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1809

THE 1ST DUKE OF GORDON

BY JOHN  
MALCOLM  
BULLOCH

HUNTLY : JOSEPH DUNBAR : 1908.

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## THE FIRST DUKE OF GORDON.

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The luck of the Gordons was indeed extraordinary; their vitality simply amazing. Its precise psychology is difficult to determine; in all probability it varied from crisis to crisis. In any case they almost always managed to fall on their feet, and misfortunes which crushed others only added to their importance. This was never more clearly shown than in the case of the 1st Duke.

When George Gordon was born about 1650, the family was in a very bad way indeed. His grandfather (the 2nd Marquis), long a fugitive with a price set upon his head, was ultimately captured at Delnabo, in Strathdon, and kept 16 months in prison, and was ultimately executed in Edinburgh with attainder in March 1649. He went down to the grave amid many sorrows. His eldest son, George was killed at the battle of Alford, 1645; his second son, James, died of a broken heart in Paris, 1648; several of his children were abroad, and the whole world must have seemed to this defeated Royalist at sixes and sevens. But within a very few years things duly came right. His son, Lewis, who succeeded, managed to get the family honours restored by the King in 1651, while the Earldom of Aboyne was created in 1660 for Lord Charles, the 2nd Marquis's fifth son. In 1661 the attainder, which had been remitted by the King alone, was reversed by Act of Parliament, and in 1684 the Dukedom was created for the 4th Marquis to last for 152 in the direct line. That is to say, the 4th Marquis saw within a period of 40 years the family stripped of its honours, restored to them and advanced to a dukedom—surely a rare record.

In his sixty odd years of life he saw the State go through a greater series of ups and downs. Born in the reign of Charles I., he lived through the Commonwealth (1653-60), the Restoration (1660), the reigns of Charles II. and James II., the advent of William of Orange (1689-1702), the reign of Anne (1702-18), and almost the appearance of the House of Hanover itself.

During that period he still hankered after the old regime which had raised him to a dukedom, and dabbled in the retrogression of 1689, and in the Jacobite plots of 1705, 1707, and 1715, managing amid the many changes to hold that which he had gained. Which was certainly clever.

His own character seems to have been pacific, always seeking the line of least resistance; but his family were uncompromising. His mother lived and died a Catholic, living so late as 1707 at Bamff amid a "nest of priests" (Portland Papers, Hist. MSS., Com. iv., 467). His eldest sister, Anne, who married Sir Miles Crouly, indulged in a "Popish" plot. His second sister, Mary, married as her second husband that inveterate Jacobite the 4th Earl of Perth, suffered imprisonment; while his youngest sister Jean's husband, the 4th and last Earl of Dunfermline, fought at Killiecrankie, was forfeited.

Interesting as the 1st Duke's life was, it is curious that, beyond Mr T. F. Henderson's excellent summary of his career in the "Dictionary of National Biography," nothing has been done with it, for William Gordon, who was his contemporary, deals with him mainly in the terms of his defence of Edinburgh Castle; and Lord Huntly's "Records of Aboyne" do not touch him. Most of the letters quoted here from the Additional Manuscripts in the British Museum have never been published before, and the rest of the matter has not previously been co-ordinated.

George Gordon, 4th Marquis of Huntly and 1st Duke of Gordon, was born about 1650, his father, then Earl of Enzie, having married in October 1644, Mary, daughter of Sir John Grant of Freuchie, with a useful tocher of 10,000 merks. This was fortunate, for the lands of Strathbogie had been devastated by his uncle, Argyll. The exact date of the Duke's birth is a little doubtful. In nearly all the books of reference you will find it stated that he succeeded his father in 1653 when "about 10 years of age," but in view of the fact that his father was not married until October 1644, this statement is rather wide of the fact. We have, however, a fairly definite clue to the Duke's birth year from the letter which he wrote to Lord Lauderdale from Edinburgh on July 4, 1664, when he says (Add. MSS. 23,122 f. 80) that he has "almost attained to the 14 year of my age complit."

## HIS HARD BOYHOOD.

His father, the Marquis, found life far too much for him, and died in December 1653, leaving one son and three daughters. The boy "lived with his lady mother at Elgin very mean," and can scarcely have dreamed that in thirty years he would be raised to a dukedom. The Marchioness must have had a hard time, for she not only lost her husband, but was under the lynx-like eye of the Synod of Moray. On May 2, 1654, the Synod recommended to the Presbytery of Strathbogie to take notice of her "for her alledged professione of poperie, she haveing hir residence now in their bounds" (Cramond's "Synod of Moray," p. 118). On October 3, it is reported that she openly professes popery and keeps a priest in her house (*ibid.*, 119), and from that time onward she was constantly a thorn in their flesh:

1656, May.—The Synod, considering that Huntly's children were in danger of being "bred in popperie," ordered the Moderator to write to the Marquis of Argyll "desyring that course may be taken for their educatione according to the order prescribed in the Act of the General Assemblie made aenent the education of papists' children (*ibid.* p. 120).

1658, October 5.—Mr William Jameson reported to the Synod that he had pronounced the sentence of excommunication against the Marchioness for her obstinacy in poperie, conform to the ordinance of the last Synod; whereupon the Synod ordained the same to be intimated to the several congregations within the province (*ibid.*, p. 125).

1659, October 4.—There is a reference in the Presbytery book of Elgin aenent the permitting of Lady Huntly to dwell in Elgin. Five conditions were laid down:—(1) That she shall bring no excommunicated papist with her; (2) Permit her children to be educated in schools, and repair to the public ordinances; (3) Shall not let any mass priests go to her house; (4) That she shall admit of conference with the ministers of Elgin as often as offered; and (5) That neither she nor any in her family "shall vse anie means to ensnare anie person within Elgin with anie popish errors." The Synod, out of their love to the recovery of the lady, advises the Presbytery not to oppose her "incoming to and dwelling in Elgin up gude securitie" (*ibid.*, p. 127).

1660, April 4.—It was reported to the Synod that she did not seem to keep any of the qualifications, nor were any of them observed by her except that she did not refuse conference; "whilk

did take little effect." The Presbytery had dealt with the laird of Pluscardine not to give her a house, and the Synod commended the Provost of Elgin to do the same (*ibid.*, p. 128).

1660, April 5.—Some members of the Synod declared that there was a report in the country that some persons did "dyet" with Lady Huntly on superstitious Yule day. The Presbytery of Elgin entered a process against them (*ibid.*, p. 129).

It is sometimes stated that the Marquis was educated abroad in a French Catholic seminary. As a matter of fact, he was under the Protestant eye, for on April 4, 1660, the Synod of Moray had represented to it that the Marquis, being "bot a boy," was likely "to be breade in poperie," so the Synod beseeched Lord Lorne, who was then in Elgin, to "tak notice of the education of the said noble young man." Lord Lorne promised to have "serious thoughts of the Marquis's education."

Indeed, the story of the Catholic seminary ill accords with the fact that the Marquis was a ward of Lord Lauderdale, and in constant touch with his lordship. Lauderdale, who was the grand-nephew of Maitland of Lethington, the famous Minister of Mary Queen of Scots, was perhaps the most powerful Scotsman of the time. His great idea was to keep Scots affairs in Scots hands, strongly opposing Clarendon's arrangement which placed Englishmen on the Scots Privy Council. He was, therefore, the right man for young Huntly to placate, and the letters which the young Marquis wrote him show a quick appreciation of the situation.

Sometime in 1660, one of the first steps to resuscitate the Marquis's position was taken by his ucle, Lord Charles Gordon, afterwards Earl of Aboyne, who sent the following petition to the King on behalf of Huntly and himself (*Add. MSS.*, 23,114, f. 20):—

Sheweth,—That not only your petitioner's father was (for his loyalty) destroyed both in life and fortune, but likewise your petitioner himself debarred from his patrimony. As also that his predecessors had for many generations continued hereditary Sherifes of Aberdeen and Inverness till his grandfather was moved by your Royal father to resigne his right into His Majestie's hands upon the assurance of 5000 lib. sterling to be paid him for the same by reason of the ensuing troubles, [which] was never done.



And lastly, that your petitioner's ancestors have for a long space been hereditary governours of Your Majestie's Castle of Invernesse till his father was turned out for his fidelity to your Røyal father. By which meanes, together with the knowne sufferings and great losses of the family of Huntly upon the account of loyalty it is brought into a low and sad condition.

May it therefore please your sacred Majesty to take the said estate of the said family and of your petitioner into your gracious consideration, and order some redresse thereof, eyther at the Parliament, or any other way as your Majestie shall judge expedient. And that in the meane time your Majestie of your princely goodnesse and justice would grant your petitioner some present subsistence that he may be able to goe about the affaires of his family.

As also to appoint him Sherife of the said Sheires till the 5000 lib. be paid. And (how soone your Majestie shall judge expedient) to remove strangers from the cittidell of Invernesse, that the Government thereof may returne to the Marquesse of Huntly, and to your petitioner during his minority.

And your petitioner shall ever pray.

The spirit of the petition was granted on April 3, 1661, when the attainder (1649) against his grandfather, the beheaded Marquis, was rescinded by Parliament in favour of his children and grandchildren, so that they might serve themselves heirs and executors to him according to the laws of the kingdom ("Acts of Parliament, Scot.," vii., 162), though it had been remitted by the King alone in 1651. In 1662 he had a grant from the King of the Huntly estate, which had fallen to the Crown through the forfeiture of the Marquis of Argyll (*ibid.* vii., 374). Lady Huntly was full of gratitude to Lauderdale, to whom she wrote from Edinburgh on October 8, 1662 (*Add. MSS.* 29, 314, f. 11):—

I cannot expres how much I esteim my sonne and my self oblinded to yr Lo[rdshi]p for the manie and undeservid faveeurs you ar daylie conferring on us, bot in perticullar that yr Lo[rdshi]p is plesid to doe my sonne the honour to aseptt to be one off his courrators as Mr Hay shoos me: for which I most hartallie thank yr Lo[rdshi]p, and wishis with all my hartt that it may be my good fortun befor I dey to be abill to show my grattitud be doeing yr Lo[rdshi]p sum aseptabill service; for ther is non brething who is and shall be mor willing at all occasions

to give testimonie to the world thatt I am, my lord, your Lo[rdshi]p's most affectionatt, most oblidgid, and most humbill servaunt,

MARIE HUNTLYE.

Ther was a meiting amoungist sum of my sonn's curators. . . Mr He. Hay vill show yr Lo[rdshi]p what past ther. I beig of yr Lo[rdshi]p to continou yr asisting and protecting of my sonne.

The youthful Marquis himself followed up his mother's note with a letter to Lauderdale, written (in a clear, boyish hand) on November 8, 1662, from "Boog," that is to say Gordon Castle (Add. MSS. 29,314, f. 10):—

My Lord [Lauderdale],—The many undeserved favores I have alradie received from yr Lo[rdshi]p migt justly have stopt my mouth and pen from troubling you so frequently, ver I not mor as ordinarily incouraged by yr Lo[rdshi]p's noble and kind procedor in whatt concerns my self, and, interest, to have my recurs to yr Lo[rdshi]p in all my difficulties. My trusted friend Mr An. Hay will inform yr Lo[rdshi]p of my humble desyres at this time, and I vill ad no mor butt that, as I doe acknowledge my self singularly oblidged, so non breathing shall be mor villing to evedence his respects to yr Lo[rdshi]p as my self, who am inviolably, my lord, your Lo[rdshi]p's most humble, most faithfull, and most oblidged servant and pupill,

HUNTLYE.

Indeed, almost the only facts we know about Huntly during his boyhood are found in his letters to Lauderdale, to whom he wrote ou January 16, 1664 (Add. MSS. 23,121, f. 19):—

My Lord,—The many favours yr Lord confers dayly uppon my Ladie Mother gives me asseurance that yr Lord will be mindfull of my conserments: for my confidence is such in yr Lo[rdship] that non shall be able to tack away the deepe sence I have of yr favoures and the reall affection I have for yr Lo[rdship's] persone shall be inviolably conserved be, my lord.—Your Lo[rdship's] most humble and most oblidged servaut and cusine,

HUNTLYE.

My Lord,—My sisters have ther most humble services presented to yr Lo[rdship].

On May 30, 1664, he wrote agaiu (Add. MSS. 23,122, f. 35):—

My Lord,—As I find dayly the effects of yr Lordship's favoures, so I ame allways bound to acknowledge them, though loath to bee frequently troublesome, since, with the ackowldgment of the former, I most soliccitt for newe favoures (wheroff

Mr Andrew Hay, my trustie friend, will informe yr Lordship), for the utilities of him who is and shall remaine inviolable, my lord,—Your Lordship's most humble and most obliged servant and cousing,

HUNTLYE.

On July 4, 1664, he wrote (Add. MSS. 23,122, f. 80) from "Edinburgh":—

My Lord [Lauderdale],—The many and singular experienses I have of yr Lordship's favor and assistanc in all my consernments gives me a certaine confidenc of the continuance of the same, asseuring yr Lordship that boath my concernmentes and my self shall ever be att yr service whils I breath. Now, my Lord, having almost attained to the 14 year of my agge complit, I am resolved to chose my curators for the better managing of the esteat, which His Majestie has been graciously pleased to confer upon me: of which as I hoppe yr Lordship will doe me the honor to be on[e] yr self. [I trust] my noble Lord Treasurer, of whom I receive dayly mor favors as I can express, will doe me the same honor, and I hopp, will signifie his minde so shortly in this. To yr Lordship I send hear inclosed the names of such as I intend to have for my curators, which if yr Lordship and my Lord Aubignie (to whom I have wreatin to this purpose) shall thinck them fitt, I humblie begge of yr Lordship that they may be presented to His Majestie, of whose Roval pleasur both the Easteat and my selfe totaly depends; and yr Lordship's advice and consent to my just desires shall be a greatt addition to the many favoures conferred uppon, my Lord,—Your Lordship's most humble, most affectionat, and most obliged servant and cousing,

HUNTLYE.

On September 20, 1664, he wrote from Edinburgh (Add. MSS. 23,122, f. 157):—

My Lord [Lauderdale],—I have mead bold upon yr Lordship's gracious return to my last, to nominatt yr Lordship on[e] of my curators. I hoppe you will continue yr accoustumed favors, which, as I acknowledge, they ar great, so they shall never be forgott bot engraven in the memore of, my Lord,—Yr Lordship's most humble, most affectioned, and most obliged servant and pupil,

HUNTLYE.

The young Marquis, according to the "History of the Illustrious House of Gordon," went abroad "about 18." He really crossed the channel in the end of 1664, at which time he was, on his own showing, only 14. His first letter from

abroad was written from Paris on November 9, 1664, to Baird of Auchmedden, and is quoted in the history of the Baird family:—

Much Honoured,—As I did informe you at my departure from London of my resolution for France, where I am now, and recommendit my affairs to your care, so I esteem it my duty now to thank you most heartily for the great care, I am informit, you have of them, whilst I am at such a distance. Whereanent, I received a letter from Mr Lesly, my agent, of the 20th of September, giving me an account of my curators' meeting at the Bog for settling a way to supply me with money during my absence, which I wish may come tymeously, that I be not necessitated to engage with bankers to borrow from them before hand, which would be at too great disadvantage, for which I should be sory, being resolved to be as merciful to my estait in my absence as I possibly can; which hath moved me at present to send home my servant, John Gordon—servants being of necessity very chargeable; so I thought it more convenient to allow him something at home as to [not?] keep him here at so great expences, which I hope you will approve. The former experience I have of your care in the management of my affairs gives me full assurance that it will encrease during my absence, which shall be as short as conveniently I can, and shall never be unmindful of the many obligations I have to remain, your most obliged and humble servant,

GORDON.

Let this present my humble services to your son. I entreat you to get back my discharge from Artloch concerning his wadset, since upon your solicitation, I did pass from his bond of annuitie.

He was back in Edinburgh by September 12, 1665, on which date he wrote to Lauderdale (Add. MSS. 23,123, f. 184) about his uncle, Lord Henry Gordon, who had been brought up abroad, with his twin, Lady Catherine. She had found her own path in life by marrying the Polish statesman, Count Andreas Morsztyn, but Lord Henry, who was merely a colonel in the Polish cavalry, considered he ought to have something more and wrote (in French) to Lauderdale in 1665, claiming a share in his nephew, the Marquis's, fortune, which he has estimated at £31,000 a year. The Marquis dealt with the matter in the letter of September 12, 1665:—

My Lord,—My uncle Lord Henrie being now with your Lordship, befor this can com to your hands I most humbly beege your Lordship's protection against his [ambitious?] and extravagant

pretensions out of that small remnant of ane estate which I am to possess, by His Majestie's imediate grace and favour. But knowing that my Curators has fully staited my conditione to you, I shall say noo more but that your Lordship's protectione and assistance both as m Curator and my friend is expected by, my Lord, your Lordship's most oblidged pupill and most humble servant,

HUNTLYE.

William Gordon's statement ("Family of Gordon," ii., 581) that Huntly spent the "most part of two years" in France "in academies in those exercises proper to render noble persons fit to signalise themselves in martial employments" is wrong, for it is clear that he was sent to St Andrews University. Why he went there instead of to Aberdeen University, in which he had an inherited interest, is not clear. But he did not like the place, as is shown by various letters he wrote from St Andrews to Lauderdale, as follows. The first is dated December 30, 1665 (Add. MSS. 23,123, f. 272):—

My Lord [Lauderdale],—I doe not doubt but yr Lordship knows of His Majestie's commands laid upon me to repair to St Andreus; in obedience to which I came hear in the very beginning of November last; and finding this place not to be very fitt for my education in the age I am in nowe, nor convenient for my halth, I have mead bold (after having obeyed his Royall commands) to supplicat His Majestie be a leatter, the just coppie wherof is hear inclosed, that he would permitt me to repair for a time to foring countries, that I may improve myself, to doe of his service and my noble friends, which is my greatest ambition. The experience I have gott so many undeserved favours alradie received from yr Lordship mackes me confident of yr powerfull asistance for obtining my just desire from His Majestie, wherby yr Lordship will eternaly oblidge, my lord, yr Lordship's most humble and most oblidged servant, cusing, and pupil,

HUNTLYE.

On January 22, 1666, he was still at St Andrews, and he wrote again (Add. MSS. 23,124, f. 24):—

My Lord [Lauderdale],—Though I be at present in a languishing and verie discontented conditione in this place, as yr Lo[rds]hip shall knou shortly by ane express, yet I cannot be so forgetfull of yr Lo[rds]hip's so great and many undeserved favours conferred upon me, but I must bring my self to yr Lo[rds]hip's memorie by adknolodging them. And now I must begg yr Lo[rds]hip's favourable assistance and intercession for pro-

cureing a remissione for a poor gentleman named Lauchlan Mackintosh, who was lately condemned at Edinburgh only for being accessorie to the away taking of some goods from one of the north countrymen. The bearer will informe yr Lo[rds]hip of the rest. Yr Lo[rds]hip's assistance in this will not only make ye poor gentleman and all his many relations till death to be yr Lo[rds]hip's, but also will singularly oblige him who is while he breathes, my lord, yr Lo[rds]hip's most humble, most affectionat, and most obliged servant,

HUNTLYE.

On February 12, 1666, he wrote again from St Andrews (Add. MSS. 23,124, f. 55):—

My ver nobell Lord [Lauderdale],—I writt to yr Lordship about tuo mounthes agoe with Mr Dumbar (yr Lordship's humble servant and my faithfull and trusted friend), concerning the great aversion I have to this place, which is dayly augmenting; and of leat ther has been such rude and uncivell threatnings used to me be some heir, that it maks me uncapable allmost to say or doe anything. So, my dear Lord, I hoop yr Lordship will tak my sade condition to yr consideration and indevor to get me releved from this haitfull prisone wherin I stay att presentt, and it be yr Lordship's moian I gett from this pleais, it will crown the favours and obligations yr Lordship has so frequently put on me, and put a perpetuall tye of acknouledgment on him who is and sall be allvayes, my Lord, yr Lordship's most interlie, affectionat, obliged, and most humble servant and pupill,

HUNTLYE.

In the end of the year he was at Gordon Castle, clearly taking an interest in the management of his affairs, for he wrote to Lauderdale from "Boog" on September 26, 1666 (Add. MSS. 23,125, f. 94):—

My Lord [Lauderdale],—I am informed that some of the men of Farquharson, haveing murdered three gentilmen of my name, intends to procur a remission be the assistance of som of ther freinds at Court. As I know, my Lord, nothing of this natur can pas vithout your Lo[rds]hip's knowledge, so I intreate it may be hindered, as I hon it shall be when I consider how deservedly yr Lo[rds]hip possesses His Ma[jes]tie's favor and how much yr Lo[rds]hip is pleased to respect (though of small vourth) the friendship of, my Lord, yr Lo[rds]hip's affectionate, most obliged, and obedient servant and pupill,

HUNTLYE.

He seems to have prevailed with Lauderdale and have escaped from his "haitfull prisone," in



St Andrews, for on December 3, 1667, he wrote from "Bog" (Add. MSS. 23,128, f. 206):—

My Lord [Lauderdale],—If fear of being troublesome and officious had not hindered me from writing, I had not been so long sillent from acknowledging my obligationes and from vittnessing my respects to yr Lo[rdship]; but I vil say vithout flattrie that yr Lo[rdship] shall confer yr favores uppon non who shall be anor thankfull nor nor reddie to obay yr Lo[rdship's] comandes as my self, and in som meshour repay so mannie undeserved favores.

The young Marquis's mother contracted a second marriage (contract October 31, 1668) with James, 2nd Earl of Airlie, so that the Marquis became more than ever his own master.

William Gordon's statement that after his sojourn in Paris he "passed to Italy, to Rome, Naples, Venice, etc., and back to Paris" may indeed be correct, though we have no evidence of these sojournings. The next we hear of him is in a letter he sent to Sir James Baird from Rochelle on August 9, 1670 ("Family of Baird"):—

Honoured Sir,—Having reseavit a letter from the laird of Boyn shewing that you war to daill with him, I judged it fit to assure you by these that I shall be well satisfied with any condescension you and ane other of my curators shall make with him, as I shall always approve what also you shall do in my affairs, which I am assured they put both you and them to a great deal of pains, and on me an singular obligation to acknowledge myself your most faithful friend and humble servant,

GORDON.

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#### HIS STRUGGLE WITH HIS UNCLE, LORD ABOYNE.

William Gordon's laconic statement, "Anno 1672, he returned by London into Scotland," gives no idea of the immense importance of this year for the Marquis. It comes out, however, in a remarkable "report" to the King, dated Edinburgh, August 22, 1672. This document, which has not been published before, is preserved in the British Museum (Add. MSS. 23,135, f. 193), from which it has been transcribed for me by that careful genealogist, Mr H. Duff MacWilliam, of Harrow View. It deals with the claims of the Marquis's uncle, the Earl of Aboyne, and runs:—

The Lord Commissioner, His Grace, and Lordes of His Majestic's Privy Councill, considering

what His Majestie by his letter direct to his Council dated ye fourteenth day of October 1664, did signifie to yem that in regard he had given to Charles, Earle of Aboyne, certain lands and oyers formerly of ye estate of Huntley to the yearlie value of ffour hundreth poundes sterling; of the true worth whereof His Majestie, then not being certaintie informed, did oblidge ye said Earle to resigne and renunce to the Marquis of Huntley whatever landes should be found in his gift over and above what amountes to ye forsaid soume of ffour hundreth poundes sterling; And, that it being represented to His Majestie in severall petitions from ye Marquis Dowager of Huntley that in ye said donation to ye said Earle were contained ye rightes of reversion and redemption of severall landes, some considerable forrests, huntinges, and superiorities over and above the said ffour hundreth poundes sterling which alone His Majestie intended by ye said donation to conferr upon ye said Earle, did declare his further pleasure, and requyre ye lords of his Council to make ane exact inspection into ye said donation, and ye landes and others yerein conteaned; and to report to His Majestie the true worth and condition thereof, and if any rightes of reversion, and redemption, forrests, huntinges, superiorities, or such lik advantadges over and above the said ffour hundreth poundes sterling were yerein conteaned; that the Council should report to His Majestie their judgment how ye said ffour hundreth poundes yearlie might be settled upon the said Earle in other landes, without prejudice to the said Marquis in the enjoyment of his saides rightes of reversion, redemptions, forrests, superiorities, huuntinges, and others of that nature not fitting nor accustomed to be disunit from the said Marquisat of Huntley.

Which letter being upon ye thrid day of November 1664 red in presence of ye Lordes of His Majestie's Privy Council, they in obedience and conform vnto did commissionat ye Earles of Roxburgh, Haddingtoun, and Kincardin, the Lordes Halcartoun, Bellenden, President of ye Session Register and advocat, or any thrie of ym. to call befor ym. ye Marquis of Huntley, his curators, or greatest number of ym. with any oyers who did best know ye worth of ye said Marquis his estate. As also the said Earle of Aboyne or any oyers haveing interesse and to hear yem upon ye matters containit in ye said letter, and to call for and examin witnesses and to adduce all oyer probation for tryeing, if ye landes gifted be His Majestie to ye Earle of Aboyne be mor worth yen ffour hundreth poundes sterling yearly and to report to ye Council.

Accordinglie ye said comittie haveing caused cite both parties to appear before yem, who, have-



ing appeared, the said Earle of Aboyne did give in severall reasons why there should not be a re-valuation. And particularly because by ye signatur granted to him ye same was burdened with no other condition bot only yes, viz., That if after tryeall to be taken by His Majestie's Councill it should be found that the saides landes and others should exceed four hundreth poundes sterling per annum, that then the said Earle of Aboyne should resigne in His Majestie's handes for the Marquis his behove the said overplus, and that betwixt and the twenty-fyft of December 1665: conform to which power the Councill did commissionat severall most understanding gentlemen upon whose report after they had taken tryeall the solemne oaths of a great many witnesses, the Councill did find that all the landes and others contained in the signature did bot extend to three hundreth and sextie-thrie poundes nyne shilling sexpence sterling money, and that without deduction of what annuities of teindes the saids lands should pay: Vpon which signature and judiccial procedor the said Earle is infett by chartor and sasine and hes bein severall yeares in possession of these landes. And albeit these landes should be found yearlie more then ffour hundreth poundes sterling, yet they could not be changed seing the said gift supposes that he hes the undoubted right of the landes, otherwyse it could not appoint him to resigne, and that now the said Earle is in the case of ane absolute disposition seing the only condition vnder which the landes are disposed is purified: in respect the Privy Councill before the day prefixed have reported the landes to be of a yearly value within ffour hundreth poundes sterling: so that the Earle his case is stronger, he having the decreit of a soveraigne court given vpon the depositions of witnesses taken vpon oath, so that albeit the depositions of the witnesses may be quarrelled as false and unproven, and the deponers furnished, yet the Earle's right cannot be quarrelled. And as to the woodes, forrests, and reversions, seing they are all erected in ane Earledom, which is nomen vniversitatis, they are included therein. And as to the matter of fact, if it were not to avoyd trowble and a prejudice to subject the Earle's right to a new valuation, he might easily take off all these informations. And if they had any just grounds, they should have bein at first quarrelled, for, if now a valuation should be granted, there might be progressus in infinitum.

To which it being answered for the said Marquis, 1. That it is clear by the Earle of Aboyne his owne signatur, and the King's letter to the Privy Councill that His Majestie did only intend to settle upon the Earle of Aboyne also many landes which formerly did belong to the house of Huntley as should be worth yearly rent ffour

hundreth poundes sterling without any other advantage whatsoever. And accordingly the said Earle his signatur is qualified, and affected with ane express provision; and in case the landes therein enumerat should be found after tryeall to exceed the said yearlie rent, in that case the Earle should be obliged to resigne the superplus in favours of the Marquis of Huntley, so that it is not the case of ane absolute right of proppertie of landes or barronies or lordshipes disposed which importing universitatem, or all right which can be therein comprehended, may deryve ane absolut or vnlimited right to the Earle of Aboyne. Bot the sad Earle being onlie a cadet and second brother of the house of Huntley, the King's Majestie did only intend to settle upon him a portion of the said estate suteable to his condition and quality, and such as wes formerlie granted to second brothers of the said house; 2. Any report made to the Privy Councill by the gentlemen commissionat by them was without calling or hearing of the Marquis of Huntlie for his interes, he being then minor and the Earle of Aboyne the only person intrusted with the management of his estate, and who was enormly lesed and prejudged by the said report; and may and ought in law to be restored against the same vpon the ground of minority and lesion in so far as it is offered to be proven.

(1) That the rentes of the landes sett in tennendry, which by the report are made only to extend to thrie hundreth sextie-thrie poundes nyn shillings sixpence sterling, are worth yearlie eight thousand merks of frie rent.

(2) That there are many landes contained in the report and signatur which were wodsett be the Marquis of Huntleyes predecessors without any back tack and were not at all valued, because the wodsetters had the whole dueties of the landes for the a[n]nual rent of their money, whereas, by the Act of Parliament anent debtor and creditor, the saides wodsetters right and possession being restricted to also much as will effeir to the a. rent of the prinll soumes which Act is prior to any right made to the Earle of Aboyne, the saides wodsett landes ought to have been valued according to the true worth yrof. And in so far as the rents did excid the a. rents of the principall soumes vpon the wodsetts, they should have bein accounted as a part of the ffour hundreth poundes sterling. And the Marquis of Huntley hes by this particular so great prejudice that by redeeming of some of these wodsett landes near to the House of Aboyne, the Earle will therby have of frie rent ffour hundreth poundes sterling: which is all that His Majestie intended.

(3) Severall of these landes were given in wodsett by the deceast Lord Aboyne, who wes never

infeft therein, and so their rightes could not hinder the landes to fall vnder the forfaltor of the late Marquis of Argyle; and consequentlie to fall to the Marquis of Huntley without any such burdin of the benefite whereof the Marquis is heuily prejudged by the said report.

(4) The forrests, huntinges, superiorities, and patronages are not at all valued vpon that pretext that they did not formerly pay any constant yearly rent, vpon which consideration they ought not at all to have bein included in the signator or report, ffor, these being the great priuiledges of the family of Huntley and inseparable from the greatnes and honor of their house, family, and estate, and in themselves of farr more value in respect of the dependance of vassalls following and casualities then landes sett in tennendry of the lyk value to which they might be reduced, the saides superiorities, forrests, etc., ought not to continue with the Earle of Aboyne contrar to His Majestie's intention, they being not at all valued bot given him without any consideration whatsoever, whereas the saides forrests and woodes are of a very great value, and without them it is impossible that the Marquis his tennents can uphold their houses and sheilinges. And by the saides superiorities the Earle of Aboyne will have also many vassals, followers, and dependers vpon him as the Marquis of Huntley.

The saides Lords of the Committee, having considered the forsaid debait, and being weill and ryplie advysed therewith, they to their interloquitor bearing date the eleventh day of January 1665, did repell the said alledgeance proponed for the said Earle in respect of the reply made yrto. And did find, decerne, and declare that there was just ground for a revaluation of the landes and others contained in the Earle's signator notwithstanding of any prior tryeall or valuation taken of the same. And therfor did grant warrand and precepts to cite witnesses for proveing the true worth of the saides landes contained in the Earle's gift. Lykas, thereafter, vpon application made be the Marquis of Huntley's curators, the Councill did give commission to the Sherriff of Aberdein to examin severall of the witnesses, who, by reason of their age and season of the year, were not able to appear before the Committee.

After which interloquitor vpon the twenty-fifth day of January the said year 1665 the Earle of Aboyne did appear before the Councill, and protested that what was done in the said particular should be but prejudice of his donation being a campleat right; and that the same should not prejudice him in proponing his defences, or pursueing his right before the Judge Ordinary as accordes of the law. And that al-

beit in obedience of His Majestie's commands he hath appeared to hold forth the nature of his right he protested that the same should not be construed a submitting of his right to any second tryeall, and did declare that he past from his appearance in the said matter; and therevpon took instruments. And the Marquis of Huntley, his curators, compearing, protested in the contrar: which protestations hinc inde the Councill did admit of "in hoc statu processus," as the samen then stood before the Committee that the samen might operat for either party "quo ut de jure."

Which proves, together with the depositions of the witnesses, and haill other wrytts and documents produced haveing these diverse years by past lyen over vnadvysed by reason of the minority of the said Marquis and his absence furth of the kingdom; and of severall overtures made for a friendly settlement and accomdation; which haveing taken no effect, therefore the said Marquis did give in a petition to the Lords of Privy Councill craveing that the forsaid Committie with some others in place of such as were deceased, might be appointed to consider the state of the proces, and the probation adduced and to report the same to the Councill; and which accordingly the saids Lords haveing ordained. And did appoint the former Comittie. And in place of the Earle of Haddingtoun, the Lordes Halcartoun, Bellenden, and President of the Session, who are deceast, did nominat and appoint the Earle of Dundonald, the Lord Duffus, the present President of the Session, and the Laird of Nidry.

Which committie haveing mett vpon the fyftein of July last, and called both parties before them; and enquired if they had any further to alledge before they should consider the probation, the Earle of Aboyne declared that he had formerly past frae his appearance, and taken instruments therevpon, to which he adhered. And the Marquis of Huntley and his procurators declared that they had no further to add, but referred themselves to the probation adduced, and opposed the state of the proces and the Earle's former compearance.

Wherupon the said Committie haveing mett at diverse dyetts thereafter, and haveing considered the whole depositions of the witnesses and the other wrytts and documents adduced. And haveing made their report in the haill matter, the Lord Commissioner, His Grace and Lords of His Majestie's Privy Councill haveing at lenth heard and considered the forsaid report with the depositions of the witnesses and other documentes and wryttes produced, whervpon the said report is founded, doe find it clearly proven that the said Earle of Aboyne be vertue of his donation doeth possess

the landes vnderwrytten, viz., the landes of Strathdowne, Glenlivat, and Cabrach, extending in money rent yearlie to the soume of one thousand seven hundreth and threttie-seven poudes ten shillings Scottes money; the landes of Aboyne on the north syd of Die extending yearly to eight hundreth poudes money forsaide of money rent, and four hundreth and tuentie-thrie bolles victuell valued at fyve poudes Scotts the boll conform to the former report of Councilll given in favors of the Earle of Aboyne, which extendes to tuo thousand one hundreth and fyftein poudes Scotts money; and the landes of Glentanner and Glenmuik, which extendes to eight hundreth and sextie-fyve poudes, the rent of which hail landes extendes to fyve thousand fyve hundreth and seventein poudes 10s Scotts money, besydes deduction of ministers' stipends which exceides the said soume of four hundreth poudes sterling in the soume of seven hundreth and sextein poudes 2s 8d Scotts money. And this is besyds the rightes of reversion and redemption of severall landes, and particularly the redemption of the landes within Strathdowne, Glenlivat, and Cabrach, extending in yearlie rent to four thousand one hundreth and twenty poudes wodsett for the soume of ffourtie Scotts money. As also the wodsetts of the Lordship of Aboyne vpon the north and south syd of the watter of Die wodsett for threttie-four thousand thrie hundreth threttie-thrie lib. 6s 8d Scotts; at ten for ilk hundreth which the wodsetters have possess since the year 1633, the casualties whereof nor the benefite of the redemption of ye same are not valued in the report made for ye Earle of Aboyne. And these are also besydes the superiorities of fewes extending in yearlie rent to tuo thousand and four hundreth poudes Scotts money, which is payed by the tennents to the fewers thereof, which rightes of wodsetts are vnconfirmed and against which the Earle of Aboyne hath gotten certification in a proces of probation perserved be him before the Lordes of the Session. And these are lykwayes by and over severall woodes, forrests, huntinges, superiorities, and others of the lyk nature not fit to be disynct from the Marquisat of Huntley woodes and forrests, the witnesses depones to be so necessar for the Marquis his other tennents that they scarce pay their dueties without the privileged thereof. And therefore the saids Lords doe humbly offer it as their opinion to the King's Majestie that the Earle of Aboyne for satisfaction and payment to him of the said ffour hundreth poudes sterling yearlie shall continon to enjoy and possesse the hail landes and Lordship of Aboyne vpon the north syd of the watter of Die, which by the depositions of the witnesses is proven to be worth yearlie tuo thousand nyne hundreth and eight poudes 6s 8d Scottes money



of frie rent besydes ministers' stipendes. And for making up of the superplus that the said Marquis be ordained imediatly to redeem the wodsetts that are vpon the landes after-specified, which ly most contiguous to the Lordship of Aboyne, viz., the landes of Glengarden wodsett to Innercauld for tuelve thousand merkes, which payes yearlie eight hundreth poundes Scotts money, the Braes of Cromar wodsett to Mr James Ffergsson for nyn thousand poundes, which payes one thousand poundes money fors'd, and the Milne of Dinnittie wodsett to Corachrie for tuo thousand fyve hundreth merks qch, payes yearlie one hundreth sextie-six bb. 16s money fors'd. Summa of the rent of these thrie rounes extendes to one thousand nyn hundreth sextie-six poundes 13s 4d, which, with the said tuo thousand nyne hundreth and eight poundes 6s 8d, extends in the haill to the soume of flour thousand eight hundreth and seventie-fyve poundes Scotts money, which the said Earle of Aboyne is to possess and enjoy, besyds the haill benefits of redemption of the wodsetts and superiorities of fewes within the said Lordship of Aboyne on the north syd of the watter of Die, and the haill woodes, forrests, and casualities within th esame. And vpon the said Marquis his redeeming of the saides wodsetts and dispoineing of the saids landes to the said Earle of Aboyne, that the said Earle be ordained to resigne and renunce in the behalf of the said Marquis the rest of the landes mentioned in his gift, viz., Strathoven, Glenlivat, Cabrach, and the forrest of Blakwatter, all lyeing contigue to the said Marquis his estate, and at a great distance from the Earle of Aboyne his landes. As also that he resigne and renunce in the Marquis his favoures the landes of Glentanner and Glenmuik vpon the south syd of the watter of Die, and the haill woodes, fewes, and forrests within the saides lands and wodsetts within ye same.

And it is the humble opinion of the Councill that if His Majestie shall think fitt to approve of the forsaid report, letters of horning and other execution necessar may be direct by authoritie of the Councill for making the same effectuall.

TAT: ANDREWS.  
KELLIE [?]  
TWEEDALE.  
DUNDONALD,  
L. PRIMROSE.

ROTHES CANCELL.  
DOUGLAS.  
EROL.  
MARISCHALL.  
CAITHNES.  
MORRAY  
LINLITHGOW.  
ROXBURGH.  
DUMFRIES [?]

In the same year the Marquis had raised an action against a tenant to have him removed. The tenant objected that he sat under a lease which had been granted to him by Lord Middle-

ton as tutor to the Marquis. It was objected that a lease given by a tutor was valid only during the period of the tutory, and did not bind the ward after the tutory had expired. The judges therefore decreed (January 3, 1672) against the tenant to remove "though the advocate and others thought it hard" (Morison, 16,285).

### HIS SPELL OF CONTINENTAL SOLDIERING.

In 1673 the Marquis joined the French army. This move was natural, for his family had long been intimately associated with France, which had sheltered them in times of great difficulty, and which sympathised with their gay temperament far more than the dourly Presbyterian Scot. Moreover, it is doubtful whether the Marquis would have been permitted to take post at home: so he joined the French at Oudenarde, and was present at the surrender of Maestricht, which fell (June 29) after eight days' siege.

William Gordon says that he spent the winter at Caen in Normandy. If so, it is not unlikely he may have been occupied with a plot in which his sister, Lady Anne Gordon, was involved at this period. Lady Anne is usually stated in the peerages to have married the Count de Crolley. He was no other than an Irish knight, Sir Miles Crouly, who on November 7, 1694, received permission to be naturalised in France (Stuart papers: Hist. MSS. Com., i., 94), his wife receiving similar permission the following August 24. We learn of the plot from a spy, Edmond Everard, on December 21, 1678 (Fitzherbert papers: Hist. MSS. Com., pp. 141-2). At that time it was quite an old story. He writes:—

The information of the plott was five yeares since made by me, but was suppress, and was again given in to the Committee of the Lords sitting in Parliament at Westminster on the 21st December 1678, by me, Edmond Everard.

Whilst I was employed as agent at the French Court for the English Militia's concernes, one of the officers (now Sir John Fenwick) brought me first to the acquaintaunce of my Lady Anne Gordon (sister to the now Marques of Huntley, in Scotland). She after about a yeare's frequentation communicated unto me certaine important secretts concerning the Popish plott against England.

Shee is a lady of vast correspondency amorgst

the clergy and nobility almost through all Europe, liveing ordinarily as a free person in nuneries, and was then in a Convent in Paris. Att a time I surpris'd her with two of the cheife Scotch seminarists at Paris in a deep darke discourse of the English affaires, and as soon as my Lady made them understand I was one of her privatest freinds and catholiquely affected (it being fitt shee should so imagin for that time) they then began to speak plaine enough to lett me perceive that the discourse tended to some sudden design for the subversion of the English Government and Governour, and the setting up Popery in England. But on some day of the month of November 1673, I enquired of my Lady what those misterious discourses meaned shee had with the Scotch preists; shee, after long importunities and protestations, revealed unto me that which followes:—

1st. That there was now a grand designe on foote in England for the settleing of the Catholique faith there publicly.

2dly. That there was also a project against the Parliament that made such a stir (as shee spoke), and was their main obstacle, either totally to dissolve it or to sow some division betwixt the King and it, where His Majestie also should find potent adversaries of the Remish nobility who would cut out work for him.

3rdly. That there was a very considerable party in England who laboured to make the Duke of Yorke King. But that the Scotts, indeed, were more for the Duke of Monmouth's being such if means could be made to bring him over to it: wherein shee conceived I might be an usfull instrument, haveing beene employed under him. But, said I, what do they meane to do with the King himselfe? She answered

4dly. That the King of England would be made away and dispatch after his father, so that he would not be in a case to anoy any body.

Then I enquired by what meanes they thought to bring such matters about, and who were the leading men in the contrivance, and who the under-agents to carry it on. She said that all that was too much for me to knowe at the first time, besides that it was then to late at night, but that at my returne, within three dayes (for avoyding of suspition) I should be fully satisfied. But I insisted that those were grand affaires whereof she spoke, for which consequently shee needed to have more then common grounds. She replied that I ought not to doubt but that she had the best corresponding in England, Scotland, and France, as having on the one part Madam de Gordon, her aunt (one of the cheife ladies of the Duchesse of Orleans), who was taken to be of



the fittest for intelligence and intrigues at the French Court, and on the other side that shee received leeters almost every weeke from the eminentest churchmen on this side and that side of the seas, as also from some of the greatest noblemen in England and Scotland, as from her brother, the Marquess of Huntley, my Lord Oxenford of Scotland, Mr Maitland (somewhat concerned in the secretariship of Scotland), and from the Earle of Rothes, Chancellor of Scotland. But shee run out into some of his love rommance with her, so that I leave to others to infer from the premisses to which, either to love her of to the plott, part or all of this his letter, correspondency must be referred ; and to confirme farther the credit I must give to her words she drew forth a bag full of letters (a matter of a bushell), and showed some more in a cabinet, saying, Are these all about trifles, thinke you? Shee let me see farther a picture in mignature of the said Chancellor, and went about to read one of his letters (of a large and ill-shaped character, me thought), but withheld referring me to the fore-mentioned three dayes forme. But I at last askt her how she sould avoyd suspition if so many letters were directed to her in her owne name. She told me she had taken a good course for that, because her correspondents had severall names for her, and part of her letters were directed to Mr Conne, a Scotchman liveing at Paris, as agent for the Pope; others were addressed to Mr Dallison [a name under which her mother wrote], her Scotch phisitian there, sone to Father Joseph Prior, of the English Benedictines at Paris, who was her confessor.

Whether young Huntly dabbled in this affair I cannot say. William Gordon avers that in 1674 he took part in the campaign in Burgandy, after which he served with Turenne "before the battle of Strasburg," in September 1674. He may, however, have been with Turenne in 1673, for in a list of the French army under Turenne, preserved at the British Museum (1852 di, 37) we find reference to a Colonel Gordon, described thus:—"Ober Gordan [sic], 1 Reg. 3u Pf. Colhnische Troupe."

Lauderdale invited him to return home in 1674, and the Marquis replied as follows from Paris on April 24, 1674 (Add. MSS. 23,136, f. 133):—

I receive your Grace's invitation home as coming treully from that obliging caer you have still been plesed to have off me: and, iff I thought my beeing ther culd contribut annaything to the advancement of publick affairs or of yr. Grace's interest, which is allwayes joynd to His Majestie's, did requer my presence, nothing shuld hinder me from performing that deutie I

owe to both. Therfor, I beg yr. Gr. vill loock upon my absance as a simple amusement amongst strangers, wher I enjoy mor freedom as at hom in this conjuncture, wher thos of my professin ar laid asyed as unnecessair personnes in all things. Yet, though my absanc bee never so long, itt shall not mak me forgett that I have a thousand obligatiouns to continue as I am.—Your Grace's most fathfull and most obliged humble servant,

HUNTLYE.

He went over in the summer of 1675 to Flanders to pass a campaign in the army of the Prince of Orange, "from whom he met with many civilitys." William Gordon states that he returned to England in November 1675.

Next year he took a notable step toward assuring his position by marrying, in October 1676, Lady Elizabeth Howard (with £1200 a year), second daughter of the 5th Duke of Norfolk by his first wife, Lady Ann Somerset, daughter of the 2nd Marquis of Worcester. The pair went to Scotland in the following November. The marriage, as we shall see, was far from being a success.

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#### HIS LIFE AS A COUNTRY GENTLEMAN.

For some years after his marriage in 1676, Huntly experienced a lull, socially and politically. As a Catholic, whose creed must have been made more strenuous by the intense "Papistry" of his consort, he was debarred from employment by the State. Even in local affairs he came to have no voice, for Mr James Grant has pointed out (in "Banffshire Roads") that between 1690 and 1750 there is no mention of the Dukes or of anyone on their behalf attending the county meetings of Banff. All Commissioners of Supply and Justices of the Peace, on taking their seats, had to qualify by talking the oaths of allegiance and assurance, swearing to maintain the Revolution Settlement of the Crown and abjuring the Stuarts.

During the reign of Charles II. the Marquis, William Gordon tells us, lived "for the most part at home in his own country, enjoying the pleasures of a frugal and retired life and among his friends and vassals."

On January 9, 1676-7, he wrote from Edinburgh to Lauderdale ((Add. MSS. 23,138, f. 25):—

May it ples your Grace,—Sine I know that yr. Gr. allowes a freedom to thos who have a particular respect and deuty for you, and being on[e] off

the number, I tack the liberty to salutt yr. Gr. by this, vishing you a happie new yeae.

A busines in which I am interessid is the Earl of Marre being bound for Glenkindy's compearance befor the Justie Court hatth forfeitit by his not compearing £40,000 Scots. The gentleman being my vassal, and deu to me in somes off consequence on that account amount, I therfor intret yr. Gr. that a [payment?] of the forfeitit some bee granted to non without regard to my just claim. Sine such a considerable some may exhaust Glenkindy's wholl estat to my prejudice, I entret yr. Gr. to belive that in conferring yr. favors on me you conferr them on a person who is in all sincerely, may it ples yr. Gr., your Grace's most mumble servant,

HUNTLYE.

A little later Mar, asholder of the Earldom of Mar and Lordship of Garioch, brought an action against Huntly himself and other lairds to get possession of certain lands on the ground that they formed "parts and pertinents of the said Earldom and Lordship." The Court (February 13, 1680) allowed a proof to the Earl of Mar to give him the opportunity of proving whether the lands in question were really parts and pertinents of his estate or not. (Morison, 6648.)

While Huntly was apparently lying low, he was keeping an eye on the politics of the day, as is shown by the letter he wrote on December 22, 1677, to the Laird of Grant from "Bogue" ("Chiefa of Grant, ii., 23):—

Most honoured Sir,—Having received orders from the Councill tuo days ago to be in readines with my freinds and vassalls in the nixt advertisement to march to Stirlin, in order to His Majestie's service, which probably may be shortly and peremptor; wherfor I desyre you do me the favor to be in readiness on twenty-four hours' advertisement, accompany'd with your freinds and servants, to go the lenth of Stirlin, or wherels His Majestie's service and the Councill's order shall call. The place of meeting or rendezvous shall be made known to yow by the next.

Huntly was on friendly terms with the Duke of York (James VII.), who, like him, had fought under Turenne. The Dulke wrote to the Marquis on May 21, 1679, from Brussels ("Spalding Club Miscellany," iii., 218:—

You had somer had an ansuer to yours of the 7 of last month, which I recieved by the bearer some tyme since, if I had knowne what to have said to you, for I was still in expectation how things would go in England, hoping His Majestie's affairs would have mended, and then myne wuld

not have gone ill: bot, instead of that, every post brought us worse newse, the one then the other: and at present by what His Majestie has lately done, I looke on his affairs as very desperat, for he has so put himself into the hands of his enymys that I do not see how he can ever do himself or his friends any good; and I [expect] every moment to heare that I am very severly fallen upon in the House of Commons: and to what they may drive it you will know before this coms to you. I expect the worst, and see no liklyhood of my returne: and as to what concerns yourself I shall always be very glad to see you, either here, or where ever I shall be.

And, truly, as things are, you will do well to looke to yourself and see to secure your persone and fortune as sone as you can: and I think you cannot do it better than by getting apasse from His Majestie or Councell to come here beyond the sea. You see, most of your perswasion in England have done it already: and I do not see how staying in Scotland can be with any safty to you, or of any use to His Majestie's service, considering the postur things are in. You see, I write my mind very freely to you; and if you find it for your interest to come on this side of the water, I shall be very glad to see you, to assure you myself that no body has more kindnesse for you, nor is more your freind than I am.

On October 12, 1679, the Duke of York wrote to the Duke of Gordon from Brussels ("Spalding Club Miscellany, iii., 219):—

I receved yours of the 10 of August, but since my return to this place from England, by Mr Dumbar, by whom I write this to you, I am glad your occations have kept you in Scotland till now, for affairs in England look more favorable for me then they have dore, and I hope it will not be very long before I be sent for thether. For what els I have to say, I refer to this bearer and desire you to beleive you shall ever find me a very true freind to you.

A similar desire to be of service prompted the following letter, written to Lauderdale, now raised to a dukedom, from Gordon Castle, on May 12, 1680 (Add. MSS. 23,246, f. 36):—

May it plees your Grace,—Though I have nott saluted yr, Grace thes monthes by past, I'm confident that yr. Gr[ace] cannot belive mee cappable off beeing ungraat for the favors I have formerly receaved from you. The trew ground off my nott trubling you vitt frequent thancks for yr. kindnes to mee is that annay assurance I culd give yr. Gr[ace] off my service culd signefy littel to yr. interests. Besvds, itt certainly would bæ importun to interrupt yr. serius employs with frivolus

complements. Yett att this tim I shall tack the freedom to recomend my interets to yr. Gr[ace's] favor. I referre the particulars off my concerns to bee mead knowen to you by the berar, Mr Tho[mas] Gordon. I cannott doubt off your Grace's complaisance for mee, I having had considerable marcks of itt att other times, sino which I have allvays vished you verrey happie, and I am, may itt plees yr. Gr[ace], your most oblidged and most humble serviant,

HUNTLYE.

This must have been about the last letter he wrote to Lauderdale, for Maitland was near the end of his power. In April 1680, he had had a fit, and he resigned his secretaryship in the following October.

On July 20, 1682, the Duke of York wrote from Windsor to Huntly ("Spalding Club Miscellany," iii., 219):—

I have been in such a perpetual motion since I received your of the last month, that till now I have not been above two days in a place, so that I had not soner tyme enough to answer it, and to lett you know I shall always rely on the assurances you have given of being my friend. I am very glad to heare things are so quiet in Scotland, and by what I heare from all hands, shall not have reason to be ashamed of those I recomended to be at the head of His Majestie's affairs there. I wish I would say all things were as quiet here; but the factious and phanatical party are both bold and impudent, and have shewed it enough in this affair of the election of the Sherifs in the citty; but for all that, I make no doubt but that things will go very well, for, His Majestie has been very stedy in this affair, and resolut, and that will carry him through all. When you write to me, do it without ceremony, and be assured I shall always be as true a friend to you as you can desire.

JAMES, for the Marquis of Huntly.

On March 13 [1683 ], the Duke of York wrote to Huntly from Newmarket (*ibid.* iii., 219):—

I received your of 2, from Edinburgh, a day or two before I came from London, and had so much businesse upon my hands as I could not then answer it, but would not fail to do it now, and desire you to lett me heare from you how affairs go where you are, for I concerne myself still, and always shall do, how things go amongst you. You will, before this coms to you, have heard of some alteration His Majestie has made in the project I brought him concerning the Highlands, by giving a part of your devisiion to the Earl of Murray, which I did not thinke proper to opose, being informed you would not dislike it, and that I

thought it was not of importance enough to struggle in it for you, since you two are upon good tearmes, and that I beleved it was not worth a contest; for you may be sure where you have any real concerne, you shall find me as truly your friend as you can desire.

JAMES.

[P.S.]—I had forgot to tell you that His Majestie will settle the affaire of the Mackclens, so as they will have reason to be satisfied, and Lord Macdonel to, tho', may be, all that is desired by them cannot be done; therefore, pray advise them that they behave themselves so in the meane tyme not to give advantage against them, and that there may be no complaint of them.

During his country gentleman period, Huntly had to fight several law suits:—

1682.—The Archbishop of Saint Andrews and the Laird of Monymusk v. Lord Huntly—December 1682. This was a question of feudal conveyancing involving the point as to whether a superior could interject another superior between him and his vassal. The Archbishop of Saint Andrews was superior of certain lands belonging to the laird of Monymusk, who held a charter direct from the said archbishop. The archbishop then feued out the lands to the Marquis of Huntly, with the object of interjecting Huntly as a mid-superior between him and Monymusk. It was held (December 1682) that this was not competent procedure. (Mouser, 15,015)

1684.—Roger Hopkins v. the Duke of Gordon.—There are no particulars given in the report as to who Roger Hopkins was, and the case (February 16, 1688) is only very shortly reported. It had reference to a dispute as to the purchase money of some teinds and patronages which had been acquired by the Duke. (Morison, 6659.)

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## HIS ATTITUDE TOWARDS HIS VASSALS.

During his period of quiescence in the North, Huntly was by no means either idle or so abashed as William Gordon would make us believe. It is true that when in 1680, to keep the Highlands quiet, it was decided to give £500 a year to each of the nobles of the four districts, Huntly's jurisdiction, as being too large, was divided into two, the other half being given to the Earl of Moray (Fountainhall's "Historical Notices," 261). But the Marquis's sense of his importance had quite re-asserted itself, and if he was no longer great in the affairs of State, he showed a disposition to lord it over his vassals and neighbours.



In 1661, when his attainder had been reversed by Parliament, Huntly had objected to the ratification of the Sheriffship of Aberdeen to Earl Marischal; and now that he was placed in a more powerful position he protested (March 20, 1681), through the Earl of Roxburghe, to Parliament against the ratification of the same office to Marischal, begging that it "shall not prejudice him of his right to said Shirreffship vntil the £5000 promised to him for the same be payed." In 1682 Marischal retaliated by objecting to the ratification of the regrant of the marquisate, earldom, lordship and barony of Huntly, on the ground that the lands of Cocklaw and Ballengor, in the parish of Peterhead, had been included in the ratification.

Huntly felt himself more at home in attempting to influence the house of Sutherland, which had been Gordon since the marriage of Adam Gordon, son of the Earl, with Elizabeth, Countess of Sutherland, in her own right. During the decline of Huntly's fortunes, the house of Sutherland evidently wished to obliterate its sense of cadetship by reverting to the old family name of Sutherland. So on November 24, 1682, Huntly entered into a bond of amity with John, Lord Strathnaver, afterwards 15th Earl of Sutherland. The writ narrates the descent of the house of Sutherland from Adam Gordon, and the parties agree to entertain, keep, and observe for ever mutual friendship and kindness, under a penalty of 20,000 merks Scots, and such further penalty as the Lord Chancellor shall determine. Lord Strathnaver also bound himself, his heirs, and successors, to retain the surname of Gordon, "notwithstanding recent endeavours to change it for that of Sutherland" ("Sutherland Book," i., 309, iii. 213). It is significant of the power of the Marquis that though the Revolution released Strathnaver from his bond, the (second) Duke of Gordon charged Lord Sutherland, in 1713, with slighting the name of Gordon in the action with the Earl of Crawford, and effacing the Gordon arms from his seals and plate. Sutherland immediately retorted that friendship does not consist in bearing the same surname, and he reminds Gordon, very much to the point, that his predecessor in the male line was a Seton, but exchanged this name for that of Gordon.

Having got Lord Strathnaver to be complaisant

in 1682, Huntly kept him in leash with regard to service for the Crown. On May 14, 1683, he wrote to Lord Strathnaver about the militia ("Sutherland Book," ii., 189), thus indicating his return to a real position in the affairs of State:—

My Lord,—As yett I can give your lordship no considerable account off your melitia, only yow man consider that when onc a person is in favor with our ministers of Scotland, they mack them att for evrey employ, or att lest would have the vourld belive them so.

The Chancellor vill shortly bee in this countrey. Ho has gott the estatt of Duddopp from His Majestie, and Claverhus has the castell att Dundee. You have heard off a stopp putt to the devydding of Argyll's estatt, for which sum persones may be nottissed.

The Doucthes off Yorcke has been thought with chyld sum tim agon. When I shall see sum frinds whom shortly I expect from Edenboro, your lordship shall hear from mee. No person is mor desyrus to serve yow then I am, for I am really your lordship's most affectionat cusing and most humble servant,

HUNTLYE.

On December 19, 1683, he writes ("Sutherland Book," ii., 189) to Lord Strathnaver about the birth of a child, apparently William, Master of Sutherland, who distinguished himself at the battle of Glenshiel, and died in 1720:—

I receaved with extraordinary joy your letter with the berar, and the newes off my Laddey Strathnaver's saff delivvrey. I vish this Maoster of Strathnaver all imaginable happines, and the lyck to his father and mother. On Saturday last your servant cam to this place. I have kepped him untill this day, that the news which I expected from Edinboro might go to your lordship, but the storm has hindered my pacquett from Edinboro last week. . . . Vee ar hear in snows over the ears, which hinders all commere, so that I canot give your lordship such relations off bussines as I could vish.

In February 1686, the Duke brought action of reduction against his vassals (Morison, 6658). No details of the action are given, and it is reported merely upon the question whether, in order to found an action of this kind, the pursuer's charter and sasine had both to be produced and founded on. The Duke had produced a sasine in the lands in question only, but the Court held that he was bound to produce the actual charter itself, which was the warrant for the sasine.

Precisely the same spirit as he showed against the Earl of Sutherland was exhibited in his



treatment of his undoubted vassals, the Camerons, the Macleans, and the Macphersons, occupying a vast stretch of country extending nearly to the west coast. This part of Huntly's career does not make pleasant reading, for he, or perhaps his advisers, clearly showed that he did not understand the temper of the chiefs.

In 1679, he showed his teeth to the Macleans of Dochgarroch, friends and adherents of the Clan Chattan. The lands of Dochgarroch were part of the Castle lands of Inverness, and paid feu to the family of Huntly. These feus were frequently wadsetted, and amongst other wadsetters of the Castle lands were one Thomas Fraser, generally styled of Haughs, and Katherine Gordon, his spouse, who survived him. Mr Charles Fraser-Mackintosh, writing from the pro-Maclean standpoint ("Letters of Two Centuries," pp. 102-4) suggested that this Katherine was connected with Huntly by a bar sinister. For some reason the Marquis wished to withdraw his grant, and wrote Mrs Agnes Fraser, daughter of Struy, and life-rent possessor of Dochgarroch, the following letter, dated Gordon Castle, March 1, 1679:—

Mistress,—Some years ago I gave orders that you should pay your feu duties to Katherine Gordoune, but since I am informed that she does not make such uses thereof as I expected, I do hereby desyre that you doe soe no more, but that you retain them in your own hands, till you shall see my orders to some person else to require them, and this shall be your warrand from your affectionat friend,

HUNTLYE.

This is the subject and true double of the above written letter or order, nothing added thereto, nor diminished therefrom, but agreeing word by word with the principal, is attested by us Nottars Public under subscribing at Inverness, the 24th day of April 1679 years.

(Signed) W. CUMING, Notarius Publicus.  
( „ ) D. CUMING, Notarius Publicus.

The good-lady of Dochgarroch must have been well pleased to retain the considerable feu in her own hands, but Katharine Gordon was equal to the occasion. Agnes Fraser or Maclean, who had, prior to the Marquis's letter, been decerned against, pursued a reduction in regard to the feu duties of Dochgarroch, saying the Marquis of Huntly had stopped her from paying the same to Katharine Gordon. Agnes compared by James Grant (the first Baronet of Dalvey) and Katharine

by Rorie Mackenzie, both advocates. The Marquis of Huntly not appearing, the Lords preferred Katharine Gordon, by decret, dated January 8, 1680. Mr Fraser-Mackintosh suggested that the Marquis had been "squared," after the granting of his letter.

In connection with this matter a curious protest, by the energetic Katharine, was made against John Maclean of Dochgarroch in 1684:—

At the Castell Door of Inverness, the 29th day of March 1684, and of His Majesty's reign the 36th year,—That day in presence of me, Notary Public under subscribing and witnesses after mentioned, compeared personally, Kathrin Gordon, relict of the deceased Mr Thomas Fraser of Hauches, liferentrix of the feu farm duties of Davochgarroch and Davochmalurgin, and passed with me to the said Castle door of Inverness, as being only place appointed for paying and delivering all the said feu farm duties of the said lands yearly betwixt Candlemas and Pasche conform to the Marquis of Huntly his original rights thereof, and the said deceased Mr Thomas Fraser and Kathrin Gordon, her liferent right following thereupon; and there required of John Maclean, now of Davochgarroch, the foresaid feu farm duties, being two chalders good and sufficient victual—half bear half meal. And in respect the said John Maclean of Dochgarroch, nor no other person or persons in his behalf, came not as yet to pay any part of the said victual of the foresaid feu farm duties of crop 1683 years; Therefore protested that the said John Maclean of Dochgarroch should be liable in payment to her for the highest price for each boll thereof; conform to the Lords of Council and Session their prices and modification of the same or otherways, according as any other boll of victual of the quality foresaid, either in town or parish of Inverness, should happen to give or pay betwixt the date of these presents and the term of Martinmas next to come; and for all other cost, skaith, expences, and charges to be incurred and sustained by her thereby; and for remeid of law, upon all and sundry the premises, the said Kathrin Gordon, liferentrix aforesaid, asked and required instruments of me, Notary Public subscribing. These things were done betwixt five and six in the afternoon, day, year, month, reign, and place aforesaid, in presence of William and David Fraser, and Andrew Mackenzie, shoemaker there, witnesses called and required to the premises.

H. FRASER, Notarius Publicus.

The case of the Duke of Gordon v. Catherine Gordon, March 20, 1685 (Morison, 16.694), may refer to this. There are no details of this case

given in the report, which merely says: "Found that witnesses in a charter subscribing, but not insert or designed, before the late Act of Parliament might be rescinded on, but the defender not having designed them before extracting, the Lords would not, in a reduction, allow it as being omitted." The reference here is to the statutory provision that the names and designations of witnesses to deeds must be specified in the Testing Clause of the deed, that these witnesses' names and designations may be inserted in a deed before it is put upon record, but that if they are omitted, the omission cannot be supplied after the deed has been recorded and extracted.

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### HIS DUKEDOM, AND BLOW AT ARGYLL.

Huntly's cocksureness got a great impetus from the misfortunes of his enemy Argyll, who was attainted in 1681, his confidence increasing as his own luck returned, which happened in 1684.

On May 21, 1684, he got a charter of the whole lands of the Marquisate of Huntly, and on Nov. 1, he was advanced to a dukedom by Charles II., chiefly at the instigation of Claverhouse (Napier's "Memoirs of Viscount Dundee," ii., 330), so that he was now Duke of Gordon, Marquis of Huntly, Earl of Huntly and Enzie, Viscount of Inverness, Lord Badenoch, Lochaber, Strathaven, Balmore, Auchindoun, Gartlie, and Kincardine. In 1685 the charter of the lands was confirmed to him as Duke of Gordon by the Parliament. This confirmation mentions at great length all his estates, filling several columns of the Acts of Parliament of Scotland (viii., 499).

His Grace showed his appreciation of the King, and gratified his own sense of vengeance at one stroke, by displaying great energy against the rebel Argyll. William Gordon, the historian of the Gordons, pointedly refers to the "injury" Argyll's father had done the family of Huntly in the two former reigns. The feud between the Gordons and the Campbells was partly political and partly personal, and so fierce was it that the attempt to heal it by a marriage in 1607, between the 2nd Marquis of Huntly (the Duke's grandfather) and Lady Anne Campbell, the daughter of the 7th Earl of Argyll, had failed. While the

2nd Marquis of Huntly was languishing in prison (1647-49), his brother-in-law, the 8th Earl of Argyll, had possessed himself of the Huntly estates, bought up all the comprisings which affected it, took up his residence in Gordon Castle, levied the rents and left the Gordons to do as best they might ("Records of Aboyne," p. 541). On the forfeiture of Argyll (who lost his own head in 1661), the 1st Duke of Gordon got back his own. All this see-saw balance of power led to many complications in the law courts, as will be seen in the following cases (epitomised for me by Mr George Duncan, advocate, Aberdeen), in which the 1st Duke of Gordon was involved:—

1666.—Huntly v. Gordon of Lesmoir.—On Feb. 22, 1665, Huntly, as in right of the estate of Huntly through gift from Parliament on the forfeiture of Argyll in 1661, brought an action against Lesmoir, to have him removed from certain lands which had been made over to him by Argyll. The Court granted the decree sought for by Huntly (Morison, 15,095). On February 2, 1682, Lesmoir brought an action against Huntly of proving the tenor to establish a bond for 1300 merks which had gone missing. The Court held that the tenor of the bond had been established (Morison, 15,802).

1666—Earl of Southesk v. Huntly. This was another action arising out of the respective forfeitures of Argyll and Huntly with reference to the lands of Badenoch. The case is a very involved one, and apparently was in Court for several years. It was ultimately (July 23, 1666) decided in favour of Lord Southesk (Morison, 4712).

1676—On January 6, 1676, Huntly wrote to Lauderdale (Add. MSS. 23,138, f. 125):—When I was at London, yr. Gr. was pleased to lett me know yr. thoughts concerning my pretension to sum neappers which the Earle off Argyl is belived to have. Sine my arival to this place I have done in that as yr. Gr. did me the honnor to advys me, by which I have advantaged my selff nothing, so that I shall be necessitat to intret yr. Grasses favor for the clearing off that [consideration] another veay.

1677—Huntly v. The Laird of Grant. This was an action brought by the Marquis of Huntly as in right of the estate of Huntly on Argyll's forfeiture against the Laird of Grant to have certain feu rights granted by Argyll in favour of the Laird of Grant set aside. The Court (January 12, 1677) set these rights aside, and found that the result of the forfeiture was to set aside all such grants which had been made by the forfeited party (Morison, 4689).

1700—Laird of Innes v. The Duke of Gordon,

January 31, 1700. This was an action at the instance of Innes against the Duke for rents due under a wadset of the lands of Enzie which had been given by the Marquis of Argyll when in right of the Huntly lands, as a part of Lady Anna Gordon's tocher on her marriage with Lord Drummond in 1639. The Duke pleaded that the wadset was null, as it had been subscribed only by the Marquis of Argyll, and not by the other party to it, Sir Robert Innes, but this objection was repelled (January 31, 1700) by the Court (Morison, 8427).

1700—Sir Harry Innes against the Duke of Gordon. Innes's grandfather had been co-cautioner on one occasion with the Marquis of Argyll for the Marquis of Huntly, and he had to pay the debt for which he was cautioner. Afterwards, when Argyll possessed Huntly's estate, he gave Innes a wadset out of Huntly's lands in 1655 for security of the debt. After the restoration in 1661, Argyll, as being then in right of Argyll's forfeiture, dispossessed Innes of the wadset lands. Sir Harry Innes then, as representing his grandfather, brought an action against the Duke of Gordon in 1700 for a declarator that his wadset was a real right on the Huntly estate and for payment of the rents of the lands which were in possession of the Duke. The Court held that Innes had no right to the rents which he craved, but took into further consideration the other questions raised by Innes. A committee of the Scots Parliament was appointed in 1701 to adjust a submission to the King anent the action; but the negotiations were unsuccessful.

On January 30, 1700, Lord Haddo wrote from Edinburgh (Bute papers: Hist. MSS. Com):—

I have been much taken up since you went from thence in the Duke of Gordon's affair, and I am sure you'll be glad to know that my Lord Argyll this week has sisted his process for this session of Parliament against the Duke. This, I judge, he has done because of some letters from the Court in favour of the Duke.

It may be noted in parenthesis that, on December 8, 1687, a friendly action was raised in the Court of Session by Lord Aberdeen against the Duke, by which the Duke agreed to slip out as superior between the Earl and the Crown in the matter of certain lands (Fountainhall: 488).

Thus the Argyll hunt was peculiarly grateful to the new Duke. In July 1684, it was arranged by Argyll's supporters that he was to make a descent on Scotland, and Gordon saw his opportunity of paying off an old score and serving his King at the same time.

On December 12, 1684, John Drummond of Lun-



din, son of the 3rd Earl of Perth by the Duke's aunt, Lady Anne Gordon, writes from Morpeth that he "just now . . . met D. Gordon, and he seems to apprehend disorders abov, but had not time to be more plaine" ("Buccleuch Papers"). On January 19, 1684, the Duke of York wrote to the Duke of Gordon from Whitehall ("Spalding Club Miscellany," iii., 220):—

I had yours of the 30th of December, some days since, which I was not hasty in answering, hearing at the same tyme that you were sone to go north. As to what you mention in your letter, when I shall be with you at Edinburgh, you may be sure I shall see what may be done for the ease and security of loyal men, it being the true interest of the Crowne to suport them; which is all I need say at present.

JAMES.

On January 21, 1685, Moray says he had that day an order from the King to prepare a precept for the Duke of Gordon for £2000 sterling "to be pyed out of the first and rediest of all fyns imposed or to be imposed and the lyk for the Marquis of Atholl," who commanded the main force against Argyll ("Buccleuch Papers"). The crisis was hurried forward by the death of the King on February 6, 1685, and we find Gordon writing about the situation to Lord Strathnaver from Gordon Castle, February 24 ("Sutherland Book, ii., 189):—

My dear Lord,—Several days agon I did send accounts to your Lordship off severall particulars off his leat Majesty's death, vith the proclamation of this King. As to your Lordship's behaviour, I think yow need nott caus mack annay proclamation until yow hear from Adam Gordon, who beeing now att Edenboro vill certainly send north whatt may bee nesesaiir att this ocaation. A Parlemt is indyted at Vestminster to the tenth of Meay. I belive vee may have on in Scotland aboutt that tim. Itt is nott known who may be commissioner, butt I fancy hee may bee sent us from Inghland.

Ther ar severall alterations att the Courtt. The Doucthes off Portsmouth [whose descendant the Duke of Richmond was to succeed to the Duke of Gordon's estates 151 years later] is arested att Greenvich for forte thousand lib. she oues att London. The King declairs he'll tack nothing from hir, butt vitt that she most peay her debts. A se[r]vant of Monmuth's is leattly tacken, and letters going to His Grace ar intercepted. Lauderdale's affair against Abberdon goes not so veill vith him as vas expected. Drumlenrick is sent to His Majesty by our Concell. All lookes

veell and calm; I vish itt continow long so. I am intyrlly, your lordship's affectionat cussing and humble servant,

GORDON.

On May 11, 1685, James II. wrote to the Duke from St James's ("Spalding Club Miscellany," iii., 220):—

Till this day I did not receive yours of the 8 of April, by Mr Dunbar, he hauing been sick ever since his arrival here till now, and now I have not had much tyme to discourse with him, but intend it within a day or two. Lord Melvill is cortinly gone from Amsterdam, with some arms and ammunition for Scotland or Ireland, to see if they can make any disturbance there; for Lord Argyle, he either went before or with him, which I do not certainly know; but before this gett to you, I am confident you will heare more of them. And now I have not tyme to say more, but that you shall always find I have that consideration for you which you have reason to expect.

J. R.

Argyll landed on the west coast in May, and on May 22, 1685, the Duke received a commission of lieutenancy from King James, and commanded the northern forces raised to oppose him. Moray announced the fact in a letter of the same date: "The Kinge hes dispatched Lt. Coll. Maxwill to attend the Dwk of Gordone and be asistinge to him in the management of the Commission of Liutennoy the King now sends him" ("Bucclench Papers"). The warrant, quoted herewith (dated May 22, 1685) is interesting not only as an example of one of the earliest of such commissions, but as bringing into prominence the importance of the force under the Duke, and the part it was destined to play should the Argyll invasion have been protracted beyond the period it actually was:—

James R.—Forasmuch as His Majestie's service requiring that in this present junctyre of affaires he should entrust persons of known loyalty and integrity to serve His Majesty as his lieutenants in those parts of his said kingdom, where he shall have use for them, and that His Majestie reposing special trust and confidence in his right trusty and entirely beloved Cousin, George, Duke of Gordon, etc., to be His Majestie's lieutenant in the shires after-mentioned. Therefore, to have nominated and commissioned, likeas His Majesty by these presents nominates and commissionates the said George, Duke of Gordon, to be His Majestie's lieutenant in the shires of Bamfe, Elgin, and Invernesse. Impowering him, or

those to be entrusted by him, to doe and act as His Majestie's lieutenant, and as a chiefe commander of His Majestie's forces as His Majestie's service shall require, the said Duke of Gordon being alwayes answerable for those whom he shall entrust. And besides the generality foresaid he is to call and convocate to his assistance all the Fencible men within the said shires, the heritors on horseback and the rest on foot, sufficiently armed and furnished with twenty days' provision, who are to come out and obey his orders from time to time as they will answer on their allegiance; and who and all and every one in the said shires are to reverence and obey him as His Majestie's lieutenant aforesaid, in prosecution of His Majestie's service against his enemies. And for his and their further encouragement His Majestie doth hereby fully indemnify him and them of all blood slaughter, mutilation, fire-raising, or any other inconvenience whatsoever that may on this occasion follow any manner of way. And for the further [helping] the said George, Duke of Gordon, in this service, His Majesty doth hereby authorise him to command as His Majestie's lieutenant aforesaid all such forces, horse or foot, as shall from time to time be appointed by His Majestie's Privy Council of said kingdome to be levyd forth of the shires of Rosse, Sutherland, and Caithness, who are hereby required to come out and obey him under the certification aforesaid, and who are hereby indemnified in manner above written, and generally with power to him, in all and everything which may conduce to His Majestie's service in the premises to do and act, which His Majesty will look on as acceptable service done to himselfe, and will not be wanting to punish the disobedients according to the demerits. Promising to hold firm and stable all and whatsoever things that shall be done by him for His Majestie's service in prosecution of this commission, which His Majestie ordains to continue in force until the 1st day of December next to come and not longer.

This commission was withdrawn, and a new warrant expressed in similar terms, dated June 10, 1685, was issued, embracing in the lieutenantancy the shires of Banff, Elgin, Nairn, and Inverness, with command of the forces in Ross, Sutherland, and Caithness.

The King wrote to the Duke from London on May 23 ("Spalding Club Miscellany," iii., 221):—

Having had the newse yesterday of the rebels being land in Lorne, I thought it not amisse to send downe this bearer, Lieut.-Colonel Maxwell, to you, to serue under you as your aide-de-camp, he being a good engineer as well as an old officer. He will tell you all the newes of this place, where,



God be thanked, things go very well; and I make no doubt that you and those who are going against Argyle will have good successe. I have not tyme to say more.

J. R

The Duke equipped himself with "a strong posse of cavalry and gentlemen on horseback in Enzie and Strathbogie, in addition to his Highland followings in Strathaven and Glenlivet." His cavalry standard, which had a white silk ground with the Gordon arms, is still preserved at Gordon Castle. He commanded Lord Strathnaver "to march towards the head of Argyllshyr, whether I begin to march to-moro morning." He afterwards wrote to Strathnaver that the ignorance and unsettled accounts of "gydds [guides] forses mee to chang my methods verry often." On May 25, he wrote to the Laird of Grant ("Chiefs of Grant," ii., 90):—

Much honored Cussing,—I had just now thes incloses for you: that from [Lord] Tarbot vas open'd by mistack. Your frinds and myn att Edenboro prommis rar things for us now, especially iff vee doe veell. I have answrd for yow as for my self. Argyll has esed Dunstaffnag, but himself is retyrd; his souns, John and Charlls, continow ther, and the Marquis off Atholl is marching towards them with severall thousands, and Locheoll's men amoiingst the rest, himself att ther hed. I have a command for beeing with the forses at Lochnes: befor then you shall hear frequently from mee.

Another letter was sent to Grant on June 3, 1685 ("Chiefs of Grant," ii., 25):—

Honored Cussing,—Notvithstanding off former orders, yow vill now bee plesd nott to stur from Strathspy untill I advertis yow. Kepp your men in reddines to march on twelve hours' advertisement iff possible. Argyll has lefft Kingtyr, and has retyred to the Isll of Butt. . . . I hopp all vill goe verry veell in every thing yow and your frinds ar concernd.

On June 5, James wrote from Whitehall to the Earl of Dumbarton, as Commander-in-Chief in Scotland:—

Having thought fit for our service that the Marquis de Roucherolles should goe in this expedition along with the Duke of Gordon, and that he should pass by our camp under your command, to discourse with you about what is fit to be done on that side, to the end you and he may the better correspond when he hail have joined the Duke of Gordon, wee doe require you to give him all needful safe conduct and assistance thither, and

if our affairs where you are prove more considerable than where the Duke of Gordon be, and that he shall have a desire to remain with you, wee doe hereby heartily recommend him to your care as a person for whom we have a particular regard, both upon the account of his experience in the employment he has had and his personal inclination for our service.

The King followed up this letter with one to the Privy Council of Scotland, dated Whitehall, June 8:—

Whereas the rendezvous given to George, Duke of Gordon, at the head of Lochness on the 9th of this instant, has detained him from entering into the shire of Argyll as soon as otherwise he might have done, if with his friends and followers and others next adjacent in his division he had been ordered to march thither with all diligence. So that before he can now be there the rebels in all appearance will have quitted that county to land on some of our western shires by south Clyde. In which case we judge it proper for our service, that with so many of his friends and followers as he can bring on horseback, and with the remanent horse of his lieutenancy, he march directly to our army there, or that part thereof which is likest to come to action. Of this our pleasure you are to give him notice, and to order his march accordingly.

The Duke's own account of the situation is dealt with in a series of very interesting letters in the "Atholl and Tullibardine Chronicles." Writing on June 8, to the Marquis of Atholl, from "St George Castle in Badenoch," he says:—

My Lord,—I had orders from the Councell to correspond with your Lordship in the affairs concerning your lieutenancy off Argyll. I did wreet to your Lordship the other day about sum bussines, but the paquet was miscarried, and in itt a letter to the Earll of Dunbarton, desyrring munitions off powder, bulletts, and sum other necessarys for the expedition aboutt which I am now going.

This inclos'd is to the seam purpus, which I intret your Lordship would caus dispatch, itt beeing for His Majesty's servis, and I have the Councell's command to communicate with my Lord Dunbarton by your Lordship's adress. The berar I have sent to weatt off your Lordship, by whom I expect your Lordship will inform me off the affairs in the cuntrey wher your Lordship is.

I am extremely satisfy'd with hopps of seeing your Lordship or long, and I am, your Lordship's most humble servant,

GORDON.

The Duke wrote again to Atholl from Finlorig, on June 13:—

My Lord,—I am this length in obedience to the Councell's orders. I believe your Lordship is acquainted with them, yett before I shuld enter your Lordship's government of Argyllshyr (bee Castell Ohulchurn), I thought necessair to acquaint your Lordship, iff His Majesty's servis requier that wee joyn forsses, itt war fit that your Lordship and I shuld ajustt all matters as to the conveniencys off our troupps' marchings and lodgings. I shall be verry glad to have the good fortun and honnor off seeing your Lordship, and I am, your Lordship' most humble servant,

GORDON.

The Duke wrote a third letter to Atholl, dating from Strafillan, June 14:—

May it pleas your Lordship,—This morning I had the honnor off your Lordship's off the 12. A few hours therafter I was informm'd off your Lordship's march towards the beat Earl of Argyll, and just now this was confirm'd to mee.

I shall be verry glad to have the good fortun off accompanying your Lordshipp in your ataque, and itt is not the first tim that your Lordshipp's fammily and myn have been together in such ocasions. My company will mack but a small wing off your Lordshipp's armmy, all the men I have with mee not exceeding betwix a thousand and eleven hundred. I shall expect your Lordshipp's answer to this with impatience, and I am, your Lordshipp's most affectionat and humble servant,

GORDON.

The Duke despatched another letter to Atholl from Strathfillan at seven o'clock on the morning of June 15:—

My Lord,—Since I did wreet to your Lordshipp last night, I have received sum orders from the Privat Committe, off which I will inform your Lordshipp att meeting, which oblidg mee to show your Lordshipp that, iff itt bee not conterar to His Majesty's servis itt is the Councell's thoughts that I should joyn with your Lordshipp iff you design annay action in heast. I aseure your Lordshipp off my willingnes to compley with what can advance the Royall interest, and that I shall be particularly satisfied to express so much especellay in your Lordshipp's company. If your Lordshipp thinks not our joyning convenient, I most desyr that befor your Lordshipp goe far from the sea coast you would asist mee with six or seven hundred foot, provyded with amunitions, and when my whole company cums upp I hop to return them to your Lordshipp thankfully and safely. Tho' His Majesty's servis requiers this, ther will be no use for itt iff your Lordship think

convenient that I joyn with your Lordshipp, which I desyr extremly. In that cais your Lordship would send to me at once the above-mentioned number to conduct mee to your Lordshipp's campp, iff Argyll bee lying on this syd of your Lordshipp's army. I assure your Lordshipp that I am sincerely your Lordshipp's affectionat and most humble servant,

GORDON.

Argyll was captured at Inchinnan, in Renfrewshire, on June 18. He had just forded the Cart, when he was recognised and attacked by two militiamen. He managed to keep them at bay with his pistols, but on assistance coming up he was wounded and disarmed. On June 20, the day he was taken to Edinburgh, Livingstone, writing to Lord Elphinstone, giving news of the arrest, says:—"The Duck of Gordon is to be from Dumbarton [where Argyll had encamped] this night at Glasgow with 5000 men ("Lords Elphinstone," ii., 167).

On July 22, the King wrote to Gordon from London ("Spalding Club Miscellany," iii., 221):—

Till now I had not tyme to tell you I had receued yourso of the 5, and to assure you I am very well satisfyd with the seruce you have done me, and your readinesse in it towards the supressing of the late rebellion in that our ancient kingdome. 'Twas nothing but what I had reason to expect from you, and assure you I am as sensible of it as you can desire.

J. R.

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#### THE RESULT OF ARGYLL'S FALL.

Gordon's success was commensurate with Argyll's failure. While Argyll was executed (June 30, 1685), Gordon, on November 12, 1685, was made one of the twenty-six Catholic Commissioners of Supply, without taking the test, for Aberdeenshire, Banff and Kincardine (Fountainhall's "Historical Notices," p. 676). His sense of importance is shown in the fact ("Bucleuch Papers," p. 136) that his man of business, Thomas Gordon, clerk to the justiciary, complained, to the Duke of Queensberry, about June that none of the Duke's friends was named commissioners in the several shires where the Duke's interest lay. Queensberry ordered him to give in lists which contained most, if not all, the Roman Catholics mentioned in the Act, "who

if they be insnared by their trust have only Mr Thomas Gordon to blame, who ought to have known the law in that caise."

Once his fortunes began to rise, honours fell fast on the Duke. On March 11, 1686, a letter was read from the King to the Privy Council appointing him captain and constable and keeper of the Castle of Edinburgh, in room of the Duke of Queensberry, and being a Catholic, he was admitted to the office without taking any oath (Fountainhall's *Historical Notices*," p. 713). The King explained his action in a letter to the Lord Treasurer from Whitehall, February 25, 1686 ("Earls of Cromartie," I., xl):—

As to my putting the command of the Castel of Edenburgh into the Duke of Gordon's hands, I thought that necessary at this tyme, to make that towne haue more regard for my commands and civiler to Catholiks by seeing it in the hands of one of that persuasion, who, I am sure, never thought of asking for it, nor does he know yett I intend it for him.

On November 11, 1686, a letter was read from the King naming the Duke a Privy Councillor, but he declined to accept office on the usual conditions (Fountainhall's "*Historical Notices*," p. 759), and on November 18, the King by letter intimated his desire that he should be received into the Council without taking the test. He was created (May 29, 1687) Knight of the Thistle, being one of the eight original knights at the revival of the order, and he was installed July 27 (*ibid.* p. 814). He was one of the two knights recognised by Queen Anne, December 31, 1703.

The Duke was therefore quite a big man when General Patrick Gordon of Auchleuchries came home on a visit from Russia. Within two hours of his arrival in Edinburgh, May 28, 1686, Auchleuchries called on the Duke, who welcomed him "very kindly." Next morning he again called on His Grace, who was "exceeding kind, and offered to conduct me to His Grace the Lord Commissioner, Lord Moray, and to the other grandees, desireing me to make no address by any other person but himself." So impressed was Auchleuchries by this welcome that on June 7, he sent the Duke "some cavear and forty erminee" C : the same day the Duke showed the General o7er Edinburgh Castle. "From thence I gave a visit to the Marquess of Huntly." Auchleuchries did not forget the Duke, for in His

Grace's perilous time the General, writing from Moscow (November 15, 1690), committed the Duke to the "protection of the Omnipotent ("Diary," p. 171).

His position as a landlord was also strengthened, for in 1686 he had a grant of the Barony of Mellerstaines in Berwickshire ("Acts of Parliament," viii., 594). The grant is significant by the fact that the lands had been forfeited from the admirable Robert Baillie of Jarviswoode, who lost not only his lands but his head in Edinburgh on December 23, 1684. The preamble to the "act of dissolution of the lands and Barony of Mellerstaines from the Crown in favour of the Duke of Gordon" throws a very interesting light on the complete change in his fortunes that had overtaken His Grace's house:—

Our Sovereigne Lord and Estates of Parliament taking unto their consideration the many signal services done and performed to His Majesty and his Royal ancestors by the family of Huntly for many ages, with the eminent sufferings of several of the representatives of the family for their constant adherence to the true interests of the Crown, and the great sufferings of George, now Duke of Gordoun, who for his loyalty to His Majestie's father of blissed memorie, was by the then rebels ~~condemned and thereafter~~ cruelly murdered on a scaffold, and also takeing into their consideration the constant loyalty, great services, and merits of the said George, Duke of Gordoun, who hes fully answered and improven the high and honourable character of loyalty and nobility derived unto him be his predecessors, and his readiness by himself, his friends, and followers in subdueing the late rebellion.

This grant is very interesting, for Berwickshire was the cradle of the Duke's family, and even if some of his successors forgot that they were the superiors of the parish of Gordon, the present Duke of Richmond reminded Mr Forbes-Gordon, son of the laird of Rayne, of the fact in 1902.

After the Revolution, the forfeiture and the grant to the Duke were rescinded by Act of Parliament, and Jarviswoode got back his lands. A question ultimately arose as to whether the Duke was also bound to pay back to Jarviswoode the rents of the lands which he had collected before the forfeiture was rescinded. The Court held (November 15, 1694) that the Duke was bound to pay back these rents to Jarviswoode and his heirs (Fountainhall's "Decisions," i., 643). The Baillies



and Gordons came together in last century, for the 5th Earl of Aberdeen married Mary, the daughter of George Baillie of Jerviswoode, and became the mother of the present Earl.

The Duke's turn of luck was good for the town of Huntly, which was raised to a Burgh of Barony. The exact date of this honour is, however, a little obscure. Mr Maitland Thomson, the learned legal antiquary, recently wrote to Mr P. J. Anderson on this point:—

I find that the Marquis of Huntly's charter of the whole lands, etc., of the Marquisate of Huntly, dated May 21, 1684 (and conformed to him as Duke of Gordon by Parliament in 1685—Acts of Parliament viii., 499), throws some light on the matter. The charter is in the Great Seal, lxi., No. 227. The disposition clause gives only "Raws de Huntly" with the weekly market (in the Great Seal said to be on Wednesday), Peter Fair, and Martinmas Fair, as in the Acts of Parliament, without anything being said about the Burgh of Barony. But the *novodamus* clause runs thus [as translated by the Rev. Stephen Ree]:— "Castletown, with the burgh of barony called 'Raws of Huntly,' and the weekly market there on Thursday, and the two free fairs called Peter Fair, held on the — Tuesday of July, and the other called Martinmas Fair, held on the first Tuesday of November: the weekly market of the barony and the two free fairs were, each one of them, formerly erected according to the ancient infestments thereon of the said Marquis and his predecessors. As also we, with advice aforesaid, and of our own knowledge and royal power and prerogative anew creates, erect and ordain two other free fairs to be held annually in the said Raws of Huntly," etc. (as in the Acts of Parliament viii., 506, except that the April Fair is in the Great Seal assigned to the last, not the preult, Tuesday of April).

I can see no reference to the Burgh of Barony in the Marquis's earlier charter. One may conjecture that the lawyers in the interval turned up the charter of 1685 or that of 1545, and that it was thought expedient to introduce the burgh into the titles.

On June 15, 1686, the Duke was empowered by Parliament to build a bridge across the Bogie. At this time, James Stewart of Auchorachan, as chamberlain of the lands of Strathdon and Glenlivet, Achmore and Achnastank, got a discharge (April 13, 1686) from the Duke in respect of the whole money rent of the said rent, payable at Martinmas 1684, conform to a rental subscribed be us' ("Elgin Commissary Records").

## HIS GRACE AS LORD OF LOCHABER.

The rehabilitation of the Duke at the hands of the State had a remarkably reactionary result on his domestic policy as a Highland chief, especially in his treatment of the Mackintoshes, Macphersons, and Camerons, for his regained access to power quite turned His Grace's head for a time. Though the Duke was not actually Highland, he was the superior of a number of Highland clans, located in Badenoch and Lochaber, stretching away in a south-westerly direction to Loch Linnhe. The enormous extent of the ducal kingdom is forgotten by most people to-day, but it included a great area and a congeries of clans. In Lochaber alone, his holding was colossal. Even in the time of the 4th Duke, when the Gordon estates had been curtailed, it included 110,494 acres. There is a huge map at Gordon Castle (86 feet 8 in. by 10 feet 8 in.), showing this as the extent of the Lochaber holding of the 4th Duke in 1767. It is hand drawn and bears the title, "Plan of Lochaber, containing a part of the estate of His Grace Alexander Duke of Gordon, exhibiting the free rent and feus lying in the parishes of Kilmaleg and Kilmanivaig and County of Inverness," both of which contributed liberally and loyally to the four regiments raised by the 4th Duke. The acreage of the various holdings at that period was as follows:—

	Corn land.	Grass interspersed through do.	Full Pasture adjacent.	Sheildings at a distance.	Total.
Achinashien ...	51		2294		2345
Anit ... ..	30			2234	2264
Auchindale Beg ...	63		779		842
Auchindale More ...	46		883		929
Barhogie ... ..	15		720		735
Blarchirin ... ..	52	2	507	2470	3 31
Blarmakfuldach ...	141	6	737	1320	2204
Blarour Beg ... ..	27		450	700	1177
Blarour More ... ..	25		739	540	1304
Camaskie ... ..	43	1	931	729	1704
Clachineik ... ..	32		470		502
Clush Fern ... ..	22	4	868	300	1194
Coriechuli and Ach- achar ... ..	41			12,020	12,061

	Corn land.	Grass interspersed through do.	Full Pasture adjacent.	Sheildings at a distance.	Total.
Cragin... ..	30		380		410
Doney... ..	33	1	1366		1400
Donlick... ..	32	6	531		569
Drumafour... ..	40		1337		1377
Drumerban... ..	49	2	629	800	1480
Fersit... ..	38			14,224	14,262
Glen Fintack... ..	2				2
Glenturat's Beg... ..	14		720		734
Glunturact's More... ..	15		1120		1135
Gordonsburgh... ..					263
Inch... ..	60			8264	8324
Inchan Beg... ..	19		883		902
Inchan More... ..	24		374		398
Inch Rie... ..	53	6	937	950	1946
Inverlochty... ..	62		952		1014
Kylichonet... ..	39		990	450	1479
Leek Roy... ..	12		770	400	1182
Lindaly... ..	44		1055		1099
Linechan Beg... ..	53	1	1806		1860
Linechan More... ..	49	1	2,49		2699
Ratlich Beg... ..	26		920	924	1870
Ratlich More... ..	38		800	400	1238
Salachul... ..	19	5	641		665
Tamacharich... ..	51	2	95		1028
Terlundy... ..	55	2	582		639
Tirendrish... ..	32		420	850	1302
Tolly... ..	10	1	378	611	1030
Turgulabin... ..	18	4		2040	2062
Totals... ..	1,552	44	30,593	51,226	82,416

(When Lochaber was surveyed the following farms were wadset :)

Kil-anivaig... ..	16	When these farms were wadset their pastures were mostly promiscuous. They kept some boundaries of their sheildings, but often exchanged them from one farm to another. These corn lands and pastures amounted to 28,078 acres.
Brakletter... ..	44	
High Bridge... ..	4	
Clionach... ..	24	
Monessie... ..	16	
Achinacoschin... ..	33	
Inveriar... ..	42	
Total... ..	179	
		110,494

The Duke held his own courts in Badenoch and Lochaber. Even here, however, difficulties arose. Mr Fraser-Mackintosh cites a murder charge in which the Lochaber Gordon cases were tried in

Badenoch—"the Gordons thus endeavouring by a side wind to avoid the jurisdiction of Mackintosh, who held the office of steward of all Lochaber by grants from the Lord of the Isles confirmed by the Scottish Kings prior to the acquisition by the Gordons of a foot of land in Lochaber." Mr Fraser-Mackintosh cites the "Register of Deeds of the Regality of Huntly," consisting of 385 leaves, dated at Gordon Castle, October 20, 1685, noting that the deeds are not to be found in any public register ("Celtic Monthly," 1899). In the register of 1686 the following note occurs:—

Note by Patrick Gordon (of Glastirim)—That as he is empowered by the undernoted Commission to appoint deputies for registering and giving extracts of all papers mentioned in the said Commission, he ordains James Stewart, Nether Boat of Spey, clerk to the Lordship of Gordon, to register and extract the same. He reserves power to appoint any other depute. He delivers to James Stewart.

Mr Fraser-Mackintosh ("Letters of Two Centuries," p. 170) says that the chiefs of Mackintosh were vassals of both the Earls of Huntly and Moray, and, "in consequence of the protracted rivalries of those Earls, frequently placed in a difficult position. Although the Mackintoshes rather inclined to the Earls of Moray, the latter made an ill return." In quoting a letter sent by the 2nd Duke of Gordon to the laird of Mackintosh, Mr Fraser-Mackintosh declares that it was "perhaps almost the only friendly letter received by the Mackintoshes during the 400 years they stood as vassals of Huntly." That will give you an idea of the relationship of the Gordons and this clan.

The Gordon connection with the Mackintoshes goes back a long way. Indeed, the earliest charters preserved at Moy Hall bear the imprimatur of the Gordons. Here are some of them as quoted in "The Mackintosh Muniments":—

MEIKLE GEDDES AND RATE.—On October 5, 1442, Alexander de Seton, knight, Lord of Gordon, who married Elizabeth, the heiress of the house of Gordon, dated a precept from Inverness, to William, Thane of Cawdor, as his bailie, narrating that he had granted to his beloved Malcolm M'Kyntosh the lands of Meikle [Geddes] and the half of the lands of Rate in the Sheriffship of Nairn, with the castle thereof and pertinents of the same, and directing him to give infestment therein to M'Kyntosh, or his attorney

in his name. On May 29, 1457, the lands were wadset to M'Intosych. On July 10, 1476, Seton's son, George Gordon, 2nd Earl of Huntly, empowered his baillie, Duncan Sanchquhar of Murecroft, to give sasine to Duncan M'Intoshe, captain of Clan Chattan, in the same lands. On June 1, 1488, Huntly granted a charter of the same lands to his beloved cousin, Duncan M'Kyntoche, and a Crown charter of confirmation was granted by James IV. on November 24, 1492 (Nos. 1, 6, 11, 13, 14).

**GALOWY.**—On October 1, 1481, the 1st Earl of Huntly granted a charter to his beloved cousin, Lachlan Makintoische, for his grateful and faithful services, counsels and help rendered and to be rendered, of his davaach lands of Galow, with pertinents, lying in the lordship of Badenoch, Inverness-shire, reserving to the granter the woods and wild forests of the said davaach, and also the Inch in the loch of Laggan. On April 20, 1492, Malcolm, the son of the late Lachlan, had sasine (Nos. 12 and 16).

**DUNACHTON.**—On April 3, 1497, George, Earl of Huntly, directed his brother to infest William Makinchosie and his wife, Isabella Maknewan, in conjunct fee in the lands of Dunachtonmore, Dunachtonbeg, Delwart, Kinrara and Pethcowra in the lordship of Badenoch. On December 4, 1502, Alexander, Earl of Huntly, granted the lands by charter to "our dearly beloved and familiar servitor" William, son of Lachlan Mackintosh. The charter is fac-similed, quoted and translated in full in "The Mackintosh Muniments" (Nos. 18, 19, and 20). On October 30, 1544, George, Earl of Huntly, appointed William Mackintosh of Dunachton, captain of the Clan Chattan, one of his three lieutenants-depute in the Sheriffdom of Inverness (No. 41).

**INVERLOCHY CASTLE.**—The 3rd Earl of Huntly got a grant of it on March 22, 1505 ("Great Seal"). About 1511, the Earl, by the King's instructions, set to work to restore the Castle, which had fallen into decay. "A moat of 40 feet broad was dug round it, the massive towers were strengthened, and a strong force of armed Gordons, with their chief, took up their abode within the fortress, ready for any service that the unsettled state of the district might demand of them (W. Drummond-Norie's "Loyal Lochaber," p. 35, where a good many interesting facts about Lochaber are given).

The importance of the Gordons is shown in a precept of sasine granted in 1542 by George, Earl of Huntly, narrating that he had granted to William, son and heir of Lachlan Mackintosh, lately lord of Dunachton, captain of the Clan Chattan, for his lifetime for the homage and service of himself and of his forces of the Clan

Chattan to be rendered to the granter and his heirs, his lands of Bandachar, Clwyn and Schefyn in the lordship of Badenoch, and his lands of Esse in the barony of Castle Latheris ("Mackintosh Muniments," No. 39). Again by a contract dated February 26, 1547-8, William Mackintosh, of Dunachton, captain of the Clan Chattan, agreed to defend his "cousin," Lachlan Malcolm, son and his kith and kin in their lawful actions, save against the Queen, the Lord Gordon, Lord Huntly, and Lord Gordon, and their heirs ("Mackintosh Muniments," No. 56).

The patriarchal character of the ducal relations with the Lochaber and Badenoch countries is brought out clearly by a series of documents which the late Mr Fraser-Mackintosh published in the "Celtic Monthly" of October and Nov. 1899, in an article on the "Badenoch and Lochaber Courts and Records." For the sake of clearness, I have arranged these items alphabetically on the basis of the holdings:—

**ACHACHER**—April 25, 1709.—John Macpherson of Achacher (a part of Raitts) registers a bond to the Duke, which narrates that his father, Andrew Macpherson, had appraised the lands of Raitts, belonging to William Mackintosh of Borlum, for a certain debt, and that he, as doer for his late father, had charged the Duke to enter him and grant charter. The Duke agreed to do this for the consideration of a payment of 400 merks. "But it being customary for all superiors upon granting entries on apprizing to exact and receive a full year's rent, yet His Grace has been pleased to accept 400 merks—which was far within a year's rent; still, if the lands are not redeemed by Borlum within the legal term, and pass into Macpherson's possession, he, the said Andrew, obliges himself and his heirs and successors to pay a full year's rent of the lands under deduction of the above 400 merks. The bond bears date at the Canongate, December 31, 1675.

**ARDBROYLACH**—March 9, 1710.—Registration of notarial instrument, dated Rathven July 30, 1696, bearing that Patrick and James Gordon in Kingussiebeg, produced bond granted by John Macpherson of Ardbroylach, stating that upon an interruption by the tenants of Kingussie upon the Moss of Shansbanach (?), he would not rent peats nor use the moss, until the Duke of Gordon had ascertained on examination what rights he had in this moss; also, that he would get His Grace to do so before the next year's leading of peats by his obligation to that effect, dated June 4, 1694. The tenants now protested that, seeing Ardbroylach had failed to implement his obliga-



tions, neither he nor his tenants should have rights in the said moss. Done within the house of Alexander Shand, in Raffan, March 14, 1710.

**BALLACHROAN**—Februaury 21, 1707. — Discharge of George, Duke of Gordon, as assignee, narrating that the deceased John Macpherson of Ballachroan, as principal, and with him George Macpherson, tutor of Clunie; Donald Macpherson of Noide; and Malcolm Macpherson of Kingussie-Mor as cautioners by bond, dated June 18, 1656, bound and obliged themselves to pay to the incumbent master of the Grammar School in Badenoch, the interest of the sum of 2000 merks, while that sum remained in the hands of the deceased John Macpherson; and that James Macpherson, now of Ballochroan, as heir of his deceased father John had granted a bond of corroboration on October 10, 1684, in favour of Gilbert Hannay, then a schoolmaster. Hannay on February 22, 1700, had assigned the bond to the Duke, who had taken steps to send John Macpherson as representing his said father James, and William Macpherson, now of Noide, as representing his father Donald, and against the said Malcolm Macpherson of Kingussie-Mor for payment of five years' interest on the said sum. Ballochroan, alleging that he had already paid interest for two of the years, claimed for to the Duke's Chamberlain, and had instantly paid the other three years, discharged by the Duke in full; but if Ballochroan fail to exhibit the Chamberlain's discharges, the claim for the two years alleged to be paid is reserved. Discharge signed at Gordon Castle, November 9, 1706 ("Celtic Monthly," October 1899, p. 67).

**CRUBEN-BEG**—January 30, 1710.—Bond by James and John Macpherson in Cruben-beg to the Duke for £100 as part of the duty of Cruben-beg still due by Alexander Macpherson, their brother german, and others, possessors of the land for the last three years: dated Ruthven, December 15, 1709. There was also a bond to the Duke by the same persons for 32 merks.

**DRUM-CALLAIG**—January 30, 1710.—Bond registered by Samuel Macpherson of Drum-Callaig to the Duke 16½ merks: dated Eileandhu (in Laggan), December 12, 1709. On March 6, 1710, Macpherson was appointed to oversee the woods and forests of Benalder at a salary of £50 Scots; letter of forestry registered March 9, 1710.

**INVERTROMIE**—June 25, 1705.—Bond, Duncan Macpherson of Invertromie to George, Duke of Gordon, for £11 12s, dated Edinburgh, December 5, 1696. Witness, Mr George Gordon and another, servitors to the Duke.

Another bond by Invertromie to the Duke for 200 merks is dated Edinburgh, March 11, 1698.

**INVERESHIE**.—Mr Fraser-Mackintosh says the last of the old-family of Invereshie was styled Elias Macpherson, the name being really

Gillies. The points raised were important. The superior wished in a charter by progress to import various conditions and stipulations not comprehended in the original charter. Invereshie very properly and legally objected to these novelties, and it has long been settled by Scottish law that the terms of an original charter cannot be enlarged or added to without consent of the vassal, although they may be modified or eased. A paper registered this date entitled "Information for Invereshie," narrates that Elias Macpherson of Invereshie; as heir served and retained to his father in the lands of Invereshie and other holden of the Duke of Gordon, craved to be entered by his superior in these lands conform to the original rights thereof. That a precept has been drawn by the agents for the Duke, for in-fecting him thereof, but the same appears dis-conform to the original writs in the following clauses, "nine in number—which, though inter-esting to lawyers and specialists, are hardly suitable for ordinary readers. In the end, it is intimated that there is a legal remedy for the unjust refusal of superiors to enter their vassals' superiors, not being entitled to alter or innovate the conditions of feus or renewals.

PROTHEMORE (Crathymore?)—January 30, 1710.—Bond registered by Elias Macpherson in Prothemore as principal, with Angus Macpherson of Drumindar as cautioner, to the Duke for £25 3s 4d of borrowed money, dated Ruthven, Dec. 15, 1709.

SHIROBEG—January 30, 1710.—Bond regis-tered by Donald Macpherson in Shirrobeg to the Duke for £50 Scots.

TIRFADUN—January 30, 1710.—Bond regis-tered, granted by John Macpherson of Tirfadun (now incorporated with Dalchully) to the Duke of Gordon, dated at Eileandhu (in Laggan), Dec. 12, 1709.

The Duke also employed the Macphersons on various estate duties, as the following commis-sions, quoted by Mr Fraser-Mackintosh, show:—

BREAKACHIE—February 3, 1710.—Registration of factory by the Duke to Malcolm Macpherson of Breakachie, as his chamberlain in Laggan for Martinmas 1686, and during his pleasure: dated at Gordon Castle, January 20, 1687.

CORRONACH—February 2, 1710.—Registration of factory by the Duke to John Macpherson of Corronach (now part of the farm of Biallid) as Chamberlain of Lochaber: dated November 10, 1709. The factory was renewed May 29, and reg-istered June 21, 1711.

RUTHVEN—February 22, 1710.—Commission registered by the Duke of Gordon to Lachlan Mackintosh, present possessor of the lands of Ruthven (second son of William Mackintosh, III of Borlum), to hold courts within the Lordship of

Badenoch and the Barony of Kincoardine, for the administration of justice, ordaining him to account for all emoluments of office, allowing him 300 merks of salary. Dated at the Citadel of Leith, September 12, 1709. Mackintosh got a tack of the town and lands of Ruthven at a rent of £458 6s 8d Scots, together with public burdens, on September 13, 1709 (registered March 2, 1710).

STRONE—February 18, 1710.—Registration of factory by the Duke, who, being confident of the ability, fidelity, and dutifulness of Lachlan Mackintosh of Strone, appoints him Chamberlain of his lands and mills within the parish of Kingussie, for collecting Martinmas rents of 1686. Subscribed at Gordon Castle, January 26, 1687.

### HIS VENDETTA WITH THE MACPHERSONS.

The Lochaber host had not been easy to manage, for it frequently broke out into civil war, one clan against the other, and it impinged on the Duke's other holdings. The Mackintoshes in particular had a grudge against the Gordons, because the promise of the lordship of Badenoch by Morton in 1572 had not been fulfilled, and in 1592 they invaded the Gordon country, when, however, Huntly was supported by Cameron of Lochiel, Keppoch, Clanranald, and the Macphersons ("Records of Aboyne," p. 516). In 1613, the Clan Chattan declined to help the Earl of Enzie against the Macdonells (*ibid* 529), and in 1618 Lord Enzie had to besiege them in Culloden. The war was carried into the civil courts, for on March 30, 1619, Lord Gordon got decret against Sir Lachlan Mackintosh of Torcastle to pay £2500 as a fine for certain "insolences and oppressions," which fine was duly paid ("Mackintosh Muniments," No. 280).

It is beyond my purpose to unravel the exceedingly complicated relations of the Lochaber families to the Gordons. Suffice it to say, the 1st Duke was brought face to face with the situation in 1672. It arose out of the claims to the chieftainship:—

- (1) Andrew Macpherson of Cluny (succeeded 1661), chief of the Clan Vurich or Macphersons, claimed to represent the ancient Clan Chattan.
- (2) Lachlan Mackintosh (succeeded 1660), captain and chief of the Clan Chattan, hereditary in his family.

Mackintosh, who had been educated at King's College, Aberdeen, attempted to lord it over

Macpherson. The latter resisted, and his brother Duncan, who succeeded him, absolutely refused to have anything to do with the Mackintoshes, and applied to the Lyon Office to have his arms matriculated as Laird of Cluny Macpherson, and "the only true representer of the ancient and honourable familie of the Clan Chattan." This he duly obtained, for Sir Charles Erskine of Cambo, Lyon King, declared on September 10, 1672, that the laird of Mackintosh was the undoubted chief of the name of Mackintosh and of the Clan Chattan, comprehending the Macphersons, M'Gilvrays, Farquharsons, M'Queens, M'Beans and others, and that he would give none of these families any arms but as cadets of Mackintosh's family, whose predecessor married the heretrix of Clan Chattan in 1291. In particular, he has given Duncan Macpherson of Cluny a coat of arms as cadet of the said family ("Mackintosh Muniments," No. 549).

The result of this finding was that the Privy Council held Mackintosh bound for his clan under the designation of Lord of Cluny and chief of the Macphersons. Mackintosh objected, and the Privy Council, to which he appealed, ordered

M'Intosh to give bond in these terms, viz., for those of his clan, his vassals, those descendit of his family, his men, tenants and servants, or dwelling upon his ground.

Cluny [Macpherson was ordered] to give bond for those of his name of Macpherson, descendit of his family, his men, tenants and servants, but [without] prejudice always to the Laird of M'Intosh, bonds of relief against such of the name of Macpherson, who are his vassals.

The next step in Huntly's struggle was an application through his guardian, Lord Aboyne, as head of them both. Mackintosh waited on Aboyne, and declared that

The whole tribe [of Macphersons] would be as unnaturall to the Marquis, their superior and master, when able, as they were to him, their chief, and, if Aboyne pleased to put them to the trial in giving room to him (MacIntosh), and his friends to offer for the lands and teinds of Badenoch, holding of the Marquis and in possession of the Marchioness, as soon as opportunity offered, that the family of Huntly's interest would be forwarded thereby, and the Macphersons would prove themselves ungrateful to all parties. The discourse relished Aboyne, and he consented.

But Huntly's guardians ultimately changed

their minds, as is shown by the letter which they wrote on March 31, 1674, to John M'Pherson of Invereshy, Lachlan M'Pherson of Pittmean, Donald M'Pherson of Nied, "and the rest of the name of M'Pherson":—

Gentlemen, our very good friends,—The laird of M'Intosh, has arrogant demeanors in severall affairs wherein my Lord Huntly is concerned, and particularly of the teinds of Badenoch, has brought us to a clear understanding of these differences betwixt the Laird of Cluny and him anent the chieftenry and what endeavours have been used be him to frusterat Cluny of the benefite of the [Privy] Counsell's just determination; and, seeing we now understand that most sureptiously M'Intosh did borrow our names, not only in the prosecution of that action, but always since when occasion offered as a means to rent yourselves and devyde you; we have therefore upon consideration of the justness of Cluny's cause (whereof the emptiness of M'Intosh's arguments does sufficiently convince us) Cluny's and his predecessor constant fidelity to the famely of Huntly, thought fitt to make known both to you and him our dislike to his proceedings togeder with the resolutions we have now (on just grounds) put on to espouse your quarrell against him and whatever may emargin upon that point; and, that these may be the more manifest, we desire this to be communicat to all your friends of your severall famelies, wishing hereby all the name of M'Pherson and all others called the old Clan Chattan, and whatsomever name and designation within my Lord Huntly's bounds or ours to follow our faith herein, and the said Laird of Cluny as chieffe, and to pay the same respect and defference to him that becomes kinsmen: certefeing any lieving within the bounds above specified that does in the contrary, they shall be looked upon not only as unnatural to their chieffe, but likewise as complyers with those who have no kyndnes for the famely of Huntly (judged unworthy to hold of or depend unto the same), and assuredly taken notice of as such by my Lord Huntly and gentlemen and reall and assured friends. Sir,—You will find by the enclosed and your cousine Mr Angus' information, our inclination to doe all the favour we can; whereto we expect a continuation of that faithfull service your predecessors have shoen to the famely of Huntly, which will be the greatest obligation you can put upon, sir, your most reall friends.

Aboyne and Urquhart also directed the following letters on the same date to Duncan M'Pherson of Cluny:—

Sir,—You will find by the enclosed and your



cousine Mr Angus' information, our inclination to doe all the favour we can; whereto we expect a continuation of that faithfull service your predecessors have shoen to the famely of Huntly, which will be the greatest obligation you can put upon, Sir, your most reall friend, to serve you.

Next day, April 1, 1674, Aboyne wrote to Sir Hew Campbell of Calder (Cluny Charter Chest):—

Sir,—Being assured of your friendship, and knowing your respect towards my Lord Huntlie, I must intreat you for a favour which I hop you will not deny me: which is, that the Laird of M'Intosh, having bought my Lord Huntlie's terthes of Badenoch against himself, contrar to the duitie of ane wassall to his superior, and to pay for the samen with the money he expects from you, my earnest desyr is that you pay him noe money at all till a terme. And I oblidge my selfe to free you of all expence or dammadge you shall incur therby, and I conceive that by doing soe, when M'Intosh comes to consider the business and his own duitie mor naturlie, he will be obliged to you for incapacitating him to committ soe extravagant ane actione besyds the favour you will confere upon, sir, your humble servant,

ABOYNE.

A notable step was achieved on February 23, 1683, when an agreement was signed at Inverness between the Marquis of Huntly and the laird of Mackintosh respecting Glenroy and Glenspean and the heritable office of the Stewartry of Lochaber, which Mackintosh was to dispone to Huntly for 50,000 merks and other considerations, including the disposition of the superiority of Dunachton, etc., so they might be held directly by Mackintosh from the Crown ("The Mackintosh Muniments," No. 606).

But the antagonism of the Mackintoshes and Macphersons was not at an end; and it broke out fiercely when Sir Æneas Macpherson of Invereshie (born 1644) was temporarily appointed bailie of Badenoch to the Duke in succession to William Gordon of Arradoul, who had held the office as early as 1643. In the end the office was given permanently to William Mackintosh of Borlum, a deadly enemy of the Cluny Macphersons. Æneas Macpherson was so furious that he remembered his anger sufficiently for thirty years to write his "Loyall Dissuasive," a diatribe, as bitter as aloes, dashed off in 1703, and edited for the Scottish History Society a few years ago. Its full title runs:—



The Patron turned persecut[or], or a short narrative off Sr. Aneas M'Pherson his service to His Gr[ace] the D[uke] off G[ordon] and of the said Duke his kind and oblidging returns— Wherein also; some of His Gr[ace]'s proceedings against the Lairde off Cluny, and his whole Clann and Family are breefly related and proved to be unjust in a letter to a person of quality [probably Anne Countess of Galloway] by Sr. Æneas M'Pherson, Knight.

Macpherson made up his mind that the appointment of Borlum, "though based partly on family connection, was intended by Huntly as an aggression upon the Clan Vurich." Macpherson describes Borlum as a "cunning ghamester," and declares that he always knew how to fish in mudden waters."

Æneas had other crows to pick with the Duke. In the course of his fierce diatribe, he endeavours to "refresh his Grace's memory with some few instances of my indeavours to serve him, and of that respect I owe to his Gr[ace]'s most illustriouse ffamilie, which no injustice or provocation on his side shall ever be able to efface." He says he considered his "first fruits next to my lawfull sovereign, was justly due to his Grace"; and so suggested to the Duke that he should buy the Barony of Kincardine on Spey, between Rothiemurchus and Abernethy forests, which was being sold by Sir Alexander Mackintosh of Conadge, a property in Petty. Æneas had been offered 2000 merks in ready money to advise Conadge, who was his client, to "preferr ane other to the bargain." But on his own authority, Æneas waited on Huntly and made a "frank offer of the property to him, pointing out—a remarkable statement—

That notwithstanding his lo[rdshi]p's quality and great and opulent fortune, he had got no wood upon his estate, which left him under a necessity, when he had occasion to build, to buy deals, jests (joists), and other timber at the dearest raits, or to be beholders to his inferiors: [whereas] the Barrony of Kincardin, small as it was, was well accomodated, for beside that it has a forest for lodging of his deare in the winter tyme, who were commonly knocked in the head when possessed by strangers, it has also a saw mill, and on[e] of the best firr woods in the wholl kingdom, at all tymes sufficient to serve his lordship and his best friends as they had occasion. That by the situation of Kincardin, if his lo[rdshi]p bought it, he thereby extended Badenoch [as it lay between the Grant and the

Macpherson counties]; and [he] might plant it either with Gordons or M'Phersons; but if Grant had it, he extended Strathspey to the lessening of Badenoch: an inconvenience I humbly supposed was much to his interest to prevent.

The upshot of the whole affair—which is gone into at considerable length by Æneas—was that the Duke, by the advice of his new bailie in Badenoch, William Mackintosh of Borlum, was that poor Conadge was completely done in the transaction. Æneas looked on the policy (p. 173) as designed to “cove our family so as they may not have the heart to own and support their chief in caise of ane extremity.” He considered Mackintosh “a mortall enemy” to the Macphersons, while the forester was “ane other of the same kidney and complexion,” both coming of a race of people “who have been constantly disloyall and hereditary enemies to himself, as if his Grace had sett his rest and taken up a principle to coxe and cagole his enidies, and be at warr and enmity with his freinds.”

The friction between Huntly and the Macphersons reached such a point that Æneas made a formal proposal of the transference of Cluny from the vassalage to the Gordon to the vassalage to Atholl. A “false brother” of the Macphersons informed Huntly, “who upon the allarum sent his positive orders to Cluny and the other gentlemen at their heighest perill to proceed no furdur” in the matter, while he informed Atholl that it was not kind nor neighbourly to offer to divert the dependence of his vassals without his knowledge and consent. Huntly also summoned Æneas to Carron, which lies between Ballindalloch and Aberlour, when he sent Sir James Strachan of Thornton, who was the Episcopalian parson at Keith, and Captain Adam Tyrie, a “gentleman of great sense,” to meet him. After “severall discourses” they brought in the Atholl question “by a side wind,” and begged him to see the Marquis at Gordon Castle, ten miles off. The party at once rode off, “and arved at the Bogg about four of the cloak.” Æneas then gives an extraordinary account of his conference with the Marquis:—

I cannot deny my reception in appearance was such as I could wish, and his intertainment that afternoon both to them and me, without touching of particulars, full of all imaginable marks of civility and respect,

Supper at last being over, his lordship called me to the closet wher after we were left, he was pleased to tell me that to his great amasement, I had endeavoured to do him the worse peece of service the most malitious enemy could think of, the unhinging of Cluny and the M'Phersons, and fixing their dependance on another family, and he would gladly know what he had done to merit this diskindness. "My Lord," said I, "the congress is unequall. I am but a privat gentleman, and have to deal with one of the greatest subjects of the kingdom, but if your Lordship," said I, "now that we are alone, lay aside your quality and allow me to be on the square with you for a few minuts, I make no maner of question by your Lordship's own judgement to justifie all I have yet done, and more if I were able.

"For my Lord," said I, "what is it that concerns either the honour of interest of our family that your Lordship has not showed yourself ane animy to? You have heighten the rent of that you call your propertie, tho' the tacksmen are quite impoverished by what they payed formerly; you have endeavoured all was possible for your Lordship to ruine the heritors, and for that end, besides the Acts made by your baylies in the Courts of Ruthven in ane arbitrarie way, your Lordship has been upon the constant catch, instead of protecting them against the violence of othres, as in right you should, to take rights and assignations from others against them. Your Lordship and your bailies have espoused the interest of the M'Intoshes, who are not only our vouched enemies, but hereditary enemies to your Lordship and your family, against the M'Phersons, who have been your constant friends. These things considered, it may seem the less strange to your Lordship that we have attempted to prevent our owne ruine by applying ane other of your Lordship's quality who had a truere value for us, and would be sure to treat us better."

My Lord, having heard me out with patience, answered that he could not deny he had been ill-advised, and had done severall things were not friendly to the M'Phersons, but, says he, it shall be so no more, adding that if he knew how to secure my friendship, he would buy it with a great deal of gold. "My Lord," said I in answer to this, "deale but justly by our family and don't be imposed upon by the arte and sophistrie of your flatterers to oppress and squise them, and for myself I covet none of your gold," said I; "assure me but of your countenance and protection, and your Lordship shall find no man alive, according to my ability, more firm and faithfull to your interest, or that on all occasions shall be readier to serve you. "Invereshie," said my Lordship (for so I was then called), "we have said enough for this bout, and again tomorrow morning I may have something more to

add may please you better"; so he wished me a good repose, and leaving his Lordship to his, I waited of my friends, to whom I told all that passed very much to their contentment.

Next day we separately convened at his Lordship's levy, and after breakfast he showed me the copy of a bond he designed I should sign and grant him, wherby I was to be obliged under the penalty of five thousand pounds not to depend upon, or offer to be raised by, any but himself. "Here," said I, "my Lord, am I bound neck and heels with a witness, but wher is my security, if I disingage myself from others to be raised by your Lordship or protected by you? "That," said my Lord, "is what you are not at all to question"; adding that he was not ignorant that at the finishing the bargain entered into by the Marquis of Athole and Clunie, I was to go to Court with Athole's recommendations, and he would lett me see that he had no less interest to raise me than the Marquis of Athole, or any other subject. If I but signed that bond, he would furthwith, he said, wreat to the Earle of Aberdeen [Sir George Gordon of Haddo, created Earl of Aberdeen, November 1682], who was then Chanceller, and to the Duke of York in my behalf.

From first to last [the Duke] designed me no kindness, or if at any tyme he intended to raise me, it was with the same mind the kite had done the torbois, to crush me by my fall. And yet, if this sting had been only pointed at me, I should be the less concerned, but it was easie to forsee that he designed the ruin of our whole race and family, and always since has done what he could to excite it.

For His Grace had scars entered to the possession of his own estaitte upon a gift of King Charles the Second's, in whose hands it fell by the Marquis of Argyle's fforfaulture, to whom it belonged at that tyme, and long befor, but His Grace immediately resolved to turn all our name out of their estaits and ffortuns, as the King's donator upon Argyle's fforfaulture; notwithstanding there be many yet alive to witness that during that unhappy civill warr, our ffamily was constantly for the King against Argyle and the other rebels.

But this having failed him (for all our name except one or two of the meanest heritors had the King's confirmation), the nixt thing thought of was to make a narrow enquiry when they owed any money upon which ther had followed any adjudications or apprisings; and, understanding that Grant of Carron had ane expireit aprising against the estate of Invereshie, His Grace without delay called Carron, and after a meeting or two bought that apprising; the dispositions were drawn and signed by Carron ready to be delivered to His Grace, but some papers being want-

ing that by the terms of the agreement His Grace was to give to Carron, or he to him, I know not which, that day eight dayes was appointed to deliver and exchange the papers.

Some dayes befor, my brother, the deceased John M'Pherson of Invereshie, by whose negligence things came to this pass, departed this lyffe. After his interment, which was precipitat all I could, I went streight to Carron, who severall years before that had been married to my mother, and, having expostulated with him the injustice he was like to do our familie, I plainly told him that if he gave the Marquess of Huntly, or any other, that bargane but me, it would not be in my power to save him. "There are a sett of young desperat fellows," said I, "in scuh a caise have sworn to take your lyfe. Your business then," said I, "is to consult your own safety. Let me have Huntlye's bargain," said I, "and I give you the money in ready cash to pay his Lordsip what you owe him."

This ruffe dealing, with the good help of my mother's tears and importunity, prevailed with the Laird of Carron to take his money (which was ready for him) to give me the rights he was to give the Marquess blank, as they were left till the Marquess might consider in whose name to take them; ffor, being himself superior of the lands, he could not put his own name in the disposition for counfounding of the rights of propertie and superioritie.

But ther being no such difficulty on my side, I was no sooner made master of the papers than my name was filled up in the blank, by which means I became proprietor of the estait, and possessed it calmly till my brother's son, the righteous owner, was of age to claim it.

Ther was also ano other apprising led at the instance of Bailie Rankin in St Johnston, against the estate of Cluny, about which Priest Dunbar and some others were tampering in his Lordship's name, but, that also failing him, ther was ano order sent to Tirrisoul, his baylie of Badinoch; or I shall rather think he asked it himself, the contrivance being like the man, for ther could be nothing more immorall or unjust, which was to make a pretended examination of some witnesses who were corrupted, and taught what to say, about the marches of the fforest of Glenfeshy, lying contigouse to Invereshie, his estaite.

Upon these men's depositions, some of whom were professed enimies to our familie, others downright idiots that could not count their own fingers, a solemn decret was pronounced by that goodly bayly, notwithstanding my ffactors in my absence had apealed from him, as being but a barron's baily, and by the Acts of Parliament incompetent to judge of men's heritage, wherby a third part of the estaite was decreed to be within



the limits of the forest, and I, and my factors ordered to remove the tenants, and pull down the houses by a certain day, with certification if we failed, he would do it himself.

Æneas balked the Duke, and then describes the "one kaird more" his Grace played, which was to make severe acts of Court to force his vassals to grant his lands. Æneas also tells how the Duke raised an action against Cluny, "decreet of certification" of certain lands being stolen from Cluny (p. 167).

A few pages further on, Æneas, who was completely obsessed on the point, returns to the subject:—

His Grace's predecessor found Clunie and the M'Phersons in the peaceable possession of Badenoch by as good a right as the M'Donalds had to Ilay, the Camerons to Lochaber, or the other clans that did not border upon the lowlands had to their serevall countries. It was the price and purchass of their blood. The superiority on't cost his Grace's family but one single battle against Earle Beardie, but the propertie cost the M'Phersons many a one against the Cummings, who were a farr more formidable enemy, so that 'tis very apparant that his Grace's proceedings and his ancestors against our family, first inforcing most of them to pay liberall compositions for the propertie to which he or his ancestors had no other right, but such as His Grace pretended latly to the estate and fortune of Lochiall, must have been arbitrary, and unjust; but to endeavour as his Grace after done, and does, to turn them quite out, either by immediat acts of his own, or by rights and assignations from others, must be looked upon as barbarouse, of the highest sort of tirrany.

But ere I leave this point I shall only ask your Grace how he would like to be served so by his own superior. If the King, for instance, should take assignations from my Lord Argyle to his right to the estait of Huntly, and dispossess him and his posterity for ever in vertue of such a right? (pp. 172-3).

Huntly played on both sides of the fence, however, just as his guardians had done in the dispute years before, for the Marquis gave Æneas a letter to the Earl of Aberdeen, who had just (1682) been made Chancellor of Scotland. So armed with this, and another letter from Sir Robert Gordon (of Gordonstoun?), Æneas proceeded to Edinburgh. The Marquis himself had promised to write to the Duke of York, but that letter was never written, and he put upon Lord



Aberdeen the onus of introducing Æneas to the Duke. Mr Murdoch, who edited the "Loyal Dissuasive" for the Scottish History Society, summarises the position clearly:—

It became very clear that Æneas, in cutting himself off from Atholl's patronage, and binding himself only to Huntly, would get aid from neither, and he proceeded to London, where his own resources stood him in better stead here, and it is not without its side lights upon the oft-painted picture of the latter days of the court of Charles II., when the Duke of York ruled Scottish affairs. The affable Lord Middleton, one of the principal secretaries of State in 1684, stood his friend, introduced him to the Duke, who presented him to Charles, and in the end he got the Sheriffship of Aberdeen.

Macpherson's commission was dated October 15, 1684 (Littlejohn's "Sheriff Court of Aberdeenshire," iii., 104-5). He wanted, however, to get a substitute and practise at the bar, to which he had been called in 1683. It was at this point that Huntly, who was raised to his dukedom on Nov. 1, 1684, intervened, for he got a clause inserted in his commission to prevent Æneas from having a substitute. This would have lost him his legal practice, and kept him at Aberdeen, and he at once defeated the Gordon trick, and had the clause removed. On January 9, 1685, Æneas granted a substitution to Andrew Thomson. Mr Murdoch thinks (pp. xv.-xvi.) that the whole story "calls for a lawyer to unravel it."

An echo of these animosities is recorded by John, Master of Sinclair, in his "Memoirs of the Insurrection," which the Abbotsford Club published in 1858, and it also shows that the feuds between the Gordons and the Keiths had survived. On October 9, 1715, Huntly joined the Jacobite army at Perth, Marischal having arrived the day before:—

Marishall, soon after Huntlie's being in Pearth, set about gaining the MacFiersons, took occasion of some difference betwixt Huntley and them about some private right, in which all said Huntley did them no injustice: and gave them a very pleasant reason for acknowledging him their leader and chief, by telling them that the MacFiersons were the Clan Chattan of old, and his name being Keith, he was their true cheif: tho' no bodie can prove by historie that ever Marishall's familie had a Highland following, but that was nothing: the whole being then un-hinged, everie one drew to himself: and a strain'd derivation was pretext enough to those who had nothing but their own interest to con-

sult: seeing all ruin'd thought onlie of their own honour before they left the countrie that at least the name of the pover they had might give them a greater luster abroad. But this took with very few of the MacFiersons, and onlie such as were not regarded by that Clan; and no sooner Huntlie was told of it than he quasht it without the least trouble to himself, or takeing any notice of it; and James Keith Marishall's brother [was] baulkt of the regiment of MacFiersons which Mar designed him, who had followed Huntley's ancestours for many hundred years.

On July 8, 1714, the Duke raised an action against Lachlan Mackintosh of that ilk (Morison 10,975). The question in dispute was as to whether Mackintosh had obtained by prescription the right to be regarded as the direct vassal of the Crown. The point arose in this way. The Earl of Huntly had at one time dispond to M'Intosh's predecessors the lands of Dunachtown on Speyside, to be held by M'Intosh as vassal of the Huntly family. In 1635, the then M'Intosh, while the then Marquis of Huntly was abroad, obtained an infeftment from the Crown as a direct vassal of the Crown. In the course of the subsequent civil wars the estate of Huntly came into the possession of the Marquis of Argyle, and on Argyle's forfeiture in 1661, the superiority of Dunachtown fell to the Crown. In October 1661 the then M'Intosh was infeft as heir of the lands. In 1662 King Charles II. conveyed the Marquis of Argyle's forfeiture upon the Duke of Gordon, whereupon the Duke again became possessed of the superiority of Dunachtown. The question then arose whether the holding which M'Intosh had got from the Crown in the course of the troubles was good against the right now conferred upon the Duke through his getting back the forfeited lands. It was held that M'Intosh's plea of prescription was bad, and that he was bound to continue to hold the lands as the Duke of Gordon's vassal.

In 1716, Lachlan Mackintosh of that ilk sent a memorial to the Duke regretting the necessity of appearing against him in any lawsuits in the Court of Session, and that it was only as defenders. If the Lords decide that he ought to be a vassal to any subject, he had rather be so to his Grace than any other: but he pleads for consideration in regard of money payments, etc., as he has been at great expense during his confinement ("The Mackintosh Muniments," No.

703). In 1720-21, the 2nd Duke sought declarator that Mackintosh was his vassal and held certain lands from him.

The trouble with the Macphersons reappeared during the time of the 2nd Duke in 1724. The story is told, says Mr Andrew Lang in "The Companions of Pickle," in a letter from Cluny to the Earl Marischal:—

The Macphersons held land in Badenoch "as feuars, woodsetters, or kindly tenants of the Duke of Gordon." He, however, "vexes and reduces us by perpetual lawsuits, and has taken it into his head to root us intearly out of his country." He feued most of his Badenoch lands to Glenbucket for the half of its value, or, I may say, a third, merely out of design to take it out of the hands of the Macphersons. Glenbucket, in order to begin the work of extirpating us, has turned out the tenants of six farms. Their high offers of rent were refused, so they dirked Glenbucket in a most barbarous manner." The operation can scarcely be performed in a gentle fashion. "They very luckily missed their aim by the favour of a buff belt he had about him, also by the favour of a claymore that was lying convenient. The Duke even threatened to "extirpate" or "evict" the "whole name of Macpherson, which he proceeded to do" with a body of 1000 men, foot and horse. King James appealed to, writes to the Duke of Gordon: "I am far from blaming you for any steps you may have taken which were authorised by the law of the land, but eviction disunites loyal clans."

Mr Lang quotes another story from a Jacobite manuscript. The possessor of a farm belonging to the Duke of the tribe of the Macmartins, about three miles to the north of Fort-William, demanded an abatement of the usual rent, which, the Duke refusing, he left the farm boasting that no man would dare to succeed in it. For some years it was untenanted, till at last the Duke prevailed on Mr Skeldoich, who was then minister of the parish, and who could not find a place to reside in, to take this farm. The former possessor lay still till the minister had plentifully stocked the farm in cattle and built a house on it. Then, with some other rogues, finding that the cattle were carefully watched, went to the place where the calves were kept, and with their dirks cut off their heads and cut their skins, so that they would not be of any use. They destroyed the Duke's salmon on the Lochy. Later, watching till the minister chanced to be away from

home, they pulled down part of his house and fired several shots towards the place where his wife lay. The clergyman then thought it time to move into Fort-William. "All this written about 1749 is hardly congruous with Mr Fraser-Mackintosh's bold statement that the Commissioners of Forfeited Estates were the just evictors in the Highlands."

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#### THE MACPHERSONS IN THE GORDON REGIMENTS.

The close relation between the Gordons and the Macphersons came out in the recruiting for the regiments raised by the fourth Duke. Even here, however, there is an echo of the old friction. It comes out clearly in a letter written (April 6, 1778) by the Rev. Robert Macpherson of Aberarder, who had been applied to as "the oracle and adviser of the whole clan," by William Tod, the Duke's factor. Tod indicated "what would be expected of them [the Macphersons] upon this occasion, and what would be the consequences of their not exerting themselves." The veiled threat made the parson write a long letter (of immense historical interest) pleading the great difficulty of getting volunteers, which he feels will confirm the prejudices the Duke "already appears to have unhappily conceived against them [the Macphersons]." The letter, which is now at Gordon Castle, gives a vivid idea of the state of clanship in the Macpherson country:—

I am perfectly of your opinion that neither the honour of the country nor attachment to the Duke of Gordon can easily procure a decent number of volunteers in this country for His Grace's Fensible Regiment. The Duke will therefore have, seemingly, great reason to complain of his tenants in this country, and it will confirm the prejudices he already appears to have, unhappily, conceived against them.

Clunie's and Captain Duncan Breckachie's son's success in recruiting two years ago, and the number lately levied by officers from this country for the Hamilton Regiment and other new corps, will rivet the belief that our fault will proceed more from the want of inclination and attachment than the want of ability or power to raise men at this time for His Grace's Regiment. However, I beg leave to observe that when the two first-mentioned companies were raised, the country was full of people, and the times were so bad that many of them were starving, or obliged

to go to the Low Country to serve as labourers. The two gentlemen, Ralea and Captain Duncan Breckachy, who conducted the recruiting, were indefatigably active. The principal tacksmen and gentlemen, tho' they could give them no assistance, lay by, and allowed every art to be used to inveigle and entrap every man that could be most easily spared. Emissaries were sent to the Low Country, who soon picked up all the natives of this that had straggled thither. A dozen clever fellows, being thus once engaged in a cause which at that time appeared the less alarming from the frequent emigration to America which immediately preceded it, soon confused a proper spirit into others. The recruiting their complement became an arduous task. Indeed, the emulation at that time between the several clans engaged (who should first make out their complement of men) had its weight with the common people. I can positively affirm that there was not a gentleman in this country, except Captain John Bellachroan for a week or two in the beginning, who took an active concern for Cluny, and still less for Breckachie's son upon that occasion; nor if they had would it have answered any good purpose.

The spirit of clanship has absolutely ceased as to its more important consequences, all over the Highlands, and more especially in this country. The principal heads of families have very much fallen of for their circumstances, and proportionable to that is the decrease of their influence among the common people. These, again, are now happily assuring [sic] at independence, and trust to their own industry and protection of the law more than to the precarious support formerly afforded them by their demagogues or heads of tribes. The only instance where gentlemen interfered in Clunie's recruiting soon convinced them of their folly and of the change of spirit among the people: and Ralea soon discovered that the only way for this gentleman was to take no seeming concern, but to leave him to follow his own measures.

Captain Maxwell's success here [in raising 67 men for the Fraser Highlanders in 1775], tho' so powerfully recommended [by his sister Jane Maxwell, Duchess of Gordon], can be easily accounted for, from what I have already observed.

The gentlemen and principal tacksmen had, really, little or nothing in their power. There was no person appear'd at the time in the country for him, to take upon him the horied drudgery of drinking whisky, and to act the recruiting serjeant among the people. Besides, the few remaining sparks of clanship had, by that time, been kindled into a flame, which, with their sympathy for Clunie's misfortunes, made them enlist with their Chieftan in preference to all mankind. But the fit did not last long. It was truly fortunate for him that his preferment did



not depend upon his success in the recruiting, as was once expected, at this time. As to the last recruiting we had in this country, I need say nothing. You know perfectly well how little credit was due on that occasion to the active concern and influence of our Gentlemen. Invereshie, indeed, after a wonderful effort, occasioned by pressing letters from his son, made, I think, two men for his grandson. Benchar enlisted a very few of his tenants' sons, but the greater number of them absolutely refused to go with their young master. The all-powerful influence of whisky, uncommon address, to give it no worse name, and the lucky circumstance of your being detained for some time in the Low Country, after the recruiting began, rendered Captain John Bellachroan's and other officers' indefatigable and persevering industry very nearly effectual in raising their complement of men. Yet the half of them were not of this country. Poor passengers and men picked up in other parts of the Highlands and Low Lands composed the bulk of the kind of recruits they brought to the Hamilton Corps.

Though the condition to which we are already reduced for want of servants and labourers is deplorable, yet I wish you clearly [to] see that private interest as well as our credit and honour should, upon this occasion, powerfully stimulate us to promote the recruiting in support of His Grace's Patriotic Plan. And it is my opinion that the most effectual method will be that which was practised two years ago in recruiting for Cluny—that two Gentlemen of address and character should be pitched upon, one in each end of the country. The whole executive power should be devolved on these: that all the tradesmen should be call'd to a meeting and separately required to give up upon oath, if found necessary, the name of every man of bad fame or even ambiguous character in the several parishes, and such other hands as could be most easily spared. The feuers should be applyed to for the same purpose. When the list is made out, the recruiting gentlemen should cause all these to be apprehended *brevi manu*, and if any interfere to protect them, these and only these should become obnoxious to His Grace, and be made to feel the weight of his resentment. It would be unfair to execute a general and undistinguishing vengeance upon a number of people whose greatest failure will, I maintain, be occasioned by their poverty, and, consequently, their want of influence over their former dependents and followers.

Distressed as we really are for want of servants, I am positive, if the country was well sifted, it might still supply His Grace with a decent number of recruits without much injury to the honest, industrious farmers.

Volunteers need hardly be expected. The dan-



ger is too remote to raise my apprehensions in the common people of the country's being attacked by a foreign enemy. It is of little consequence what the Gentlemen may think in regard to it; unless they take up arms and engage in the cause, they will not be believed. The people have been successfully deceived since the middle of last war by all the recruiting officers and their friends. It has constantly been, since that period, the common cant that the recruits were only enlisted for three years or during a continuance of the war. Yet, they saw or heard of these poor men being draughted into other regiments after their own was reduced, and thus bound for life, instead of the time that they were made to relieve. This was a deceit practised more than ever in raising the late levies; but it has now little effect. Nor will it have much where it ought to have it. The people will not be convinced, not even by giving them written obligation, that the Fencible Regiments will not be draughted or kept up longer than till the war is over. They have been so often cheated that they scarce know whom to trust. I have already been using my best endeavours with some of them. Their answer was that for any difference they saw between one regiment and another, they never would take a guinea of levy money from any man, and refuse twenty and even thirty which the Duke of Athole and others are presently offering to good recruits.

On May 25, William Tod, Ruthven, writes that he had assembled the whole of the tacksmen:—

Some such plan as I have proposed must, I suspect, be followed both in this country and Lochaber. Indeed, the tenants in that country have much the advantage of us here. I am well informed there were only sixteen men carryed away from His Grace's Lochaber estate to the new levies, and not nearly that number about two years ago [for the Fraser Highlanders]. We have been drained in this country those two periods and in the interval of them, of some more than two hundred to His Majestie's service.

They have all testified the greatest inclination in the world to serve His Grace upon this occasion, but they have unanimously declared that it has not hitherto been in their power to influence a single man of their dependents to enlist, and that they have no prospect of being able to do it. They are of opinion that compulsion will be necessary, and they have enabled me to assure His Grace that they will give every assistance personally or otherwise to carry any measure into execution that may be thought expedient for securing 30 or 40 of the folk of suspicious characters, or that can most easily be spared.

## HIS TREATMENT OF THE CAMERONS.

It has been pointed out that the Duke during his process of rehabilitation displayed a strong desire to lord it over his Highland vassals of Badenoch and Lochaber. I have shown how this acted in the case of the Macphersons and Mackintoshes; but it was even more severe in the case of the Camerons—which was peculiarly unfair because they had stood loyal to the House of Gordon when the Clan Chattan was at its throat. This spirit was not new, for in 1610 the house of Huntly had acted in a very unfriendly way to the Camerons (“Records of Aboyne,” pp. 527-8). It got full swing, however, by the ascent of the Duke through the descent of Argyll.

At the confiscation of Argyll in 1681, the Duke had got his own back in the gift of the forfeitures so far as they extended to the Huntly estates (“Memoirs of Sir Evan Cameron,” p. 210). On January 15, 1685, he also obtained a gift of the superiority of Argyll’s lands, Glenleish and Loch Archaig, which were held in vassalage by Cameron. Lochiel hurried up to London with a view of securing the superiority himself, but before the necessary documents were completed the King died (February 6, 1685). The Royal intention is suggested by the Earl of Moray, who, writing on May 12, 1685, says (“Buccleuch Papers”):—

It is probable the King may keep Lochiel’s superiority to himselfe and extinguish that signatur granted to the Duke of Gordon altogether and in liue therof give him Baely of Jerviswood’s forfeitur [in Berwickshire].

The Duke, however, managed to get from the King (January 29, 1686) a new charter of Cameron’s superiority. He also raised an action in the Court of Session to get Lochiel’s rights and tithes to the whole of the Cameron estates annulled, and also another on account of a debt due by Lochiel to the forfeited Earl of Argyll. “I am far from thinking” (says the author of the “Memoirs of Lochiel”) “that His Grace had any view of even attaining to the possession of that estate; but his designs seem to have been to compel Lochiel freely to give him the superiority, rather than run the risk of losing the property.”

The case in the Court of Session is summed up and recorded by Fountainhall (“Decisions” i., 451:—

1687— February 26.—The Duke of Gordon pursues Sir Evan Cameron of Lochiel for his lands of Mamore in Lochaber, on his gift of Argyle's forfeiture. Thir lands held feu of Huntley for 20 merks yearly, but were not confirmed: Argyle apprised them from Huntley. He being forfeited, Huntley is made donatur by the King in thir lands, and claims the property. Lochiel alledged, that his title could not reach that; seeing all that the Marquis of Argyle apprised from Huntley was only the superiority. The Lords sustained his title.

1687—December 15.—The Duke of Gordon pursues Sir Evan Cameron of Lochiel for his lands of Mamore, as mentioned ult. February 1687. Alledged, You cannot quarrel the defender's right of property in thir lands, because you, by your factors and chamberlains, since your retour of the quinquennial possession (which is your title to thir lands), accepted the feu-duties from him, and gave him discharges: and you have allowed it in their accompts: Which was found relevant, Stair, 6th June 1671, Steill; and 20th February 1679, Earl of Aboyn. And this also holds in taking rent after a warning. Answered, Non-relevant, unless the Duke had taken it himself, after intenting of this reduction: And cited the decision in 1683, Burnet, Archbishop of St Andrews, against Beton of Blebo, about changing his ward-holding to taxt, where the Lords allowed the Bishop to quarrel it, tho' he had taken the taxt-duty. Replied, There was a disparity, for Archbishop Sharp, who taxed it, was only an administrator, and so could not prejudge the benefice. 2do., He was a singular successor, and so could not know what his predecessor had done. The Lords, on Carse's report, in regard to the seeming contrariety of the practiques, ordained them to be heard in presence. The President thought, that if Lochiel had insisted in his reduction of the Duke's quinquennial retour as to superiorities, he would prevail; for the Inquest could never retour him to be in the natural possession of lands, when he got only the feu-duty, which is but *possessio civilis*. See of this retour, (Stair, 23d et ult. July 1666, Earl of Southesk ———. But to shew the Duke what he was to expect, the Lords decided this point that same day in a parallel case, to make it a preparative (Fountainhall "Decisions," i., 490).

1687—December 8.—The Duke of Gordon's reduction against the Earl of Aberdeen was advised, wherein the Duke quarrelled a resignation which he had given the Earl, when the Chancellor, of some lands he held of him, to be holden of the King; that so they might not be within the Duke's new regality; and that the Chancellor might consent to the passing of it. The Duke alledged, it was not read to him, and it was of a different tenor than what was communed on, viz., that he

should acquire lands of the like value, and take them halden of him: and craved that Priest Dumbar, Mr Thomas Gordon, and other witnesses, might be examined thereon *ex officio*. The Lords found it only probable *scripto vel juramento*, especially seeing he had accepted a back-bond from the Earl, which he now kept up, and did not produce (Fountainhall "Decisions," i., 488).

Fountainhall is so difficult for the layman to follow that one may quote the decisions as stated in "The Memoirs of Lochiel" (223-4):—

The Duke had two different pleas against him. The first was for these lands that held of Argile; and the other for the estate of Mamore, which held of himself. To both these he pretended right by virtue of his late Majesty's gift of that part of Argil's forfeiture, but by different titles in law. His claim to the first was founded upon that antient law, whereby, in horror of treason, the vassall forfeited equally with the superior: the law presumeing that his principal strength consisted in his vassalage. Besides, by the fewdall law the superior and the vassal were undistinguished persons, and the superior charters comprehended both as absolute proprietor: and that the grant becomeing voyd and returning to the Crown by his crime, the whole lands therein contained fell to his forfeiture. The Duke of Gordon in order, as well to strengthen his tittle to the estate he claimed by the Marquess of Argile's forfeiture, as to procure a right to the estate of Glenlui and Locharkike, whereof the late Earl, his son, had acquired the superiority, did upon the 15th January 1685, procure a grant from King Charles of both estates.

The King knew nothing of Lochiel's interest in the affair, and highly resented his being imposed upon, his charters confirmed by his supperior: who besides his pretended right by Huntly's forfeiture, had adjudged it for debts: wherby Locheill being in nonentry, that is having possessed without paying the fees due to the superior on his entering to that possession by the Duke. The Duke's pretence to the estate of Mamore holding of himself flowed from this, that Locheill had neglected, while the Marquess of Argile was in possession of the estate of Huntly, to get, and without procuring a confirmatione of his charter and infestment in his own person, the estate recognised, that as the rights became voyd and the estate returned to the superior. Nothing could be more unjust than this claim, for though the Duke of Gordon had approven of Argile's right to his estate, by refuseing to have it restored to him by ane act of justice, and choiseing to get a gift of it from the Crown, as Argile's property in order to elude the payment of his father's debts, yet Locheill thought it a bréatch

of the allegiance he owed to his sovereign to accept; of a confirmation of his right from any superior, whose original possession flowed from no better title than an unjust and an illegal sentence of forfeiture pronounced by a rebellious Parliament. This was in effect to make loyalty a crime, and to make the predecessor's debts beneficial to the son.

Locheill complained bitterly to the King of this harsh usage, and told His Majesty in plain terms that, if the Duke prevailed, he would be worse punished for his loyalty than others, not even excepting the leaders, had been for their rebellion. . . . And Duke Gordon, being then at Court, His Majesty called for him and spoke to him in terms that did not satisfy His Grace, accusing him of no less than the making him the author of a barbarous injustice by the surreptitious grant that he had obtained of Locheill's estate. The Duke excused himself the best way he could, and, to mitigate His Majesty's displeasure, pretended that he designed to make no further use of it than to ascertain his right of superiority, which Sir Ewen himself could not disclaim. The King replied that he would receive his excuse, on condition that he would submit the matter in controversy to himself as arbitrator betwixt them. This the Duke could not refuse; and Lochiell most willingly consented: a submission was drawn up in form and all further procedure was stopt.

Owing to Monmouth's rebellion nothing was done till 1688. The King then wrote through Melfort on May 21, 1688:—

James R. Right Trustie,—Whereas, by a letter, bearing date the 30th day of July 1687, we thought fitt to signifie to the Lords Commissioners of our Treasury our royall will and pleasure, that Sir Ewen Cameron of Locheill should have new rights and charters of the property of his lands formerly held by him of the late Earl of Argile, and fallen in our hands by reason of his forfeiture, renewed and given unto him by George Duke of Gordon, our donatory in the superiority thereof, for a small and easy few-duty, not exceeding four merks for every 1000 merks of free rent, as the said letter more fully bears; and did also order that a full and sufficient discharge should be given to the said Sir Ewen Cameron of all debts, sums of money, and others due by him out of the saids lands to the late Earl of Argile, notwithstanding they be now included in the said Duke his gift: And we being now informed that some questions have been moved against the said Sir Ewen about the sume of 10,000 merks due by him to the said late Earl of Argile, as a part of the price of the said lands, viz., whither this sum was by our said letter meant and ordered to be discharged, and whither



the same be included in a former gift granted by us to the Duke of Gordon of the forsaid lands, as said is, which bears that we therein make over unto him the right and effect of all contracts and minutes made and past betwixt the said late Earl and the said Sir Ewen. Therefore, and to the effect that our will and pleasure in this matter may be more clearly and distinctly known, and that the said Sir Ewen may enjoy the full benefit of the favour that we intended for him, we thought fitt hereby to signify unto you, that as, by our aforsaid former gift, we did not intend to dispone unto the said Duke of Gordon all sums of money due by the said Sir Ewen to the said late Duke of Argile, so it was our purpos and pleasure, in our aforsaid letter, that the said Sir Ewen should be discharged and exonered thereof, and particularly of the forsaid sum of 10.000 merks due by him to the said late Earl, as said is: Wherefore it is our further will and pleasure, that ye take care that the said Sir Ewen Cameron be not troubled nor mollested by any person or persons whatsoever upon account of the forsaid sum, nor an ydemand thereof made from him, in whole or in part, but that he be fully exonered and discharged for the same att all hands, and in all time comeing, notwithstanding of any procedure that may have been already or hereafter may be made against him att the instance of any person whatsoever; for such is our will and pleasure. And so we bid you heartily fairwell. Given att our Court att Whitehall, the 21st day of May 1688, and of our reign the 4th year. By His Majesty's command,

MELFORT.

The famous decision, which much displeased the Duke, ran as follows ("Memoirs of Lochiel," pp. 226-7):—

Their having been of late some controversies betwixt His Grace the Duke of Gordon and the Laird of Locheill, occasioned by reason of a grant or charter made by the King to the said Duke, wherein were comprehended certain lands, which, by order of his said Majesty, were to be reconveyed to the aforsaid Locheill; which, the more effectually now to perform, His Majestie hath onely referred the whole method of executing the said grant to the Lord Marquess of Powis, and the Earls of Murray and Melfort, Secretaries of State for the Kingdom of Scotland, by and with the consent of the aforsaid Duke of Gordon, and of Mr Barclay, agent for the said Lochiell, who hath fully empowered him to act in all matters thereunto relating as conclusively as if he himself were present. We, the said referees, having mett and perused the charter presented by Mr Barclay to the said Duke, as to the lands formerly held of the late Earl of Argile, and



having received his exceptions against it, with the said Barclay's answers, and the Duke's replies thereunto; and having considered of what was said on the one and the other side, doe, with all submission, find, and are of opinion:

1st. That it is agreeable to His Majesty's inclinations and orders to us, that the Duke sign the said charter, he being allowed three years (to be filled up in the blank of the declaration given to the said Duke by the said Barklay) to inspect and rectify the rent-rolls, if amiss; and twenty-four merks Scots be filled up for the fewduty in the charter, payable by Locheill to the said Duke.

2dly. That the said Barclay sign such a penal bond or obligation, as shall be presented to him by us, forfeitable in case the said Locheill make not good the tittles and estates to all persons claiming under him, within the space of one year after the date hereof (according to the determination and approbation of the Lord Chancellor, Lord President of the Kingdom of Scotland, and Lord Justice-Clerk); they paying first to him a just proportion of all his charges, in order to the procurement of this charter, rateably, according to each party's respective estate and tittle.

3dly. We likewise find, by His Majesty's express command to us, that Locheill, under His Majesty onely, is to have the absolute command of his own clan; and that, therefore, he be exempted from all other jurisdictions, regalities of courts, or obligations to the aforesaid Duke, other than the payment of the aforesaid few-duty of twenty-four Scotch merks: Provided, nevertheless, that att the same time the above said Duke be fully secured and indemnified from all obligations of any charge or expense whatsoever, by reason of any depredations, riots, thefts, or other causes whatever, that he is, or may, for the future, be lyable to upon the account of any misdemeanours or miscarriages done or committed, or that shall be done or committed, att any time hereafter, by all or any of the tenants of the aforesaid Locheill.

To conclude: In evidence of this our opinion and report in this matter (so far as relates to that part of the controversy as onely concerns the lands formerly held by Locheill of the said Earl of Argyle), we have hereunto subscribed our names, the 23d day of July 1688.

POWIS.  
MORRAY.  
MELFORT.

According to the caustic writer of "The Memoirs of Lochiel":—

The Duke ordered his Dutchess to make a visit to the Marchioness of Powis, and to prevail with her to interceed with her lord to delay giving

the decision to the King. But the Marques refused. The Duke finally signed the document, which exonerates Lochiel from all dependance upon, and subject to, the Duke and his Courts.

Æneas Macpherson has his version of the story ("Loyall Dissuasive," pp. 164-7):—

In the close of [16]87, or in the beginning of [16]88, His Gr. the Duke of Gordon, having some moneths befor turned Lochzeall for forse of armes out of his wholle estate upon a gift of the King's baire superiority, Lochzeall came up to Court, had his caice drawn up, seconded with a petition; both which, being presented to the King, were ordered to be seen and answered by the Duke, His Grace's answer producing a reply from Lochzeall, and that again a tryply. His Maj. having other affairs of greater weight and importance on his hand ordered four auditors, whereof the Marquiss of Powis [William, Marquiss of Powis, afterwards created Duke at St Germain] and the present Earle of Midletone were two, to hear both parties and make report to him of the merit of the cause.

The King before their sitting declared to them on the word of a Prince that he designed nothing for the Duke when he had that gift but the superiority of Lochiall's estaite. Therfor [he] desired they might be more carefull to examine maters that, if ther was any wrong done or intended to be done to Lochiall, he might take care to right him.

With this precaution the auditors, having mett, called both parties. Lochiall was bidd present his right to the propertie, which accordingly was done. Then His Gr. produced his gift under the Great Seall of Scotland, and confirmed in Parliament, in which, with the superiority (all that the King intended for him) he likewise conched the property. The auditors told His Gr. that this was not only to comitt a robbery on Lochiall, but to put a trick upon the King, and to force His Majestie instead of rewarding Lochiall, who like a good man and loyall subject, was in arms against Argyle, to ffor-fault him with and for Argyle's rebellion. Therfor it was their humble advise to His Gr. that without troubling the King any more with that affair, he might doe justice to Lochiall, and repone him to his right. His Grace answered that by the laws and constitutione of Scotland, Lochiall, being Argyle's vassal, fforfaulted the propertie, as well as the superiority of the estate to which he had the King's gift, pass'd the Great Seale and confirmed in Parliament, and being a consumat right, he would not willingly part with it. And he hoped His Maj. would not imploy his authority to force him.

This obstinancie or weakness—call it which you will—furnished ane easie handle to His Grace's

enemies to roare it out ag[ains]t him. Some called him a man of no justice or honour, some a madman, others an oppressor; and, in fine, a fourth sort refining upon the mater did not stick to say that His Gr., in offering to put that trick upon the King, was guilty of greater treason than the late Argyle, in his explanation of the test.

These surmises were tossed about with a great deale of diligence, and whither true or false, favoured Lochiall extreamly, and did no little injury to the Duke. The auditors made their report, which left such an impression on the King, that without more adoe he pronounced his sentence in favour of Lochiall, and for a considerable tyme thereafter lost his opinion of the Duke so as he was not taken notice of by the King, and in consequence to that, slighted and contemned by others. Ffor when His Gr. came to the levy, which but seldom happened, none had the maners to make way for him, which oblidged His Gr., who is naturally modest and well natured, to stand out of the circle, at men's backs, who might be proud to serve him.

Æneas had enough of the old feeling of obedience to the chieftain to make him feel hurt by the Court's attitude to the Duke. So he arranged a meeting for him with William Penn (the founder of Pennsylvania), who had influence with the King. Penn, on whom Æneas called to arrange the meeting, declared to Macpherson—

I am no stranger to the familie [of Gordon]. Ther has been great men of it, but it seems this Duke comes short of the mettle of his ancestors; else he would make a better figure and not suffer himself to be runn doune by some who in respect of him are but of yesterday.

Æneas assured Penn that there were "six or seven chiefs of clans, men of as good quality as in the Highlands," who held their "severall countries of His Grace," and depended upon him, "each of them capable to bring a regiment of their own blood to the feild when their Prince or country has occasion for their service." In a day or two the Duke called on Penn, who lived "not farr" from Arlington House, with a private entrance from St James's Park. Æneas had a key to this entrance, to which the Duke came rather secretly in a hackney chair, Æneas opening the door for him. Penn received the Duke at the "uter door with all marks of maners and respect imaginable," and the two were closetted for three hours. Penn then saw the King on the matter, Æneas recounting the affair thus:—

"Do you know the Duke?" said the King; "he

is given out to be a madman, nothing fitt for bussiness." "The King should consider," replied Sir William, "that Duke Gordon has his enimies, whose interest it is to keep him out if the ycan." He dared assure His Majestie that he was a man of sense, for he had discoursed him, and, if he did not come up to other men's reach, his quality and great interest in his native country should in right supply it.

Within ane hour after, the Earle of Perth came in, and asked the King how His Majestie inclined to dispose of Edinburgh Castell. "Let the Duke of Gordon have it," said the King. Perth, who is one of the best men alive, made no aneuer, but ane other Minister, who was more forward, stept up and told the King that ane apartment in Bedlam was fitter for him than the Castell. "No more of that," said the King, with an angry countenance, "I find the Duke has enimies, and am told by a very good judge, that he has sense. Therefore, I say once more let him have the Castell, and make ready his commission for him."

[Ultimately], after severall interviews, Sir William began to lose his fancie of the Duke; he talked, he said, prettie well of books and poets, but nothing of men, and governments might furnish him a handle to represent him to the King as one who knew the world and was fitt for business. "Sir," said I, "His Gr. was happy to be pairtly known to you, and thought a man of sense, 'ere you spoke the King first in his behalf, and I hope now that you are better acquainted, His Gr. may have gained more upon your good opinion and esteem." The Duke replied: "Sir William" (for that he always called him), "has sense, and some very good links in him, but 'tis impossible to make a chain of ym." This short sentence (which might have wel become a Solomon for all his famed wisdom), taking aire by Mr Barclay's mean, who was then present, made an end of their correspondence, and, in consequence, to that of His Gr.'s interests at Court. For after this nothing more was done for him, tho' to my knowledge much more was intended.

Æneas considered that His Grace's treatment of Pitt was only an example of his "principale to coxe and cagole his enimies and be at warr and enmity with his friends." He says:—

Sir William Penn and Mr Fferguson, two of the best friends he has in England, were made the subject of his discourse and the objects of his satyr. We may reasonably conclude that His Gr.'s censurs of so great a man were without thought, or, which is worse, without that sense of gratitude he owed him for his services.

By that rule it is likewise that Mr Fferguson's sinceritie is doubted by His Gr., and the late

King's judgment (at that tyme urged in behalf of Fferguson) called in question for beleiving him ane honest man; not considering that there is skarse a subject of any sort of quality in the three kingdoms whose honour and loyalty is more suspected than his own. His Gr. may have some vouchers in England among the little folks, little for quality or understanding, but amongst those of the first size, of sense and knowledge, Mr Fferguson is His Gr.'s only advocat, and stands up for his honour in all conversations.

And when the late Argyle by the principles of the Revolution had as good a right to the estait of Huntly as he had to Lorn, and was like to carry it by a decret of Parliament, to my knowledge Mr Fferguson tugged like a galley slave to make a partie for His Grace, to counter that of his adversaries, and not without success, ffor tho' Fferguson be too honest a man to have had any sway or interest at that tyme with the P. of O., ther were not wanting some of the first rank and quality about Orange, his person who underhand pretended to loyalty and were at all occasions ready to oblige Mr Fferguson, that they might have a person of his sense and interest to vouch for their integrity when ther came a change.

Thess things put together, prove to a demonstration that, tho' His Gr. may have a great deal of naturall goodness, it has been his misfortune in his younger years to fall into badd hands, who have molded him ill: and given his soul a wrong turne, hard to be righted or recovered after, without great diligence and attention.

In the end of the eighteenth century the Camerons from Lochaber were among the most faithful to the Duke in the matter of the regiments he raised; but even then there was just the suspicion of a remembrance of the 1st Duke's treatment of the clan. This feeling displayed itself with much acidity in 1797, when the Duke sounded Lochiel about Dundas's scheme to raise a Highland corps of 16,000 men. Cameron, who was then in the Northern Fencibles, commanded by the Duke's brother-in-law, Lieut.-Colonel John Woodford, replied (March 6, 1797):—

I am ready to come forward, not only on account of the situation of my country, but the great satisfaction I shall feel at leaving your Grace's regiment, which I am perfectly dissatisfied with, and am not the only one.

Precisely a year later Captain John Cameron was Court Martialed in Edinburgh on various charges of insubordination in the regiment, notably that "of promoting a combination among the officers." There can be little doubt that



Cameron was troublesome; but it is significant of the change that had come over the spirit of the time that the Court attempted to smooth over the trouble rather than punish the captain, for though he was reprimanded, the King took occasion to remark on the "great inconvenience resulting to the service from bringing before general Courts Martial charges which, after a long and solemn investigation, turn out to be light and frivolous." A few months later Lochiel emphasised the complete individuality of his house by raising a regiment of his own. The Duke allowed him 30 men from his company in the Fencibles, but Lochiel wanted 33, and wrote on July 24, 1798:—"I shall consider what you have already done as being the forerunner of that friendship that ought to subsist between your Grace's family and mine." His Grace, however, declined the request, answering Cameron (September 8):—"It really gives me pain to be a third time under the necessity of refusing your request."

Another family that the Duke trenched on during his life was the Farquharsons of Invercauld, for in 1711 he raised a dispute over certain lands in Cromar which had been bought by John Farquharson of Invercauld, and in 1721 his son claimed the same over Braichley and Aucholzie (Michie's "Records of Invercauld," pp. 289-291, 356-7). This was all the more inexcusable as he had borrowed money about 1680 from Alexander Farquharson of Invercauld, wadsetting several properties in Banffshire. On May 12, 1712, the Duke's son, the Marquis of Huntly, discharged the sum (11,000 merks), and ordered the wadset (ibid. 290). No wonder that Invercauld's agent describes the 1st Duke as "a troublesome person."

The antagonism between the Gordons and the Mackintoshes is the subject of a novel by Grace Aguilar, written in 1833, but published only in 1908, entitled "Mackintosh, the Highland Chief: A Story of the Civil War." It is built up round George, Lord Gordon (son of the 2nd Marquis of Huntly), who was killed at the battle of Alford, 1646. Miss Aguilar, who calls him Ernest, kills him at Kilsyth. She makes out that he had a son, Edgar, who was kidnapped by the Mackintoshes in childhood, and fought a duel at Alford with his father when he was suddenly recognised as Gordon's long lost son. Edgar ultimately marries Mary Mackintosh, his foster sister.



## HIS DEFENCE OF EDINBURGH CASTLE.

Having reached the pinnacle of a dukedom, His Grace of Gordon's next consideration was how to keep his place there. To do so with a sense of gratitude to his Royal benefactor, and with a clear perception of the drift of the time needed the skill of an acrobat; and the will to live was so strong in Gordon that his Jacobitism has been described as timorous.

The crisis arose from the King's desire to revive Catholicism, and at this point the Duke declined to follow His Majesty's lead. In the general welter which deposed James and brought the Prince of Orange across, the Duke had a very bad time, notably in his futile defence of Edinburgh Castle, which did not please the Prince of Orange, and made the Stuarts turn a cold shoulder on him when he had to betake himself off to France. Thus the period 1688-1695 was a very trying one for the House of Gordon, though it came through it safely.

The Duke's Catholicism was doubtful. It is true that he was nominally a "Papist"—his name being officially returned as such to the Privy Council as late as 1704—but some of his training had, as we have seen, shown him the Protestant standpoint, and I fancy the fierce Catholicism of his wife, with whom he did not get on very well, may have "scunnered" him. As Macky in his "Characters" remarks, he was a Roman Catholic "because he was bred so," but otherwise he thought "very little of revealed religion." In point of political tactics, he felt it was all wrong, and, as Macky says, "showed his dislike to the measures of King James for bringing that religion into Scotland again by taking off the penal laws and list." Macky goes on to say in his picturesque style:—

The priests and new converts in King James's reign represented him to be a libertine and a fop because he would not concur in their measures for ruling the kingdom and his character coming from people of his own profession made it pass current with those who did not know him.

William Gordon, intensely loyal to His Grace, describes the Duke's dilemma very adroitly as follows:—

He plainly told that he foresaw that that way would ruine the King at last; and, therefore, with all the power he had, opposed those rash and precipitant measures, telling them that his mind was that they had toleration enough in having liberty of religion in their own private families without being noticed. This so much offended those zealous proselytes and Churchmen against the Duke (whom they expected to bring in to be the head of their party) that all of them joined with the greatest industry to misrepresent him to the King and turn him out of his favour.

William Gordon attributes the Royal attitude to the Cameron affair to this cabal against the Duke. The Royal displeasure comes out more strongly when the Duke went to Court in 1688. He found the King "noticed him less and dealt by him with more reservedness than he used formerly to do." William Gordon mentions other affronts put on His Grace, "which the Duke was obliged tamely to bear with and still retained his integrity."

They, by the King's orders, put in an artillery company upon him in the Castle, which gave General Douglas access to it when he pleased. And that they might make the world believe that they doubted his fidelity, they caused to be removed from the Castle the greater part of the arms and ammunition kept there to the Castle of Stirling. The Duke, having turned out one Forbes, master gunner, of whose fidelity he doubted (and his after behaviour proved it was not groundless) they procured an order from Court without his consent to repon him.

The Duke, who was then at Court, felt so affronted that he offered the King to resign, "and intreated His Majesty would be pleased to allow him to go abroad for some time." But the King sent him word by Melfort, who was the Secretary of State for Scotland, that he would not permit him to go abroad.

At this juncture, a piece of luck befell the Duke in the rumour, which came true in October 1688, that the Prince of Orange was to make a descent on the country, and the Duke "did not think it agreeable to his honour or duty, nor to the example of his brave and loyal ancestors to leave his Sovereign when threatened with so imminent danger, and so he returned to his post at Edinburgh Castle."

On October 5, 1688, the Duke wrote a letter, also signed by Lord Perth, Lord Tweeddale, and Lord Tarbat, commanding George, Lord Living-

stone to bring from Holland, at the expense of James II., 120 carbines and 240 pistols of the size and quality the Earl of Strathallan should think fit. (This document was sold at Puttick and Simpson's, May 29, 1907.)

On November 2, the Duke wrote to the laird of Grant from Edinburgh Castle:—

Honored Cussing,—I am to assemble for the King's servis 200 men, tuoe bee dewyded in four companys. I desyr, then, thatt imediatly yow rais furte sentinells, tuo sergents, three corporals, on[e] pypper, on[e] ensign or lewtennant, and on[e] capptain, who are to bee peayed by His Majestie, whowssoon they cum to stirling. Ther peay is to bee att the melitia raitt. I lew nommination off the officienrs to yow, knowing they will be werry weell chosen, yow both understanding such things and hawing abandanc off good men to mack choys on. Lett the cumpany be sent to Stirling with expedition, who must beehaw civvily on the rodd sinc under His Majesty's peay. . . Pray you send with your company eaght or tenn young lads able to carry armms and I'll tack caer to plac them.

The blow fell three days later, for on November 5 the Prince of Orange landed at Torbay.

On November 29, a letter was written from London to the Duke at Edinburgh. The letter, which is anonymous, is in the possession of Lady Du Cane, and is printed by the Historical MSS. Commission. It seems impossible to determine who the writer was, but it may perhaps have been Patrick Cunningham, an officer in the army of James II., who was arrested on a charge of high treason, and committed to Newgate on April 22, 1689. He was pardoned January 13, 1691-2, and on February 12, 1691-2, was given a passport with leave to go to France. The interest of the letter speaks for itself, and as written by a warm partisan of the fallen monarch, must be considered as throwing a new and curious light on the domestic situation:—

Last week, my noble Patron, I wrote to your Grace by a gentleman going home, because neither your letters to me nor mine to you come to us by the post. I see there is great disorder in it, as in all other points of our government. God forgive those who have brought up to this pass; honest men ruined, and our good Prince necessitated to submit to his enemies. Of all this mischief, we are the cause ourselves; avarice and ambition has brought us to it. God preserve His Majesty and keep him in his right senses, for he has a hard game to play, and he may

thank his wise and faithful councillors that have advised him to do some silly things both against law and reason, more for their own interest than for his honour. But what is done cannot be helped; nothing now remains for us but the help of God Almighty, which, I am afraid, we shall not have, because we do not deserve it. Your Grace will have heard of all our misfortunes: what lords and officers are gone to the Prince, and how the Princess went away privately in the night from Whitehall, nobody knows where; of His Majesty's return to London and his calling all his Lords, temporal and spiritual; in which meeting, they say my Lord Halifax spoke most gallantly for a good Parliament and against a bad one. I am heartily sorry he did not speak sooner, and that a man of his parts and brains was not employed in lieu of those weak and giddy heads, that have brought us to this pass. Now nothing can be done, but a treaty and amnesty, and a Parliament, and I wish this may put an end to all our evils. Go as it will, those of our persuasion are lost, and we deserve no better for our ill behaviour and our foolish Government. I wonder how the King can look upon any of us, especially those that were his councillors and had the public affairs in their hands. I, as a poor man, for many years abroad, can say nothing, but what I said to His Majesty the first time I had the honour to speak to him. I begged of him that he would not mingle his spiritual matters with his state affairs, nor make use of spiritual men for temporal interests. The doing of this has helped to undo all. The proverb says: We have brought our hogs to a fair market. I thank God your domestic affairs go well. My Lady Duchess is recovered; my little Lord is very well. I hope you shall meet with comfort; and that I wish as being your Grace's own man.—P. C.

Sir John, the good physician but an ill divine, behaves himself well, but is constant with my Lady.

It was at one time reported that the Duke had turned Protestant, and had gone to Scotland to join the Duke of Queensberry ("Hatton Correspondence," Camden Society, p. 122). William Gordon attributes all such suggestions to the "spite" of His Grace's enemies, and gives a glowing account of his activity in setting Edinburgh Castle as fit as possible in the short time at his command to bear the work it was to be called upon to perform. The conditions were far from hopeful when the Duke took command:—

He addressed the Chancellor and Council to have the Castle provided with necessaries for the entertainment of the garrison of 120 men. And

three months' provision is order'd, besides 200 bolls meal and 100 bolls malt before in the Castle. But this order was little obeyed. There was not a fifth part of the bisket nor the twentieth part of the beer appointed brought to the Castle. As to ammunition, there was no more left in it, but as much as was judged necessary for three months' defence; and there were seventeen bombs left in it.

C. A. Gordon, in his history of the family, says that when the Duke visited the magazines he found them as ill provided as his garrison. "All the artillery in the Castle consisted of one 42-pounder, one 36-pounder, four 24-pounders, one 18-pounder, and two 12-pounders: all of these of brass. Besides them some of iron, some little field pieces, and one mortar of 14 inches calibre, and only 15 bombs."

The personnel of the garrison was poor. William Gordon says that there were "many in the garrison" whom the Duke "could not trust."

It had been reduced to the governor, lieutenant-strong, was reduced to the governor, lieutenant-governor, the ensign, four sergeants (one of whom was ill), and about 150 "centinels," without gunners (except Captain Dunbar), engineers, surgeons, "drogues," carpenters, or money, except what His Grace had for his private use. The garrison had formerly been divided into three squadrons—the Governor's the Lieut.-Governor's, and the Ensign's. It was now divided into two, commanded by the Ensign and by Mr Garden. So the Duke ordered Francis Garden of Midstrath "to bring to him from the North out of his own lands 45 of the best and resoluteest men he could find." These included Harry Gordon of Achlochrach in Glenlivet, a member of the Laggan family ("Birnie MS.").

In Feb. (1689) matters had come to such a pass that the Duke was on the point of evacuating the command when Dundee and the Earl of Balcarres, on their return from the Stuart debacle in England, arrived with special instructions from the King. When they went to confer with him they actually meet his furniture coming out (Balcarres' "Memoirs," p. 23). They "induced him to stiffen his back and 'to keep it out until he saw what the Convention would do.'"

On March 14, the Convention opened in Edinburgh, and commissioned Lothian and Tweeddale to demand the surrender of the Castle within

twenty-four hours, on "ane act to exoner His Grace and other Papists for bygons." The message was a verbal one, and the Duke demanded the undertaking in writing, "with tyme allowed him to advyse." The written agreement was taken to the Castle the same afternoon. Meantime Dundee and Balcarres had sent messengers bidding the Duke hold out.

Early next day, March 15, Dundee got admission into the Castle, and "confirmed" His Grace to hold out. A few hours later, Gordon's reply was received by the Convention. It expressed his willingness to remove, but desired that before doing so, he should be allowed to wait the Prince of Orange's reply to his request for conditions, which involved a promise of indemnity for himself. It was, therefore, with surprise that still later in the day the Convention received a second letter from the Duke—suggested, of course, by Dundee's stiffening visit—refusing to budge. Orders were accordingly given to "blow up" the Castle forthwith. On the night of the same day, Gordon appears to have ventured into the town to confer with his colleagues, for on March 16, it was stated to the Parliament that His Grace, through "intercommuned to Edinburgh, had gone out on the previous night between nine and ten. Campbell of Moy and Peter Gordon, writer in Edinburgh, declared that they had seen a handsome coach with two flambeaux and six footmen between the Cross and the Luckan Booth, though neither of them could swear that the Duke was in it" ("Acts of Parl.").

On March 16, while the Parliament was hearing this story, the Duke threatened to "rame down his cannon on the toun nixt week." He also had a call from his brother-in-law, the Earl of Dunfermline, who told him that "all things were likely to go wrong with the King and the Convention, and therefore he would leave it to go North: whereupon the Duke gave him an order whereby he desired all his friends and commanded all his vassals to obey." This was duly done, for twelve horses were taken by Dunfermline from Charles Innes of Drumgesk, the Duke's "gentleman of horse," and William Gordon, the groom. One horse ("Cumberland") was valued at a hundred guineas (Richmond papers: Hist. MSS. Com.).

On March 18, Dundee, accompanied by 50 horse



rode out of the town, passing close to the foot of the rock, en route for Stirling. When the Duke, imprisoned in the Castle, caught sight of the cavalcade, he signalled that he wished to speak to Dundee. With some difficulty the latter clambered half way up the steep rock, and succeeded in letting the Duke know that he purposed floating the King's standard in Stirling. Dundee begged the Duke to hold the Castle till it was relieved, "which His Grace positively promised to do" (Cameron's "Memoirs," p. 235). This incident was immortalised by Sir Walter Scott's "Bonnets o' Bonnie Dundee":—

He spurr'd to the foot of the proud Castle rock,  
 And with the gay Gordon he gallantly spoke:  
 "Let Mons Meg and her marrows speak twa words  
     or three  
 For the love of the bonnet o' Bonnie Dundee."

The Gordon demands of him which way he goes—  
 "Where'er shall direct me the shade of Montrose!  
 Your Grace in short space shall hear tidings of  
     me,  
 Or that low lies the bonnet o' Bonnie Dundee.

The adventurous visit of Dundee seems to have been the occasion of a letter which the Duke wrote to the Duke of Hamilton, president of the Convention. It is given undated in C. A. Gordon's history of the family:—

May it please your Grace,—The singular proofs your Grace and the States have been pleased to give me of kindness, heighten, if possible, the concern I have always had for the good of my country and countrymen. Permit me, then, to lay before your Grace and the States the imminent danger to which this poor kingdom is exposed, to become very soon the theatre of the most bloody and irreconcilable war that has been in Europe this age, if not prevented by extraordinary prudence.

Permit me, likewise, to represent, that of all the nobility and gentry of which this illustrious Assembly is composed, perhaps there is not one whose self or predecessors has not received reiterated marks of His Majesty's or ancestors' bounties and clemency. Should we, therefore, for the misfortune of four years' reign forget the benefits we have received from 110 kings and queens? For my own part, 'tis known to several of the States, and particularly to your Grace, the severe usage I have had from the Court these three years. Yet I would lay down my life to procure a good understanding between His Majesty and his subjects, and I most sincerely and affectionately offer my endeavours for procuring it. And if the States think fit, I shall

wait on His Majesty who is now in Ireland. I hope, as all Scotland will most dutifully assert the just prerogative of the Crown, so the King will be pleased to settle the property of religion an dliberty of his subjects on such sure foundations that they shall never be shaken by avarice or ambition of evil Ministers.

May it please your Grace,—I thought myself bound in conscience to represent to you and the States what this paper contains.

The siege practically began on March 25, when the Duke fired cannon without bullets, "but not without fear to those that lie at the mercy of the cannon." On March 27, Major Mackay of Scourie arrived with the regiments of the Scots Brigade in the Dutch service, and took over the blockade, which had till then been entrusted to the Cameronians, who marched home next day. The Duke must have been heartened by this letter, 'dated May 29, which was sent to him by Lord Melfort (William Gordon's "History of the Gordons," ii., 630):—

James R.—Right truly and right entirely beloved cousin and counsellor, we greet you well. Upon the informations we have had of your excellent deportment in our service, we sent you our Royal thanks from St Germain's some time ago; but now since our arrival into this our kingdom, we have been again informed of the continuance of your zeal for us, and your despising the malicious threats of that illegal convention, and their wicked and unjust attempts against you, that yet you are resolved to stand firm to our Royal interest; which, as it is an action worthy of your family, so eminent in their constant services to, and sufferings for the Crown, so it is worthy of our Royal esteem and most hearty thanks as present. And whenever it shall please Almighty God, to put us in a condition shall oblige us to make our rewards equal your services, of which you may rest assured.

We think it fit for our service, that our Castle of Edinburgh be kept from the power of the Rebels, as long as may be; and we assure you, we shall not be very long, of bringing such a force into that kingdom, as shall quickly relieve it; but we leave absolutely to you to stay there, or to go to the North to your interest, to put them in arms for our interest; which that ye may the better do, we are resolved to send you our commission of lieutenant, as you had it before, so soon as we have a safe conveyance for it. In the meantime it is our express will and pleasure, that the last commission of lieutenantancy you had be revived, and it is hereby revived to all intents and purposes, during our Royal pleasure, with express orders to all whom it con-

cerns, to obey you as our lieutenant aforesaid. And you are hereby empowered, to act according to the tenor thereof, and powers therein contained, to suppress all who shall rise in arms against our authority, within the limits of your jurisdiction; and to send such troops, as you shall think fit for our service, to the assistance of others.

We do nowise doubt, of your acting for us in this conjuncture, as becomes yourself; and therefore we shall add no more to this, but to require you to send us your advice, what you think may be best for our service, in all the branches thereof. And so assuring you of our Royal favour, and declaring this to be a sufficient warrant for what ye shall do in our service, we bid you heartily farewell. Given at our Court at Dublin Castle, the 29th day of March 1689, and the fifth year of our reign. By His Majesty's Command,

MELFORT.

On May 15, Gordon was proclaimed a rebel, and the lieges were forbidden to intercommune with him; but His Grace may have found solace in a letter which was sent him by Melfort, dated May 17 (William Gordon's "History of the Gordons," ii., 631):—

James R.—Right truly and right entirely beloved cousin and counsellor, we greet you well. Some time ago we wrote a letter to you, a duplicate whereof is here enclosed; but that we are informed fell into the hands of our enemies, together with the officer that carried it to you. We do still find more and more reason to approve of your exemplary loyalty and service to us, shown in the defence of that our Castle, of which whenever it shall please God to put it in our power, you shall reap the benefit due to your merit.

And since we do not now think it fit that you should leave our said Castle (where your presence is so necessary for our service) so long as you are in a condition to defend it, we do hereby empower you to make choice of one or more persons, such as you shall think fit, to be your deputy-lieutenants within the whole bounds of your last commission of lieutenancy. with power to them to act as if you yourself were present, that thereby our service may suffer as little prejudice as possibly can in your absence. And for doing all that is above said, this shall be to you and all others a sufficient warrant and authority. So hoping you shall have good success in all that is relating to our service, we bid you heartily farewell. Given at our Court at Dublin Castle, the 17th of May 1689, and in the fifth year of our reign.—By His Majesty's Command,

MELFORT.

On May 24 (1689), Queen Mary wrote to the Duke ("Spalding Club Miscellany," iii., 226):

If I could have found sooner then this a safe opportunity of writing to you, I should not have been so long without telling you, that one of the greatest satisfactions I have had since I left England has been to hear of the zeale and faithfullnesse with which you have served and serve the King, at a time when every body seems to have forgot their duty, and when the King is notly only [not] in a condition of rewarding those that performe it, but hardly able to lett them know he is sensible off it, or to give them any light of his affaires to encourage them to continue faithfull. By this you shew yourself a good Christian, as well as a man of honor; and being bred up with both, I do assure myself that nothing can ever alter you. The Queen of England, as well as the King of France, admire your conduct, and upon all occasions speake of it, and of your courage, in keeping for your master what he left in your charge. I know you need no encouragement to make go on as brauely as you have begun, but it will be a satisfaction to you to hear that the King's affaires in Ireland are in a very good posture; ther was no town against him but Londonderry [siege begun April 1689], which, by what they writt from Dublin, is, I am confident, before this, in the King's hands, so that he is entirely master of that kingdom, and I hope will not stop ther. I do coniuere you to have a good heart, and encourage all the friends the King has in your countrey, for I am confident they will soon hear som good from him. Your good friend that sends you this lettre will acquaint you with my name, which I dare not writt, nor make any superscription to this lettre, for God knows whether ever it will com to you; but your friend will answer for me how duly I am yours.

It is unnecessary to follow out the details of the siege, which lasted till June 13. A full account of it is given in William Gordon's history (ii., 593-608), and a more critical version was contributed by Mr Sanford Terry to the "Scottish Historical Review" (January 1905), from which one or two exciting episodes towards the end of the siege may be quoted:—

The persistent bombardment, failure of ammunition and supplies, at length told upon the morale of the garrison. In the early hours of 1st June, fifteen men and two women deserted, "the men having their muskets ready cock'd, well charg'd with a brace of bullets." One of the women made off "through the North-Logh." The other woman and the fifteen men were made prisoners, and were conveyed to the Duke of

Hamilton for examination. Upon the woman were found a large packet of letters and many keys, "particularly the keys of the Outer-gate of the Castle, and the key of the Postern-gate of the Castle." The other woman was apprehended later, near Leith, bearing "many more letters." The prisoners upon examination declared that "the garrison is in great want of provisions, and that they fear that their water will fail them by constant shooting. They say further, that there is great discontents and repining amongst the soldiery in the garison; so they believe that it will turn to an open mutiny, if they get not relief." The newsletter adds: "The Castle holds out still, though they are grown very sparing of their powder and bullets, seldom firing on the besiegers, though there is constant firing against them. The throwing of the bombs into the Castle is so ordered, to keep the garison in motion, and without sleep, and to destroy the houses and other buildings where the garison lodges, and where the store and magazines are kept" ("Account of the Proceedings," n. 72; in an account printed in "The London Gazette," No. 2460, the deserters are described as "the centinels of the outward gates.")

Upon their re-examination, the deserters captured on 1st June gave a more particular account of the Castle's ability to hold out. They declared that there were eighty barrels of powder remaining; that the garrison numbered one hundred and twenty men and eighteen women; that provisions would last for a month or two. They added that "drink and mault" would be exhausted "in three weeks time," and that there would have been a water-famine already "had it not been for the extraordinary snow that fell here lately." Gordon, they averred, was "forced for his own safety, to retire and lodge in the strongest vaults, the bombs making their way through the principal houses. into the cellars, where great part of their beer, wine, bread, meal and mault were spoiled by them" ("Account of the Proceedings," p. 73). Some exaggeration the circumstances invited. The fact that a part of the garrison had deserted is sufficient proof that the deserters' story is, in the main, reliable.

An incident on the evening of 1st June went some way to substantiate the story told by the defaulting fifteen. A woman was apprehended on her way from the Castle "to buy fresh provisions." She also carried intelligence: letters to Sir James Grant were found upon her. The faithless fifteen were instrumental in her capture. They made also a valuable communication to their late enemies by discovering "the design of a grandchild of the late Bishop of Galloway, who lodged in the uppermost house on the Castle-hill (next to the Castle), and did use to write in large, of capital letters, any news in a table or



board, over her window, whereby the Duke might read it through his telescope. When any thing of good news, she hung out a white cloth, and when bad, a black cloth." The daring Jacobite and her mother were at once seized, and were imprisoned in the common gaol ("Account of the Proceedings," p. 73).

Fruitful of incident was 1st June. About three o'clock in the afternoon, "three several persons came walking quietly to the side of the North-Loch at the foot of the Castle, and went through all the mud to the very rock." The guards investing the Castle "fired briskly at them all the way." In spite of the fusilade, one of the adventurous three, "a genteel-like man in black cloaths," drew his sword and scrap'd off the dirt which stuck to his shoes, and so calmly and unconcernedly walked up to the Castle-gate, into which they all safely entred, to the admiration of all men, there having been some hundreds of shots fired at them in their passage to the Castle." Clearly the threat to drain the North Loch was not an empty one.

The Duke surrendered on June 13, and next day the terms of capitulation were completed—three days before the battle of Killiecrankie, when the gallant Dundee, who had ridden out of Edinburgh for the north so picturesquely some weeks before, fell. The Castle was reduced to 40 barrels of powder, much of which was ruined by water, six bolls of meal, one barrel of salt beef, two stone weight of cheese and two of butter, together with some meal, biscuits, and salt herrings, which had become so bad that the health of the soldiers had suffered, "so that in four or five days' time the garrison would have been reduced to live upon bad meal and worse water." Moreover, during the siege the Duke had had to pay the garrison out of his own pocket. When the garrison marched out, the besiegers marched in with 300 men and took possession. By the terms of capitulation the garrison received an indemnity for themselves and those who had aided them, and were permitted to march out with their arms and baggage. The Duke declined to ask terms for himself, stating that he had so much respect for all the princes of King James VI.'s line as not to make conditions with any of them for his own particular interest" ("Siege of the Castle," printed by the Bannatyne Club, p. 76)

Mr Terry sums up the whole episode very fairly:—



The defence of the Castle had been conducted in the spirit of conciliation. "Tho' it hath been very dreadful to us in the town," says a news-letter from Edinburgh, "to lye at the mercy of the cannons of the Castle during this siege, yet we must confess that Gourdon hath not done us much mischief, as he might have done if he had pleased." The beleagured fortress had not been so tenderly handled. "I have been all through the Castle," writes another correspondent, "and seen the desolations of war. It is not credible what havock the bombs have done upon the house and all the other buildings."

Foxcroft, in the supplement of Burnett's "History of My Own Time," declares (p. 322) that the Duke "acted but faintly and studied rather to gain time than to do much mischief."

The Duke retired, a prisoner, to his own house in Blair's Close, near the Castle. A newsletter of June 25 records that he "is ordered to London (Le Fleming Papers., Hist. MSS. Com., p. 246). Another newsletter of July 16, written from Edinburgh, describes a letter dropped by "an unknown hand," wherein was given "a particular account of the discovery of a plot to cut off him and the Parliament and the prime of the nation, upon which the Duke of Gordon and others, having entered into an obligation to one Lieut.-Col. Wilson, an Irish Papist, which obligation they were obliged to perform, but upon their confession they were committed to the Castle close prisoners, and Wilson and others to the Tolbooth" (ibid. 251). Melville, writing to Hamilton from London on July 27 (Hamilton Papers, Hist. MSS. Com.), gives the order that the Duke and Lord Balcarres are not to be kept close prisoners, but are to have the liberty of the Castle, being well looked after till the King's pleasure is known.

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#### THE DUKE IN DISGRACE.

On February 1, 1690, the Duke went to wait on the King at Kensington Palace ("State Papers"), and made his submission. Macky gives a curious account of the interview:—

Not being received as he thought his service and the great power of his family deserved, he went privately into France, where he was also very coldly received, being denied admittance till he justified his conduct as to the surrender of Edinburgh Castle. He printed a journal of that siege in French, for the satisfaction of that court; but this did not entirely reconcile him. There-

fore, he left St Germain en Laye, and retired into Switzerland, where he was taken prisoner, sent into Holland, and from thence transported into Scotland; where he hath led a very uneasy life ever since, being oftener a prisoner than at liberty.

It is difficult to verify Macky in these particulars. We know, however, for certain that His Grace was at Brest in 1690 with about twelve Scots and English disbanded officers (Stanley Leighton Papers: Hist. MSS. Com.). Even though he was abroad, the Duke was of sufficient importance to keep the spirit of resistance alive at home. Thus we find Colonel John Hill, the governor of Fort-William, writing from that post to Lord Crawford on October 29, 1691 (Hope Johnstone Papers: Hist. MSS. Com., p. 176), about the mission of Lord Breadalbane, who had been sent to get an undertaking of loyalty from the clans:—

The last meeting of these Highland gentlemen produced a resolution not to settle with my Lord Breadalbin on any account. This resolution [may have] proceeded from my Lord Atholl's manage with these of Glengary, or from the French King's declaration not to sheathe his sword till he have settled the late King James, and the newes they lately hade of a considerable force shipped from Dunkirke under the Dukes Berwick and Gordon for this countrey, or else from a double peike they have at my Lord Breadalbin.

On July 14-24, 1692, the King ordered the Scots Privy Council to "cause process of treason against the Duke of Gordon and other Scotsmen who have been about King James in order to join the French ('State Papers'). He was still at Germain in 1692 (Buccleuch Papers). On September 27, 1692, Sir Thomas Clarges (Portland Papers: Hist. MSS. Com) makes this remarkable statement in a letter to Robert Harley:—

I hear there has been a duel in France among the Scots who attend King James—three aside; and that my Lord Melfort has been killed by the Duke of Gordon, who is imprisoned at the Bastille.

The statement is untrue, for Melfort, who was the Duke's first cousin, being the son of the 3rd Earl of Perth, who married the Duke's aunt, Lady Anne Gordon, lived till 1715, while the Duke himself was never in the Bastille. The only attempt to imprison His Grace was the warrant issued for his arrest on May 20, 1693, on a charge

of high treason ("Acts of Parliament"). Even that, however, was delayed, for ten days later (May 30) we find Tweeddale writing to the King about the process:—

We being strangers to the Duke of Gordon's circumstances, his proceedings have been delayed, and if the matter is not of great weight and the process dear, it may be worth your consideration whether it will not be fit to delay this process of treason at this time.

Witnesses against the Duke were sent to London, but in September orders were given that they were to be "discharged from custody" and enlisted in Lord Strathnaver's Regiment ("State Papers"), a strange method of recruiting.

It is difficult (as Tweeddale found it) to trace the Duke's movements at this time, but he seems to have been captured either at the end of 1691 or the beginning of 1692. At anyrate he was brought to the Hague, as we learn from a letter written from the Hague on January 13-23, 1692, to Lord Nottingham by Matthew Prior, the poet, who had gone to Holland as secretary to our Ambassador. Prior's letter (Bath Papers, Hist. MSS. Com., iii. 3) runs under date January 13-23:

On Wednesday Major Guidet returned with the Duke of Gourdon his prisoner. The Major expected that he should have received orders for him from Mr Blathwayt, without which he did not know how he should dispose of the Duke. Not having received such orders, I waited on the Pensioner, who has given a warrant by which the Duke is confined in the Castlenye, which is the best prison here.

He seems to have been back to England about 1694. Writing to Lord Crawford on February 23, 1694, from an address which does not transpire, he says (Hope Johnstone Papers: Hist. MSS. Com., p. 178):—

My Lord,—Confydding in the honor of your lordshipp's frindshipp, I most intreat that your lordshipp would doe mee the fauor to reflect a littel of the ingagment you put uppon mee when yow ordered my beeing sett att liberty four years ago, and my going to London to veatt off King William. So farr as I remember, I promised to veatt off him whow sooen possibley culd, and untill I had that honor that I shuld dooe nothing against the Government. I hopp that your lordship will excus my gewing yow this trubel, sine I am, my lord, etc.

He seems to have returned by the end of the year, for Major Robert Mackay writes to George

Viscount Tarbat from London, December 20, 1694:—"Tell him [the Duke of Gordon] that I have his collar of the order of St Andrews in which some of the small chaines that fasten the thistles to the crosses are brock, which in my opinion can be better fastn'd here as their" ("Earls of Cromartie," I. 109).

Whenever he returned, it is clear that the Crown was chary about punishing him, for on February 23, 1695, the Lord-Chancellor wrote from London to the Earl of Annandale that the King had granted the Duke of Gordon three months longer liberty till June 1, but, as the warrant could not be sent down immediately—the King being at Richmond—the Chancellor expressed the hope that the Duke would continue his bond for a few days to save trouble (Hope Johnstone Papers). The liberty extended to Edinburgh and four miles round, the Duke finding surety to live peaceably within the bounds of his confinement and to enter Edinburgh Castle on June 1 ("State Papers"). On April 27, 1695, the Scots Privy Council was empowered to grant a further six months' liberty to the Duke; in all of which he showed that luck simply declined to desert him.

During his stay in France the Duke had an action brought against him as David Gordon, son of Thomas Gordon, Clerk of Justiciary (to whom David was served heir June 7, 1690). David raised the action for payment of the principal sums in some bonds, and also the interest on these principal sums, and it was held (July 30, 1696) that on account of the Duke's absence from the country when the decree against him was taken, he could have the decree in absence set aside and the whole question at issue again debated (Morison 12,201). The case is apparently the same as the action of Thomas Gordon, son of the late Thomas Gordon, W.S., against the Duke on February 18, 1713 (Morison 7268).

The question at issue in this case was as to whether against his obligations in these bonds the Duke could set off certain claims that he had against Thomas Gordon and his father. He was allowed to set off or "compensate" these claims.

## THE DUKE AS A JACOBITE.

Having successfully, and characteristically, weathered the storm caused by the arrival of the Prince of Orange, the Duke of Gordon was called upon once again to make a great decision. Matters were hurried forward when "King" James died in September 1701, leaving an only son, James Edward, who was just thirteen years old. Louis XIV., on whose bounty James had lived as a pensioner, at once espoused the cause of the fatherless boy (for more reasons than one). In March 1702, King William followed his father-in-law to the grave, and Queen Anne succeeded. In view of her childlessness, England demanded that the succession to the thrones of England and Scotland should be assured to the Protestant House of Hanover, and in 1703 the Scottish Parliament was asked to consider the terms of an Act of Security, and a plot was hatched to support young Prince James. It came to nothing, but two years later the Jacobite party began to take heart. Thus Adam Cockburn of Ormiston, the Lord Justice Clerk, writing to Harley on February 3, 1705 (*Bath Papers: Hist. MSS. Com.*), speaking of the "insolence of the papists," says:—

You may guess what pass we are at when the Duke of Gordon takes the boldness to insult the Government; he has never been known to expose himself, but when he thought there was a sure game in the field.

In March 1705, the Duke received a warrant from King James for investing James "Marquis of Drummond" with the Order of St Andrew (*Stuart Papers: Hist. MSS. Com., i. 200*). But the "insolence" of the papists and Jacobites went much further than the installation of "peers," and it received a great fillip when Louis sent across Colonel Nathaniel Hooke (1664-1738) to reconnoitre, August-September 1705 and April-June 1707. Hooke had taken part in Monmouth's rebellion, and afterwards fought at the battle of the Boyne. He then entered the French service, being attached to the Irish regiment of Galway. On being despatched to Scotland in August 1705, he bore with him a letter of introduction from Louis XIV. to the Duke of Gordon, who was known to the plotters at "James Gordon." Indeed, His Grace carried on his Jacobite intrigues under various names, being referred to in docu-

ments of the period as "Cæsar," "Sabina," "Mr Duncomb," "Sir Solomon" (Mar and Kellie Papers): "675: haz:" (Buccleuch Papers): "Gormond" (House of Lords Papers: Hist. MSS. Com. I. 152), and "Mr Gray" (Stuart Papers).

The Duke was a specially desirable colleague, for he was a power in the land. An undated paper of advice to the Chevalier St George, quoted in the "Elphinstone Papers," states that he could raise and keep 900 men in the field. True, he was suspected, for, if his traditional loyalty made him favour the Jacobite project, his natural cautiousness made him hesitate to throw himself openly into that cause. Thus, Captain John Ogilvie (a spy known as "Jean Gassion"), reporting on Scots affairs in 1705, declared (Portland Papers, Hist. MSS. Com., iv., 276) that the Jacobites were "afraid he will not risk, but on sure grounds. However, his following will rise, for they are most part papist." Hooke himself reports that the Duke, the Earl of Panmure, and some other lords, "were desirous to promise 40,000 men without comprising the Presbyterians in the west, and by the estimation mentioned in their memorial it appears that they had good reason for it." The Duke of Gordon himself, with his friends, promised 3000 foot and 500 horse and dragoons besides the two whole clans of the Mackenzies and Frasers.

The Duke was, therefore, well worth cultivating, and Louis thought it advisable to introduce Hooke to him, for which purpose he wrote two letters to His Grace, both of them being preserved in the British Museum (Add. MSS. 20,858, ff. 94,181). The first letter is dated Versailles, June 17-28, 1705:—

My Cousin,—I am so thoroughly acquainted with your zeal for the good of your country that I am persuaded you will hearken with pleasure to what Mr Hooke, colonel in my service, will have to say to you touching the desire I have to succour the Scottish nation in maintaining their laws and liberties; and you are to believe that on this, as well as on all other occasions, I will shew the marks of esteem and affection which I have for you personally. Wherefore I pray God to put you, my cousin, in his holy and worthy protection.

LOUIS.

The second letter is undated. It runs:—

My Cousin,—I received with pleasure at the return of Colonel Hooke the confirmation of what I already knew of your zeal for the good of your



country. If the circumstances of the times have since hindered me from sending you assistance, as I desired, you may notwithstanding be assured that my intentions, and my sentiments, for the Scottish nation are always the same. You will receive new proofs of it by Colonel Hooke, whom I send again to Scotland, and you will do me a pleasure if you communicated my thoughts to those of your friends to whom I do not write, by him. As to your own person, depend upon it that I shall be glad of every occasion to give you marks of the esteem and affection I have for you,

LOUIS.

Prince James's mother, Mary of Modena, also wrote to the Duke (whom she addressed as "Mr Duncomb"), on June 25:—

The last message my friend [the King] and I had from you was so kind and so generous that I can never give you thanks and praises enough for it. I wish everybody were of your mind, and would join hearts and hands with you for carrying of our cause, which, in my opinion—and I have but too good reason for it—must be done this Michaelmas term next or never. Our great friend [the King of France] is inclin'd to help us, but wants to know the condition your country is in, what you can do, and what you expect shou'd be done for you: for that end he sends this bearer in whom he has entire confidence, and so have I for I think him honest and capable of going through his work: therefore I desire you may be free with him and tell him your mind in all questions he shall put to you and make him speak with what friends you shall think fitt, that he may come back quickly and fully instructed, for I am sure there is no time to be lost, and our great friend's goodwill must not be slighted. For my little friend [the King] you may count upon his kindness, and be assured that one cannot be more sensible than both he and I am [sic] of your zeal in our cause.

Hooke followed up the letters in the following month in person, but the Duke, apparently conscious of the risk of the whole affair, showed little anxiety to meet him, although the colonel came so near him as Slains Castle, where he had a warm supporter in Lady Erroll and a clever coadjutor in Captain Thomas Gordon, who, though told off as an officer in the Navy to keep a look out for French sails, calmly arranged that Hooke should land when he liked. There was quite a comic opera touch about the whole affair, Hooke himself reminding one of the piratical hero of "Peter Pan"; the deviousness of his correspondence—which was edited for the Roxburghe Club in 1870-1 by the Rev. W. D. Macray

—is quite amusing. The Duke of Gordon took it very much in that spirit, for instead of running after Hooke, he left Edinburgh for the North without seeing the adventurous colonel, who was conducted thither by circuitous routes under the guidance of "Coinach (Caynach?) Gordon," only to find an audience of the Duchess. His Grace had gone North, and thither Hooke followed him, being conducted from Edinburgh by Captain Murray, and introduced to His Grace at Gordon Castle by Bishop Nicolson in September 1705. He gives a vivid account of his interview:—

I stayed two days with the Duke, whom I found so entirely in the interest of the King of England that there was no need of using incitements. He told me that if he himself were not a Catholic the partizans of that Prince would not have remained so long inactive for want of a leader; that almost the whole nation wished for his restoration, but that it is necessary for a Protestant to be at their head; that he had warmly exhorted the Duke of Hamilton to take that place, not because he is powerful of himself, but because of his mark in the country and of his religion; that he knew not the real intentions of that Duke, but that he was the only one in Scotland proper to be at the head; that, indeed, should the King of England come in person there would be no great need of the Duke; but that he himself would scarce advise that the Prince should hazard his own person, though his presence would bring 20,000 men in his favour. He knew, he said, the situation in which I had put the business. It was in a fair way. For himself he was not of the opinion of those who had required a descent in England, but if the King (as he had already let me know by the Bishop) would send 10,000 men into Scotland with arms, they would secure the whole kingdom and give England so much employment that she would have little leisure to trouble her neighbours. Yet although His Majesty should not be pleased to send that number of troops, he himself would not fail to join any number he should think proper to send, and for that purpose would put himself at the head of 1000 foot and 200 horse besides his Highlanders.

I observed that what he mentioned was nothing considerable for a nobleman like him, that it was now time to make show of a dangerous moderation, and that in affairs like these it was necessary to know precisely which forces could be depended on; after replying that he did not love many words, he promised that he would make still greater efforts, and hopes he would assemble as far as 2000 foot and 500 horse, besides his Highlanders: This should be his first efforts,

and afterwards he would assemble forces still more considerable.

Just before my taking leave the Duke gave me a letter for the King and another for the Queen of England.

The territory of the Duke of Gordon is of great extent. He is absolute master of it to protect the Catholics. He has given a house to the Bishop three miles off, and Gordon Castle, where the Prelate lives with his priests, and the Catholic religion is exercised pretty openly all over.

I had appointed a meeting to two principal chiefs (Lochiel of Glengary) of the Highlanders, but the Duke of Gordon had seen them, which saved me the trouble of a long and difficult voyage.

The letter, written to the "King" by the Duke, does not appear in Hooke's pages, but he quotes the letter to the "Queen," which was dated September 11:—

Madam,—I received some time ago the honour of your Ladyship's letter by the brave Colonel [Hooke]. Misfortune had hindered me from seeing him at his first being in Edinburg, and indispositions afterwards stopped my waiting on him: but I prevailed with one [Bishop Nicolson] to visit him, who, I hope, gave him satisfaction. He did me the honour to see me, and as you were pleas'd to command, I told him all he ask'd or I knew of the affaire you are concern'd about. So far as I hear he has done wonders, and his carriage in this shews the sense of those who employ him. I shall not fail to joyn my small endeavours to their mighty application in this good work, and in doing so I follow my inclination and duty, and most particularly the types of respect with which I am, Madam, your Ladyship's most obedient and most humble servant.

Though he did not blazen forth his Jacobite leanings, the Duke was suspect and came under the close observation of the author of "Robinson Crusoe," was sent North on a "secret" mission in 1702 by Robert Harley, then Secretary of State for the Northern Department, and afterwards first Earl of Oxford. Defoe himself had just come out of prison for his candid criticism of the Government, having been liberated with the aid of Harley, who was the first Minister in England to appreciate the power of the press. Writing to Harley from Edinburgh on January 4, 1706-7, Defoe said (Portland Papers, Hist. MSS. Com., iv., 378):—

I have acted a true spy to you, for by an unexpected success I have obtained a converse with some gentlemen belonging to the Duke of Gordon, who are very frank.

Fleming reported in 1707 to M. Chamillart, Secretary of State to Louis, that the Duke was "very powerful in the counties of Badenoch and Lochaber, and will be followed by all the country." This seems to have heartened the exiled Jacobites, for "King" James wrote to the Duke from St Germain's on March 21, 1707:—

The bearer [Colonel Hooke], who is sent by the King of France to treat with you, is so fully informed of all our affairs that I shall say nothing of them here, but only add that I shall do all I can to obtain such a succour as that I may be myself at last amongst you; which I so much wish on your account, as well as mine, and that I may be able to reward you for all you have done, and suffered on my account. As I am extream sensible of your past services, so I do not doubt but that you will continue to give me new proofs of your loyalty on all occasions, and by so doing you need never doubt of my particular kindness for you.

JAMES R.

P.S.—I make use of this occasion to wish you much joy on your daughter's [Lady Jane, who married the Duke of Perth] marriage, which I was pleased to hear was concluded to your satisfaction. The bearer is one in whom you may put full trust and confidence.

A new feature then arose in the situation, for English statesmen began to see that Union with Scotland alone would satisfactorily solve the succession difficulty. A great many curious and devious negotiations ensued, during which Harley sent emissaries to the North. One of these, D. Fearn's, wrote to him on April 15, 1707 (Portland Papers: Hist. MSS. Com., iv., 402):—

Yesterday I went to wait upon the Duke of Gordon at his county house about two miles from hence [Edinburgh], seeing he was to go to Castle Gordon to-day or to-morrow. [I] walked abroad with His Grace an hour before dinner alone, and he obliged me to dine with him alone also, so that we had about three hours' private converse. He has no objection against the Union but one. He expects his son, the Marquis of Huntly, and his [the latter's] lady (the Earl of Peterborough's daughter), here at the latter end of next month, and if you do not order me hence sooner, I shall wait upon him some way out of town as his father ordered me. We expect good things from this marriage.

Two days after this Hooke started on his second mission, landing at Slains on April 21. He sent a messenger to the Duke of Gordon, "who was at one of his castles in the North, and to the

laird of Coxtoun, his neighbour, to prepare every-thing in their quarters to be able to enter upon business at my arrival among them" (Hooke's "Report," p. 5).

Hooke wrote to the Duke on May 1:—

My Lord,—I was verry much troubled at my arrival here to find that your Grace was at Leith: yett notwithstanding the hazard of the journey I was just ready to undertake it, when I receiv'd advice that your Grace was come over the Ferry and in all probability come North. My first design was to wait on you this day: but reflecting on the uncertainty of finding you, and on the inconveniencys of my appearance in that country twice, which I must have done if I had mist your Grace, and been forc'd to return there a second time, these considerations determined me to send the inclosed under cover to the good doctor [Bishop Nicolson], thinking it highly necessary that your Grace shou'd be early inform'd of my being here. I have a full power and whatever your Grace and five more shall agree to will be taken as done by the whole nation: and there is yet time to do something great and glorious. I wait your Grace's orders by the bearer, or by whoever else you shall think fitt to send. I will take what course you think best to have the honour of waiting on you, and will follow your directions in the whole course of this business, having express commands to do so.

On May 4, Bishop Nicolson dropped a significant note to Hooke:—

[The Duke of Gordon] is desirous to wait on you, but having many envious eyes upon him, he wou'd have things done with some circumspection. He thinks it best you should come to the place you and I parted at last when the doctor accompanied you.

On the same day Hooke had written a letter to the Duke:—

Much Honored,—Half an hour ago I received the favour of a letter from your honor. I am sorrie that I cannot go and wait on your honor, your being indispos'd. I designed it, and without good reasons I would certainly have shortned your trouble; however, I shall wait on you wher and when my Lord Doctor shall inform you.

On May 5, Hooke sent another letter to the Duke:—

My Lord,—Just now I received the honour of your Grace's of the 23rd instant [May 4]. I will follow the directions given me by the doctor [Bishop Nicolson]: only in order to give time, which is now very precious, and to expedite my business, I shall take a round and not go hence





directly to your Grace. I shall thereby be able to acquaint you with things which you will not be unwilling to know.

The Duke did not reply to the "King's" letter till May 27:—

Sir,—I received the honour of a letter from our Majestie by the Colonel Hooke with all imaginable respects. I dare say that he has done for your Majestie what was possible, and he has shewn himself both capable and true to our concerns. He will give you accounts of your Majestie's subjects in this nation, but I would not refer altogether to him to assure you of my fidelities and performed duties. I or mine have never failed in that to the sacred Royal family of Stewart, and I hope never shall. We owe veneration to monarchs by God's commands: we owe duty to the master, father of the country, by birth and other engagements, but the passionate affection which I have for your family and for your person is the effect of nature and gratitude. If your Majestie be well, your faithful subjects cannot be ill: and the great man who has had those nineteen years, and without example of antiquity, still has great care of your concerns, shall, I hope, by his succours and counsels, render you the greatest Prince has ever been. The King, your Majestie's uncle, was one of those heroes of your family, and he was always a real friend to this King of France, who now by his kindness to you shews that friendship with great princes are never forgot. Be pleased to believe that those bountys and favours I and mine have received from the greatest of your ancestors, particularly from the Kings, your uncle and father, have all the effects in me which the one assured the other day would have whilst I breathed. That your Majestie may have the infinite merit and perfect vertue of both is my sincere wish, and I am, sir, your Majestie's most obedient and most humble servant and most faithful subject,

GORDON.

The Duke again got into touch with Hooke by sending this letter dated May 28:—

Much Honored,—I believe your honour will find by the inclosed that your honour's opinion is exactly followed. I entreat you wou'd inform the master it was at your desire I wrot this postscript inclosed, at yours, I say, who knows what should be done so well. Pray refuse not the doctor in what he is to intreat of you from, much honored, your honour's most humble servant, D. G.

Hooke replied to this May 30:—

I will endeavour as much as possible to do you justice where I am going, but I shall never be able to find words capable of expressing your Grace's zeal and conduct.



Hooke, who stayed seven weeks in Scotland, returning to Dunkirk on June 17, could make very little of His Grace, whom he visited in the North. He reported on the case as follows:—

He would not sign the memorial, because one of the articles of it required the personal appearance of the King of England, and he could not prevail upon himself to think of exposing their Prince to the danger of war, though he owned at the same time that his presence in Scotland would be worth 10,000 men to him. He was likewise not of the opinion of the others in their demanding of His Majesty to send troops into England or Scotland. His Grace thought that, if the English should withdraw their's from the low countries, there would not be any need of this new alliance, and that the King's forces would be more usefully employed against his enemies on that side. However, in his letter to His Majesty, he approves of the memorial, and he told me that he found it agreeable to the sentiments of all his friends with whom he had taken proper measures.

A further account of the Duke is given by another of Harley's spies, Captain John Ogilvie of the Airlie family, who went under the name of "Jean Gassion." He reported to Harley on Dec. 25, 1707, as follows (Portland Papers: Hist. MSS. Com. iv., 466):—

At Banff I did visit the old Lady Marchioness of Huntly, the Duke of Gordon's mother, and there I found a nest of priests and their Bishop, Nicolson, who goes by the name of Dr Bruce. They were going to Aberdeen to an assembly, whereupon I dispatched my brother Joseph to go to them to see what he could learn amongst them for my further information, and I went my way to the coast of Buchan to the Earl Marshal's, where I was confirmed without any reserve by his lordship.

It is a wonder to me to see the Roman Catholic service public in every place, just as public as it was in King James's time, both at Edinburgh, Aberdeen, Banff, and on the Duke of Gordon's land, whole nests of priests, and for those that are Roman Catholics they have their priests and chapels avowedly.

At Aberdeen I found my brother Joseph, and that he had learned that Doctor Gordon, who was a doctor of the Sorbonne in France, and who is a Bishop here of the popish church, was sent to the Highlands to advertise the Highland clans to provide themselves in arms and to be in readiness when called. He speaks their language, and is a bishop, and what little religion he had is Roman Catholic.

Lord Grange, writing to his brother, the Earl of Mar, March 2, 1707-8, describes how the clerk of the Council should report what arms were in the Duke's land (Mar and Kellie Papers: Hist. MSS. Com., 430).

The Duke wrote a mysterious letter to George, 1st Earl of Cromartie, from "Citadail" of Leith, September 8, 1709 ("Earl of Cromartie," ii., 98):—

My Lord,—I send this express off purpos to enquer off your Lordship's health. Last week I expected to haw uaited on yow, as your letter mentioned, iff I uas not mistaken, as Kincrage uas lykways, uhos help I was forceded to tak to read your Lordship's letter, for indeed my eayes ar faild. I can nott goe courcing with your Lordship for on day or tuo, the dog I had beeing talken up aboutt his mariage att Edinburgh. I believ hee will catch rabattes, did uee know uek I abundance ar to bee found. You hau quitt forgot your apuntment to goe to Hoptoun-hous. I am quitt in concett to see it by Sir William Brus, who I uas to uisit t'other day. He is realy ill, butt nott in suden danger as I uas tould; deuly strenthed meen ar nott soen taken auay, tho' lean and languishing. Your Lordship and I haw knowen him a uigurus littel man as ould bee. Hopping to gett nues off your health, which I uish as an antiant friend and humbel servant to your Lordship and famely,

GORDON.

The Duke felt the disqualifications of his creed. Writing to the somewhat notorious Lord Strafford on April 21, 1711 (Add. MSS., British Museum, 22,221, f. 474), he says:—

None can wish you mor hartaly than I doe all the prosperity immaginable, for though by having the misfortune of being of a religion conterary to the laws of my cuntray, and by that rendered usles both to my freinds and to myselfe, yett I hope my sence of duty to my God will not by so good a judge as yr lo[rds]hip bee esteem'd otherways then a proof of my sincerity in other things. In his heart of hearts, I feel that the Duke did not wish to see the question of the dynasty thrashed out again; but though he had evaded the crisis, which Hooke would fain have precipitated, it came all the same in 1715 with the actual landing of "King" James (Edward) on the Aberdeenshire coast. But the Duke could take no part, for he was virtually a prisoner.

## THE DUKE'S LAST YEARS.

From the suppression of the Jacobite rising till his death in 1728; the Duke spent his life more or less continuously in the Citadel of Leith, the Scots Bastille of the time, and he died there. He was, of course, free to transact his domestic affairs, as may be seen from the letter he wrote to Fraser of Lumphanan, from "Citydale," April 8, 1715, and which was presented at Aberdeen on December 10, 1715, to the Sheriff-Substitute:—

I received some time ago your letter of the 17th January. I have write by a bearer, who goes from hence to-morrow to Mr Tod to send me yr bond. You may at your conveniency send to me the superplus of your bond with the receipt for ane hundereth pound and warrant to take up your bond qch shall be delivered upon demand.— I remain, your affectionat freind, GORDON.

The bond went back ten years, as this shows:—

We, George Duke of Gordon, grant us to have received from Francis Fraser, son to Francis Fraser, at Lumphanan, the sum of ane hundereth pounds Scots, in pairt payment of ane great sum due by him to us be bond for confirming his heritable right upon Tolmads. In witness wherof thir presents written be Mr George Gordon of Logie are subscribed wt. my hand at Lumphanan the 7th day of June 1705 moir, before witnesses. Wm. Gordon, yr. of Minmoir, our servt., and the sd. Mr Geo. Gordon.

The Duke was quite out of it by September 21, 1716, when the "Duke" of Mar wrote a typically cryptic letter to Captain Harry Stratton about a certain sum of money the Duke had declined to receive (Stuart Papers: Hist. MSS. Com. ii., 462). Stratton, replying to Mar, October 22. from Edinburgh, says he is unwilling to trouble the Duke of Gordon ("Mr Gray"), "he being ill." On November 2, Stratton announces that "Mr Gray" is so ill that most think him in a dying condition (*ibid.* iii., 169). Huntly, writing to Lord Lovat from Gordon Castle, December 12, speaks of his father being in Aberdeen, and thanks Lovat "for whatever service you did my Lord. I believe hereafter he may be better informed of those friends that did him most essential good in his late dangers" (*ibid.* iii., 312).

The Duke died in the Citadel of Leith on December 7, 1716. "King" James, writing to Huntly, February 9, 1717, says (*ibid.* iii., 520):—

Your father's zeal and meritts were such that I share with you in a particular manner for the

loss you have made of him. I doubt not but that you will continue to follow his example, and by that means deserve that favour and kindness from me, which you shall allwayes find me most willing to grant you. I desire you will remember me in a particular manner to your mother on this dismal occasion.

His Grace's eulogist, William Gordon, describes his character in glowing terms:—

The Duke of Gordon was a nobleman of a very comely stature and countenance, of great courage and loyalty, which he gave very signal proofs of, both at home and abroad. He was not loyal for interest: he was loyal with no such view. No bad usage at Court could provoke him to stain that spotless honour and loyalty which had been transmitted to him from an ancient race of gallant and illustrious ancestors.

But a close examination of events tends to make one accept Macky's sketch of him in the "Characters" as more judicial:—

He hath a great many good links in him, but they do not all make a compleat chain.

He is certainly a very fine gentleman, and understands conversation and the belles lettres: is well bred: made for the company of ladies, but is very covetous, which extremely eclipses him.

He is a Roman Catholic because he was bred so, but otherwise thinks very little of revealed religion. He hath a good estate, which, notwithstanding his turns, he improves.

He is very handsome, and taller than the ordinary size: thin, dresses well, but is somewhat finical, resembling the French.

His Grace, amid all his changes of fortune, remained a great personage. Hooke tells us that when he travelled he was attended by a "train of near a hundred gentlemen," who were obliged to wait on him. The Duchess had a page just as if she had been a Queen, for no less a personage than the laird of Craig's son, John Gordon, occupied this position ("Balbithan MSS"). The Duke had a residence in Edinburgh and one in Old Aberdeen. The one in Edinburgh, known as Gordon House, stood on the Castle Hill between Blair's and Brown's Closes. On losing his governorship of Edinburgh Castle, he seems to have abandoned this mansion, which, in 1694, was in the possession of Baird of New Byth, Sir David Baird being born there. It was rather a fine house, being pannelled throughout. Rogers ("Historic Scenes in Edinburghshire") says it was demolished in 1887. The house which he occupied in Old Aberdeen stood on the south side of the

Chanonry, and is identified by Orem as having once been the manse of the Canon of Belhelvie. The Duke enclosed the garden with a brick wall.

The Duke's will was confirmed March 9, 1721, and April 13, 1733 ("Edinburgh Commissariat"). His son, the 2nd Duke, as executor, gave up inventories of the debts due to His Grace in 1719, 1721, and 1723. Two supplementary inventories were given up in 1732 and 1733 by the Duke's granddaughter, Lady Henrietta Gordon. For the sake of convenience, I have arranged his debtors alphabetically:—

Baillie (William) of Duncan [? Dunearn] owed £1300 Scots on bond, dated September 22, 1705. Interest, £812 Scots.

Balfour (Michael) of Forret (with Helen Barclay, his youngest daughter-in-law as cautioner) owed £500 Scots on bond, dated November 26 and December 1, 1702. Interest thereon, £381.

Gordon (John) of Davidston (in Cairnie) owed:—

(1) £315 Scots on bond, dated October 27, 1697, and granted to John Grant in Mains of Gartly, the Duke's factor, and assigned to the Duke by Grant on November 17, 1705.

(2) 200 merks Scots on bond, dated March 15, 1699, and granted to the Duke. Interest thereon to the Duke's death, £132 4s 4d Scots.

(3) 400 merks on bond, dated April 5, 1700, and granted to Cecilia King, relict of Adam Gordon, brother german of John Gordon of Letterfourie, and by her assigned to the Duke on September 16, 1702. Interest, £239 6s 8d Scots.

(4) 600 merks Scots on bond, dated July 8, 1684, and granted to the Duke by George Gordon of Thorniebank, and (by a decret of the Baillie of Regality of Huntly of date June 5, 1703) found payable by said John Gordon of Davidston as heir to George Gordon of Thorniebank, his father. Interest, £715 Scots.

(5) £46 Scots on bond, dated September 8, 1674, and granted to the Duke by John Sanders in Belliehill, with George Gordon of Thorniebank as cautioner, and found payable by John Gordon of Davidston (as in (4)). Interest, £76 8s 6d.

Innes (Sir James) of Innes owed 1600 merks Scots on bond, dated August 1, 1676, and granted to Alex. Gordon of Auchintoul, and by Auchintoul assigned to the Duke on April 9, 1700. Interest thereon, £2330 Scots. Total of bond and interest, £3396 13s 4d.

Rose (John) of Wardhouse and David Tyrie, younger of Dunideer, owed £192 on their conjunct bond, dated May 11, 1705, being the bal-

ance (after deducting what Rose had paid to Jean Leslie, spouse to Geo. Gordon of Swelton [at one time the Duke's chamberlain at Huntly], and legal expenses), due upon a former bond granted to the Duke by George Gordon in Miln of Ruthven and said John Rose. Interest thereon, £120 12s 4d. Total, £312 12s 4d.

Sir John Medina painted him in 1707 with his son and successor and his daughter Lady Jean. The picture, which is now at Gordon Castle, is life size and full length. The Duke is seated, in a tawny-coloured coat and breeches, with a full white cravat and shirt; long white stockings, pulled up over the breeches; shoes with buckles, a full flowing light wig; a blue drapery is thrown around him. Lord Huntly stands on his father's right, and is dressed in a blue coat with jewelled clasps; long white stockings, and on the feet gold sandals; a loose white necktie and a long fair wig; around him is a flowing scarlet drapery. Lady Jean stands in the centre, behind the others, and is habited in a loose low pink robe, with white elbow sleeves; a pale yellow drapery around her; fair hair, falling in natural curls over her shoulders.





## HIS CONSORT,

## LADY ELIZABETH HOWARD.

The 1st Duke of Gordon's most notable characteristic was his sense of the drift of the time--which is something not quite the same as opportunism: but like many another man, he lost his bearings in his choice of a wife, by entering the most reactionary of the Catholic families, the Dukes of Norfolk.

I do not know how he came to meet Lady Elizabeth Howard, unless he encountered some of her relatives on foreign service. She was the second daughter of Henry Duke of Norfolk by his wife, Lady Anne Somerset, daughter of the 2nd Marquis of Worcester, and born after 1654, so that she was younger than Huntly, who had not yet reached the pinnacle of his dukedom, and whom she married in October 1676, bringing him a dowry of £1200 a year. The marriage is notable for the fact that the bride was the first and last to bring pure English blood into the ducal line, for her successor, the wife of the 2nd Duke, was partly Scots by descent.

During the first fifteen years of the 1st Duke's married life, we hear nothing of the Duchess, who was presumably engrossed in the nursery, where achievement is difficult to relate. Probably to this period (though no year is stated) belongs the following letter which Her Grace wrote to Mrs Grant of Ballindalloch from Gordon Castle, October 30:—

Madam,—Haveing been disappointed of sum champaigne and Burgundy wine which I design'd to have got from Mr Broady, I shall take it for a perticular favour that you send me on botle of each, the Earle and Countess of Morray being to dine here on Munday. Were it to be had anywhere, I show'd not a troubl'd you, but I hope, Madame, you'l have the goodness to excuse this freedom, and believe I shall be glad of any occasion of serveing you. I offer my kind sarvices to the Colonel and to your sonn.

Her Grace was in touch with the Duchess of York, who wrote to her on July 20 (1681?) from Edinburgh ("Spalding Club Miscellany," iii., 222):—

I was uery impatient to hear hou you were after your long iourney, and extremely plaised when I heard from yourself that it was so well ouer. I can't help wishing that you were at it

again, and I hope you don't take it ill of me, since it is only the desire I haue of your company that makes me wish it; but I doubt I shall not haue that satisfaction so soon as I expected. I am uery sorry for it, for seuerall reasons; howeuer, it is better late then neuer, and about a month hence I hope I shall hau it. I thank God, I am in perfect good health, and much pleased to haue Lady Anne with me, and sum others of my friends. They gott hither a Sunday morning, after a uery fine passage, beeing but four dayes upon the sea. I haue at the same time the trouble of parting with this Italien lady, who goes away to-morrow. Ther is no remedy, and therfor one must haue patience. One cannot in this world haue a \_\_\_\_\_ without a displeisur. The Duchess of Hamilton is com, and Lady \_\_\_\_\_ is expected this day. The town fills uery fast, and this howse is perfectly crowded. You will haue heard uery good news since you left this place, both from London (wher Lord Shaftesbury is secured) [he was committed to the Tower in July 1681] and from hence wher Cargill is so to. I pray God all the \_\_\_\_\_ may be discovered, and that the innocents may be thought so by all the world. Methinks I haue sent you a great deal of news. I expect as much from you, tho' of another kind. I shall always be glad of your \_\_\_\_\_, being truly, with great kindness, yours.

The Duchess of York wrote to her from Edinburgh on 20th (month not stated) 1682 ("Spalding Club Miscellany" iii., 221):—

I know myself so guilty towards you, for having been so long without writting to you, that I don't know which way to begin again; but I think the best is to acknoledge my fault, and aske pardon for it, promising neuer to comitt the like again: one thing more I must say, which is to desire you will be so iust to me, as not to beleeeve, nay, nor think my past silence want of kyndnesse, for indeed that is a fault I can neuer be guilty of: but when euer I don't writt to you, it is want of time, or at most a little lazennesse, and now of late after hauing been so long, I grew so ashamed of myself, that I did not know which was to go about it, and so putt it off, without considering that I did still worse and worse; but pray forgett what is past, and for the time to com, I shall giue you no cause to complaine of me. My last fall has been as much more terrible then the first, as it is possible to imagine, but God Almighty has been uery mercifull, in preseruing me from a greater hurt, for when most of those that sa me fall thought me dead, I had no harm, but in my legs, of which, thank God, I am almost recouered, I can't say quitt, tho' I am able to walk with care, becauss one of my legs swells euery night; but I hope it will not do so long,

for I take care of myself as much as I can. I do not go about to send you any news, for I beleeve you hear from others all that wee have. My Lord Argile caused great talk for a great whill; but now he is quitt forgott. Som say he is at London; and beleeve it, tho' I do not think he will stay long ther, since he sees he is not like to be received by the King. My let. is long enough, and yett I cannot end it, without assuring you, that as long as I live, you shall euer find me truly yours.

On August 5 (1681?) the Duchess of York wrote to Her Grace from Edinburgh ("Spalding Club Miscellany" iii., 223):—

I received two of yours since my last, and I can neuer thank you enough for half the kynddesse you express in them, much less for all; but I am as sensible of it as I ought to be, and am quitts with you in that point, having as much for you as gratitude and inclination (which is the most powerfull) obliges me to. I am confident I was as sorry as you to see your coming put off; but since that and other matter was to be refused, I am glad it was don so ciuily. I would not han you fancy that your lord is thought inconsiderable, for I can assure you the contrary; but he must suffer a little in this world for what will make him happy in the other. The poor Chancellor [John Earl of Rothes, Chancellor, died July 27, 1681] is dead at last, and left a very sad family. I was, indeed, very sorry for him, and for his poor wife, who is in an inconsolable condition, and is gon to-day from this towne, I believe, neuer to com to it again. The ceremonie of the Parliament was extremely fine. Most people were pleased with the Duke's speech, and the maior pairt seemes resolu'd to do theyr duty; I pray God they may, and that all this may be well over. I hope you are not resolu'd against your coming, tho' it shall not be so soon as I hoped. I wish you could guess how much I desire it, and how duly I am and euer shall be yours.

MARY.

On October 19 (1682 or 1683), the Duchess wrote again to Her Grace from Edinburgh ("Spalding Club Miscellany" iii., 224):—

I was uery glad to find by your let. that you had gott well home, and found your sonne so to, for whom, indeed, I was uery much afraid after the relation you had made me of his illness. I thank God that of my fall is now over, and I am els uery well; but am forbid by my mother euer to ride again, which is a great mortification to me. I haue writt a uery earnest let. to her, to begge her leave, and I hope to get it. We haue had great news within these two days, the King having sent orders to the Duke to make great alterations in the , which

euery honest body is uery well plaised with. I don't doubt but you will haue an account of it from other hands, therefore I shall not repeat it; and besides, the pust is iust going, therfor I can say no mor, but that I shall be euer yours.

On December 20 (1682 or 1683), the Duchess wrote again to Her Grace (*ibid.* iii., 224):—

I thank God I haue been in perfect health euer sinie I came hither; but of late I am mightily tormented with the spleen. The truth is, I haue many reasons for it; but if I did submit to God's will as I ought to do, it would keep me from giuing myself up to sad thoughts. I hope I shall learn to do it. I am afraid I haue already made my lre. to long for you, that will not be in a condition of reading much, therfor I will not say a word mor, but to assure you of my beeing truely and with particular kyndenesse, yours,

MARY.

On January 7 (1684?), the Duchess wrote to Her Grace from Whitehall (*ibid.* iii., 225):—

I was uery glad to find by your let that you had gott so well to Edenburgh, and hope to hear the same from your owne howse in few days. Wee must be contented only with writting to one another, for we are not like to meet, the Duke's journey beeing for so short time that I shall not go with him into Scotland; nor is ther one word of the Prince and Princesses going thither, nor I beleuee you don't think it is likely they should, especially now that she is half gon with child. I haue not failed to speake to the Duke of your concerns, and was uery glad of the list you sent me. I find him as much inclined to be kynd to your lord as I could wish him: but he says he can promise nothing till he is informed of euery thing after he come to Edenburgh, wher I hop your lord will be, and speake for himself; and I am sure, if it be in the Duke's power, and that the King does not keep all those fines for himself, your lord will gett som, which I heartily wish, for I knou they can not be bestowed upon one that deserues better. In the meane time, I hope he will keep friends with those that are in power, for it is the easiest and the safest way. Nou, to give you an account of myself, I shall tell you that I haue had a great cold for three weekes toguether, that is almost euer since I came to these lodgings, and it is not aboue two or three days that I am quitt free from it; and, if you will beleuee me, I begun this let the day as it is dated, and haue neuer been able to end it till this day that is the 24th; but pray don't you leaue off writting to me, for I am pleased to hear from you, and will writ as ofter as euer [I] can, for I haue a real kyndness for you, and hope you are so iust to me as not to doubt of it.

Your let. is burnt, and you may writt safely to me of all kynd of things.

After the Duchess of York became Queen Consort, which she did in February 1685-6, she wrote to the Marchioness a letter wholly undated as follows (*ibid.* iii., 226):—

Lord Dunbarr shall not go from hence without a lre. from me, tho' he can better then most people inform you of my kyndnesse to you, which, if you suspect, you do me a great deal of wrong, for I do not only love you, but esteem you mor then I can expresse, and would haue shewd it you by taking you in to my family, if it had been in my power to do it, without breaking my word to another, for I am sure I haue as much mind to haue you with me as you can haue to com, and by delaying it I hurt myself mor then you, for I can not haue any body near me I like so well as you, and therfor you may beleue that as soon as I am able to do it I shall desire you to com; but pray don't judge of my kyndness by my lrs, for indeed I am not able to writt often, and in this I use you no worst then I do the best friends I haue in the world: therfor I hope you will no. take it ill, nor for it deprive me of the satisfactio nor my hearing from you, for your lrs. are always verry wellcom to me. I thank God I haue my health verry well, or rather to well, for I would be glad to haue such sicknesse as you now haue. I don't at all doubt of your good wishes for me, and I hope you are as iust in not doubting of my kyndnesse to you; if so, shew it me in writing often and freely to me of all things, and without ceremony, for be so doing you will increase, if possible, my kyndness to you. M. R.

The Duchess of Gordon emerges from domestic obscurity to some purpose in 1691. At that time her husband was practically living in exile in France. His defence of Edinburgh Castle (1689) had put him quite out of court at home, and had led to much cold shouldering at the "Court" of St Germain. In his absence, therefore, the Duchess was appealed to for a lead, and, as she was a far more enthusiastic Catholic than her consort, her judgment was less conciliatory.

The spirit of resistance had been unchecked in the north while the Duke was still a prisoner in Edinburgh. On January 30, 1690, two days before he made his submission to King William at Kensington Palace, a letter was written (by whom is not clear) from Inverness as follows (*Hope-Johnstone Papers: Hist. MSS. Com.*):—

Ballendalloch and his freinds hes had severall meetings with many vassalls and tennents of the



Duke of Gordon, appointing officers to command their men, so that they are all makeing ready for a campagne, where the Frazers and most pairt of the McKenzies will not faile to be. . . . My Lord Lovat hes been with my Lord Fren-draught, Lieut.-Coll. Gordon and severalls more of the rebells in Buchan, consulting, ingaging, and taking bonds from the people to rise in armes against the Government when called.

The Government meantime was talking steps to ensure the co-operation of certain of the clans, Lord Breadalbane, in particular, being sent to treat with them—a mission that ended so abominably at Glencoe. Colonel John Hill, the governor of Fort-William, wrote to Cluny Macpherson urging him to meet and help Mackay and Livingstone, but Macpherson declined, and Hill wrote him strongly about his attitude on August 5, 1690 ("Gleanings from the Cluny Charter Chest," p. 41):—

Sir,—I am sorry to find you soe young or soe conceited a man, as to refuse the advice of those who are yer friends, and love yow. You know how many tymes I writ you to appear to ye Major-Genll., and of wt. use it would be to yow and the wholl cuntry of Badenoch; yet neither coming nor goeing yow would see him, tho' your word and promise was passed to Sir Thos. Levingston, and I fear the Laird of Calder may suffer on your account, it being generally believed that he advised you to yt. manage and should be full sorry (being my freind) yt. he should be mis-interpreted on yr. account by your not comeing in, etc.

The situation, of course, was complicated by the internal disputes between the clans themselves. This is brought out very clearly by the letter which Lieutenant Alexander Mackay, "of the Garrison of Badenoch," wrote to the Duchess from Ruthven Castle on January 3, 1691 ("Spalding Club Miscellany," iv., p. 165):—

May it please your Grace,—The Kin~ my master, wrytten to severall cheifes of clans, and among the rest to the laird of Clunie, to raise a companie for reducing of the rebells (as your Grace may perceive by the inclosed copie of his letter), I cannot but own that Clunie has shoven himself very forward; only his kinsmen out of respect and reference to your Grace, and the family of Huntly, to whom they are vassalls, refuse obedience without your Grace's order, and, seing the M'Phersons are a considerable family, and that ther carrage heerin may be leading and exemplar to others, I wer much wanting to the dutie I ow your Grace, and the family your Grace



represents, as a friend and a welwisher, and to my master as a subject, especiallie in the statione I now hold, if I did not by ane express, acquaint your Grace wher the matter strikes at. Give me leave, then, with that submision suits my mean qualitie and statione, to sugest to your Grace that it seemes convenient for His Majestie's service, your Grace send forthwith your positive order to your bailies in this country to raise a companie of wel-armed men, in terms and for the ends expressed in His Majestie's letter. Your Grace see the matter requires hast, and the sooner the bearer is dispatched with your Grace's order, the mor you show your acection to ther Majesties' Government. In all things that may concerne the welfare of your illustrious family, [I shall be ready] to aiguit myself as beiones, Madam, your Grace's most humble and affectionatt servant,

ALEXANDER MACKY.

The garrison in Badenoch gave Her Grace more trouble, as we learn from a letter which she wrote from Gordon Castle on July 16, 1611, to George, Viscount Tarbat ("Earls of Cromartie," i., 69):—

My Lord,—I am still soe much obleeged to your Lordship's favour, that, altho' my designe now is to return you thankes for your former one as to our parke, without the designe of giuing you new troubles, yet the necessity and season of the yeare will not allow me to be sylent in suffering any longer the abuses in Badenoch, both by the comander, Captain Hewgh M'Kay, and garrison who are become extreamly troublesome, not only by their seuerall opretions in other things, but, in particular, that of their wasting the forests and espetiall that of Gailk, being near them: [they] are so imperious that the forester dares neither opose or find fault with the doers. The particular informations I refer to Sir James Grant, to whom they are sent to informe your Lordship off, and shall only add in this letter that I am ashamed to be soetriblesom in the beging your asistance in geting redress: if not, I must take methods of my owne will not be soe pleasing as the only making a complaint which [I] love not to doe without a cause, since noething can soe much incorage me to it but the hauing by that an opportunity of telling your Lordship how much I am, my Lord, your Lordship's humble servant.

The Duchess came more prominently to the front a few years later when the Jacobite scheme to get a footing had taken definite form, and she entered enthusiastically into the plan which the redoubtable Colonel Nathaniel Hooke laid before her, all the more, perhaps, to spite the Duke, who was very lukewarm. She plotted with

Hooke on both his visits of 1705 and 1707, and entered heart and soul into the movement which he represented. In August 1705, she wrote to him as follows:—

I judge it necessary if you think it proper that you and I meet to discourse of affaires, whereby I may give you some light as to the difficultys you find in the matter on hand; apoynt you the time and place. I must be abroad this afternoone, but shall be at home againe by eight o'clock at night. I suppose you know my hand and questions not my heart to serve my friends. I loose as little time as I can, but dare not be too precipitate; it's a business, I find, that will not worke so suddenly as I could wish, and yet I do not despaire. I refer the rest till meeting [ou].

Hooke says that she came to see him in Edinburgh, especially with reference to the plan propounded by Sir Patrick Maxwell of Springell to land 1000 men in the Highlands and 10,000 to 12,000 in the west. It was about this scheme that the Duchess wrote to Queen Mary of Modena on August 24, using the cabalistic lingo of the plotters, and writing under the name of "Elizabeth Sanders" (Hooke i., 298):—

I think this new project of trade would prove beneficial to your interest, for you have many tenants would prove good workmen.

She was quite devoted to the Queen, who was known among the plotters as "Mrs Arthur," assuring "Her Majesty" in 1707, Mrs Arthur and her children shall never want my endeavours to serve them.

On September 4 she wrote to "Mrs Arthur" about the Maxwell project:—

I saw a letter of yours to a friend of mine about the private affairs of your own family and management of your estate: and as you have pitched upon a person whose merit and capacity renders him worthy of your trust, we put the like confidence in him to give you an account of our being most zealous and reddey to render all the service [that] lyes in our power. I had don all I can so far as present circumstances will allow, and I send you a brouillon of some marginall notes [by Sir Patrick Maxwell of Springell] from a lawyer of my acquaintance of his sentiments, who has all along been a true friend to your family, has spent much in your service, and is one of the trustees without whose help some of your friends cannot well work out your business and yet [be] not seen in it. I think the new project of trade may prove very beneficial to

your interest, for you have many tenants [who] would prove good workmen, but it must take a little time to set the tools a-working (and money both, because its grown mighty scarce). Our people are lazy and ignorant of the benefit, so payns must be taken upon them to make them frank at the trade. I refer further particulars to the bearer, and shall ever remain, madam, your most humble servant,  
E. S.

The Duchess had an enthusiastic coadjutor in her husband's kinswoman, Lady Erroll, who had been the first to welcome Hooke, when he landed in 1705, giving him shelter at Slains Castle. On September 9, 1705, the Duchess wrote to her as follows:—

Madam,—I am sorry not to have received your Ladyship's commands by the letter you mention, it not being as yet come to me, but that has not hindered my endeavours to serve you all I could towards the good bargain [a negotiation about taking arms] now in hand, so far as I was able to work whilst partly in the dark. The danger of concerting measures makes a bargain hard to be agreed upon, and without concerting it's as hard to determine upon solid grounds. Every person being afraid to be known by another makes me ignorant of what is done or resolved upon; and our friend [Colonel Hooke] is so true to his trust that I know nothing of any-body's doings except what intelligence I get by my own agents, who, I hope, has [sic] and will help to set the wheel going. Our principall merchant [the Duke of Hamilton] was very shy and backward at first, which made others so too, and by that had like to have spoyled all; but as I was privately informed since that time came to very well, and I suppose it's only to be looked upon as a poynnt of his policy to fancy he saw a design to do without him, and I, thinking it hard to lose so good a bargain, thought it was good to work that way, and indeed it's hard to have but one string to the bow. I hope your Ladyship will pardon my not having writt to you all this while in answer to your former letters, but I knew you had accounts from more knowing than I of what passed, and as for my own diligence, I hoped you would not question it, so that till now I hardly know what to write.

I thought it convenient for your friend to discourse with a certain person of my acquaintance [Sir Patrick Maxwell of Springell], who I knew a necessary tool for dispatch, and even, in our present circumstances, to set all a-going, as well as to have given him some insight both as to men and matters of the trade. I own I sent for him, and especially thinking it needful when I saw things so dubious and backward, but this I own

only to yourself, for, it not being at first relished, and I not ruling elder, was much afraid to discover a friend without need, as he was to be known; so that no mortal knew why he came here, except about some private affair of his own, and could not possibly stay longer than he did. I have, however, given our friends some marginall notes [Springell's patterns]. I made write down for our memorandums, the which your Ladyship will see, so I need make no repetition. I have done my best, and could do no more at present for the reasons I have told you, and you will also see a letter of mine, by all which you'll know my part of the transaction. I could also have told your friend twenty things might have been of use to him, had I had more time with him, and farther intrusted. As for mony matters for the manufactory, I suppose there is another cash-keeper chose for the little stock now sent (if made use of) and I am glad to it, for I think the person you propose neither fit nor capable to manage that business, both for the reasons I formerly writt your Ladyship word of, severall others besides, the which shall not hinder me from giving my opinion about it, whenever there is need of it, within the compass of my view, as it is now to set a business a-working, and let every trustee have their own share to manage. This I offer as my humble opinion to the persons concerned, who I wish well to, and will be glad of all opportunitys to show how much I am both to them and your Ladyship, with all sincerity and zeal imaginable.

On September 13, she sent another letter to the Countess, enclosing one "written in lemon," and announcing that "all is pretty quiet as yet; it was smoaking a little while ago."

Hooke desired her to procure an interview for himself with Lord Panmure, "to which she replied that she had already spoken to him of me, and he would expect me at his house about 11 at night."

The plot simmered during 1706. On March 5, 1706, she wrote to Hooke: "The memorandum I gave you woud take fire, were there but fewell to kindle it and forge to blow the coal."

In 1707 the Duchess of Gordon became unusually active, writing a great many letters and interviewing the leading plotters. She frequently used a pseudonym, among other names under which she wrote being "Beda," "E. Dallison," "Mrs d'Alanson," "Doll Freeman," "Dorothy Grime," "E. D.," "E. S.," and "S. D." It is difficult at this time of day to understand the inner meaning of al<sup>l</sup> her letters, for she had to

adopt a cabalistic sort of code to avoid detection, I, therefore, give interesting passages, arranging them chronologically:—

February 18.—To Hooke—If your friend [the King of France] really intends to help us (for it is sinistrously spread he never intended it), I shall be extream glad of the good fortune of hearing from you as soon as possible. If you remember any of my sentiments, they are still the same; but will give you no further repetitions than that of my being your most affectionate friend and humble servan, E. S. (ii., 126).

March 3.—She informed Lady Erroll that the Duke of Hamilton was not to be trusted, adding—Another thing I must be so free as to tell you that many of those sort we us'd to look upon as his friends are now thought the least really so, and as your Ladyship says not so carefull of him and his business except for their own ends (ii., 169).

March 20.—Hooke writes to Lord Perth:—

I am heartily sorry that His Majesty has not writ to the Dutchess of Gordon, nor your Grace to the Duke; he took it ill last time that he had no letters from you.

You should know the full extent of our trade and circumstances hereabouts, which (in my opinion) are of consequence, and that as soon as possible; yet I dare not intend to impose upon your better judgment, after hearing it is contrary to your inclinations, but give you the grounds of my wishes according to my capacity and zeal for the best, as the sentiments of your humble servant.

Hooke arrived at Edinburgh (in disguise) in the beginning of May, and gives the following account of the Duchess:—

I wrote to the Duchess of Gordon, having been advised by the Duke, her husband, and the Earl of Erroll to address myself to her, because the Presbyterians after they had abandoned the Duke of Hamilton had applied to the Dukes of Gordon and Atholl, who, residing generally at Edinburgh, could easily see those and receive their propositions. As these lords were narrowly watched in the country, I mentioned to the Duchess another place for her to send her answer to. . . .

The Duchess of Gordon having insisted on seeing me at Edinburgh, I answered her that being sick a bed, it was impossible for me to undertake that journey; therefore, that she ought not to neglect to send me not only the particulars, but also a person fully instructed to tell me all she had to say, more especially as the time was hastening. She submitted to my arguments, and despatched to me a gentleman named Strachan, in whom the Chief of the Presbyterians had an entire confidence. . . .

I had known this lady [the Duchess] ever since the revolution. She is full of good sense, of a character remarkably firm, and well acquainted with all affairs. It was with her I was to find the person to whom the Queen of England had caused a letter to be written to get me introduced to the Duke of Hamilton. Mr Fleming [brother of Lord Wigton] introduced me to the Dutchess about nine at night. She was immediately for sending a courier after the Duke to bring him back; but I dissuaded this step, representing that a return so sudden might beget suspicion, prove prejudicial; for the Duke of Gordon usually travells attended by a train of near a hundred gentlemen, who are obliged to wait upon him. I thought it better, therefore, to send him the King's letter and that of the Queen of England by a man of trust. I desir'd the Dutchess of Gordon to direct me to some sure house for lodging, because the inns are all so public. . . She sent for a priest [Carnegy] that lives with her, who undertook to provide for my security.

The following mysterious references appear in her Grace's letters at this period (1707):—

May 20.—To Hooke—The duty and freindship I owe to those I wish well to obleegees me to attempt on once more a new proof of my zeale to there service. Hooke, signing himself "H. Johnston," replied to her Grace on May 30—I find nothing can escape your penetration." (ii., 306).

May 22-June 2.—She wrote a very long letter to Hooke, in the course of which she says:—Our great talk now is of the defeat in Spaine, and that our Scots forses are to be sent there, where they have no mind to go: this insenses them so, being already ill affected, that a very little appearance of a rysing would make them joyne those gidy-headed people of the west, which would be very ticklish, for our kingdom at present is a perfect tinder box, and the least sparke would make it take a fire not soone to be quenched.

Both these sortes talke very boldly, and that there are amongst the red coats few otherways inclined, and who the rest will make no difficulty to cutt in bits if it come to that. You see by this what confusion and dangers wee are in. God preserve us from all ills. Never was there such ticklish times.

June 9-20.—To Hooke—When you favour me with your commands, direct them for Mrs d'Alanson, to be left att Mrs Roche's hous att the Two Blew Spikes in Red Lyon Street, near Lamb's Conduit, two doors from the Duke of [blank] att London, and she will send it to me. This direction will serve till I send you another. . . In all hast[e] send us barreles of sugar, for we shall gett no trade without them, and endanger the loss of customers (ii., 433).



June 21-July 2.—To Hooke—Signing herself “E. Dalison,” her Grace sent a letter “writt in lemon,” apparently about Edinburgh Castle. Hooke, signing himself “J. Holford,” replied to her, July 25, 170’.—Your friends [the King and Oneen] are satisfied with whatever you do (ii., 435).

July 29-August 9.—To Hooke—We are in a perfect consternation upon the account of not hearing from you, and our hearts, if not redressed, will fail us (ii., 444).

August 9-20.—To Innes [Col. John Murray]—She enclosed Ker of Kersland’s cypher (ii., 448-451). Here are some of the words and their cabalistic equivalents:—

England.	Scotch linen.
Scotland.	English broadcloth.
France.	Gold lace.
Ireland.	Painted fans.
Lancashire.	The bagpipe.
Northern English Counties.	Coal hewers.
Duke of Hamilton.	M. Cloudy.
Hamilton’s party.	Interlopers.
Athol’s men.	The traders.
Ammunition.	Pepper.

The Duchess had much correspondence with “M. Inese,” who was really Colonel John Murray. On April 20, she refers to him in a letter to the Countess of Erroll:—

I am in the greatest perplexity that can be that the man [Colonel John Murray] to buy your meale is not yet come to you, for I have kept off a good merchant all the while, who proffers the best bargain of any [Ker of Kersland].

On August x-20, she writes to Murray himself:

Sir,—In the name of God what are you all doing, and why do you neglect your business? I have managed your factory to the best advantage I was able, and let whoso will inform you to the contrary. Your tenants are all crying out for you most desperately. I may say every man and mother’s son of them to have a care of them, who are like to be ruin’d with this unpleasant Union. But all are against it except the makers of it. . . . Lett me tell you there are snakes in the grass. On September 20, 1707, she wrote about “A plott in order to a winter invasion.”

August 23-September 3.—To Hooke,—Secrecy in your affairs is to be commended, but keeping me in the dark, except you misdoubt my management, is like to ruin busvness, and I must ex-honor my selfe of not being to blame if things go wrong.

August 26-September 6.—To Hooke—I am glad your friends are pleased with my endeavours to serve them: I shall ever do my part if they do theirs.

August 30-September 10—She wrote to Hooke, enclosing a letter "writt in lemon": Ill weather immediately comes in in these cold countrys, and lying out all night will make many stay att home: and cooling their hearts now, tho' but for a season, will so freeze them as never to melt again.

September 13-14.—To Hooke—You are so long about your busyness that you give your antagonists all the advantage and hazard to your selfe imaginable. My being in the dark will hinder the management of your busyness, and especially having fools to deal with and irons being hot 'tis the only time to strike fire.

September 16.—She addressed another letter, dated September 16-27, to Colonel Murray for "Lord Winton," that is the Old Chevalier:—

My Lord,—It is mightily wondered att that your lordship should be so long a [sic] dispatching your busyness to come home: your friends are grieved and fear you will make it too late in the season, and no less for your interest. You have many of them, and their hearts are bleeding for want of you: and I must tell your lordship that you have but few enemies to what you had, and those who are the greatest hapen to be Scots Unioners. Att your return it will be necessary that you distinguish between your friends and your foes, if you intend to be well served and befriended, if for which this advice is offered only, for your lordship will have many to reward, more to encourage, and little to do it with, att least at first, except you do it this way, and the hopes of that will answer both ends, for the present and time to come. If this be not done, it will sink the hearts of many who have stuck to your interest and big hopes, wishing to see you, even upon these heads will think it hard your foes should be upon equall foot with your friends, and for a few whose own sub-tenants are incensed against them upon your lordship's account. So you need not fear them except you give them time to provide against you, who are fearing already, and so may come to hear of your designs and prevent them. Pardon this liberty; [it] is only sent you by advice of friends and presented to your consideration.

September 20.—Ogilvie of Aboyne was one of the Duchess's correspondents. Writing to him, care of M. Inese" [Colonel John Murray], she says:—

[I have] little to say, except that the British Parliament is going to sit, and the Union has made so great an alteration in our kingdom that [there is] nothing in our heads but running to Barwick, to Barwick, to Barwick; so far of our journey; and I am resolved to sing the same song,

for your French chirurgeon cannot cure the redness in my face, his pomatums not agreeing with it: so the English bath is the general and common sentiment only to be used. I know not whether both may be proper or not, but I am positive to have M. Townly his brother, for phisician to me and my family, with whom I being already a mountebanke, will turn a perfect conjurer, and these fancys diverts much of my time, being very busy about them. So send me the aforesaid doctor immediately, or your aunt, Mrs Grant's brother-in-law will outdo me in skill.

October 7-18.—To Hooke—I am looking before me how to gett your good pylots att the most probable posts, where you may land (if the wind serves but right) some of your light goods.

October 11-22.—To Hooke—I foresaw and told you often the delaying your law sute would prove dangerous, or bad consequences would follow it; and I am sorry I must tell you I was too true a prophet in the matter; for your not coming to look after your own busynes, nor sending any instructions about the management of it has made it now much more ticklish than formerly. You loose ground daily: your friends in general are much discouraged; and those who understand the art of your calling and would have been very trusty and usefull to you, are going away and cannot help it for want of encouragement or assurances. I have kept up some of their spirits for you as long as I could, but giving your enimies so much time is vastly to their advantage and your loss.

Colonel Murray writing on the same date to Hooke from St Germaines, says:—The Duches [of Gordon] and others are mighty uneasy that they hear no news from this place, for I have never writt one word to Mr Hall [her chaplain, whose real name was Carnegie] since before Fontainebleau.

November 18-29.—She wrote again to Boyn:—

You would oblige me extreamly to lett me hear frequently from you; I will endeavour the better to manage your affairs that I receive instructions frequently about them, the want of which has done a great deal of prejudice, and loss of time endammages your affairs wonderfully and will disappoint me yet mor, tho' I do my best to make the most advantage I can of every particular that lyes in my power to serve you in. "The man in the Mairnes [Kincardineshire] can do no more than he may"; and when friends think themselves neglected they turn to another shoar to save their back. You will do well to be close in your desigus where you formerly gott your instructions to be so, for the reasons I wrote to you lately, your English not being to be trusted to. Since the Union they are treacherous to our trade, and if they knew your design of going to law they will prevent you.

December 2-13.—She wrote a very long letter to Hooke, in which she says:—I shall do what I can to keep up your children's hearts, which are very much sunk.

Nothing really came of the Duchess's plotting in 1707; but she was far from discouraged, achieving extraordinary notoriety in June 1711, when she offered to the (Edinburgh) Faculty of Advocates for preservation among a collection of coins in the possession of the Faculty, a silver medal, bearing on one side Great Britain and Ireland with a fleet of ships coming to them, and the motto "Reddite," and on the other side the Pretender's head with the motto "Cujus est." A dispute arose at a meeting of the Faculty as to whether this medal should be received or not. Quite a literature arose round the incident. A London journal called "The Flying Post" published accounts of the affair (July 31, August 2, 1711), and the following items also appeared:—

"The Scottish Medal Decipher'd and the new Hereditary-Right men displayed: or Remarks on the late proceedings of the Faculty of Advocates at Edinburgh upon receiving the Pretender's Medal. With an account of the laws which make those proceedings high treason. To which the said proceedings are prefix'd." London: printed for S. Popping at the Black Raven in Pater-noster-Row, 1711. Price threepence. 8vo., pp. 24. Mr Popping seems to have found his publication a success, for he also issued a penny version of the affair as follows:—

"Scotch Loyalty Exemplify'd in the behaviour of the Dean of Faculty and Faculty to his brethren at Edinburgh in relation to the reception of a medal of the Pretender, presented to them by the Dutchess of Gourden, with her Grace's and their several speeches thereupon, as also the number of those that were for and against admitting it amongst their rarities." London: printed for and sold by S. Popping, Pater-noster Row. Price one penny.

"The Scotch Loyalty, or an account of the Scotch Lady's present to the Scotch Advocates: with their proceedings and several speeches in receiving the pretended Prince of Wales's Medal." This is a broadside printed in Fleet Street, 1711.

The "Arniston Memoirs" state (p. 52) that "we have no means of knowing accurately what happened at the meeting of the Advocates," but the pamphlets enumerated give most circumstantial accounts.

The presentation was made on behalf of the

Duchess by Robert Bennet, Dean of Faculty, to whom she sent the medal, and who in transferring it to the Faculty, said: "Her Grace sends as a present to you the medal of King James VIII., whom we and the English call the Pretender. I hope thanks are to be returned for it."

Objections were at once raised to receiving the medal. Alexander Stevenson was in favour of returning it to the donor, on the ground that to retain it would be "throwing dirt upon the face of the Government." He was seconded by Robert Alexander of Black House, on the ground that receiving such a medal was owning a right contrary to Her Majesty's. Robert Fraser cited Cromwell's medal. Though the Protector deserved to be hanged, the coins of the Commonwealth had been received. Why not this medal? Duncan Forbes, brother to the laird of Culloden, and Joseph Hume of Wine-holes, said it was time enough for them to receive the medal when the Pretender was hanged, and this view was upheld by Hugh Dalrymple, son of the President, Mr Kirkennel, and Sir James Stuart of Goodtrees, His Majesty's solicitor.

At this point James Dundas of Arniston made a strong speech in favour of retaining the gift. He is reported in "The Scotch Medal Decipher'd" to have said:—

Dean of Faculty,—Whatever these gentlemen may say of their loyalty, I think they affront the Queen whom they pretend to honour in disgracing her brother, who is not only a Prince of the Blood, but the first thereof; and, if Blood give any Right, he is our undoubted sovereign. I think, too, they bring Her Majesty's title in question, which is not our business to determine. Medals are the documents of history, to which all historians refer; and, therefore, tho' I should give King William's stamp with the devil at his right ear, I see not how it cou'd be refus'd, seeing a hundred years hence it would prove that such a coin had been in England. But, Dean of Faculty, what needs further speeches? None oppose receiving the medal and returning thanks to her Grace but a few pitiful scoundrel vermin and mushrooms, not worthy of notice. Let us, therefore, proceed to name some of our number to return our hearty thanks to the Duchess of Gordon.

The Dean of Faculty put Dundas's motion to the vote. Of the 75 advocates present, only twelve voted for refusing the medal. It was further resolved that thanks should be conveyed to the

Duchess by Dundas himself and John Horne of Westhall. Dundas wished to know in what terms he should return thanks. The Dean replied that the Faculty would approve whatever Dundas and Horne thought fit. So Dundas and Horne waited on the Duchess in her lodgings in the Canongate on July 3, and Dundas addressed her thus:—

Madame,—We are deputed here by the Dean of Faculty of Advocates, in their name and for ourselves, to return our most hearty thanks to your Grace for all your favours, and particularly for the honour you did us in presenting us with a medal of our sovereign Lord the King. We shall always be proud of any occasion to testify our loyalty to His Majesty and the respect and honour we have for your Grace.

The Duchess is said (by "The Scotch Medal Decipher'd") to have replied in the following terms to the deputation:—

I have always esteemed the Faculty of Advocates as the most learned and gentlemanly society in Europe, and, seeing they have made so fine a collection of books and medals, I think everybody shou'd assist them. For my part, whatever of value comes to my hand of either sort, I shall freely bestow them upon the Faculty.

Dundas then made a second little speech, in which he said:—

Madam,—I hope and am confident, so do my constituents, that your Grace shall have very soon an opportunity to compliment the Faculty with a second medal struck upon the restoration of the King and Royal Family, and the finishing rebellion, usurping Tyranny and Whiggery.

The writer of an (unsigned) letter to the Mayor of Newcastle, dating from London, July 26, 1711, described the event, adding (Stowe MSS. 750, f. 32) that the action of the Faculty was "the more observable because 'tis done in the face of the world by the oracles of our nation—men learned in the law: and the Whigs comment largely upon it."

It certainly tried one Whig very much, for Dundas's father, Lord Arniston, was a thorough-going supporter of the House of Hanover. He must have been sorely tried when orders were given to have young Dundas prosecuted on a charge of sedition, for in March 1712 he was brought to the bar of the High Court of Justiciary at Edinburgh. Eventually the proceedings collapsed, and this unfortunate episode was terminated by the abandonment of the prosecution.



In the 12th chapter of the "Heart of Midlothian," in which Davie Deans states his objections to the advocates whom Saddletrees proposes to retain for the defence of Effie. "Weel, Arniston?—there's a clever child for ye!" said Bartoline, triumphantly. "Ay, to bring Popish medals in till their library from that schismatic woman in the North, the Duchess of Gordon."

The author of "The Scotch Medal Decipher'd" has a word of criticism for the Duchess:—

One would have thought her Grace might have considered how much her own family had suffer'd by adhering to the cause of the abdicated father [King James], which is not like to be retrieved by her intemperate zeal for the pretended son [the Old Pretender]. Or, had she consulted the history of the Duke, her husband's family, she might soon have been convinc'd that they have lost much of their antient power and grandeur by adhering to the cause of Popery and Arbitrary Power since the beginning of the Reformation in Scotland, besides the lives they have lost in the field and otherwise on that occasion.

The wonder expressed in this letter is not so astonishing when you remember that the Duchess had quarrelled with the Duke and had long been "on her own." As a good Catholic, she did not favour divorce, but she separated from him in 1697. The Duke, on June 8, 1697, brought an action of adherence against her with this object, that if she did not return to him he should thenceforth be relieved of paying any aliment to her for her maintenance. In answer to the action of adherence the Duchess alleged maltreatment on the part of her husband. Some of the judges thought that the case should be adjourned to allow the Duchess to return from Flanders (where she was in a convent, and where her half-sister, Lady Anne Howard, was a nun at Burges, and another half-sister "a most virtuous Benedictine nun" at Ghent), and that the Duke should meantime pay her aliment. Others thought that the Duchess's defence was well founded, but it was ultimately agreed that the case should be continued in order that if possible an amicable settlement should be arrived at between the parties. The matter then lay over. On February 25, 1698, the trouble came up again on an action for aliment brought by the Duchess against her husband. The Duke's defence was that he was willing to take her home to live with him, but the judges allowed a proof so as to enable the

Duchess to prove the acts of severity and maltreatment which she alleged on the part of her husband, and in the meantime they ordained the Duke to pay his wife £800 sterling for her present maintenance. The action came up again on June 15, 1698, for proof, and the case is reported on the point whether a Mrs Kendal, who was adduced as a witness to prove the Duke's ill-treatment of his wife, was a competent witness. The old law as to women being incompetent witnesses was founded on, but the judges repelled the objections to the witness, and allowed her evidence to be given. There is no further mention in the report as to what the actual result of the action was (Morison, 5902, 5904).

It appears from the Duke's will that on December 8, 1698, his Grace and his wife agreed to appoint Patrick, Earl of Marchmont, then Chancellor of Scotland, as arbiter to decide what allowance the Duke should pay to the Duchess while they lived separately; and on January 6, 1699, the arbiter decided that the Duchess should receive a payment of £600 sterling at Candlemas 1699, and thereafter till the Duke's death £800 stg. annually. On August 11, 1719, the Duchess assigned to her son Alexander, Duke of Gordon, her rights to the said allowance (which seems never to have been paid), and in virtue of this assignation, Alexander was confirmed executor qua creditor to his father, Duke George on Sept. 18, 1719; and thereafter (1721-1723) gave up inventories of debts due to his father.

The Duchess, perhaps with the desire of getting a freer hand to deal with the Jacobite situation of 1707 and the visit of Colonel Hooke, was finally separated from the Duke in that year. Writing to the Countess of Errol, March 30, 1707 (as quoted by Hooke), she says:—"I have won the day against my antagonist, and am doubly glad of it, for it was a great hinderance to my other affairs of greater consequence." Writing to Hooke himself on December 2-13, 1707, she says:—

Mr Gordon and I do not meet of late since this last persute at law, but I will try him to get so much of your afaire imparted to him as may be necessary and no more till the time come. I would go myself, but his ill will to me makes me seeme ignorant to him, tho' I'l take care there shall be no loss by it to you.

The Duchess was made completely free in 1710

by the death of her husband, whom she outlived by sixteen years. But she was not free from care, for she saw the Jacobite attempt of 1715 come to nought and her son disgraced in the eyes of the Jacobites—a fate which greatly exercised her and led her to intercede eagerly on his behalf with the Court at St Germain's. She may, however, have had a passing touch of gratification in the plot in which her ex-page Lesley was involved, in the attempt to surprise Edinburgh Castle (full of bitter memories for her) on the night of September 8, 1715 (Rae's "History of the Rebellion," p. 198).

The Presbyterians were always at her, but she went on her way as if John Knox had never lived. A characteristic example of this occurred in 1722, when Bishop Wallace was arrested in her house in Edinburgh while he was hearing her confession. Her Grace was in bed when the constables of the City Guard arrived, but they insisted that she should rise and conduct them over the house. Father Dawson, in his book on the Scots Catholics, tells us that eleven other Catholics were found in the house, some being dismissed and others sent to prison. "Suspecting the Bishop, from the gravity of his demeanour, to be a priest, they conducted him to prison under a strong guard. It would have fared still worse with him if they had imagined that he was anything more. He was liberated on bail, but as on a former occasion, refused to stand his trial, and was outlawed. He remained in the country, however, and, frequenting only places where he was not much known, he managed to do good service." Such an incident, however, did not frighten her Grace, for six years later (1718) Wodrow ("Analecta" iii., 523) describes her devoted work for her Church:—

I am told that the Dutchess of Gordon, a most zealous Papist, is now gone out of the Canon-gate [Edinburgh] and taken a house betwixt and Leith, which is just turned a seminary for corrupting the youth, especially young girls. She keeps a dispensatory and distributes medicines gratis, and has got in a great many poor people and turns them all Popish, as well as a great many poor gentlemen's children, particularly the family of Barntoun; and that all, or most, of Commissary Fleeming's grandchildren, to the number of ten or twelve, are menteaned by her and turned Popish.

She had, of course, the protection of the law

in other respects, for in 1726, an Edinburgh merchant, George Henderson, was charged with forging her name to a bill for £58. He was found not guilty, but during the trial the Lord-Advocate, Duncan Forbes of Culloden, detected a conspiracy in which the wife of a wig-maker named Macleod, in Leith Wynd, was implicated and for which she was executed (Rogers' "Historic Scenes in Edinburghshire").

The Duchess, who died at Abbeyhill on July 16, 1732, had lived to see many sad things. To begin with, she witnessed the ignominious conduct of the King over the water, and the failure of the Jacobite rising in 1715, which resulted in the forfeiture of her son-in-law, the Earl of Perth. In 1728, her only son, the 2nd Duke, died, and his wife brought Protestantism into the family. The Duchess must have been a good woman, for her will, confirmed December 17, 1733, shows her to have been very considerate to her servants:—

First, I recommend my soul to God, hoping to be saved through the merits of Jesus Christ, my Blessed Lord and Saviour, and for my worldly affairs I nominate and appoint the Right Hon. William, Earl of Aberdeen [who married her granddaughter, Lady Anne Gordon], to be my sole executor and universal intromitter with my whole goods, gear, debts, sums of money, gold, jewels, silver coinized and uncoinized watches, rings, books of all sorts and other moveables of whatsoever kind falling under testament, with full power to my said executor to intromit therewith and use and dispose thereupon at pleasure, with the burden of paying my funeral charges conform to direction to be left by me in writing. But lest such directions should not be left or prove defective in any particular, I ordain my executor to act therein as the decency of the thing in a private manner shall require, and as he in his own prudent management shall think meet and proper and with the burden of paying my just and lawful debts that shall be resting by me at my decease. As also with the burden of the legacies following:—

HER GRANDSON.—My executor [shall] keep and preserve for the use of Cosmo, Duke of Gordon, my grandson, my haill physick books, both print and manuscript, and deliver the same up to him when he is of proper age, or to his tutors and curators for his behoof whensoever my executor shall think meet, seeing I hereby legat and bequeath the same to my said grandson.

HER DAUGHTER.—My executor shall deliver to her Grace Jean, Dutchess of Perth, my daughter, my haill household furniture and books (excepting said physick books) that shall pertain and be-

long to me at my decease, together with my jewels and silver plate (except in so far as the legacies after-mentioned extend to and comprehend the same), including therein, my tea quipage, conform to an inventory and list of them to be made up and signed by me as a direction for my executor; as also my hails other tea quipage, of whatsoever kind the same be of, together with my coach and horses, furnishing, and other appurtenances belonging thereto, which I hereby bequeath and legate to the said Jean, Dutchess of Perth, my daughter.

HER GRANDDAUGHTER.—Item that my executor deliver to Lady Mary Drummond, my granddaughter, my whole set of silver forlet plate, which I hereby leave and bequeath to her.

HER GENTLEWOMAN.—Item that my executor deliver to Mrs Mildred Rokeley, my gentlewoman, my whole body cloaths and habilziments of whatsoever kind, and everything else that shall be lying by me fitt for habilments, tho' not made up; together with my largest gold watch and appurtenances thereof: all which I bequeath to her, and that but prejudice of the provisions I have otherwise made her I leave and bequeath to the persons after-named the sums following, viz.:—

HER GRANDDAUGHTER.—To Lady Ann Gordon, Countess of Aberdeen, my granddaughter, the sum of £1000 stg., to be paid by my executor to her.

HER GRANDDAUGHTER.—Item to Lady Elizabeth Gordon, my granddaughter, and fourth daughter to the decest Alexander, Duke of Gordon, the sum of £500 stg., to be paid by my executor to her. As also I appoiut my said executor to deliver to the said Lady Elizabeth Gordon my small gold watch, marked with a duke's coronet, together with hook chain and other appurtenances thereof, which I likewise bequeath to her.

FOR THE POOR.—Item I hereby appoint my executor to pay to Mr James Gordon of Glastirum and Mr Patrick Leith of Harthill the sum of £150 stg., to be distributed by them amongst the poor.

HER HOUSEKEEPER.—Item to Isobell Orum, my housekeeper, twenty guineas.

HER SERVANTS.—Item to each of my men-servants and to my chambermaid, cookmaid, and kitchen-woman a full year's wages, and that over and above what shall be due by me to my housekeeper and other servants at the first term of Whitsunday or Martinmas after my death. Item to Ludovick Gordon, one of my footmen, such a sum as with the year's wages above bequeathed as one of my men-servants shall in hail make up the sum of £100 Scots.

Item I leave and bequeath to my executor the sum of £500 stg., and that free of and over and

above all charges and disbursements he shall necessarily be put to in executing the said office of executor.

Item in case my executor shall exceed my funeral charges, debts, and legacies above-mentioned, I hereby leave and bequeath the whole remainder of my free exccutive, deducting charges and expenses to Lady Jean, Lady Katherine, and Lady Charlot Gordons, my grandchildren, and the three youngest daughters of the said deceast Alexander, Duke of Gordon, equally amongst them.

JOHN GORDON, Servant.—And whereas I have taken an obligation from John Gordon, my servant, whereby he stands bound to pay to me, my executors, and assignees, the sum of £50 stg., if it shall happen that I shall survive the said John Gordon, and seeing that I gave him that sum at least effects to that extent, as a reward for his fidelity and good service, payable allenary in the above event of my survivance as said is, therefore I hereby appoint my said executor to deliver up to the said John Gordon his said obligation, to be by him cancelled in case it shall be found among my papers undelivered at my death, and that the said John Gordon survive me.

HER TACKS AND FISHINGS.—And it is hereby expressly provided and declared that in case the said William, Earl of Aberdeen, my executor, shall be distressed or sued upon the warrandice of any tacks granted by me on my life-rented lands and salmon fishings of Spey or deeds done by me, in that case my said executor shall have power to apply my said executor towards the satisfaction of any demands that shall be made upon him on that account, and to transact with the claimants as he shall think fit, and that the above legacies shall suffer a proportionall abatement of what shall be evicted by reason of such warrandice or deeds in so far as shall not be satisfied by Cosmus, Duke of Gordon, his share of the sum of £1500 stg., assigned by me to Lady Henreta Gordon, my granddaughter, partly on trust for behoof of tht said Cosmus George, Duke of Gordon, and another deed of settlement granted by me of the date hereof relative, to which the said Lady Henreta Gordon is to be granted [sic] back bond, by which it is to be declared that the said Duke of Gordon shall forfeit his share of the said £1500 stg., in the case of his impunging  
 v tacks or deeds granted by me so as to make me or my successors incur the warrandice of such tacks or deeds. And further, it is hereby declared that these presents shall be noways extended to any sum or sums of money conveyed and disposed by me by the aforesaid other deeds in so far as concerns Cosmus George, Duke of Gordon, his share and interest therein, quhilk is to be applied in manner above written in case of his impunging my tacks or deeds as said is.



And this my latter will and testament to all and sundry whom it effeirs, I notify and make known, revoking hereby all former wills and testaments granted by me preceeding this date, consenting to the registration hereof in the books of Council and Session or others competent therein to remain for preservation. [She had owing to her by John and Charles Gordon, elder and younger of Auchanachie, and by Adam, the son of Charles, the sum of £3469 13s 8d Scots in a bond of February 4, 1731.]

In witness whereof, I have subscribed thir presents upon this and three preceding pages of stamp paper (written by John Gordon, my secretary), at Abbayhill the twenty-eighth day of October, one thousand seven hundred and thirty-one years, before these witnesses—James Davidson, my footman, and the said John Gordon. Signed Eliza. Gordon, James Davidson, witness, John Gordon, witness. Cautioner, John Gordon, merchant in Edinburgh, and late secretary to the Duchess. [This John may have been the John Gordon who is described in the Balbithan MS. as "Page to the first Dutchess of Gordon," and who was the son of Francis Gordon, viii. of Craig, by Gordon of Corrachie's daughter.]

There is a miniature of the Duke at Goodwood.

The Duchess is probably the lady after whom a Strathspey, called the "Marchioness of Huntly," is named. A ballad ("Fugitive Poetry, 1600-1878," edited by J. C. Hutchison) commemorates it:—

O' a' the rants, o' a' the rants  
That pleas the hairt and pain the heels,  
And soak the sweat frae cheerfu' chieils—  
There's nane like Lady Huntly.

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#### HIS DAUGHTER, THE DUCHESS OF PERTH.

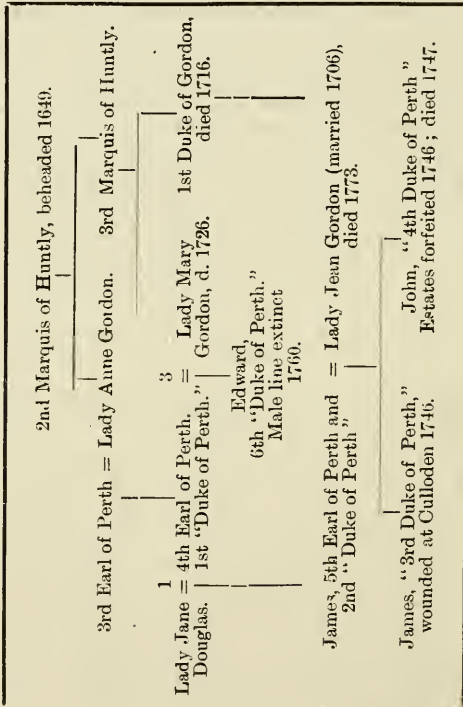
The 1st Duke of Gordon had only one son, Alexander, the 2nd Duke (died 1728), and one daughter, Lady Jean Gordon.

It is probably Lady Jean who is referred to by the Duchess of York in a letter to the Marchioness of Huntly, dated Whitehall, December 20, without the year. As Lady Jean was said to be "about 90" when she died in 1773—the year of her birth was probably 1683. The Duchess wrote ("Spalding Club Miscellany" iii., 224):—

I received but this morning yours of the 13, and will lose no time in telling you that I most willinglie consent to be godmother to your sonne (as I hope) that is a coming, or com into the world by this time. I tak it very kindly you should desire it, and am sorry I cannot stand

for myself. If you think fitt that your lord's mother or sister shall do it for me, I shall be very pleased with it, or with any els that you shall think fitt to apoint for me. Were you not so farre, I would send one from hence; but the distance, and this time of the year, as well as the sad weather, excuses me from it. As for the godfather, I am extremely well satisfied it should be the Duke of Norfolk. If you had not proposed him to me, I should haue don it to you. I hope this will find you safe deliuered of a sonne. I wish you muech ioye of it; and no less if it should be a daughter.

Lady Jean married, on August 5, 1706, her first cousin, James (Drummond), 5th Earl of Perth. The Gordon-Drummond connection, represented in our own day by the Countess of Ancaster and the Hon. Mrs Dudley Gordon, was very close, as this table shows:—



A glance at this table shows the price that had to be paid for loyalty to the Stuart cause during a hundred years of the family history—that is to say, from 1649, when Lady Jean's great-grandfather, the 2nd Marquis of Huntly, lost his head, to 1745, when her son, the (titular) Duke of Perth, lost his estates, the entire Gordon-Drummond line being blotted out by the latter's death in 1747. It will thus be seen that the 1st Duke of Gordon, whose position was greatly complicated by his wife's fierce Catholicism and Jacobitism, became further involved in the spirit of revolt by the marriage into the rebellious family of Drummond.

The alliance affected his daughter, and, indirectly, imperilled the Duke. Mr W. B. Blaikie goes the length of saying ("Military History of Perthshire, 1660-1902," p. 313) that the Duchess of Perth and Baroness Nairne did more than any other persons in Scotland to make the last Jacobite rising possible.

She entertained Prince Charlie at Drummond Castle, February 1, 1746 (Blaikie's "Itinerary," 38), and was taken captive with some other ladies near Stirling. Sir John Clerk ("Memoirs," Roxburgh Club edition, p. 197) says this action "was esteemed a little unworthy for a young man like the Duke of Cumberland, but," he adds, "there was a necessity for this piece of severity, that women might understand that they might be punished for treason as well as others." She is said to have destroyed Drummond Castle lest it should be used as barracks for the Government troops. Mr W. B. Blaikie does not believe this statement, because on February 5, four days after Prince Charlie's visit, the castle actually did become a barracks, for Cumberland then stationed a subaltern and 20 dragoons to look after this "troublesome old woman," as he calls her Grace. On February 11, she was sent to prison in Edinburgh, remaining there till November 17, when she was liberated on bail. Meantime the castle was forfeited by the attainder of her son, James, who had been wounded at Culloden, and died on board the French frigate *Bellona* of fever ("A Military History of Perthshire, 1660-1902," p. 335).

To what straits the family were reduced is shown by a letter which the Duchess wrote from Drummond Castle, June 12, 1744 ("Scottish Review," January 1885). She had borrowed £25, and

was able to repay it only at the end of eleven months:—

Sir,—A friend of mine in Edinburgh will deliver to you this letter with the £25 stg. Mr Stewart borrowed from you in my name in July last and eleven months' annual. Ye will give the bearer Mr Stewart's receipt for the money, which I will return him when I account with him. I was much obliged to you for the loan of the money, who am, Sir, your servant,

JEAN PERTH.

The Countess was about 90 years of age when she died at Stobhall on January 30, 1773. She had outlived many sorrows and had seen many changes in the deaths of her husband the 2nd "Duke" in 1716; her sons the 3rd "Duke," 1746, and the 4th "Duke," 1747; her brothers-in-law the 5th "Duke," 1757, and the 6th "Duke," 1760, when the Earldom of Perth became dormant. Curiously enough, the 5th "Duke's" widow died five days after her, on February 4, 1773, "at her ladyship's in the Canongate, Edinburgh." The Earldom of Perth reverted (theoretically) to her husband's second cousin, James Lundin, who took the name of Drummond, and was served heir to the 5th Duke in 1766, and assumed the title Earl of Perth. He had two sons. By her will, dated June 3, 1772, the Countess Jean left "her real and personal estates of whatever denomination" to the elder of them, Thomas Drummond. He, however, died on August 13, 1780, and his brother, Captain James Drummond, captain in the 2nd battalion of the Black Watch, who was created a peer of Great Britain as Lord Perth in 1797, gave up, as executor qua general disponee, the inventory of Lady Jean's estate in December 1784. The debts then due to her were £839 8s 5d, viz.:—

£370, on bond by Allan M'Dougal, W.S., and David Campbell of Clohombie, dated May 1, 1772, with £4 10s 7d of interest thereon from August 13, 1780.

£400, on bond by Alexander Grant of Arndilly [Banffshire], dated June 15, 1772, with £64 17s 10d of interest thereon from June 15, 1780.

On August 28, 1786, an eik to the inventory was confirmed, amounting to £683 19s 8d, being the value of silver plate, jewels, pictures, and all sorts of trinkets.

A portrait of Lady Perth by F. van Vost is at Drummond Castle, and is reproduced in "A Military History of Perthshire, 1660-1902" (p. 313).

She had apparently three children, though only two are given in Burke:—

1. Son or daughter? Her father-in-law, the 1st Duke of Perth, writes to the 1st Duchess of Gordon, her mother, on March 15, 1707:—  
 “I wrote both you and your daughter twice since her marriage. It is no small joy to me to hear she is with child. Let me commend her now to her mother’s care in that condition” (Hooke’s Correspondence, ii., 174).
2. James Drummond, 3rd titular Duke of Perth: born May 11, 1713, died May 13, 1746, unmarried.
3. John Drummond, 4th titular Duke of Perth: born about 1716, died unmarried in 1747.









