headquarters play very deep. I have been out hunting regularly three times a week since I came here sometimes on my Charger, sometimes on a troop horse. I was just come in from hunting when I began to write this. My Charger is just such a horse as Lord Cassillis would give 200 guineas for, he is the best hunter I ever crossed & no leap you can shew him but he will clear, I am to dine with Mr Jones who keeps the hounds today so you must not expect a long letter. We expect a route for Longford every day from whence we expect to go to Dublin as we have received orders to hold ourselves in readiness to march there on the shortest notice the 9th are heavy horse, but the officers may have their chargers with short tails, we expect to go into Camp this summer, which will be a great expense to me as I will be obliged to have another Charger as also a baa¹ horse if we go into Camp. then I must have a tent which costs 17 pound. I have not time for any more just now but will write again in two or three days at farthest. Tell my mother to be sure and write often Comp^{ts} to her and Alice

I am, Dr Father

Your most aff^{te} Son

W. J. Erskine.

P.S. I have not got my trunk yet.²

This is the only letter from William John, whose story is a tragedy. In 1798 the Irish Rebellion had broken out and taken the only remaining son of Dun as one of its victims; the news came in a letter from General Dundas to the

¹ Baggage (?).

² Dun Papers.

Secretary of War, who forwarded it to the poor lad's father. The General wrote from Naas :—

“ May 24, 1798
at midnight.

“ Sir,

Unacquainted with Mr Erskine of Dun I request that you will be pleased to take the painful task upon you of Communicating to him the loss he has sustained this day in Captain Erskine of the 9th Regiment of Dragoons, who was killed by my side in action, against the Rebels—A youth ever to be lamented—and whose gallantry kept pace with his other distinguished Virtues.

I have the honour to be with great esteem et. cet.

R. Dundas, Lt General.

“ While his parents have to lament the loss of Captain Erskine their only son they have the Consolation to think that he died in the actual service of his King and Country.”¹

Maxwell, in his *History of the Irish Rebellion*, speaks very strongly about this fight. He calls it

“about one of the worst military offences committed by an incompetent commander. . . . Learning that some 3000 well appointed rebels had assembled at Old Kilcullen and that they had entrenched themselves in the Churchyard General Dundas proceeded to dislodge them. His force consisted of about 40 Dragoons and some 20 Suffolk Militiamen. The rebel position was on a height—one side protected by a high wall—the other secured by a double fence—a hedge with a dike in front. Would it be credited that an English General could be mad enough to assail 3000 men thus posted, with 40 Dragoons? Musgrave thus narrates the transaction and his account

¹ Family Bible.

has been considered by those engaged as to be perfectly correct; General Dundas ordered the Romneys and the 9th Dragoons to charge the Rebels, though it was uphill, though the ground was broken and many of the Rebels were in a road close to the churchyard in which not more than six of the Cavalry could advance in front.

"They however charged with great spirit, though their destruction was considered by all the spectators to be the certain and inevitable consequence of it; for what could Cavalry do, thus broken and divided, against a firm phalanx of Rebels armed with long pikes? Nevertheless they made three charges, but were repulsed in each and at each repulse, the General urged them to renew their attack. It was with the utmost difficulty that Captain Cooks and Captain Erskine could prevail upon the men to renew their charge after the first defeat. In the last charge, Captain Cooks, to inspire the men with courage by his example, advanced some yards before them, when his horse, having received many wounds, fell upon his knees; and while in that situation, the body of that brave officer was perforated with pikes; and he, Captain Erskine, and twenty two privates, were killed on the spot, and ten so badly wounded that most of them died soon after."

Thus, after the long years since 1404, when the first Laird looked upon his own independent barony, the male line of Dun became extinct beside a rude churchyard wall in Kildare.

The Laird lived on into his seventieth year. In spite of his father's complaint to Waugh that he was 'foundered in his education,' he must have taken some useful interest in county affairs, for he and Sir David Carnegie of Southesk, supported by the Brechin Town Council, put up a stout opposition to the scheme entertained by Montrose of throwing a wooden bridge across the water from Fort Hill to Inchbrayock Island, which would

prevent ships from passing up the Basin. The end of the dispute was satisfactory to everyone, for though the bridge was built it was constructed to rise and fall so that vessels might traverse the channel.¹

But he always had his own peculiar method of doing things, and in a little book called *The Parson of Kilsyth* there is an amusing description of some of them. The minister of Dun, who had presided there for nearly half a century (and had given each of his three elder sons Erskine as a second name) was failing from age and an assistant was to be sought for him who might possibly develop into his successor. A young man called Burns was suggested. His uncle was one of the ministers of Brechin and anxious to settle his nephew; so he consulted a friend who knew the old Laird as to the best way of getting on his right side. "Address him directly," he was told, "and mind you write the best letter you can." Erskine, a poor writer himself, had a vast respect for those who were not, and he was so much impressed that he appeared next morning on horseback at the gate of Mr Burns's manse to get the young man to Dun on trial. He came and stayed there for a year. The course of time brought a Sunday on which some recent political event was likely to draw an allusion from the pulpit, and young Burns, who was preaching, ignored it. The Laird hated politics. He was so delighted that he thanked him warmly at the kirk gate, and Monday morning saw him mounting his horse for a tour of the parish to advocate his cause as the future minister. He

¹ Black's *History of Brechin*.

knocked at every door, and finding that his neighbours approved, he went home and issued the Presentation to the living on the spot. When the Call was produced to be signed by the parishioners he was terribly put out. "What's this? What's this?" he shouted, "haven't I signed it? What more is necessary?" It was a long time before he could be made to understand the procedure of such occasions, for he was, as the book says, "of a slow unapprehensive nature." Young Burns stayed a couple of years and was then moved on to the larger parish of Kilsyth.

The Laird also appears in the well-known story of Dean Ramsay's, though he is not the hero of it; for it was he who, when telling a tyrannical old servant whose yoke had become unendurable that they would have to part, received an answer, "And whaur are ye gae'in? I'm sure ye're aye best at hame."

He died on the 15th of May 1812; his wife survived him nine years and died in Edinburgh.¹

¹ Family Bible.

CHAPTER XIV

THE NINETEENTH CENTURY

THE sixteenth and seventeenth Lairds were women. The Retour of Alice Erskine and Margaret, Countess of Cassillis, as heirs-portioners of their dead brother is dated 30th November 1822.¹

On their father's death Alice took up her residence at Dun and during her life there she turned into one of the remarkable features of that part of Angus. By this time good Mr Waugh had become minister of the parish of Menmuir and his hair must have risen on his head as the tales of her masculine doings floated across the country to his manse near the foot of the Grampians. One of her nieces, Margaret Kennedy, afterwards Lady Newburgh, lived to be very old; a blind, sharp-tongued, imposing old woman sitting alone in her house in Wilton Crescent; and the description of Alice has come down from her. She was a masterful spinster whose plain face was surmounted by a small red wig, often askew and always ill-fitting. Her heart was bound up in her stable and she never drove out except with four horses. That walled quadrangle on the east side of the house, now the flower garden, was the exercising ground for her stud, conveniently commanded by one of the dining-room windows; her own bedroom was

¹ Retour of the General Service of Miss Alicia Erskine of Dun and Margaret, Countess of Cassillis (*Chancery Record*, cxviii., 418).

on the western side, so that she could lean out over the sill to bawl her orders across the courtyard to the stablemen. She kept a pack of harriers which she hunted herself with the help of a strange being, a blend of coachman, huntsman and stud groom. He had been in Lord Cassillis's service and was one of the men who sat, armed, in the rumble of the travelling chariot when the family journeyed in foreign parts. One day the bursting of a pistol blew off one hand and a part of his arm; Alice immediately took him into her employment and he drove her continually in spite of his loss. He had a hook to replace the missing hand.

All her friends among the neighbouring Lairds came out with her pack. The descendant of one of them, George Taylour of Kirkton Hill, used to tell of his father's reminiscences of these hunts. As Alice grew older and less active she began to look for open gates and gaps in fences and in any bit of stiff country, if her small field was within earshot, she would shout to her friends, "Noo then, Sandy! Awa forrit wi' ye, George!" and as they passed her she would pull back and slip through by some broken place in a dyke or missing rail in a fence known to herself. There are two projecting stones in the wall of the outer courtyard, one on each side of it, which tradition says were a part of the roof-tree of her kennels. Her talk was the broad Scots of her forefathers. Dean Ramsay says that, even in his day there were many people who might not understand her. She was a mixture of homely speech and immense family pride. So far did she carry the pride that she is said to have retired from a party in Montrose in wrath at sight

of a guest whose social standing did not satisfy her. One of her fancies was to have the front doorsteps of Dun made out of single slabs of stone. As the flight is rather a high one and the width of the landing considerable, their transport took a good deal of expense and labour to carry out and several carts were damaged in it. The stones were quarried from Turin, near Forfar. Dean Ramsay says she lived in Edinburgh, but that must have been towards the end of her life. She died in 1824,¹ and Margaret, her sister, was left in possession of the place.

Lady Kennedy had not kept her name long. The death of her father-in-law² took place in the year after her marriage and made her husband the twelfth Earl of Cassillis. Besides her eldest son she had six other children; Mary, born and died in 1796 and Ann, born in 1797.³ Another Mary and Margaret followed in 1799 and 1800 respectively.⁴ On 1st June 1802 they had another son who was prophetically christened John Erskine⁵; their youngest child Alice was born in 1805.⁶

There is a charming, prim, but very child-like letter written by the eldest boy to his grandfather, the Laird, which makes it clear that the two were very good friends; it must have been kept with care by the old man, as it has survived among the collection of more important papers.

Cullean

25 July 1807

“Dear Grandfather,

Papa has at last given me liberty to write to you to see if you can send the Carriage to Crief for us at

¹ Family Bible.

² *Scots Peerage*.

³ Family Bible.

⁴ *Lodge's Peerage*.

⁵ *Ibid.*

⁶ *Ibid.*



LADY AUGUSTA FITZCLARENCE, WIFE OF JOHN
KENNEDY-ERSKINE

My dear Lady Augusta, I have the honor to acknowledge the receipt of your letter of the 10th inst. and in reply to inform you that the same has been forwarded to the proper authorities for their consideration.



THE HON. JOHN ERSKINE KENNEDY-ERSKINE

whatever time you find most convenient, but as we are tiring¹ to go to Dun very much, I hope you will send it as soon as you can. We rejoice at the prospect of seeing Dun again, and of fishing in the water of Esk. We have been fishing here often, but I suppose we will have much better sport than any we have here. We have been bathing regularly for some time past. I like it very much and both David and I can now swim a little. We have no other amusement at present; nor can we think of any other, as we expect so soon to be at Dun. When you write I hope you will fix the day when the carriage is to be at Crief. Love to Grandmama and Teea.

I am

Yours affectionately
Kennedy."²

The writer was married before he was twenty to Eleanora Allardyce, who was the daughter and heiress of Alexander Allardyce of Dunnottar, and the most furious festivities took place in honour of the wedding and raged on for three days. People of all classes, ages and callings were entertained, and one man is said to have lost his life as a result of the overeating that went on.

The second son, John Erskine Kennedy, was a remarkably handsome young man, and as he was heir to Dun through his mother he took her name and became John Erskine Kennedy-Erskine³; he fell in love with Augusta, one of the five daughters of William Duke of Clarence and Dorothy Jordan, the actress; this pair had lived for many years at Bushey House, in Middlesex, leading a very domestic life and much interested in their children and their own affairs. When reasons of State made the Duke's marriage a necessity the large-hearted

¹ Longing (see "wearying," *Scots*). ² Dun Papers. ³ Lodge.

goodness of his wife, Princess Adelaide of Saxe-Meiningen, who would not part her husband from the sons and daughters he loved, brought them to Court, where she gave the girls a home and looked after their interests till all were settled in life.

John Kennedy - Erskine and Augusta Fitz-Clarence were married on the 5th of July 1827,¹ and went to Dun after their honeymoon. They must have been a romantic-looking couple, for the bride was beautiful and besides an extraordinary charm of manner, she had the irresistible speaking voice that has come down to so many of her descendants, inherited from her fascinating mother. One of her father's wedding presents to her was a yellow carriage that arrived complete with a pair of dapple-grey horses and a fat coachman on the box. Another was a very solid mahogany four-poster. She established herself and it in a panelled room that looked south over the green park-land and its trees to the Basin of Montrose.

Their first child was born in the following year in Duke Street, Westminster, and christened at St Margaret's, Lord Cassillis's house at Isleworth²; he was named William Henry. His sister, Williamina, was born in 1830,³ the year in which her grandfather came to the throne.

It was about this time that misfortune began and Augusta was told that consumption threatened her husband. He was athletic, and more particularly a great runner, and the overstrain of a foot race had brought on a hæmorrhage from the lung. The doctors said that he must go to a warmer climate without delay. They started at once for Italy,

¹ Lodge.

² Family Bible.

³ *Ibid.*

leaving the two babies behind. From the lips of someone who saw that sad departure from the door of the house of Dun the picture has come down of the young man as he turned back to look once more at the children he was never to see again. He died at Pisa; his body was brought home by sea to Montrose in the King's yacht and landed from her boats to be buried at his home.¹ Among the relics of their exile that were sent back to Scotland was the arm-chair that he died in and a curious Italian mother-of-pearl clock. Two months after his widow's return she gave birth to their daughter Millicent, at Windsor Castle, where the child was christened by the Queen's chaplain.² She was now Lady Augusta Kennedy-Erskine, for the King had created his eldest son George Earl of Munster, and given the brothers and sisters the rank and precedence of the children of a Marquis.^{3, 4} Soon afterwards Lord Cassillis was made Marquis of Ailsa.⁵

Augusta left Scotland and took up her life in a house at Isleworth near her father and mother-in-law. Railshead, where she lived, was so close to St Margaret's that their gardens adjoined; her daughter Williamina, in some reminiscences written towards the end of her life, tells of her own childhood there and of the gate between them which was kept unlocked so that the two households might have access to each other at any time. It is from her that the account comes of the troubles

¹ Family Bible.

² *Ibid.*

³ With the exceptions of Elizabeth, Countess of Errol, and Amelia, Viscountess Falkland.

⁴ Lodge.

⁵ *Ibid.*

that ensued. They were natural enough. Augusta was young and had lived much in the world, and though the Ailsas had showed her great affection the gap between herself and them of differing age and nationality must have been hard to bridge. After four years of widowhood under their shadow she married Admiral Lord John Frederic Gordon,¹ son of the ninth Marquis of Huntly. Williamina gives her own experiences of the morning of that wedding. She was six years old.

Augusta, beautifully dressed, had bidden her good-bye and gone to London when a message came through the garden gate to tell the child to come to St Margaret's at once. She found her grandmother sitting up in bed and looking very grim. She asked her fiercely where her mother was.

"Gone to London," she answered. "She looked like a great silver dove."

The old woman seized her arm and pointed to her dead son's portrait on the wall. "*That* is your father!" she cried, and forbade her ever to call another man by that name or to love him.

The friction grew worse and there was terrible trouble over the guardianship of the grandson, William Henry. From the few letters that passed that have been preserved, it is hard to make out who was in the right or who had most reason to complain in these disputes; probably Augusta was hasty and unwise—for she was an impetuous woman—and the old people unsympathetic and narrow and bitterly hurt by the supplanting of their son. Certainly all were to be pitied.

The King stood by his daughter well and as

¹ Lodge.

matters did not mend and the presence of Frederic Gordon at Railshead would only have augmented trouble, he invented a post for her and made her 'State Housekeeper of Kensington Palace,' with a suite of rooms in it for herself. Here she lived for many years, sometimes going to Brighton, where she had a house in Brunswick Terrace and was able to see something of her father when he and Queen Adelaide made their frequent visits to the place. When her daughters were grown up she and her husband took them abroad; they stayed at Dresden and in Paris, where the beauty of the mother and wonderful attraction of both girls made something of a furore.

Lord Ailsa died in 1846 and his wife two years later.¹ She had spent a good deal of her time at her old home and is said to have liked it better than Culzean; when the Ailsa *ménage* went to and from London and Dun in their chariot with outriders followed by a carriage-load of servants, it took them three days to accomplish their journey. Lady Ailsa did various things that make the legend of her love for her birthplace seem curious; for she pulled down the old hamlet of Dun by the mill on the Brechin road. The reason for this act has not been forthcoming, especially as nothing was built to replace it. The spoliation of the kirk followed, no doubt with the best motives, for a hideous building of a larger capacity was put up in its stead at a little distance, and all its carved oak was cleared away and disposed of. The ancient shell was left, shorn of its original length, and turned into a supplementary family vault;

¹ Family Bible.

it now holds the remains of herself and her husband. As the next generation chose a new burying-ground, the vault has never been used within living memory. Not long ago its rusty iron door was opened for the first time for many a year and the pale autumn daylight that was let in disclosed the two long black coffins side by side on a stone plinth raised amid the dimness. Upright on the lid of each, stood a very tall spiked gilt crown that enhanced the atmosphere of mortality more than any of the shadows lurking in the damp silence of that dead place.

In 1855, Augusta's daughters were married both on the same day; Williamina to her first cousin, Lord Munster, and Millicent to James Hay Erskine Wemyss of Wemyss Castle, in Fife.¹ Her son, Willy, as he was called, was Laird now. He was in the 17th Lancers and spent most of his time in London when he was not with the regiment; his mother, whom he adored, went to Dun with her husband and settled there. Frederic Gordon had inherited the property of Halliburton, near Cupar Angus, and had taken the name of Halliburton in addition to his own.² He had been Member of Parliament for the county of Angus.³ Now, with so many of the vicissitudes of her life behind her, Augusta had leisure to throw herself into an occupation that was not then the absolute rage it has become since, the planning of a garden. She attacked it with vigour, for flowers were one of her passions. Yew-hedges rose under the south windows with stone steps and pillars; Alice Erskine's exercising ground — which had been

¹ Family Bible.

² Lodge.

³ *Ibid.*



WILLIAM HENRY, AND MILLICENT KENNEDY-ERSKINE

turned into a drying-green and must have been most unsightly—was laid out in a great scheme of ribbon bordering with rose bowers on the turf in the middle. Her ambitions were so large that a sunk fence was built across the grass-park sloping to the high road, to take in a yet larger area. Labour was cheap then, but for fear of outrunning the constable she had to stop long before she reached her boundary and the fence remains only as a witness to what she meant to do. Everywhere in the countryside the yellow carriage was to be seen as she drove about, her eyes raking the crannies of banks and ditches for any plant that might take her fancy. She went far and wide in search of white stones for a rockery. The footman on the box had an active life; a basket and trowel were stowed under his feet and he spent much time in climbing up and down, digging up ferns and hoisting great blocks of white quartz into the carriage.

She was a wonderful needlewoman and got up at six in the morning to begin her work. Perhaps her early rising and the healthy life she led helped to preserve the lovely skin she kept till her death. The House of Dun is full of her embroidery and the *petit point* that the feminine world has taken to its heart again. She has left exquisite pieces of work on silk, some rather marred by the heavy gilt in which early Victorian taste has set them; and the curtains of the three very high windows of her drawing-room—amber and pale blue satin worked, drapery and pelmet, with thick wreaths of flowers and exotic birds—are but a small part of her handiwork, though one might well suppose them to be, by themselves, an achievement for any

woman. She was an accomplished spinner too. An old servant, at Dun long years ago, says that she has seen her out driving with her wheel set up in the carriage, spinning as she went.

Among the *petit point* that she did are the hangings of the King's four-post bed. These she worked with the Erskine coat-of-arms and a scroll design of gold-coloured ropes and tassels; it was a long labour, but she was helped in it by Philippe Bordeaux, her old French cook, who did all the background for her in his spare time. One of her granddaughters remembers his benevolent face and high white cap and the beflounced French doll that he gave her, which squeaked when her waist-line was pressed—a marvel, then. It was called Philippine, after him, though its owner could get no nearer to the name than “Pinnerfeen.”

She left Dun and went to Halliburton when her son married but returned often to stay there, beloved and welcomed by her daughter-in-law. At these arrivals she would go straight upstairs to her own panelled room and pulling off her bonnet, fling it from her, heedless of where it fell; then she would throw up the window and lean out bareheaded to feast her eyes on the landscape she loved so much and to breathe in the air. There was none like it anywhere, she said. She died in May 1865.

History stops with Augusta and gives place to personalities who seem to have vanished only the other day; whose faces and voices are vividly remembered by the people who were once their contemporaries. Her son, the eighteenth Laird, lived to be forty-two, and his son, the nineteenth

one, to exactly the same age. The twentieth Laird stands in the twentieth century with the long line of figures behind him stretching back into that partly discovered and partly undiscovered country, the world that was.

13th November 1929.

APPENDIX A

ERSKINE OF KIRKBUDDO

JOHN ERSKINE, d. 1603 Son of Superintendent of Angus and Mearns and his second wife, Barbara de Bearle, had Charter of Kirkbuddo, 1571	=	Barbara Strachan of Carmyllie
George of Kirkbuddo, d. 1615	= 	Elizabeth Guthrie of Kincaldrum
David of Kirkbuddo, d. 1647	= 	Elizabeth Ogilvy of Newgrange
Francis of Kirkbuddo	= 	Elizabeth Scott of Brotherton
Francis of Kirkbuddo, d. 1776	=	Jean Guthrie of Clepington
Francis of Kirkbuddo, Lt.-Col. 50th Regt. of Foot (with whom the male line ends) <i>Born 1755. Died unmarried 1833</i>		

APPENDIX B

*Testament and Inventory of the Personal Estate of John
Erskine, fourth Laird, dated August 15, 1518.
Confirmed April 19, 1515.*

“Inventorum omnium bonorum Johannis Erskyn de
Dwn factem ibidem per seipsum xv° die mensis Augusti
anno Domini m° v° xiii° coram hiis testibus dominis
Georgio Foulartoun vicario de Dwn Johanne Willock

Johanne Etail, capellanis et Magistro Johanne Naughti notario publico cum diuersis aliis.

“Goods in the diocese of St Andrews; Debts due to him in that diocese; Goods in the diocese of Brechin. His debts to others. The whole estate after the deduction of all his debts amounts to £170. 19. 10. The value of his farm stock and of grain is as follows: The utensilia et domicilia are estimated at £40. Four workhorses are valued each at 26/8; forty one plough oxen at 20/ each. Twenty eight cows at 16/; eighteen calves at 2/. One bull at £1. 13. 0. A score and four sheep at 30 pence each. Oats, which he grew extensively, at 40 pence per boll; barley at 8/; wheat at 10/; peas at vis 8 pence.”

By his testament he nominates his wife Katherine Monypenny and Mr Thomas Erskine his son to be his executors. Both Inventory and Testament were made a few weeks before Flodden.—*Vth Report, Hist. MSS. Commission.*

Inventory of the Personal Estate of Sir John Erskine, his son. Dated Feb. 15, 1513. Confirmed by the Commissary of St Andrews, April 3, 1516.

“His oats are valued at 4/; barley at 6/8; peas at 6/8. One of his horses is valued at £4. 13. 4. and other two at 40/. One item of debt is ‘servis mentibus grana in Autumno vi lb.’”

Dame Margaret is named in the Confirmation as the relict of Sir John Erskine.—*Vth Report, Hist. MSS. Commission.*

APPENDIX C

ERSKINE OF DUN SEALS IN BRITISH MUSEUM

Seal of John Erskine of Dun. 15th Nov. 1552.

Couché.—"On a pale a cross crosslet fitchée."

Crest.—"On a helmet with mantling ending in tassels
and a wreath, a griffin's head."

Background of faint crossing lines.

Legend in capital letters on an escroll

"SIGILLVM JOHANIS ERSKINE."

Large outer border beaded in the middle.

Diameter $1\frac{7}{8}$ inches.

Seal of Barbara de Bearle.

A shield bearing impaled arms

Dexter: "A saltire between four lions contourné."

Sinister: "On a pale a cross crosslet fitchée" (arms reversed
in cutting).

Legend in capital letters.

"S. BARBARA DE BARLL"

Diameter $1\frac{5}{8}$ inches.

(see Laing, ii., 346. B.M. 16164, S.A.S. 876.)

APPENDIX D

LETTERS OF THE SUPERINTENDENT TO MAR

"I THOUGHT it expedient in write to let your Grace know my judgment in these articles and heads conteaned in your Grace's last writing. As to the pension appointed before unto the Regent's house, as I understand, little difficulty will be therin, your Grace doing your duty to the Kirk, which I pray your Grace may do. As to the provision of benefices, this is my judgment. All benefices of teinds joyned or annexed therunto, which is taken up

of the people's labors, have the offices joined unto them; which office is the preaching of the Evangell and ministration of the sacraments; and this office is spirituall and belongeth to the Kirk, who only hath the distribution and ministration of spirituall things; so be the Kirk spirituall offices are distributed, and men received and admitted therunto; and the administration of the power is committed be the Kirk to Bishops and Superintendents, wherfor to the Bishops and Superintendents perteaneth the examination and administration of men to offices and Benefices of spirituall cure, whatsoever benefice it be, as well Bishopricks, Abbacys and Priories, as other benefices inferior. That this pertaineth by the Scriptures of God to the Bishops or Superintendents is manifest, for the Apostle Paul writeth in the 2^d to Timothy, chap. 2 ver. 2 'These things that thou hast heard of me, many being witness, the same deliver to faithfull men, who shall be able to teach others.' Here the Apostle referreth the examination to Timothy of the quality and ability of the persons, wher he sayeth 'to men able to teach others,' and also the admonition he referreth, when he biddeth *deliver to him* the same that is *able* to teach others; and in another place, 1 Tim. chap. 5, ver. 22 'Lay hands on no man sudainly, neither be partaker of other men's sins, keep thyself pure.' By laying on of hands, is understood admission to spirituall offices, which the Apostle will not that Timothy do suddenly, without just examination of their manners and doctrine. The Apostle also writing to Titus, Bishop of Creet, putteth him in remembrance of his office, which was to admitt, and appoint ministers in every city land congregation, and that he should not do the same rashly, without examination, he expresseth the quality and conditions of such men as should be admitted, as at lenth is conteaned in the first chapter of the Epistle forsaied. The decons which wer chosen in Jerusalem be the whole congregation wer received and admitted be the Apostles and that by laying on of their hands, as St Luke writeth in the 6th Chapter of the Acts of the Apostles. This we have expressed plainly by the Scriptures, That

to the office of a Bishop pertaineth examination and admission to spirituall cure and office, and also to oversee them that are admitted, that they walk uprightly, and also exercise their office faithfully and purely. To take this power from a Bishop or Superintendent is to take away the office of a Bishop, that no Bishop be in the Kirk, which were to alter and abolish the order that God hath appointed in his Kirk. Ther is a spirituall power and jurisdiction which God hath given to his Kirk, and to those who have office therin, and ther is a temporall jurisdiction, given of God to Kings and civil magistrates. Both the powers are of God, and most agreing to the fortifying one another, if they be right used. But when the corruption of man entereth in, confounding the offices, usurping to himself what he pleaseth, nothing regarding the good order appointed by God, then confusion followeth in all states. In the first book of the Kings, 12 chap, it is written that Jeroboam the King, in presumption of his authority, made Preists in his realme, express against the order which the Lord in those days, had appointed concerning the preisthood, wherupon followeth [the] destruction of that King, and his seed also, as also of all other Kings who followed him in that wickedness. For better understanding of this matter, Christ hath given forth a rule which ought to be weighed of magistrates, and of all people, saying, 'Give to Cæsar that pertaineth to Cæsar and to God that which pertaineth to God.' The Kirk of God should fortify all lawfull power and authority that pertaineth to the civil magistrat, because its the ordinance of God, but if he pass the bounds of his office, and enters the Sanctuary of our Lord, meddling with such things as appertean to the ministry of God's Kirk, as Uzzia King of Judah, 2 Paralip. 16, entering into the temple to burn incense, the which pertained not to his office, then the servants of God should withstand his unjust interprize, as the Preists of that time did withstand the King of Judah, for so they are commanded of God. The servants of God, when such wickedness occureth, should not keep silence, flattering princes in their vain pride, but withstand

and reprove them in their iniquity; and who doth otherwise in God's Kirk is unworthy to bear any office. A greater offence and contempt of his Kirk can no prince do, than to set up by his own authority men in spirituall offices, and to ereat Bishops and pastors of the Kirk, for so to do is to conclude no Kirk of God to be, for the Kirk cannot be, without it have its own proper jurisdiction and liberty, with the ministration of such offices as God hath appointed. In speaking this of the liberty of the Kirk, I mean not the hurt of the King, or others in their patronage, but that they have their priviledges of presentation according to the lawes, providing alwise that the examination and admission pertain only to the Kirk, of all benefices having cure of souls. That it should not appear that the pastors of the Kirk, of avarice and ambition, seek to have posession of great Benefices, your Grace shall understand, that the Kirk continoually hath suited (of old as well as of new) as their articles concluded in the General Assemblies, and consented to, and subscribed be the most part of the nobility, which are to be produced, bear, and was propounded to the Queen, the King's Majesty's mother, to wit, that whenever any of the great Benefices vake, having many Kirks joyned therunto, that all the Kirks should be divided, and severally disposed to severall men, to serve every one at his own Kirk, of the which mind all that bear office in the Kirk continow; wherfor it may appear that they seek not of avarice promotion as is alledged. And I doubt not but if others of the nobility wer as well purged of avarice, and other corruption, as the ministers of the Kirk, they would have agreed to fulfill that thing which they subscribed with solemn oath. And as yet the Kirk most humbly suiteth your Grace, and councill to have the same fulfilled, but if this cannot be granted, I mean the dismembering, as they call it, of great benefices, I trust, in respect of this confused troublesome time, the Kirk will consent (the benefices and offices joyned therunto being given, after the order before spoken of, that the priviledge and liberty of the Kirk be not hurt) to assign such profites as may be spared above the

reasonable sustentation of the ministry, to the mentenance of the authority and common affairs for the present, while further order may be taken in these matters; for the Kirk contendeth not for worldly profite, but for that spirituall liberty which God hath given unto it, without the which be granted, the servants of God will not be satisfied, but will oppose themselves against all power and tyrrany, which presumeth to spoil the Kirk, of the liberty therof, and rather to dye than underly that miserable bondage. Their lives are not so dear to them as is the honnour of God, and liberty of his Kirk. I hear some men bragg and boasts the poor ministers of God, to take their lives from them, but I wish such men contean themselves within bounds, for they are not sure of their own lives, and to runn that race will make it more short. Of old, the Papists called the truth *heresy*, and now some will call the truth *treason*. We may perceive in all ages and times Satan wanteth not¹ his servants to impugne the truth. As to the question, If it be expedient for a Superintendent to be wher a qualified Bishop is? I understand a Bishop and Superintendent to be but one office, and wher the one is, the other is. But having some respect to the case wherupon the question is moved, I answer, the Superintendents that are placed, ought to continow in their offices, notwithstanding any other intruse themselves, or are placed by such as have no power in such offices. They may be called Bishops, but are no Bishops, but idols, Zech. 11. 17, Saith the Prophet, and therfor the Superintendents which are called and placed by the Kirk, have office and jurisdiction, and the other Bishops, so called, have no office and jurisdiction in the Kirk of God, for they enter not by the dore, but by another way, and therefor are not pastors, as saith Christ, but theives and robbers. I cannot but from my very heart lament that great disorder used in Stirling at the last Parliament in creating Bishops, planting them and giving them vote in Parliament as Bishops, in despite

¹ Does not lack.

of the Kirk and high contempt of God, having the Kirk opposing itself against that disorder, but they were not heard, but boasted with threatenings, but their boasting is not against man, but against the Eternall God, whose ordinance publickly they transgressed, what followed therupon is knowen. God hath power to destroy or to save, he is Almighty Lord, able to preserve the innocent, and cast down the pride of the mighty. I hear that some wer offended with the commissioners of the Kirk at that time, but without cause, for they passed not the bounds of their commission, and the whole Kirk will affirm their proceedings, and insist further in that matter. If that misordered creation of Bishops be not reformed, the Kirk will first complean unto God, as also to all their bretheren, members of the Kirk within this realme, and to all reformed Kirks within Europ. Some counsellors think now good time to conquest from the Kirk (being, as they judge, now poor and weak) priviledges and profits to the temporall authority, but if ther wer no other particular respects but the authority, I judge they would not travell so busily; but what respect soe ever they have, their unrighteous conquest and spoil of the Kirk shall not profit them, but rather be a cause to bring plagues and destruction both upon the head and counselors of such an abomination. Because the servants of the Lord speak in this matter, reproving men's corruptions, they are called proud, and misknowers of their own place, and know not with whom they deal, as though they were gods and yet are but flesh. Let such men understand of whatsoever state they be, that the ministers of God's Kirk have received an office of God above them, wherunto they ought to be subject and obedient, and have received a ritcher treasure than they, though it be in earthen vessels, as saith the Apostle St Paul, 2 Cor. Chap. 4, ver. 7. And have received a power of God to cast [down] and destroy the pride of men, and to bring into subjection all things that exalt themselves against God, 2 Cor. 10. 5. The Lord will not that his servants in exacting and using their office should fear men, how mighty and potent soever they appear to be,

as it is written, Esai. 51. 7. 'Fear not the reproaches of men, neither be afraid of their rebukes and threatenings, for the moth shall eat them up like a garment, and the worm shall eat them as wool; but my righteousness shall be for ever, and my salvation from generation to generation.' The spirit of God entering into the hearts of his servants, giveth them such a tast of power and majesty, and a sight of his judgments, that with them the enimies of God and his Kirk are nothing regarded, but counted as dust before the wind, and as wax before the fire, unable to stand, but are to perish in the day of the Lord's visitation. They will, according to their power, reprove all ungodlines, and withstand all iniquity; and as to the malice and trouble raised against them by the wicked powers of the worlde to their own damnation, they will patientlie endure, for there consisteth the patience of the saints, for they see a glorious end to follow thereupon. Some men in their corruption (as their minds have declared) purpose in time of trouble craftilie to handle the Kirk, while all their troubles be pacified. Let such men understand that such evil purposes make the trouble to continow the longer. But though the trouble wer pacified, and they confederat with England, France and Spain, and all other earthly kingdomes, yet shall they not be able to destroy the Kirk of God, and liberty thereof, for the mighty God who hath been a protector of his Kirk in all ages, and hath destroyed and cast down great impyres and kingdomes that made battail against his Kirk, shall use the same judgments against all men that in thir dayes intend the like; for he beareth to his Kirk a perpetuall love, and is a perpetuall protection and defence to it in this time and for ever. An admonition of David's to Kings and magistrates, 'Be wise, O! ye Kings, be learned O! ye that are Judges of the Earth, serve the Lord with fear, and rejoyce before him with reverence. Kisse the Son lest the Lord be angry, and so ye perish from the right way, for his wrath shall shortly be kindled.' I conclude with, Of Montrose, the 10th of November, 1571."—(Woodrow's *Collections*.)

"I being in Perth this Wenesday, having there an Assembly of the Kirk of Stormont and Gowrie, being under my care, I received writing from your Grace, touching the Convention to be in Leith of the Superintendents, the 16th of this Instant, specifying also an inhibition, that nothing should be answered to the Collectors of the Kirk. It is the first inhibition to that effect; and I wish to God it had not begun in your Grace's hands. The poor ministers are not convict of any crime nor offence, and yet their living is to be holden from them. I perceave the Kirk to be so far despised that no wrong can be done to it. It may appear most justly to all men, that the destruction of the Kirk and ministry is sought; for benefices are given and Bishops are made at men's pleasure, without consent of the Kirk and the poor thing already appointed by a law to sustean the ministry, is inhibited to be answered. If this hath proceeded for obteaning the pension assigned to the first most godly Regent, that might have been handled otherwise more reasonably; for I know the mind of the Kirk willing to have satisfyed your Grace therein; and that might have been obtained with a good writing. But it seemeth to me that men intend to bring the Kirk under slavery and vile subjection; but the Great Lord will be enimie to their purposes, and bring destruction upon the heads of such who so intend, of whatsoever estate they be, and will preserve the Kirk in libertie. Perceiving such proceeding I see no cause wherefor any who have office should come to Leith, for their consell will not be receaved, neither will they be suffered to reason freely, as experience hath taught in times past; and the counsell of the eminmies of God and his Kirk is followed yet despised Israel is comforted in the Lord, he careth for his people and will deliver them from the oppression of Tyrants, and give them honour and libertie, when their enimies shall suffer confusion and shame. If your Grace consider the matter well, ye will call back the latters of Inhibition; if not, the Kirk will have justice and look for help at the hands of the Lord. The Kirk should have her own and not beg

at men. I have staid the Superintendent of Fife, while my coming to Saint Andrews, till we know further of your Grace's mind by this bearer, if it be your pleasure.

Perth. 14 Novembris.

(Woodrow's *Collections of the Lives of the Reformers.*)

APPENDIX E

JHONE ERSKYNE'S COLLATION OF YE PARSONAGE OF DWN

"Maister Jhone Wynrame Superintendent of Fyfe To our louit Maister Andro Mylne minister or to onie vther ministeris wythin oure jurisdiction grace mercie and pax frome oure Lord Jesus. Wit ze that oure Soverane Lordis lettres vnder his hienes privie seill being direct to ws presentand oure weilbelouit brother Jhone Erskine to ye personage of Dwn lyand within the diocie of Sanctandris and scherifdome off Forfare now vacand be deceiss of umquhill Maister James Erskine last persone and possessour yairof and requyring ws to admit ye said Jhone to ye foirsaid personage, seing it is knawin yat he is sufficientlie qualifiet to use the office of ministerie within ye kirk of God. And yairfoir to authorize hym with testimonie of oure admissioun as appeiris yht according to ye desyre quhairof knawin be large experience ye sufficient qualification ye godlie literatour and gude conversatioun of ye said Jhone togidder wyth his greit laboris and diligent trawell sustenit in ye ministerie of ye kirk of God within yis realme, we haif resseivit and admittit hym to ye said personage. Theirfoir in ye name of God we desyre zow or anie of zow being heirwith requirit to pas with ye said Jhone to ye foirsaid paroche kirk of Dwn, and thair (be placing of him in ye pulpet and delyvering of ye buke of God in his handis) ye entire hym to ye reall and full possessioun of ye said personage teyndis fructis manse gleib and vtheris rentis of ye saming [same] quhatsomivir,

as ye will ansuer upon zour dewtie and obedience. In witness quhairof to yir oure lettres of collocatioun and admissioun subscriyvit wyth oure hand oure seill of office is affixit at Kirknes the xx day of August, the zeir of God 1575 zeris.

M. Jhon Wyram, Superintendent of Fyffe."

(*Registrum Episcopatus Brechinensis.*)

APPENDIX F

THE BRETHEREN UPON THE EXERCISE OF MONTROSE,
BRECHIN AND MEARNS, TO THE LAIRD OF DUN,
SUPERINTENDENT OF ANGUS AND MEARNS

"Pleis your lordship upon the recept of your lordship's aduertisementis directit to our ilk exercise, we repairit to Montros the xxviii of Januar instant, thanking God for your lordship's cairfulnes in the common cause, and for your regairds alsua to our particular weifare; quhair our conuention wes thocht to haif the less grace throch your lordship's absence, quhilk wes grytumlie desyrit of ws all; the twa obligationis being presented be Mr Hendre Duncan, that quhilk wanted the condition wes thocht hard to agree with, aluais the other lykit the bretheren best, and after guid deliberation they haif subscrivit the same, haifing a gud hoip that God quhilk se mitigat the apperant straitnes of the said obligation will also work daylie mair to our confort, if we sall with thankfull hartis depend vpon him. There is some apperance of daunger if the said subscriptionis be nocht presentit before the first of Februar to his maiestie. Your lordship, as ye haif carit to keip the bretheren fra grite trubill and skaith at this tyme, sua alsua your lordship will foresee and be cairfull heiroyf. Their is apoynted some out of ilk exercise to attend wpon your lordship at the tyme of assignationis, as your lordship will aduertise, to wit, Mr James Fullarton

for Brechin. Mr James Meluile or Mr John Fullarton, as ye sall lyik best for Montros, Patric Bonkill or Mr Johne Cullane for Mernis. Thus referring farther quhow matters heir hes procedit to Mr Hendre aduertisement, we committe your lordship to the protection of God. From Montros the xxix of Januar 1584, be

Your lordship's awin servantes to be commandet in the Lord,

The bretheren wpon the exercise
of Montros, Brechin and Mernis.

To the richt honorabill the laird of Dwn,
Superintendent of Anguse and Mernis."

(Dun Papers.)

APPENDIX G

STIPEND OF THE SUPERINTENDENT OF ANGUS AND MEARNS

	£	s.	d.
Silver Third of Arbroath	79	4	2 $\frac{3}{4}$
Silver Third of Cupar	52	16	6 $\frac{1}{2}$
Charterhouse	22	0	10
From Jedburgh and Restennet	25	6	8
Third of the Preceptory of Maisondiew	13	6	8
Thomas Knox's Annual in Brechin	0	0	12
From the Third of Edwie (Idvie?) Parsonage	27	2	2 $\frac{3}{4}$
From the prices of the victuals of Kinnel	26	13	4

The Victuals.

	Chalders.	Bolls.	Firlots.	Pecks.
Arbroath Abbey, Fayte (wheat)	4	12 $\frac{3}{4}$	0	0
„ „ Beer (barley).	6	14	3	1 $\frac{3}{4}$
„ „ Meal	5	8	0	0
Brechin, Fayte	0	3 $\frac{3}{4}$	0	0
„ Beer	5	2 $\frac{3}{4}$	0	0
„ Meal	3	2	0	0

(Dun Papers.)

APPENDIX H

TRIAL FOR MURDER OF ROBERT ERSKINE

Assise.

Mr James Durhame of Duntervie.¹
 Mr Francis Bothuell,² brother germane to umq¹⁰ Johnne,
 Lord Halyrudhouse.
 Robert Falconer of Ballandro.
 Sir John Prestoun of Vallafeld.
 Sir George Ramsay³ of Dalhousie.
 Mr Alexandre Seatoun of Gormok.
 Cuthbert Cunninghame, Proveist of Dumbarton.
 . . . Menzies of Weyme.
 Patrik Auchterlonie.
 Johnne Beatone of Falay.
 Patrik Maxwell of Newark.
 Aulay McAulay of Ardincapill.
 Duncan Menzies of Littillgill.
 . . . Dunlope of that Ilk. (Denmyll MSS.)

TRIAL OF ISSOBELL, ANNAS AND HELEN ERSKINE

Assise.

James Douglas of Todhoillis.
 Mr Joseph Hadden.
 Thomas Craigingelt of that Ilk.
 Thomas Inglis of Eastscheill.
 James Somervell of Spittel.
 Adame Cunninghame of Chapell.
 William Somervell of Pole.
 John Norie in Brechin.
 Mr Thomas Ramsay, thair.
 Robert Barclay, at Marie Kirk.
 Mr Rorert Stratoune, in Strathe.
 Mr Robert Purves, in Ballache.
 John Moncur, in Blacok-mure.
 John Barclay, in Balmakellie.
 John Barclay of Johnstoun. (Denmyll MSS.)

¹ Probably the James Durham of Duntarvy, who was silversmith to James VI. in 1535.

² Master Carver to the King, killed in a feud, 1614.

³ Sir George Ramsay, Knight, 1st Lord Ramsay of Dalhousie, died 1629.

APPENDIX I

MARGARET HALCRO

JOHN MOONEY, in his *Eynhallow, the Holy Island of the Orkneys*, quotes from *Kirkwall in the Orkneys*: “The Erskines, Ebenezer and Ralph, the originators of the Secession movement, were of Orcadian descent. Their father, the Rev. Henry Erskine of Chirnside, took as his second wife, Margaret Halcro. When she left Orkney for the south she had with her, after the manner of the time, a certificate of character from the Kirk Session, which certificate has been preserved and published in the biography of her son, Ebenezer:—

“‘At the Kirk of Evie, May 27, 1666:—To all and sundry into whose hands these presents shall come, be it known that the bearer hereof, Margaret Halcro, lawful daughter of the deceased Hugh Halcro, in the Isle of Weir, and Margaret Stewart, his spouse, hath lived in the parish of Evie since her infancy in good fame and report, is a discreet godly young woman, and, to our certain knowledge, free of all scandal, reproach, or blame, as also that she is descended by her father of the House of Halcro, which is a very ancient and honourable family in the Orkneys—the noble and potent Earl of Early (Airlie) and Lairds of Dun, in Angus; and by her mother, of the Laird of Barscobe, in Galloway. In witness whereof, we, the Minister and Clerk, have subscribed these presents at Evie, day, month, year of God, and place foresaid, and give way to all other noblemen, gentlemen, and ministers to do the same.

(Sic Subscr.)

Mr Morisone, Minister of Evie.
George Ballentine.
James Traill.
William Ballenden.

APPENDIX J

LETTER FROM THE LAIRD OF CREICH TO
ALEXANDER ERSKINE OF DUN

“Much honoured Brother,

I ressaued yours from the berrar and am werie glead to heir that notwithstanding of the manie changes and revolutiones of bufiness ye have yett sune freindis in Court. As for myself ye shall not doubt, bot if my powre were als grett as his¹ or anie others in the Kingdome I should imploye it to the utermost to doe you Service bot when I goe to Ldn I shall not be wanting (lacking) to be ane wigelent Agent though I should cum als little speid as I cam last in that same bufiness, As for Newes I have non I pray God send them goud.

So not trubling you anie foreder Bot that I am
Your affectionatt Brother till Death

B. Creich.

Donbrig

15 Nov.

1648.

“My [Lady desy?] res her Service and best respects remembered to yourself and your Lady and famele.”

(Dun Papers.)

¹ Probably Maule.



GENERAL DAVID ERSKINE, SON OF
ALEXANDER ERSKINE

From a painting by Allan Ramsay



ALEXANDER ERSKINE OF BALHALL, SON
OF JOHN ERSKINE OF LIMA

From a drawing by W. Dighton

APPENDIX K

ERSKINE OF BALHALL

		1708		
ALEXANDER ERSKINE, ¹	=		JEAN,	
brother of Lord Dun			dau. of Alexander Turnbull	
			of the Stracathro family	
			(Provost of Montrose)	
		1770		
John Erskine,	=		Elizabeth,	
third son of the above			dau. of John Irving of	
			Ironshore	
		2nd 1816		
Eliza,	=	Alexander Erskine,	1st	Elizabeth,
dau. and co-heir		second son of the above,	=	dau. of
of Joseph Brissett		served heir male of Dun 1833,		Robert Jackson of
of Hanover,		matriculated his arms and		Titchfield Street,
Jamaica		supporters in Lyon Office.		London and
		Purchased estate of Balhall		Jamaica
		from his cousin, John Erskine,		
		grandson of Lord Dun,		
		in 1802		
		1852		
Selina,	=	Capt. William Scott,		
fourth dau.		6th Dragoon Guards,		
of the above		afterwards of Charlton Place,		
		Bishopsbourne, Kent		
Capt. William Erskine Scott-Erskine,				
late Royal Warwickshire Regt.,				
of Balhall				

Alexander Erskine and Jean Turnbull had two sons besides the above mentioned John, David, the eldest, and Robert, both of whom died unmarried. David was gazetted Ensign in the Cameronians on Christmas Day 1726 and served with them for thirty-four years, after which he was given command of the Seventy-Sixth Foot. This regiment had been raised from the Second Queen's by Lord George Forbes in 1756; it served at the siege

¹ Believed to be the Alexander Erskine captured at Montrose, Feb. 24, 1746. Imprisoned on suspicion in Stirling; released under General Pardon of 1747. ("Prisoners of the '45." Pub. Scot. Hist. Soc.)

of Belle Isle and at the taking of Martinique and was disbanded after the Peace of Versailles in 1763, when David Erskine was made Lieut. Governor of St Pierre in the Plantations. In 1772 he was promoted Colonel in the army and Major-General in 1777. He returned to Montrose, where he spent his later days and founded the Erskine Bursary as well as another charitable bequest for the relief of ten poor families. Just before his death he added a codicil to his will leaving five guineas to each of his servants and ten shillings to Mrs Erskine of Dun 'for the purchase of a mourning gown.'¹ It is said that he fought for King George at Culloden. He died at Montrose in June 1779 and was buried in the Dun family vault on 1st July of the same year.

John, the third brother, took a strong line of his own and was, like his uncles, a Jacobite. His official *dossier* describes him as "John Erskine, Merchant Apprentice of Montrose, Co Forfar. Commanded a Company of the Rebel Army. Received and conveyed French arms to the Rebel Army for which purpose he harrassed the Country for Horses and Carts. He was at the Skirmish of Inverury and affair of Falkirk and went North with the Rebels." Afterwards he was captain in the second Battalion of Lord Ogilvy's regiment, as appears from the regimental orderly book now in the possession of Sir Douglas Seton Steuart of Allanton. He is believed to have been at the Battle of Culloden after which he escaped to America. From there he went to Jamaica, where he pushed his fortunes so well that he acquired the Lima and Dun Pen estates in the parish of St James. He was Deputy Receiver General at Montego Bay in 1766 and a Justice of the Peace for St James in 1782. He died in 1786 and was buried at St James, Jamaica.

(MSS. relating to the family of Balhall in the possession of E. Erskine West, Esq^{re}.)

¹ Register of Probits of Writs.

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