

The Irvines of Drum

And Collateral Branches

By

Lieut.-Col. Jonathan Forbes Leslie

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THE IRVINES OF DRUM
AND COLLATERAL BRANCHES



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AND COLLATERAL BRANCHES

BY

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"EARLY RACES OF SCOTLAND AND THEIR MONUMENTS," ETC.



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P R E F A C E

THIS work is intended to give not only a genealogical list of "The Barounes of Drum" and their descendants, but to sketch, through them, the social and political position of those barons in Scotland who, although not Peers, were yet classed as part of the nobility of the land.¹ For this purpose other authentic materials are combined with the private records of a family which for centuries took an active part in passing events, occupied a position next to the Peers in rank, and superior to many of them both in influence and in extent of possessions, and which, finally, declined the offer of an earldom which would have been accepted under more propitious circumstances. By giving such facts as have been preserved regarding the members of this family, without screening their faults or exaggerating their services, it is hoped that history will be assisted in forming a true estimate of the deeds, the manners, and the morals of the class to which they belonged, at the period in which they lived—from the time of King Robert Bruce to the present day.

It is presumed that readers of family histories are generally desirous to know what can be gleaned from charters and other deeds of the olden time in illustration of the state of society when history was still in its immaturity. Yet, as there are many who have the inclination but do not command the leisure and opportunity to scrutinise each separate document for what is of historical value or of general interest, there are embodied in the text notices of all that in the original deeds now enumerated best serves this purpose.

With regard to the contents of the charter room at Drum, the wonder is, not that some muniments have been lost, but that so many have escaped the grasp of "Argyle's Cleansers" and of other hordes and commanders that successively garrisoned and pillaged the place of Drum during the Civil Wars. There is, however, no reason to attribute the preservation of these deeds to the forbearance of those whose avowed faith was liberty, but whose real

¹ "Item of law and reason the Baronis of this realme aucht to haif voit in Parliament as ane part of the nobilitie and for sauftie of nowmer at the Parliament."—"Acts of Scottish Parliament," III.—A.D. 1567—p. 40, N. 33.) "Barony is truly the only feudal dignity conferred on territorial proprietors; Lordship, Earldom, etc., etc., being only nobler titles for a Barony, as connected with personal dignities."—(Bell's "Principles of the Law of Scotland.") Tytler calls the Barons "The Lower Nobility."—"History of Scotland," IV., p. 4.)

practice was robbery.¹ But ancient charters being small in size, and valueless in material, were probably disregarded by those who appropriated the family plate and jewels, and removed all articles of furniture that were portable.

In the absence of any well-preserved and continuous genealogy of a family of proprietors who have in so many instances borne the christian name of Alexander, one cannot be confident that in every case the facts are connected with the proper individual. It is by no means impossible that there may have been more bearers of the same christian name than is here pointed out. The average duration of possession of the proprietors of Drum is longer than usual; but this may be accounted for by the fact that Alexander Irvine, who died in 1844, had been laird of Drum for upwards of eighty-three years. The average of the first four Irvines of Drum was upwards of thirty-three years,² although one of them was killed in battle.

The knighthood attached to many of the earlier Barons of Drum is here admitted wherever the designation "Dominus" is found prefixed to the name of the individual in formal deeds, or when the bearer is included among the "milites," separate from and before Freeholders and Gentlemen.³

A family history, to be of any general use, must record the evil as well as the meritorious actions of the members. If it be objected that this work unnecessarily exposes faults or crimes which would otherwise have remained unknown, and could only have been made public by one entrusted with the family papers, the defence is that otherwise fiction would have been presented as history.

It is but justice to note that local and general tradition has ever spoken with favour of the personal character of the Irvines of Drum, of whom it has been remarked that, although always taking an active part in public affairs, their name and estate have been transmitted untarnished by disloyalty, and untainted by forfeiture.

1 In later periods, documents of interest are believed to have been removed, at least are known to have disappeared, about the time when a representative of the family unwittingly gave opportunity to the paid treason of a faithless guardian.

2 There is sufficient proof that there were only four proprietors between 1323 and 1457, and among these four are included William de Irwin, the original grantee of Drum, and Sir Alexander de Irwin, killed at Harlaw in 1411.

3 I am aware that this rule may not always prove reliable (*vide* Forsyth's "Trial by Jury," Appendix, 1852), but I know no better one. It excludes one of the early and most active Barons of Drum, who possessed much power—not always well exercised, however.

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THE IRVINES OF DRUM,

WITH COLLATERAL BRANCHES.



THE FOREST AND PARK OF DRUM.

THE Forest and Park of Drum, when first mentioned, in 1247, appear as in possession of the Crown,¹ and the enclosure around the Park was still maintained in 1318.² Although this domain is not mentioned earlier, it probably had always been reserved as a royal manor, for its situation, commanding the fords of the river Dee, gave it importance; and it does not appear to have formed part of the estates of the only great feudal baron on Deeside—Bisset, Lord of Aboyne.³

Some notice of the last of this ancient and powerful family of Bisset, Lords of Aboyne, may not be without interest, especially as they are connected with the first recorded visit of a queen to the banks of the Dee and the mountain passes in the district of Mar. In the year 1242, King Alexander II. and his youthful queen, Mary de Couci,⁴ in returning from Morayshire, were hospitably

1 "Carta Roberti de Waluchop" (Spalding Club "Antiquities," I., p. 298), and copy in Drum charter-room of a bounding charter to Alexander Burnard, dated 1324, of lands partly added to former grants, and in recompense of the office of forester and the right of pasturage in the lower forest of Drum, of which he had been deprived by a grant to William de Irwin in the preceding year. In this deed may be perceived the practice of King Robert Bruce of "affecting to obliterate the memory of Queen Margaret and King John Baliol, and referring to King Alexander III. as his immediate predecessor." In this charter various places mentioned in the above grant can be recognised, although there is considerable variety in the spelling of the names. It appears that the grant by King Alexander II. to Robert de Waluchop, of Culter and other lands on two sides of the forest of Drum, was made soon after the forfeiture of the Bissets, and the connection of the Bissets with Culter may further be inferred from "Litera super libertates spectantes ad ecclesiam de Culter 1221-1239."—(Ibid., p. 294.)

2 "Registrum de Aberbrothoc," p. 284; Spalding Club "Antiquities," I., p. 277.

3 The forfeiture of the Bissets was in 1242 or 1243.—("Fordun," by Goodall, II., p. 74; Wytoun's "Cronykil," I., p. 379.)

4 King Alexander II. was married first, in 1221, to Joan, daughter of John, King of England. She died at Canterbury, to which she had gone on a pilgrimage. Alexander II. married secondly, in 1239, Mary, daughter of Ingelram de Couci. "The family of Couci affected a royal pomp, and

entertained at the Castle of Aboyne by Sir William Bisset, lord of that barony. The King, anxious to fulfil a friendly engagement to meet the King of England on the Borders, was unable to prolong his stay at Aboyne; but the Queen, by his permission, accepted the pressing invitation of their host, and prolonged her stay for four days after the departure of her husband. Then, escorted by Sir William Bisset, she passed on to Forfar, and was there on the same day that a great tournament was held, in presence of the King, at Haddington. At this tournament, Sir Walter Bisset, an experienced and accomplished knight, was worsted by the young Earl of Athol. On the following night a destructive fire burst forth in the town, and in the morning the charred body of Athol was found amongst the ruins of the house in which he lodged. Many other houses were entirely destroyed, and many other persons shared the fate of Athol. Whether the fire was the result of carelessness or of malice seems, even at the time, to have been uncertain; yet the loss by fire of so many lives in these houses—which were of no great height and contained few apartments—renders it probable that it must be laid to the account of the wassail of the friends and followers of the victorious Earl,¹ and, all the more, that the building was constructed of wood, and carpeted with straw and rushes. The kinsmen of Athol, encouraged by the most powerful barons of the land, as well as by popular clamour, accused the Bissets—in the person of Sir William and of his uncles, Sir Walter and Sir John—of having contrived the assassination of the Earl, and of having kindled the fire to conceal it.

Sir William Bisset, as already mentioned, was, at the time of the tournament and subsequent conflagration, at Forfar, more than a day's journey from Haddington. At a late hour he had been with the Queen at supper, and, having conducted her to her chamber, had retired to his own and gone to bed. On hearing that Sir William Bisset was accused, the Queen warmly espoused his cause, and even offered to appear and by her oath to prove that he was not only innocent, but "that he had never devised a crime so enormous."² The measures he took to refute the accusation, although sufficiently energetic, and supported by so powerful testimony, proved ineffectual in allaying the suspicions or in arresting

considered all titles as beneath their dignity. One of the 'cris de guerre' of this Engueand (or Ingelram) was—

Je ne suis Roy, ny Prince aussi:
Je suis le Seigneur de Couci.

On account of his great actions, possessions, and marriages with ladies of royal and illustrious families, he was surnamed 'Le Grand.'—(Notes to M'Pherson's "Wyntoun's Cron.," II., p. 482, and Chalmers' "Caledonia," I., p. 63.) Queen Mary de Couci died beyond sea in 1284.—("Fordun," by Goodall, II., p. 127.)

¹ In the year following the death of Athol (1243-4), "no fewer than eight of the richest burghs in Scotland were consumed by fire, and reduced to ashes."—(Tytler's "History of Scotland," I., p. 326; also "Fordun," by Goodall, IX., p. 61.) This shows that the conflagration at Haddington was no unusual catastrophe.

² Dalrymple's "Annals," I., p. 157.

the active hostility of his enemies. He caused his chaplain to excommunicate, by "book and bell," all those who were directly or indirectly concerned in the death of the Earl of Athol, and procured, by the authority of the Bishop of Aberdeen, the pronouncement of the same anathema in every church of the diocese.

Neither the proffered royal oath nor the religious curse proved of any avail in satisfying the kinsmen of Athol, of whom the Earls of March and Buchan were the most active, so that at last the King found it necessary to fix a day on which he would give judgment on the accusations brought against the Bissets. At the time appointed, Sir William Bisset appeared and complained that all the properties of himself, as well as of his friends and their followers, had already been pillaged, burnt, and laid waste by his accusers; and after stating that, by the solemn rites of the Church, he had already pledged his soul in proof of his innocence, he now offered in single combat to defend with his own body the charge of falsehood and malice which he made against his enemies. They shrank from the combat; while he—alleging as a reason the great influence of his accusers—declined a trial by jury. In the end the Bissets submitted themselves to the judgment of the King, who pronounced on them the sentence of banishment and confiscation of their property.

In regard to Sir William Bisset, the head of the family, it may be remarked that he could not possibly have known the result of the tournament, neither could he have anticipated that one so expert in all knightly exercises as Sir Walter Bisset would be foiled by so youthful a competitor. Yet the slaughter of Athol was believed to have its cause in his success and in the revengeful feelings of the Bissets which it had stirred, as also in the ancient enmity that existed between the Earls of Athol and the Barons of Aboyne. The most unaccountable parts of the whole transaction are the delay of the Queen and her absence, which also occasioned that of her escort, from the tournament, although the period fixed for this joust had been generally proclaimed.

The Bissets were allowed forty days wherein to depart from Scotland; and, before their expatriation, were compelled to vow that they would proceed to the Holy Land, and there, for the rest of their lives, pray for the soul of the murdered Earl.¹ It has been remarked that this was an extraordinary vow for innocent men to make;² but it must be borne in mind that this or death was the alternative; and it seems still more strange that the enemies of the Bissets could expect the soul of Athol to benefit by the prayers of persons who had been condemned as

¹ In this extraordinary and unsatisfactory case the Bissets appear to have been severely punished, before trial, by the plunder of their estates by their private enemies, and, after it, by their condemnation by the King without proof.—(Wyntoun's "Cron.," I., pp. 374-77; "Fordun," by Goodall, IX., chap. lix.-lxi.)

² Dalrymple's "Annals."

his murderers, and who, if guilty of the slaughter, were equally guilty of the deepest perjury, and for their crime were also cursed and cut off from the communion of Christians. The Bissets, preferring the "Green Island of the Saints" to the desolation of the Holy Land, passed into Ireland, and, under the protection of the King of England, gave considerable annoyance to the country from which they had been expelled.¹

In 1318, King Robert Bruce by a deed granted permission to the abbot and monks of Aberbrothoc, together with those in their service, to freely pass and repass through the Park of Drum with horses, loaded carriages, or otherwise, without molestation from the forester or any other officials, on condition that they should erect two gates for the purpose of their entrance and exit, with bolts to be opened and shut as occasion required.² This deed, and a reddendo attached to deeds hereafter mentioned of William de Irvin and Alexander Burnard, show that then, and in 1323 and 1324, the Park of Drum was still maintained as a royal preserve. "It appears," says Tytler,³ "to have been the custom of our monarchs to remove their court at different seasons to the various palaces, estates, and manors which they possessed in private property." "The preservation of the game, the enclosing the parks or chases round the royal castles by strong wooden pales, the feeding of the does during winter, the employment of park-keepers, whose business was to guard the forest from waste or intrusion, and of foxhunters who were hired to destroy the beasts of prey and noxious vermin, are all occupations which appear in the chamberlain's accounts."

In 1322, King Robert Bruce granted part of the Park of Drum to Alexander Irvin, and at the same time a part of the upper forest of Drum to Alexander Burnet, in possession of whose descendants it still remains.⁴

¹ Several families of the name retained property in Scotland, and in the next century had regained considerable power. In 1362, Sir Thomas Bisset became the second, although not the last, husband of Isabella, Countess of Fife.—("Sutherland Addl. Case," p. 24.)

² "Registrum de Aberbrothoc," p. 284; Spalding Club "Antiquities," I., p. 277 "Robertus Dei gracia Rex Scotorum omnibus [etc.]. Sciatis nos dedisse [etc.] religiosis viris Abbati et conventui de Aberbrothoc dilectis et fidelibus nostris liberum introitum et exitum per totum parcum nostrum del Drum. Ita quod ipsi et homines eorundem libere possint transire per eundem parcum—intrando et exeundo—cariando meremium suum cum plaustris carrectis et equis et aliis quibuscunque modis voluerint cariare meremium et alia bona sua sine aliqua perturbacione forestariorum seu aliorum hominum nostrorum ibidem. Volumus tamen quod dicti religiosi faciant fieri duas portas in meliori cōsiamiento suo infra latera dicti parci pro introitu suo et exitu—et seruras habeant super easdem portas ita quod claudantur et aperiantur pro corum propriis usibus tantum."—"Carta Regis Roberti," A.D. 1318.)

On the estate of Drum a farm called "The Barrace Yett" (i.e., the barrier gate) is situated on the confines of the Park and Forest, and in direct line from the Tower of Drum to the King's Well and loch in the Park of Drum. In Henry the Minstrel's poem of "Wallace" there is an account of a strong place-of-defence formed by felled timber made fast to growing trees, and termed by the Minstrel a "barras."—(Poem of "Wallace"—Jamieson's edition—p. 247.)

³ Tytler's "History of Scotland," II., p. 337.

⁴ Robertson's "Index," 17, 53 and 54.



Drum Castle and Tower.

In 1323 the Park was again royal property, as appears in the charter to William de Irvin of the Forest of Drum dated this year stipulating for the payment by him and his successors of one chalder of meal for the maintenance of the Park. This charter to William de Irvin granted the lands in free-forestry; but in the following year, 1324, by another charter, the forest of Drum was erected into a free-barony for the same individual. By a bounding charter, dated 1324, of lands granted to Alexander Burnard, he and his successors are bound to pay one chalder of meal for the maintenance of the Park of Drum.

In 1359, King David II. granted a charter of confirmation to Sir Walter Moigne¹ of the lands of the *Park of Drum* in free forestry. The Park had previously been bestowed on him, but this confirmation became necessary in consequence of an Act of Parliament, passed in 1357, recalling all gifts of Crown lands which had been made during the King's long captivity in England. Attached to this grant of the Park was the right to receive payment of the two chalders of meal already mentioned as retained in the grants to the Irvines and Burnetts for the maintenance of the Park.

By deeds dated in 1388 and 1393, John, son of Sir Walter Moigne, transferred the Park of Drum and the payments for its maintenance to "his friend Alexander of Irwyne, Lord of the Drom."

THE TOWER AND HOUSE OF DRUM.

THE Tower of Drum, after having remained so long unscathed by time and the private feuds of earlier ages, was in imminent danger of destruction when besieged by General Monroe during the Civil War in 1640. At that time it was saved by surrender, after two of the besieging force had been killed, but before the four mortars and the mining tools were brought into play; and its convenient position for a garrison, with the great strength of its masonry, afterwards preserved it from the demolition to which it was consigned by the Scottish Parliament.² From destruction by fire—either through the carelessness or malice of its intrusive

¹ Sir Walter Moigne, a knight of distinguished enterprise and ability, was taken prisoner at the battle of Durham in 1346.—(Dalrymple's "Annals," II., p. 328.) In 1358 he appears to have been engaged in a chivalrous expedition to Prussia.—(Tytler's "Scottish History," II., p. 104.) In 1362, King David II., when he took the Earl of Mar's castle of Kildrummy, gave it in charge to Sir Walter Monethe (Moigne?).—Wyntoun's "Cron.," II., p. 293.) In 1368 he was one of four knights of talent and experience in war who, along with the Chamberlain, were to give directions for the complete repair and furnishing of all the Royal castles.—("Acts of Scottish Parliament," I., p. 140.) Besides various grants of land to Sir Walter Moigne, David II. granted him the office of Sheriff of Aberdeenshire for life.—(Robertson's "Index," 51, 38.)

² "Acts of Scottish Parliament," VI., p. 120.

inmates, the garrisons of the Covenanter forces—the Tower was guaranteed by the absence of timber in its construction, and thus it remains in perfect preservation, to afford a theme for discussion as to the probable period of its erection, for there is no notice of it in the family papers which can assist in settling the point.¹

The form and construction of the Tower, its materials, its internal arrangement, its situation, and its local and historical associations all point to an early period, and support the tradition that it was erected by King William (the Lion) in the end of the twelfth or beginning of the thirteenth century, after the return of that monarch from his captivity in England and Normandy, and when he had a palace at Aberdeen. It has certainly stood for centuries, and, unless overthrown by deliberate purpose or untimely accident, this grim memorial of an early age may continue to be inhabited and may remain essentially unchanged for many centuries more.² Its architecture is of the oldest and simplest form. The well in the dungeon, the great thickness of the walls (at the expense of its light supply), the vaulted roofs, the few small windows far from the ground, no entrance lower than that on the first floor, which could be reached only by steps that were originally removable in times of danger, all show that it was built for security and defence so necessary in very early troublous times. Two other facts indicate that it was built before the period of cannon and during that of the battering-ram; for its position, facing on the north and west a contiguous range of rising ground, proves that it was not intended to withstand the former, which could easily fire point-blank on its summit; while the rounded corners of the four-sided tower (like the round towers at the corners of the curtain walls of more extensive places of defence in the olden time) were probably meant to afford no salients for the latter.

1 The following is the description of Drum as it existed about 1654, when Robert Gordon of Straloch wrote his "*Praefecturae Aberdonensis nova descriptio*" for Blaeu's "*Theatrum orbis Tarrarum*":—"Drum arx, ad milliare unum a flumine, loco aspero et saxoso, at aedificiis et hortis egregie instructa: Alexandrum Irwinum, baronem antiquae et illustris prosapiae, dominum habet."—(Spalding Club "*Antiquities*," I., p. 25.)

The remark made in a work published in 1782 with regard to the Tower of Drum is equally applicable to its present state:—"There is neither crack nor crevice in the wall, nor is an inch of it out of plum." The same writer also notices that "the House makes two sides of a square, and is well sheltered from the north and north-east by a natural wood of pines, oak, and birch. The modern part of it was built in the year 1619, as appears from the date above the windows, but the Tower is thought to be some hundreds of years earlier."—(Douglas's "*Description of the East Coast of Scotland*," p. 255.)

2 Although the Tower of Drum is of uncommon strength of masonry and unusually devoid of ornament, its prototypes are certainly the square keeps of Norman castles built in the 11th and 12th centuries, such as Guildford and others, in which the pointed as well as the round arch is found in some of the stone roofs of the chambers. At Guildford, the encasement in stone of the corners of the keep by flat buttresses is in great apparent contrast, but in real conformity of purpose, with the rounded corners of Drum. The difference of materials—chalk, flint, and sandstone in the keep at Guildford, and hard granite in the tower of Drum—points to the necessity of different modes of protecting the corners—the weak points of square castles—from the battering engines which were employed by assailants previous to the use of siege ordnance.

In form the Tower is oblong, with rounded corners, the north and south sides being fifty feet six inches, and the east and west sides thirty-eight feet six inches in length. It is without turrets, but surmounted by high battlements rising from a simple and slightly projecting corbel moulding. The height to the top of the battlements is sixty-eight feet four inches. The interior consists of three vaulted chambers, each occupying an entire story. A small recess in the wall of each of the two highest compartments is the only further separate accommodation provided in the original masonry, although it seems probable that wooden platforms, supported on the corbel-tables which project immediately beneath the spring of the arches of the two uppermost stories, formed additional floors. The thickness of the walls at the first floor is eleven feet, but is considerably diminished towards the top, and somewhat increased in the dungeon below, in proportion to the size of the different compartments.¹ The ascent to the upper chamber is by a screw stair in the wall at the south-east corner of the building.

I have already stated that Drum had probably been always retained as one of the royal domains, although the first mention of it is in the year 1247, in the reign of Alexander II. The fact that it had then its enclosed royal park² as well as a forest, and that, prior to the wars of independence, the number of castles and fortalices that existed in Scotland was great,³ renders it reasonable to infer that there was one at Drum, especially if regard be had to its position—contiguous to, and between, two of the principal fords and places of passage on the river Dee, and commanding a route that was then, and possibly may again become, the direct line of communication between the North and the lowlands of the north-eastern districts of Scotland.⁴ These fords, in the time of the Roman invasion, were com-

1 The size of the lowest—viz., the dungeon vault of the tower—is 28½ feet by 15½, and 11 feet high. The size of the chamber which occupies the first floor is 30½ feet by 19½, and 22 feet high. The upper compartment is 34½ feet by 22½, and 23 feet high.

2 See the deed of King Robert Bruce to the Abbey of Aberbrothoc ("Registrum de Aberbrothoc," p. 234), as mentioned when treating of the Park of Drum.

3 Fordun, in speaking of the death of King Edward I. of England, states that, within six years after that event, King Robert Bruce had taken and cast down a hundred and thirty-seven castles and towers.—("Fordun," by Goodall, II., p. 240.)

In one year—viz., 1307-8—Sir Edward Bruce took thirteen castles in Galloway alone, alluding to which, Barbour says:—

But I wate weile that in that yer
Threttene castellis with strength he wan.

—(Barbour's "Bruce," p. 186.)

4 "The chief passages from the river Tay to the river Dee through the (Grampian) mountains are:—

1. The easternmost is Calsay ore Couey Monthe.
2. Elsicke Monthe, and goes from Stainhiue to Drum, sex myles of monthe.
3. Craiyincrosse Monthe layes from the church of Sanct Palladius, vulgarly called Pade Kirk, in The Mearnes, to the Mylles of Drum."

—"View of the Diocese of Aberdeen," in Spalding Club "Antiquities," I., p. 77.)

manded by the great station of Devana,¹ traces of which still remain, and are called Normandikes. This Roman camp is situated on the property of Drum, near the banks of the river Dee, which here makes a considerable bend, and thus protects the position at Normandikes on both the south and eastern sides. Part of the road leading from the fords was, no doubt, improved—if it was not formed—by the Romans, as it leads to the north towards the Roman camps at Kintore and Glenmailen.² It is also to be remarked that the ancient forest laws indicate that in every forest there was a royal castle.³

It has been urged as an argument against the existence of the Tower of Drum at the time of the grant of the forest to William de Irvine, that it is not mentioned in the gift. But this objection is of no weight, as all fortalices were considered the property of the Crown,⁴ and anciently the grant of the land on which a fortalice

1 Chalmers' "Caledonia," I., p. 127, etc.; Richard of Cirencester's "Itinerary," IX.; "Iter Devana."—(Bohn's "Antiqua. Library," p. 409.)

2 The road leading to the north from these fords on the Dee is mentioned in the deed of Alexander II., already referred to. In the bounding charter, dated in 1324, it is mentioned as the ancient road.

Glenmailen on the Ythan River—the "ad Itunam" of Richard of Cirencester's "Itinerary."—(Ibid.)

3 From the "Forest Laws and Statutes" of King William (The Lion) it appears that, if any person residing near the forest allows his cattle to trespass a fourth time, and the forester, being alone and without witness, finds them, he shall make a cross in the earth or in a tree where the animals are found. Then thrice blow his horn, and drive the beasts to the king's castle. The ransom to be eight cows.—("Acts of Scottish Parliament," I., p. 323.) "Item: gif ony stranger within the forest in ony forbodyn place be fundyn, gif he will suer upon his wapin that he na wyst at that way was forbodyn ande at he knew nocht the richt way, the forestar sal lede him to the common way, and thar sal lat him pass fra him withoutyn ony greivans. Bot gif he be knawyn, he aucht to be tan and to be led to the kingis castell, ande withouth the yet the forster before witness sal tak his umast clath, and gif ocht be in his purs that is for his behuf he sal tak, and syn deliver him till the porter of the castell, quhill the king haf done his wyll upon him."—(Ibid., p. 325.)

4 It will be seen, on examining the index of ancient charters, that King Robert Bruce only in two out of a great number of cases grants the castles or fortalices which were upon the lands he bestowed. For proof that the grantees of the lands were in the position of hereditary keepers of the fortalices on their land, see Craig's "Feudorum," II., p. 245; Stair's "Institutes," II., p. 234; Erskine's "Institutes," II., pp. 6 and 17.

On June 22, 1389, Isabel, Countess of Fife, resigned her estates into the hands of King Robert III., and amongst others the barony of Cowl and the fortalice (Skene's "De Verb. Signif."—"Arage"), and these lands so resigned were granted by the king, on the 12th August of the same year, to his own son Robert; but the fortalice is not specified in the grant, although it is mentioned in the resignation upon which the grant proceeds.—(Spalding Club "Antiquities," II., pp. 30, 31.)

Sir Walter Scott puts in the mouth of Douglas words which correctly express the ancient law, viz.:—

My manors, halls, and bowers shall still
Be open at my sovereign's will,
To each one whom he lists, howe'er
Unmeet to be the owner's peer;
My castles are my king's alone,
From turret to foundation-stone.

stood carried no right of property in any tower or place of defence, unless by express grant, which was rarely given. The grantee of the land was merely invested with the privileges of hereditary keeper of the stronghold; and it is probable that at one time no better title than this was attached to the possession of many ancient places of residence which were more adapted for defence than for comfort.

It is commonly believed that the erection of many castles or defensive residences of the feudal barons of Scotland should be attributed to the effects of the Act of Parliament which, in 1426, ordained that every lord who had lands beyond the Grampian Mountains should repair or rebuild the castles or manor-places which formerly stood on them, and should either himself reside therein or procure a friend to take his place.¹ This Act, however, gives no authority for the erection of a new castle, but merely enjoins the restoration and inhabiting of those that existed "in auld tymes," and, until a comparatively recent period, a subject required special permission to erect a fortalice or place of strength on his property.

In the deed, dated 1393, from John de Moigne to Alexander de Irvin, it is stated that certain payments are to be made "apud manerium dicti Alexandri del Droum." That "manerium" was used at that period to designate dwelling-places at which castles existed is shown by many deeds.² But I shall refer only to examples near in time and place. In the deed granted between 1377 and 1384 by James de Douglas to Sir Thomas de Harkar, mention is made of "Manerium de Cowle." The castle there is known to have been in existence long prior to that date; and in a deed of Isabel, Countess of Fife, dated 22nd June, 1389, "The Fortalice of Cowl" is mentioned.

The ruined Tower of Halforest, situated in the ancient forest of Kyntor [Kintore], has often been referred to as a structure coeval with the Tower of Drum; but its external construction, and its large windows with their finished mouldings, are evidence of a different and much later period of architecture. It may possibly be the building that replaced an earlier tower, which tradition says was destroyed by the Irvines in the end of the fourteenth century. Several circumstances are, however, common to the situations and histories of the Towers of Drum and Halforest. They were both links in a chain of royal domains that extended from the Tay to the Moray Firth, and formed easy stages along the principal road which led through the shires of Perth, Angus, Kincardine, and Aberdeen, to Banff, Moray, and Inverness. On this line, and on opposite banks of the river Dee, were the castles of Durris and Drum; Kintore and Inverury, in like situations, gave security to the passage of the Don, or shelter to the royal party if detained on either side of it. On July 13, 1296, King Edward I. of

¹ "Acts of Scottish Parliament," A.D. 1426, II., p. 13, No. 7.

² Skene's "De Verb. Signif."—"Araige."

England, in his progress through Scotland, stayed a night at Durris, having halted on the day before at Glenbervie, and passing, on the 14th, to Aberdeen.¹

King Robert Bruce granted the forests of Kintore and Drum to two of his followers, with whose descendants they still remain; but the Parks at these places were still retained as part of the royal domains.² Although the forest of Kintore thus became, in 1309, the property of the Keiths, Marischals of Scotland, it appears that, in 1365, King David II. confirmed a charter, granted in 1361, "apud Manerium nostrum foresti de Kyntor."³ In 1362 the same monarch affixes his seal to a deed "apud Forestam de Kyntor."⁴ From these facts it would appear that, although the forest was the property of the Keiths, the right to the residence there, whatever it might be, was inherent in the Crown. Such rights, however, seem to have been exercised only where there was a fortalice or place of strength to afford sufficient protection to the King. Halforest was rendered particularly convenient by its proximity to the burgh of Kintore, which furnished accommodation for the Royal retinue.

The more modern part of the House of Drum was finished in 1619,⁵ and forms two sides of a square, the other two sides of the courtyard being enclosed by a wall, and a low building adjoining the Tower near the north-east corner of the quadrangle and having communication with the House, which is joined to its south-west corner. A small chapel, occasionally used as a burying-place for the family, is situated close to the House, and probably formed part of the range of buildings that gave place to the more modern dwelling-house erected in 1619. But the principal place of sepulture of the family was the transept of St. Nicholas Church of Aberdeen, called Drum's Aisle, where it probably was that Sir Alexander Irvine, in 1456, erected and endowed to the patron saint of the Irvines, Saint Ninian, an altar, near which its founder was interred in the following year, 1457.

¹ Durris was then a royal manor and forest. Tytler makes the halt on the 13th July at Drum Castle (Vol. I., p. 375); but reference to the original diary in the British Museum shows it clearly as "Durmes maynor entre les monts," and the journeys of the preceding and the following day leave no doubt that the suggestion of the author of "The Book of Bon-Accord," which I have adopted, is correct, and that Durris was the place meant. "Drios" in the British and "duras" in the Irish signify a pass.—(Chalmers' "Caledonia," III., p. 204.)

² "Carta Roberti Keith of the Forest of Kintore except the Park."—(Robertson's "Index," II., p. 41.)

³ Spalding Club "Antiquities," II., p. 74.

⁴ Spalding Club "Registrum Episc. Aberdon.," I., p. 91.

⁵ A place now occupied as a cellar, which communicates with the stair from the dining-room to the bedrooms, was called "the hawk-house."

THE NAME OF IRVINE.

THE name of Irvine has been variously derived by those antiquarians and genealogists of a period when theories based on no sufficient foundation were often received as facts.¹ With these speculations I need not delay, nor shall I be tempted back to the reign of Malcolm II., which commenced in 1003, when, according to an old historian,² Eryvine, the Abthane of Dull, married Bethoc, or Beatrix, the only daughter of that monarch, and became the father of "The Gracious Duncan," and, in consequence (says a genealogist of the Irvines), "all the Kings of Scotland from Duncan the first to John Baliol were Irvines, except Macbeth the usurper."³ The same authority states that the kindred of Eryvine migrated from the Castle of Garth, in Perthshire, to the banks of the Esk, on the western Borders between England and Scotland, where, although the exact site of Castle Irvine is not known, its name and those of other localities in the neighbourhood preserve the recollection of what is said to have been the first possession of the Irvines in Dunfriesshire.⁴ However, as I can find no particulars regarding the exodus of the Irvines from Perthshire, nor of the apocryphal kinsmen of the Abthane of Dull—who, moreover, is called Cryni or Crynyn⁵ by the oldest

1 "The name of Irvine is by some antiquarians derived from Erivine (now written Ervine), from the Celto-Scythick word Erin-vine or fein, which signifies a stout Westland man."—(Nisbet's "Heraldry," II., p. 69.)

2 John Major says that King Malcolm II. "filiam unigenitam habuit heredem quam nuptui tradidit Eryvino Abthano de Dull, id est Senescallo regis in insulis qui regios preventus collegit," etc.—("De gest. Scot.," Lib. III., fol. xli., edition of MDXXI.)

3 A manuscript of Christopher Irvine, M.D. (of the family of Bonshaw), written about 1570, says— "Besides their lands on the south side of the Clyde, on the north side in Grange-Beyn (the Grampians) the Irvings had the lands of Dull, and their chief habitation was in the castle of Garth; these lands lay on the north side of the Tay." "Erin Erwine married Malcolm—the second of that name—King of Scotland's only daughter, called Beatrix. On her he begat King Duncan the first, father to Malcolm Keanmore, so that all the kings of Scotland from Duncan 1st to John Baliol were Irvines, except Macbeth the usurper."

4 "Brothers of Crinus Ervine, Abthane of Dull, took up their residence at the Borders, on the banks of the Esk, and built Castle Irvine. It is now ruinous below the Langholme; the brook and oakwood carry the name of Irvine's Wood and Irvine's Burn to this day."—(MS. of Christopher Irvine, M.D.)

"The towers of Irvine and several others are now only known as having been."—(Statistical Account of Scotland—"Parish of Langholme," XIII., p. 599.)

The Irving Burn, running into the Esk, formed part of the boundary of the debatable land on the Borders, as appears by "Acts of Scottish Parliament," IV., p. 443.

"The eldest of the family of Castle Irvine on the Esk got the lands of Bonshaw and many other lands by marriage."—(MS. of Christopher Irvine, M.D.)

5 It is evident to anyone acquainted with the old written character that the name of the Abthane of Dull, which John Major (who superintended the publication of his own "History" in 1521) gives to Eryvine is the same as that of the transcribers of Wyntoun and Fordun—Cryni or Crynyn. In the copy of "Fordun" in the Royal Library, British Museum, it is certainly Crynin,

chroniclers—I shall pass on to the end of the thirteenth century, at which time the Irvines, who even then seem to have been numerous, are found holding lands in a parish of their own name from the Bruces, Lords of Annandale.¹

In early deeds the name now generally written Irvine, but sometimes Irving, was given in many different forms, with no great difference, however, in pronunciation.² From the "de" prefixed to the name in the earliest records,³ the persons mentioned may have been inhabitants of the town of Irvine, and cannot with any certainty be claimed as belonging to a particular family.⁴

"Ir-vin⁵ is a word in the language of the Britons signifying the riverside or green banks of a river," and there is the river Irvon which falls into the Wye in Brecknockshire. The river Irvine and the town of Irvine on its banks are in the district of Cunningham in Ayrshire.⁶ There is a stream called Irvine Burn on the Borders of Scotland, and there was a parish of Irvin, bounded by the river Kirtle, in Annandale. This parish of Irvin, along with that of Kirkconnel, was united to a third before the Reformation, the whole being now known as the parish of Kirkpatrick-Fleming.⁷ There, and in that neighbourhood, arose several Border towers, the residences of the de Irvins who held their lands under the Lords of Annandale.⁸ The parish of Irvin may, like the town in Ayrshire, have received

1 It may be inferred that the Irvines were numerous, and faithful to the cause of Bruce, as records prove that Alexander Irvine, in 1322, received a grant of part of the royal Park of Drum (Robertson's "Index," XVII., 54); that William de Irvyneye was, in 1328-31, Clerk of the Rolls ("Chamberlain Rolls"); and that Roger de Irwyn (1329-31) was Clerk of the Wardrobe.

2 In A.D. 1220, Robert de Hirewine is mentioned in the "Regist. Glasg.," pp. 118, 119.

3 and 4 Between 1250 and 1250, Reginaldus de Irewyn, Archdeacon of Glasgow, and Robertus de Irewyn appear in "Regist. Glasg.," pp. 129 and 160.

Between 1246 and 1269, Robert de Yruwyn appears in the "Regist. Prioratus Sanct Andree." In 1269 and 1270, Henry de Irwin appears in the "Registrum Monasterii de Passelet," pp. 137-90.

In 1274, Gilbert Dominus de Finch gifted an annuity of three shillings and sixpence to the Carmelite Friars from the tenement at Aberdeen occupied by Alexander, son of Hugh de Ervine.

Between 1307 and 1329 Jacobus de Irwyn and in 1384 Nicholas de Yrwyne appear, p. 331.

In the fourteenth century the name is variously written in the Spalding Club "Registrum Episcopatus Aberdonensis"—De Irewyn, de Irevin, De Iruwyne, Erwane, Irruein, Irwin.

In the "Acts of Scottish Parliament" it may be found variously written—Irvin, Irwein, Irwing, Vruing, Irwinge, Iruyn, Irving, Irvine.

Hector Boece writes the name "Irruein."—(Folio edition, 1523, Lib. XVI., p. cccliv.)

5 Chalmers' "Caledonia," I., p. 45; III., pp. 192-5. There is also the river Irven in Cheshire.

6 "In the same year (1184) a spring of running water, near the church of Saint Winin, not far from the castle of Irwine, in the western parts of the territories of the King of Scotland, flowed with blood without intermission for eight days and as many nights."—"Annals of Roger de Hoveden," Bohn, 1853, II., p. 32.)

7 Chalmers' "Caledonia," III., pp. 192-5; and "Statistical Account of Scotland," XIII., p. 248.

8 The ancient and ruined tower of Woodhouse is pointed out in the parish of Kirkpatrick-Fleming as a residence of the Irvines when Bruce first aspired to the crown of Scotland, and "within a space of four miles round this tower there are no fewer than seven of the same kind,"—"New Statistical Account of Scotland," IV., pp. 278-9.)

the name from its position on the green banks of the river Kirtle; but, admitting Chalmers' proposed origin of the word, it is still far from improbable that here the place was named from the settlers who were its principal proprietors. Such is the suggestion of the author of the history of the parish of Kirkpatrick-Fleming, in the "Statistical Account of Scotland," who says: "The origin of Fleming and Irving is evident, these being the names of two very ancient families who enjoyed large possessions in this part of the country, and whose consequence seems, for the sake of distinction, to have given the name each to its respective parish."¹

The memory of the Flemings, who held lands adjoining the Irvins and from the same superior, is still preserved in the name of Kirkpatrick-Fleming—the parish that has absorbed those of Irvin and Kirkconnell. Yet the race of the Flemings has been less enduring in that locality than that of the Irvins, their ancient neighbours. There the Irvins, although for long exposed to Border raids as well as public wars and private feuds, have maintained a position for at least five centuries and a half.² Late changes, however, render it probable that the names of Helen Irvine and Adam Fleming will become unknown among the proprietors of the soil in the parishes of Irvin and Fleming long before the romantic story of her cruel fate and his fidelity have ceased to be the theme of ancient and more modern ballad. The following account of the catastrophe which gave rise to the ballad of "Fair Helen" of Kirkconnell Lee is taken from Graham's "Songs of Scotland."³ Helen Irving, of the family of Kirkconnell in Annandale, was of extraordinary beauty and accomplishments. She had for admirers Bell of Blasket-house and Fleming of Fleming Hall. She preferred Fleming; and his rival threatened that, if he ever saw her in his company, he would take his life. One day, when walking with Fleming on the banks of the Kirtle, she saw Bell at the opposite side, amongst bushes, aiming at her lover. She stepped forward, received the shot intended for him, and, springing into his arms, fell dead. Fleming crossed the river, and, being armed, slew the murderer—or, as the tradition says, hacked him in pieces. She was buried in the churchyard of Kirkconnell. He, after spending some time abroad, returned, and is said to have

¹ We may form some idea of the state of the district of Annandale at the time it was granted to Robert de Brus, in the early part of the 12th century, when such a king as David I. conferred on the grantee the "jus gladii" (the law of the sword). Annandale was then called Estrahanent.—("Acts of Scottish Parliament," I., p. 82; and Chalmers' "Caledonia," III., p. 64.) It seems probable that Brus may then have established the Flemings and Irvins in the parishes to which they gave their names. The Flemings were certainly not aborigines of the district, and both they and the Irvins held their lands from the Bruces. The Flemings had fortalices at Redhall, Holmhead, and Stonehouse, etc.; the Irvins at Bonshaw, Woodhouse, Robgrill, etc.—("Statistical Account," XIII., p. 248, etc.)

² The Irvines of Annandale, of whom Bonshaw was the chief, had for their enemies within the Scottish Border the Maxwells and the Bells; whilst the Irvines of Drum had, in early times, as feudal enemies the Keiths Marischal and the Forbeses.—(MS. of Christopher Irvine, M.D.)

³ III., p. 170.

died on her grave, wherein he was buried. On the tombstone placed over this grave was carved a sword and the inscription—"Hic jacet Adam Fleming." A cross and cairn marked the spot on the banks of the Kirtle where "Fair Helen" saved her lover but lost her life. The tragedy seems to have taken place in the reign of James V.

I now come to a tradition which is not only probable in itself, but is supported by facts and existing documents—that King Robert Bruce, from the very commencement of his career of danger and ambition, was accompanied by William de Irvine, whose father then possessed, or himself or some of his descendants afterwards acquired, the estate of Bonshaw, in Annandale.¹ This tradition is preserved both in the Border districts from which William de Irvine came, and in Aberdeenshire where he received a grant of the Royal forest of Drum, which was erected into a barony for him, and is at this day in possession of his direct descendant and heir-male. After the departure of William de Irvine from the place of his ancestors, in 1306, I have further notice regarding his kinsmen in Annandale, although from that time there is no trace of connection or communication between the Irvines of Annandale and of Aberdeenshire.²

1 The tradition of Dumfriesshire is that William de Irvine departed from his father's tower of Woodhouse; in the traditions of the Irvines of Drum, Bonshaw is the place mentioned. But both agree that it is the family of Irvine of Bonshaw.

"At a short distance from Wyeshie stands the ancient family seat of the Irvings of Bonshaw, on the right side of the river Kirtle, in the parish of Annan. The old mansion-house is built near the edge of a steep rock which rises to a considerable height above the bed of the Kirtle."

"Robgill Tower, an ancient seat of the Irvines, is situated on the same side of the river and about half a mile distant from Bonshaw, on the northern confines of the parish of Dornock."

2 Regarding the Irvines of Annandale, it appears that, in the "West Marche," immediately before the union of the kingdoms of England and Scotland under one monarch, the "Irvingis" were numerous, and little inclined to lay aside their ancient Border habits, preferring danger and the chance of spoil to security and inaction. Their very names—or nick-names—in the following list (taken from the unruly members of the Irvingis, 1587) sound pugnacious:—Brattill Irwinge, Cubie Irwinge, Cristie Irwinge, Dik of Skail Irwinge, Wat of Robgill Irwinge, Gib Irwinge, Hobie Irwinge, Jeffra Irwinge, Jok Irwinge, Wattie Irwinge, Willie Irwinge, Jokis Willie Irwinge, Mathow Irwinge (called "Meggis Mathe"), Dik Irwinge (called "Dik amangis the rashes"), and many other such cognomens, whose hearers, not for any good deeds, have their names preserved in the records of the Scottish Parliament.—("Acts of Scottish Parliament," III., pp. 392, 465, 466, etc.)

In 1594 the Irvingis are included in a list of clans who are accused of "barharous cruelties and dalie heireschippes" and of being "vickit thevis and lymaris."—(Ibid., IV., p. 71.)

The Irvines of Annandale, under the command of Christopher Irvine of Bonshaw at Flodden in 1513, and under Christopher Irvine of Robgill at Solway Moss in 1542, were distinguished by their gallantry, and suffered great loss in these actions.—(MS. of Christopher Irvine, M.D.)

THE ARMS OF IRVINE OF DRUM.¹

A TRADITION regarding the arms of Irvine of Drum is recorded by the early writers on Scottish Heraldry. But I cannot find any evidence in support of the statement they make, that the arms of the Irvines had been borne by *The Bruce*, and were granted by him, along with more substantial acknowledgments, to his secretary and armour-bearer, William de Irvin. The leaves of the evergreen and unchanging holly, and the motto, "Sub sole sub umbra vivens," whether granted by the king or adopted by his adherent, were probably intended to be emblematic of the resolute fidelity, in adversity and prosperity, of William de Irvin to his royal patron.² But neither history nor heraldry corroborates the tradition that the Bruce used either the holly or the bay leaf as a cognizance.³ I believe the ancient form of the arms of Irvine of Drum to have been as depicted, in 1542, in the heraldic MS. of Sir David Lindsay of the Mount, Lyon King of Arms. There the shield contains three single holly leaves (two and one) vert on a field argent. The arms, as they appeared on the monument of Sir Alexander Irvine of Drum erected in 1456 in Saint Nicholas Church at Aberdeen, seem more an "enbellishment of

1 I have since heard from Mr. Irvine of Drum the tradition preserved in the family, which is rational in itself, and is also so far accordant with known facts, viz., that from the commencement of Bruce's attempt to acquire the crown, William de Irvin accompanied him in all places and dangers, and was one of seven persons who, along with the king, escaped from a large force of the enemy by concealing themselves in a copse of holly. It was in memory of this fortunate escape that the king granted to William de Irvin the holly as arms and the motto "Sub sole sub umbra vivens."

2 Sir George M'Kenzie's "Heraldry." Nisbet's "Heraldry," edition 1722, I., p. 403. At the time Nisbet wrote, Irvin of Drum had adopted for a crest a sheaf of arrows instead of the holly.

3 Dr. Christopher Irvine, in his MS., written about two hundred years ago, says, regarding the family of Irvine, that King Robert the Bruce gave to his secretary, Sir William Irvin, who had been with him (in all his troubles and in his prosperity) until his death, the lands of the forest of Drum, and gave him the pricking bay-tree, called the holin tree, branches, for his arms—"for his own was the smooth bay tree"—and gave him his own motto, which he used before he was king, "Sub sole sub umbra vivescens." I cannot find that any of Bruce's ancestors, or himself, used either the bay or the holin as a cognizance, or had for a motto "Sub sole sub umbra vivescens." And they are no part of the arms either of Bruce's earldom of Carrick or of his lordship of Annandale.

The author of the manuscript above quoted was Christopher Irvine, M.D., of the family of Irvine of Bonshaw.

"He is known as the author of a publication entitled 'Historiæ Scotiæ nomenclatura latino-venembla, etc., Christophorus Irvinus abs. Bon-Bosco auspice summo numine concinna vit.' Edinburgh, 1682, 8vo. The manuscript regarding his family is entitled 'The original of the family of the Irvins or Erivins.'—(Note by Irvine, LL.D.)

"The Saltier was exclusively the arms of Bruce (not borne, as fabulously held, in right of an Annand heiress), and thus came, by our general Heraldic practise, to be those of Annandale."—(Riddell's "Peerage and Consistorial Law," II., p. 990.)

arms " than a correct heraldic achievement, although they have been adopted by the family and sanctioned by the heraldic officials. The following is extracted from the prolix document (dated 7th July, 1676) of " Sir Charles Areskine of Cambo, Lyon King of Arms." The coat armour of Alexander Irvine of Drum is thus blazoned:—" Alexander Irvine of Drum for his atchievement and ensign armorial bears argent three small sheafs (or bundles) of Holln, 2 and 1 vert, each consisting of as many leaves slipped and tied with bands gules. On a helmet befitting his degree with a mantle, gules, doubled argent, and wreath of his collours. Is sett for his crest a sheaff of Hollin consisting of nyne leaves, and banded as the former. Supported by two savages wreathed about the head and loins with Hollin, each bearing in their hand a Battone all proper. The Mottoe in ane Escroll above all is ' SUB SOLE SUB UMBRA VIVENS,' " etc.

ALEXANDER IRVINE.

A. D. 13—(?)

IN the Index of lost charters granted by King Robert Bruce there is " Charter to Alexander Irvine of ane part of the Park of Drum " in the " County of Kincairdin." ¹ Of this Alexander Irvine I have not found any further mention; nor is the exact date of the charter specified, but it was probably 1322. The Park of Drum was in possession of the Crown at the time the Forest of Drum was granted to William de Irvin in 1323.

WILLIAM DE IRWIN OF DRUM.

FROM — TO 1332 (?)

KING DAVID I., soon after his accession to the throne of Scotland in 1124, granted the lordship of Annandale to Robert de Brus,² whose descendant, also named Robert de Brus, born on the 11th July, 1274, by the death of his mother and the resignation of his father became Earl of Carrick in 1293, and on the death of his father, in 1304, succeeded as Lord of Annandale. On the 10th February, 1305/6, he slew John, " The Red Comyn," Lord of Badenach, in the church of the Minorite Friars at Dumfries. Bruce may have contemplated the death of this

¹ Robertson's " Index to Lost Charters," pp. 17-54. The original of this Index seems to have been arranged about 1629.

² Annandale in the original deed called Estrahanent.—(" Acts of S. Parliament," I., p. 82; also Chalmers' " Caledonia," I., p. 569; III., p. 73.)

rival, but he never could have intended to violate the sanctuary of the church,¹ and to defile the high altar,² with the blood of his victim. It may, therefore, be presumed that the immediate circumstances of the slaughter were not the result of deliberate arrangement, but whether the deed was done in malice aforethought, or in passion,³ the clear judgment of Bruce must have discerned that such an act of sacrilege and violence would ensure for him the enmity of the revengeful sovereign whom he had baffled, of the Church which he had grievously offended, and of the most powerful family Scotland ever knew—the Comyns—whom he had mortally injured. Therefore it only remained for him to vanquish those he could never hope to conciliate, to rise above their malignity or sink beneath their power, and to be an independent king or a despised and impoverished penitent.

Robert Bruce then commenced that career of ambition and daring which his great bodily strength and personal accomplishments—but still more his mental energy and political sagacity—enabled him to bring to a glorious conclusion. Suddenly, and with slender means of support, he seized the crown of Scotland, wrenching it from the grasp of the unscrupulous and powerful Edward I. of England. Retaining till his death in 1329 that country whose independence he had restored, he left it in all its integrity to be possessed by his descendants to the present day.

Such was the career of that king who was first the feudal lord and master, then the sovereign, and, lastly, the benefactor of William de Irwin, on whom, besides other grants, he bestowed the royal forest of Drum in 1323. In the following year he erected it into a barony, which has ever since been in the possession of the Irvines; the present proprietor being the direct descendant and heir male of William de Irwin.⁴

1 Even the friendly biographer of Bruce says:—

He mysdyd thair gretly but wer,
That gave na gyrth to the awter.
Tharfor sa hard myscheiff him fell.

—(Barbour's "Bruce," by Jamieson, l., line 673, etc.)

2

With Shyr Jhone the Cumyn met,
In the Freris, at the hye awter.
. . . Syne with a knyff,
Richt in that sted, hym reft the lyff.
Schyr Edmund Cumyn als were slayn,
And other mony off mekill mayn.

—(Ibid., line 661, etc.)

3 Regarding the "slaughter" of the Red Cumyn, Barbour has it that the king, when the death of Cumyn was alluded to, two years after the event, expressed himself thus:—

. Sa our Lord me sayn,
Ik had gret causs him for to sla."

—(Ibid., VI., line 344.)

4 Dr. Christopher Irvine in his MS. says that Robert Bruce took from Bonshaw "one of the brothers to wait upon him, he was his Secretary and Armour-bearer, and with him in all his

The uniform tradition prevailing both in Annandale¹ and in Aberdeenshire that William de Irvine was a son of that family which was acknowledged as chief of the name, and was then, or afterwards, designed of Bonshaw, may be accepted. Whether it arose from the greater property and influence acquired by the Irvines of Drum, or from William de Irwin's being really the eldest son, has been matter of dispute; but certain it is that they have long styled themselves, and been officially recognised as, chief of the families and name of Irvine in Scotland.²

A tradition carefully preserved in the family of Drum, and recorded at an early period, is that William de Irwin was secretary and armour-bearer to King Robert Bruce; and deeds and authorities published or now referred to confirm in a remarkable degree this account of the ancestry.

The Irvines held their lands from Robert Bruce at the time he resolved on seizing the crown of Scotland; it is, therefore, probable that by habit and inclination they were desirous, as by tenure they were bound, to support their feudal Lord of Annandale, whose two principal castles, Lochmaben³ and Annan, stood, at no

troubles and prosperities to his death, whether he was the eldest Brother or not is not known, his name was Sir William Irvine. To him King Robert gave the land of the forest of Drum."

Nisbet, in his "Heraldry," gives nearly the same account, but says Sir William Irvine was the eldest son of the family of Bonshaw. He adds that the king having carried as a private badge three laurel leaves with these words, "Sub sole sub umbra virens," he gave to this William for arms three holly leaves, which is a kind of laurel, and the aforesaid motto. The king also gave him the lands of the forest of Drum. "Thus," says Nisbet, "the armorial bearings of the family of Irvine of Drum are—Argent three holly branches, each consisting of as many leaves proper, banded together gules. The supporters are two savages wreathed about head and loins with hollies, bearing battons in their hands."—"Heraldry," II., p. 69.)

1 There is a recorded tradition that one of the sons of Irving, the proprietor of Woodhouse Tower, accompanied Robert Bruce, "who first made the youth his secretary, next created him a knight, and lastly made him a present of the lands of the forest of Drum as a reward for his fidelity and services." "The Tower of Woodhouse is reported to have been the first house in Scotland to which Robert Bruce repaired when he was fleeing from Longshanks." "Within a space of four miles round this tower there are no fewer than seven of the same kind." "These towers were generally of a square form, and three stories high, the roof was covered with square flags, with a gentle tapering towards the top, and surrounded by battlements and parapets."—(From the "New Statistical Account of the parish of Kirkpatrick-Fleming," in which the ancient parish of Irvin is comprehended, IV., pp. 278-79.)

2 It is not improbable that, on William de Irwin receiving the forest and barony of Drum, he had to resign the hereditary property of Bonshaw in Annandale, for which he could no longer perform the arduous services of a leader of a Border clan. By the grant of Drum, William de Irwin became a vassal of the Crown. But the proprietor of the hereditary property continued a vassal of the Lord of Annandale. King Robert Bruce, along with the Isle of Man, the earldom of Murray, and other valuable gifts, granted a charter to his nephew, Thomas Ranulph, of the "hail lands of Annandale" and "the gift of the forfaultry of all his vassals."—(Robertson's "Index," p. 9, Nos. 8, 9.)

See testimonial or passport by order of King Charles II. to John Irvine in 1664; also Riddiman's "Buchanan," note, lib. x., p. 357; also "Acts of S. Parliament," VIII., p. 612.

3 Lochmaben seems to have been the principal place of strength of the Lords of Annandale, and the usual place of residence of Robert Bruce previous to his coronation in 1306. In 1294, Baliol

great distance, on each side of the estates of the Irvines, which were principally situated in and around the parish of Irvine in Annandale. They would hope not only to share the prosperity of their lord, but also to secure revenge on his and their enemies: for it was not the habit of the times, much less the custom of the Borderers, to forgive or forget such injuries as the English, under Clifford, had inflicted on this district in 1298, when Annan and the surrounding villages were given to the flames.¹ It would appear, from his afterwards holding the office of "Clerk of the Rolls,"² that William de Irwin was sufficiently qualified to be secretary to Bruce, while his being the son of a principal vassal and immediate neighbour of the Lord of Annandale would induce the king to appoint him to that office. But whether William de Irwin commenced his royal services in that capacity, and was the confidant and sole companion of the future king when he escaped from the English Court, cannot be known, for in some histories it is his "secretary,"³ in others it is his "clerk,"⁴ that is mentioned as accompanying Bruce in his flight from the English Court, but always without the name of the individual.

Bruce was in London, and apparently at the mercy of the English king, when he became aware that his secrets were betrayed, and that his ambitious projects were known to that stern monarch who claimed his allegiance, and would assuredly take revenge on a wealthy noble who could be condemned as a rebel. Bruce directed the "marchell" (steward of his household) to provide good cheer for his men, as he would be a long time employed in private in his own chamber, with "no one but his clerk."⁵ Then, unperceived, Bruce and his "clerk" mounted their horses, and, travelling day and night, reached Lochmaben on the

declared the lordship of Annandale forfeited, and gave it and the castle of Lochmaben to John Comyn, Earl of Buchan, who entered into possession of this hereditary fief and seat of the Bruce. At that time the lordship was restored, and the Earl of Buchan dispossessed by the King of England. But the insult and injury were remembered and revenged by Bruce himself at the battle of Inverury in 1308, and by the merciless desolation of Buchan which ensued when the king

"Gert his men bryn all Bowchane
Fra end till end, and sparyt nane."

A stone—part of the ruins of the old castle of Annan—now built into the walls of a vintage-house, bears this inscription: "Robert de Brus, Counte de Carrick et Seinour De Val de Annand, A.D. 1300."—("New Statistical Account of Scotland," IV., p. 525.)

1 Dalrymple's "Annals," I., p. 256. From Flemingford.

2 William de Irvine appears as Clerk of the Rolls from 1328 to 1331.—(Chamberlain Rolls.)

3 "Fordun," by Goodall; "Scotichronicon," II., p. 227, etc.

4 "Clerk," although at that time a term more generally applicable to those possessing the acquirements necessary for a clergyman, was then—as now—also used for a secretary or person employed to conduct correspondence under another. "Clerks, religious and secular," are mentioned in "Acts of Scottish Parliament," II., p. 16, No. 9.

5 "The Bruce," by Barbour, Jamieson's edition, Book I., lines 634-46 and 688.

fifth day.¹ Not far from the Borders, they seized and slew the messenger who was conveying despatches from the Red Comyn to the king of England, whereby Bruce obtained further particulars of his rival's enmity.²

Before the end of 1309, Bruce's greatest hardships and most imminent dangers were overcome or averted. Repeated success had produced its natural effects upon his enemies; while his followers had acquired confidence in themselves, their leader, and his cause, which they expected would be speedily and entirely triumphant. Under the influence of these feelings, a general council of the bishops and clergy, held at Dundee on the 24th February, 1309-10, unanimously recognised Bruce as their lawful sovereign, and declared those who opposed him to be traitors to their king and the Scottish nation.³ Strengthened in his position by this event, and by the greater validity which his acts now acquired in popular estimation, the king proceeded to reward, so far as his limited means would admit, those who had adhered to him when his cause seemed full of extreme uncertainty and imminent danger. Amongst the earliest of his grants was that of an allowance of ten pounds sterling to William de Irwin from the customs of Dundee.⁴ The value of this grant, and the estimation of the services for which it was bestowed, will be better appreciated when we consider that, at this period, the principal fortresses in Scotland still remained in possession of the King's enemies, that Berwick, Dumfries, Roxburgh, Linlithgow, Perth, Stirling, and Edinburgh, then all held by English garrisons, were only successively reduced within the five years that elapsed between the date of this investiture and June, 1314, when the victory of Bannockburn consummated the independence of Scotland, and left its warrior king at liberty and with power to adequately reward his faithful adherents.

King Robert Bruce, when firmly seated on the throne of Scotland, granted freely, but generally in comparatively small estates, the lands forfeited by his enemies, and occasionally also Crown lands; and to these grants he frequently accorded the rights of a barony. It was just and generous thus to reward his devoted followers; it was wise and politic, at least for the Crown, to divide power which had hitherto been concentrated in a few noble families, of whom some had been claimants of the throne, and others had proved anything but obedient subjects to the monarch. In 1322-3, William de Irwin received a grant of the royal forest of Droum in free forestry, the charter containing the usual inhibition against anyone

1 There is a tradition that King Robert Bruce first rested at the tower of William de Irwin's father, who killed a favourite dun cow, on the flesh of which they feasted, the skin serving to form Bruce's couch. This tradition, as preserved on the Borders, with some additions, was told by Sir Walter Scott to Washington Irving when he visited Abbotsford in 1817.

2 Wyntoun's "Cronykil," VIII., c. 18, lines 191-8; also Tytler's "History of Scotland."

3 "Acts of S. Parliament," I., p. 100.

4 "Carta Gullielm Irwing his investment of X. pund sterling money furth of the Customes of Dundie."—(Robertson's "Index," 3, 1.)

Robertus de Saladus et Sacerdos omnium parochiarum Avinionensis ecclesie hoc testatur quod nos dedisse concessisse
et hanc presentem carta[m] confirmasse habemus et ad nos revocari si fidelis non esset illius Avinionensis ecclesie deo[m]ini
vindicari quem quondam Johannes de Aviniona contra nos et nos contra nos et nos contra nos et nos contra nos et nos contra nos
et hinc inde et in omni parte nos et nos contra nos et nos contra nos et nos contra nos et nos contra nos et nos contra nos
litem vestram apud Avinionam per nos et nos contra nos et nos contra nos et nos contra nos et nos contra nos et nos contra nos
omnino persolvuntur in eorum iudicio et in eorum iudicio et in eorum iudicio et in eorum iudicio et in eorum iudicio et in eorum iudicio
petuntur in firmam quocumque modo et in eorum iudicio et in eorum iudicio et in eorum iudicio et in eorum iudicio et in eorum iudicio
concessimus et confirmamus habere nos et nos contra nos et nos contra nos et nos contra nos et nos contra nos et nos contra nos
habere nos et nos contra nos et nos contra nos et nos contra nos et nos contra nos et nos contra nos et nos contra nos
vobis nos in parte et hinc inde et hinc inde et hinc inde et hinc inde et hinc inde et hinc inde et hinc inde et hinc inde
vobis nos in parte et hinc inde et hinc inde et hinc inde et hinc inde et hinc inde et hinc inde et hinc inde et hinc inde
et hinc inde et hinc inde et hinc inde et hinc inde et hinc inde et hinc inde et hinc inde et hinc inde et hinc inde
Dignus comes de Aviniona et hinc inde et hinc inde et hinc inde et hinc inde et hinc inde et hinc inde et hinc inde et hinc inde
et hinc inde et hinc inde et hinc inde et hinc inde et hinc inde et hinc inde et hinc inde et hinc inde et hinc inde



Charter of Droum Royal Forest to William de Irwin, 1322-3.

hunting, hawking, fishing, or cutting trees in the forest without the permission of William de Irwin or his descendants, under a penalty of ten pounds to be forfeited to the king.¹ This grant in free forestry seems to have been a temporary arrangement until the rights, or claims, of Alexander Burnard, ancestor of the Burnets of Leys and Crathes, were adjusted. This was done next month, when King Robert Bruce granted a charter, dated 28th March, 1323, defining the boundaries of land formerly given to Alexander Burnard, and also containing a grant to him of certain lands in lieu of the office of forester and the rights of pasturage in the lower forest of Drum, of which he was deprived by the grant to William de Irvine.² In this charter will be seen the practice of King Robert I. of affecting to ignore the reigns of Queen Margaret and King John (Baliol), and of referring to Alexander III. as his immediate predecessor.³

On the 4th October, 1323, is dated the charter of King Robert Bruce erecting Drom into a free barony, and confirming the former grant of the same land in free forestry to William de Irwin. This charter, as usual in such grants, after enumerating every variety of land and water, all things territorial, all taverns and mills, the game and fish within the barony, with all rights, dues, rents, and canes,⁴ bestows in these few short words, "Cum furca et fossa soc et sac thol et theme et infangandtheff," a tremendous power on the grantee and his descendants,⁵ which may be explained as "pit and gallows," or power of inflicting death by

1 This charter is dated at Berwick-upon-Tweed, 1st February, in the 17th year of the reign of King Robert I., the witnesses being:—(1) Bernard, Abbot of Aberbrothoc, the Chancellor; (2) Thomas Ranulph, Earl of Moray, Lord of Annandale and Mann;* (3) Walter, Stewart of Scotland; (4) James, Lord of Douglas; (5) Alexander Fraser, Chamberlain of Scotland; (6) Sir David de Berelai; (7) Sir Robert de Lawedir.

In this deed the name of the forest is written Droum, in the next it is Drom, and in those of later date Drum.

"The grant of a right of forestry conferred on the grantee the same privilege as if the ground included had been originally a king's forest, and greatly extended the oppression of the Forest Laws."—(Bell's "Principles," p. 258, No. 670.)

* King Robert Bruce, on the 20 December, 19th year of his reign, granted the Isle of Man to his nephew, Thomas Randolph, Earl of Moray. It was a hereditary parliamentary honour, and descended to his heirs.—(Riddell's "Peerage and Consistorial Law," I., p. 603, and "Remarks on Scottish Peerage Law," pp. 55-7.) From the date of this deed of gift of the forest of Drum, it would appear that there had been an earlier grant of the lordship of Man to Randolph.

2 This deed, in the charter-room at Drum, is only a copy; but, as the lands are, it is probable the original is also in possession of the descendants of Alexander Burnard; and it may be hoped that this, with other writs and records of the ancient family of Burnet of Leys and Crathes, may be given to the public in illustration of the local and general history of the country.

3 Vide M'Pherson's Notes to Wyntoun's "Cronykil," Vol. II., p. 486.

4 "Cane"—tribute from dependants, payable in kind or by services.

5 "In this realme he is called ane Baronne quha haldis his lands immediately in chief of the King, and has power of pit and gallows."—(Skene's "De Verborum Significatione,"—"Baro.")

hanging or drowning,¹ the right to hold courts, to enforce attendance, to try cases, to pass judgment, and to inflict fines and penalties within the limits of the barony;² the right of selling or buying food or raiment, without payment of duties, within the limits of the earldom in which the baron resided;³ the right of holding bondsmen and serfs, with power to dispose of them, their children, and their goods;⁴ also power to try all thieves taken within the limits of the barony.⁵ All barons holding by such tenures and possessing such powers were required to be personally present in the Parliaments of Scotland until 1503, when attendance ceased to be compulsory on those whose lands were rated under one hundred merks by the valuation of 1424. The right of all barons—not peers—to attend in Parliament fell into abeyance sometime after 1567, till which date it was fully acknowledged, and even insisted on, because they were “ane part of the nobilitie.”⁶ The Act of 1587 does not prohibit their attendance in Parliament; on the contrary, it only *relieves* them from that duty on condition of the due attendance of their representatives, the commissioners whom they were called upon to elect, and whose expenses incurred on their journeys they were bound to reimburse.⁷

Among the privileges granted to a baron, the most remarkable are the judicial powers, extending even to capital punishments; and “theme,” the right of

1 “Furca et Fossa.” Skene says:—“King Malcolm gave power to the Barones to have ane pit quhairin women condemned for theft suld be drowned, and ane gallows quhairupon men thieves and tresspassours suld be hanged, conforme to the doome given in the Barrone Court threanent.”—(Skene’s “De Verborum Significatione”—“Fossa.”) “Drowning was the ordinary punishment for females for crimes of lesser magnitude. In cases of murder, treason, witchcraft, etc., women were BEHEADED OR BURNT AT THE STAKE, according to their rank and aggravation of the offence.”—(Pitcairn’s “Criminal Trials,” I., p. 162.) Although drowning was generally reserved as a mode of putting females to death, yet “the special grace of the Queen” permitted Adame Sinclair to be drowned, whilst his companion in a case of sacrilege, Henry Elder, was hanged—both in 1556.—(Ibid., p. 393.)

2 “Soo et Sao.” See “Soo” article, Skene’s “De Verborum Significatione”; Jamieson’s “Dictionary of Scottish Lang.”; “Acts of S. Parliament,” Index, etc.

3 Barons were free of tolv, within boroughs—i.e., within the earldom where they dwelt—to sell and to buy meat and clothing.—(“Acts of S. Parliament,” I., p. 361.)

4 See “Theme” in Skene’s “De Verborum Significatione” and Jamieson’s “Dictionary of Scottish Lan.,” etc.; “Acts of S. Parliament,” I., etc.

5 The Act of Scottish legislature in the year 1175 is very stringent as regards thefts, for it directs that whosoever shall be accused of theft by the bailiff and three good men shall be taken and subjected to the law of water. But if other three good witnesses of ELD (age and experience) agree, the accused shall not have the option of battle, of water, or of fire, “but hastily shall be hanged.”—(“Acts of S. Parliament,” I., p. 49.) The severity of this law was mitigated by the law of “byrthynsak,” which declares that no man is to be hanged for the theft of an animal that might be borne on a man’s back, even a calf, ram, or eheap, “but to be well beaten and his ears to be shorn.”—(Ibid., pp. 52, 53.)

6 Ibid., II., 252, No. 23, and III., 40, No. 33

7 Ibid., III., pp. 509, 510.

property in children of the soil—"nativi" serfs—who, as well as their families, were in a state of actual slavery. With regard to the power of life and death, not only direct laws but private interest and ancient customs combined to exert an influence which modified in some degree the effect of extreme judicial authority so generally delegated; for, as the value of every man's life was fixed according to his rank,¹ the judge no doubt found it more profitable, unless where passion overpowered prudential considerations, to exact a ransom for slaughter than to execute a homicide for murder. This seems to have been carried to an extent that called for the notice of the supreme authority at a very early period, and, in the reign of David I., barons were prohibited from compounding for slaughter without permission of the king.² And this is further enforced by the ordinance of 1184, when King William considered that by such practices "the law may be smoryt (smothered) or left undone."³

The "law of byrthynsak"⁴ was a safeguard against capital punishment for petty thefts, and showed more humanity and consideration for human life than was exhibited in after-times by legislators, who, until a comparatively late period, asserted the natural ferocity of man in defiance of better feelings which civilisation had gradually implanted in the public mind. In 1180 it was ordained that no baron should hold his court without summoning the king's sheriff to be present. But this having been done, if the sheriff neither came nor sent his serjeant, then the court might be held. But no baron, in the absence of the sheriff or his serjeant, was authorised to pass judgment to deprive of life or limb, nor to make trial by ordeal, whether of battle, of water, or of hot iron.⁵

Regarding "nativi" serfs, it does not clearly appear whether individuals and their descendants were under any circumstances liable to be deprived of liberty without their own consent, but only the poverty of the country, and recurring famine consequent on deficient cultivation, could conceivably induce human beings to avail themselves of the permission granted by the following ordinance of King David I. (between 1124 and 1153), with its assurance of irrevocable thralldom:—"Ilk fre man may leyff his fredome gif him likis in the kyngis court (or in ony

1 Vide Index and "Acts of S. Parliament," Vol. I., p. 442; Galnes, p. 452; Kelchyn, p. 459.

2 "Acts of S. Parliament."

3 "That nayn of thaim efter that dome be gefyn of ony man til be drownyt in watyr or til ber haite yrn, or in batal to be slan, tak meyd of thaim throu the quhilk the law may be smoryt or left undone."

4 "Law callyt byrthynsak." The conclusion is:—"Na man aw to be hingyt for les price than for twa scheip of the quhilk is ilk ane is worth XVIIId." (A.D. 1180).—"Acts of S. Parliament," I., p. 53.)

5 If from being above sixty years of age, or from bodily infirmity, the accused declined trial by battle, the judgment of God was then to be procured by ordeal, by the purgation of hot iron—if a freeman—or by water, if the accused were a husbandman ("rusticus").—"Regiam Majestatem," IV., 2; "Acts of S. Parliament," I., p. 268.)

othir court), but that fredome nevir mar in his lyf may he recover."¹ A lawyer of great research in the reign of James VI.² states that a bondsman, if a fugitive from his lord, might be drawn back to servitude by the nose. From remarks by the same authority, I infer that he attributed to this method of recall the origin of a feeling which renders all freemen so sensitive to the manipulation of their noses by persons other than the individual proprietors, and who can, therefore, have no vested rights in an appurtenance which, by immemorial exclusive possession, is obviously an indisputable freehold.³

In 1327, Bernard, Abbot of Aberbrothoc, granted a charter of confirmation to William de Irwyn and Marrote, his spouse, of the toft and premises and hostilage in Dundee which had been gifted to them by Stephen Fairbairn of Berwick-upon-Tweed. Amongst other conditions contained in this deed we find that the abbot, monks, and official persons employed in the Abbey of Aberbrothoc, when they came to Dundee, were to be provided with proper accommodation for themselves and their horses, with tables on trestles, and with white Parys candles, and white salt for the table.⁴

William de Irwyne got a charter from David II. in the second year of his reign (1330), granting an annual rent of ten merks from the lands of Vreys in the county of Kincardine, and of the superiority of them, on the resignation of

1 "Acts of S. Parliament," I., p. 7.

2 and 3 "Quhen ony free man renuncis his libertie, and makes himself ane bond, or slave to ane greate man in his Courte, and makis tradition, and delivering of himselfe, be giving ane grip of the haire of his forehead, to the effect he may be maintained and defended be him thereafter. The quhilk bond-men, gif they reclaim to their libertie, or happen to be fugitive fra their maister, may be drawn back againe be the nose to servitude: Fra the quhilk the Scottish saying cummis, quhen ane boastis and menacis to tak ane uther be the nose."—(Skene's "De Verborum Significatione."—"Bondagium.")

Whatever may have been the origin of the sensibility of freehold noses, Skene certainly correctly states the liabilities of the noses of bondmen, vide "Breve de nativis" Quon. Attach.—("Acts of S. Parliament," I., p. 291.)

4 The value of a hostilage in those days may be inferred from King Robert Bruce's granting a charter of the hostilage in Scoone to his son, Robert Bruce, and his subsequently granting another charter to the same, as Sir Robert Bruce, of all the hostilages which had belonged to Roger de Mowbray.—(Robertson's "Index to Lost Charters," 19, 85 and 19, 107.) The reason why hostilages were so valuable is explained by finding that "the liegemen of the realm," when travelling, were forbidden to lodge in any other place than the hostillaries; and their friends were prohibited from receiving them, under a penalty of forty shillings, unless the traveller was conveying money, in which case he was permitted to harbour with a friend, provided he sent his horse and followers to the hostilarie.—("Acts of S. Parliament," II., p. 10.)

That the family had about this time acquired property in the neighbourhood of Dundee (besides having a grant from the customs there) would appear from a charter of confirmation granted by Alexander Irwyne of Drum of the wadset of the lands of Inchstare, etc.—(Robertson's "Index," 137, 6.)

The "Carta hostilagii de Dunde" is in the "Registrum de Aberbrothoc," p. 315.

Thomas de Camoco.¹ These formed part of the forfeited property of John Comyn, Earl of Buchan, which had been granted to Thomas de Camoco by King Robert Bruce in the nineteenth year of his reign; and it is mentioned that Hugh, Earl of Ross, had resigned all right or claim to them.²

On the 12th May, 1331, the Bishop of Aberdeen—Alexander de Kyninmund—and the chapter of the Cathedral of Aberdeen granted a charter to William de Irwyn, and the three next heirs in successive descent from him, of the lands of Dulmaoch and Petebrechere, lying contiguous to the Forest of Drum.³

The last payment to William de Irwyn as clerk of the rolls in the chamberlain's accounts is his salary for 1331.

On the 10th March, in the third year of the reign of King David II. (1332), William de Irwyn received a charter of the lands of Hevytriggys (Whiteriggys) and Redemyres, on the resignation of Gilbert, son of Thomas de Johnstoun, to whom these lands were granted on the forfeiture of Walter de Knockys.⁴ This is the latest notice I have found of William de Irwyn. The name of his wife does not appear, although the above deed of 1327 shows her Christian name to have been "Marrote," and tradition as well as early genealogies give good grounds for calling her the daughter, or granddaughter, of Sir Robert de Keith, the Marischal, who was killed at the battle of Dupplin in 1332.⁵

Besides his son and successor, William de Irvin is believed to have left a son who was progenitor of the Irvines in Forfarshire, and another son, William, progenitor of the Irvines in Orkney.

1 This deed is dated from Brechin, 6th February.

2 There are two deeds of the same date to the same effect—at Aberdeen, 28th March, in the 19th year of the reign of King Robert Bruce.

3 "Registrum Epis. Aberdon.," I., pp. 52, 53—Dulmaoch, now called Drumoak.

4 "Carta Gilberti Johnestoune, of the lands of Hevertrigis and Redmyre."—(Robertson's "Index," I., 17.

5 The eldest son of this Sir Robert Keith, Sir John Keith, died in his father's lifetime, leaving a family of one son (Sir Robert, who succeeded Marischal, and was killed at the battle of Durham in 1346) and two daughters. Sir Robert left no issue, and the office of Marischal and the entailed lands passed to his grand-uncle, Sir Edward Keith. It was probably a claim for property by the sisters of the deceased Sir Robert Keith (one of whom was married to Sir Robert Maitland of Thirlestane, and the other to the laird of Drum) that led to the "cruel feud" which raged in the latter part of the fourteenth century between the Keiths Marischal and the Irvines of Drum. This feud was finally settled in 1411 by the marriage of Elizabeth de Keth, daughter of the Marischal, to Alexander de Irvin of Drum, and by a grant of the estates of Strachan as a dower with the bride. The feud is alluded to in the marriage contract.

It is not possible to say whether the sister of Sir Robert Keith, Marischal, was the wife of William de Irvin or the first wife of his son and successor, Thomas de Irvin.

SIR THOMAS DE IRWYNE OF DRUM.

FROM A.D. 1333 (?) TO 1380 (?).

WILLIAM DE IRWYNE was succeeded by a son, whose Christian name, in genealogies of the family, has hitherto—I think, erroneously—been given as Alexander.¹ The following fragment of a genealogy, not now extant, I believe to contain the only authentic notice of the wife of this Irvine of Drum, and of the wife of his son and successor; and is certainly correct with regard to his grandson. It appears to be a cramped translation from a Latin original, and commences:—"Notes from an old paper entitled 'Genealogia Irvinorum vel Ervinorum a Drum'—That Laird Drum's mother who fought at Harlaw with the Earl of Mar was called Monteford,² a famous knight's daughter who in the Bruce time for his good service got the lands of Lonmay³ in Buchan, and this Laird Drum who fought at Harlaw married his only one daughter. Alexander Irvine, his son, married the Marischall's daughter." Here this paper ends abruptly.

In the few remaining fragments of the Parliamentary records of the time when the throne of Scotland was occupied by the selfish and ignoble son of Robert Bruce, the name of Thomas de Irwyne appears amongst the barons; and as I have not been able to discover that any of this name, except Irwyne of Drum, held the lands and had the authority of a baron,⁴ I have assumed that this Thomas

1 It appears from the monumental brass of Sir Alexander Irvine, the grandson of this Irvin of Drum, that he was the SECOND Alexander of his family. If so, there is no doubt that his father, who was killed at Harlaw, was the FIRST Alexander. To the manner in which this monumental inscription is worded, and the omission of the years of the century, may be traced much of the confusion, and the origin of some curious incidents which are recorded of the three next successors of William de Irwin.

2 The Mountforde, or Mountforts, came to Scotland, under King William, towards the end of the 15th century, and from him two brothers of that name obtained grants of land in the Mearns. The descendants of one of these would appear to have received various grants from King Robert Bruce, for, although called John Montfod, and John de Montfode, the name of the property granted—Tawside or Fauside—proves him to have been that Johannis de Monteforti de Kyneff whose daughter and heiress, Christina de Monteforti, by Agnes de Monteforti, alienated various estates to Symon Schaklok.—(Chalmers' "Caledonia," I., p. 591; Robertson's "Index," 7, 58; 11, 43; 55, 4; and 83, 172.)

3 Lonmay appears in possession of the grandson of this Irvine of Drum. On the links of Lonmay, near the sea, is the site of an old castle, called the Castle of Lonmay.—("New Statistical Account of Scotland," XXV., p. 224.)

4 "Ade Irvine" had a charter of the lands of Maynes, and fourth part of Coull, in Forfarshire, from King David II.—(Robertson's "Index," 51, 36.) But these lands were held of a subject; and the arms of that family in 1422 are those of Irvine of Drum, with a mullet for difference; which serves to confirm the remark in the manuscript of Dr. Christopher Irvine that the Irvines of Forfarshire were descended from the Irvines of Drum.—(Spalding Club "Antiquities," II., p. 380; and Heraldic MS. of Sir David Lindsay, Lord Lyon King of Arms, 1542.)

de Irwine was the proprietor of Drum during the reign of David II. In the Parliament held at Perth in 1368, the three estates of the kingdom elected certain of their number "to hold the Parliament," amongst those who represented the barons being Thomas de Irwyne. The Parliament of 1369 appointed two committees—the one for the consideration of special and secret affairs, the other, of which Thomas de Irwyne was a member, for the transaction of judicial business. Thence arose in process of time "the Committee of Articles," which gradually obtained the entire authority of the assembly; and "the Judicial Committee," which, long after, and after passing through the transition state of "Lords Auditors of Causes and Disputes," terminated, in 1532, in the independent and Supreme Court of Justice.¹

David II. was a prisoner with the English for eleven years. Forever the slave of his own passions, he failed in his attempt to barter away the liberty of his country, although it was the only project in which he evinced zeal and perseverance. The termination of his life in 1370, and thereby the extinction of the dynasty of Bruce, was a relief to the country, which had tolerated the son only for the merits and memory of his father.

On the death of David II., the fated race of Stewart succeeded to the throne of Scotland in the person of Robert II., but his influence, or his energy, was insufficient to control the turbulent leaders of factions which distracted the country and retarded civilisation.

It was probably at this time that the feud between the Keiths (Marischal) and the Irvines of Drum commenced,² and it is doubtful whether the few traditionary notices of their cruel dissensions ought not to be inserted here instead of being reserved for the period when Alexander de Irwyne had succeeded his father in the possession of Drum.

I have fixed 1333 to 1380 as the period of Thomas de Irwyn's possession of Drum, because his father was alive in 1332, and his son appears as proprietor in the court of the Bishop of Aberdeen in 1381, and again in 1382,³ when he claims

1 "Acts of S. Parliament," I., Preface, pp. 10-12, 18; also Vol. I., pp. 148, 150, 174, and plates opposite to pp. 149 and 174.

2 Nisbet's "Heraldry," II., p. 5, states that Sir Robert Keith, Marischal of Scotland, who was killed at the battle of Durham in 1346, had two daughters, one married to John Maitland, predecessor to the Earl of Lauderdale, and the other to Irvine, laird of Drum. Sir Robert Keith had no issue (so Nisbet is in error), but he had a sister married to Sir Robert Maitland, and a nephew, John Maitland (Robertson's "Index," 58, 4). It is not improbable that this Irvine of Drum may have been first married to a sister of Sir Robert Keith; and as the possession of the Keith estates, as well as the office of Marischal, passed, on his death, to their grand-uncle, Sir Edward Keith, it may serve to explain the cause of the inveterate feud between the Keiths Marischal and the Irvines of Drum, which continued until the marriage of Elizabeth Keith to Sir Alexander Irvine in 1411, and the gift of a large estate as her dower.

3 Spalding Club "Registrum Epis. Aberdon.," I., pp. 135, 142-43.

certain church lands and rights only for himself and one successor. As the lands thus claimed were granted to William de Irwyne for himself and the three next in descent from him,¹ it follows that the first inheritor after William de Irwyne was already dead.

Of documents now referred to and dated within the above limits are:—

A charter of the lands of "Estir Rothven in Cromar," dated from Kyn-dromy on 20th June, 1356, and granted by Thomas, Earl of Mar, to William de Camera. In it mention is made of the head court for this part of the Earldom of Mar as held at Mygreth or Mygwechten.²

The remission, in 1357, by King David II. to Henry de Monymusk for having passed into England and adhered to the king's enemies, which is noticed under the head of the Bracbenoch.³

A charter by King David II. to Walter Moigne of the Park of Drum, already noticed under the head of Park of Drum.

A charter by David II., in 1362, confirming the above-mentioned one of "his cousin" Thomas, Earl of Mar, to William de Camera.

A charter, not dated, but granted between 1377 and 1384, by James de Douglas, son and heir of William, Earl of Douglas, Lord of Lyddel-Dale, to Sir Thomas de Harkar of the lands of Largeny in the barony of Cowle in Mar. It contains a grant of persons bound for services to the land, and those who may be fairly called slaves (*nativi*). The manor of Coul is designated as the place of the chief court of the barony. The granter of this deed, who succeeded as Earl of Douglas and Mar, fell on the field of Otterburn on the 19th August, 1388, and is the hero of the ballad of "Chevy Chase."⁴

1 Spalding Club "Registrum Epis. Aberdon.," I., p. 52.

2 "Three or four hundred yards south from the church of Migvie, on a small eminence, is a site of a castle of the Earls of Mar.—("New Statistical Account of Scotland," XIII., p. 843.)

3 It would appear that part of the estates of this Henry de Monymusk had been alienated before this remission, as "David Chalmer had a charter from King David II. of the lands of Petfithik and Balnerok, in the county of Aberdeen, which Henry of Monymusk forfeited."—(Robertson's "Index," 46, 8.)

4 This James de Douglas was son of William, Earl of Douglas, by his wife, Lady Margaret Mar, and this charter, being of lands in Mar, was probably granted after his mother succeeded to the Earldom of Mar in 1377, and, before this James de Douglas succeeded as Earl of Douglas and Mar in 1384.

SIR ALEXANDER DE IRWYNE.

FROM 1381 TO 1411.

THE earliest notice I have seen of this Alexander de Irwyne is in the year 1381, when he held certain church lands. In 1382 he attended the court held on St. Thomas's Mount by Adam (de Tynninghame), Bishop of Aberdeen, and claimed to hold, under certain conditions, for himself and one successor, the church lands of Dulmayok (Drumoak).¹ John Barbour, the historian and poet of the Bruce, was present, as archdeacon, at the court, which, after consideration of the pleas adduced, admitted the validity of the claim of Alexander de Irwyn.

In 1388, by an "endenture," John Maigne, Lord of the Park of Drom, disposed those lands to Alexander of Irwyne, Lord of the Drom; but retained his liferent thereof—the courts of the lands to be held by the parties jointly, with a division of the profits; the woods to be joint property; and Alexander of Irwyne to have free land for a forester, sufficient to sow six firlots of bere and five bolls of oats. For the faithful adherence to this engagement both parties made oath on the Holy Evangelists in the parish kirk of Aberdeen, and affixed their seals in presence of witnesses. This deed is in the Scotch language, which closely resembles the English of that period.²

I have already noticed the cabalistic formula, "Cum furca et fossa soc et sac thol et theme et infangandtheff," by which, in ancient charters, the king endowed a baron with practically unlimited powers over all persons within his territorial boundary. We now see by this deed of John Maigne that the only courts open to the people were sources of profit to the baron, who was uncontrolled by higher judicial power or by public opinion. We need, therefore, entertain no doubt that, apart from all legitimate duties, these tribunals ministered to the vengeance as well as to the cupidity of the feudal lord. Indeed, under such circumstances it becomes evident that, of all who were unprotected by corporate rights, guaranteed by city walls, he alone could effectually protect or increase any property he had acquired.

In 1393, John Moygne granted a charter to his friend "Alexander de Irwyne del Droum" of a chalder of meal, payable by William called Burnard. In this deed mention is made of payment "at the manor of Droum."

¹ Spalding Club "Registrum Epis. Aberdon.," I., pp. 135, 142, 143, 176. It will be remembered that William de Irwyn had got a grant of these lands for himself and three others in continued descent.—(Ibid., I., 52, 53.)

² The charter of King Robert II. to Alexander de Irwyn of the Park of Drum has already been published by the Spalding Club in "Antiquities," I., p. 277, and it also appears in "Registrum Magni Sigilli," p. 174.

It was probably about this period that the feud between the Keiths (Marischal) and the Irvines of Drum raged most fiercely, or, to use the words of an old manuscript, "the old feud was cruell betwixt the two families; as that Marischall's people burnt one of Drum's children in hot wort; and Drum burnt Hall-forest,¹ and wasted sundry lands of Marischall's in revenge of that wrong."² Tradition—confirmed by the names of places in the neighbourhood of Drum—has preserved an account of the termination of a foray made by the Keiths upon the lands of the Irvines, who overtook their enemies before they could secure their plunder by recrossing the Dee. The result was that such of the Keiths as escaped the weapons of their pursuers in the place still called "The Keiths' Muir," were drowned in the deep reach of the river which still retains the name of "The Keiths' Pot." In this pool a point of rock at some distance from the bank projects above the water. This is "The Keiths' Stone," which, it is said, their leader succeeded in gaining, and where, although beyond the reach of hostile spears, he fell by the arrows of the Irvines.

The condition of Scotland at this time was truly miserable.³ The amiable King Robert III., partly from bodily infirmity resulting from an accident, but more from diffidence than want of capacity, believed himself unable to control efficiently so turbulent a community as the Scottish nation. On this account he delegated nearly all his authority—with the title of governor—to his brother, the Earl of Fife, afterwards Duke of Albany. The earl possessed that energy of which the king was deficient, but was utterly wanting in that virtue and honesty for which the king was distinguished. Under the sway and example of the governor, therefore, justice succumbed to violence, civilisation receded, anarchy approached, and organised bands of robbers rendered life uncertain and property untenable, unless guaranteed by power.

The most conspicuous as well as the most ferocious amongst the leaders of these banditti was the brother of the monarch and of the governor, Alexander Stewart, Earl of Buchan, who by his wickedness and cruelty fully merited the appellation of "The Wolf of Badenoch."⁴ Execrated by all good men who knew his character (a compound of every vice) and by all who heard of his actions (comprising every species of villainy), he was yet absolved by the clergy, and the middle of the choir of the cathedral of Dunkeld was desecrated by the remains of the wealthy ruffian, who, during his career of crime, had laid in ashes various

¹ Hall-forest, the tower in the forest of Kintore belonging to the Marischal.

² MS. in Drum papers.

³ The Great Council of the nation in 1397 refers to "the great and horrible destructions, hereschippes, burnings, and slaughters that are so commonly done through all the kingdom."—"Acts of S. Parliament," I., p. 203.)

⁴ "Lupus de Badenach."—"Fordun," by Goodall, II., p. 416; Tytler's "History of Scotland," III., p. 64.)

churches, and had given to the flames the cathedral of Elgin.¹ On his "stately monument" (besides the day of his death, 24th July, 1394) were inscribed his name, his titles, and his reputation as "of blessed memory." The epithet "Bonae Memoriae,"² although doubtless made palatable to the Church, was so repugnant to fact that history refused to ratify the falsehood or to recall his most appropriate title, "The Wolf of Badenoch."

The career of Alexander Stewart, the natural son of "the Wolf of Badenoch," although most remarkable in itself, is now but slightly sketched only in so far as it is connected with the fate and fortune of this Sir Alexander Irvine of Drum. Alexander Stewart first became known as leader of a band of cathcrands³ (Highland banditti), to whom the murder of Sir Malcolm Drummond, Lord of Mar, brother-in-law of the king, was, apparently with good reason, attributed. They stormed the castle of Kildrummy; and their leader became the husband of the widowed countess, either against or with her own consent;⁴ but existing documents make it certain that the lady soon transferred her great estates to the fierce wooer, and that the titles of Earl of Mar and Lord of Garvyauch⁵ further rewarded the desperate suit and daring enterprise of the young adventurer.⁶ His character seems to have changed with his fortunes, for the energy and ambition of Alexander Stewart, Earl of Mar, were directed to objects more worthy of the high position to which he had attained. Even in those palmy days of chivalry he was distinguished for valour and munificence, and not by those knightly virtues alone, for his country repeatedly benefited by his skill in the field as well as by his wisdom in council. After the death of the Countess of Mar, he, by a second marriage, in 1409, acquired the lordship of Duffyl in Brabant, and thus added another to his former titles of nobility.⁷ He closed his long, active, and successful career in 1435, but left no lawful issue to inherit the great fortune which he had founded by violence, increased by valour, and maintained by wisdom.⁸

The latter part of the fourteenth century and the commencement of the fifteenth, at which we are now arrived, were times of stirring adventure, when the rich nobles or aspiring knights sought employment—or, rather, opportunity to display their courage, wealth, and power—in the quarrels of foreign rulers, and in operations scarcely more respectable than those slaughters, raids, and liftings now unpoetically called murders, robberies, and thefts, in which compatriot

1 Chalmers' "Caledonia," I., p. 827; Wyntoun's "Cronykil," II., p. 363.

2 D. Stewart's "History of the Stewarts" in Douglas's "Peerage," I., p. 265.

3 "Fordun," by Goodall, II., p. 500.

4 "Sutherland Additional Case," V., pp. 45-8.

5 Garvyauch—now the Garioch.

6 Wyntoun's "Cronykil," II., p. 404.

7 Charter of 1410, and Wyntoun, II., p. 440.

8 "Fordun à Hearne," IV., p. 1313.

barons who remained at home disported themselves and found outlet for their energies.

Alexander de Irwyne appears to have accompanied the Earl of Mar when, in 1408, along with a great company of "knights, esquires, and gentlemen, he proceeded to France." At Paris, according to Wyntoun, who was a contemporary, and had the details of the expedition from "them that were present," the Earl of Mar held royal state for upwards of twelve weeks, during all which the gate and door of his lodging were kept open, that all who wished might obtain admission and entertainment. From Paris he proceeded to Bruges, intending to return home by sea; but, at the request of the Duke of Burgundy, whose acquaintance he had made in France, he turned aside to the assistance of John of Bavaria, who was then besieged in Liege. The force of the Earl of Mar consisted of a hundred armed men, inclusive of four knights—Sir James Scrimgeoure of Dundee, hereditary standard-bearer of Scotland; Sir Elis, Lord of Kynnynmond; Sir William, Lord of Nachtane; and Sir John of Bothvile. The army of the Duke of Burgundy was found prepared for battle when the small force joined it, and the Earl of Mar was assigned a post in the van where, besides that of the Duke, five other banners were displayed. It was at this time that Sir Alexander de Irewyne¹ was knighted along with five others—John, Earl of Sutherland; Alexander de Keth; Andrew Stewart, brother to the Earl of Mar; John de Menyeis; and Sir Gilbert de Hay. The Duke, after a desperate engagement, in which his army was victorious, entered Liege, and on meeting the Earl of Mar embraced him and acknowledged how nobly he had maintained his position in the battle.

The Earl of Mar afterwards wedded the Lady of Duffyl in Brabant; and on his return to Scotland granted to his cousin ("consanguineo nostro"), Sir Alexander Irewyne, the lands of Davachindore² and Fidelmonth in perpetuity. In this charter, which is dated at Kyndromy, 16th December, 1410, the granter styles himself Earl of Mar and the Garviauch and Lord of Duffyl in Brabant.³

1 In Wyntoun's "Cronykil" (McPherson), II., p. 435, the editor has mistaken the initial letter, and calls the name Grewyn. On this point I referred to the original in the British Museum; but I have since found that Joannes Major in 1521 and Ruddiman in 1725 were aware that it was Irewyne. It would appear that Ruddiman quoted from another manuscript than McPherson's, as he does not mention the Christian name of Meneis or Menesius, and uses Nechtan as a surname in place of a lordship, thus—"Centum viris fortibus comitatum tradit Vintonus quorum praecipui erant Joannes Sutherlandiæ Comes, Gilbertus Hagus, Alexander Kethus, Alexander Irvinus, Gul. Nechtanus-Mensius, Jacobus Scrimgerus, aliquis Kunmontius, et Jos. Bothuelius, omnes suarum familiarum principes."—(Ruddiman's "Notes to Buchanan's History," MDCCXXV., p. 351, No. 3.)

2 Now called Auchindoir, Craig of Auchindoir, etc.

3 This charter shows that Isabella Douglas (in her own right Countess of Mar) died prior to the date thereof, and that the husband, who had obtained the earldom for life, was again married. In Douglas's "Peerage," II., p. 202, the death of this Countess of Mar is placed in 1419. Probably 1409 was the correct date.

The lands of Davachindore, etc., were to be held by the payment of one penny, if demanded, at the south door of the parish church on the Feast of the Nativity, and were to be free from the following duties and imposts:—"Relief"—a payment to the superior by an heir before entering into possession; "ward"—the right of the superior to the guardianship of the person and property of the minor entitled to possession; "maritage"—the payment to a superior by a minor on his marriage, or, if unmarried, when he came of age, and before receiving his inheritance; attendance at the baron's courts; attendance at huntings; "takmarte"¹; "proviant"—purveyance of any kind for the castle²; dues to the armourer ("fabrisdera"); dues to the "tosachdera" (the baillie of the earldom)³. For the due fulfilment of the various stipulations in this grant, the Earl of Mar binds himself and his successors, under the penalty of a hundred pounds, to be levied by the bishop, and applied to the building of the cathedral church of Aberdeen. Gilbert, Bishop of Aberdeen and Chancellor of Scotland, is one of the witnesses to the charter.

The lands granted with these privileges lay on the route by which, a few months later, Donald, Lord of the Isles, rushed forward in his design of revenging injuries, and possibly with the hope of overturning the Stewart dynasty, then represented by the Regent Albany. From the outrages perpetrated by the islanders in their destructive march,⁴ we may infer that there was not wanting personal animosity as well as patriotism to stimulate Sir Alexander Irwyne to support his former commander against the Celtic hordes who had ravaged the lands of both and were overrunning the country.

The Earl of Mar hastily collected the levies of the barons of Angus, Mearns, Mar, Garioch, and Buchan, and advanced against the forces of the island chief, which he encountered at Harlaw on the eve of St. James the Apostle, 24th July, 1411. The site of the battle, formerly a moor, is on the broad summit of rising ground on the north side of the Ury, about three miles from the junction of that river with the waters of the Don at Inverury. Through this moor the highroad from Inverness to Aberdeen then passed. The former of these towns had already been occupied by the Lord of the Isles; and the plunder of Aberdeen, which he expected to reach on the morrow, had been promised by him to the fierce tribes collected under his standard.

The force of the islanders and Celtic clans amounted to ten thousand men,

¹Of "takmarte" I have been unable to find any explanation. "Marte" or "mairt," an ox or cow fattened, was, as early as the time of James IV., payable from some lands (Jamieson's "Dictionary"). Could "takmarte" be derived from "taxus" (the yew tree) and "marte" (for war)?

²"Et sine quocunque onere providentiæ ad castrum nostrum."

³"Dereth," the name of some kind of office (Jamieson's "Dictionary"). From this deed it would appear to be any office, at least from the judicial baillie of an earldom to the blacksmith.

⁴Leslie's "De rebus gestis Scotorum" (Rome, 1573), p. 269.

while that of the Earl of Mar did not, at the highest computation, exceed one-fourth of that number, but they had the advantage of protection by armour, of superiority in weapons, and of the experience of their commander and of the knights and gentlemen who served under him. These advantages neutralised the power of numbers, and, when added to the equal courage of the combatants, rendered the issue of the battle so long doubtful, that victory was still unwon when darkness put an end to mutual slaughter.

The van in this "grim battle of the Harlaw" was led by Sir James Scrymgeour and Sir Alexander Ogilvie, who, with their men-at-arms, cut their way through, but failed to discomfit the Highland host, who, despite the havoc made amongst them, still closed in deadly grapple with their gallant foes. The Earl of Mar, with Sir Alexander Irvine closely following his advance with the main body of the force, fought his way into the centre of the enemy's position, where he remained till darkness terminated the desperate conflict, and nine hundred Highlanders and five hundred of the royal force lay dead on the heath. Of the former were several chiefs of clans; and of their opponents the bravest knights, barons, and gentry of the north-eastern district of Scotland "left to the world their last gude-night."¹

The Earl of Mar maintained the perilous position he had so hardly won, while the Lord of the Isles retreated during the night, and thus surrendered the victory to his daring opponent. Tytler, followed by some writers, probably anticipated by others, states that "the Island Lord retreated by Inverury and the Hill of Benachie." He, no doubt, retreated up the valley of the Ury, but to have reached Inverury he must have defeated the royal army, for Mar, by passing on to Harlaw, not only secured an open field and firm footing for his knights and heavily armed horsemen, but also protected the town of Inverury, two miles in his rear. Nor was the covering of Inverury and the command of the highroad the only advantage of this forward position, but it also prevented the advance of the Highlanders by Caskieben, Kinkell, and the north bank of the river Don.

Under the Lord of the Isles the Highland host was commanded by his nephew, the chief of the Macleans, called "Eachin Ruaidh in Cath," or "Red Hector of the Battles." This chief and Sir Alexander Irwyne encountered and slew each other on the field,² probably on the very spot where the rude monumental heap of stones was raised, and which became known as "Drum's Cairn." History of a very early period (embodying remote traditions) records the personal combat and fate of the chief of the Macleans and Sir Alexander Irwyne, who is described as of pre-eminent strength. There is also a tradition that Maclean of Duart and the next Sir Alexander Irvine of Drum, the successors of those who fell at Harlaw,

¹ Ballad of "The Battle of the Harlaw."

² Tytler's "History of Scotland," III., pp. 105, 354.

exchanged swords as a proof that no feud or animosity existed between the families. The sword of Sir Alexander Irvine thus obtained was, it is said, in the possession of a descendant of Maclean's within the last hundred years.¹

About half a mile westward from the field of battle, near a place called Legget's Den, there were until a late period remains of a tomb, consisting of four large stones covered by a broad one, which an ancient, but certainly incorrect, tradition assigned as the last resting-place of the Lord of the Isles.² Tytler³ conjectures that it may have been erected for either of the chiefs of Macintosh or Maclean, both of whom fell in the battle. The fact that Donald of the Isles long survived his disastrous expedition disposes of the tradition; and we need have little hesitation in regarding this tomb (if it may not have been a prehistoric monument), and the cairns that once overspread the Harlaw, as the rude memorials of distinguished leaders of the victorious army. Amongst the slain were Sir William Abernethy of Saltoun, nephew of the Regent; Sir James Scrimgeour, Hereditary Standard-bearer; Sir Thomas Ogilvy, Sir Alexander Irwyne, Sir Robert Maule, Sir Thomas Murray, Sir Alexander Straiton, Provost Robert Davidson, and hundreds of the barons and gentry. Their surviving followers, no doubt, found sufficient occupation in rearing such memorials to their fallen leaders and friends without troubling themselves "cryand the coronach"⁴ or providing sepulchres for hated enemies whose track had been marked by indiscriminate havoc and devastation.

The importance of this battle in its results to the Lowland inhabitants of Scotland may be gathered from the freshness with which events connected with it have been preserved by tradition as well as in history. It is the subject of at least two long ballads,⁵ and its memory was preserved in a schoolboy game, as well as in a march mentioned as existing three hundred years ago.⁶

¹ Hector Boethius says: "Alexander Irruein a Drum ob praecepium robor Conspicuis."—(Fol. 1523, Liv. XVI., p. ccliv.)

² "The Black Cairn" on the hill of Rothmaise, five miles from Harlaw, was, with equal incorrectness, pointed out as the tomb of the redoubtable Donald of the Isles. It may reasonably be presumed that it was the place of sepulture of the proprietor of the land on which it was raised, William de Tulideff, who fell at Harlaw, which place, as well as his residence of Rothmaise, is visible from "the Black Cairn." Unfortunately, this memorial of other days was rudely opened towards the end of the eighteenth century, and is reported to have contained the skeleton of a man who had been buried in his armour; a key of rude workmanship is also said to have been found; it is added that these articles were conveyed to the house of Rothmaise—possibly on their way to the place whence they came, the blacksmith's shop. In the centre of the cairn four large stones composed the receptacle of the body; one was afterwards in the mill-dam of Rothmaise, and another in a bridge over a small stream at Tocherford. Thence it was removed to Mr. Chalmers's at Rothie-Brisbane.

³ Tytler's "History of Scotland," III., p. 334.

⁴ "Cryand the coronach on hie, 'Alas, alas for the Harlaw!'"—(Ballad.)

⁵ One glorifying the deed of the Forbesees, the other omitting all mention of the name.

⁶ Major's "History"; Chambers's "Ballads," p. 18: Notes to Chambers's "Ballads," p. 25.

What King Robert Bruce promised to his followers on the eve before the battle of Bannockburn¹ was readily conceded to those who fell at Harlaw, whose heirs were admitted into possession of the family property without the payment of the usual feudal fines.²

At Auchronie, in the parish of Skene, on the side of the old road leading from Drum towards Inverury and Harlaw, is the "Drum Stone," on which, it is believed, Sir Alexander Irvine rested when he delivered his last instructions in case of his falling in the impending collision between the Lowland levies and the Highland clans. From this spot were visible, in one direction, his tower of Drum, and, in the opposite, his final resting-place on the field of Harlaw. To preserve the memory of this incident, and to prevent the removal of the stone—not otherwise remarkable—by those who might be ignorant of the tradition connected with it, someone has caused this inscription to be cut upon it: "DRUM STONE—1411—HARLAW."

It is probable that Sir Alexander Irvine had arranged the contract of the marriage of his son and successor with the daughter of Sir Robert Keith, the Marischal, by which the blood-feud between the Keiths and Irvines was to lapse,³ but that the sudden call to arms, consequent on the irruption of Donald of the Isles, prevented its completion, and that Sir Alexander's last injunctions were that, if he and his eldest son, Alexander, fell in the impending conflict, his next son, Robert, should fulfil the contract and marry Elizabeth Keith.⁴ This appears to me a simple explanation, in strict accordance with facts, of the origin of the

1

"Giff ony deys in this bataille,
His Ayr, but ward, releff or taille,
On the first day sall weld,*
All be he never sa young of eild."

* "Weld"—enter into possession.

—(Barbour's "Bruce," by Jamieson, p. 244.)

2 Spalding Club "Registrum Epis. Aberd.," I., pp. 214, 215

3 The extinction of the feud between the families is referred to in the marriage contract of the Alexander Irvine who succeeded to Drum in consequence of the death of Sir Alexander at Harlaw. This deed is dated 16th October, 1411—less than three months after the battle.

4 That Sir Alexander Irvine who succeeded to Drum after Harlaw had a brother called Robert is proved by a deed of 1424 from Fraser, Lord of Philorth, to his son-in-law, Forbes of Pitsligo.—(Spalding Club "Antiquities," II., p. 381.) Such contracts were then common, in which it was agreed by the parents that, in the event of the death of one brother, another was to fulfil the marriage contract. One of these contracts is given at length in the Spalding Club "Antiquities," II., p. 353. In 1461 there is an extraordinary contract of this nature "Betwixt hie and myghty Lords, George, Earl of Angus, etc., and Alexander, Earl of Huntly, etc.," in which it is agreed that Archibald, son and heir of the Earl of Angus, shall marry Katherine, or whichever other daughter of the Earl of Huntly the Earl of Angus likes best to choose. In the case of the death of Archibald, the Earl of Angus's next son, being his heir, shall marry Katherine, or any other daughter of the Earl of Huntly, and so on from son to son and daughter to daughter, legitimate children of the two earls, until the marriage be completed.—(Spalding Club "Miscellany," IV., p. 131.)

tradition that existed from an early period, and was then embodied in history,¹ that, on the fall of Sir Alexander Irvine at Harlaw, his brother Robert—in consequence of the wish of deceased expressed when sitting on the Drum Stone—changed his name to Alexander, and married Elizabeth Keith, the virgin widow of his elder brother.²

It would appear that the family held lands in Forfarshire, as this Sir Alexander Irvine granted a charter of the lands of Inchstare to Robert Bell in the reign of Robert III.³

From the fragment of the ancient genealogy which is inserted in the account of Thomas de Irwin, it appears that the only daughter of “Monteford, a famous knight,” holding lands in Buchan,⁴ was the wife of this Sir Alexander Irvine. He left at least two sons—Alexander, his successor, and Robert.⁵

1 Hector Boece and Drummond.

2 Former genealogies and histories (some of them of considerable antiquity) have recorded that Sir Alexander Irvine, who fell at Harlaw, was married (in 1404) to Elizabeth Keith, daughter of the Marischal; that they never lived together; that after his death, in 1411, his virgin widow—according to his last request—was married to his brother and successor, who then changed his name from Robert to Alexander in order to fulfil the former marriage contract. It is not from the change of his Christian name, nor even from the marriage of a widow to the brother of her first husband, strange as such acts may now appear, that I was led to disbelieve this double alliance; for like cases about that period may be found in the history of noble Scottish families; but it is from arguments and evidence which I think conclusive that I have adopted the genealogy of the text. Former genealogies all call the son of William de Irwin “Alexander,” and say that his wife was a daughter of Sir Robert Keith, the Marischal, who was killed at Durham in 1346. I have already remarked that the name Alexander is disproved by the monumental brass of Sir Alexander who succeeded in 1411, besides which Sir Robert Keith had no daughter. She might have been his sister; but if so, as their father died before 1324, it will be seen that the date is inconsistent with events in the account of Sir Alexander who succeeded to Drum in 1411, and died in 1457, and who has hitherto been called the brother of his predecessor, and, therefore, the son of this lady. Neither is it likely that there were two brothers of the name of Robert, for it was not a common family name; and the deed of 1424, referred to in the preceding note, shows that the Alexander who is said to have changed his name from Robert had a brother of that name. The marriage contract of Sir Alexander Irvine and Elizabeth Keith, dated 16th October, 1411, is still extant in duplicate, but in it there is no reference whatever to a former marriage, which, had the marriage taken place, could hardly have been avoided, as considerable estates were transferred as part of the lady’s dower. In addition to these facts and arguments there is now the direct evidence of the fragment of an ancient genealogy, lately found, which states that the only daughter of “Monteford, a famous knight,” was the wife of Sir Alexander Irvine, who fell at Harlaw; and that “Alexander Irvine, his son, married the Marischal’s daughter”; and on the 12th May, 1331, the Bishop and Chapter of Aberdeen granted a charter to William de Irwyn and the three next heirs in descent from him (“Willelmo de Irwyn et tribus heredibus successive descendentibus”) of the lands of Dulmaoch, etc., the last of whom succeeded after Harlaw, and, on 18th November, 1452, resigned all right to these lands, which thereafter were held for service, and by consent of the Bishop.

3 “Carta Ion, given by Alexander Irvine of Drum to Robert Bell, burghess of Dundee, of the wadset of the lands of Inchstare, and of the annual furth of Oeris.”—(Robertson’s “Index,” 137, 6.)

4 The lands of Lonmay in Buchan, which appear in possession of her son, the next Sir Alexander Irvine.

5 See deed of 1424 (Spalding Club “Antiquities,” II., p. 381).

I have not been able to trace the relationship of Sir Alexander Irvine to the Earl of Mar, who, in the charter already quoted, calls him cousin. The Duke of Albany, Governor of Scotland, in the deed of 1414,¹ confirms the grant of lands by his nephew, the Earl of Mar, to his cousin (consanguineo suo), Alexander De Irwyn de Drum. Doubtless a connection with some very powerful family was required to enable the Irvines of Drum, in such troublous times, to set at defiance the Keiths, Marischals of Scotland, and to terminate their hostilities by an alliance, accompanied by a grant of considerable landed estate.² I shall conclude this notice with the eulogistic verse from the ballad of "The Battle of the Harlaw":—

"Gude Sir Alexander Irving,
The much renownit Laird of Drum,
Nane in his days was better sene,
Whan they war semblit all and some.
To praise him we sould nocht be dumb
For valour, wit, and worthiness.
To end his days he there did come,
Whose ransom is remedyless."

SIR ALEXANDER IRWYNE.

FROM 1411 TO 1457.

THIS Alexander Irwyne succeeded his father, who was killed at Harlaw on the 24th July, 1411; and on the 16th October of that year his marriage-contract was completed with Elizabeth de Keth, daughter of Sir Robert de Keth, Marischal of Scotland, who grants as tocher-gude with the lady the lands of the barony of Strathekyn in the county of Kincardine.³ This contract is in duplicate, but although dated at the same place, on the same day, and authenticated by the same witnesses, there is this remarkable difference between the two copies, that, whereas in one the lands given in dower with Elizabeth de Keth are to be held by Alexander de Irwyn, Lord of Drum, and his descendants, for *homage and fealty* to the Keiths Marischal, in the other all reference to homage and fealty is omitted, and the gift purports to be for the marriage then contracted and *for the feud that had existed* between the families. The most probable explanation of this curious discrepancy is that, according to the tradition, the families had been enjoined by the paramount authority to settle the "cruel feud" that existed between them; that the terms had been arranged before Sir Alexander was killed at Harlaw; and

¹ Charter of confirmation, 5th May, 1414.

² The lands of Strachan.

³ The lands of Tullylare, Tulygowny, Balcharne, Sanfur, and Culaimach, in Strathekyn.

that the first deed was an unsuccessful attempt to omit one important cause of the grant, and to foist a tenure of homage and fealty upon the successor, Sir Alexander, which was perceived and rejected. This contract is the latest amongst the Drum papers in which I have noted the grant of slaves and their progeny,¹ and the first in which I have perceived any mention of the duties called "arrage and carriage"—that is, work by horses, whether in field labour or conveyance of articles.²

This Alexander Irvine, soon after he succeeded to Drum, obtained the lands of Forglen, to be held for the performance of certain services, amongst which was the leading the vassals of the Abbey of Aberbrothoc under "the Bracbenoch" in the king's army. Of this ancient relic and its associated territory of Forglen, so long connected with the Irvines of Drum, a brief account may not be without interest.

THE BRACBENOCH.

WHEN the Abbey of Aberbrothoc³ (dedicated to Saint Thomas of Canterbury) was founded and endowed by King William the Lion in 1178, amongst other valuable gifts and privileges bestowed on it by that monarch was the custody of the Bracbenoch, or consecrated banner of Saint Columba,⁴ to which, from of old, had been attached the lands of Forglen—or Forglint, as it seems then to have been called. At what period this relic first became associated with the territory cannot now be determined; but in 1178, by royal grant, the lands of Forglint were confirmed "to God, Saint Colomba, and the Bracbenoch,"⁵ the property and guardianship of the relic being assigned to the monks of Aberbrothoc, who were charged with the due performance of the services required from the land and the keepers of the Bracbenoch.

The Bracbenoch has generally been called "the consecrated banner" of Saint Colomba, and, from various charters, appears to have been the standard of the

1 "Nativis et eorum sequelis."

2 Skene points out that these duties are mentioned in a deed of 1371.—("De Verborum Significatione"—"Arage.")

3 Now called Arbroath.

4 Bracbenoch—thus spelt in the oldest charters.—(B.C. "Registrum de Aberbrothoc," p. 5.)

5 "Brekbenach, a particular military ensign." "The Laird of Drum held certain lands of the Abbot of Arbroath for payment of a yearly reddendo et ferendo vexillum dicti abbatis, dictum Brekbenach." This signifies "the blessed or consecrated banner," from the Gaelic "bratach" (a banner or ensign) and "bean urrichte" (blessed).—(Jamieson's "Scottish Dictionary"); also charter of King William of 1178 (B.C. "Registrum de Aberbrothoc," p. 5; Spalding Club "Antiquities," I., p. 510).

Abbey to which its keeping was entrusted. The word is also said to mean "the spotted banner"; and I would now offer for consideration an opinion suggested to me by an incident related both by Adamnan and Cuminius—viz., that the Bracbenoch was that garment of Saint Colomba which, after his death, was believed to possess miraculous power.¹ Both these ancient biographers² relate that, some time after the death of the saint, a miracle was worked by means of the vestment in which "the man of God" was wrapped at the time of his dissolution. They assert that, in a period of continued drought and impending plague, certain ceremonies were performed with this relic, when heavy and abundant rain immediately commenced, whereby plenteous crops were ensured and famine and disease were averted from the land. Nearly three hundred years ago, Bishop Leslie, in describing the dress of his countrymen, was unable to say exactly what garment worn by the Scots was in ancient times called "Brach."³ This word compounded with "beannuiche" (blessed) gives the name of what certainly was a relic of Saint Colomba, the Bracbenoch, the standard of the Abbey of Aberbrothoc, and the custody of which carried with it the lands of Forglen.

The probability of the derivation suggested above is increased by the analogous case of Saint Cuthbert's sacred banner.⁴ From the force hastily assembled under this frail relic of the Northumbrian saint, the Scottish host, led by their king, recoiled discomfited on Cutton Moor, and that combat, fought 22nd August, 1138, is known in history as "the Battle of the Standard." The banner of Saint Cuthbert, for the last time, gave confidence to the military array of the northern counties of England, in 1513, on Flodden Ridge, where the flower of Scotland's chivalry was crushed, and "the pride of the land lay cauld in their clay."⁵

To save those who may take an interest in the subject the trouble of reference

1 "Miraculum per tunicam ejus factum. Post mortem viri Dei, grandis facta est verno tempore siccitas. Fratres autem imminentem plagam pertimescentes, candidam tunicam beati viri, qua in hora exitus sui indutus erat, in aere levaverunt, terque excusserunt; et libros manu ipsius descriptos legerunt—quae omnia rite peracta mirum dictum eadem die pluvia vehementer facta, sitientem terram irrigavit, letasque segetes eodem anno protulit."—"Autore Cuminio Abbate Hyensi, in Pinkert's vite sanctorum," p. 44.) Adamnan, in describing the same miracle, says: "Sancti Columbae candida circumierunt tunica."

2 Cuminius was Abbot of Iona, and wrote the life of his sainted predecessor about A.D. 670, or seventy-three years after the death of Saint Colomba. Adamnan was also an Abbot of Iona, and wrote a very few years after Cuminius.

3 Joannes Leslaeus' "De origine, moribus, et rebus gestis Scotorum" (4to, MDCLXXV.), Lib. I., p. 55. The oldest notice of this relic calls it Brachbenoch—"brat," a covering, coverlet, etc., or "breackn," a plaid, etc., or "bratach," a banner, etc., or "breac," spotted, etc., and thus allows a choice of derivation.—(Armstrong's "Gaelic Dictionary.")

4 To this my attention was called by Mr. Joseph Robertson. During the action the monks of Durham displayed on the point of a spear "The Holy Corporex cloth wherewith Saint Cuthbert covered the chalice when he used to say mass."—(Brayley and Britton's "England Deld.," V., p. 199.)

5 Lament of Flodden, "The Flowers of the Forest."

to works not always at command, I may here mention that Saint Colomba was born in 521. He was descended from the race of the Irish kings and also connected with the kings or chiefs of the Scots who had established themselves on the western coast of Scotland. In the forty-second year of his age he left Ireland, accompanied by twelve disciples, and, reaching the opposite coast, received from Conal,¹ the Scottish king, the investiture of the island of I or Hy (Iona), often in after-times called, after the saint, I. Colombcil. Saint Colomba, who succeeded in converting to the Christian faith the inhabitants of Scotland north of the Grampian mountains, generally resided at Iona, and died there on the 9th June, 597, in the seventy-sixth year of his age.²

To the layman who held the lands of Forglen from the Abbey of Aberbrothoc was assigned the military command of all the vassals of the Abbey whenever they were called on to raise the sacred banner and to range themselves beneath it in the royal host. Under this tenure the knightly family of Monymusk of Monymusk held the lands of Forglen—except during a temporary forfeiture³—until the death of Sir John de Monymusk, prior to 1388. Then John Fraser, the representative of the family of Monymusk by a female, received possession, which he resigned to the Abbot in 1411⁴. At that time, or soon after, and on the same tenure, Sir Alexander Irvine of Drum acquired the lands of Forglen,⁵ which his descendants

1 Other accounts say from Bredei, the Pictish king.

2 Bede's "Ecclesiastical History" (Bohn's edition), pp. 113, 114; Smith's "Life of Saint Colomba."

3 In 1315, Malcolm of Monymusk, son of the deceased Thomas of Monymusk, had a charter from the Abbot of Aberbrothoc of the lands of Forglen, which belonged to the Bracbenoeh. In the reign of David II. the lands of Henry of Monymusk were forfeited in consequence of his having passed into England and having adhered to the King's enemies. In 1357 he obtained a remission of the forfeiture, and his estates in the shires of Banff and Aberdeen, not previously granted to others, were restored. This Henry of Monymusk is said (Douglas's "Peerage," II., p. 412) to have married Janet, daughter of Hugh, Earl of Ross, whose other daughter, Euphemia, was married, in 1355, to Robert, Earl of Strathern, afterwards King Robert II. In 1388, Gilbert Urry and his wife Johanna, as heirs of Marjory, daughter of John of Monymusk, having resigned their right, Forglen was granted to "the husband of Marjory," John Fraser, who appears as Lord of Forglen when witnessing a deed in 1388.—("Registrum de Aberbrothec," pp. 5, 10, 72, 296, etc.; Spalding Club "Antiquities," I., pp. 510-16, etc.)

4 In 1411, John Fraser resigned the lands of Forglen to the Abbey of Aberbrothoc.—(Ibid., p. 513.)

5 The exact time when Sir Alexander Irvine acquired the lands of Forglen is not mentioned; probably it was on the resignation of John Fraser. Sir Alexander Irvine is mentioned as Lord of Forglen on his monumental brass.

In October, 1466, in presence of the Lords Auditors of Parliament, Andrew Urry demanded from the Abbot of Aberbrothoc an answer to his claim to have the lands of Forglen. The Abbot shortly replied he "suld do that law walde." The law, however, would not, or could not, give satisfaction to the claimant, for, either by might or right, and certainly with the consent and support of the Abbot and monks of Aberbrothoc, the Irvines of Drum continued to retain possession of the lands of Forglen and to perform the duties required from the guardians of the Bracbenoeh.

retained long after the time-honoured relic of Saint Columba had disappeared as a claimant of their services, and of the territory of Forglen, so long attached to its fortunes.¹ The Bracbenoch probably shared the fate of the Abbey of Aberbrothoc, for the appeal of antiquity was not likely to weigh with the mobs or leaders whose zeal or fury spared neither the temples of their God nor the tombs of their ancestors. If it were not for the many enduring proofs of the cupidity of many professed reformers at the time of the Reformation, their violence might be compared to a hurricane—commissioned to purify, but permitted to destroy.

In the several notices of succession of the Irvines of Drum recorded in the "Registrum de Aherbrothoc," that of the investiture of Alexander Irvine by George, Abbot of Aberbrothoc, in 1481, is the most explicit,² and relates that "Nobilis vir," Alexander Irvine of Drum, personally appeared³ with the evidents and muniments of the land of Forglen as held by his predecessors from the Abbots and Monastery of Aberbrothoc. Having in the usual manner done homage for these lands, and, with bended knees and joined hands, pronounced the oath, he was constituted by the Abbot leader of all those owing service in the lands, wherever situated, and holding from the Monastery of Aberbrothoc. Sir Alexander Irvine was thus admitted to exercise authority over all the vassals of the Abbey, those on horseback as well as those on foot, whenever they were required by the king, and directed by the abbot, to join the royal host and to serve in defence of the king and country under the Bracbenoch.

His name often appears in deeds of that period as lord of Drum or of the forest of Drum, and, after January, 1423-4, as knight.⁴ In 1423, along with

1 Adamnan being the tutelar saint of the parish of Forglen, and the dedication of an ancient chapel which it once contained to that successor and biographer of Saint Columba, may be considered as showing a very early connection between this territory and the relic of the great Apostle of the Northern Rites. There is also a well called Com's, or Colm's, Well in the neighbouring parish of Alvah (Spalding Club "Antiquities," II., p. 311). In 1624, Forglen was disposed to John Urquhart of Craig-Finray (now Craigston), whose eldest son was married to Isabella, daughter of Alexander Irvine of Drum (Drum MS. and deeds). It soon after passed into the possession of George, Lord Banff ("Retours Special—Banff," 125), who was married to Margaret, eldest daughter of Irvine of Drum. From Lord Banff, Forglen descended to Sir Robert Abercrombie, Bart., chief of that ancient name as well as representative of the family of Ogilvie and heir of Lord Banff.

2 Registrum de Aberbrothoc, quoted in Spalding Club "Antiquities," I., pp. 514, 515.

3 This was at the Chappel of Torre (Torry), situated on the bank of the river Dee opposite Aberdeen. This place was afterwards a burgh of barony, of which the Abbey of Aberbrothoc was the superior.—(Ibid., pp. 262, 263.)

4 On 2nd June, 1413, Alexander de Irwyne, "dominus de Drum," is a witness to a charter of Robert de Keth, the Marischal, to his son, John de Keth, of the barony of Troup.—(Robertson's "Index," p. 166.)

On 5th May, 1414, by a charter, Robert, Duke of Albany, confirms the gift made by his nephew, Alexander, Earl of Mar, to his cousin, Alexander de Irwyne de Drum, of the lands of Davachindore and Fidelmonth.

On 22nd November, 1417, Alexander de Irwyne, "dominus foreste de Drum," was present at a

William Hay, the High Constable; Henry Lichton, Bishop of Aberdeen; Archibald Douglas, and Richard Cornal, Archdeacon of Landon, he was employed on an embassy to England to negotiate for the release and ransom of King James I.¹

In 1424, James I., then in the thirty-fourth year of his age, returned from a captivity of nearly twenty years duration in England. He was accomplished, able, and educated in the learning of the times. He saw his country suffering under many tyrants; the humble oppressed; and the laws despised by lords and barons, who were neither obedient subjects nor merciful rulers. He determined to amend the state of the people and limit the power of the privileged classes. Such a design was worthy of a wise monarch; its execution required the resolution of a brave one. James I. certainly possessed many qualifications for his noble task, but, unfortunately, lacked two most essential virtues of a king—mercy and that honesty which embraces justice. For want of these, his great schemes partly failed, and he himself fell—not, as has been sometimes said, a martyr in the cause of civilisation, but as a warning to those who would commit present evil for prospective advantage.

He entered upon injustice by intimidation when, in 1425, he imprisoned twenty-six of the principal barons, among whom was Sir Alexander Irvine,² and then released seven of them to sit amongst the judges who were assembled to try

perambulation of the marches betwixt the Abbey lands of Aberbrothoc, in Tarves, and Uldnay.—(Spalding Club "Antiquities," I., p. 344.)

On 2nd January, 1420, Alexander de Irwin, "dominus de Drum," is witness to a charter of Alexander Stewart, Earl of Mar.—(Spalding Club "Miscellany," IV., p. 115.)

On 7th July, 1420, Alexander de Irwin, "dominus de Drum," is witness to a deed by Mariota de Prestoun, daughter and co-heiress of Sir Henry de Prestoun, of the lands of Fermartyne to John de Forbes.—(Spalding Club "Antiquities," I., p. 353.)

On 9th June, 1422, Alexander de Irwyn, "dominus de Drom," purchased the lands of Ardgrane, in Buchan, from John, son and heir of the late Margaret Harrowar.

On the 20th of February, 1423/4, Alexander de Irwyn of Drum appears as knight in witnessing a deed, also on the 31st July, 1424 (of the lands of Harlaw and Little Warthill).—("Registrum Epis. Aberd.," I., p. 220, 221.) On 13th January, 1424, Sir Alexander Irwine is witness to a charter of Alexander Stewart, Earl of Mar, to Alexander de Seton de Gordon.—(Spalding Club "Antiquities," I., p. 555.) In 1430, Dominus Alexander de Irwyn de Drum is witness to a charter of the lands of Ury to William de Haia, Constable of Scotland. On 30th June, 1432, Sir Alexander Irwine is witness to a deed of Alexander de Seton, Dominus de Gordon.—(Ibid., p. 556.) In 1435, Sir Alexander Irwine is witness to a deed of Sir William Forbes of Kynaldy.—(Ibid., p. 393.) On 26th June, 1436, Sir Alexander Irwine is a witness of Sir Alexander Forbes of Forbes to a deed.—(Spalding Club "Registrum Epis. Aberdon.," I., p. 294.) On 3rd April, 1441, Sir Alexander Irwine of Drum is witness to the charter of King James II. to Alexander de Seton, Earl of Huntly.—("Acts of Parliament," II., p. 56.) On 16th July, 1455, Sir Alexander Irwine of Drum appears in a brieve of perambulation of Abbey lands of Aberbrothoc.—(Spalding Club "Antiquities," I., p. 234.)

¹ This is mentioned by Boethius, folio 1523, Lib. XVI., p. ccclix.; Joannes Leslacus (1675, 4to), Lib. I., p. 53, etc.; by Drummond, "History of Scotland," p. 2.

² "Fordun," à Hearne, IV., p. 1269; à Goodall, II., p. 483.

the doomed kinsmen of the king—the Duke of Albany, his two sons, and the aged Earl of Lennox. These may have been ambitious and wicked—Albany's father certainly was, but he had passed from the scene—they had probably regarded the king's captivity with satisfaction, they may have conciliated the great by overlooking their crimes, and neglected the interests of the people, but their condemnation and execution cannot be elevated even to the dignity of merciless justice, as the manner of its accomplishment showed at best personal revenge, although meaner motives were at the time assigned—and probably with truth. From contemporary authority it is apparent that "insatiable and greedy avarice" was the cause of these executions and forfeitures, and that "the people of the land sore grudged and mourned" the fate, and, doubtless, in so doing forgot the faults of the relations and victims of the king.¹ Having accomplished his object, the king released those barons, of whom Sir Alexander Irvine was one, who had not been required, or could not be depended on, for the condemnation of the accused noblemen.

He had early gained the goodwill of the clergy by supporting their privileges, and retained their good offices by permitting them to indulge in human sacrifices. Secure of their forbearance, he proceeded rapidly in his designs against the rich and powerful; he obtained by fraud and injustice other two earldoms—those of Mar and Stratherne—while, with questionable legality and heartless severity, he seized the still greater prize of the earldom of March. Thirteen years after the return of James I. to his kingdom, his energetic career was cut short by a violent death at the hands of one whom he had mortally injured. Sir Robert Graham, who committed the cruel deed, was no assassin: for, eloquent, independent, and fearless, he was a noble savage, who, when denied justice, took revenge in imitation of his sovereign and victim. First openly renouncing his allegiance, he denounced the tyranny of the king, and defied him to the death. A large reward was offered for his head. But with an armed band he assaulted the convent at Perth in which the court temporarily resided, and put the king to death.² The crime of this horrible deed is partly mitigated when we read of the cruelties practised on Sir Robert Graham and his accomplices previous to their death. Disgusting, indecent, inhuman—it may be a libel on fiends to say infernal—torments were inflicted on these criminals by order of the counsellors of that murdered king and his widowed consort, who, we are told, were introducing civilisation into Scotland!

The sudden death of an active sovereign and the succession of a minor threw

1 "Cronycle of the false murdure of the Kyng of Scotys"—"Miscellanea Scotica," II., 7; also Pinkerton.

2 "Cronycle murdure of the Kyng of Scotys"—"three thousand demys of gold" was the reward to those who might take or slay him; also pages 26-8. For an account of the tortures, "Miscellanea Scotica," Vol. II.

the country into a state of disorganisation which is thus forcibly described in a Scottish chronicle¹:—"Slaughter, theft, and murder was then patent, and so continued day by day, so that he was esteemed the greatest man of renown that was the greatest brigand, thief, and murderer." This seems to have continued until at last "no man knew where to seek refuge, unless he had sworn himself to some common murderer or bloody tyrant to maintain him against the invasion of others, or else had given largely of his gear to save his life and to give him peace and rest." It was at this time (1439)—but, it is hoped, with a better character—that Sir Alexander Irvine of Drum was chosen captain and governor of the town of Aberdeen. In 1440 he was continued in the same office, which was unknown before, and has never since been revived.²

The anxiety of James I., on his return from captivity, to improve agriculture and to introduce or extend particular crops is curiously evinced by the Act of Parliament of 1426, which ordains that, throughout all Scotland, every person cultivating land, and having a plough and eight oxen, shall every year sow at least a firloft of wheat, half a firloft of peas, and forty beans. On failure of the husbandman to do so, the baron of the land was ordered to levy a fine of ten shillings, omitting which duty, he himself was subject to a penalty of forty shillings; and if he neglected to sow his domains in the manner enjoined in the Act, he had to pay a penalty of forty shillings to the king.³

The Act passed by James I. and his council, in 1427, regarding the slaying of wolves, shows how common and destructive these animals must then have been. It was ordained that every baron within his barony should at the proper time search for and slay wolves' whelps; that he should, four times in each year, and as often as a wolf should be seen within the barony, assemble all his tenants and hunt the wolf; that those persons failing to attend when summoned for such a purpose should be liable to the payment of a wedder; and that no man should attempt to shoot the wolf unless at these hunts. As the order for the destruction of the whelps shows that wolves were not reserved for sport, the last clause quoted was probably intended to prevent any person from frightening away the animal before the inhabitants of the barony could be assembled, when there would

¹ Lindsay, of Pitscottie's, "Chronicles," I., pp. 3, 36.

² 3rd October, 1440—"Dominus Alexander de Irwyne dominus de Drum Miles continuatus fuit in officio Capitanei et Gubernatoris burgi."—(Council Register of Aberdeen, p. 6.) From Joseph Robertson, Esq., I have received the following extract and suggestion:—"In the Computum customariorum burgi de Aberdene, 10 Jul 1442—30 Jul 1443, is this payment—'Et per solucionem factam Alexandro de Irwyne de Drum militi pro feodo suo de anno computi et de mandato Regis vt patet per literas suas de precepto sub privato sigillo usque ad etatem Regis legitimam duraturas et dicti Alexandri de recepto ostensas super computum. XX. librc. From the Exchequer Rolls.' Can this payment be in connection with Sir Alexander Irvine's office of Captain and Governor of Aberdeen?"

³ "Acts of S. Parliament," II., p. 13.

be less chance of its escape.¹ In 1457 this Act was somewhat altered, and it was ordained that, wherever there were wolves, the sheriff or his bailie should assemble the people three times in each year between St. Michael's Day and Lammas, "for that is the time of the whelps," and whosoever fails to attend the sheriff or baron within his own jurisdiction shall forfeit a wedder, and he who then, or at any other time, shall kill a wolf shall be entitled to one penny from every household in the parish. At the same time it was ordained that whoever killed a fox, and brought the head to the sheriff or baron, should receive six pence.

At this time also (1457) the general want of wood and shelter in the country was such that Parliament requested the king to enjoin all freeholders, spiritual and temporal, to compel their tenants to plant woods and trees, to make hedges and to sow broom. In 1535 this was further enforced by statute; and to protect the growing timber the punishments enacted for cutting, burning, or destroying greenwood were of barbarous severity—for the first offence a fine of ten pounds, for the second a fine of twenty pounds, and for the third, death! In 1555 these laws were re-enacted in all their severity.²

Another Act passed in 1427 eventually produced a great change in the position of the lesser barons of Scotland. By this ordinance they were *not excluded* from the Scottish Parliament, but, on condition of their sending two or more representatives from each county, and paying their expenses, they were *no longer required* personally to attend. No record exists by which the line can be traced that separated the barons that were thenceforth excused from those for whom Parliamentary attendance still remained compulsory. The extent of their possessions was probably the ostensible reason for enforcing on the great barons that attendance, which was an expensive duty, and then appears to have been reluctantly performed. The daring and astute mind of James I., with whom this change originated, was however, doubtless influenced by occult reasons of deeper import than sympathy for the expenditure of the "smal baronis." It appears that the king wished to assimilate the Parliament of his country more nearly to that of England, and to commence the representative system.³ But we may well imagine other and more pressing reasons for this innovation. As already noted, the cherished policy of the monarch was to curtail the power of his nobles: it was the great object of his political life and the cause of his violent death. He could not but understand that the voices of the lesser barons within his council, and the assembly of their followers without, would naturally be employed in support of the schemes of turbulent nobles who possessed paramount local influence. Indeed, he could not have expected the lesser barons to expose them-

¹ It was also ordained that the man who slew the wolf and brought the head to the baron should receive two shillings.—("Acts of S. Parliament, II., pp. 16, 51, 52.)

² *Ibid.*, pp. 51, 343, 499.

³ *Ibid.*, II., p. 15, No. 2.

selves to the enmity of petty tyrants who occasionally dared the crown and generally oppressed the country. Neither is it likely that the lesser barons sympathised with the monarch in his wish that impartial justice should be administered to the poor and the majesty of the law should be sternly vindicated against the powerful. In dispensing, therefore, with their attendance at Parliament, he deprived the nobles of numerous allies and adherents who would never have assisted in advancing the royal prerogative.

In 1455 it was ordained that barons attending Parliament should appear in a mantle of red cloth, open before, and lined with white silk or with fur of "crisy grey-grece (miniver) or purray," the hood to be of the same cloth and lined with the same material.¹

It was one hundred and forty years after this Act of James I. before any effectual steps were taken to ensure the sending of representatives to Parliament by the barons and freeholders of the crown. In the year 1567 it was declared that, both in "law and reason the barons of this realm ought to have votes in Parliament as part of the nobility," and ought also to secure a sufficiently numerous attendance.² In 1457³ and 1503,⁴ Acts were passed excusing barons from Parliament who had less than a fixed amount of income, but the exemption did not apply to the barons of Drum, as they can be traced in the records of the Parliament up to the period when representation was really established—in 1587.⁵

To return from this digression: in 1440, Robert, Earl of Mar, Lord of Erskyne, with the consent of his son, Sir Thomas Erskyne, gave a charter of confirmation of the grant of his predecessor, Alexander Stewart, Earl of Mar, to Sir Alexander Irwyue of Drum, of the lands of Davachindore, etc. In this confirmation there is one reservation—the escheats called "waith,"⁶ being found articles unclaimed and strayed animals. This Robert, Earl of Mar, Lord of Erskyne, in 1438 had, with due form, entered into possession, and continued until his death to retain, his rightful inheritance of the earldom of Mar, of which, however, his son was deprived, while he himself was declared to have held without a good title.

In regard to the succession of the Erskynes to the earldom of Mar, and their treatment by so many of the Stewart kings, we find that their right was acknowledged by Parliament in 1390, and that King Robert III. falsified a promise which,

¹ "Acts of S. Parliament," II., p. 43, No. 10.

² *Ibid.*, III., p. 40, No. 33.

³ *Ibid.*, II., p. 50, No. 21.

⁴ *Ibid.*, II., p. 252, No. 23.

⁵ In James II. (A.D. 1441), "Acts of Parliament," II., p. 57; James III. (A.D. 1471), Vol. II., p. 102; in James IV. (A.D. 1488), Vol. II., p. 200; in Queen Mary's reign (A.D. 1560), Vol. II., p. 525.

⁶ "'Waifs,' strictly speaking, are goods stolen and thrown away by the thief."—(Bell's "Principles of Scottish Law," p. 480, No. 1294.)

in justice to them, he had made under the Great Seal in 1393. James I. committed an act of gross injustice in 1426 by granting a charter of the earldom to a kinsman, who had no claim except through his wife, and for his own lifetime. James II., not daring openly to perpetrate so glaring an act of unrighteousness as to seize the earldom, proceeded to secure his ends by using the forms of law and prostituting the court of justice for the furtherance of iniquity. On the 5th November, 1457, the King presided in person at a solemn assize at Aberdeen, attended by the Chancellor, Constable, Marischal, High Justiciar for the North, etc.—an imposing retinue.¹ There the monarch falsely claimed, and the court dishonestly adjudged, the earldom of Mar to be the property of the Crown. The King then bestowed it on his son, John Stewart. James III. granted the revenues of Mar to his favourite, Cochran, and afterwards bestowed the earldom on his son, Alexander Stewart. James IV. retained the earldom, as did also James V. Queen Mary first granted it to her natural brother—known as the Regent Earl of Moray—but eventually gave permission to the Lord Erskine to have his claim fairly investigated. The result was a decision in his favour, on which Queen Mary, in 1635, restored the earldom to him.

The continued injustice of these princes to the representatives of the most ancient of their nobles and the most faithful of their followers is not more remarkable than the fate of those who thus abused their royal powers, or of the families on whom they bestowed the fatal gift of the revenues or honours of Mar. In the hundred and twenty years during which the broad lands and noble title of Mar had been withheld from its rightful owners, it was possessed by five kings, one queen, three sons of kings, and one subject. Of these, five were murdered; one died in prison (the manner of his death was uncertain; but he was a prince, and a prisoner under sentence for treason); two were killed in battle; one died of grief; and one before he arrived at manhood.²

In 1446 James II. granted a charter of the lands of Largnye (Learney), in the barony of Neale in Coule, to Sir Alexander Erwyn of Drume, on the resignation of John de Haliburtonne of Saulyne.

Sir Alexander de Irwyne, by a deed dated at Drum on the 18th November, 1452, resigned all right to the church lands of Dulmayok, etc., into the hands of Ingelram de Lyndesay, Bishop of Aberdeen, agreeing to hold thereafter for service and by consent of the bishop.³ This is accounted for by this Alexander being the

1 "Lives of the Lindsays," I., pp. 147, 148; and Douglas's "Peerage"—"Mar."

2 The five murdered were—King James I. in 1437; Cochran in 1482; King James III. in 1488; James Stewart, Earl of Mar (Regent Murray), 1570; Queen Mary, 1587; John Stewart, Earl of Mar, died whilst a prisoner under sentence for treason in 1479; King James II. in 1460 and King James IV. in 1513 were each killed in battle; King James V. died of grief in 1542; and Alexander Stewart, Earl of Mar, died young, probably soon after his father, King James III.

3 Spalding Club "Registrum Epis. Aberdon.," I., p. 271.

last who could claim a right to these lands under the charter already mentioned as granted in 1331 by the bishop and chapter to William de Irwyn and his three next heirs in descent.¹

In 1456 Sir Alexander founded in Saint Nicholas Church of Aberdeen the chantry of Saint-Ninian-the-Confessor, of which he was lay patron, and granted to the altar and to the chaplain a perpetual annuity of ten merks, to be levied from his lands of Park of Drum, etc.² What was then Saint Nicholas Church is now formed into the East and West Churches, separated from each other by the arches of the steeple and the walls of the transept which is called Drum's Aisle. Here Sir Alexander had provided a monument for himself and his lady, with their effigies in stone lying recumbent on an altar-tomb surmounted by a handsome stone canopy of pointed Gothic architecture, the summit being founded by a stone showing the arms on a shield reclining under part of a knight's armour.³ There is also a monumental brass, one of the very few which have been preserved in Scotland.⁴ It contains two inscriptions in the Saxon character, with letters in high relief—the one, before which, on a small shield, are the Irvine arms, to record the death of Sir Alexander; the other, before which is a similar shield with the arms of Keth, that of Dame Elizabeth de Keth. The forethought of this couple in leaving so little in the way of monumental memorial or obituary record for their successor to complete seems to have been judicious, for that little was left undone. The century was on the brass, but the year, month, and day have never been filled in; and this has contributed, if not given rise, to incorrect traditions and groundless statements. The mention of Forglen, which never belonged to Sir Alexander's predecessors, puts it beyond doubt that it was to him the monument was erected.⁵

When Drum's aisle was miserably modernised, the effigies of Sir Alexander Irvine and his lady were removed from their appropriate recess and laid on a

1 Spalding Club "Registrum Epis. Aberdon.," I., p. 52.

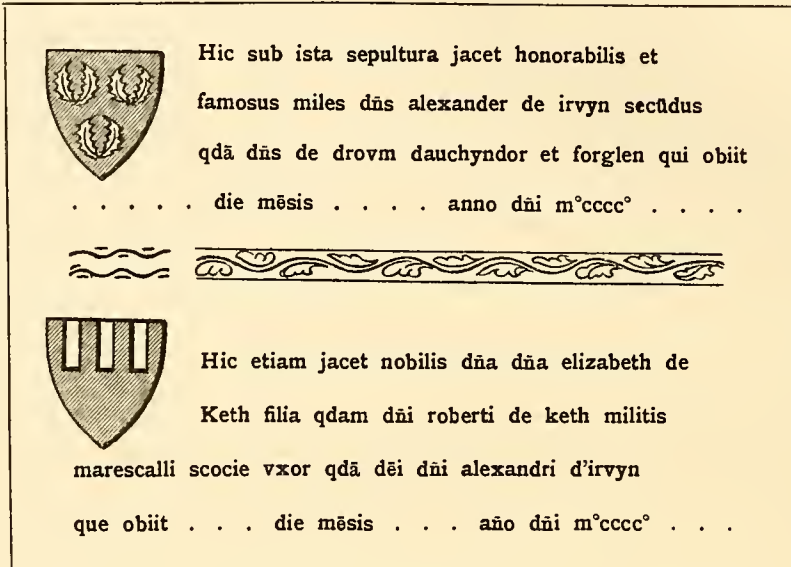
2 "Chartulary of St. Nicholas"; Kennedy's "Annals," II., p. 29.

3 The stones of this ornamental Gothic arch were removed to the chapel at Drum when alterations were made which dislodged this venerable monument. The arms on the arch show three bunches of three holly leaves each. On the monumental brass there are three bunches of two holly leaves; and the heraldic MS. of Sir David Lindsay, Lyon King of Arms, in 1542, gives the proper arms as three separate single leaves of holly. The last was probably correct, the others being embellishments.

4 Avarice and fanaticism, or both, denuded Scotland of nearly all its monumental brasses. Of those that exist, this is by far the oldest.

5 The name of his wife would in most cases have been deemed sufficient proof of the identity of the husband. But I have to combat ancient tradition and the recorded assertion that this Elizabeth de Keth was wife to both the former Sir Alexander, who fell at Harlaw, and to this Sir Alexander, whom some assert to have been his brother.

platform of painted stone or patent cement. The brass is fixed in the wall above, and is inscribed:—



The statues are, with the exception of the noses, in excellent preservation. That of the knight is in the armour of the period, the face being remarkable for the peculiar way in which two tufts of hair are worn under the nether lip.¹

The eldest son of Sir Alexander—called in the Drum papers Alexander²—married — Abernethy, daughter of the Lord Saltoun of Lothian, and by her left a son Alexander, who was served heir to his grandfather on 3rd November, 1457.³

Sir Alexander had another son, Robert. He got from his father the lands of Whytriggs and Redmyres, and having distinguished himself at the battle of Brechin, under the Earl of Huntly, against the Earl of Crawford, received from Huntly, in 1453, a charter conveying to him the lands of Beltie.⁴ From this

1 Although Drum's aisle and the ancient domicile of the effigies of Sir Alexander and Dame Elizabeth have been deformed, and the figures are now exposed at an inappropriate elevation, they are well off in comparison with other monumental statues of Aberdeen worthies of the olden time.

2 In an indenture between Lord Gordon and the Marischal, dated 30th October, 1444, Sir Alexander Irvine of Drum and Alexander of Irwyne appear as witnesses.—("Reg. Mag. Sig.")

3 "Registrum de Aberbrothoc," quoted in Spalding Club "Antiquities," I., p. 514; also precept and sasine of 5th and 14th November, 1457, respectively.

4 See the account of the Irvines of Beltie and of Germany in this book; also in "Balfour's Annales," I., p. 183.

Irvine of Beltie are descended the Irvines of Germany and the Irvines of Lenturk.¹ It appears that he had a daughter Agnes married to William Leslie of Balquhain, who succeeded to that estate in 1420.²

ALEXANDER DE IRWINE OR IRVINE OF DRUM.

FROM 1457 TO 1493.

ALEXANDER IRVINE of Drum succeeded his grandfather, Sir Alexander, in the month of July, 1457, at which time the name appears to have been undergoing a change by the disuse of the prefix, so that after this, although "de Irwyne" or "de Irvine" is occasionally used, the name may be considered as "Irvine." In the copy of sasine of this Alexander the name is written both with and without the prefix.³

In some early notes on the family of Drum this Alexander Irvine is described shortly and quaintly as "a stout man, albeit vitious." "Stout" is here used in the sense of "daring," and the relation of such events in his life as have been preserved is not likely to impress the reader with any more favourable view of his character.

In the spring or summer of 1471, while Sheriff of Aberdeenshire, he assembled a warlike body of horse and foot, "armed *with bows* and other weapons," "and under silence of night" attacked the house of Sir Walter Lindesay of Bewfort,⁴ a baron somewhat similar in character to his assailant, or, as described by his accomplished descendant,⁵ "a powerful baron of great talent and unscrupulous ambition." In this instance Sir Walter Lindesay, either trusting to the favour of the judges, or relying on the righteousness of his cause, instead of himself attempting to avenge the outrage, summoned Alexander Irvine of Drum to answer for it before the Lords Auditors. On the 7th August, 1471,⁶ Edward Macdowall appeared before these judges as procurator for Drum, and, in the absence of Sir Walter Lindesay, protested against his being heard in this case unless under a

1 See account of these families. Alexander Irvine of Drum and his brother Robert witness a charter by Forbes of Kynaldy, 12th August, 1484.—("Reg. Mag. Sig.")

2 "Laurus Leslaeana," LVI., folio 1692.

3 About the same time, as appears from a deed regarding the property of Rylands, the name of De-Wenton seems also to have lost its Norman prefix. The precept and sasine of this Alexander Irvine are dated the 6th and 14th November, 1457. See also Bannatyne Club "Registrum de Aberbrothoc"; Spalding Club "Antiquities," I., pp. 513-4.

4 An ancestor of the Earl of Crawford and Balcarres.

5 Lord Lindesay's "Lives of the Lindesays."

6 "Acta Dom. Auditor. Concilii."

new summons. The case, however, was a second time before the same tribunal in that year; and on the 22nd February, 1472, "Alexander Irvine of the Drum" was by the Lords of the Council ordained "to pass in ward"—that is, deliver himself prisoner—at the Castle of Berwick, there to remain upon his own expenses until discharged by his sovereign. Further, he was to be dismissed from his office of sheriff, and to pay four merks of expenses, with forty shillings of a fine.¹ How much of this decree was carried into effect is not mentioned, but the office of sheriff appears to have been transferred to his son, who, as will afterwards appear, seems to have inherited an inclination to make use of his authority in obtaining possession of his neighbour's castle.

In 1475 he resigned the lands of Lunmay, Salquhok, Corskelly, Arnabethy, and Carness to his eldest son and his wife Janet, daughter of Keith of Ludquharn.

A deed executed at Drum on the 19th August, 1478, gives some idea of the manner in which property was then acquired, and of the influence exerted over their neighbours by those barons who, possessing more power than principle, were ever ready to secure their own or to seize the property of others. This deed is in the Scotch language, and purports to be an indenture between Alexander Irvine of Drum and Alexander, son and heir-apparent of William Cummyrn of Culter. It commences by stating that the said William Cummyrn, of evil imagination and false suggestion, "schappes" (contrives) how to annul and dispossess Alexander Cummyrn, his son and heir-apparent, of his ancient inheritance and "new conquestis" (acquired property). Therefore Alexander Irwin, as chief to the said Alexander Cummyrn, binds and obliges himself and his heirs, by the faith of their bodies and on the Holy Evangelists, to maintain and defend the inheritance and rights of the said Alexander Cummyrn,² "as he would defend his own heritage of the lordship of Drum, etc." Notwithstanding this solemn preamble, and the denunciation of "the evil imagining" of the father of Alexander Cummyrn, it will be perceived that Drum gets himself recognised as chief to the said Alexander Cummyrn, and that the wily superior contemplates securing for himself that property which he engages to protect for the son against the father. It is stipulated that Drum is to receive one hundred merks from Alexander Cummyrn, who is to defray part of that sum out of the marriage portion which he would receive: "the quhilk marriage sall be completed God willand in all possibill hast."³ Alexander Cummyrn is also to give "letters of manrent and

¹ Spalding Club "Antiquities," I., p. 278.

² Alexander Cumyn of Culter in the year 1488 was brother of William Cumyn of "Inverlochquhy."—(Spalding Club "Antiquities," I., p. 299.)

³ Perhaps an explanation of this circumstance can be deduced from the statement in Nisbet's "Heraldry" that, in 1480, John (Alexander?) Cummin of Culter married Janet Irvine, daughter to the laird of Drum, and that the grandfather of this John Cummin—James Cumin of Inverallochy—married Elizabeth Irvine, daughter of the laird of Lenway (Lunmay).

retinue" to Alexander Irvin of Drum, and, after the death of his father, and his entry into full possession of the barony of Tuliboy and Culter, agrees, within forty days after the same is demanded, to infeft Alexander Irvine of Drum in these lands. In 1483, Alexander, son and heir of the late William Cummyn of Culter, resigned into the king's hands his lands and castle of Inverallochy, and granted to his uncle, Alexander Irvine of Drum, a charter of the same, dated 12th of —, 1483. It is probable that these and other lands were alienated by William Cummyn of Culter from his eldest son and heir and granted to another son, William Cummyn, afterwards designed of Inverallochy. This charter of Alexander Cummyn, however, though probably unconfirmed by the king, served as an excuse for the attacks of the friends of the Irvines on William Cummyn of Inverallochy. His castle was seized by Alexander, son and heir of this Alexander Irvine of Drum, whose pardon by the king for this act of violence will be afterwards noticed.¹

In 1485, Alexander Irvine of Drum obtained a bond of support from John Allardes of that ilk, consequent on a grant in feu-ferme of the lands of Fulsemouth in the barony of Auchindore, as security that, if he should be disturbed in possession of Ardgrane in Buchan,² "as God forbid," then he is to possess Fulsemouth in fee and heritage.³

The laird of Drum, having become jealous of his lady, Marioun,⁴ daughter of Alexander, 1st Lord Forbes, and of his chaplain, Sir Edward Mackdowall, ordered him to be seized; and the outrage perpetrated on the ecclesiastic in the tower of Drum placed him for ever after beyond the reach of jealous suspicions. For this act it is said that the baron obtained a pardon from the pope, and he certainly

1 See the list of deeds annexed, and also Spalding Club "Antiquities," I., p. 299.

2 The lands of Ardgrane were acquired by Sir Alexander Irvine in 1422 from John Harrowar, "heir of the late Margaret Harrowar."

3 "The said day, 20th October, 1503, Elizabeth Irwyn, the relict of unquhile Allardes of that ilk, followit and pursewit William Buchane, baxter, for the wrangniss castin doun of hir houss."—(Council Register, Aberdeen.)

4 Called Elizabeth in Douglas's "Peerage," Catherine in a MS. at Drum, and Marioun in "Acta Domin. Auditorum," p. 20.

In that imposing agglomeration of genealogical errors, "The Bore-brieve of Charles Colbert, Marquis of Seignelay," in France, this lady is styled Lady Margory Forbes ("Acts of S. Parliament," VIII., p. 611-2). The family name of the Marquis of Seignelay was originally Cuthbert, being a branch of the Cuthberts of Castlehill in Inverness, and, having emigrated from Scotland to France, the name there became changed to Culbert and Colbert. In 1455 the official land of the High Constable at Inverness was granted by the first Earl of Erroll to Thomas Cuthbert, burges of Inverness, on condition of his maintaining on that ground a sufficient stable for twelve horses for the use of the Lord High Constable.—(Spalding Club "Miscellany," II., pp. 211-2.) This Thomas was ancestor of the Marquess of Sengulai and of the Marquis de Couci in France.

"In the church of St. Eustache is the tomb of the great and good minister Colbert, who died in 1683."—(Madden's "Shrines and Sepulchres," II., p. 406.)

obtained a remission from the king.¹ Drum then married, for his second wife, — Lindsay, the daughter of a gentleman who had fled from Fifeshire in consequence of a slaughter which he had committed.²

The remission to Alexander Irvin of Drum and his followers "for the premeditated and felonious slaughter" of Sir Alexander Fraser of Philorth, his son,³ and one of their attendants, and for the mutilation of Sir Edward Macdowall, chaplain,⁴ is contained in the same royal pardon, dated 19th July, 1487. For the death of the Frasers, who were thrown over the bridge of Don at Polgonie (Balgownie), compensation was to be made to their kin; but no "solatium" seems to have been awarded to the heirs of the chaplain.⁵

An agreement entered into on the 14th September, 1487, between Alexander Irvine of Drum and Alexander of "Ketht," not only proves that the interest of money lent on undoubted security was then a little more than eight per cent. per annum, but also shows the entire want of confidence existing between the borrower and the lender, and that both parties thought it necessary, not only to guard against each other's dishonesty, but to provide against the possible fraudulent conduct of the spiritual director of the parish of Fetteresso. Alexander of Ketht acknowledges that he holds an annual rent of ten merks out of the lands of Oures in Kincardine, which, if certain stipulations are fulfilled, he binds himself "straitlie by the faith of his body lealy and truly to resign"—that is, on being paid the sum of one hundred and twenty merks, which he had lent, and for which the annual rent with its deeds and charters are pledged. Alexander Irvine of Drum agrees to repay the hundred and twenty merks in one sum, in usual money of the country, within the parish kirk of Fetteresso, upon the high altar there, "betwixt the sun rising and going down of that ilk," after having given twenty days warning of the intended time of payment and open proclamation thereof made

1 The remission is stated to be "Pro crudeli dismembratione in suo loco de Drum Domini Edwardi Makdowell capellani."

2 Probably this is the Lindsay included in the pardon to Drum and his followers for the slaughter of the Frasers.

3 Ancestors of the Lords Saltoun.

4 Probably the Sir Edward Macdowall, vicar of Logy in Mar in 1470 (Spalding Club "Registrum Epis. Aberd.," I., p. 308), and the same who was employed as procurator for Drum in the case of Sir Walter Lindsay.

5 From the pardon it would appear that Alexander Irvine of Strathdee was concerned both in the attack on the Frasers and the outrage on the chaplain. He was proprietor of Redemires, as appears in his suit in 1474 against Elin of Tulloch and Alexander Irvine of Beldy.—("Acta Dom. Concilii," p. 63.)

"Regarding clerical knights—'de militia votivali'—some are ordinary, some extraordinary. All that are professed in any abbey, priorie, or friar-house may be called ordinary votary church knights; the extraordinary are such of them only as have vowed by sword and lance and all knights' means to defend Christians."—(From an article by Tate published by Hearne in "Collection of Curious Remarks by Eminent Antiquaries," published Oxford, 1720.)

on each Sunday during high mass. Alexander of Ketht agrees, on receipt of the money, without fraud or guile to surrender the charters of the land and to give all necessary assurance of quit claim. But if he fraudfully or wilfully absents himself, then Alexander Irvine may, before notable witnesses, pay the money to the curate of Fetteresso for the benefit of Alexander of Ketht, and thereafter all deeds held by him shall be of no effect. And if the said curate of Fetteresso fraudfully and wilfully absents himself and will not receive the money, then Alexander Irvine of Drum may pay the money to some notable person for the benefit of Alexander of Ketht, take due record of the same, and then resume possession of the land which had been mortgaged.¹

Alexander Irvine of Drum in 1491 acquired the lands of Coul on the resignation of Patrick Forbes.²

On the 12th of June, 1491, the bell of Saint Ternan, called the Ronecht, was made over by John Stalkeris to the vicar of Banchory-Ternan in presence of the Earl Marischal and Alexander Irvine of Drum. This relic, whatever other powers it possessed, had certainly the valuable one of bringing in a considerable revenue to its possessor. It may be noted that, for greater security in this transfer, the parties obtained the seal of Alexander Irvine of the Drum to the indenture.³ The Ronecht is said to have been a gift to the apostle of the Picts, St. Ternan, from Pope St. Gregory the Great, and of its own accord to have accompanied St. Ternan whithersoever he proceeded. As St. Ternan flourished in the middle of the fifth century, the Ronecht—if its history is to be trusted—must be one of the earliest “locomotive engines” on record. On the 29th December, 1494, David the Abbot of Aberbrothoc surrendered all right which he had—or might be supposed to have—to this bell of St. Ternan, with all the offerings and emoluments of every kind which might accrue from its possession. By the deed

1 This annual rent from the land of Oures was redeemed, and retained by the family for two hundred years after this transaction. There are several deeds of little general importance which, from their dates, fall now to be noticed:—

One on 26th July, 1488, when the Lords Auditors of Exchequer gave a decree in favour of Alexander Irvine of Drum, the other party being Thomas Rose of Auchlossin. The transaction had originated when Drum was sheriff of Aberdeen.

An agreement on 6th August, 1490, between Alexander Irvine of Drum and Alexander Burnett of Leys, by which the former agreed to give pasturage for certain cattle and sheep in return for water privileges granted by the laird of Leys for a mill belonging to Drum.

A deed of 22nd August, 1490, by John Wentoun (embodying one of William de Wentoun in 1457) regarding the lands of Rylands in the barony of Strathalva in Banffshire.

18th November, 1491.—A precept of sasine of this date to William, son and heir of the late Alexander Fraser of Durris, which shows that then the name was occasionally written “Fresal.”

2 “Reg. Mag. Sig.”

3 Spalding Club “Registrum Epis. Aberd.,” pp. 327, 328; Spalding Club “Antiquities,” II., pp. 52, 53, and 63; also preface to the Spalding Club “Miscellany,” III., xxiv., where the editor quotes from the Breviary of Aberdeen.

of 1491 a layman resigned, for a consideration, his hereditary claims to the Ronecht, and the vicar of Banchory-Ternan was thereafter the sole trustee of this miraculous bell until the Reformation tolled the knell of it along with other wonder-working relics of saints and memorials of antiquity.

On the 11th February, 1492, the Lords of Council ordered Alexander Irvine of Drum to desist from occupying and cultivating the lands of Dulmaok and Petbrachan, "the property of a reverend father in God, William, Bishop of Aberdeen."¹ As the grandfather of this Alexander Irvine of Drum had formally resigned all right to these Church lands, the present occupation of them by his grandson shows that the terrors or powers of the Church were unable to check his encroaching spirit, and required assistance from the secular authority of the Lords of Council. It would also appear that the son of his late adversary, Sir David Lindesay, was about the same period an intruder on the domains of the Church and the Bishop of Aberdeen, who, by authority of the Lords of Council in 1489, obtained a decree for the restitution of Church property and rights, which the baron of Bewfort and Edzell had seized in the parish of Birse.² The contiguity of the lands of the Irvines in Strachan and the claims of the Lindesays in Birse will sufficiently account for a feud between barons neither of whom scrupled to encroach on the property of the Church.

In those times a baron had power of life and death over those nominally free as well as over those avowedly in bondage within his territory; was proprietor not only of the land and a great part of the flocks and herds which it supported, but also of a portion of the people and their families, who were thralls to him and to the soil. He was, moreover, judge in his own cases, and the framer of the rules regulating his own courts. Thus endowed, a baron, if we consider the state of the people and the country in the fifteenth century, could have encountered no adequate restraint on the indulgence of passions inconsistent with morality or justice. Feuds—the petty wars of petty tyrants—were the natural results of such a system, and the lives of a baron's followers were continually imperilled or sacrificed to support the violence of their chief, to resist some new aggression on his privileges, or perchance to repel some turbulent enemy, the inheritor of evil passions nursed with pious care and bequeathed from sire to son along with the hereditary possessions. Although generally too powerful to be readily amenable to the restraints of the law or the discipline of the Church, the barons yet often found it expedient to purchase from their ecclesiastical authorities immunity from present censures and future punishment. And from the civil power they seem to have readily obtained pardon even for murder, which went under the more indefinite name of slaughter.

¹ Spalding Club "Antiquities," I., p. 278.

² *Ibid.*, II., 78, 79.

The morality of the barons of the olden time appears, as we might expect, to have been as parlous as the freedom of the people. It was then that the surnames of Saxon, Norman, or southern barons in Scotland spread with a rapidity inconsistent with morality. Ancient records prove the fact, and modern history furnishes the explanation. Morality has ever commenced, advanced, occasionally remained stationary, sometimes retrograded and again progressed, in inseparable connection with that rational liberty which boasts submission to the commandments of God and subjection to the laws and authorities ordained by men for their mutual protection and necessary restraint.

It appears from the Council Register of the Burgh of Aberdeen that, on the 27th August, 1493, before the magistrates in court, "Compeared ane right noble and honorable man Alexander Irvine of Drum," and there publicly by deeds, and by the gift of a glove to each, made the following provisions for three natural sons and one daughter, whose mother was Nannys Menzeis, "quhom God assolze" (whom may God absolve), as the record piously observes. To David Irvine was assigned a lease of the lands of Coule for his life, all the moveable property of the testator within these lands, five chalders of malt yearly, twenty oxen, also "three hundred widders being within the Fortrie of Buchan." To Alexander Irvine was secured a lease of the land and all moveable property of the testator within the lands of Kinharroquhe, with the corn, thirty-four oxen, and three hundred ewes. John Irvine received a lease of the lands and all moveable property of the testator within the place of Cragtoun—corn, oxen, and one hundred and sixty ewes. To Agnes Irvine was assigned all the moveable property of the testator in Dalmayok—corn, oxen, and one hundred and sixty ewes, also twenty-four cows and one bull in Collangy, as the record says, "to upbringing her and marry her." In the provision for all the sons the object of the gifts is "to sustain them at the schools." But the daughter was evidently to trust to her worldly endowments for procuring a husband, and her ample provision seems to justify the certainty with which that event had been contemplated.

Alexander Irvine died in December, 1493. By his first wife, Marioun, daughter of Lord Forbes, he had three sons and one daughter, viz.:—(1) Alexander Irvine, his successor; (2) Richard Irvine;¹ (3) Henry Irvine.^{2 3} The daughter was married

1 and 2 See the families of Irvine of Cragtoun, Hiltoun, and Kingcaussie, under these heads.

3 Whether either of these two sons was married to Collison, or whether there was another son, is uncertain; but the following extract from the (Aberdeen) "Buk of Statutis" shows that one of this laird of Drum's sons was married to a daughter of John Collison. It is recorded of Collison that, at his solicitation, some of the Aberdeenshire barons, with their followers to the number of eighty spearmen, attacked the town of Aberdeen by night, and committed "cruell murther, slaughters, and mutilations." This was in 1525.—("Council Register of Aberdeen," p. 111.) The passage which follows (from the "Buk of Statutis") has reference to this outrage:—"It is to be remembered that this John Coleson had the laird of Drum's brother to his son-in-law, and (Leslie of) Balquhaine and (Leslie of) Wardes to his wyffes sonnes, and (Seton of) Meldrum to his wyffes

to Lesly of Wardhouse. By his second wife, — Lindesay, Alexander Irvine had eight daughters, viz. :—(1) Married to Coutts of Westercoul; (2) married to Chalmers of Strichen;¹ (3) married to — Skene; (4) married to Ogston of Fettercairn; (5) married to Rose of Auchlossin; (6) married to Crawford of Fonet; (7) married to Duguid of Auchinhove; (8) married to Cummin of Culter (?) or Barclay of Mathers (?) or both.²

SIR ALEXANDER IRVINE OF DRUM.

SUCCEDED IN 1493; DIED IN 1527.

ALEXANDER IRVINE succeeded his father in December, 1493,³ but had previously been in possession of Lunmay, Carness, and other lands in Buchan, which had been resigned to him by his father in 1475,⁴ at which time this Alexander Irvine was married to Janet, daughter of Keith of Ludquharn.

In 1483 he gave a bond of manrent to William, Earl of Erroll, and in the following year, John of "Ketht" of Ludquharn, "not having a seal of his own, appended by permission the seal of his brother-in-law, Alexander Irvine of Lunmay,

bruder. Ane ambesowus proud man was this John Colesoun."—(Editor's preface, p. xxxiv., Spalding Club "Extracts Burgh Records.")

1 To the chantry of Saint Catherine in the church of Saint Nicholas, founded in 1360 by William de Camera of Fyndon, Lady Margaret Chalmers of Findlater (? Fyndon) and Drum made a donation of twenty pounds in gold and silver for an obit of one solemn mass immediately after her death.—(Kennedy's "Annals of Aberdeen.") This was on the 18th January, 1530.

1532, May 19th.—"Obitus venerabilis domine Margarete Chalmer domine de Finlater et Drum. Que contulit pro necessitatibus fratrum xx. libras; alia vice xvij. et interum x. libras, item coclear argentum." "Medonis Chalmer, lady of Fynlater, departtit the saxt day of Aprill, the yeir of God 1532 yeris."—(Spalding Club "Miscellany," II., p. 32, etc.)

2 John Cummin of Culter married Janet Irvine, daughter to the laird of Drum, in 1480.—(Nisbet's "Heraldry.")

David Barclay of Mathers died before his father (who survived until 1497), and left, by Janet his wife, daughter of Irvine of Drum, a son, Alexander Barclay, who succeeded his grandfather.—(Playfair's "Baronetage.") David Barclay of Mathers married Janet Irvine, daughter of Irvine of Drum. This is shown by charters of the lands of Falside, etc., in the Mearns.—(Nisbet's "Heraldry.")

3 His brieve of succession is dated 16th January, 1494. Proclaimed at the cross of Aberdeen, March, 1494; served heir to lands in Aberdeenshire, April, 1494, and to lands of Forglen in Banffshire, July, 1494.

4 Precept of sasine was directed to Sir Gilbert Keith of Inverugy or William Aberdour, joint sheriffs of Aberdeenshire (dated 8th July in the fifteenth year of the reign of King James [III.]), directing them to give seisin of the lands of Lunmay, etc., to Alexander Irvine (son and heir of Alexander Irvine of Drum) and his wife, Janet Keith.

son and heir of Alexander Irvine of Drum, to a bond of manrent " granted to the same nobleman.¹

In 1492, being then sheriff of Aberdeenshire,² he procured a remission under the Great Seal " for forcibly taking and keeping of the place and fortalice of Inverallochquhy contrary to the intent of our letters: and for the destruction and spoiling property in the said place." This pardon was, no doubt, executed in one of those journeys which King James IV. undertook " across the Mounth " for the purpose of ensuring more attention to justice and enforcing obedience on the part of the northern barons and chiefs.³

In December, 1494, the Lords Auditors gave a decree against Alexander Irvine of Drum and his mother, Marioun Forbes, in regard to lands which were the property of the Lord of St. John's and the house of St. John's of Torfichin.⁴

In 1495 he acquired the lands of Tarland, on the resignation of Sir John Rutherford, who was on several occasions provost of Aberdeen.⁵

On the 3rd May, 1496, a bond of manrent and service was executed by Alexander Irvine of Drum to George, Earl of Huntly, on condition of his receiving the lands of the two Cullairlies, etc., to be held of the Earls of Huntly in blenchferme; and in August of the same year Alexander Irvine of Drum procured a discharge of " assithment, satisfaction, and recompensation called kynbutt," of which one hundred merks were paid by Alexander Irwyne of Drum to William Frasar of Philortht and his kinsmen for the slaughter of his father, Alexander Frasar (son and heir of Sir Alexander Frasar of Philortht), and of the said Sir Alexander Frasar " at the Brig of Polgony "; and of the same date—23rd August, 1496—is the letter of Slaines by William Frasar of Philortht, for himself, his kinsmen, and friends, to Alexander Irwyn of Drum, his accomplices, kindred, and

1 Spalding Club " Miscellany," II., pp. 253, 254. He is also witness to a bond of manrent by Fraser of Philortht to the Earl of Erroll in 1489.—(Ibid., p. 258.)

2 See Spalding Club " Extracts from Council Register of Aberdeen." In 1495 William Keith was served heir to his father, Sir Gilbert Keith of Inverugy, by a jury before Alexander Irvine of Drum, sheriff.—(Drum papers.)

3 It is dated from Banff, the 29th November, in the 5th year of the reign of King James IV. The connection of this Alexander Irvine with John of Ketht of Ludquharn (his brother-in-law) may serve to explain the cause of the seizure of the castle of Inverallochquhy; for in 1490 John Kethe of Ludquharn, and others of the name of Kethe, had given security in one thousand merks each, in presence of the Lords of Council, " That William Cumyn of Inverallochquhy sal be harmless and seathless of thaim."—(Spalding Club " Antiquities," I., p. 412.)

4 " The Lords Auditors decrettis and deliueris that Alexander Irwin of Drum and Marioun Forbes his moder does wrang in the occupatioun and manuring of the landis of Wester Tulbowry," and they further decided that these lands pertained to and might " be broikit and manurit " by William, Lord of St. Johns and the House of St. Johnis of Torfichen. (This shows that Marioun Forbes survived her husband.)—" Acta Dom. Aud.," 13th December, 1494, p. 20; Spalding Club " Antiquities," I., p. 278.)

5 " Reg. Mag. Sig."

friends, acknowledging that "compensation called kynhutt" had been paid, and declaring them to be exonerated from all claims now and for ever in regard "to the cruel and felonious slaughter" of Sir Alexander Frasar of Philortht and his son and heir.

In this acknowledgment of compensation the Frasars seem to have given the slaughter of George Tailzeour into the bargain, as—although his fate is mentioned in the royal pardon granted to the Irvines—neither in this deed nor in the discharge of assithment is he mentioned by those in whose service he met his death. It is probable that the royal pardon, secured nine years previous to the date of the payment of compensation, and the death of the Alexander Irvine of Drum who was the principal in the slaughter of the Frasars, enabled this feud to be more easily wiped out; for at that period kynbutt and letters of slains were not always procured on such easy terms, and the representative of the murdered Frasars seems, judging from the contemporaneous case of Bruce of Airth, to have cast an unusually careless account with the souls of those predecessors whose violent deaths had so rapidly precipitated his own succession to the lands of Philortht. In the case of the slaughter of John the Bruce of Airth by Sir William Menteith of the Cars and his followers, it was agreed (in 1490), for kynbutt and to re-establish friendship between the parties, that those who were concerned in the slaughter should repair to the market cross of Edinburgh in their linen clothes, with naked swords in their hands, and there ask forgiveness in the usual manner from Robert the Bruce and his kin, and remit the rancour of their hearts. The Menteiths were also to journey or send to the four principal places of pilgrimage in Scotland, and there cause mass to be said for the soul of their victim. Then Robert the Bruce was, within twenty days, to procure a priest to sing in the kirk of Airth for the soul of John the Bruce. For two years one-half of the priest's fee was to be paid by the Menteiths, after which "the said Robert sall gær ane priest signe in the samyn kirk for the said saul."¹

In the Lord High Treasurer's accounts for November, 1497, is this entry:—
"Item to the Lard of Drummys falconar, at the King's command, xxviiij. s."

On the 13th June, 1496, Parliament enacted a statute rendering it imperative for barons and freeholders to send their eldest sons and heirs at eight or nine years of age to learn Latin, until fully qualified in that language, "thereafter to remain for three years at the Schools of *Art and Jure* (Liberal Arts and Jurisprudence), so that they may have knowledge and understanding of the Laws." It would be a blessing to the country if the authorities new were to profit by the wisdom of our ancestors, and insist that hereditary legislators and volunteer magistrates should

¹ "Act. Dom. Con.," A.D. 1490, p. 153; quoted in Jamieson's "Scottish Dictionary" under the head of "kynbot," where also it will be found that in 1478 Walter Blare had not only to pay kynbute to Robert of Cargill, but also paid the "priest that sange for the man that was slayne."

be declared qualified, not by the mere repetition of a useless oath, but after undergoing a sufficient examination in "Art and Jure."¹

On the 10th December, 1499, was made, between Alexander Irvine of Drum and Alexander Irvine, his son and apparent heir, on the one part, and Sir Walter Ogilvie of the Boyne and George Ogilvie, his son and apparent heir, on the other part, a contract of marriage between the said George Ogilvie and Elspait Irvine, daughter of Drum, wherein the parties engage to procure a dispensation from the Pope for celebrating the marriage, notwithstanding their consanguinity in the third and fourth degrees.

On the 10th September, 1499, Alexander Irvine of Drum granted a charter to his son, Alexander Irvine, and his wife, Janet Allardes, of the lands of Forglen, in the county of Banff. Besides various kinds of lands and woods usually mentioned, broom and pigeons and pigeon-houses are specified. Amongst the rights enumerated and conveyed by this deed are "herzeldis, bludwits, and marchetis mulierum."²

In 1506 King James IV. granted to Alexander Irvine of Drum a charter of his lands and barony of Drum, Lunmay, Auchindore, Tarland, etc.³

To a charter, dated at Drum on the 17th June, 1507, and granted by Alexander, Earl of Huntlie, to Alexander Irvine of Belteis, *Sir* Alexander Irvine of Drum is a

¹ "Acts of S. Parliament," II., 238.

² "Herezeldis"—the right of the landlord to seize the best animal which a husbandman on his land possessed at his death.

This remnant of the worldly wisdom of our ancestors, grossly barbarous as it is, still exists in England under the name of "heriot," and, taken along with the other restrictions on the transfer and possession of land, proves an inconceivable amount of prejudice or procrastination on the part of British legislators. Vain pomp and the semblance of power, sustained neither by wisdom nor by worth, are now objects only of contempt—a feeling which, through advancing intelligence, has replaced that mixed sensation of admiration and fear with which the outward show of feudal superiors was once regarded. In the present day there are but few who would wish, and none who would avow their desire, again to possess and exercise, under the volunteer censorship of a free press, the judicial and general authority once enjoyed by their ancestors. Neither would they choose to flaunt themselves in the cumbersome gaudy robes of feudal dignity. Why, then, treasure up, as if for use, the soiled and tattered rags of a garment which the wisest of them have long since and for ever discarded? Why retain customs regarding land which are savage, restrictions which are odious, and impolitic laws which are profitable to no one?

In February, 1560, Mr. William Scott, vicar of Cramond, charged two persons, as executors of Marion Cameron, for her "corps-present," or "herezeld"—her best body-garment or cow—a papal "provent" due to the vicar on the death of cottars and labourers.—(Riddell's "Peerage and Consistorial Law," I., p. 415, note.)

"Bluduetis"—fines enacted when blood was shed. "Merchetis mulierum"—fines payable either in cattle or money by a vassal on the marriage or the elopement of his daughter.

"The right to erect a dovecot was restrained to persons having land yielding ten chalders of victual yearly."—(Bell's "Principles of the Law of Scotland," p. 370, No. 978.)

³ This charter is dated 26th February, 1506, and the precept and sasine which followed thereon are dated respectively the 13th and 14th May, 1507.

witness. The lands confirmed by this charter, and previously in possession of Irvine of Beldeis, are to be held by the tenure of paying one silver penny to the lords of the barony of Cluny "at the grey stone of Cluny."¹

On the 18th March, 1510, Sir Alexander Irvine entered into an agreement with Patsy Gordon of Johnesleyiss, ancestor of Gordon of Craig, which brought that family into possession of their property and place, then called Craig-of-Auchindoir. Sir Alexander became bound to give a sufficient charter and possession to William, son and heir-apparent of the said Patsy Gordon, of the lands of Auchindore, Fulzemont, Crawok, Mylne, and Ailhous, to be held from the said knight and his heirs in fewferme, with a yearly payment of forty-seven merks, and under oath, "by the faith of their bodies," to accompany Sir Alexander Irvine and his heirs to the king's army in time of war with five horsemen and two spearmen properly equipped.² This agreement, and others of like nature, were authorised by the Acts of Parliament of 1457 and 1503; the former stating that, whenever any prelate, baron, or freeholder should make an agreement to let lands to a tenant in fewferme, that agreement should be ratified by the sovereign lord,³ and the latter not only confirming this, but giving permission to every baron or freeholder to let all his lands in fewferme, provided he did not diminish the rental thereof.⁴

On the 20th August, 1520, Robert Irwynne, son and heir of the late Alexander Irwynne of Belteis, gave, for himself and his descendants, his bond of manrent in perpetuity to Sir Alexander Irvine and his descendants, possessors of Drum, in return for the lands of Quhiterigis and Redemyres, granted to him in hereditary fewferme. Another bond of manrent and service is granted on the 22nd July, 1527, and, like the former, is dated from Drum. It is executed by Alexander Fressar of Ouchterdurris, son and heir-apparent of William Fressar of Durris, for himself, his brother, kin, and friends, to Sir Alexander Irvine of Drum, and his son and heir-apparent, Alexander Irwyn of Forglyn. It is declared that this bond is granted in return for certain "plessouris" profits and yearly pensions made by Sir Alexander Irvine.

These bonds of manrent and service formed confederations of irregular power, which were more dangerous to the public peace than ordinary combinations of

¹ It appears from a charter granted in 1468 by Alexander, Earl of Huntly, to William, Lord Forbes, that the latter was, for certain lands held by him, to give suit and attendance at the usual courts of the barony of Cluny, held at "the gray-stane of Cluny." In the parish of Cluny are three stone pillars, one of them ten feet high and five feet broad above ground, which are supposed to mark the place at which the vassals of the superior were obliged to assemble in feudal times.—(Spalding Club "Antiquities," II., p. 48.)

² Drum Papers.

³ With regard to the gradual progress of letting lands, see Tytler's "History of Scotland," III., p. 232; and "Acts of S. Parliament," II., pp. 35, 49, 244; V., pp. 314, 499; VII., p. 305.

⁴ "Acts of S. Parliament," II., p. 244.

equals, being the pledge of adherence by several to one who had already more power than was consistent with the rights of the community. Some nobleman or baron, in return for a general and unscrupulous support of his interests, was expected to give to every member of his league, however unworthy, the advantage of his political influence, and not only to protect his supporters from oppression, but to screen them from justice. Such confederacies had always been regarded with distrust, and often with dread, by the kings of Scotland. At this time bonds of manrent and maintenance had become exceedingly general, but soon after were proscribed by the supreme authority. In 1555 such deeds were annulled, and it was declared that the profits of lands given for such purposes might be resumed by the representative of the granter, while the execution of such bonds in future was made illegal.¹ A more stringent act of the legislature, however, became necessary before the powerful heads of these leagues could be brought to yield a grumbling obedience to the above ordinance of dissolution and abolition. The new enactment of James VI. in 1585 avers that the above act, "made by Umquhil Mary, Queen Dowager and Regent our Sovereign Lord's Guddame, had not been weil observit," and enacts that such persons as agree "to leagues and bandis" betwixt subjects are to be held guilty of sedition.²

Sir Alexander Irvine died in 1527.³ He had, besides Alexander Irvine, his son and successor, two daughters—Mary, married to Sir Archibald Douglas of Glenbervie;⁴ and Elspet, married to George Ogilvy, eldest son of Sir Walter Ogilvy of Boyne.

1 "Acts of S. Parliament," II., 495, No. 17 (1555).

2 *Ibid.*, III., 376, Nos. 6 and 7 (1585).

At no time do these bonds appear to have been executed in greater numbers than immediately after the passing of the Act of 1555 which declared their execution to be illegal. In 1560 Alexander Irvine of Belty gave his bond faithfully to serve the noble and potent Lord, George Earl of Huntlie, "lelelie and trewlie, in all his just and lesum actionis, querelis, and adois as he chargis him, contrar ony persoun or personis, the auctorite the laird Drome and his airis, and obediens, seruice, and homage aucht to thame alenerlie except."—(Gordon Papers, Spalding Club "Miscellany," IV., 224, 225.)

³ Gift of nonentry to Alexander Irvine of Forglen, son and heir of the late Sir Alexander Irvine of Drum, dated 4th December, 1527, in the fifteenth year of the reign of King James V.

Two deeds of the period of this Sir Alexander Irvine, preserved amongst the family papers, may be interesting to those connected with the names to which the deeds refer. The first is dated June 1st, 1499, and is a record of settlement of disputed claims made by Catherine Crawford, relict of the late Sir Thomas Mawill, Lord of Panmure, and Sir Thomas Mawill of Panmure. The second deed is a dispensation given by James, Archbishop of St. Andrews, dated 13th December, 1500, by authority of Pope Alexander VI., for the marriage of George Barclay and Mariote Auchterlowny, notwithstanding their being within the prohibited degrees of kindred.

On the 8th May, 1514, a precept of Sasine was directed to Sir Alexander Irvine as sheriff, and on the same day he is witness to a charter granted by the Earl of Crawford, Lord Lindsay.—(Drum Papers.)

⁴ Sir Archibald Douglas of Glenbervie was knighted by King James V., and had charters of the barony of Glenbervie dated 6th April, 1538, and 14th April, 1542. By his first wife, Lady

ALEXANDER IRVINE OF DRUM.

FROM 1527 TO 1552.

ALEXANDER IRVINE of Drum succeeded his father, Sir Alexander Irvine, in 1527, and on the 4th December of that year received from King James V. a "gift of nonentry" "for the gude and thankful service done by him, his father, and friends, and in part recompense for their great trouble and expense in searching, taking, and bringing to justice rebels, thieves, revans (robbers), sernaris, and murderers, being in the North Month,¹ according to the special command sent to the late Sir Alexander Irvine."

It has been already noticed that, in 1499, his father granted to this Alexander Irvine (his eldest son and heir) and his wife, Janet Allardes, a charter of the lands of Forglen in Banffshire. In the papers at Drum few particulars are to be found regarding this proprietor. But from these it would appear that when he married Janet Allardes she was an only child, and believed to be certain of the succession to the estate of Allardes, although only presumptive heiress. Her stepmother, a daughter of Lundy of that ilk, by her conduct with this Alexander Irvine of Drum, the husband of her step-daughter, afterwards gave rise to scandal, and on her giving birth to a son and heir to the house of Allardes, the chronicler says "ane song was made, whereof the overward (burden) was—" Here the notice ends without the expected quotation, but even if this lyrical libel had been preserved, the parties accused would still have a right to be deemed innocent. Yet, although the scandal is "not proven," the morality of the period may be measured in some degree by the existence and acceptance of such gossip, while the delicacy of the sonneteer and singer, and of the readers and listeners for whom it was intended, is not enhanced in our estimation by the choice and approval of such a subject for general entertainment. In the records of Parliament we find ample proof of the gross immorality of all ranks at this period, as well as of the press, which—says the statute²—daily and continually prints books, ballads, songs, and blasphemous rhymes against both churchmen and laymen.

Agnes Keith, he had a son William (ninth Earl of Angus) and a daughter. By his second wife, Mary, daughter of Sir Alexander Irvine of Drum, he had two sons. Her descendant, Robert Douglas, Bishop of Dunblane, died in 1716, aged ninety-two. His great-grandson, Sylvester Douglas, was, in 1800, created Lord Glenbervie.—(Keith's "Catalogue of Scotch Bishops," and Douglas's "Peerage," I., p. 439.)

Sir Archibald Douglas succeeded to his father, who was killed at Flodden, in 1513. He died before 1562.—(Douglas's "Baronage," 17 and 18.)

¹ "North Month"—Grampian Mountains.

² "Acts of S. Parliament," II., pp. 483, 489, No. 26.

To prevent this a rigorous censorship was established, and the printing of any work without a licence was prohibited under the penalty of perpetual banishment and confiscation of property. The state of morals and manners at this time is further illustrated by separate Acts passed against bigamists, incorrigible adulterers, and persons swearing with abominable oaths and execrations.¹ The last statute specifies some of these blasphemies, and affirms their general use by all ranks, "great and small," not excepting the dignitaries of the Church, for prelates are classed with earls and lords in the specification of the fine to be levied on those guilty of such offences. Women also are included, and the penalty for their blasphemies was to be regulated by the rank and property of the husband or guardian of the offender.

In the year 1551 the Governor of Scotland—the Earl of Arran—made a journey to the northern parts of Scotland to hold courts of justice, to restrain the violence of the powerful, and to repress the disorders consequent on the unfortunate position of the country, lately suffering from secret treachery, open rebellion, foreign aggression, the disunion of leaders, and the defeat of its armies. In his progress the Governor, on 21st September, dined at Drum,² and notwithstanding the severe sumptuary laws which had just been passed by Parliament, and which restricted the number of dishes at a baron's table to four,³ we may believe that he fared better than did his brother, the Archbishop of St. Andrews, who, about this time, was dieted and disciplined by the Italian physician Cardanus in the extraordinary manner described by Randolph.⁴

In 1541 Alexander Irwyng of Drum is witness to a bond of manrent, dated 31st July, given by John Lesly of Syid (Syde) to George, Earl of Huntly.⁵

In the infancy of Queen Mary, in 1547, when the English, under the Protector Somerset, were about to invade Scotland, the Earl of Arran caused "The Fire Cross" to speed through the land. That ancient and mysterious summons of assembly, the signal also of imminent danger and impending conflict, was only lighted on the 28th August, yet so quickly did it dart over mountain and flood, and so generally kindle the flame of Scottish patriotism, that, on the 9th

1 "Acts of S. Parliament," II., pp. 484, 485, No. 7.

2 "Drume in prandis cum domino eiusdem, die mercurii vigesimo primo Septembris." From "Liber emptorum et expensarum domicilii Jacobi dni de Chattellarault Comitis Arranie domini de Hamiltoun neonon Protectoris et Gubernatoris totius regni Scotie in Anno domini Millesimo quingentesimo quinquagesimo primo."—(Com. by Mr. Joseph Robertson.)

3 "Acts of S. Parliament," II., p. 488, No. 22.

4 Amongst the "divers foreign inventions" which Cardan practised on the Scottish primate was feeding him with young whelps, and hanging him by the heels for certain hours in the day, and exposing him to extreme heats and extreme colds. Although the case was judged desperate, the cure was complete, for it was nearly twenty years after this—viz., in 1571—that Archbishop Hamilton was hanged, drawn, and quartered.—(Tytler's "History of Scotland," VI., pp. 56 and 379.)

5 Spalding Club "Miscellany," IV., p. 205.

September, fourteen thousand Scotchmen fell in the disastrous fight of Pinkie. Amongst the slain was Alexander, eldest son and heir of Alexander Irvine of Drum. On the same day that these brave men who had so promptly responded to the urgent appeal of their rulers fell—an inglorious sacrifice to incapacity and treachery—the citizens of Aberdeen, ignorant alike of the slaughter of their countrymen and of the needless retreat of their enemies, had assembled to consult for the defence of the “guid toune,” and had unanimously agreed “to pay and recompans the laird of Drummis falconne (a piece of ordnance so called) with hir graith (appurtenances) in cace the said pece happin be chance to be tane be Inglismen (as God forbeid) or beis broken, tynt, or spilt.”¹ It does not appear what was the size of “the laird of Drummis falconne,” or whether it had been made in compliance with the instructions of the Great Council of the nation in 1456, by which the great barons were requested to make carts of war, and in every cart to have two guns and the necessary appurtenances, and also to have a cunning (capable) man to shoot them, adding the wise reflection that, “if he have not craft (experience) in shooting, he may learn before time comes when it will be needful.”²

Alexander Irvine, who thus fell at the battle of Pinkie, was married, in 1526, to Elizabeth Ogilvie, daughter of the laird of Findlater, and, in 1537, was in possession of Lunmay.³ In several family documents he is also designed Alexander Irvine of Forglen. He left six sons and three daughters:—(1) Alexander, who succeeded his grandfather; (2) William of Ardlogie;⁴ (3) Robert of Tillylair;⁵ (4) Gilbert of Collairlie⁶ and Auldquhat; (5) James, a Knight of Malta, ordained by the Grand Master, prior of the order in Scotland, and who, on his return to his native country, refused to acquiesce in the Reformation although his compliance would have been rewarded with a peerage;⁷ (6) John, who died young in

1 Spalding Club “Council Register of Aberdeen,” p. 253; Kennedy’s “Annals.” The citizens of Aberdeen who had proceeded to join the queen’s forces had procured from Irvine of Drum a piece of artillery called “The Great Falcon.”

2 “Acts of S. Parliament,” II., p. 45 (19th October, 1456). The Act of 1535 (II., p. 345) refers only to smaller pieces of ordnance.

3 Spalding Club “Antiquities,” II., p. 366.

4 and 5 See Ardlogie and Tillylair, also Fortrie.

6 Collairlie. See also Murthill, Cults, and Auldquhat.

7 “James Irvine, Knight of Malta, ordained by the Great Master prior of the order in Scotland, and was to have been created Lord Torphichen had he submitted to the Reformation.”—(Appendix to Nisbet’s “Heraldry.”)

“The fifth son of this Alexander Irvine, who was killed at Pinkie, was James, Knight of Malta, ordained by the Great Master Lord of Torphichen and great prior of the order in Scotland. At the time of the change of religion he came home to take possession of Torphichen, but refusing to quit his faith, Torphichen was dilapidated by an apostate knight called Sandilande.”—(Notes in family papers.)

Amongst the Drum parchments a precept for the infeftment of Alexander Irvine of Drum in

Paris whilst playing tennis with the Master of Marischal; (7) Janet, married to Gordon of Abergeldy; (8) Elizabeth, married to Seton of Meldrum; (9) Margaret, married to Cheyne of Arnage.

Alexander Irvine of Drum survived his son, and in 1552 resigned the whole of his lands into the hands of the Queen, Mary, who granted a new charter in 1553 to his grandson and heir.¹ As there is no further notice of him, it is probable that this Alexander Irvine of Drum died soon after the resignation of the lands to his grandson, which appears to have taken place on the marriage of the latter to the daughter of the Earl Marischal in 1552.²

Besides his son who was killed at Pinkie, this Alexander Irvine of Drum had two daughters—one married to the laird of Balbegno, and the other to Fraser of Muchalls, predecessor of Lord Fraser.

ALEXANDER IRVINE OF DRUM.

FROM 1553 TO 1603.

IN 1553 Alexander Irvine of Drum succeeded his grandfather, who, as already mentioned, had resigned the lands to him in the preceding year,³ about the time of his marriage with Lady Elizabeth Keith, daughter of the Earl Marischal.

In the year 1551 this Alexander Irvine, styled grandson and heir-apparent to Alexander Irvine of Drum, received a pardon from "James, Duke of Chat-

the Temple lands of Strachan, issued by Sir Walter Lindsay, Preceptor of the Order of the Knights of St. John of Jerusalem, is dated 12th June, 1540, and shows a mistake in Douglas's "Peerage" (Wood's edition), in which it is stated that Sir James Sandilands succeeded, on the death of Sir Walter Lindsay in 1538, to the title and jurisdiction of Lord St. John of Jerusalem in Scotland. "The 'Prior,' Master, Preceptor of Torphichen, or Lord of St. John, head of the Knights Hospitallers of St. John of Jerusalem in Scotland, sat in Parliament alternately among the abbots and priors and at the head of the higher barons. Previous to the Reformation the dignity was not personal or hereditary, but vested in the holder upon his induction into the fief and regality (of Torphichen) by the 'admission' and confirmation of the sovereign, after his appointment to the preceptory by the Grand Master abroad. Sir James Sandilands, a younger son of the family of Calder, was the Preceptor and Lord of St. John at the Reformation. He, to equally good account with Albert of Brandenburg, abjured the tenets of Papacy, and obtained from Queen Mary (24th January, 1563) a regrant of the lands and baronies of Torphichen and of the great estates of the Knights Hospitallers in Scotland."—(Riddell's "Peerage and Consistorial Law," I., pp. 88, 89.)

¹ February 12th, 1553. Date of sasine, 15th May, 1553.

² The contract of marriage betwixt Alexander Irvine of Drum and Elizabeth Keith, second daughter to William, Earl Marischal, is dated 10th April, 1552.

³ Contract of marriage between Alexander Irvine of Drum and Lady Elizabeth Keith is dated 10th April, 1552. New charter of the lands and barony of Drum, etc., by Queen Mary, February, 1553. Sasine to Alexander Irvine thereon, 15th May, 1553.

tellarault, Protector and Governor," for having taken and held possession of the house and fortalice of Findlater from Alexander and John Ogilvy, Lords of Findlater.¹ This John Ogilvy was John Gordon, third son of George, Earl of Huntly, and had assumed the name of Ogilvy in consequence of Alexander Ogilvy, Baron of Findlater and Deskford, having, in 1545, disinherited his only son, and in 1547 executed deeds settling the whole of his large estates and ancient inheritance upon this Sir John Gordon. Alexander Irvine had probably taken the Castle of Findlater, "in defiance of the Queen's Lieutenant for the North of Scotland," to vindicate the just rights of his cousin James Ogilvy (the disinherited son), who was then in France as steward of the household to the youthful Queen Mary.²

In 1560 a commission was issued to William, Earl Marischal, as sheriff of Kincardine, or his deputies, for the justifying (*i.e.*, hanging) of James Falconar in Middleton and Macquillie for having stolen from Robert Irwine, brother of Alexander Irwine of Drum, a velvet bonnet with a golden targat (ornamental blazon, cockade) and a small turquoise stone.

We have now reached a period when the efforts of ecclesiastical reformers assumed a regular shape and received legislative sanction. The able, the honest, and the guileless; the ambitious, the covetous, and the wicked; the brawling shallow zealot; the fierce and greedy noble—all came forward in the name of truth and disavowing their worldly aspirations, and the result of their public labours was the approval of "The Confession of Faith."

Alexander Irvine of Drum was one of the Members of Parliament, in 1560, that ratified and approved the Confession of Faith, or, as they expressed it, "the eternal verity lately born amongst us," and the promulgation of which they averred had been delayed "by the rage of Satan."³ Amongst verities lately born and pointedly announced was the discovery that "oyle (oil), salt, spittle, and such like, in baptism, are but man's inventions." The authors of this Confession of Faith refuse to receive or admit any tenets or ceremonies, even if sanctioned and

1 The remission is dated 20th March, 1551. The Castle of Findlater, now in ruins, was a place of considerable strength, situated on a peninsula of rock on the sea coast, parish of Fordyce, county of Banff.—(Spalding Club "Antiquities," II., p. 95.)

2 The feuds between the Gordons and the Ogilvies, which arose in consequence of the unnatural gift of Alexander Ogilvy of Findlater, were one of the causes that eventually led to the death of the Earl of Huntly, in arms against his sovereign, on the field of Corrichie on the 28th October, 1562, and to the execution of his son, Sir John Gordon Ogilvy, who was captured at Corrichie, and beheaded at Aberdeen three days after the defeat and death of his father. The property of Sir John Gordon Ogilvy being forfeited, the greater part of the Ogilvy estates, including the castle at Findlater, was restored on the 18th April, 1567, by Queen Mary to James Ogilvy, the disinherited heir of the family, whose descendant was created Lord Ogilvy of Deskford and Earl of Findlater.

3 "Acts of S. Parliament," II., p. 526.

“received by councils, realms, and nations,” if repugnant to a plain text of Scripture “or yet unto the rule of charity.”¹ The extent of the charity of those who framed this system, and the meaning they attached to the word, are rendered obscure by their preceding assertion: “We utterly abhor the blasphemy of them that affirm that men who live according to equity and justice shall be saved, whatever religion they profess,”² and also by the subsequent enactment, which declares that any person saying mass, being present or hearing mass, should for a second offence be banished, and for a third be put to death.³ It was, therefore, highly necessary that they should point out, as they did in their own queer form of expression, “the marks, signs, and assured tokens whereby the immaculate spous of Christ Jesus (*i.e.*, their own dogmas) is known from the horrible harlot, the Kirk malignant.”

As a specimen of the fruits of their “rule of charity” and their legislation, I shall refer to the case of a Roman Catholic priest, John Ogilvie,⁴ who was sentenced to be hanged and quartered, and was led to execution the same day. This consummation—a human sacrifice offered up to the demon of bigotry by a people professing the reformed Christian (?) religion—is not to be compared in iniquity to the ferocious cruelty which was practised on the irritable zealot previous to his conviction. By directions of the Lords Commissioners, in order to extort a confession and secure his incrimination, he was limited to scanty fare and placed under a guard, who by force kept him awake for eight days until delirium ensued. “His brains being lightsome, secrets were drawn out of him,” says an applauding ecclesiastical historian,⁵ and the “authorised” contemporary account says: “During which time (that is, during his delirium, occasioned by exquisite torture) he remitted much of his former obstinacy.” Such deeds were committed by Prelatists, who were even thought suspiciously merciful by Presbyterians!⁶

The excuse sometimes offered by Protestants for persecution, torture, and judicial murder, can neither be admitted as valid, nor even treated as mistaken zeal. These most odious crimes, when perpetrated by Protestants, are either openly defended or, in their nomenclature, become “severities,” and are asserted to result from the example and teaching of the Roman Catholics; as if the Scotch reformers had not treated with contumely, and discarded with violence, the rules, the rites, and the authority of that Church whose worst practices they retained,

1 “Acts of S. Parliament,” II., p. 531.

2 *Ibid.*, p. 530.

3 *Ibid.*, p. 535, and III., p. 36.

4 John Ogilvie, son of Walter Ogilvie of Drummis. The trial took place 28th February, 1615-16.—(Pitcairn’s “Criminal Trials,” III., pp. 330 to 352.)

5 Calderwood.—(*Ibid.*, p. 331.)

6 *Ibid.*

with no better pleas than their own fanatical zeal, theological hatred, unchristian revengefulness, or innate cruelty. We often hear of the barbarous murders and treacherous massacres committed by Roman Catholics on those whom they call heretics, and it is right that their crimes should be fully exposed; but it is equally right that Protestants should neither conceal nor palliate their own iniquities, and that all parties should be denounced who have profaned the name of Christian by shedding human blood under various pretences, but with the real object of obtaining ecclesiastical supremacy for their own sects. Before the Reformation, the clergy generally adhered to their principles in being intolerant, but departed from them in being vicious. They persecuted dissent to the death, whilst many of them openly set decency and morality at defiance.¹ All that, however, was no excuse for the lay leaders of avowed ecclesiastical reform, who, under pretence of religious zeal, robbed the Church and the poor, committed sacrilege, preached toleration, and practised persecution. The Church of Rome denied the right of private judgment in spiritual matters, and on this principle she acted. On the other hand, the most influential leaders of reform, whilst they loudly asserted the right of private judgment, attempted to force adherence to their own peculiar views by the administration of oaths, or the alternative of punishment; in other words, they secured apparent conformity by compulsory perjury; nor did they scruple to use persecution with all the zeal, although without the principle, which impelled the Romish Church to that unhallowed system. Thus, both parties virtually repudiated the first of Christian virtues, charity, and the second of Christian commandments, to do unto others as you would that they should do unto you.

In 1564, William, Bishop of Aberdeen, granted a feu charter to Alexander Irvine of Drum of the Church lands of Drumoak,² which was afterwards confirmed by the King.² Whether this was granted in consequence of the Reformation is not certain, but after that event the services due to the consecrated banner of St. Columba were no longer required, and ceased to be a burden upon the lands of Forglen; and although it does not exactly appear when the tithes of Inverury were acquired, they soon after appear in the list of property belonging to the Irvines of Drum.³

In 1577 a commission, to endure for one year, was issued to Alexander Irvine

1 "Acts of S. Parliament," II., p. 370; and Spalding Club "Registrum Epis. Aberd.," I., Preface lxi. and lxiv.

2 Sasine on the bishop's charter dated 29th July, 1566. Crown charter of confirmation dated 18th August, 1585. The granter of the charter was Bishop William Gordon (son of the Earl of Huntly), who was most active in dilapidating, by feus and leases, the property of the Church. He was the last (probably the worst) of the long succession of Roman Catholic bishops of the See of Aberdeen.

3 A TACK of the teind sheaves of Inverury was granted in 1538 by John, Abbot of Lindores, to "Alexander Irvine, young laird of Drum."—(Drum Papers.)

of Drum, authorising him to take and justify (*i.e.*, hang) John Trym and Alexander Futelang, and all other persons whatsoever within the bounds of his baronies of Drum, Culter, and Kynnerty, who might be *accused* of theft and other *horrible* crimes.

By an Act of Parliament passed in 1571,¹ provision was made for the security of those persons holding lands from the religious houses that had been destroyed. Secure on this important point, many of the leaders of reform abated their zeal, and in some cases were inclined to return to ceremonies and institutions more congenial to their aristocratic feelings of exclusive authority and hereditary importance. But the spirit of reform and independence, which they had hitherto assisted to create or increase in those who were guided either by religious principle or political prudence, was sufficient to countervail intended retrocession. A selfish disinclination to perform the duties of property, which they had inherited or acquired, now became so general that, in 1581, an Act was passed² by which all noblemen and prelates, under a penalty of five hundred merks, all great barons, under a penalty of three hundred merks, and landed gentlemen, under a penalty of two hundred merks, were directed to reside, themselves and their families, at their own houses, "that they may perform their duties, improve their places, support the poor with alms, and by every honest means entertain friendship with their neighbours." The reasons set forth for the necessity of this enactment are summed up in the allegation that the conduct which called for it "is an offence to God and defrauding of the poor."³

In 1580 a deed, in the form of an agreement between Alexander Irvine of Drum and Alexander Burnett of Leys, with consent of his curators, was prepared, but probably was never formally executed, being contrary to the Act which declared all bonds of manrent illegal. This deed contained a guarantee of the integrity of

1 "Acts of S. Parliament," III., p. 59, No. 6.

2 *Ibid.*, p. 222, No. 21.

3 The following is from a zealous and able reformer regarding the abuses of those who professed reform:—"13th December, 1571. . . . quhen we compair the tymes past with this age, a greit defectione apperis at this present, for the maist pairt of men, specialie the gretest of the nobilitie haifing gretest rentis in possessione, and plaicet of God in maist hie honouris, ceasis nocht, maist violentlie blindit with awarice, to spoilye and draw to thame selfis the possessiones of the kirk; as vnnaturall childring thai raif the mat frome the mouthe of thair mother, and thair-with also dois dewoir the puir, perisand in necessitie, to quhome iustlie pertenis a portioun of the kirkis patrimonie. Thai may iustlie be callit spoilyearis, becaus that thai tak to thame that quhilk pertenis to wtheris, without all guid ordour, and aganis all lawis; yit to excuis thair wrange, and to colour thair iniquitie, will bost thame selfis to be of the kirk als weill as thai that ar placed in the ministerie . . . Bot miserable is the estait of this tyme, quhairin men, contemning all godlie counsall, will mak of bairnis, ignorantis, vngodlie, and witious personis, pastouris nocht onlie of ane kirk, bot of mony, for na respect is haid to the edificatioun and proffeit of the people, bot to the rent and proffeit of the benefice."—(From a letter of John Erskine of Dun—Spalding Club "Miscellany," IV., pp. 97-99.)

the lands and heritage of Alexander Burnett according to the ancient marches, in return for this bond of service to Alexander Irvine of Drum, and the maintenance by himself, his kin, and friends, of the surname of Burnett. Disputes, however, continued to occur,¹ and in 1590 the laird of Leys, in order to avoid "large and sumptuous expenses," agreed to refer for settlement the whole question regarding the marches between the estates to the laird of Drum, who accepted the submission,² and associated with himself in the investigation his son and heir, Alexander Irvine, as well as several of the neighbouring barons.

In 1583 Alexander Irvine of Drum granted to Alexander, his son and heir, a charter of the barony of Drum and other lands, and obtained from the king a charter of confirmation.³

James VI., in whose inconsistent character the mean acquisitiveness of the miser occasionally alternated with the wasteful extravagance of the spendthrift, was always ready to borrow, and nowise slow to beg. He received five hundred merks from, amongst others, "our weil helovit Alexander Irving of Drum," and promised, in an acknowledgment signed by himself, "thankfully" to repay the same. The money was conveyed by Irving of Strachan, and received at Dalkeith by Peter Young, his majesty's almonsser (almoner).⁴

In this same year (1587) that his majesty had been using "his borrowing powers," he and his Parliament showed themselves determined to enforce economy in the feeding of horses by passing an ordinance against the "keeping or entertaining any horse at hard meat after the first day of June in each year." Barons, however, were to be permitted to entertain one, and noblemen and bishops two horses, without being liable to the penalties by which this absurd Act was expected to be enforced. Although this ordinance of the assembled wisdom of Scotland specifies the first of June as the day of each year after which horses are no longer to be entertained at hard meat, it seems to have omitted to fix any date after which "hard meat" might be provided, so that this superior entertainment of the horses was postponed *sine die!*⁵

In 1587, Alexander Irvine of Drum was named on a commission of noblemen and barons "to confer with the most honest ancient landed Gentlemen next

1 On 1st and 5th September, 1586, there was a decret of perambulation of the marches between the barony of Drum and the lands of Canyglarach, etc., belonging to the laird of Leys.—(Drum Papers.)

2 Submission dated 17th February, 1590. Drum's decret arbitral, 9th June, 1590. Intimation thereof under the hand of Gilbert Ross, notary, 18th June, 1591.—(Drum Papers.)

3 Charter by Alexander Irvine of Drum, dated 4th April, 1583. Sasine thereon, 19th May, 1583. Crown charter, 18th August, 1585.

4 Peter Young, his highness's preceptor and master almonsser, is mentioned as having done "gude, trew, and profitable service in the educatioune of his hienes vertewouslie in lettres during his minoritie."—(Jamieson's "Scottish Dictionary"—"Allmonsser.")

5 "Acts of S. Parliament," III., p. 452, No. 40.

adjacent" at the Bridge of Don, and to report if it were possible to repair that ancient structure. This commission was issued in consequence of a petition from the magistrates of Aberdeen to the king and Parliament, setting forth the dilapidated state of the bridge, and its extreme utility as the only means of communication with the northern districts, and the only bridge on the river by which sufficient supplies could reach the burgh. They intimate that the northern end had fallen down, and that in winds or tempestuous weather no one could pass on horseback or on foot, and for its importance they declare that, from the sterility of the country, which for the distance of ten or twelve miles around Aberdeen produces no corn, the town is dependent for supplies on the districts of Buchan and the Garioch.¹

Early in the year 1590, Alexander, son and heir of the laird of Drum, was married to Lady Marion Douglas, daughter of Robert, Earl of Buchan.² Her father being dead, the Earl of Morton acted on her behalf in the arrangement of the marriage contract.

In the year 1573 the Regent Morton had granted to Robert Irvine, brother-german to Alexander Irvine of Drum, "the wards, nonentries, profittes, duties," etc., of various lands in the barony of Fedderet, which, says the deed, "have been in our hands or our predecessors³ as superiors thereof by reason of the nonentries since the decease of — Crawfurde of Fedderet, for-grandschire (great-grandfather) to William Crawfurde, now of Fedderet," and, it is added, "together with any farther right of recognition if it sal happen through alienation of the rest of the barony of Fedderet." This grant seems to have been, explicitly and by implication, the thin end of the wedge which was driven home before 1583,⁴ at which period—if not before—it appears that Alexander Irvine of Drum received legal possession of the barony and castle of Fedderet. But in 1591 the place was surprised, and the retainers of the Irvines were forcibly ejected, by an armed party of the dependants of the Crawfurdes, its former proprietors.⁵ In conse-

¹ Ibid., p. 518, No. 128. That the authorities of Aberdeen appreciated Alexander Irvine is shown by their having, on 10th September, 1596, admitted his servant, Steven Smyth, as a Burgess of Guild *EX GRATIA*, "upon consideratioun that the said laird of Drum is and hes stand at all tymes guid freynd and weill welar of this burght."—("Aberdeen Council Register.")

² Robert Douglas, Earl of Buchan, died at the Mills of Drum on the 18th August, 1580.—(Spalding Club "Miscellany," II., p. 53.)

³ This grant of the Regent Morton, dated 8th November, 1573, is in the name of King James VI.

⁴ The final confirmatory charter (under the Great Seal) is dated 13th April, 1583, of the tower, fortalice, barony, dominioal lands, etc., of Fedderett.—(Drum Papers.)

⁵ "The House of Fedderat was, of old, reckoned a great strength; and, about the Revolution, some dayes after the battle of Cromdil, severall gentlemen of the king's pairty came there, and caused the country people carry in a great deal of provisions for them; but, after the regular forces had lyen some four weeks before it, they surrendered, and were carryed abroad on the government's charge."

"About two miles north from the church (of Auchreddie or New Deer) stands an old castle,

quence of this violence on the part of the Crawfurdes, James VI. issued a commission directed to George, Earl of Huntly, ordering and authorising him to assemble the lieges in arms, and to besiege the castle of Fedderet, to raise fire, to use all force and warlike engines, and to take and bring to justice the defenders and others concerned, who had been "denounced rebels, and put to the horn," at the instance of Alexander Irvine of Drum, and John Fairwedder, messenger, and "of our well-belovit clerk and councillor Mr. David M'Gill of Cranstoun Riddell." The Crawfurdes are denounced for surprising and taking the castle of Fedderat, pertaining to Alexander Irvine of Drum, and keeping and detaining the same against the royal authority, it being further alleged that the said rebels had proudly and contemptuously disregarded all the royal orders, and associated themselves with a great number of "deboschit" vagabonds, rebels, fugitives, and outlaws, and daily committed heavy crimes and depredations on the peaceable dwellers near the castle.¹

In the neighbourhood of the ruined tower of Fedderet a tradition which must be referred to this period is, or was until lately, preserved regarding the last of its lords of the name of Crawfurde. It is said that an elderly man, of a somewhat sinister appearance, and who was not known to any of the neighbours that had passed that way, occasionally took his seat on a flat rock near the castle. In time rumours arose that the stranger was "no canny," and so it proved. It was no other than the arch-enemy of mankind, who, either in the usual course of his vocation, or attracted by the congenial society in the tower, had found it convenient frequently to establish himself at the spot where his presence gave rise to considerable dread and much discussion. Feeling no fear, perhaps excited by curiosity, and piqued by the intrusion on his domain, the old laird confronted the stranger, and commenced a colloquy which he ended by challenging the carle to "shak a fa'" (wrestle). The proposal was readily accepted, and the rashness of the laird was soon proved by his being heavily thrown, and finding, on the recovery of his senses, that "his shackle-bane was dang out" (his wrist was dislocated).

Fedderatt, which appears to have been a place of considerable strength. It is surrounded partly by a fosse and partly by a morass, so that there could have been no access to it but by a causeway (which is still visible) and a drawbridge. Water, it seems, had been conveyed to it by means of pipes, for pieces of them have, at different times, been torn up by the plough."—(Spalding Club "Antiquities," I., p. 405.)

¹ From the following extract it would appear that one of the "deboschit vagabonds" denounced in the royal commission was a brother of the Earl Marischal. "October, 1590.—Mr. Robert Keith, brother to the Earl of Mareschal, possessed himself of the Abbey of Deer, wherein he remained six weeks, and out of which, being dislodged December 15, by Marischal and Lord Altrie and their company, he fled to Fedderet, which they attempting in vain, three days after, to take in, came to a truce with him. February 13 he skirmished with my Lord Altrie's soldiers, slew one, Macnab, and carried off all my lord's goods out of Mintlay."—(Spalding Club "Gordon's 'History of Scots Affairs,'" I., p. xxxiii.)

And thus it remained until his dying day, as a proof of his bodily encounter with the "evil one."

The treatment of John Fairwedder must have been not a little dangerous to that official, and was, no doubt, a grievous insult to the great legal functionary by whom he had been sent to announce the royal orders to the forcible possessors of the castle of Fedderet, who, the present commission declares, had assaulted this messenger, torn the royal or legal mandates from him, and in a violent and barbarous manner compelled him to eat and swallow these authoritative documents, "to the great hazard and peril of his life."¹ The trial of some of the Crawfordes who were accused of this outrage on John Fairwedder was fixed to take place at Edinburgh on the 8th August, 1590; they were also "delatit" for besieging and taking the place of Fedderet. The case was then remitted to the assize at Aberdeen, but no record of the result has been preserved.²

In 1592 a commission was issued to George, Earl Marischal, constituting him his majesty's commissioner within the sheriffdoms of Kincardine, Aberdeen, and Banff, to pass, search, seek, and take George, Earl of Huntly; William, Earl of Angus; Francis, Earl of Erroll, etc., and all others Jesuits, seminary priests, and trafficking papists, for treasonable practices against the true religion; and, further, against the Earl of Huntly, and others of his friends and followers who are specified, "for the treasonable fire-raising and burning of the place of Dynnibersell and murder of James, Earl of Murray." The Earl Marischal was also commissioned to apprehend all thieves, robbers, sornaris, brokenmen, etc., and was empowered to hold courts of justiciary. Some of the principal barons—amongst whom was Alexander Irvine of Drum—were appointed councillors to the Earl Marischal, and by their advice, or that of any three of them, he was to be guided.³

This Alexander Irvine acquired, in 1596, the lands of Kinnuck from Patrick Forbes, with consent of his curators.⁴

¹ The outlaws of Fedderet had a royal precedent for their violence to the messenger and their contemptuous treatment of the royal mandate in the conduct of Eric, King of Norway and Denmark, who in 1420 commanded a special messenger that had brought him an obnoxious document from the Pope to eat up the parchment as well as the heavy seal attached. The messenger—fearing, I presume, what happened to John Fairwedder ("great detriment to his bodily health")—positively refused the intended provender, and was thrown into prison.—(Vide "Lives of Princesses of England," III., p. 370.)

² Pitcairn's "Criminal Trials." The commission is from the Drum papers.

³ The commission is dated 9th March, 1592.—(Pitcairn's "Criminal Trials," I., p. 284.)

⁴ The oldest deeds connected with this place of Kinnuck are:—an original feu charter by John, Abbot of Lindores, in favour of Patrick Forbes and his spouse, Elizabeth Lawson, dated 26th February, 1545; two ratifications of this charter by the Pope's legate, dated in 1546; submission by James Johnston of that ilk (now Keith-hall) and Patrick Forbes to John Forbes of Pitsligo and others for settling the marches of Kinnuck; also decret arbitral thereon, dated 20th April, 1547; procuratory of resignation of Patrick Forbes, eldest son and heir of George Forbes of Kinnuck, of that land into the hands of King James VI. in favour of Alexander Irvine, ELDER of Drum,

By a contract of sale, dated 25th March, 1597, Alexander Irvine of Beltie dispensed and granted a charter of the lands and town of Easter Beltie, the hill and mill of Beltie, also Wester Beltie, Torfins, Sundayswells, etc., to Alexander Irvine of Drum, the price being eleven thousand five hundred merks.

This Alexander Irvine of Drum died in 1603, in which year his will is dated.¹ The will of his wife, Lady Elizabeth Keith, is dated in 1585.² Their family consisted of five sons and four daughters, viz.:—(1) Alexander, who succeeded his father;³ (2) Robert of Fornet and Moncoffer;⁴ (3) James of Brucklaw, predecessor of the Irvines of Saphock;⁵ (4) William of Beltie;⁶ (5) John of Artamford;⁷ and (1) —, married to Hay of Ury;⁸ (2) —, married to Keith of Craig, Inverugie;⁹ (3) Elizabeth, married to James Ogilvie of Boyne;¹⁰ (4) Margaret, married to Gilbert Menzies of Pitfoddels.¹¹

5th May, 1596; charter by Patrick Forbes to Alexander Irvine, 5th May, 1596; royal charter of confirmation by King James VI. of foresaid charter, 22nd May, 1596; sasine in favour of Alexander Irvine on Kinmucks, 27th May, 1596; ratification by Patrick Forbes of a contract of sale passed between Alexander Irvine of Drum and the said Patrick Forbes, with consent of his curators, 29th May, 1597.

¹ and ² The year, previous to 1599, commenced on the 25th March. The Act of the Privy Council which changed it to the 1st January was dated 27th December, 1599.

His "confirmed testament" is dated 12th March, 1603.

² The "confirmed testament of Elizabeth Keith, Lady Drum," is dated 20th June, 1585.

³ Sasine in favour of this Alexander Irvine of Drum is dated 13th May, 1603. He was served heir on the 14th March, 1603.—(Retours, No. 90.)

⁴ See the Irvines of Fornet and Moncoffer. On the 11th December, 1606, Robert Irvine of Moncoffer, and others, were tried and acquitted for hamesucken and the slaughter of John Forbes, younger of Mylnebowie. The Earl of Home, the Master of Marischal, the Master of Mortoun, Mr. John Russell, and Mr. Robert Lyntoune appeared as procurators for the accused—(Pitcairn's "Criminal Trials," II., p. 494.)

⁵ See Irvines of Brucklaw and Saphock.

⁶ See Irvines of Beltie.

⁷ See Irvines of Artamford. The descendants of this John of Artamford are now in possession of the barony of Drum. By the extinction of the heirs male of the senior branches they are also heirs male and heirs of line of the original grantee.

On the 25th February, 1598, a charter was granted by Alexander Irvine, younger of Drum (with consent of his father, Alexander Irvine of Drum) of the lands of Artamford, Shevadoe, and Pundlecroft, in the barony of Fedderet, to his youngest brother, John Irvine. In this deed his brother William (afterwards styled of Easter Beltie) is mentioned, and his other two brothers, Robert Irvine of Moncoffer and James Irvine of Aucheech (afterwards of Brucklaw), are witnesses to the deed.

⁸ MS. notes in Drum Papers.

⁹ Ibid.

¹⁰ There is a discharge, dated 1st May, 1599, by Elizabeth Irvine (with consent of James Ogilvie, apparent of Boyne, her spouse) to Alexander Irvine of Drum, her father, of all sums due by him to her.

James Ogilvie, fifth Baron of Boyne, got a charter under the Great Seal in his father's lifetime to James Ogilvie, apparent of Boyne, and Elizabeth Irvine, his spouse, dated 22nd February, 1597 (Douglas's "Baronage"); also a charter to the same parties, dated 1606.

¹¹ There is a discharge by Margaret Irvine to her father of all sums due by him to her, dated

The tocher (dower) of each of the daughters appears to have been nine thousand merks.

ALEXANDER IRVINE OF DRUM.

FROM 1603 TO 1630.

It has already been noted that Alexander Irvine, who now (in 1603) succeeded his father, had by him been put in joint possession of the family estates in 1583. Alexander Irvine married, in 1590, Lady Marion Douglas, daughter of Robert, Earl of Buchan. Her father and mother being dead, the Earl of Morton acted as the lady's guardian, and for this service to his ward received from her husband in 1605 the stipulated sum of 10,000 merks. Had she succeeded to the earldom of Buchan, the amount to be paid to the Earl of Morton was to be 20,000 merks.¹ This Alexander Irvine was chosen, on the 16th April, 1604, by the Estates of Parliament to be one of the "Lords of the Articles."²

In November, 1605, John, brother of William Forbes of Corsindae, who seems

27th March, 1597; also a discharge by Gilbert Menzies of Pitfoddels for 4000 merks, being the balance of 9000 merks given as tocher by Alexander Irvine of Drum with his daughter Margaret.

On the 27th November, 1611, William Forbes of Monymusk was placed on trial for having, along with three of his servants and other accomplices, murdered, on the 9th May, 1580, Alexander, son of Gilbert Menzies of Cowlie, Provost of Aberdeen. This Alexander Menzies had been instructing his father's tenants of the lands of Findon "to give earnest attendance to the keeping of a hawk's nest on the Craig-of-Findon for his majesty's use." In returning towards Aberdeen, Menzies was waylaid by Forbes and his party, who had concealed themselves behind the Cairn of Lorieston, and who, "with loaded culverins placed upon rests," awaited the approach of their victim. They shot him dead, mangled his body with nine sword wounds, and then went off, taking with them his sword, dagger, cloak, and some other articles. Thirty-one years had elapsed since this transaction and before Forbes was brought to trial, at which Gilbert Menzies of Pitfoddellis and a surviving brother of the murdered man acted along with the king's advocate as prosecutors. At the trial Forbes produced "letters of slanes" from two of the deceased's brothers, also a royal pardon under the Great Seal, and offered to give security to satisfy (recompense) such of the deceased's relations as had not been settled with previously, and on these terms the case was settled.—(Pitcairn's "Criminal Trials," III., pp. 204-6.) This trial seems to have been a renewal of the feud between the families of Monymusk and Pitfoddellis, for, on the 26th November, 1613, mutual actions were brought in the oriminal court for seizing and destroying growing crops on the lands of the parties. "Margaret Irvine, Lady Pitfoddells," was conjoined with her husband, Gilbert Menzies, and others, in one indictment, and William Forbes of Monymusk and his sons in another. The result is not known.—(Ibid., pp. 258, 259.)

¹ Robert Douglas, Earl of Buchan, died at Mills of Drum, 18th August, 1580. Dame Christian Stewart, Countess of Buchan, his widow, died on the 20th September of the same year.—(Spalding Club "Miscellany," II., p. 53.)

14th February, 1605.—Discharge by the Earl of Morton to Alexander Irvine of Drum for 10,000 merks of the sum of 20,000 payable by him in case of his lady's succeeding to the earldom of Buchan.

² "Acts of S. Parliament," IV., p. 26.

to have been at the head of a gang called "The Company and Society of the Boys,"¹ waylaid John Irvine of Artamford, brother of the laird of Drum, near to the Peill of Lumphanan. Irvine narrowly escaped, but his servant, William Broun, was killed, and two of his companions—John Chalmer, younger of Balnacraig, and Patrick Irvine—were wounded. On the 20th January, 1606, by a formal deed executed at Drum,² Arthur, Master of Forbes, John Forbes of Pitsligo, William Forbes of Tolquhon, John Forbes of Brux, Abraham Forbes of Blacktoun, and James Garioch of Kinstair, "for themselves, the hail clan and name of Forbes, their friends, lependaris, tennentis, followers, servants, partakers, and all others whom we may stop or let, directly or indirectly," declared the attack and slaughter "to be clean contraire to our honour and long-continued friendship with the House of Drum," and agreed, by a formal submission, to abide by whatever decree or sentence Alexander Irvine of Drum might pronounce against the guilty parties. In conformity with this arrangement, the laird of Drum, on the 22nd October, 1606, pronounced a decree ordaining John Forbes, brother of Corsindae, Robert Skeen, and Patrick M'Kanier to pay £2000 Scots to the brother of William Broun, who was killed, and £1000 each to John Chalmer and Patrick Irvine, who were wounded, and if any of the Forbeses or their dependants should in any wise contravene the decree, Arthur, late Master, and now Lord Forbes, and the other persons who had become bound for the clan were to pay the whole sum of £4000 Scots in equal parts to Robert Irvine of Moncoffer and John Irvine of Artamford, brothers of the laird of Drum. In the meantime, John Forbes—the principal in the attack on Irvine of Artamford and the slaughter of his servant—had been seized and tried at Edinburgh on the 6th November, 1606, for that and other crimes. He was convicted, and sentenced to be beheaded, with confiscation of his property.³ The sentence was probably not carried into effect, as, on the 24th December, 1606, on the application of the advocates for the laird of Drum and the Forbeses, the Lords of Council ordered the submission by Alexander Irvine of Drum, and the decret founded thereon, to be registered, and to have the effect of their decree.

Notwithstanding the above-mentioned record of "long-continued friendship

1 An order, dated 20th January, 1607, was directed to the Marquis of Huntly from the Privy Council, directing him to apprehend, or punish with fire and sword, the chiefs and other members of "the societie and companie of the Boyes." The chiefs pointed out by name are John Gordon of Geyche, Forbes of Corsindae, and Patrick M'Inneir. The association is termed unlawful and seditious, and its members "doboschet and lawles lymmerris," and the Marquis of Huntly is told that the actions of this "handfull of lymmerris" within his bounds causes slander and prejudice to his honour and credit. And that his majesty will "wonderfullie admire his long patience and connivance in not apprehending, punischeing, and suppressing of thir lymmerris."—(Pitcairn's "Criminal Trials," Appendix III., p. 581.)

2 The deed is written by "Mr. William Leslie of Warthill."

3 Pitcairn's "Criminal Trials," II., pp. 494-535.

between the Irvines of Drum and the Forbeses," we find that, immediately after, at the trial of John Forbes, his advocate objected to Harrie Skirving of that ilk being placed on the jury, as he was a vassal of the Earl Marischal, to whom Irvine of Drum was "sister's bairn," and that there was feud standing "betwix the laird of Drum and the name of Forbes."¹ The assertion of the advocate is also confirmed by the fact that, on the 11th December, 1606, Robert Irvine of Moncoffer, brother of the laird of Drum, was tried for the slaughter of John Forbes, younger of Mylnebowie. This case seems to have been compromised, or the complainers to have been intimidated, as they declined to proceed in court, and the prisoner was acquitted. The Earl of Home, the Master of Marischal, the Master of Mortoun, Mr. Russel, and Mr. Lyntom appeared as procurators to defend the accused.²

On the 26th February, 1606, Alexander Davidson, timber merchant in St. Andrews, applied to the magistrates and Town Council of Aberdeen, stating that he had purchased from the woods of Drum as much timber as would build a bark, and that, "God willing," he intended to build the vessel in Aberdeen. But, adds the applicant, the most meet and convenient place for building this bark is the kirkyard of the Trinity Friars, "quhilk is filthilie abusit be middingis" (dung-hills). After due consultation, the council decided that the application was "verie reasonable," granted leave to the memorialist to build his ship in the kirkyard of the Trinity Friars, and ordained that the middings should be removed within eight days. From this incident it is apparent that, whatever may have been the amount of improvement wrought by the late reformation of the Church, it did not extend to outward cleanliness, nor to a decent respect for the repository of the dead, and we see that the municipality had allowed the tombs of their ancestors in the Trinity Friars to be desecrated by the filth of accumulated dunghills, and the cumulative wisdom of the town decreed that the churchyard was a "very reasonable" place in which to build ships.³

In 1612, James VI. directed a letter under the Privy Seal to Alexander Irving of Drum, expressing his majesty's "very hearty thanks for service done in the

1 Pitcairn's "Criminal Trials," II., p. 534.

2 Ibid., p. 494.

3 Although thus disrespectful to the exterior of the church and the memorials of the dead, the kirk session were not unmindful of their own power, nor disinclined to exercise it; for, on the 25th January, 1618, at Aberdeen, Alexander Panton was reprimanded by them for painting a crucifix (at the request of Mr. Alexander Irvine) to be carried at the funeral of his father, Mr. Richard Irving, baillie of that city. This Mr. Richard Irving was married to one of the three illegitimate daughters of the celebrated John Leslie, Bishop of Ross.—("Book of Bon-Accord," pp. 376 and 228; and MS. of Mr. A. Dingwall Fordyce.) That this churchyard, which was desecrated by filth and turned into a shipbuilder's yard, was a place of sepulture long after this period appears from the Town Council's having ordered, in 1648, that the dyke of the Trinity kirkyard should be repaired to prevent "the flood incoming on the graves there."—"Book of Bon-Accord," Note 131.)

north part of that our kingdom," "and willing you to continue these your dutiful endeavours." What were the services thus so graciously acknowledged is not known, and they are not specified in the royal missive.¹

In 1617, Alexander Irvine, with consent of Lady Marion, his spouse, granted a charter of the lands of Kinnuck in favour of his eldest son and heir, Alexander, and his spouse, Magdalen Scrimzeour.²

In 1618 the Earl of Mar resigned into his majesty's hands the patronage of the church of Drumoak in favour of Alexander Irvine of Drum.³

In 1621, Alexander Irvine of Drum (with consent of his second son, Robert) granted a charter of the lands, fortalice, manor, etc., of Forglen to his eldest son and heir-apparent, Sir Alexander Irvine, and his spouse, Dame Magdalen Scrymgzeour.⁴

In 1622, Alexander Irvine granted a charter of the lands of Kellie in Forfarshire in liferent to his wife, Lady Marion Douglas.⁵

Amongst the Drum papers are several licences to Alexander Irving of Drum, his wife, and those that may be in company with them at table, "to eat and feed upon fleshes" in the forbidden time of Lent, and also on Wednesdays, Fridays, and Saturdays, each licence to continue for the space of one year.⁶ After the Reformation, the revival of a prohibition against the eating of "fleshes" oftener than four times in a week probably proceeded from traditionary recollections and religious scruples, but this was not at first avowed. At no distant period, however, these restrictions on eating flesh were turned to profitable account by the avarice of the Regent Morton and his judicial myrmidons. By the Act of Parliament⁷ of 1567, all persons are prohibited from eating flesh on three days in each week, but the particular days of abstinence are not mentioned. In 1584 a more decided tone is assumed, and the Act of that year, under pretence of the scarcity of "fleshes," prohibits all persons from thereafter eating

1 Dated from Greenwich, 29th June, 1612.—(Drum Papers.)

2 Dated 22nd July, 1617.

3 Dated 9th July, 1618.

4 Dated at Drum, 1st January, 1621. The consent of the second son became necessary, as he had sasine of these lands on 1st January and 4th November, 1618.

5 Kellie was acquired in 1614-15 by Sir WILLIAM Irvine from the Ochterlonys (who had for some time given their name to that barony). Who this Sir William Irvine was I have been unable to discover. But many deeds in the charter-room of Drum, and some in the list of those delivered to the Earl of Panmure in 1679, leave no doubt that Kellie was acquired by Sir WILLIAM Irvine, and that he was succeeded in the possession of it by Alexander Irvine of Drum. In several of the deeds regarding the barony of Kellie mention is made of "Dame Sara Bruce," the wife of Sir William Irvine of Kellie.

6 The earliest is dated 19th February, 1622. There are also licences for the years 1626 and 1627.

7 "Acts of S. Parliament," III., p. 40, No. 35.

flesh on Wednesdays, Fridays, and Saturdays, or during Lent, under pain of confiscation of all moveable goods. Thus gradually, but in less than thirty years, did the legislature return to the same restrictions, and the same outrageous extent of penalty—confiscation of all moveable property—that had been decreed in 1555,¹ or only five years before the legislature established the Reformation, and promulgated “The Confession of Faith.” In 1587² this Act is confirmed, and no licence whatever is to be granted and to pass the seal without the payment of one hundred pounds to the treasurer.³ The licences in the Drum papers are granted on the receipt of the treasurer, and made valid by the signatures of all the lords of the Secret Council.

On the 1st September, 1629, this Alexander Irvine was appointed sheriff-principal of Aberdeen, and on the 26th December of the same year is dated his last will, the execution of which he did not long survive, for his son was served heir on the 18th March, 1630. In the will he states “Because it hath pleased God the Lord, of His mercy, to prolong my days for the education and provision of all my bairns, and both then and since that time hath blessed and increased my means, whereof, lest I should prove forgetful in not rendering back a part for sacred and pious uses, I leave ten thousand pounds Scots money.” Then follow his benevolent intentions. Amongst his acts of pious gratitude was the provision for four bursaries of Philosophy and two of Divinity at the Marischal College of Aberdeen, and of four at the Grammar School of the same town. He also mortified eight bolls of meal to the parish schoolmaster annually from the lands of Kelly; at which place he died. He was buried within the old church of Arbirlot, where a monument was erected to his memory at the east end of the church, on which the particulars of this mortification were recorded. Part of the monument was covered by the low floor of the gallery afterwards erected, so that only a very small part of the inscription could be read from the pews below. The monument was accidentally destroyed when the church was taken down in 1832.⁴

Sir Samuel Forbes, in his “Description of Aberdeenshire”—written about the

1 “Acts of S. Parliament,” II., p. 493, No. 9.

2 *Ibid.* (1584), III., p. 353, No. 12; and (1587) III., p. 453, No. 42.

3 In Pitcairn’s “Criminal Trials,” I., p. 370 (1596). It appears that the Earl of Crawford was proceeded against for eating flesh, contrary to these Acts, although he possessed the king’s licence to eat, and his servant to cook, flesh in time of Lent, the king’s advocate alleging that the licence was null, as having been granted without the payment required by the Act of Parliament. See also “Acts of S. Parliament,” IV., p. 70, No. 31.

4 The deed of gift by Alexander Irvine is published in the Report by the Commissioners on the Universities of Scotland, 1837, Vol. IV., pp. 280, 281.

The account of his mortification for the benefit of the schoolmaster of Arbirlot, also the account of his monument, its partial concealment by church boxes and gallery, and its destruction are taken from the “Antiquarian Gleanings” in a Dundee newspaper.

I have since been informed that Irvine of Drum had the right of presentation of four poor

year 1715—alludes to “that laird of Drum who lived in our grandfathers’ time (who) can in no wise be omitted, (and) for his benignity and ample bounty to the poor deserves to be remembred and prais’d. He liv’d decently; was a plain man, nicknamed ‘Little Breeches’; increased in wealth; bequeath’d lands¹ for maintenance of poor widows, poor maids, and for the education of several children at schools, and of young men to be taught philosophy and theology.”

Lady Marion Irvine survived her husband for nearly twenty years, and continued a widow, although her high character and large dower brought her many suitors.² In 1633 she endowed an institution, by the gift of funds, for the purpose of maintaining the widows and daughters of poor burgesses within the burgh of Aberdeen.³ Lady Marion was the second daughter of Christian Stewart, Countess of Buchan, and her husband, Robert Douglas, who, in right of his wife, assumed the title of Earl of Buchan.⁴

In July, 1640, when the Earl of Argyle plundered the property, destroyed the woods, and burnt “the bonnie House of Airlie,” he refused permission to Lady Ogilvie, notwithstanding her delicate state, to remain in the mansion-house of Forthar, from which, although it was neither a stronghold nor ever capable of defence, he caused the lady to be expelled, and then destroyed it. At this time Lady Marion Irvine applied to her kinsman Argyle, requesting permission to receive her grand-daughter, Lady Ogilvie, at the house of Kelly. Argyle refused; but Lady Marion, following the dictates of natural affection and humanity, disregarded his answer, and sent for Lady Ogilvie, and afforded her that protection and attendance which her situation required.⁵ This vengeful conduct of Argyle

scholars to the parish school of Arbirlot, the payment for whom is still a burden on the lands of Kelly or Cuthlie, which were sold by the grandson of this Alexander Irvine of Drum.

1 Description of Aberdeenshire in Spalding Club “Antiquities,” I., p. 41.

There is a discharge from the Magistrates of Aberdeen, dated 13th June, 1634, to Sir Alexander Irvine of Drum, of the sum of four hundred merks bequeathed by his father to the Guild Brethren’s Hospital of that borough.—(Drum Papers.)

He received the name of “Little Breeks” in consequence, it is said, of his having adopted a fashion, which had commenced when he was on the Continent, of wearing breeks of less capacity than the trunk hose and other bulky articles in which it was customary for persons of quality in Scotland to ease their nether man.

2 In some family genealogical remarks it is noted that, “besides others, she was courted by the Marquis of Douglas and Lord Southesk.”

3 The extract of this deed of mortification is dated 26th May, 1633.

4 The contract of her marriage with Alexander Irvine of Drum is dated the 22nd and 23rd February, 1590. In Douglas’s “Peerage,” I., p. 269, it will be perceived that the wife of Alexander Irvine is made the eldest daughter of the Countess of Buchan, that she had been previously married, that she had no issue, and that her name was Janet. All this is incorrect. In 1633 Robert Irvine of Fedderet was procurator for his mother, Dame Marioun Douglas, Lady Drum.—(Spalding Club “Miscellany,” III., p. 106.)

5 Gordon’s “History of Scots Affairs,” II., p. 218, notes to 234; also III., p. 164-6.

On his trial in 1661, the Marquis of Argyle, to the charge of having slight (demolished) the

to his hereditary enemies the Ogilvies of Airlie, under pretence of zeal for the public service, would be justly condemned in our time; but retributive justice did not await the judgment of impartial history or a future age. The plaintive and popular ballad of "The Bonnie Hoose o' Airlie" recorded his violence, and in his native country has for ever attached to his memory the disgraceful epithet of "the false Argyle." As to his condemnation and execution as a traitor, that only proves that his enemies were in power, and that the tribunals of Scotland then, as on other occasions, were ready, without regard to justice, to follow the dictates, or anticipate the wishes of, the dominant political party. Lady Marion Irvine was interred in the burying-place of her maternal ancestors in Auchterhouse Chapel.¹

This Alexander Irvine, by Lady Marion Irvine, had two sons and five daughters:—(1) Alexander, his successor; (2) Robert Irvine of Fedderet;² and (1) Margaret, married to Sir George Ogilvie of Dunlugas, afterwards created Lord Banff;³ (2) Isabella, married to Urquhart of Leathers, afterwards of Craighfintrie or Craigston;⁴ (3) Janet, married to Sir William Douglas of Glenbervie;⁵ (4)

House of Airlie, destroyed the woods and plantings there, weaned and destroyed the Earl of Airlie's friends and tenants, and for burning the house and furniture at Forthar in Glenisla—answered by justifying the demolition of Airlie Castle, explaining the cutting of the plantations there, asserting that the injuries done to the friends and tenants of the Earl of Airlie were the unavoidable consequence of warlike operations, and denying that he had previous quarrel or personal prejudice against that nobleman, or that he (Argyle) gave the order or knew of the burning of the House of Forthar until after it was consumed. The doomed nobleman was, however, much more correct and successful in exposing the irregularity and illegality of this part of the prosecution than in his attempted refutation and explanation of the charges regarding his own operations against the Ogilvies in Glenisla. The charges and defence are in the "State Trials," II., 428, etc., and VII., 400, etc. For proof of feuds between the families of Argyle and Airlie, see Pitcairn's "Criminal Trials," I., p. 263, 264.

¹ Her mother, Christian, Countess of Buchan, was fifth in descent from Lady Jane Somerset, widow of King James I. of Scotland, and her husband, Sir James Stewart (the Black Knight of Lorn). Their son, Sir James Stewart, uterine brother of King James II., was created Earl of Buchan; and by marrying the heiress of Sir Alexander Ogilvy, acquired the office of hereditary sheriff of the county of Forfar, and the barony of Auchterhouse.—("Additional Sutherland Case," pp. 60 and 68, and Douglas's "Peerage.")

There is a receipt to Lady Marion Irvine from her grand-nephew, James VII., Earl of Buchan, dated June, 1648, acknowledging that she had furnished the number of armed men, provisions, etc., required by the Act of Parliament.

² See the Irvines of Fedderet.

³ Their daughter Helen was married to Lord Ogilvie (afterwards Earl of Airlie), and was the Lady Ogilvie who found shelter at Lady Marion Irvine's house of Kelly after the burning of the house of Forthar by Argyle.

⁴ Marriage contract dated 1st February, 1612. Their son also succeeded to the large estate of Urquhart of Cromartie, in addition to Craigston, etc.

⁵ Sasine to Dame Janet Irvine of Glenbervie on her conjunct fee-lands of Glenbervie, 10th August, 1624. Sasine to Dame Janet Irvine, spouse to Sir William Douglas on Falsyde, Pitdrichie, Dillievaired, etc., County Kincardine, 1st and 20th June, 1638.

Anne, married to Sir John Ogilvie of Inverquharatie;¹ (5) Agnes or Marjorie, married to Graham of Morphie.²

SIR ALEXANDER IRVINE OF DRUM.

FROM 1630 TO 1658.

SIR ALEXANDER IRVINE was served heir to his father's estates in the counties of Aberdeen, Kincardine, and Forfar, on the 18th March, 1630. He had married, in 1617,³ Magdalen, eldest daughter of Sir John Scrimzeour of Dudhope,⁴ and at that time had received a charter of the lands of Kinmuck⁵ from his father, who, in 1621, also granted the lands of Forflen in Banffshire to him and his spouse.

In 1633 he appears as one of the commissioners for the barons in Parliament,⁶ and in December, 1634, was appointed sheriff-principal of Aberdeen for the ensuing year,⁷ an office to which he was annually reappointed for nine years, and if we consider the tempers of men at that period, we may fairly grant him credit for exercising an unusually conciliatory spirit to others, while steadily maintaining his own principles of unswerving loyalty. When, in 1638, the royal commissioner, the Marquis of Hamilton, required the enforcement of the king's proclamation regarding a general subscription "to the Confession of Faith and Bond of Maintenance of the reformed religion presently established," he appointed as commissioners for carrying it into effect in Aberdeenshire—the Marquis of Huntly, the Earls Marischal and Kingorne, Lords Forbes and Fraser, and Sir Alexander Irvine of Drum. All these persons refused to act, with the exception of the Marquis of Huntly and Sir Alexander Irvine, who zealously exerted themselves in carrying into effect the royal instructions. On the 5th October, having

1 Marriage contract dated 16th September, 1622.

2 Sasine to Robert Graham, fiar of Morphie, and Marjorie Irvine, his spouse, on the barony of Morphie, 15th January, 1623. County Kincardine.

3 Marriage contract dated 2nd and penult days of July, 1617.

4 Afterwards created Viscount Dudhope, Lord Scrimzeour. On the 29th March, 1298, the ancestor of this Lord Scrimzeour got a charter from Sir William Wallace in the name of King John (Baliol) to Alexander, called Skirmischur, confirming to him the constabulary of the castle of Dundee and the right of bearing the royal banner in the Scottish army.—("Acts of S. Parliament," I., Appendix 97.)

5 Dated 22nd July, 1617.

6 "Acts of S. Parliament," V., pp. 8 and 12.

7 The office of sheriff of Aberdeenshire was hereditary in the Huntly family until 1630, when the Marquis was compelled to give it up. A sum of money was awarded as an equivalent, which he unwillingly accepted.—(Spalding's "Trubles," I., p. 21.)

assembled the inhabitants of Aberdeen, these two commissioners caused the *Rothsay Herald* to read from the cross the king's proclamation, while they and their friends stood by uncovered, and, when it was finished, came forward and cried "God save the King." This was no sooner done than Lord Fraser, the Master of Forbes, and others came forward and entered a protest against the required subscription to the royal proclamation, yet nevertheless concluded by also crying "God save the King."¹ It was remarked of the townsmen then assembled that comparatively few appeared to support the parties who entered this protest against the orders of their sovereign. In fact, from the loyal feelings of the majority of the inhabitants, the clergy of the Covenantee party, in their blasphemous use of biblical quotations, alleged that the iniquities and oppressions of which their party were the instruments, and themselves the instigators, were the curse "alighting upon Meroz, which came not to help the Lord against the mighty." In this sentence, the identifying of Aberdeen with Meroz, and themselves, their cause, and their crimes with the Almighty authority² speaks for itself.

On the 28th March, 1639, Sir Alexander Irvine, his brother, Robert Irvine of Fedderet, several of their friends, and other gentlemen, well armed, also various professors of the University and clergymen, left Aberdeen by sea. This was the day previous to the arrival of the Earl of Montrose and the army of the Covenant, who now came in the name of truth and freedom to force their own peculiar views on a reluctant and loyal district. Their method of urging conversion was simple—the clamorous declaration of preachers, which was rendered effectual for the furtherance of perjury by the unscrupulous employment of physical force and the threats and infliction of civil punishments.³

The well-known loyalty of Sir Alexander Irvine, and his aversion from the Covenant, proved by his departure, brought upon his property and dependants that vengeance from which he had personally escaped. From the way in which the Marquis of Huntly was entrapped and treated we may judge how Sir Alexander Irvine would have fared if he had fallen within the grasp of the Covenantee general. As it was, the punishment awarded for his loyalty was severe. On the 6th April, Montrose directed five hundred of Argyle's Highlanders, whose general rapacity and peculiar aptitude for minute plunder have obtained for them the epithet of "Argyle's Cleansers," to proceed and quarter themselves upon the lands of Drum and Pitfoddels, there to live at free quarters until further orders. These instructions, as may be supposed, "they took in good part, and leivit lustellie vpon the goodis, nolt, scheep, cornes, and victuall" of these

1 Spalding's "Trubles," I., p. 113.

2 Gordon's "Scots Affairs," II., p. 226.

3 Spalding's "Trubles," I., pp. 150-65.

estates.¹ Here, where dealing with the commencement of those distracted times and scenes of turbulence, I will offer a few remarks on the characters of the two noblemen just mentioned—the Marquis of Huntly and the Earl of Montrose—both of whom greatly influenced the fortunes of the individuals and the family of which I am treating as well as the fate of the royal cause in the North of Scotland.

Those who dispassionately examine the whole careers of Huntly and Montrose, the causes of their condemnation, and their conduct on the scaffold, may now do justice to their memory; yet contemporaries, who witnessed their errors but could not foresee their expiation, may be excused for viewing their motives with suspicion and visiting their conduct with censure. To justify the doubts that were entertained regarding the sincerity of these leaders of the royal party, there was the early career of Montrose as a general of the army of the Covenant and a persecutor of the royalists. In the case of Huntly, besides the conduct of his sons, there was his own foolish display of an imposing force, which, being raised by his influence, proved the power he possessed, but was wasted by his restless inaction or mistimed adventure.

Huntly and Montrose were both men of ancient lineage, and possessed of ample estates, and both suffered the death of traitors by the decrees of men in authority, who had prospered by disloyalty, and acquired the power to commit judicial murders by the destruction of the monarchy. Excepting these circumstances, there was no similarity in their careers, while their characters were in all respects different. Montrose, by many natural gifts and by his acquirements, by his personal appearance, manners, mental energy, and accomplishments, was peculiarly fitted to attract followers and to command his fellow-men of every degree. Huntly, by the extent of his own possessions and family influence, and by the favour of his sovereign, who had appointed him his lieutenant in the North of Scotland, was placed in a situation too prominent for his own interest or that of the royal cause. Reared in the idea of his own hereditary importance, and misled by the flattery of feudal followers, he, by his abortive attempts to maintain his own and the royal authority, only revealed a character altogether unequal to the position he occupied and to the emergencies of an eventful period. Thus, although a steady Royalist, the defects of his character²—particularly his jealousy of Montrose, whose conversion to loyalty he could not believe or would not admit—rendered himself an impediment and his actions a detriment to that cause for which he sacrificed his life and forfeited his honours and estates. His jealousy of Montrose the Royalist is, however, in some measure to be excused in

¹ Spalding's "Trubles," I., p. 162.

² In "Britain's Distemper," written to vindicate the conduct of Huntly, his obstinacy is admitted, and also his inferiority to Montrose in affability and amiability to his friends.—(Spalding Club "Britain's Distemper," pp. 167 and 109.)

the light of the treatment he had received from Montrose the Covenanter, by whom he had been baffled, humiliated, and led prisoner to Edinburgh, solely on account of his adherence to the royal cause. It must also be remembered that he was cut off before Montrose had made his last venture, and had lost his life in attempting too rashly to advance the cause of monarchy. Possibly Huntly was unable to distinguish between the conversion of an ardent mind and the capricious changes of an unprincipled and sordid partisan. Yet I think it must be admitted that what was at first a natural distrust was afterwards aggravated by jealousy, and that, after Montrose had given sufficient proofs of his loyalty, Huntly's conduct showed that he regarded the king's successful general as a rival with whom he was unwilling to act and under whom he disdained to serve. In fine, although consistent in his feelings of loyalty, his feeble measures and fatal vacillation wrought all the mischief which could have accrued from rashness, without the chance of success which energy, however misdirected, might possibly have achieved.

In the case of Montrose, the great deeds of the loyal Marquis cannot efface the record of the actions of the energetic and possibly anti-monarchical earl, nor cause us to forget that he who, under extreme difficulties, so long, so ably, and so gallantly upheld the royal cause, was the same Montrose who had incited whole districts to disloyalty, and compelled to perjury the unwilling consciences of the majority of the inhabitants in the north-eastern division of Scotland.¹ The opposite principles supported by Montrose at different times were well defined by the different mottoes displayed on his banner. On the standard borne in his last battle for royalty was depicted the bleeding corpse of the king, with his motto, "Judge and revenge my cause, O Lord."² But in his early campaigns as leader of the Covenanting army, neither the king's name nor the crown was included as part of the cause for which his force was to combat. "For Religion, the Covenant, and the Countrie" was all that then appeared on the ensign of this semi-rebellious Covenanting earl.³ Whether serving the king or the Covenant, he best illustrates his character by the motto which he emblazoned on a private banner brought by him on his last expedition. "Nil medium" was its sole device.⁴ It was while acting with the Covenanting army that his measures so

1 "The Lord knowis that thir tounes people wes brocht wnder periurie for plane feir and not from a willing mynd, by tirony and oppressioun of thir covenanters, who compellit thame to sveir and subscribe, suppose thay knew it wes aganes thair hairtis."—(Spalding's "Trubles," I., p. 165.)

2 Browne's "History of the Highlands," II., p. 31. Some authorities say this motto was over the bleeding HEAD of the king.

3 Spalding's "Trubles," I., p. 154; II., p. 353. When the army of the Covenant returned to Aberdeen in 1644, under other leaders, their motto was "For the Covenant, Religion, the Crown, and the Kingdom."

4 Balfour's "Memorials," III., p. 440.

greatly contributed to the success of that party in Scotland which accomplished the overthrow of the monarchy, and among whose acts of eager revenge were meanly to insult and publicly to execute their first most successful leader, their last most formidable enemy—the gallant Marquis of Montrose.

As a general, Montrose has not always received that amount of credit which his success in overcoming difficulties as well as his brilliancy in action might fairly entitle him to claim. Some critics, who admit that he was great as a leader in a desultory warfare, deny his right to be included in the highest ranks of military genius. Those who have pronounced this judgment do not appear to have given due weight to the defective nature of the only force he had it in his power to create, which, from its constitution, was incapable of being regularly organised, or even of being permanently retained around the royal standard. Moreover, there was the miserable want of funds, as well as of every kind of warlike munitions, under which he had to commence his operations and to continue his exertions in the royal cause. Neither has sufficient importance always been attached to the fact that undisciplined, or partly disciplined, bodies of infantry are of comparatively little value when opposed to regular and experienced troops, especially where the population of the country is indifferent, or hostile, to the interest of the party most deficient in discipline. The surprises and defeats which Montrose experienced, and the deficiency of information which partly occasioned them, may be traced to the causes just enumerated, and were entirely irremediable by any means that were available to him. On the contrary, if to inspire confidence in badly equipped and heterogeneous levies and to excite their enthusiasm for the cause they served; if to soothe irascible and unreasonable leaders, and to reconcile conflicting interests; if to decide with promptitude, act with energy, move with rapidity, fight with gallantry; if to gain victories, in defiance of great difficulties, over forces of preferable organisation and numerical superiority be the marks of a great commander—such a commander was Montrose.

I have already mentioned that, in March, 1639, Sir Alexander Irvine, his brother, and several of his friends, had left Aberdeen to elude the approach of the Earl of Montrose with a force which they were unable to resist, and to avoid being compelled to subscribe a Covenant which they did not approve. They proceeded to England to offer their services to his majesty, and to complain of the oppression to which all loyal subjects in Scotland were exposed. It was not in the king's power to give them redress, so—in the words of Spalding—"they lost their travail, and were forced to come home again." This they did on the 6th June, when Sir Alexander Irvine, in company with many other Royalists,¹ arrived by sea at Aberdeen. At the same time came the Viscount of Aboyne,

¹ The Earls of Glencairn and Tullibardine, Sir George Ogilvie of Banff, etc.—(Spalding's "Trubles," I., p. 203.)

second son of the Marquis of Huntly, and some officers to assist him in forming the levies which he was commissioned to raise in defence of the royal cause.

The previous career of Aboyne gave no promise of his fitness for the situation of king's lieutenant in the north, to which he had been appointed, and for which he speedily proved his incapacity. After the Marquis of Huntly had been carried prisoner to Edinburgh, Aboyne, on the 3rd May, suddenly disbanded the force which the influence of his family and the king's authority had enabled his father to assemble in the north, and leaving, without notice and without protection, those barons and their followers who were there in support of the royal cause, sailed for England. There, in consequence of his own solicitation, the authority, which the father, being a prisoner, could not exercise, was transferred to the son, and the king, with his usual ill-luck, or want of discrimination, appointed Aboyne his lieutenant in the North of Scotland.

On the 7th June, Lord Lewis Gordon with one thousand men, and Sir Alexander Irvine with one hundred horse, arrived at Aberdeen. On the 10th June, Aboyne's army already amounted to two thousand men, and was occupied in plundering or destroying the property of neighbouring Covenanters in the county—a commencement of operations which soon ended in disorganisation and disgrace. On the 14th June, Aboyne, with 2500 men, advanced towards Stonehaven, and on the Megrayhill was encountered by the Earl Marischal, who had collected a force amounting to about half the number commanded by the king's lieutenant. The preliminary discharge of a few cannon-shots seems to have been the signal for flight on the part of Aboyne's army, which made a precipitate retreat with but trifling loss. They escaped thus easily owing to the enemy, who were aware of the superior numbers of the royal forces, believing the retreat to be a manœuvre to draw them from the favourable defensive position which they occupied, and not discovering their error before the runaways, unpursued, found temporary safety on the other side of the river Dee. Aboyne's army had perceived—what the accounts of contemporary and partial chroniclers¹ do not conceal—the incapacity of its leaders. The attempt to excuse Aboyne by accusing Crowner (Colonel) Gun of treachery is not successful, no sufficient proofs of treason being given against that officer, who was sent as an experienced commander to give counsel to the king's lieutenant. The selection of Colonel Gun, however, seems to have been equally injudicious with the appointment of his superior; and if Aboyne really followed the instructions of his adviser, we can only acquit him of disloyalty by acknowledging his inefficiency.² This was even more conspicuous

¹ Gordon's "History of Scots Affairs," II., p. 271, etc.; Spalding's "Trubles," I., p. 208, etc.

² Colonel Gun was afterwards knighted and appointed a gentleman of the bedchamber by King Charles I. in 1639. He had previously distinguished himself in the German wars; and soon after returned to Germany, where he married a noble lady of fortune, was appointed a major-general in the imperial army, and in 1648 was created a baron of the empire.—(Note to Gordon's "Scots Affairs," II., p. 266.)

at the next attempt which they made to employ the royal force in defending the passage of the river Dee—a strong position with many advantages for defence—where Aboyne and Gun fully proved their own incompetence for command, and justly forfeited the confidence of their followers.

On the other side, Montrose had joined the Earl Marischal, and advanced towards Aberdeen with forces amounting to 2300 men. To reach that town the river Dee had to be crossed, and the only bridge over it was fortified and guarded by Aboyne, who still had around him an army equal to that of his opponents, besides large reinforcements which were assembling at no great distance in his rear. After the sacrifice of a few brave men, Aboyne allowed himself to be drawn off from the immediate support of those defending the bridge by a simple feint made by Montrose, as if he intended to ford the river a short distance higher up. The result was that the passage of the bridge was forced, and Aboyne and his army, led by their military mentor, saved themselves by flight. This occurred on the 19th June; and the large reinforcements, which had assembled at Leggat's Den, twenty miles north-west of Aberdeen, on hearing that the passage of the Dee was forced, the cannon of Aboyne taken, and Aberdeen again occupied by Montrose and the Covenanters, immediately dispersed, and wisely returned to their own homes.¹

The hollow peace of Berwick between the king and his subjects, which was announced on the 20th June, now put an end, for a short time, to the desultory civil war that had already occasioned, and was thereafter to occasion, so many evils to the country, and particularly to the north-eastern division of Scotland, where the steadfast faith of the Royalists and the sturdy adherence of the Covenanters to the different causes they espoused engendered long-continued hostilities accompanied by proportionate hardship to individual families.

On the 28th September, 1639, Sir Alexander Irvine, along with the Earls Marischal, Southesk, and Findlater, and the lairds of Auldbar, Dun, and Kemnay, was ordered to investigate a complaint, preferred to Parliament by the laird of Balmain and others, against the Marquis of Huntly.²

On the 21st May, 1640, as Sir Alexander Irvine, with twenty-four horsemen, was returning from an assembly and consultation with the Gordons at Huntly, he passed near where the laird of Monymusk was superintending his men casting peats. Monymusk³ sent William Forbes, brother of the laird of Pitnacaddell, to ascertain whom this mounted party consisted of; but, owing to the manner in which this delegate discharged his mission, he gave umbrage to the Irvines, who seized the horse he rode—his master's most valuable one—and sent back the

1 Spalding's "Trubles," I., p. 211.

2 "Acts of S. Parliament," V., p. 267.

3 Forbes of Monymusk.

messenger on foot to answer as best he might the inquiries of the indignant laird of Monymusk.

On the 2nd June, 1640, Major-General Monroe¹ and the Earl Marischal joined forces, and having increased them by compelling one hundred and fifty of the inhabitants of Aberdeen to serve in their ranks, "sore against their wills," and having collected a quantity of such tools as were necessary for mining, set forth to besiege Drum, whose owner still refused to subscribe the Covenant or to desert the royal cause. Monroe had previously sent forward four "pot-pieces" (mortars), so that he had carefully prepared the means of that success which commanders of less foresight might at least have delayed, and possibly rendered doubtful, for the thickness of the walls of the Tower of Drum, and the careful preparations for defence made by Sir Alexander Irvine, would probably have enabled its garrison to bid defiance to any force not provided with sufficient ordnance. As it was, after the exchange of some few shots of "harquebuses, of crocke (wall pieces), and of feeld peces, and small shotte upon either syde, and with the loss of very few souldiours to Monroe, and of non to thes who wir within, the castell was rendered" to Monroe.² Sir Alexander Irvinc was absent, and the name of his friend who commanded the garrison is not mentioned, but it was the lady who advised and contrived to make very favourable terms for the surrender of the keys to General Monroe. The men in the garrison were permitted to retire whenever they chose, taking with them their arms, bag and baggage, and Lady Irvine and her women were allowed to remain, although Drum was thereafter to be garrisoned by a party of Monroe's troops. Spalding remarks that "Mony mervallit that this strong weil provydit hous sould haue so sone randerit without schot of pot-peice or ony danger."³ But the Lady of Drum had formed a more correct estimate of the defensive strength of the place (already described) than the chronicler of the power of "pot-peices." Monroe, leaving a garrison of forty men in Drum, returned triumphantly to Aberdeen on the 5th June, where the Earl Marischal met him, and that same night, Friday, "about six hours at even, they had sermon, and gave thankis to God for intaking of this strong hous with so litle skaith (loss)."⁴

Sir Alexander, on the 9th June, fulfilled his lady's promise, given at the

¹ Colonel Robert Monroe commanded in the North with the title of major-general, etc.—(Bal-four's "Annals," II., p. 381.)

² Gordon's "Scots Affairs," III., pp. 197, 198; Spalding's "Trubles," I., pp. 280, 281. In a note, p. 281, there is given a letter from General Monroe, dated from the camp of the besieging force at Drum, on the 4th Junè, 1640, directed to Lieutenant-Colonel Forbes, requiring him to obtain the concurrence of the magistrates, and then to bring with him the troops under his command to join the besieging force.

³ Ibid.

⁴ Ibid., p. 282

time of the surrender of Drum, by giving himself up to Monroe at Aberdeen. About the same time his brother, Robert Irvine of Fedderet, and several other barons and gentlemen were seized by parties despatched for the purpose from the force which had returned from Drum. And now General Monroe, having accomplished the objects for which he was sent, departed from Aberdeen on the 13th June, carrying with him his Royalist prisoners. On their arrival at Edinburgh, the Irvines were committed to the tolbooth, and afterwards fined for their loyalty—Sir Alexander in 10,000 and his brother in 4000 merks.¹

On the 18th June, a party sent from the force left at Aberdeen, under the command of the Earl Marischal, committed various acts of plunder on the estates of Sir Alexander Irvine, and carried off eighteen horses from his tenants.²

On the 12th September the garrison planted by Monroe was replaced by others from the Earl Marischal's force, who proved equally expensive and less agreeable inmates of the House of Drum, for they still continued to live on the rents of the estates, and rendered a residence there so uncomfortable that Lady Irvine withdrew for a time, and resided on the Cromar property until the 30th December. Then, on Captain Alexander Annand of Catterlyn being relieved in command of the garrison by Captain Graham, the lady returned to her house, and continued there until the 9th of February, 1641.³

On the 19th October, Alexander Irvine, younger of Drum, sailed from Aberdeen, along with other Royalists, to represent to the king the hardships endured by those who refused to subscribe the Covenant, but no redress could be given, so that, after incurring much expense, they found it necessary to return, and submit to the authorities, by whom they were imprisoned and fined.⁴

On the 16th November, 1641, the laird of Drum was nominated one of the commissioners empowered to bring to trial, and, if need be, to inflict capital punishment upon, all "brokin men" (that is, outlaws, public depredators, and vagabonds).⁵

¹ Spalding's "Trubles," I., p. 295.

² The conduct of the Earl Marischal and of the garrison which he placed in Drum when Monroe's troops were withdrawn shows that his enmity to Sir Alexander Irvine had then commenced; and Sir Alexander is mentioned in "Britain's Distemper," p. 171, as being the professed enemy of Marischal in 1645. Sir Alexander was probably Marischal's guardian, as there is a copy amongst the Drum papers of the Earl Marischal's contract of marriage with his first wife, Lady Elizabeth Seton, in which it is said that the contract is granted with the consent of Sir Alexander Irvine of Drum. This is in 1637. But the cause of quarrel was more likely a decret of adjudication, dated 19th May, 1637, in favour of Sir Alexander Irvine of Drum against William, Earl Marischal, for the sum of 214,590 merks Scots, or—as the deed explains—"vulgo Twa hundredth and fourteine thousand and fyve hundredth foure scoir and ten merkis Scottis money."

³ Spalding's "Trubles," I., pp. 339 and 375.

⁴ *Ibid.*, I., p. 351, and II., p. 5.

⁵ "Acts of S. Parliament," V., p. 501.

On the 2nd of February, 1642, there was a great storm of wind, with lightning, and heavy rain which caused the rivers in Aberdeenshire to overflow their banks. About the same time, in the district of Mar, the sounds of drums and the beating of regular marches were repeatedly heard between sunset and eight o'clock in the evening. The same beating of drums was heard, and visions of armies in the sky were seen, at Drum in the same month of the following year. "This" (says Spalding¹) "was not weill thought of nather be honest peciable men, as it over weill provit, to the overthrow of the houss of Drum." The phenomenon of armies appearing in the sky, which is described by many chroniclers of the period as being seen in misty weather, although for long attributed to superstition and credulity, is now satisfactorily explained. And as there is the same authority for martial music being heard as for the armies being seen, although never at the same time, natural causes may yet be discovered sufficient to account for the unusual sounds as well as for the sights which were then considered as prodigies. Spalding finds no difficulty in explaining them as portents of general calamity to his native country, and especially foreshowing "the overthrow of the houss of Drum." Here, however, Spalding, although an honest recorder of facts, is not more fortunate than many others who have attempted prophecy, or the explanation of uncommon appearances as preternatural signs foreshadowing events to come. But at the period when Spalding's chronicle ceases, the Parliament of Scotland had authorised the destruction of the Tower of Drum, and the family of Irvine, after suffering spoliation, were undergoing persecutions which must have appeared likely to terminate in harmony with this erroneous divination from misunderstood phenomena.

Sir Alexander Irvine and his son, after payment of their fines, had been released from prison, and on the 27th July accompanied the Marquis of Huntly from Strathbogie to Aberdeen. Part of the family of the Marquis accompanied them, and Lady Mary Gordon, who was married the following year to the eldest son of Sir Alexander, is mentioned as being of the party.² On the 8th November, James Crichton, who had just been created Viscount Fren draught and Lord Crichton, was married to Marion Irvine,³ daughter of Sir Alexander, in the church of Drumoak. This nobleman is described by a contemporary⁴ as

¹ Spalding's "Trubles," II., pp. 101, 230, etc.

² *Ibid.*, II., p. 174.

³ *Ibid.*, II., p. 206. In the name of the lady—who is also called Marjorie in some deeds—I have followed Spalding and a family genealogy (which is not particularly accurate). In the Drum papers there is a discharge by Jean Irvine, fourth daughter of Sir Alexander Irvine of Drum, and George Crichton, brother-german to James, Viscount Fren draught, her husband, to Alexander Irvine of Drum, of all sums due to the said Jean Irvine by bonds of provision or otherwise. This discharge is dated 15th February, 1665.

⁴ Patrick Gordon in "Britain's Distemper," p. 228.

courteous and mild, majestic, grave, and wise, an unalterable friend, a dangerous enemy, one whose word of promise was as good security as the strictest bond. He supported the cause of the Covenant with sincerity, and spared neither his fortune nor his personal exertions in advancing that cause, until he perceived that the destruction of the monarchy was contemplated. He then left his country and joined Montrose, with whom he returned to Scotland to share in the last desperate venture of that enthusiastic leader. In the disastrous rout of Montrose's levies at Carbisdale, on the 27th April, 1650, Viscount Frendraught generously remounted his commander when his horse was shot, and thus enabled him to escape from the field. Frendraught, who was severely wounded and taken prisoner, is said to have put a period to his own life.¹

By an Act passed on the 15th August, 1643, commissioners were nominated in the various sheriffdoms for the purpose of levying and apportioning a sum of money for the support of the army in Ireland: The lairds of Drum and Philorth were by the Act appointed conveners for the first meeting, "and thereafter the commissioners of the shire to make choice of their own conveners."²

In the end of October, Sir Alexander Irvine and some other friends were requested by Lord Gordon to intercede with his father, the Marquis of Huntly, who had refused to see him or to hold any communication with him in consequence of his having subscribed the Covenant, which he had done by the advice of his uncle, the Marquis of Argyle. The mediation of friends produced no effect, as the Marquis of Huntly would consent to see his son only on condition of his renouncing all engagements to the Covenanters. This Lord Gordon felt bound to decline, and his father positively refused to receive him under his roof, even on the occasion of the approaching marriage of his sister, Lady Mary, to Alexander, the eldest son of Sir Alexander Irvine of Drum.³

The contract of marriage between these parties was signed on the 8th November, and the ceremony took place on the 8th December at the Bog of Gight (now Gordon Castle) "with gryte solemnitic and mirth and myrriness."⁴

¹ Browne's "History of the Highlands," II., p. 34; Douglas's "Peerage," I., p. 612. In the "Acts of Scottish Parliament" there is "warrant given to leave a troop for the transporting the Viscount of Frendraught." This is dated 24th June, 1650. Viscount Frendraught had been previously married to Lady Margaret Leslie, daughter of the first Earl of Leven, who lived but a short time, and died leaving an only daughter. The laird of Frendraught, the Viscount's father, was alive when his son was made a peer, and also at the time of his second marriage, to Marion Irvine. The title descended to their son James and their grandson William, on whose death in minority and unmarried, it reverted to their son Lewis. He followed the fortunes of King James VII., was attainted by Parliament in 1690, and died in 1698.—(Douglas's "Peerage," I., p. 612, and Spalding's "Trubles," II., p. 206.)

² "Acts of S. Parliament," VI., pp. 27, 28.

³ Spalding's "Trubles," II., pp. 290-6.

⁴ *Ibid.*, p. 296.

The historian of the Gordons, in announcing this marriage of Lady Mary Gordon to "the laird of Drum younger," adds, "whose father had lately been made an earl by his majesty,"¹ but what is here narrated as an accomplished fact was never more than an intention of the king, for he had ordered the patent creating Sir Alexander Irvine "Earl of Aberdeen" to be prepared, but it was then—and, as it happened, for ever—prevented by the power exercised by the leaders of the party who supported the Covenant; nor is their conduct in this instance to be wondered at, if we consider that the Marquis of Huntly openly, and Sir Alexander Irvine passively, opposed the proceedings of the Covenanters, and that Alexander Irvine the younger had already made himself so obnoxious to them by his opposition and violence,² that, early in the following month of April, he and his brother, Robert Irvine, along with the Marquis of Huntly, were excommunicated by order of the General Assembly as "pryme actors in the rebellion in the north."³ Although Sir Alexander Irvine was not then excommunicated, yet, in July, Parliament authorised commissioners, if they deemed it expedient, "to demolish and raze the Tower-of-Drum as belonging to a prime rebel."⁴

At this time the landed property of Sir Alexander Irvine was very large, and the family wealthy.⁵ The estates were in three counties and in eighteen different parishes, the principal being the barony of Drum, the lands of Cromar, and land in Buchan, in Aberdeenshire; the barony of Kelly (Auchterloanie), and lands of Cuthlie and Crowdie, in Forfarshire; and the lands of Strathbauchin (Strachan), Blackhall, Tillielairs, Larachmore, etc., in Kincardineshire. Besides these and various smaller properties then in actual possession of the family, there were other estates, which originally belonged to them, and are still held under various

1 "Genealogy of the Earls of Sutherland," folio 519. Nisbet, in his "Heraldry," says that the patent creating Alexander Irvine Earl of Aberdeen was prevented by the civil wars from being expedited through the seals.

"About this time (2nd January, 1644), or some few days before this, the Lady Mary Gordon, the daughter of George, second Marquis of Huntly, was married to the laird of Drum younger (whose father was lately made earl by his majesty). This marriage was solemnised at the Bog of Gight."

This was written within eight years of the event, before the close of the year 1651. The writer was Gilbert Gordon of Sallagh, and the passage occurs in his "Continuation of the Historie and Genealogie of the Earls of Sutherland, collected together from the year 1630." This is printed in the "Genealogical History of the Earldom of Sutherland by Sir Robert Gordon of Gordonstoun," published by the Marchioness of Stafford (Countess of Sutherland) at Edinburgh in 1813, p. 514.—(Communicated by Joseph Robertson, Esq., Register House.)

2 "Acts of S. Parliament," VI., pp. 104-10; Spalding's "Troubles," II., p. 297.

3 "Acts of S. Parliament," VI., p. 84; Spalding's "Troubles," II., p. 361.

4 "Acts of S. Parliament," VI., p. 120.

5 I have already noticed that Sir Alexander Irvine had procured a decree against the Earl Marischal for the sum of 214,590 merks. The enormous fines imposed by the dominant party on various branches of the family during the Civil War, when compared with what was exacted from other Royalists, enable us to judge of the extent of their resources.

tenures from the Irvines of Drum. Of these, some had been granted as provision for the younger children, and others to different families, most of them being burdened with the obligation of attendance on certain occasions, particularly in time of war, but the payments in money were either nominal or trifling. The most valuable of these lands was the barony of Fedderet, now held by Robert, the brother of Sir Alexander Irvine; also Auchindoir, Lenturk, Beltie, Learnie, and Artamford.¹

About the middle of December, 1648, Sir Alexander Irvine, as Sheriff-Principal of Aberdeenshire, received instructions to seize Sir John Gordon of Haddo, and secure his property. But, in anticipation of such an order, Sir John had made an assignation of all his moveable property to Gordon of Knaven, and of his landed property to his cousin's eldest son. This being duly intimated to Sir Alexander, who was evidently an unwilling executor of the orders of the Estates of Parliament, he referred the matter to their decision. Their answer was speedily received, and sufficiently explicit. It was to the effect that the assignation of his property to other persons, made by Sir John Gordon, was

¹ The Irvines of Drum held property in the parishes of Aboyne, Arbirlot, Auchreddie, Banchory-Ternan, Birse, Coull, Drumoak, Feht, Glengairn, Kincardine O'Neil, Kinkell, Logie-Mar and Coldstone, Leochel, Lonmay, Peterculter, Rathen, Strachan, and Tarland.

The following is a list of places which appear to have been held by, or from, Sir Alexander Irvine or his son and successor, Alexander Irvine above mentioned:—IN ABERDEENSHIRE—Adremoyne, Allathen, Annachie, Artamford, Auchindoir, Auchquoth (Meikle and Little), Auchinasley, Auchinskey, Auchtercoull (barony and manor), Auldquhat, Balgrane, Belnastraid (Over and Nether), Bomakellie, Brigend, Broomhills, Brucklay, Bruntbrae, Burnside, Cairnstoune, Claymilne, Clochen, Coldholme, Corsegight, Coull (land and castle), Craigtoun of Peterculter, Cullairlies (Easter and Wester) and forest on Hill of Fare, Culsh, Damms, Denend (one-half of), Drumoak (lands and patronage of parsonage and vicarage), Dundarg, Easter Beltie, Easter Culsh, Easton, Fedderet (barony and fortalice), Finnersies (one-third of), Fulsemouth, Graystone, Grishawhill, Hill of Beltie, Hillton of Adremoyne, Hilton of Tenemoyne, Indego, Ironside, Kinmey, Kindrochet (half of), Kinmucks, Kennerties (barony), Kennerties (Auld), Knowhead, Leargnies (Learney), Lenturk (barony and fortalice), Lochmanses, Lonmay (port and haven), Lonmay (patronage of parish and church), Meikle Crichtie, Meikle Culsh, Monecht (one-third of), Mondairn, Moortoun, Muttonbrae, Newtown of Lenturk, Park of Drum, Peithill, Piktilling, Pitilliechordon, Pittanlangzeane, Pundecroft, Reidfoord, Kinharachie, Ruthven (fortalice), Ruthven (Upper and Nether), Shivadoc, Stevensburne, Strathmore, Strathveltie, Tarland, Tarkshill, Tenevie, Tenenie, Tenemoyne, Tillicornie, Tilliludge, Tomnaser, Torrane, Torfynnes, Wester Beltie, Whytboig, Whytcairns, Whythill, Whytstane, Wittenshill, Woodfield, Woodside. IN KINCARDINESHIRE—Ardvaich, Balquharne, Blackhall and woods, Bogg, Colonache, Cawtoun and Vries (annual from), Drumwhirnie Easter, Hirne, Larochemore, Mucklatts, Murailhouse, Reidmyres, Stamphar, Strathachin (Strachan) (Kirkton of), Strathachin north of the Feuch, Tilligowny, Tillielairs (Over and Nether), Tillieluds, Whytriggs. IN FORFARSHIRE—Arbirlot (Kirkton of), Arbirlot (Newtown of), Balcathie, Balmilmoore, Blindwall, Bonhards, Bonytoun, Cairtfoord, Crowdie and Cottoun of Crowdie, Cuthlie (lands, teynd sheaves and parsonage teynds), Denheid, Easter Knox, Garro, Garromylnes, Getmar, Greinfoord, Hunterspenh, Kellie (barony of) (or Ochterloanie), Kellie (teynd sheaves and parsonage teynds), Know, Lyle, Lyne, Mylnehill, Painstoun, Pasichills, Phallahill, Phallais, Pharine, Rattinraw, Torreis, Westerknox, Wormymylnes. Besides forests, fisheries, pasturage, rights of commony, etc., attached to these lands,

“plane scorne and delusioun,” and their order to Sir Alexander Irvine to proceed against him forthwith was therefore repeated.¹ There being no excuse for further delay, Sir Alexander, by the authority committed to him, summoned the Earl Marischal, Lord Gordon, and various barons, with the magistrates of Aberdeen, to assemble their levies and assist in carrying out the instructions received. On the 17th January, 1644, the assembled force proceeded against the house of Kelly (near where Haddo House now stands), which was sufficiently prepared for defence against the ill-provided motley array by which it was then threatened. The inmates, however, admitted the Rothesay Herald and two notaries to search for Sir John Gordon, who was not there, but is said to have been looking on and enjoying the farce from behind a neighbouring eminence. The messengers had no sooner returned from their useless search than a few wall-pieces were fired by the defenders. This, without doing any mischief, was sufficient to disperse the rabble posse, and to excuse their leaders for desisting from any further attempt. Sir Alexander Irvine wrote to the Estates to explain “his diligence”² in the matter entrusted to his authority and management.

Whilst engaged in this demonstration against Sir John Gordon on the 17th January, Sir Alexander Irvine received orders to assemble the lieges, and seize the Marquis of Huntly. This would have proved an impracticable as well as unpalatable task, but Sir Alexander escaped from it by showing that Huntly’s residence—the Bog of Gight (now Gordon Castle)—was beyond the limits of Aberdeenshire.

About this period some of the leading men amongst the numerous families of the name of Gordon had formed a design to implicate their chief, the Marquis of Huntly, in such a manner as would compel him to adopt more active measures in favour of the royal cause.³ For this purpose they obtained the assistance of Huntly’s son-in-law, young Irvine of Drum, who appears to have chosen for his adviser and model the unmanageable baron whom his father had been charged to apprehend as an enemy to the state—Sir John Gordon of Haddo, a cavalier of daring courage and active loyalty, but overbearing, reckless, and violent. Letters of intercommuning had already been published against him. This process rendered all persons who thereafter associated with him liable to the same punishment as himself, and placed them in the position of participators in the crimes of which he was accused. This circumstance renders it necessary to refer to events which, although they occurred some months before, affect the Irvines of Drum only from this time.

In consequence of an ordinary act of magisterial justice, discreetly per-

¹ Spalding’s “*Trubles*,” II., p. 304.

² *Ibid.*, p. 305.

³ “*Britain’s Distemper*,” p. 48.

formed, Alexander Jaffray, one of the baillies of Aberdeen, had incurred the resentment of Sir John Gordon. The offence of the magistrate was simply his having imprisoned one of that baron's servants for a cruel assault on a townsman. But the proud and ireful baron determined to have revenge; for he considered an interference with one of his followers, under any circumstances, by a burgh magistrate as nothing short of an insult to himself. In pursuance of his determination he attacked Baillie Jaffray and his brother, who were returning from a funeral in the country on the 1st July, 1643, and after two ineffectual attempts had been made to shoot the magistrate, the brothers Jaffray, who had both received sword wounds, escaped from their assailants.¹ For this outrage Sir John Gordon had been fined fifteen thousand pounds, five thousand of which was adjudged to be paid to the Jaffrays. But the baron of Haddo continued to defy the superior as he had done the local authorities, and it was on this account that Sir Alexander Irvinè had been ordered to seize his person and property. Such was the situation of the principal leader of that portion of the Gordons with whom young Irvine of Drum now associated himself in an imprudent and useless outrage on the constituted authorities, and it will appear that in rashness, as in loyalty, Irvine soon rivalled his adviser, and very narrowly escaped the further similarity of terminating his life on the scaffold. I may here anticipate, and mention that Sir John Gordon was beheaded in July, 1644, and that he behaved with great propriety and presence of mind on the scaffold, although pestered by the ecclesiastical harpies, who in these unhappy times haunted the judicial shambles, and greatly assisted in increasing the number of its victims.²

This notice of Sir John Gordon of Haddo's previous conduct towards the Jaffrays gives some insight into the cause of the outrage now embarked upon under his direction and with young Irvine's co-operation. On the 19th March, at sunrise, after the night guard had retired to their homes, the party under Haddo's command, amounting to about one hundred, and mostly horsemen, suddenly entered Aberdeen, and, after placing a guard at the market-place, proceeded to break open and ransack the houses of Jaffray and other magistrates who were obnoxious to them.³ On breaking into Baillie Jaffray's house, Sir John Gordon again attempted to shoot that magistrate, and again his pistol missed

1 "Jaffray and his Friends," by John Barclay (London, 1834), pp. 22 and 127; also "Acts of S. Parliament," VI., 21; and Spalding's "Trubles," II., p. 256.

2 Although the powerful light of a free press has now driven this noisome brood into regions of darkness, a specimen appears to have existed in England as late as 1746.—(See Sir Walter Scott's Notice of Proceedings against the State Prisoners at York—"Tales of a Grandfather," III., p. 322. Edinburgh, 1851.)*

* The son of Sir John Gordon was created Earl of Aberdeen in 1682.

3 "Britain's Distemper," p. 49; Spalding's "Trubles," II., p. 325; Jaffray's "Diary" (London, 1834), p. 22.

fire.¹ Although Jaffray was made prisoner without any bodily injury, the violence of those who were plundering his house hastened the death of his wife, who was then indisposed, for she expired three or four days after her husband was carried off. Having secured the provost, two Jaffrays, and another magistrate, the invading party conveyed them to Strathbogie, and delivered them as prisoners to the Marquis of Huntly. Although the prisoners were received, neither they nor their captors were welcome, for Huntly clearly foresaw the danger to which he was exposing himself by thus countenancing proceedings at once so illegal and so violent; "but," says his apologist,² "since it was done there was no remedy, his godson (son-in-law) and one of the barons of his name being actors."

Although those who planned and executed this public act of violence against the magistrates of Aberdeen were successful in implicating the Marquis of Huntly in their proceedings, they soon found, to their cost, how little this advanced the royal cause, while it was fraught with present danger to themselves and prospective misfortune to that nobleman. Huntly's measures in this emergency were perplexed, feeble, and unprofitable, giving no promise of advantage to the king's adherents, but affording excuse for the greater activity of their enemies. On the 10th July the Estates declared it to be a crime worthy of death, and passed an Act "against those that took the magistrates of Aberdeen."³ This Act was immediately followed by the execution of Sir John Gordon, who had fallen into the hands of his enemies when his place of Kelly was taken and plundered by a force under the command of the Marquis of Argyle.⁴

The Alexander Jaffray who was so obnoxious to the Royalists, and against whom, as we have seen, the baron of Haddo warred so inveterately but so unsuccessfully, appears to have been a remarkable man. His life was not only marked by many changes in matters of religion, but was full of extraordinary positions, as well as of personal dangers and successful escapes. He is also noticed here more particularly as an example of a class of men who have often been accused of insincerity because they exhibited great prudence, courage, ability, and decision in the conduct of their own and public secular affairs, while their religious views, although guided by the rules of morality, were often perplexed and generally unstable. Jaffray was born at Aberdeen in 1614, where his father, who was a wealthy citizen, had repeatedly been chief magistrate. Young Jaffray, after receiving a good education, had gained some experience of the world by visiting Edinburgh, London, and various Continental towns. In Paris

1 "Britain's Distemper," p. 24.

2 *Ibid.*, p. 49.

3 "Acts of S. Parliament," VI., p. 105; Balfour's "Annals," III., pp. 213, 214.

4 Spalding's "Trubles," pp. 358, 359.

he narrowly escaped with his life from a drunken soldier, by whom he was severely wounded. In 1638 he was one of those who set the example in his native town of subscribing the Covenant, which was then generally unpopular in Aberdeen. I have already noticed how Jaffray, as a magistrate of that town, came into collision with Sir John Gordon, and how narrowly he escaped when his life was twice attempted by the incensed baron. Jaffray fought pertinaciously on the side of the Covenanters when they were defeated at Aberdeen by the Royalists under Montrose on the 13th September, 1644. On this occasion he narrowly escaped falling into the hands of the enemy, being, as he himself expresses it, "evilly horsed," and also burdened with a pair of colours which he had taken from the bearer, who was about to throw them away.¹ After this disaster to his party, Jaffray found shelter with the Earl Marischal in his strong castle of Dunnottar. But, in the following year (1645), he and his brother Thomas and Mr. Andrew Cant, the Covenanting clergyman, having ventured to pay a visit to Crathes, were encountered on their return, and made prisoners, by the young laird of Harthill and Gordon of Newton. They were afterwards conveyed for security to the house of Pitcaple, and there detained in the custody of Petrie Leith, the uncle of their captor, Leith of Harthill. The guardians of these three Covenanters are described by Jaffray as "a company of vile and profligate men."² After a captivity of six or seven weeks, the prisoners contrived, with great adroitness, to seize the place of Pitcaple when all their warders were absent except two, whom they expelled. They maintained their own possession against the assault of the outwitted garrison, one of whom was killed in an unsuccessful attempt to regain their place and prisoners. The besieged were at length relieved by a party of their friends, and after entertaining their deliverers with the best which their quondam prison afforded, they avenged their imprisonment, also the "fearful oaths and furious threatenings" uttered against themselves, and "the drunkenness and abominable vices" they had witnessed, by giving the house of Pitcaple to the flames. An Act of Parliament was afterwards passed exonerating all concerned, either in the bloodshed there or in the burning of the place of Pitcaple, from any penalties, civil or criminal.³

Being elected to Parliament as member for Aberdeen, Jaffray was, in 1649, appointed one of the commissioners who were sent to Holland to arrange with Charles II. the terms on which he might be restored to the throne of his ancestors in Scotland. Twice Jaffray went on this errand, and the second time, in 1650,

¹ There is an excellent epitome of Jaffray's life in the "Pook of Bon-Accord" (Aberdeen 1839), pp. 181-8; Jaffray's "Diary," p. 25.

² "Jaffray and his Friends" (1834), p. 26.

³ "Acts of S. Parliament," VI., p. 394, from which it appears that the relieving party consisted of Lord Fraser, the Master of Forbes, the lairds of Skene, Monymusk, Echt, Forbes younger of Leslie, and their followers,



he returned along with his sovereign. Nor did Jaffray, now that the king had signed the Covenant, confine his exertions to negotiation, for he fought in the Royalist army at the battle of Dunbar. The unfortunate influence and intolerant action of the clerical Covenanters and those who supported them had, in a short time, done much mischief to the cause of monarchy, which was now that of the country. By their impertinent meddling, the excellent military plans of the wary and experienced General Leslie were overruled, and in place of his careful dispositions, which in all probability would have ensured victory or the surrender of their enemies, were substituted measures which speedily resulted in the total destruction of the Scottish army.

It is probable that Jaffray belonged to the extreme party who thus precipitated the fate of their own cause and the fall of so many of their countrymen. If he was, he paid the penalty. His brother was killed, and himself taken prisoner after receiving four severe wounds. He was kindly treated by his captors, and had frequent interviews with Cromwell, Fleetwood, and Dr. Owen, Cromwell's chaplain. After being some months a prisoner, Jaffray was released by an exchange, and soon after avowed his dissatisfaction with the conduct of the king, the restrictions of the Covenant, and the wickedness of persecution.¹ Jaffray became an Independent, then a Millenarian. Cromwell, who appreciated his sterling qualities, and probably approved of his religious views, appointed him, in 1652, Director of the Chancery in Scotland. In the following year he was one of the five members nominated for Scotland to the *Little* Parliament, and when it was summarily dissolved, in January, 1654, was one of the thirty-one members who remained to protest, but were forcibly expelled. Nevertheless, Cromwell gave him £1500 under the pretence of reimbursing his expenditure when sent as a commissioner to the king in Holland, and offered to make him one of the judges in Scotland. Jaffray declined the judicial appointment, but continued to hold the situation of Director of the Chancery. After the Restoration, in 1661, he was imprisoned on some undefined charge, and when released he joined the Society of Friends. From that time until his death, which took place at his own house of Kingswells, near Aberdeen, in 1672, he appears to have suffered and *enjoyed* his full share of the imprisonments and persecutions to which the unoffending body of Quakers were so cruelly subjected.²

When the Jaffrays and the provost of Aberdeen were brought prisoners to Strathbogie, the Marquis of Huntly determined to accept the responsibility which the violence of his friends had thrown upon him. He accordingly summoned all

¹ In these interviews "I had first made out unto me, not only some clear evidences of the Lords' controversy with the family and person of our king, also the scandals and blasphemies, cruel persecutions and bitterness—the selfish ends of most of those who contrived and carried out the Covenant."—(Jaffray's "Diary," pp. 38 and 39.)

² "Jaffray and his Friends."

those persons over whom he exercised authority, or with whom he possessed influence, to assemble in arms. On the 26th March, only six days after the Covenanting magistrates had been thrust into his possession, he advanced at the head of a considerable force to Aberdeen, accompanied by young Irvine of Drum and his brother Robert, as well as by the most influential gentlemen of the name of Gordon.¹ Public intimation was then made that all persons willing to serve according to the oath of allegiance to the king and in defence of religion and liberty should come to the young laird of Drum and receive good pay.² At this time the Marquis of Huntly caused all the arms to be seized from the Covenanter portion of the inhabitants of Aberdeen, while parties of his adherents plundered the places of those gentlemen in the surrounding country who had espoused the cause of the Covenant, and were unable to defend their houses and property. Young Irvine with his levies took an active part in this process of retaliation on opponents and coercion of lukewarm friends of royalty. He plundered arms and horses from Irvine of Kingcaussie, Burnett of Craigmyle, and others, while his brother, Robert Irvine, did the same from Kennedy of Kermuck (Ellon); he also seized Durris, belonging to Lord Fraser, and left ten men there to live at free quarters.³

The Marquis of Huntly had issued two declarations explaining his reasons for detaining the Aberdeen magistrates and the moderation of his views in taking arms. I imagine that such manifestoes were little valued by either party, for, so long as his policy was successful, friends would require no reasons for his conduct, nor would enemies pay heed to apologetic explanations of severe exactions. When the wheel turned, his moderation was censured as irresolution by his friends, and served to provoke aggression from his enemies.⁴ Had Huntly been a leader possessed of daring and energy, the time when he advanced to Aberdeen was favourable for one possessed of his power and with the advantages of his position. The Covenanting army was in England; Montrose, with a body of Royalists, was about to enter Scotland from the south; and if Huntly had at once pushed onward in that direction, he would have found the opposite party unprepared to offer any formidable resistance. The Estates, aware of this through the Earl Marischal and others, deceived and delayed Huntly by sending and receiving commissioners with various propositions, until the adherents of the Covenant had assembled a force sufficient to enable them to dictate terms or disperse their opponents. At the very time (15th April) that Montrose, having

1 Spalding's "Trubles," II., p. 330.

2 *Ibid.*, p. 335.

3 On the 18th and 27th March, 1647, Lord Fraser obtained separate Acts of Parliament against the laird of Drum; but neither is extant, nor are their contents known.—("Acts of S. Parliament," VI., pp. 268 and 285.)

4 Huntly's declarations are in Spalding's "Trubles," II., pp. 332, 333.

passed the Borders, pressed on to Dumfries, Huntly, still at Aberdeen, was busy directing, not only effective military undertakings, but the preparation of colours on which was to be emblazoned the crowned red lion with this superscription, "For God, the King, and against all Traitors," and, beneath, "God save the King." At the same time divers pennons were prepared for the barons who were there assembled. Spalding adds that the Marquis of Huntly and his followers wore black taffeta about their craigs (throats), "quhilk wes ane signe to fight to the death, bot it provit vtheruayes."¹

At this time young Irvine of Drum, anxious to distinguish himself in the royal cause, urged his father-in-law, Huntly, to permit him to undertake some service, and at last procured his consent to advance into Forfarshire to ascertain the intentions of the Earl of Airlie and of the other Royalists in that part of Scotland. Irvine also had in view the seizure of two brass guns which were at Montrose, and which he purposed to remove by sea. The party with which he started consisted of seventy-two horsemen, and displayed two colours—one with the king's arms, the other with the arms of the Irvines of Drum. They crossed the Dee on 22nd April, and the next day were joined at the North Esk by about three hundred Highlanders under Donald Farquharson and the Tutor of Struan. On the 24th the party advanced to Montrose, and, being opposed by the inhabitants, attacked the town, killed those who resisted—one of the magistrates amongst the number—gave up the place to be plundered, and attempted to set it on fire.² Although baffled in their attempt to remove the two brass guns, they rendered them useless for the immediate service of their enemies by destroying the gun-carriages. Irvine, with all those of his party that could be collected, and carrying as prisoners two of the principal inhabitants of Montrose, proceeded towards Lord Airlie's residence at Cortachie; but from there he could get no assistance, for Argyle was rapidly approaching that place. This information rendering it clear that any further delay in that neighbourhood was both useless and dangerous, Irvine retired beyond the Dee in haste and confusion, reaching Drum on the 26th and Aberdeen on the 27th April. He had not lost many men in his attack on the town of Montrose; but thirty-two of the Highlanders, loaded with plunder and drunk with wine, were surprised when asleep in a cornfield, and sent in irons to Edinburgh, to receive that punishment which they probably deserved for their excesses, and brought on themselves by their intemperance.³

Spalding, who in his narrative shows a friendly feeling to the houses of Huntly and Drum, whenever he can justify it to himself, characterises the attack

¹ Spalding's "Trubles," II., p. 343.

² *Ibid.*, p. 349.

³ "Britain's Distemper," pp. 51, 52; Spalding's "Trubles," II., p. 348. The latter seems uncertain whether it was thirty-two or fifty-two who were taken and sent to Edinburgh.

and plunder of the town of Montrose as an "vngodlie and grevouss oppressioun."¹ It was certainly rash and outrageous. Without benefit to the royal cause, it inflicted great loss and misery on the inhabitants of Montrose, and brought speedy misfortune to those principally concerned in it. I shall here briefly notice the fate of the most prominent of the associates of young Irvine, the leader of the enterprise, whose subsequent hardships will appear in due order. His brother, Robert Irvine, who had accompanied him, after some months of rigorous confinement, died, a prisoner in the tolbooth of Edinburgh, on the 3rd of February following, and, being an excommunicated person, was interred between the hours of eleven and midnight.² Irvine of Kingcaussie, another of the party, was shot on the 17th August at the Crabstane, near Aberdeen, by William Forbes, a natural son of Forbes of Leslie. The object of the homicide was to earn a sum of 5000 merks that had been offered for the apprehension of his victim; but in the amount of the reward the perpetrator was disappointed, only 2000 merks being given to him, and the remaining 3000 being awarded to the commander of the troop in which he served—Sir William Forbes of Craigievar. The committee then sitting at Aberdeen, of which Lord Burleigh was president, by public proclamation declared the slaughter to be "good service," the same to be affirmed by the General Committee of Estates, and, moreover, by sound of trumpet, it was published at the cross of Aberdeen that no one would be suffered to speak of this deed unless in terms of approbation. That the character of these traffickers in human blood could be protected only by such a tyrannous edict is a satisfactory proof that the public mind had not then been degraded to the level required by rulers and leaders in Covenanting morality. The chronicler, in noticing the accident that befell Forbes, who next year blew off his right arm in firing a musket, says, in opposition to the opinion of the Estates, that it was a judgment—"a token that the Lord thought not this innocent blood good service."³ The following year, on the 12th March, Colonel Donald Farquharson, who had commanded the foot at the attack on the town of Montrose, was killed on the street in Aberdeen. His loss was much regretted by the Marquis of Montrose, who caused his body to be buried with military honours in Drum's Aisle of St. Nicholas Church, beside that of Irvine of Kingcaussie. Colonel Nathaniel Gordon, who led the horsemen in the same expedition, escaped death at the rout of Philiphaugh in the following year, but only to meet his fate on the scaffold, when the outcry and influence of vengeful ecclesiastics proved sufficient to overawe justice and prevent mercy.

¹ Spalding's "Trubles," II., p. 349.

² Ibid., p. 446; Balfour's "Annals," III., p. 266.

³ Spalding's "Trubles," II., p. 397. After the Restoration—viz., on the 29th January, 1661—this William Forbes was declared outlaw and rebel.—("Acts of S. Parliament," VII., p. 24, App. 6.)

On the 12th April the Commission of the General Assembly ordained the excommunication of Alexander Irvine, younger of Drum, and his brother Robert, and directed the same to be publicly proclaimed in the churches. The reasons alleged for this fulmination may be condensed into two—refusing to adhere to the Solemn League and Covenant, and having appeared in arms in support of the royal cause. The former was styled by the General Assembly “a heinous offence against God,” and the latter, with equal felicity, was denounced as rebellion. These acts of excommunication, evidently dictated by political hate and theological rancour, seem to have been treated with merited contempt, for, in the month of March, 1647, an Act of Parliament declares “that the dreadful sentence of excommunication is much slighted and vilipended,” and then proceeds to ordain that, forty days after sentence of excommunication has been passed against any person, he shall be declared a rebel, and be treated accordingly.¹ Anyone who examines this and the other ordinances which Covenanters enacted in the pride of their power will probably find reason to view that body, or their leaders at all events, not as simple-minded, liberal Christians, but as intolerant and cruel religionists, ever as forward to resent the slightest interference with their own opinions or forms of prayer as zealous to bind opinions upon others by the most unscrupulous persecution, in defiance of Protestant principles.

On the 16th of April, the Committee of Estates, in consequence of what they styled the avowed rebellion of the Marquis of Huntly, the lairds of Haddo, Drum, and others, appointed Archibald, Marquis of Argyle, commander of all their forces, with authority to demolish and raze the castles and houses of those who resisted the force placed at his disposal.² Argyle lost no time in summoning to his aid the Covenanting leaders, and their levies, from the Forth to the Dee. Nor were they interrupted by Huntly, whose friends in vain attempted to stir him up to assume the offensive. On the 29th April, still at Aberdeen, he summoned that never-failing support to timid irresolution, a council of war. There he enlarged on the strength of the enemy and the hopelessness of their own position, and concluded by insisting how determined his conduct would be if circumstances were entirely different from what they were. Such an address could not fail to create desponding feelings, but Huntly’s friends still endeavoured to persuade him to keep the field, and, at least, to harass his enemies if he could not confront them in action.³

On the 1st May, Sir George Gordon of Geicht, Alexander Irvine, younger of Drum, and his brother Robert, rode through Aberdeen on their way to Huntly,

1 “Acts of S. Parliament,” VI., pp. 267, 268.

2 *Ibid.*, pp. 90, 91.

3 Spalding’s “*Trubles*,” II., pp. 351, 352.

at the head of sixty horsemen armed with new white lances. At Strathbogie a gallant force of three hundred horsemen and fifteen hundred foot still acknowledged the leadership of Huntly, whose friends with increasing importunity pressed him again to order or authorise active measures. He positively refused; and they in bitterness declared: "We have shown ourselves foolishly, and will leave the field shamefully; we never thought better of it." His son-in-law, young Irvine, roughly detained him when he wished to mount his horse and leave this assembly of his friends. Huntly was offended, and with mixed feelings of sorrow and anger the meeting terminated. This was on the 5th of May. Next day the Marquis of Huntly departed for the castle of Auchindoun, which he reached on the 7th, and immediately released from that stronghold the Aberdeen magistrates and the prisoners brought from Montrose. Huntly's force dispersed, as he no longer attempted to keep the field, but, crossing the Moray Firth, took shelter with the son of Lord Reay in Sutherlandshire.

While the young laird of Drum and his brother were at the rendezvous at Strathbogie, about the 2nd May, the Marquis of Argyle, accompanied by the Earl Marischal with four hundred horse, and followed by an Irish regiment, proceeded to Drum. Sir Alexander Irvine was absent, but Argyle was welcomed by Lady Irvine and her daughter-in-law, Argyle's own niece, Lady Mary Irvine. In describing his conduct to the ladies, as well as the spoliation of the place, I shall copy Spalding, only modernising and rendering more generally intelligible his expressions, although in so doing I may detract from the graphic and racy quaintness of the chronicle.¹ "The Marquis of Argyle shortly removed the two ladies, and set them out of the gates perforce (albeit the young lady was his own sister's daughter), with two grey plaids about their heads. The whole of the servants were also turned out. The ladies came in in pitiful manner to Aberdeen, mounted on two work-nags, and took up their lodging beside the gudewife of Auchlunkart. Then the runagate Irish soldiers fell to and plundered the place of Drum, wherein was abundance of all necessary and rich furniture and every kind of provision. They left nothing that was portable, and broke down the stately beds, tables, and timber work. They killed the cattle, sheep, and cows, and broke up the granaries, in which was abundance of meal and malt. They found yerdit (buried) in the courtyard of Drum a trunk full of silver plate, goldsmith work, jewels, chains, rings, and other ornaments of great value, and estimated above twenty thousand pounds. Thus, the ladies and servants being removed, and all things plundered by the Irish rogues, the Marquis (of Argyle) appointed a captain with fifty musqueteers to keep the house, and left two pieces of ordnance with them; and there they lived upon the laird's goods and the contents of his granaries. Following this Irish regiment were fifty-one women

¹ Spalding's "Trubles," II., p. 355.

and some children; these women were quartered in Old Aberdeen, where they got nothing but house-room, for they were subsisted from the granaries of Drum: each woman, weekly, having punctually delivered to her two pecks of meal. Thus is this ancient house of Drum oppressed and pitifully plundered without any fault committed by the old laird thereof, but only for his two sons having followed the house of Huntly—and, as was thought, much against his will also. Always this is to be noted for the Marquis of Argyle's first piece of service in this play, without love or respect to his sister's daughter, or innocence of the old laird Drum."¹

This Marquis of Argyle seems to have assumed a sanctimonious carriage and used liberal political cant to conceal an intense but selfish and vulgar ambition. His impartial severity to relations appears as part of this policy, of which his acquisition of the great estates of his judicially murdered brother-in-law, the Marquis of Huntly, is sufficient exposure. Argyle, with a caution that bordered upon cowardice, and a thirst for family aggrandisement that reached to dishonesty, has left a name justly attained as "The fause Argyle" of ancient song, and is scarcely too emphatically condemned as the "master-fiend" of modern lyrics.²

Whilst the Marquis of Huntly and the young Irvines were uselessly provoking the Covenanting authorities to exertion, alike by what they did and what they left undone, by deeds of individual severity and by general inaction, Sir Alexander Irvine gave them no open support, and, it is understood, secretly disapproved of their measures. This is more than probable, as his moderation and experience, as well as his intimate knowledge of Huntly's character, would doubtless enable him to foresee a disastrous result from operations in which his sons were deeply implicated, and in which he might himself become involved.

After the Marquis of Argyle, the Earl Marischal, and the Irish regiment had, as it is expressed by Spalding, "drest (despoiled) the place of Drum," they left a garrison there, and proceeded, on the 4th May, to attack the houses of other Royalists in the north. Sir Alexander Irvine waited on Argyle at Inverury, then

¹ Not only was the Marquis of Argyle uncle to Lady Mary Irvine, the wife of the young laird of Drum, but a relationship (then considered near) existed between Sir Alexander Irvine and Argyle. Their grandmothers were sisters, daughters of the Earl Marischal. Argyle's grandmother was Lady Agnes Keith, whom the Earl of Argyle married after the death of her first husband, the Regent Moray.

² "The Fause Argyle" of the ballad of "The Bonnie Hoose o' Airlie." The Lady Ogilvie so cruelly expelled when her lord's house of Forthar was burned by Argyle was a niece of Sir Alexander Irvine of Drum.—(From "The Execution of Montrose.")

.. . him who sold his king for gold—
The master-fiend Argyle!"

—"Lays of the Scottish Cavaliers" (Edinburgh, 1849), p. 37.

proceeded to visit his son-in-law, Lord Fren draught, and thence passed on to Lord Huntly's, at Strathbogie.

At this time, and for two months, a large body of Argyle's Highlanders were quartered on the estates and tenants of Sir Alexander Irvine in Cromar and Strachan. These troops—"Argyle's Cleansers"—proved no less efficient as general plunderers, while they condescended to more petty appropriations than their Celtic colleagues from the sister isle.¹ The Irish regiment, amounting to eight hundred men, was quartered in the lower barony of Drum, and, being in arrear of their pay, the men had determined, if they did not receive the allowances promised to them when they enlisted, to recompense themselves by paying a plundering visit to the town of Aberdeen. The threat proved effective, for, to save themselves the chance of a visitation from "this rascall merceles regi-ment,"² the inhabitants of Aberdeen advanced money sufficient to satisfy their claims, which being discharged, the Irish regiment marched from Drum on the 4th June. The Argyle Highlanders were about the same in number as the Irish, and occupied the upper portion of the district of Mar. There (says Spalding) "they spairit not covenanter nor noncovenanter, minister nor laick; the haill countrie people fled that could flie, and left their housis desolat." They wasted and plundered all that district. They left neither horse, ox, sheep, nor cow, no four-footed animal, nor provision, grain, goods, or movables; and it was not until they had wasted, or consumed, all the resources of the district that they received orders, on the 1st of July, to march on their return to Argyleshire.³

On the departure of the Earl of Lothian's Irish regiment, the garrison of Drum was supplied from Lord Elcho's Fifeshire levies. This change was productive of neither benefit nor loss to the Irvine family, as the newcomers showed no better feeling, and the late visitors had left no further depredations for their successors to perpetrate. It is true that the Estates generally, in their commission to Argyle, and particularly by Act of Parliament,⁴ authorised the destruction of the Tower of Drum, which probably owed its safety, not to the forbearance of enemies, but to its convenient position and solid construction, affording security to a garrison, and contiguous to several fords on the river Dee, thus commanding various lines of communication then deemed important.

On the 22nd May, the Marquis of Huntly, the laird of Drum, his brother,

1 Amongst the Drum papers are details of the losses sustained by the tenants of Sir Alexander Irvine's Cromar estates in May and June, 1644, by Argyle's Highlanders; in March, 1647, by the army under Lieutenant-General Leslie; in May and June, 1647, and again in September, by the army under Major-General Middleton; and in October, 1647, by the troop under Colonel Herre Barclay.—(These have been published in the Spalding Club "Miscellany," III., pp. 195 to 201; Spalding's "Trubles," II., pp. 360-76.)

2 *Ibid.*, p. 375.

3 *Ibid.*, p. 376.

4 "Acts of S. Parliament," VI., p. 119.

his sons, and their followers, along with various other barons, were publicly summoned to appear before a Committee of the Estates to be held at Aberdeen on the 24th of that month. The notice was short, but Sir Alexander Irvine attended—whether as a member of the Committee or to give security for his appearance before Parliament does not distinctly appear.¹ Possibly he attended as a member, and probably was treated as a “malignant” (Royalist), and compelled to give security for his future appearance and quiet conduct. The amount required as security—£5000—is stated, but not the names of the barons who gave recognizances to this Committee. Before its members separated, they had sat daily, under the direction of the Marquis of Argyle, until the 31st May, and enacted that whoever should bring in the Marquis of Huntly “quick or dead” should receive a reward of 18,000 merks. For young Irvine of Drum the same amount was offered; for his brother, Robert Irvine, 9000 merks; for Alexander Irvine of Lenturk, 3000; for Alexander Irvine (son of Artamford), 3000; and for Mr. Robert Irvine, 1000.

Upon the 15th June, Alexander Irvine, younger of Drum, his wife Lady Mary (and two gentlewomen, her attendants), his brother Robert, Alexander Irvine (son of Artamford), and a few others, privately embarked on board a vessel at Fraserburgh. In consequence, however, of the illness of the lady, they were, unfortunately, obliged to land on the coast of Caithness, where they were all made prisoners by Francis Sinclair, son of the Earl of Caithness, and confined by him in his castle of Keiss. After being detained there for some weeks, they were, by order of the General Committee of Estates, removed with a strong guard from county to county, always accompanied by the near relation who had betrayed them—Francis Sinclair—with his own party of sixteen horsemen. They reached Aberdeen on the 19th August, and the unmanly feelings and mean malignity of the Covenanter authorities may be estimated by their refusal to allow Lady Irvine to see her children, or to supply them with clean linen! Next day they were sent forward on their journey, which was terminated when the whole party were secured in the tolbooth of Edinburgh.²

Of this Francis Sinclair, son of the fifth and father of the seventh Earl of Caithness, who thus seized his relations and sold them to captivity, regardless even of their lives, Spalding remarks: “This miserabill man, looking to this worldlie pelf, forgot his honour and his blood,” and in another place exults that the money by which he was tempted, “dishonorable acquirit,” was “als evill payit.”³ Instead of the sums promised, Sinclair appears to have received only 5000 merks, an amount barely sufficient to cover his expenses. Lord Forbes,

¹ Spalding's "Trubles," II., p. 370.

² Ibid., p. 398; Balfour's "Annals," III., p. 217.

³ Spalding's "Trubles," II., pp. 380-98.

about the same period, seems to have been proportionately better rewarded for a somewhat less disgraceful action: he received 3000 merks for taking his neighbour, Irvine of Lenturk, and securing him in the tolbooth of Aberdeen.¹

It is a melancholy fact, and no isolated instance of a national trait, that, while the duties of a chivalrous hospitality have ever been held sacred by the lower and even the most indigent classes of Scotchmen in defiance of all temptations, the same generous conduct cannot be justly claimed for their superiors. "They who sold their king for gold" (not omitting the betrayer of Montrose, who bartered his own honour and noble blood for oatmeal²) are not without a right to call the shade of many a Scottish baron to assist them in bearing the load of infamy which should rest on all who have betrayed the innocent or the unfortunate from motives of unworthy timidity, excited malevolence, or mean cupidity.

By the proclamation offering rewards for securing Huntly and the Irvines, "quick or dead," we perceive how the noble and clerical directors of a movement ostentatiously upheld as being based on a foundation of religious liberty and stern Christian morality stimulated their followers not only to meanness but to murder. The individuals whose lives were thus exposed to the tender mercies of every covetous felon or bloodthirsty fanatic had been excommunicated by the General Assembly before they were denounced by the Committee of Estates. But they had never been tried! And if they had been, some of them could never have been condemned by any tribunals but those in which party prejudice and religious clamour influenced the occupants of the judgment seat to the exclusion of truth and justice.³

From Spalding we learn that on the 4th September the Committee caused proclamation to be made at the cross of Aberdeen by sound of trumpet, declaring "Frances Sincklair to haue done good and faithfull service to the publick" by securing the Irvines. At the same time William Forbes "wes of new agane declairit" "to be good and loyall for mvrthering of Alexander Irving of Kincovsie." The proclamation went on "strictlie chargeing and commanding that no maner of man suld speik or say aganis thir persones (Sinclair and Forbes), bot lauddable to prais and approve the samen in all places and conferrences, as occasioun do offer, wnder gryte panes" "Yit," adds the chronicler, "the godlie had their owne thoghtis." My own thought is, that the religious morality of this proclamation, which was an instigation to murder, is in strict accordance with the

¹ Irvine of Lenturk was released from prison by Montrose after his victory at Aberdeen on the 13th September; at the same time Alexander Graden, a servant of the laird of Drum, was released.

² Macleod of Assynt. See Napier's "Life of Montrose" and "Acts of S. Parliament," VII., p. 500.

³ Spalding's "Troubles," II., p. 400.

political profligacy that dictated the other, and would constrain men to speak falsely in approbation and applause of not only the meanest, but of the most wicked, actions. I say to speak falsely; for, had not men thought differently, the commands and threats of the proclamation had been as unnecessary as they were tyrannical.

In June, when the Committee of the Scottish Parliament made out their own propositions, and revised those that had been forwarded from England regarding a peace, "and for entertaining mutual confidence between the two kingdoms," the name of Alexander Irvine, younger of Drum, is in the list of those persons who were to be excluded from pardon, and the reference in the next clause "to those peers of Scotland whose patent is not past the seals before the 4th June, 1644," was probably applied to, amongst others, Sir Alexander Irvine.¹

In October the Marquis of Montrose, who was now actively engaged in his brilliant career in support of the royal interest, made an unsuccessful attempt to procure the freedom of young Irvine and his brother. For this purpose he released on parole Sir William Forbes of Craigievar and John Forbes of Lairie, on condition that they were to return as prisoners if the Estates should refuse to set the two Irvines at liberty. The interest of the Forbeses proved insufficient to counteract the enmity which the Covenanter leaders bore to the Irvines, and the exchange was refused.

It is not mentioned when Sir Alexander Irvine was made prisoner, but, in November, the family appear to have been disposed of thus:—Sir Alexander a prisoner in the town of Edinburgh; his two eldest sons in close confinement in the gaol there, so that Lady Mary Irvine was not permitted to see her husband unless in presence of a baillie; Lady Irvine (with the rest of the family) in Aberdeen; and the place of Drum "left desolate."²

About the beginning of the year 1645, the severity of the imprisonment of the young Irvines was somewhat mitigated through the two brothers and Alexander Irvine, son of the laird of Artamford, being placed in one room, for they had hitherto been kept separate. This indulgence was probably granted in consequence of the illness of the two brothers, for, on the 3rd February, Robert Irvine died, and, as he was under sentence of excommunication, his remains were hurried to the grave, by the light of lantern, before midnight of the day on which he expired. The surviving brother, Alexander, petitioned that, on account of severe illness, he might be permitted to be removed into the town of Edinburgh, upon his finding sufficient security. This was refused, but an order was given that he should be transferred to the castle for fourteen days, at the expiry of

1 "Acts of S. Parliament," VI., p. 104; Spalding's "Troubles," II., p. 430.

2 *Ibid.*, II., p. 446.

which he returned to the gaol.¹ Whilst in confinement at the castle he received, by permission of the Estates, a visit from two Covenanter ministers and a ruling elder. It is not likely that Irvine, in soliciting this interview, either expected or intended to benefit by their ghostly advice, and he failed to extract any temporal advantage from the deputation. There is little doubt that his fate had been decided on, and the delay in execution can be attributed only to the recent successes of Montrose, which made it probable that he might soon have the opportunity of retaliating on those who embued their hands in Royalist blood. It was the fear of Montrose at the moment, and the effect of his victories afterwards, that saved the life of Irvine.

On the 31st May, Sir Alexander Irvine obtained the consent of the Estates for his return to Drum, but, when there, was pursued by the Covenanter authorities, both civil and criminal, at the instance of Lord Fraser.² It is not mentioned whether any, or what, crime formed an excuse for the imprisonment of Sir Alexander, but there can be no doubt that the real stimulus for his persecution was the extent of his property, while his opposition to the Covenant was held up by ambitious leaders, and received by their excited followers, as a sufficient justification for every oppression and for any iniquity which could be practised on one who, like him, not only denied their infallibility, but exposed their hypocrisy. The result may be shortly stated. His estates were laid waste, and the whole of his moveable property was either plundered or entirely destroyed. His wife and family were turned out of doors, and Drum retained as a place of garrison. Besides all these inflictions, he was repeatedly imprisoned, although never tried, and, while compelled to pay fines amounting to £8000 sterling, he had to part with the rents of his estates to others for five years.³

In June, 1645, General Baillie, with the army of the Covenant, lay at Drum, whence he proposed to advance against Montrose, whose force was quartered at Cromar and Corgarf. Three of Baillie's disciplined regiments—one of which, "the red regiment," was commonly called "the redcoats"—showed such unequivocal symptoms of dissatisfaction with the cause that their commander thought it advisable to exchange them for less-experienced soldiers then serving with the Earl of Lindsay, who was about to return to the south.⁴ The want of these old soldiers must have been severely felt by Baillie, on the 2nd July, at the battle of Alford, when his military experience was rendered of no avail by

1 Balfour's "Annals," III., pp. 266-75; also Spalding's "Trubles," II., p. 446.

2 "Acts of S. Parliament," VI., pp. 268 and 285; Spalding's "Trubles," II., p. 478.

3 From the petition of Alexander Irvine, dated in 1661 (Drum Papers). In another paper the plenishing and goods carried away are estimated at the value of 13,000 pounds Scots.

4 "Britain's Distemper," p. 128.

an over-ruling council, which forced him into the toils of Montrose. The Covenanters were routed, and their force nearly annihilated; but the councillors, who were the principal cause of the disaster, escaped by timely flight and the fleetness of their horses. Another and larger army was speedily organised, but, notwithstanding previous experience and the remonstrances of Baillie, the same baffling influence and presumptuous ignorance were employed in the form of a committee to control his movements. At Kilsyth, on the 15th August, the same officious interference and incapacity on the part of Baillie's advisers materially aided the genius of Montrose, who, with trifling loss, completely routed and all but exterminated this second army of the Covenant. The consequence of the victory of Kilsyth was to place, for a short time, the whole of Scotland at the mercy of Montrose, and to restore to liberty such of the numerous prisoners, whose consistent loyalty had made them objects of enmity to the Covenanters, as had not already been sacrificed as victims to the Covenant.

The scene which ensued at the prisons of Edinburgh was what, under the circumstances, might have been anticipated. Young Alexander Irvine and others, who had been "face to face with death," were at once set free from the polluted atmosphere of "the Heart of Midlothian," round which raged the mortal sickness of the plague, and within which reigned the moral plague of morose religionists. The grim ungracious warders and magistrates cringed before their late captives, to crave their intercession with Montrose. The earnest humility and protestations—so soon to be proved false—of these guardians, now that they were themselves in danger, were proportioned to their former austerity when in power and authority. A month had not elapsed before the scene was changed. On the 13th September the army of Montrose was surprised and routed by General Leslie at Philiphaugh. Whether young Irvine was in the action does not appear, but he and Lord Reay¹ were soon after sent by Montrose to Huntly to persuade him to active and zealous co-operation. Their mission proved entirely unsuccessful. They could not overcome the jealousy of Huntly, nor could they extract any satisfactory reply to the frank communications of Montrose. Young Irvine was neither slow to urge an active and energetic line of conduct on Huntly nor patient under the miserable excuses by which that nobleman evaded and declined every proposal which, under the circumstances, might have materially advanced the royal cause. Lord Reay was disgusted with the result of his mission, and remained in the north. Irvine, no less dissatisfied, returned to report to Montrose all the information he had been able to acquire from his connection with the Gordons. Results had proved Huntly's incapacity for command, and now his confirmed jealousy of Montrose deprived the royal cause of

¹ Ogilvie's "Troubles of Britain," p. 226; also "Britain's Distemper," pp. 166, 170, 171. Lord Reay was one of the Royalist prisoners who regained liberty in consequence of the victory of Kilsyth.

support from those who, under other management, would willingly have afforded assistance to the Royalist general in a conjuncture so perilous for the crown and the Royalist prisoners. But the wayward conduct of Huntly emboldened the Covenanters, who perceived that they could now gratify their revenge, free from that fear of retaliation which had hitherto restrained their cruelty.

Amongst those who had served their king and infringed no law of their country, yet were now to be offered up as victims at the shrine of the Covenant, was Alexander Ogilvie, eldest son of Sir John Ogilvie of Inverquharitie, and nephew of Sir Alexander Irvine of Drum. He was a youth of high promise, and only seventeen years of age, when he was executed at Glasgow, along with Sir Philip Nisbet, on the 29th October. Whether, as has been asserted, the condemnation and judicial slaughter of this youth were achieved by the minions of Argyle or by clerical myrmidons, who scented blood, and howled around the Royalist victims to prevent either escape or mercy, may be left for those to discuss who consider that the characters of the wily noble or of "the bloody preacher" can be injured by the proof of one additional crime. The Rev. David Dickson is reported to have exulted in the butchery, and to have exclaimed "The work goes bonyly on."¹ This does not prove him to be worse than others of his cloth who were clamorous for blood; on the contrary, although, like them, he had the spirit of a fiend, he must be held acquitted from the meanness of the hypocrite.

In the spring of 1646, when a force under Colonel Barclay established itself in the town of Aberdeen, and was levying contributions on all the surrounding country, young Irvine of Drum with a troop of horse, and William Farquharson of Inverey with two hundred foot, attacked a detachment of the garrison on Deeside, six miles from Aberdeen. The Covenanters were taken by surprise, and lost seventy prisoners, all their horses, baggage, and provisions which they had collected for the troops in Aberdeen, who were suffering severely from scarcity of provisions, and many of whose horses were dying for want of provender.²

Montrose received his final and peremptory order from the king to lay down his arms on 16th July, 1646. At the same time General Middleton had received full powers from the Committee of Estates to conclude an arrangement with the Royalist general. The terms agreed upon between Montrose and Middleton were conceived in a politic and generous spirit, and the capitulation was concluded on the 22nd July. Only five persons were excluded from pardon, and for them a ship was to be provided, that they might transport themselves beyond sea before

¹ Guthry's "Memoirs."

² "Britain's Distemper," p. 176.

In Sir Robert Gordon's "History of the Sutherlands," p. 532, he says:—"In April, 1646, Middleton came north to command the Parliament's armie. He besiedged Tillyquilly, and took it from the laird of Drum, who then possessed the same."

the last day of August.¹ This arrangement was confirmed by the Committee of Estates, notwithstanding the petition of the Kirk and the clamour of its members. General Middleton seems to have lost no time in preparing the formal assurance for Sir Alexander Irvine of Drum, which is dated at Dundee the 24th July. It guarantees "unquestioned" his life and fortune, provided he appears before the Committee of Estates before the first day of November, and gives security for his good behaviour in time coming. There are also among the Drum papers a copy of General Middleton's letter of the same date to the Marquis of Huntly, and a copy of the conditions offered to those who should now lay down their arms in obedience to his majesty's proclamation, which was sent to the Marquis at the same time. The four persons mentioned in these conditions as excepted from pardon, and commanded to transport themselves beyond seas, are James Graham (Montrose), Ludovick Lindsay (Earl of Crawford), Alester M'Donald (Sir Alexander M'Donald), and (Sir) John Hurrie.² General Middleton's letter to Huntly is short, frank, and friendly, and after referring to the proclamation, proceeds:—"Your lordship shall have these conditions resolved upon by the Committee of Estates, so far as concern either yourself or your friends, inviolably observed. I intend to be north on the next week, God willing, at which time I shall strive according to my power to give you all satisfaction, as well regarding the rendering of your garrisons and restoring of the houses of Drum as in any other particular," and concludes by the writer subscribing himself "your affectionate friend and humble servant, John Middleton."³ Huntly, in his answer, dated a week later, does not reciprocate the good feeling expressed by the general, and concludes thus: "so leaving that name (rebellion) to such actions as deserve it, I rest your servant, Huntley."⁴

It is probably to some time in the end of the year 1646 that the petition of Sir Alexander Irvine must be referred,⁵ in which he solicits from the Lords of Committee of Bills remission from a fine of £50,000 Scots imposed upon him by the Committee of the North for the benefit of Lord Fraser. In this petition Sir Alexander adduces many forcible arguments to show the illegality of the fine against which he appeals, and particularly urges the assurance of General Middleton that, in the event of his submission, his life and fortune should be fully guaranteed. It also appears that General Middleton had made this known to the Committee, although it failed to produce any effect on their decision,

¹ Copy of the convention in the Drum Papers.

² Graham of Gorthie is in some copies included as the fifth person who was to be expatriated.

³ Dated from Dundee, 24th July, 1646.—(Drum Papers.)

⁴ Dated from Strathbogie, 1st August, 1646.—(Ibid.)

⁵ On the copy of the petition the date is wanting.

which confirmed that already given against the petitioner by a body, one of whom was the person to receive the money thus extorted from a political enemy.¹

In 1650, the demand of the great majority, including all that was worthy in the Scottish nation, for the recall of their monarch became too emphatic to be resisted. Then the covert traitors and intolerant religionists who exercised authority prepared to turn to their own advantage a consummation which they perceived was inevitable and could not long be delayed. They tempted the young king to subscribe the Covenant, and imposed terms on him which their own agents knew would not be observed.² They then recalled the king, that the shadow of a pageant and a powerless monarchy might obscure their usurpation of the royal prerogative, and enable them to continue their oppression of the loyal subjects.

On the return of Charles II. to Scotland, the Royalists, under the designation of malignants, were prohibited from serving their country or approaching their king. Religious enthusiasm, guided by hypocrisy, ruled the country, and rampant fanaticism controlled the movements of the experienced and able generals, the Leslies. On the opposite side, Cromwell contrived not only to maintain religious frenzy in subjection to military expediency, but even managed to turn to account, as a useful stimulant, that most dangerous element in a military force. The result of a campaign in which the English army was guided and commanded by Cromwell, while the generals of the Scottish army were goaded and governed by religious enthusiasts, was, as might have been anticipated, a disgraceful rout and miserable slaughter at Dunbar, where eight or ten thousand Scotchmen fell, the victims of fervid ignorance and sanctimonious presumption.

In many points the government of Cromwell was beneficial to Scotland: a vigorous administration checked persecution, and justice was administered with an impartiality previously unknown, but, after his death, too generally repudiated by Scottish judges. Sir Alexander Irvine and other Royalists, while they remained amenable to the paramount authority, felt the benefit of a vigilant and powerful executive which interdicted the spiteful vexations of a dominant sect, and rendered powerless their ecclesiastical domination by withdrawing from them all magisterial support or legislative sanction.

At this period excommunication of persons of all ranks, and for faults of every degree, was rampant. As an example of how little was required to bring down on the head of an individual the ban of the Church, I may refer to the case of James Riauch, who was punished by the presbytery of Aberdeen "with the greater sentence of excommunication" because his tears of seeming repentance

¹ Lord Fraser was one of the Committee.

² "Jaffray and his Friends."

were traced to the application of "sneishen" to his eyes.¹ On the other hand, the crime of Sir Alexander Irvine was of all others the most heinous—he denied the perfection of Presbyterianism, and maintained the fallibility of the Aberdeen presbytery. At least, I have been unable to discover any other true causes for the sentence of excommunication pronounced against him. Two were prominently alleged: the first, which he admits, that he persisted in refusing to swear and subscribe "the Solemn League and Covenant"; the second, which he denies, that he was a Papist, and the falsehood of which and of "other slanders forged and invented against him by some members of the Presbytery" he offers to prove "before an impartial judge or prudent arbiters." In Whitelock's "Memorials" there are many entries regarding the case of Sir Alexander Irvine and the presbytery, which then excited great interest even in England.² The protest of Sir Alexander against the Presbytery's acts, which is amongst the Drum papers, and these other details, put us fully in possession of his arguments; but, unfortunately, the pleas of his enemies, who were also his judges, have not been preserved. "January, 1651, the laird of Drum being summoned to come before the Kirkmen, he summoned them to appear before Colonel Overton, alleging that he was under the protection of the Parliament of England, and could not acknowledge any other jurisdiction or judicatory in Scotland. But if, as private Christians, they required him to purge himself of being a Papist, he would do it. The laird of Drum wrote a letter of thanks to Lieutenant-General Monk for relieving those who were oppressed in their consciences by the presbyteries, and acquaints him with the proceedings of the presbytery of Aberdeen against him, and his appeal from them. General Monk ordered that no oaths, nor any covenant, should be imposed by any of the Kirk officers upon any persons without order from the State of England, and if they do, he will deal with them as enemies. And that who shall tender or take any oath so imposed, and against conscience, without leave of the Commonwealth of England, shall be taken as enemies: and the provost and baillies of Aberdeen were to proclaim this. And all civil officers were commanded by the Lieutenant-General not to seize upon, meddle with, or anyways molest the persons or estates of any excommunicated person, or anyways to discharge any other persons whatsoever to desist from dealing or trading with the said excommunicated persons, without order from the Commonwealth of England or their commissioners."

"A letter written to the laird of Drum by direction from the presbytery of Aberdeen: that 'they were resolved to excommunicate him unless he submitted to them and rescinded his appeal. He is exhorted to prevent this dreadful and

¹ Spalding Club "Ecclesiastical Records," p. 136.

² Whitelock's "Memorials," p. 1732. See also "The epistle liminary" to Sir Thomas Urquhart's "Jewel,"

dire judgment. That Presbytery is the Lord's ordinance—I. Timothy iv. 14. That religious swearing is not only lawful, but commanded and practised by God himself.' The laird of Drum, in his answer to the moderator, saith: 'That he expected from their severity to be excommunicated summarily for his appeal to Colonel Overton; that he can neither in conscience or honour grant the conditions they require, and yet that he doth humbly submit himself to God's will; that many others have spoken more freely than he against the usurped tyrannical power and supremacy of your Presbyterian inquisition, to which they impute the cause of all those miseries which have befallen this nation. Yet none are persecuted by you but I and my family, whereby it is notoriously known that the only cause of your unparalleled severity against me is my appellation to Colonel Overton, wherein I imitated Saint Paul, who did appeal from the cruelty of the Pharisees to Caesar, a civil judge and no Christian. Which I have the more reason to do seeing I found all your questions to be matters of your own invention, which yet you urge as necessary and Gospel truths; and because all your indifferences, prayers, and preachings have been and are more for advancing your own interest and factions, to the hindrance of a blessed peace between the two nations, than for the advancement of the Gospel of Jesus Christ. I therefore upon these principles do not at all fear that which ye call the dreadful sentence of excommunication. For either ye are infallible in your proceedings and judgments, or ye are fallible; the first I think ye will not arrogate to yourselves, for that were the highest point of Popery, albeit ye often practise in deeds what ye deny in words, and your so frequent changes will prove it to be evidently false. If ye be fallible, I am not much afraid of your fallible sentence, since I have so great reason to think ye actually err by urging me to swear that Presbyterian government (as ye use it) is the only government which Christ hath established in His Church. So that of late ye have made it the third mark of the true Kirk. I acknowledge and receive those words of our Saviour which ye act,¹ Tell the Kirk, and if he will not hear the Kirk, let him be to thee as a heathen. But I do not approve your interpretation and application of them; for by this means ye assume unto yourselves the name of the whole Kirk, as if all others who did not approve your discipline were false Kirks, and thereby ye furnish too strong an argument to the Papists against Luther and other reformers, who would not hear nor obey the Papistical Kirk, albeit there was no other Kirk nor Congregation then settled. Therefore I care no more for your excommunication than you care for the Popes, and whereas ye pretend to show that Presbyterian government is established by the Word of God, citing I. Timothy iv. 14, may not I as justly cite to you the chapter immediately going before, where the Apostle speaks of the office and duty

¹ "Act"—an old forensic Scotch term, nearly the same as the English "enact."—(Jamieson's "Scottish Dictionary.")

of bishops, and, to give you two for one, he resumes also the same words in the first to Titus, which, if they be taken according to the words, may be as strong an argument for the bishops; but such arguments as these are mere logomachies, every one throwing the Word of God to their own sense and interest. And because ye find Presbytery once in the Scripture, ye think ye have won the point, which would make no more for you than for the Papists, who call their priests presbyters, and the congregation thereof presbytery. Ye term the word presbyter an elder, and in your presbytery (which should be termed eldership, as it is in my own house-Bible, printed anno 1630, as being derived from presbytery) ye admit only ministers, whereas according to the word they should be all elders. By which it may appear that ye could only set that one place for yourselves in the whole Word of God, which makes more against you than for you. I do not question about names, I doubt only about the things ye intend by it, for I can see no authority, neither in the Word of God nor in the practise of any Kirk as ye use it, nor in any approved author; and if you did esteem so much of the Kirk as ye would have me do of your presbytery, ye ought not to have given me such an ensample by protesting against the late National Assembly, which is the supreme schismaticks, and therefore have no power to censure me. I acknowledge God is honoured by oaths, yet that must receive some limitation; they must be taken in judgment, in truth, and upon necessity. Now I appeal to your own consciences whether you have observed these conditions in your urging so many dreadful oaths upon this miserable nation those years by-past, not only in the Covenant but in your solemn league with your Presbyterian brethren of England: whereby ye enforced all men to swear to establish by arms that tyranny there as ye had done here; how many have ye enforced by threatening and execution of your Kirk censure? And the severity of the civil law falling upon them, depriving men of their estates, to swear and subscribe to all ye enjoyed or could invent, albeit ye knew them to be of far contrary judgment. Wherein ye did imitate that false and feigned mother, who before Solomon was contented to have the child divided; by which her hypocrisy was found out by that most wise prince. By which means ye have made this nation guilty of horrible perjury, besides many other heinous sins. I wish to God ye had remembered, or would yet remember, how much ye cried out against the tyranny of bishops, when they were urging some of your number who were refractory to Episcopacy, that there should be had some regard to tender consciences which were of another judgment. But so soon as ye got the power into your hands, neither minister nor laird, man, woman, nor child was spared, nor no regard had unto them, whatever quality or condition they were of: all were forced not only to obey you, but (which is the greatest point of tyranny over men's consciences) they were made to swear that they thought as you would have them, albeit to your own knowledge many thought the contrary. But there was no regard: you would have it

so, to satisfy your ambition and crooked ends. Ye abhorred and detested the title of lords in the bishops, but ye have usurped without the name the power of Popes, which was so much the more inconsequential in you that, professing and showing yourselves so often fallible, yet ye exacted an infallible obedience. When if ye had observed Christ's rule, which commands that whatsoever we would that men should do unto us we should do the same to them, ye have reason to look to it; and if ye had reason to complain of the bishops, I and many others have had much more reason to complain of you, for your little finger hath been heavier than all their hands, as woful experience hath showed. I wonder that ye should write that Presbyterian government is established by law in England, and that which ye call Independancy is only tolerated and connived at; this is a matter of fact well known, that Presbyterians have no power of censuring, or forcing men to swear, as ye do assume to yourselves. The Commonwealth of England will never permit such a tyranny to be established, for that were to involve themselves in a greater slavery of conscience than they were in before under the bishops. Both reason and experience plead against you in this matter, and therefore you must pardon me if I do not give credit to your bare relation without some more proof. Whereas you accuse me of blasphemy for calling your summons *libels* and *pasquils*, etc., because in them ye cited the Word of God, I wonder much of your rashness in judgment, that ye cannot discern between your own word and the Word of God. I do most humbly reverence and honour the one, and what censure I made was only on your words, which would involve me in perjury by a forced interpretation of God's Word, to swear that your government, as ye use it, is only *jure divino*, which I can see no reason to believe. If any blasphemous heretic, such as Arrius was, would cite the Word of God for his blasphemy, as he did, and write books in defence of it, would any be guilty of blasphemy for calling such books (as they cited the Word of God) *pasquils* and *libels*? I suppose no man of judgment can be guilty of such grossness. I do not apply this to you of whom I have a charitable opinion, only I intend to clear myself of blasphemy, with which ye unjustly charge me. I entreat you to abstain from your spells and divinations ye have used against me, as a ringleader of novelty, lest these judgments ye presage will befall me light heavy upon yourselves; for the many false glosses ye have put upon the Word of God, and your deceiving the poor and ignorant people, and enforcing others who saw evidently your deceits, and for your cruel and bloody practises for maintaining your own private and perverse interests. I do not take you for prophets, or that you have any extraordinary divine revelations; the whole country now see by experience that many, if not all, your bragging prophecies concerning the setting up and prosperity of your Presbyterian court, which you would have all men to adore as an idol, have proved very false. So that it may justly be said of you what God saith by the Prophet Hosea, c. viii., against Samaria and its idol calf; "The calf

of Samaria shall be broken in pieces: they have sowed the wind, and shall reap the whirlwind: it hath no stalk, the bud shall yield no meal; if so be it yield, the stranger shall swallow it up." Which words, I think, agree now most evidently to you and your calf, which you did equal to the Word of God, and pressed it much more; and for which ye yourselves spent only much wind, albeit ye made others spend much money, of which I have found as doleful experience as any one in this nation, but now by God's just judgment ye have reaped a whirlwind. Your prosperity did blind you, and it was ever the strongest argument ye used (except pike and musquet) that did shut your bowels against all compassion. I pray God now your eyes may be opened, and that ye may make good use of your humiliation, lest it be said of you that you are humbled but not humble. I shall not wish that ye be used with the same measure of rigor wherewith ye have used others, which yet were just with God to render to you; for I think in that case we should see few patient sufferers, albeit we have found many great professors and zealous persecutors. I do not desire your persecution; the greatest evil I wish you, which indeed is good for your own souls, that ye be not suffered to have any more power to prevene others, who without your disparagement are as good Christians as yourselves, however you are pleased to have them all nicknamed and esteemed Papists or Godless persons. For the tenderness of the presbytery's goodwill towards me, whereof you make mention in the end of your letter, I willingly accept it, for there is none that shall overcome me in kindness; but I wish ye had not used me so harshly heretofore when ye had power both of Kirk and State in your hands, which I trust in God ye shall never have again, by enforcing my servants, when all other means failed, to prove your vain inquisition, to reveal upon their oaths what they knew, saw, or heard within my house, which was an incomparable point of severity, to give it the best word. I suppose never was Spain's inquisition arrived to that height: I am sure they could not go beyond it. Now, if ye will desist from your rigorous proceedings against me and my family, I shall rest contented for all that is past, for I intend to offend none, but to defend myself; but if you will yet proceed upon your former principles, which I think in conscience ye cannot do, I am not resolved to buy your friendship at so dear a rate as the perjury of my soul. Only I shall strive to let my innocence be known, whereby your cruelty will the more appear and be abhorred. And now to conclude, I wish you as a friend to spend this Saturday next in better meditations than you did the last, wherein you did put in practise your great Presbyterian maxim, borrowed from Michael, "fortiter calumniari," against him who is,—Sir, yours, if you will walk in truth, Alexander Irvine. Dated at Drum, 20th January, 1651.' " 1

On Sunday, the 25th January, 1652, in both the churches of Aberdeen it was

1 Whitlock's "Memorials," pp. 520-5.

intimated that "the fearful sentence of excommunication was to be pronounced against Sir Alexander Irvyng of Drum on Sunday next, the 1st February." The sentence was announced in the churches of Aberdeen, because the parish of Drumoak, in which Sir Alexander resided, was then without a clergyman.¹ It did not long continue vacant, for, soon after his excommunication, Sir Alexander appears to have had sufficient influence with the ruling powers to procure the appointment of one of the deposed ministers, Mr. Andrew Ballenden. He, however, felt himself unable to strive against Presbytery, and formally resigned his charge on the 21st October, 1652.² The presbytery had failed to intimidate Sir Alexander Irvine by their threats of excommunication, and he did not submit to their sentence when pronounced, but confronted it with the following protestation³:—

"Whereas the presbytery of Aberdeen hath lately ordained to excommunicate me, Sir Alexander Irwing of Drum, for having appealed from their judicatory to Colonel Overton, and for some false and forged slanders, invented against me by some of their own number, to make way unto their insatiable ambition, and other perverse ends, all which matters they dare not put to a trial before any indifferent judge or prudent arbiters; but they themselves, in a most insolent and headstrong way, will be both judge and party, whereby they have not only disdained to acknowledge the authority of Colonel Overton, commander-in-chief within the presbytery of Aberdeen, who did accept the appellation; but also they have rejected all other fair means and accommodation which I had offered, and most arrogantly contemned the orders of Lieutenant-General Monk, discharging all ministers and Kirk officers, under highest peril, to impose any oath or covenant upon any person whatsoever without particular warrant from the Commonwealth of England. Therefore, that no good Christian may take any stand at their sentence of excommunication against me, following their own ensample, who have often protested both against Kirk and State, I do protest for the nullity of this particular presbytery's sentence, and that it may nought prejudice me neither before God nor man, neither in spiritual nor temporal matters. First, in regard it hath proceeded from men more full of fiery zeal to advance their own ambitions and worldly interests than the gospel of Jesus Christ, as may appear by their many practices, and particularly by their urging me this twelve-months bygone, with threatening of excommunication and of temporal losses, to swear and subscribe their Solemn League and Covenant, as if it had been a matter of

1 Spalding Club "Ecclesiastical Records," p. 117.

2 Ibid., p. 222.

3 As this document from the charter-room at Drum has been already published in the Spalding Club "Miscellany," III., pp. 205-7, in its original orthography, I have not thought it necessary here to retain the obsolete mode of spelling. I have not, however, made any other alteration.

salvation for me to swear to establish by arms Presbyterian government in England; and yet, in the meantime, they would never satisfy the reasons which did hinder me in conscience to obey them, but with implicit faith, the which they condemn in Papists, they would have me, against the light of my knowledge, to forswear myself; and which yet shows more their implacable malice and perverse policy, they did urge with the like threatenings my wife and three young maids, my daughters, who, for their age and sex, are not capable of such politic and armed theology. Secondly, they did maliciously endeavour to make me to be esteemed a Papist, which is their ordinary course, whereby they make the more colourable way and fairer pretext to satisfy their restless ambition and execute their rage upon all who will not implicitly obey them and idolatrise all their crafty inventions; and when they had tried many ways, but in vain, to make probable this their vain imagination, they at length, when all other means failed them, by an unparalleled barbarity, forced my servants to reveal upon oath what they saw, heard, or knew done within my house, beyond which no Turkish inquisition could pass; and whereas, at last, to put an end to their cruel inventions against me and my family, I offered to clear myself from being a Papist before the moderator of the presbytery and any two or three witnesses he would name or bring with him (so that my doing this might not wrong my appeal to Colonel Overton); yet this offer was absolutely rejected, unless I would rescind my appeal and submit myself wholly to their judicatory, which was to swear to all their inventions, which neither in conscience nor honour I could do; whereby it may be seen what great reason I had to appeal from such false accusers and partial judges, wherein I did imitate Saint Paul, who appealed from the cruelty of the Pharisees unto Caesar, a civil judge, although no Christian. Thirdly, the principal ringleaders of the said presbytery of Aberdeen did protest and appeal from the late National Assembly, whereby, as schismatics, they themselves ought to be censured, and so have no power to censure me; but such men as are so arrogantly ambitious that they will give no obedience to their superiors, either civil or ecclesiastical, and yet they will, like Popes, exact an infallible obedience from others, albeit they be most fallible and disobedient in themselves. Fourthly, in respect it is the opinion and the received judgment of the best Protestant reformed kirk that no excommunication can be valid without the consent of a visible congregation, which consent I am able to qualify you want in your unjust sentence against me; wherefore I desire all good Christians not to be scandalised with this barbarous action. Lastly, I do here now, as I have done formerly by my procurator, George Johnston, at the presbyterial meeting at Drumoak, in the presence of the godly people here present, separate myself from the discipline of presbytery, in particular that of Aberdeen, as a human invention that is destructive to the civil peace of Christians, and intends, by the help of God, to walk and live in such a Christian way and gospel as is conform to the Divine

will in the sacred Word, and nought prejudicial to the peace of Great Britain's commonwealth, of which I am a member. For the above said and other reasons, reserved to due time and place, I do protest for the nullity of your sentence, and that all the evil consequents of it may fall upon yourselves for your unjust and cruel proceedings against me; and now again I summon you, Master —, pronouncer of the said sentence, and the rest of the presbytery, to compare before Colonel Overton, at his return to Aberdeen, or any other judge who shall be appointed by the English Commissioners, to hear yourselves censured and condignly punished for your open contempt of their authority, for your false slanders raised against me, and for your cruel proceedings and erring sentence of excommunication, and for your usurpation of civil authority, being discharged by the Parliament of the Commonwealth of England and their Commissioners, by open proclamation, in all the chief burghs in this nation, and particularly in Aberdeen." In Whitelock's "Memorials," under date of the 19th April, 1652, is the following entry regarding the above proceedings:—"Letters that the ministers (clergy) of Scotland inflame the people against England, and damn all their brethren and people who are not of their opinion; that the laird of Drum had bid them defiance."¹

The oppressions of the Covenanters when they enjoyed power should not be forgotten in any general estimate of the character of that body. But having had the advantage, so far as history is concerned, of being persecuted with unrelenting severity at a later period, they are now too often extolled as suffering saints, it being forgotten that when in power they proved themselves pertinacious inquisitors and religious persecutors, and that the disgraceful and savage cruelties practised upon them were partly the recoil of blows which themselves had struck. As for the clergy on either side who encouraged or approved the violence of their respective parties, no language can be too severe, no condemnation sufficiently emphatic. For the misgovernment of the sensual Middleton or the atrocities of the infamous Lauderdale, for the crimes of his minions or the indifference of his master, there is no valid defence, for retaliation is neither according to Christian doctrine nor sound policy. In adversity the Covenanters showed to more advantage. True, their religious enthusiasm was tinctured with austerity and their courage sometimes stained with cruelty. But they nobly adhered in life and death to what they believed to be the truth.

One would suppose that civil and religious strife might have taught us ere now that the religionist who keeps "the civil magistrate" in reserve, to be let slip when a safe opportunity offers for coercing the conscience of his neighbour, and who employs punishments to enforce a particular opinion, deprives himself of all right (if overpowered by his antagonist) to protest against another member

¹ Whitelock's "Memorials," p. 530.

of the executive being called in with *his* Christian instruments—the rope and the faggot. Only in the form of expression, in degree not in principle, is there any difference between those who would call in “the civil magistrate” and those who prefer the assistance of the executioner.

After his battles with the presbytery, Sir Alexander Irvine appears to have remained undisturbed, and died in the beginning of the year 1658, leaving, by his wife, Magdalen Scrimzetur (daughter of Viscount Dudhope), five sons and six daughters, viz.:—(1) Alexander, who succeeded him; (2) Robert, a gallant and enthusiastic Royalist, who was excommunicated by the Covenanters, betrayed into their power, and died in prison, unmarried; (3) James,¹ who died unmarried; (4) Charles,² who died unmarried; (5) Francis,³ who died unmarried. The daughters were:—(1) Marion, who was married to James, Viscount Fren draught, and was mother of James, the second Viscount Fren draught, and of Lewis, the fourth and last Viscount, who was attainted in 1690; (2) Margaret, married to Charles, first Earl of Aboyne, by whom she had an only daughter, Lady Anne Gordon⁴; (3) Elizabeth, who died unmarried; (4) Jane, married to George Crichton,⁵ brother of James, Viscount Fren draught; (5) Isobel, who died unmarried; and (6) Anne, who died unmarried.

The above first Earl of Aboyne, the third son of George, second Marquis of Huntly, “was a poet, and his verses are too often polluted by the licentious spirit of the age in which he lived.” He is, moreover, described as “civil to such as lived at a distance, but difficult to his neighbours.”⁶ These particulars give some measure of support to the account of him contained in the old ballad of “The Earl of Aboyne.”⁷ If it is to be trusted—and the morals of the

1 Amongst the Drum papers is his receipt (to his brother, Alexander Irvine) for his portion of £10,000 Scots.

From the “Register of the Scots College of Douay,” in the possession of Mrs. Dorothy May Maxwell Witham of Kirkconnell:—

“15th October, 1640.—James Irvine, son of Sir Alexander Irvine of Drum, entered the Scots College at Douay” (in 1647 or 1648 apparently).—(“Hist. MS. Con. Mis., V., part 2, p. 654.)

“1663.—Alexander Irvine, son of Sir Alexander Irvine of Drum.”

2 His receipt (to his brother Alexander) for his portion of patrimony, as settled in 1647, is dated 1662.

3 This Francis was left £8000 Scots by his sister Elizabeth.—(Drum Papers.) There was a dispute regarding the settlement of accounts between him and his brother Alexander, 31st January, 1679.—(Fountainhall’s “Decisions.”)

4 “Domina Anna Gordoun, hæres Dominae Margaretae Irving spousae Caroli Comitiss de Aboyn, Matris.”—June 17th, 1665 No. 4906, “Inquisitiones Generales.” (Amongst the Drum papers are Aboyne’s receipts for his wife’s dower.)

5 There is a joint discharge from Jean Irvine and George Crichton (brother of Viscount Fren draught), dated 15th February, 1665, to Alexander Irvine of Drum, her brother, of all sums due to her by bonds of provision or otherwise.—(Drum Papers.)

6 Spalding Club “Antiquities,” I., p. 37.

7 From “New Deeside Guide,” p. 31.

aristocracy who frequented the court at that period render it sufficiently probable—the death of his lady, “the Bonny Peggy Irvine,” was hastened or caused by the conduct of her husband in leaving her to the seclusion of the castle of Aboyne whilst he, at the metropolis, was emulating the vices of his sovereign, the second Charles—that royal patron of immorality and incarnation of ostentatious profligacy. The following verses of the ballad are subjoined, not for their political value, but as containing notices of customs of that time. It would appear that the Earl’s doings in London had just reached his lady’s ears, when she was agreeably surprised by the information that he was returning to Aboyne, and was within a few miles of the castle. Amongst other orders given for his joyful reception, the lady directs:—

“My minstrels all, be well on call;
Now set your harps a-tuin’
Wi’ the finest springs; spare not the strings,
Sin’ the Lord o’ Aboyne is comin’.

“My maids all, be well on call,
An’ ha’e your floors a-shinin’;
Cover o’er the stair wi’ herbs sweet and fair,
Cover the floors wi’ linen;
An’ dress my bodie in the finest array,
Sin’ the Lord o’ Aboyne is comin’.

“Her gown was o’ the gude green silk,
Fast’ned wi’ red silk trimmin’;
Her apron was o’ the gude black guase,
Her hood o’ the finest linen.

“Sae stately she stept down the stair,
To look gin he was comin’;
She called on Kate, her chalmers-maid,
An’ Jean, her gentlewoman,
To bring her a bottle of the best wine,
To drink his health that’s comin’.”

On his arrival, the profligate levity of his address was resented, and a disdainful look and remark from the lady was sufficient excuse for the Earl to order his followers to mount again and accompany him to the Bog of Gight (Gordon Castle). Thence he proceeded at once to London. The catastrophe was the usual one in such cases—the death of the Countess by a broken heart, and the (more doubtful) Earl’s deep remorse, which was probably exhibited in his direction—

“From the horse to the hat a’ must be black,
And mourn for bonny Peggy Irvine.”

ALEXANDER IRVINE OF DRUM.

FROM 1658 TO 1687.

ALEXANDER IRVINE was served heir to the lands possessed by his father in the counties of Aberdeen, Kincardine, and Forfar on the 5th May, 1658. He has already been particularly mentioned in the preceding chapter, for the most prominent incidents in his career took place during the Civil War, and in the lifetime of his father. I shall, therefore, briefly notice the principal events that have been previously detailed.

In October, 1640, he went to England to represent to the king the hardships to which the Royalists in Scotland were subjected. From this mission his party derived no benefit; and, on his return, he was imprisoned and fined by the Covenanter authorities. On the 8th December, 1643, he was married to Lady Mary Gordon, daughter of the Marquis of Huntly; and in April of the following year, along with his father-in-law, was excommunicated for opposing the Covenant. In March, 1644, he was concerned in the violent seizure of four of the magistrates of Aberdeen, who were conveyed to Strathbogie and detained as prisoners in one of Huntly's castles; this outrage the Parliament of Scotland declared to be worthy of death. Within a few days after this adventure, young Irvine commenced to levy men for the king's service, and plundered the properties of several of the leading Covenanters. On the 24th April, 1644, with a considerable force under his command, he attacked the town of Montrose, killed one of the magistrates and several of the inhabitants, and gave up the town to be plundered. In June of the same year he was taken prisoner in Caithness, and conveyed to Edinburgh, where, after a long and rigorous confinement, he was sentenced to death. The successful operations of Montrose in the North of Scotland caused a delay in the execution of this sentence, and the victory of the Royalists at Kilsyth saved Irvine's life and restored him to liberty. He then joined Montrose, and zealously but unsuccessfully, endeavoured to excite Huntly to a cordial support of the Royalist general. In the spring of 1646, when in command of a troop of horse, and with two hundred foot under Farquharson of Inverey, he surprised an escort proceeding to Aberdeen with provisions for the garrison, and took seventy prisoners, besides the horses and baggage of the convoy. In July, 1646, when, in obedience to the king's command, the Royalists laid down their arms, and Montrose concluded a convention with General Middleton, Sir Alexander Irvine and his sons availed themselves of the liberal provisions contained in the deed, and gave security for their peaceable conduct. Thereafter they remained unmolested by the authorities, and under the Commonwealth were protected against

the evil effects of Presbyterian persecution and excommunication. He had become a Roman Catholic, and the presbytery of Aberdeen were about to pronounce a second sentence of excommunication against him, when, on the 20th April, 1660, he persuaded the synod to interpose their authority and stay the publication of the extreme sentence until October. He promised solemnly not to confer with any Roman Catholic priest up to that time, but to study "the Confession of Faith of the Church of Scotland," and to come frequently to Aberdeen to "entertain conference" with the members of the presbytery.¹ From these entertaining conferences he was, as he had perhaps anticipated, soon released, for, exactly one month after the decision of the synod, King Charles II. landed at Dover, and the monarchy was restored. Instead of frequently visiting the presbytery, the laird of Drum seems to have employed himself in waiting on his majesty, and presenting the congratulatory address of the magistrates of Aberdeen² on the auspicious event, which was then generally, and appeared to be universally, hailed as a national blessing.

It was probably at this time, and along with many others who had neither exerted themselves so much nor suffered so severely for their loyalty, that the laird of Drum presented his petition to the king, stating shortly the losses and hardships which he and his family had endured, and praying his majesty to assign "reparation out of the estates of those who had received his fines and detained his rents." In this petition he mentions "that the revenue of his lands had been detained from him for the space of five years by one of the name of Forbes."³ The dignity of an Earl, which had been granted to the late Sir Alexander Irvine, but which, in consequence of his opposition to the Covenant, had never been allowed to pass the seals, was now offered to his son. But, as he could not obtain the precedence in the patent granted to his father, and remuneration for his losses out of the estates of his enemies, he declined the offer. I have seen it mentioned that he refused the proffered dignity on account of the reduced fortunes of his family; but, if so, it must have been a pretext, for at that time the estates which he possessed, and might have retained after payment of his debts, were of greater value than many, or most, of the properties of the Scottish nobles.

For his request to have the precedence of the patent as granted to his father he was not without excuse, as it was his steady adherence to the royal cause, and consequent opposition to the Covenant, that alone prevented his occupying the position which he claimed. Still, such a request at such a time would hardly have been complied with even by a more grateful man and more resolute monarch than Charles II. It would certainly have been criticised as placing a new creation over

¹ Spalding Club "Ecclesiastical Records," pp. 260, 261.

² Kennedy's "Annals of Aberdeen."

³ Petition of Alexander Irvine of Drum.

more than twenty peers, many of whom possessed great interest in the country, although they had been less scrupulously loyal than Sir Alexander Irvine, and had secured the completion of their patents of nobility by giving in their adherence to the Covenant. As regards another part of Drum's petition, it really would have been impolitic in the monarch, and perhaps not profitable to the laird of Drum, to have the losses he had sustained too minutely examined, if those he had occasioned to others were to be balanced against them. It might have been different had his father survived two years, until after the Restoration, to receive the reward of his loyalty, and to claim restitution from those who had for years deprived him of the rents of his estates, under pretence of his being liable for actions of his sons, which he neither authorised nor approved.

In 1679, to relieve himself from pressing debts contracted during the Civil War, he sold the barony of Kelly and all his Forfarshire estates to the Earl of Panmure.¹ What the annual value of these and other properties which he sold may have been I do not know, but the rental of the estates which he possessed at the time of his death was:—In money, £9694 18s. 5d. Scots; in meal, 1222 bolls of 9 stone each; in bear, 206 bolls; in malt, 289½ bolls; in oats, 77½ bolls; wedders, 104; lambs, 73; swine, 6; geese, 311; capons, 804; hens, 1340; salmon, 1568 lbs.; butter, 266 lbs.; tallow, 168 lbs.; cheese, 112 lbs.; and 119 leets of peats.² Besides these rents there were "reek hens," "mossfir," and various services due by the tenants.

Having lost his first wife, Lady Mary Gordon, the laird of Drum married, about the year 1681 or 1682, a pretty and youthful country girl, Margaret Coutts, who, according to the old ballad of "The Laird of Drum," was the daughter of a shepherd. At the time of the marriage he must have been about sixty-three years of age, and she about sixteen.³ His relations, it would appear, were annoyed at this union, and took no pains to conceal their feelings; and it is not improbable that their conduct, resented by him then, was revenged on them afterwards, when he altered the old destination of the lands, and excluded the heirs male and their descendants who stood next in succession to the family then in possession.⁴ The ballad ascribes to the rustic heroine not only beauty,

¹ He received £11,000 sterling for the estate of Kelly.

² "A leet of peats"—a solid body piled up like bricks, 24 feet long, 12 broad at bottom, and 12 feet high.—(Jamieson's "Scottish Dictionary.")

³ Margaret Coutts died in 1710, aged forty-five, so that in 1681 she was only sixteen years of age. At the time of Drum's death, in 1687, she had by him one son and three daughters. Her second husband, Robert Irvine of Cults, died in 1728, aged eighty-nine. The tomb of Irvine of Cults and of his two wives is in the churchyard of Peterculter.

⁴ Irvine of Saphock was excluded by this entail; but the male line of the Saphock family became extinct in 1744.

There was a tradition amongst the envious friends and equals of Margaret Coutts that her marriage to the laird of Drum was brought about through the effect of witchcraft on the part

but also discretion and spirit. As a proof of the latter quality may be instanced her reply to her husband, who had remarked that the circumstance of her birth had prevented a greater display at the wedding—

“Gin ye were dead, and I were dead,
And baith in grave had lain,
Ere seven years were at an end
They’d not ken your dust frae mine.”¹

Her beauty, under the circumstances of her marriage, may be taken for granted, and her discretion may be inferred from her husband’s appointing her, although she was only twenty-two years of age at the time of his death, the principal trustee of his property and of his heir, his son by his first marriage.² After the laird of Drum’s death she was married to Mr. Irvine of Cults, a neighbouring proprietor, and one of the co-trustees.

From letters of George, fourth Marquis of Huntly, dated in 1681,³ it appears that he had consulted the laird of Drum on some matters of particular business. He begins these letters with “Much honored,” and subscribes himself “your affectionate nephew.” These letters were probably written before Drum’s second marriage. One of them is dated in October, 1681.

The laird of Drum seems to have decided on entailing his estates soon after his second marriage, for, in April, 1683, the preliminary deeds were completed, and in August of the same year a new charter was drawn up under the Great Seal and sign manual, which recited the many faithful services performed by the family of Drum in support of his majesty and his royal predecessors, kings of Scotland, and also the sufferings and losses which they had endured in consequence of their loyalty.⁴ In 1685 an Act of Parliament was obtained, ratifying this charter in the most ample manner,⁵ and, by virtue of powers contained in it, the laird nominated the succession of heirs of entail by a deed executed on the

of her mother, who put some charm in milk which was drunk by the laird. The wilful character of the laird and his age (sixty-three), added to the witcheries of youth, beauty, and ability in a girl of sixteen years of age, is sufficient explanation of his second marriage, without admitting any sorcery on the part of the girl’s mother. Margaret Coutts had been an attendant on Lady Mary Irvine. One day, on returning from a walk in which she was accompanied by Mrs. Irvine of Cults, the ladies threw their wet shoes to Margaret to get cleaned. She afterwards remarked: “Little they thought that I should in time occupy both their places”—alluding to her being married first to the laird of Drum, and, after his death, to the laird of Cults.

¹ The ballad of “The Laird of Drum,” in the “New Deeside Guide,” p. 18.

² Margaret Coutts was “sine qua non” in the trust.

³ This Marquis of Huntly was created Duke of Gordon in 1684.

⁴ See the voluminous records of the lawsuits which in various forms continued for half a century, and are commonly known as “The Drum Case.”

⁵ “Acts of S. Parliament,” VIII., pp. 552-55.

20th September, 1686, and anew on the 4th September, 1687.¹ The families next in the old destination were, first, the Irvines of Saphock, and, second, the Irvines of Artamford; but by the new nomination the Saphock branch was entirely excluded, and that of Artamford postponed to the Irvines of Murtle, a family much more remotely connected with the entailer.

This Alexander Irvine died on the 18th September, 1687, leaving by his first wife, Lady Mary Gordon, one son and four daughters. Two sons had died in youth. By his second wife, Margaret Coutts, he left one son and three daughters. By his first marriage he had:—(1) Alexander, who succeeded him; (2) and (3) Robert and Charles, who died young; (4) Mary, married to Patrick, Count Leslie, of Balquhain; (5) Margaret, married to Gilbert Menzies of Pitfoddels; (6) Jean, who, some years after her father's death, was married to Alexander Irvine of Murthill, afterwards of Drum²; (7) Henrietta, married to Alexander Leslie of Pitcaple. By the second marriage he had:—(1) Charles, who died a minor in 1693;³ (2) Catherine, married to John Grey of Gallowhills; (3) and (4) Anne and Elizabeth, who died in their minority, unmarried.

ALEXANDER IRVINE OF DRUM.

FROM 1688 TO 1696.

ALEXANDER IRVINE, who now succeeded to the estates, was of facile disposition and weak intellect, and in consequence his father had left the management of the property to trustees. Yet to intriguers of education and family his mental deficiencies were more than counterbalanced by his worldly position, and his marriage became a subject of disgraceful speculation in connection with a "Scotch marriage." He was led into this sort of union with Miss Marjory Forbes, daughter of Forbes of Auchredy, very soon after his father's death, and through the active instrumentality of Mr. Robert Keith of Lentush, one of the professors in the Aberdeen College, and uncle of the lady by marriage. Having "proposed the marriage, and as Drum was fickle and changeable, Mr. Keith for the more secrecy supplied the place of a minister, and celebrated the

1 "The Drum Case."

2 The father of this Alexander Irvine of Murtle died in July, 1692; and this marriage of Jean, daughter of the late Alexander Irvine of Drum, to his successor took place soon after the "Drum Case" commenced.

3 The will of Charles Irvine, designed as "eldest lawful son of the second marriage," was recorded in Edinburgh, 4th February, 1735.

marriage himself"; but, previous to doing so, took from her a bond for ten thousand pounds Scots.¹ On the 29th February, 1688, the friends or relations of Irvine preferred their case before the Lords of the Privy Council against Forbes of Auchreddy and Mr. Robert Keith "for circumventing Drum and making up a mock-marriage when he was drunk or mad." The Privy Council, however, finding there was nothing of drunkenness or madness proved, sustained the marriage, but soon after ordered the property of Mr. Irvine to be placed under the management of his brother-in-law, Count Leslie of Balquhain.²

I shall now conclude the story of this marriage by relating some circumstances connected with that event and the parties concerned in it. Whether the Lords of H.M. Privy Council acted legally or illegally, or how such delicate or indelicate investigations devolved upon them, I know not; but on the 3rd December, 1695, they appointed a commission, which they ordered to assemble and to report to them before the 1st day of January, 1696, whether the lady of Drum was or was not in an interesting condition.³ I am also ignorant of the result of the com-

¹ Fountainhall's "Decisions," II., p. 90.

² The case was before the Lords of Privy Council on the 29th February and 20th June, 1688, and their order that Leslie of Balquhain be placed as trustee on the property was made on the 12th July, 1688. This was subsequently altered in consequence of a trust deed of the late Alexander Irvine of Drum being found, by which his widow, Margaret Coutts, Irvine of Murthill, Irvine of Artamford, Irvine of Cults, and Irvine of Glassell were appointed trustees or administrators to his son Alexander.—(Fountainhall's "Decisions," I., pp. 501 and 507.)

³ Commissioners appointed by the Lords of His Majesty's Privy Council:—Patrick Urquhart, M.D., Professor of Medicine, King's College, Aberdeen; Elizabeth Muir, his lady; Dr. Patrick Chalmers, at Aberdeen, and — Forbes, his lady; and Christian Skene, spouse to Andrew Jaffray of Kingswells.—(Drum Papers.)

Unto the Right Honourable the Lord High Chancellor and remanent Lords and Members of His Majesties Most Honourable Privy Council, the Petition of WILLIAM Lord FORBES, Sir ALEXANDER FORBES of TOLQUHON, and others, the relations and friends of MARJORY FORBES, now Lady Dowager of DRUM, in name and behalf of the said lady, and she for herself.

HUMBLY SHEWETH,—

That where ALEXANDER IRVIN of MURTHILL, pretended heir of tailzie to the estate of DRUM, having been so far concerned at the news of the said ladies being with child that he used all the methods in his power to occasion an abortion, particularly by such representations to your Lordships as few women of spirit, especially in her condition, could safely bear; which, nevertheless, your Lordships' justice did so consider, that, by your deliverance, ordering the said defamatory bill to be taken up again by MURTHILL's procurators, and appointing physicians and discreet women to take such inspection anent the ladies pregnancy as was consistent with modesty and discretion, all the design'd course of rudeness and undecency was disappointed, and the suggestions of the ladies not being with child were defeated by the said physicians and women, their report to your Lordships, which MURTHILL has thought fit, for that cause, never to present, though the time of reporting was the first day of JANUARY instant; and the said report was long ago ready, as appears by the missive letters under one of the physician's hands, with the double of the said report, herewith produced; And now it having pleased GOD to call the laird of DRUM by death, the said MURTHILL has thereupon convocat a band of armed men, to the number of —, with

mission, or of the concentrated wisdom of this high tribunal in dealing with such special and occult duties of a Privy Council, or whether the lady awaited their decision—which seems improbable, as a son and heir was born, and died, before the 3rd of January,¹ 1696.² On this date its father died, and, thus without surviving issue, left open the succession to the impatient heir of entail, Alexander Irvine of Murtle. Mr. Robert Keith, who had been dismissed from his professorship, pressed the lady for the ten thousand pounds for which she had given

swords, guns, sparrs, forehammers, axes, and others, and, under silence of night, did so barbarously assault and invade the house of DRUM, while the corps were yet unburied, that they have scaled the walls, broken up the gates and doors, torn off the locks, and possessed themselves so far of all the rooms, that the lady is confined to a most miserable condition, in a remote, obscure, narrow corner, and there is no access allowed to her but at one indecent and most unconvenient back-entry; so that she is not only in hazard of abortion, but likewise under dread and fear of being murdered by the said outrageous band of men sua convocat by MURTHILL, who carrouse and roar night and day, to her great disturbance and terror, as the form of an instrument taken by one of the servants in her name against MURTHILL thereupon, herewith produced, can testifie, and which is all the lady could get, in respect MURTHILL would not allow the nottar to give an extract under his hand of the said instrument; And seing by another letter, herewith also produced, under the hands of the two physicians that attended DRUM the time of his sickness, it is evident that the lady is in hazard of her life as well as abortion through the bad usage she meets with, and that by these arguments in law adduced for MURTHILL “de ventre in spiciendo” and “in possessionem mittendo,” although the lady were not in the actual possession, yet she ought to be put into possession till by the event it appear whether she be with child of an heir or not, she therefore “a fortiori” ought now to be continued in her possession till the time of her deliverie, which is expected once in MARCH; and MURTHILL should be discharged of all attempts and encroachments in the mean time, especially seing the lady never refused the free use of the house and conveniences thereof, till the sclemnity of the burial be over. And there was no violence or resistance offered against the said oppression, but the ladie has betaken her self entirely to your Lordships’ protection and justice, as the said form of instrument likewise bears. Therefore, and seing MURTHILL has no shadow of right as yet in his person, his interest as administrator having fallen by the laird’s decease, and his claim as heir of tailzie not taking place as yet, till it appear by the event whether the lady shall bring forth a son or a daughter; and, nevertheless, he spares not to declare that he will keep the possession, as well after the burial as before the same.

It is therefore humbly craved your Lordships will continue to take oare of preserving the hope that there is of propogating the family in the person of the righteous heir of the laird’s own body. And, by your deliverance hereupon, not only discharge MURTHILL to attempt possessing of the house, and to ordain him and all his said complices to remove therefrom immediatly after the burial, but likeways to discharge him from molesting the lady in her person or possession or otherwise, and to direct letters of horning for charging him to that effect. According to Justice and Your Lordships’ answer.

¹ Alexander was under the domination of his uncle and successor, Murtle. When his wife, Marjory Forbes of Auchredy, was confined (in the cross-chamber) he heard a shriek, but was denied admittance. Intelligence was brought to him and Murtle that a son was born. Murtle turned pale, but he recovered himself when the person added: “It is dead.” As the mother was convinced that the child had been born alive, suspicion rested on Murtle.

The entailor’s daughter, who was married to that Murtle who succeeded the entailor’s son, was so anxious to have children that she went round the altar seven times on her knees as a means of furthering her wishes. The mad laird was her son.

² “Drum Case.”

the bond above mentioned. In an action of reduction of that bond, on the 20th February, 1700, it was urged on her behalf "that Mr. Robert Keith's wife being the said Lady Drum's aunt, he was her uncle-in-law, and so he acted *contra bonos mores* to make merchandise of her; and both by duty and relation, was bound to promote her marriage without a bribe," etc.¹ The result of this suit does not appear, nor the exact time of the lady's death; but there is a receipt for her jointure in 1739—forty-four years after her husband's decease.

Two circumstances are to be remarked in this case—first, the peculiar use to which the Lords of His Majesty's Privy Council might be turned, and, second, the nature and results of what is termed a "Scotch marriage"—a matrimonial method which still exists. A solemnity it is not, and even a contract it can hardly be called, when sometimes the parties themselves, and often the public, do not know whether particular persons have or have not entered into the happy, without entering into the holy, state of matrimony. This facility of marrying, and impossibility of detecting who are and who are not single, is probably confined, amongst creatures capable of reasoning, legislating, and recording, to those living on the north of the Tweed.

ALEXANDER IRINE OF DRUM.

FROM 1696 TO 1720.

ALEXANDER IRVINE of Murthill now succeeded to the estate of Drum, according to the entail made by Alexander Irvine of Drum, who died in 1687. By that deed this distant branch of the Irvines was interpolated before the direct heirs male to which Drum and the other family estates had been formerly destined. The Murthill Irvines, as they were called—this Alexander Irvine, his son, and his brother—possessed Drum for the next forty years, in the course of which they alienated the greater part of the estates, and left the place in great dilapidation. They were ungrateful to the memory of him who had preferred them to the succession, and unjust to the interests of those who were to succeed them in the property.

This Alexander Irvine had married, in 1694, Jane, daughter of Alexander Irvine of Drum, who died in 1687.²

After succeeding to Drum, Alexander Irvine sold his property of Murthill, as well as the unentailed estates of the Drum family which had been left to

¹ Fountainhall's "Decisions," II., p. 90.

² This Jane Irvine, lady Drum, died in 1725.

liquidate the debts subsisting at the time the entail was executed. He not only failed to pay off these encumbrances, but got up false debts, in order that he might obtain judicial authority to sell part of the entailed estates. These he himself intended to purchase and to hold as his own unrestricted property. In this attempt he obtained the assistance of men even less scrupulous than himself, but possessing more ability, which, however, they had no intention of using for his benefit. Whilst thus entangled in the intricate policy which he himself had designed, and the crooked paths he chose to follow, his career was cut short on the 15th May, 1720. He left one son, Alexander (who succeeded him), and two daughters—Margaret, who died unmarried, 18th August, 1745, aged forty-seven; and Helen, who was married to Alexander Gordon of Dornlathers, and died 6th December, 1764, aged sixty-four.¹

ALEXANDER IRVINE OF DRUM.

FROM 1720 TO 1735.

THIS Alexander Irvine, undeterred by the former losses of the family, had adhered to their principles, and supported hereditary right when the heir of the Stewarts attempted, in 1715, to regain the kingdoms which his father's wilfulness had forfeited. He who styled himself King James VIII., the princely successor to hereditary misfortune and evil counsels, and Mar, the noble of ancient lineage to whom he intrusted the civil and military direction of this desperate undertaking, were both equally unfit for the adventure in which they had embarked, and which ended in the sacrifice of the lives of numerous devoted adherents, and the expatriation of many more.² Amongst the latter was this Alexander Irvine, who, after being severely wounded in the head, was fortunate enough to escape to the Continent, where he remained until 1718. Then a royal permission was granted by King George I. to Alexander, only son of Alexander Irvine of Drum, Robert Gordon of Clunie, and James Bisset of Lessendrum to return to Great Britain and remain unmolested.³ On his return from exile he found the affairs of his father much involved, and thus they continued when he succeeded in 1720. Then, although he had sufficient penetration to detect the unfair advantage which

1 On a marble tablet in the wall of the old church of Turriff is recorded their deaths, and that of Alexander Gordon of Dornlathers, who died 2nd June, 1763, aged fifty-eight years.

2 There are no distinct accounts of the adventures of this Alexander Irvine, or how he escaped. Tradition says his wound was received at the battle of Sheriffmuir.

3 The permission for these three gentlemen "to return and abide" in Britain is dated the 19th February, in the fourth year of the reign of George I.

had been taken of himself and his father, he was too careless and indolent to make the necessary exertion to free himself from those who, under the pretence of friendship, were scheming for their own profit, regardless of any higher motive or of his prospective ruin.

In 1727 he went abroad; but, finding the designs of those who conspired to obtain possession of the estates (which they managed) to increase more rapidly during his absence, he returned in the following year. But then, from the effects of his wound, his health and mind began to give way, until, in 1730, he became utterly incapable of managing his own affairs. His uncle, John Irvine, was appointed his tutor-in-law in 1731. From this time the machinations of those who coveted the estates of the unfortunate lunatic proceeded more rapidly, for the uncle and guardian, who "was not much wiser than himself,"¹ was their dupe and in their pay. By his means they obtained uncontrolled access to the family papers—an advantage of which there is no doubt they availed themselves to the fullest extent. Whilst the tangled net of low artifice and legal craft was being gradually cast around the property of the unconscious possessor and the weak and unworthy guardian, a check was given to the proceedings by the interference of an individual interested in the entail, and also of the two sisters of the proprietor. These ladies, however, being Roman Catholics, were intimidated into silence by threats to invoke the penal laws, and to dispute the amount of the portions left them by their father. On the other hand, the person who had commenced the suit in protection of the entailed estates, not being the nearest in succession, and crippled by the great expense of litigation, was tempted by a considerable sum of money to withdraw his opposition to the most obnoxious schemes which had been openly formed against the property. While matters were in this state, and before the plots of those who coveted the estates were entirely matured, "the lunatic laird" died in the end of the year 1735, and was succeeded by John Irvine, his paternal uncle.

JOHN IRVINE OF DRUM.

FROM 1735 TO 1737.

JOHN IRVINE, who now succeeded his nephew, the preceding proprietor, was the son of Alexander Irvine of Murthill, and brother of Alexander Irvine of Murthill, who succeeded to the estate of Drum in 1696. He was upwards of twenty years abroad, and his existence had been almost forgotten when, in 1722, he was

¹ So stated in the "Drum Case."

brought home from South Carolina, receiving a sum of money, as well as a yearly allowance, from those who were leagued against the rights of the heirs of entail to the Drum estates. That he was a man of slender abilities may be admitted, but this is not a sufficient excuse for his faithless conduct as a guardian of his nephew's property. Indeed, it may be presumed from his actions that he had not contemplated succeeding to the possession of the place which he did so much to dilapidate, and of the estate which his treachery had enabled others to despoil. Equally devoid of spirit and intelligence, he agreed to accept from those of whom he was either the dupe or the accomplice a portion of those estates which would have been his own if his actions had been guided by strict moral principle or sufficient worldly prudence. We may imagine that the subtle minds which had gained so much with his assistance would not risk all by driving an accomplice to desperation. Yet he had the meanness to acknowledge that the portion he retained was the gift of his patrons, when in fact it was but the remnant of a patrimony which they had unjustly acquired, and had no right to possess. He married Catherine, daughter of Robert Fullerton of Dudwick, and had possessed the place and remnant of the estates of Drum for only a few months, when death removed him from the contempt of those who knew his disqualifications and the indignation of those who witnessed his proceedings. He died in 1737, and was buried in the little chapel at Drum.

With him ended the male line of the family of Irvine of Murthill, which had been intruded into the succession in prejudice to the direct heirs of the original grantee of Drum.

ALEXANDER IRVINE OF DRUM

FROM 1737 TO 1744.

ACCORDING to the existing entail, Alexander Irvine of Crimond and Artamford succeeded to the estate of Drum on the death of John Irvine. For his descent from the original proprietor we must return to Alexander Irvine who possessed Drum from 1553 to 1603, and married, in 1552, Lady Elizabeth Keith, daughter of the Earl Marischal, and by her had five sons and four daughters. The eldest son, Alexander, succeeded his father, and his heirs male became extinct on the death of Alexander Irvine of Drum in 1696. The second son was Robert Irvine of Fornet and Moncoffer, whose heirs male were extinct before 1687. The third son was James Irvine of Brucklaw, and afterwards of Saphock, whose heirs male did not become extinct until 1744. The fourth son was William Irvine of Beltie, whose heirs male were extinct prior to 1687. The fifth son was John Irvine,

who received from his eldest brother, with consent of his father, a charter, dated 25th February, 1598, of the lands of Artamford, Shevadoe, etc., in the barony of Fedderet. He married Beatrix, daughter of John Irvine of Lumphanan and Pitmurchie, and by her had eight sons, the eldest of whom, John Irvine, got the lands of Pitmurchie and Midmar (or Ballogie), also lands in Lumphanan.¹ James, the second son, by an arrangement with his elder brother,² succeeded to the estate of Artamford on the death of his father in 1636.³ He married Anne, daughter of Keith of Ravenscraig; and died in 1675.⁴ He left two sons—James, who succeeded to Artamford, and another, who died young and unmarried; also two daughters—Anne, married to Elphinstone of Glack; and Beatrix, married to Dalgardno of Millhill.

James Irvine of Artamford, who succeeded in 1675, had married, in 1673, Margaret, daughter of James Sutherland of Kinminity.⁵ By her he had seven sons, the eldest of whom was Alexander, who, in or prior to 1703, sold Artamford,⁶ and purchased Crimond; and, in 1737, succeeded to Drum as heir of entail, when, as one of the heirs of entail who had already attempted to prevent the fraudulent alienation of the estates, he again commenced a suit, which was decided against him by the Scottish courts in 1741.

By the death, in 1744, of Alexander Irvine of Saphock without male issue, Alexander Irvine of Drum became heir of line and heir male of William de Irvin, the original grantee, and the succession, which had been interrupted by the entail of 1687, which intruded the family of Irvine of Murthill and excluded that of Saphock, now resumed its direct course.⁷

This Alexander Irvine married, in 1698, Isabel, daughter of Thomas Thomson of Faichfield, by whom he had two sons and six daughters, viz.:—(1) James, who died before his father, unmarried; (2) Alexander, who succeeded to Drum;

1 This John Irvine was succeeded by his son, Patrick Irvine. (See under the head of Irvines of Beltie.) It is uncertain when the heirs male of this family became extinct. They appear to have been in existence at the time when the entail of 1687 was completed, by which they were excluded from the succession to Drum. Patrick Irvine is believed to have died soon after the commencement of the eighteenth century, and to have left no male issue.

2 John Irvine of Beltie, who was retoured as heir to his father, John Irvine of Artamford, had service on the 2nd March, 1636, in New Bigging of Babithan, Hederwick, and lands in Cromar.—("Special Retours," Aberdeen, No. 230.) Patrick Irvine was retoured heir to his grandfather, John Irvine of Artamford, in the lands of Pitmurchie, Haltoun, Craigtoun, etc., in 1655 (25th April).

3 "Special Retours," Aberdeen, No. 230 The sons of John Irvine of Artamford (except the eldest, John, and the second, James) died without leaving male issue.

4 "Inquis. Tutel.," No. 5853.

5 Sutherland of Kinminity, in 1666, was deprived of the lands of Balvenic, which estate was recovered by Lord Saltoun.—(Spalding Club "Antiquities," II., p. 257.)

6 See further under the head of Artamford.

7 See Irvine of Saphock.

and (1) Margaret, who was married to James Rose of Clava, and died 15th February, 1779; (2) Isabel; (3) Janet, died 9th March, 1782; (4) Anne, died 1st June, 1779; (5) Elizabeth, died 18th January, 1779; (6) Mary, died in November, 1813.

Alexander Irvine of Drum died in 1744.

ALEXANDER IRVINE OF DRUM.

FROM 1744 TO 1761.

THIS Alexander Irvine succeeded to the estate of Drum shortly before the rash and gallant attempt of Prince Charles Edward to replace his family on the throne of Britain. Regardless of what the Irvines had suffered in supporting the unfortunate and fated dynasty of Stewart, and true to the principle of strict hereditary succession with which the Jacobites associated a subject's duty and a prince's right, the laird of Drum joined the army which sprang into existence upon the sudden appearance of the heir of Scotland's kings. It is probable that Drum had accompanied his friend Lord Pitsligo when he joined the Prince; and they retired together from "gory Culloden," the last battlefield of the Stewart race.¹ After various adventures, the laird of Drum (with his faithful servant, Adamson) contrived to reach his own house, and in a place of concealment in it, or amongst the adherents of the family in that neighbourhood and in Buchan, escaped capture until 1748, when two verdicts of a grand-jury baffled the Lord Advocate, saved the estate of Drum, and enabled the laird to emerge from his places of concealment. His trusty follower Adamson, not being sufficiently remarkable to be exempted from the amnesty, was soon enabled to attend to his own affairs. He lived respected and prosperous, and one source of his prosperity is believed to have been in a portmanteau heavy with "horse nails," which he contrived to bring home, notwithstanding the difficulty and danger he incurred as a fugitive from Culloden. He was one of the very few on that side of politics who gained by civil war, for there is no doubt that Adamson's neighbours were not wide of the mark when they alleged that what he called "horse nails" was "spulyie" (spoil).

¹ John Forbes, master of Pitsligo, eldest son of the attainted Lord Pitsligo, married, in 1750, Rebecca, daughter of James Ogilvie of Auchiries; and Alexander Irvine of Drum married her sister in 1751.

The coarseness of general conduct and the unrelenting cruelty of the victor of Culloden, the number of lives deliberately taken in due course of law, and the barbarous brutalities used in the manner of execution, although grateful only to government sycophants and the lowest of the rabble, were stern realities. But the amnesty, tardily granted in June, 1747, was a pretence—an attempt to appease or deceive those of nobler minds who, having supported the Hanoverian succession on principle, were disappointed at the savage policy that followed the close of civil war. Amongst the numerous exceptions from this partial act of indemnity were:—Alexander Irvine of Drum; his brother-in-law, Alexander Thompson of Faichfield; and several of his friends.¹ With the exception of Hawley, and a few other favourites of the Duke of Cumberland, alike remarkable for their deficiency in all that was great or amiable as prominent for their vices and their violence, the majority of the officers of the king's forces seem to have acted with humanity and delicacy in regard to the fugitive followers of the Stewarts. Of this the family at Drum had an instance when, in consequence of some information, a military party, commanded by an English officer, was despatched to seize the laird in his own house. No surprise was attempted: the party advanced by the principal road, in a compact body, with due dignity, their approach being sufficiently intimated by the sound of fife and drum. The laird had plenty of time to retreat into his hiding-place before the officer called for a candle and commenced the search for which he had been despatched. This, of course, proved unsuccessful, but from no deficiency of intelligence on the part of the officer, who, in better times, afterwards paid a friendly visit to the family, when he told Miss Mary Irvine, Mr. Irvine's sister, a lady of great intelligence and extraordinary firmness of character, that, although she preserved entire composure when he called for a candle, it was not so with her sister, whom he observed to tremble. On the 10th October, 1748, the Court of Justiciary met. Present—Lords Minto, Tinwald, and Drumcre. Lord Tinwald was chosen preses.² Before these judges bills of indictment were preferred against all those persons, not already convicted, who were exempted from the act of indemnity. On the 14th of October the grand-jury ignored the bill for high treason submitted to them against Alexander Irvine of Drum. On the afternoon of the same day a new bill against him was presented by the Lord Advocate, which met with the same fate. This unexpected result is said to have been brought about by the witnesses denying

¹ Amongst those connected with Aberdeenshire excepted from the act of indemnity were Lord Pitligo, Lord Lewis Gordon, Sir William Gordon of Park, Gordon of Glenbucket, Farquharson of Monaltrie, Sir Alexander Bannerman, Farquharson of Balmurrall, Gordon of Avochie, Hay, younger of Rannes; Gilbert Menzies, younger of Pitfoddells; Moir of Stoneywood; Turner, younger of Turnerhall, etc.

² Charles Erskine, Lord Tinwald.

any knowledge of Alexander Irvine of Drum, although they knew the *laird of Drum*, but not under any other designation.¹

After the chronic state of feverish turmoil, with occasional bursts of political and social warfare, which Scotland had endured for upwards of a hundred years, peace and quiet, whether obtained by moral influence or physical force, could not be otherwise than essentially beneficial. Indeed, it is probable that severe coercion at this time produced a more speedy change from habitual restlessness to profitable industry than could otherwise have been accomplished. The concomitant extinction of heritable jurisdiction and hereditary judges was also an event productive of great advantage to the people of Scotland.² But history may yet be called on to pronounce fell justice upon statesmen, and to decide whether the judgment-seat from which hereditary judges were displaced should have been filled by boon companions and political partizans, and whether, after rules were made to preserve the judges free from possible local prejudice, they should have been selected exclusively or generally for political objects. When the barons and chiefs were deprived of all real power, and of their independent courts, they were permitted to retain the worse than worthless forms of feudal investiture and conveyance of property, and it has pleased them and their rulers still to preserve this blighting shadow of a barbarous and extinct nuisance.

Although it was not until 1748 that tenures for the performance of military service were finally abolished,³ the feudal holding of all lands belonging to Irvine

1 The grand-jury found a true bill against Thompson of Faichfield, but ignored that against Alexander Ogilvie of Auchiries. Of fifty-five, the grand-jury returned forty-two "true bills," and ignored thirteen.

2 The records of the court of the barony of Drum have been lost—or, more probably, were made away with under the guardianship of John Irvine from 1730 to 1735. The following extract shows that, if there was a deficiency of justice in these courts, there was no absence of form nor of energy in the execution of their decrees:—

"The Court of the Barrony of Drum, holden at Woodend thereof the twenty first day of November, seventeen hunder and nineteen years, be John Elphinstone in Easter Collairlie, Baillie; Arthur Irvine in Miltown of Drum, Proctr Fiscal; and Mr. John Milne in Newtown of Drum, Court Clerk; and John Taylour, Officer.

The Court lawfully fenced and affirmed.

The S^d day and place the Protr Fiscal fores^d produced a bill of ninety two pounds Scots of the date the 6th day of decer seventeen hunder and sewentin years, granted be Barbara Collie, relict of the deceast William Bisset, cometime in Balskavie, to Sir Alexander Cummin of Culter, and indorsed by the S^d Sir Alexander to the Proctr Fiscal fores^d, whereupon he craved a decret of the said Barron Court; wherefore the Baillie fores^d did discern and ordain, likeas be thir pnt^s discerns and ordains, the S^d Barbara Collie to make payment of the hail fores^d sume of ninety two pounds Scots, with twelve shillings Scots of expencos, to the said Proctr Fiscal, and within fifteen dayes after she be lawfully charged therefore, under the pain of poynding the readiest goods and gear, granting warrand hereby to the ground officer for that effect, whereunto the Baillie fores^d interpones his authority. Signed, Jo. Milne, Court-Clk."

3 20th George II., ch. 23.

of Drum, and the oppressive services attached thereto, were, by special favour, renounced by the Crown in 1684, "in consideration of the eminent loyalty and good services of the family of Drum for several ages . . . and in further consideration of the sufferings of several of that family upon the account of their adherence to the true interests of the crown."¹

This Alexander Irvine of Drum married, in 1751, Mary, second daughter of James Ogilvie of Auchiries; and died, after a tedious illness, in the fiftieth year of his age, at Drum, on the 9th February, 1761. His lady died at Auchiries on the 5th April, 1796. Their family consisted of three sons and three daughters, viz. :—(1) Alexander, who succeeded to Drum; (2) Charles, who entered the Army, saw much service, and died a general officer on the 4th November, 1819. He married, in 1790, Diana, second daughter of Sir Alexander Gordon of Lesmoir, Bart. She died on 27th January, 1853, in her eighty-seventh year. (3) James, who possessed a profound knowledge of the art of painting, and was himself a superior artist. He married, in 1798, Anna Maria Barbere (who died in 1805), and died at Rome in December, 1831. (1) Margaret, who died 5th November, 1799; (2) Isabel, married to the Rev. Alexander Allan, and died in June, 1820; (3) Rebecca, married to George Ogilvie of Auchiries, 24th March, 1824.

ALEXANDER IRVINE OF DRUM.

FROM 1761 TO 1844.

ALEXANDER IRVINE, a minor, now succeeded, and possessed the estates of Drum for upwards of eighty-three years. On his father's death, the guardians of the minor commenced an action to reclaim the entailed estates of the family which had been illegally alienated. As this had been done by complicated transactions that extended back upwards of fifty years, the case was sufficiently desperate. The guardians, however, amongst whom a lady, the aunt of the minor, was the most energetic,² showed great zeal and perseverance, and might probably have been successful but for an accidental discovery of a flaw in the manner of registering the entail. This had not been dreamt of either by those who acquired or

¹ The letter from King Charles II. to the Lord Treasurer and Lords of Exchequer, signifying his majesty's pleasure that the lands of Alexander Irving of Drum, now held by simple-ward, shall be changed to tax-ward, is dated Windsor Castle, 3rd August, 1683, and is further carried out under date of 8th February, 1684, at Edinburgh.—(Drum Papers.)

² Miss Mary Irvine,

those who alienated the estates, and therefore in no way justified the conduct of those who profited by an accidental inaccuracy of which they were ignorant. The "Drum Case," although the records of it are voluminous, was not one of any great difficulty in its general object. The great extent of details seems, however, to have so far obscured the principle as to afford some excuse for the judgment of the Scottish courts against the claim of the minor.¹ On moving that the interlocutors of the Court of Session be reversed, Lord Mansfield, in the House of Lords, said: "I have not been able to persuade myself that the interlocutors of the Court of Session are either agreeable to law or justice."² The outline of the case is that the minor, through his guardians, claimed a right to be repossessed of all the entailed estates as left by Alexander Irvine of Drum in 1687, burdened only with such debts or incumbrances as were left by the entailer. It was also alleged that, by a long-continued series of fraudulent acts on the part of various individuals, the debts of later proprietors and of other persons, and debts entirely fictitious, had been raised up; upon which, and by decrees founded on such secret and nefarious transactions, many of the estates had been sold; and that these very sales had been conducted with deceit, and were completed in dishonesty. The interlocutors of the Scottish court were in effect that these deeds of sale were a bar to the action, and the court therefore refused to enforce the production of deeds without which the claim of the minor could not be substantiated. Although these decisions of the Scottish court were reversed, the subsequent discovery of a flaw in registering the entail led to a final decision by the House of Lords in 1777,³ which confirmed the possessors in estates acquired by means which it is not likely would now be attempted, and, if attempted, would certainly fail of success.

In this case the complicated details possess some interest as showing a certain state of society and of the law in Scotland at that period of transition, after feudal rights and privileges were abolished, and before publicity took the place of chivalry, and the pen became more effectual than ever the sword had been for the protection of the feeble and the punishment of the unjust. It must be

1 Interlocutors pronounced in Court of Session in January and March, 1769.

2 Lord Mansfield's speech to the House of Lords, proposing to reverse the decision of the Court of Session, 2nd April, 1770.

3 From Lord Mansfield's speech on Drum's appeal, April, 1777:—"The present question is of strict positive law, in which two unanimous decisions of the Court of Session were pronounced in the year 1772. The question is: Has the Act of Parliament been complied with? The original procuratory not having been produced at the time of registration is sufficient ground for the judgment given. The original entail has not been produced. The procuratory was the entail: you must have it before the charter; it is the warrant and foundation. The charter is not the original entail; the procuratory is the root in this case. I move your Lordships to affirm the interlocutors of the Court of Session of the 24th and 31st July, 1772, finding that the entail was not duly recorded." (Affirmed accordingly.)

admitted that the military virtues of the ancient feudal barons were not unaccompanied by violence, and that their broad lands had sometimes been increased by oppression and the employment of a power which the laws were too feeble to repress. But, at the period of which I am now treating, the law had become all-powerful, while the only influence capable of maintaining the purity and decorum of the judgment-seat, or of restraining the unprincipled cupidity of private individuals, was still undeveloped. "The wild justice of revenge" was restrained before the real majesty of the law; the purity, learning, and dignity of the bench were assured, and that before private morality was enforced by the only power capable of producing such great results—an efficient and free press. In the "Drum Case" the accidents of law were successfully wrested to the furtherance of iniquity; and, after more than half a century of litigation, the claims made in equity were finally decided against the Irvines on points of law, and a great part of their remaining possessions, of which much had already been sacrificed in supporting the cause of monarchy, became the reward of unscrupulous ability and successful chicanery.

This Alexander Irvine of Drum married, on 31st December, 1775, Jane, daughter of Hugh Forbes of Shivas. She died at Drum on the 12th March, 1786. Mr. Irvine died there on the 1st of August, 1844.¹ They left four sons and one daughter:—(1) Alexander, who succeeded his father; (2) Charles, who died 7th March, 1845; (3) Hugh, who died 11th October, 1829; (4) Francis, who died in Edinburgh; and Christina, who died at Drum, 1st July, 1856.

ALEXANDER IRVINE OF DRUM.

FROM 1844 TO 1861.

ALEXANDER FORBES IRVINE, who succeeded his father in 1844, had previously served in the 81st Regiment at St. Lucia and Barbadoes. After retiring from the Army, he became a member of the Scottish Bar. In 1857 he succeeded to the estate of Schivas, the property of his maternal ancestors, and had thereupon to assume the surname of Forbes in addition to that of Irvine. In 1816 he married Margaret, daughter of James Hamilton, Esq. By her he had three sons and two daughters—(1) Alexander Forbes Irvine, of whom afterwards; (2) James; (3)

¹ He was born in October, 1754.

Charles, an officer in the H.E.I. Company's military service, who married, first, Georgina Doran (by whom he had a son, born 1864, Hugh Alexander), and, after her death, married, secondly, Juliet Connel; and (1) Beatrice, born 18th January, 1821; (2) Jane, married to G. A. F. Haucheon, Esq., H.E.I. Company's military service; died November, 1881.

ALEXANDER FORBES IRVINE.*

DIED 4TH APRIL, 1892.

ALEXANDER FORBES IRVINE, eldest son of the preceding proprietor, was a member of the Scottish Bar; LL.D. of Edinburgh; Sheriff of Argyll for seventeen years; Vice-Dean of the Faculty of Advocates from 1886; twice Vice-President of the Royal Society of Edinburgh; for several years Captain Commandant of the 20th Aberdeenshire Rifle Corps; Chancellor of the Diocese of Brechin for thirty-four years preceding his death; and Convener of the County of Aberdeen for twenty-eight years.

On his becoming proprietor, he was sisted as a party to the lawsuit raised in his father's lifetime by the University of Aberdeen relative to the Drum Bursaries, and which, from its importance to the family and estates, it was necessary should be carried to a final issue. Practically the whole lands of Kinnmuck (1656) were claimed by the University, instead of the payments which had always hitherto been made. The case was decided in the Scottish courts in favour of the family, but reversed by the House of Lords, on appeal by the University--the Scottish law-lord, Lord Colonsay, dissenting.

He married, on 19th December, 1848, Anna Margaretta, daughter of Lieut.-Colonel Jonathan Forbes (afterwards Forbes-Leslie), by whom he had three sons--(1) Alexander, born 9th February, 1850; died 7th August, 1856. (2) Alexander Charles Quentin Hamilton, born 24th October, 1851; died 9th September, 1875. He gained an exhibition at Winchester College when he was thirteen, and subsequently a scholarship at New College, Oxford, which he retained until his death. (3) Francis Hugh, of whom afterwards.

* The particulars applicable to this and the two succeeding proprietors do not appear in the author's MS.

FRANCIS HUGH IRVINE.

DIED 25TH JULY, 1894.

FRANCIS HUGH IRVINE, third, but eldest surviving, son of the preceding proprietor, was born 23rd August, 1854; educated at Winchester and New College, Oxford, where he graduated with Honours in 1876, subsequently taking his M.A. degree. Qualifying in Law, he was called to the Bar in 1880.

Being much interested in Parliamentary press work, he was for a considerable time on the staff of the *Times*, and was one of the group of experienced reporters who were selected to report for the *Times* the proceedings in the Special Commission.

He twice contested West Aberdeenshire in the Conservative interest; was a member of the County Council, chairman of the parish School Board, and of many committees. He also devoted much time to various business meetings of the Episcopal Church in Aberdeen and in Edinburgh.

He married, 18th November, 1880, Mary Agnes, only child of John Ramsay, Esq. of Straloch, and had two sons, viz. :—(1) Alexander, of whom afterwards; (2) Quentin Hugh Innes, born 16th February, 1888.

ALEXANDER FORBES IRVINE.

THE PRESENT PROPRIETOR.*

ALEXANDER FORBES IRVINE, eldest son of the preceding, was born 17th August, 1881, and succeeded to Drum on 25th July, 1894. He was educated at Winchester College and at New College, Oxford, where he obtained his degree in the Honours School of Modern History.

He married, 19th July, 1905, his second cousin, Dorothy Isabel, second daughter of the late Henry Crawford of Rothie-Norman, Colonel, 1st Royal Inniskilling Fusiliers, with issue two sons—(1) Alexander, born 19th May, 1907; (2) Henry Quentin, born 5th November, 1908.

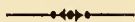
* "There are six great barons of the North—
Fyvie, Findlater, and Philorth;
An' if you ask the other three—
Piteligo, Drum, and Delgaty."

—Old Ballad.

It may be noted that, of the six barons mentioned in this quatrain, Philorth and Drum alone continue in the male line.

APPENDIX

APPENDIX



EXCERPT from MS. at Dunrobin Castle labelled as—

“Tables off the Genealogies of the Earles off Southerland and off some other noble families in Scotland out of which by mariages they are descended, with the Genealogies of some familieis to which they are related by mariages or surname, Together with some Tables of the Genealogies of some gentlemen descended from them, or (being inhabitants in Southerland) are vassales unto and dependers upon the Earles of Southerland. All compyled and collected together by the great paines and industrie of Sir Robert Gordon knight baronett off Gordonstoun sone to Alexander Earle of Southerland. Copied out of his papers and continued be Maister Robert Gordon¹ his sone.” 1659.

“Ane Account of the family of Drum from the 1404.

In K. James the first his tyme the battle of Harlaw was foughten by Donald of the Isles gst the Duke of Albany proved be the Earl of Mar then Stewart 1410, Alex^r Irvin laird of Drum maried ——— Keith dar to the knight Marshall it being ordered by the states of the kingdom to take away clan feud yt was y^e quarrell twixt thes two families as that Marshall’s people brunt on of Drums children amongst kale wort and Drum brunt y^e hall forrest and wasted sundry of his lands in revenge of yt wrong hut during the space of 7 years he never hedded wt her and when he went to harlaw wher he killed Maclean, ambassador for Donald towards the Governor for his Earldome of Ross he recommended her to his brother as a virgin (for he was killed at Harlaw) to be maried, ther two bodies ly in St Nicolas church of Abd in the tomb erected and appropriate to that family not by the benevolence of the city of Abdn, as some say but by prescription time out of memory mortified at, Rukheid by y^e laird of Drums ancestors. Boog and Drummond testifie that this 2^{de} brother was called Alex^r, Phaps changing his name to Alex^r wt y^e family esteem, he was one of five who went ambassadors to England for K. James y^e firsts releasement, he had two sones

¹ Robert Gordon was the fourth son of Sir Robert Gordon of Gordonstoun. He held a clerical commission—“Maister”—which probably explains his having been on the scaffold when Montrose was executed. He died, laird of Cluny, in 1699.

Alex laird Drum who married — - Abernethie daughter to my L. Salton in lauthian, her 2^{de} son gott the lands of Whytrigs and Reidmyres in the Mearns of whom is com lenturk wh pertained to the Strachans, who at his death said divided be amongst his childrin but the lands of Beltie which the laird Drums 2^{de} son gott from ye E. of Huntly for his good service at the battle of Brichen agst Earl Beardy lindsay of Crawford on of the confederacy with the E. of Douglas, E. of Ross, and Donald of the Iles agst K. James ye 2^{de} whier ye noble family of Huutly gave Seven Scots chalders of victuall to Ogilvies father, leslie and sundry others to follow him, wher he got Crawfords lands and honours with yt unparaleled charter for holding the Crown upon the Kings head, but keeping his honours he generously restored him his lands in lieu of which he got Badenoch and lochaber.

3. he had Alex Irvine ye 3rd race who married Cathrine forbes daur to my L^d forbes. he was a very stout man albeit vitiously inclined for he put away his wife under pretence of adultery wt his own chaplain and gelded ye churchman for wh he procured a remission from Rome and married on lindsay, daur to a fyfe gentleman who fled to the north for slaughter. by lindsay he had 9 dau^{rs} all married to heretors, viz 1 to Wester Coul, Cults, 1 to Chalmer L^d of Strichen and Provost of Abd, on to ye laird of Skeen, on to Ogston laird of fetercairn, on to Auchlossen Ross, on to the laird of ferrac Crawford, on to Auchankif Dougall. Another remission he had from the church state for causing fillorth fraser leap over ye brig of Don weh brig was built by K. Robt Bruce by the vacant rents of Bp Chein, Bp of Abd. sister son to the L^d of Buchan whose posterity are — — Buchain in Austria. he had 3 sons

Alex Irvin L^d Drum,

Rich I of Craigton in Peter Culter of whom Hilton,
ye 3rd henry of whom Kincausie.

He had on daur Agnes lady Wardes.

4. Alex Irvine married the heiress of Ardes of yt ilk in the Mearns, he had the lands tailed to him but being too familiar with his stepmother Lundy of yt ilk's daur in fyfe begatt her with child and dispossessed himself of his hopes on which lundie was made a song whereof ye overword was whosoever lyes loves me say lundies eys. his 2^{de} brother married Chr fraser daur to ye laird of doors who bor to him Archibald I of Craigton fr to Richard I of hiltoune by Marjory lumsden, on of the nine sisters of Cushney of whom arc come many gud families as forbes of Corse.

5. Alex I. L^d of Drum married — — Ogilvie dar to finlater who was killed at pinkie and left 6 sons and 3 dau^{rs}.

Alex I of Drum oldest married Keith daur to the E of Marshall.

2^d sone W^m of Ardlogie far to old Marg^t Irvin lady pitmedden portioner in the lands findlater caused his half-brother pitmedden not being solid in his judgement dispon to him under the colour of tutelage and sett y^m unjustly to Jon Seaton a son of Meldrum.

Ye 3^de sone was Rob of Tylliellair far to fortrie weh fortrie had but 3 dāurs married to Alex and Jon of Cullarly brothers to Gilbert Irvine and caried away the whole state.

Ye 4 son Gilb of Cullarly married Jean Meinzie dar to petfodles ye relict of Mr Rot Skenes far and brother to ye nine sisters of Cushney and had 3 sons

Alex,
Gilbert and
Jon of Murtle.

Ye 5 son was Jas. Irvin knight of Malta ordained by ye great Mr lord of Torphichen y great prior of the order in Scotland att ye time of ye change of Religion came home to take possession of Torphichen but he refusing to quit his faith Torphichen was delapidat by ane apostate knight Sandilands.

Sixt son Jon dyed young playing att Tinnies w^t his good-brother ye Mr of Marshell in Paris.

He had 3 dars

Jannet lady Abergeldie of whom cam the famous Alex^r Gordon who had three sones who passed in strenth all who lived in his age and dyed without children except a bastard son by witchcraft.

Ye 2^de was lady Meldrum,
Ye 3^de lady Arnage Chein.

6. Alex^r Irv of Drum married Keith dar to Marshell and had 5 sons and 4 dau^{rs}. he lived at the change off religion and att Corrichie feight. his eldest son Alex^r married Marian Douglas daur to the E. of Buchan.

Rob Irvin of fornatt or Moncoffer married ye lady Bogg dar to Dalgaty hay of whom came those two monsters in nature for talness, Collonel henry Stewart beheaded in france & his sister who would have overlooked the hugest man in Scotland. his 2^de wyf was Marg^t Skene sister to Skene of that ilk. he was Mr household to the E. of Marshall when he went to Denmark for queen Anne.

the 3^de James of Brukly who married his cousin fortries sister & had three sons

Jon,
Alex^r and
Gilbert.

the 4 W^m Irvin of Beltie married the laird of Doors daur & had 2 sons & a daur, his 2^de son is a layman.

the 5 Jon Irvin of Artamford, who had 8 sons & 7 da^{rs} viz y^e lady Ury hay, lady Craig, Inverugie, Keith, the lady Boyne Ogilvie, y^e lady Pitfoddles.

7. Alex^r Irvin laird of Drum & Kellie, Auchterlanny in Angus, because he conquest the Saviour, married Susan Douglas daur to l^d of B. who after — years matrimony lived twenty years a widow was suited by the Marquis of Douglas & my lord Southesk with others. She was interred at Auchterhouse chapple anno —. he was of little stature but of a great spirit. he had two sons

Alex^r I. of forglen &

Rot Irvine of fedrat

and 5 da^{rs}

lady Banff Ogilvie,

Ye lady . . . eldest son to the Tutor of Cromartie,

y^e lady Glenbervy douglas,

the lady Inverquhartie Ogilvie,

y^e lady Morphy Graham.

8. Alex^r Irvin l of Drum married D. Madg. Scrimgeour of duddop, had 5 sons, viz

Alex^r,

Rot who dyed in prison at Edbo by the violence of the Covenanters being betrayed by fr sinclair of Caitnes.

James,

Charles,

Francis,

and 6 dau^{rs}

Marion Viscountess of frendraught,

Anna,

Elizabeth,

Jean,

Isabel.

fedragh y^e 2^d brother married elis Campbell of Glenorchie & had 4 sons viz

Alex^r married to my L^d finlaters daur,

Jon a souldier in france,

Rot and

James,

and 3 da^{rs},

lucrece lady Gight,

Marion Lady Strichen fraser, &

Anna.

Alex^r Irvin laird Drum married D. Mary Gordon da^r to the Marquis of Huntly, he had

Alex^r,
 Charles,
 Ro^t, with
 Anna,
 Maria,
 Marg^t,
 Jean,
 Henriett.

LIST OF CHARTERS AND DEEDS IN THE ARCHIVES AT DRUM,
 WITH REFERENCES AND DATES.

Pages 62-3 (A.D. 1322-3).—Charter by King Robert Bruce of the royal forest of Droum in free forestry to William de Irwin.

Pages 2-3 (1323).—Copy charter to Alexander Burnard by King Robert Bruce, defining the limits of certain lands formerly given to him, and containing a grant of lands in recompense of the office of forester and the right of pasturage in the lower forest of Drum, of which he had been deprived by the grant of that forest to William de Irwin.

Page 65 (1324).—Charter by King Robert Bruce to William de Irewyn, erecting the lands of the Forest of Drom into a free barony, and confirming the former grant of Drom in free forestry.

Pages 65-66 (1325).—Charter by King Robert Bruce to Thomas de Carnoco of an annual rent, and the superiority of the lands of Vroys in the county of Kincardine—forfeited by John Comyn, Earl of Buchan, and to which Hugh, Earl of Ross, resigned all right.

Page 66 (1328).—Precept of sasine directed to the Sheriff and Bailif of Kyncardyn, for infetting William de Irewyn in the rights and lands of the Forest of Drom.

Pages 47-48 (1331).—Charter by King David Bruce to William de Irwyn of an annual rent and superiority of the lands of Vroys, on the resignation of Thomas de Carnoco.

Pages 55-56 (1332).—Charter by King David II to William de Irwyne of the lands of Hwyttryggys and Redmyre, on the resignation of Gilbert de Johnstoune (son of Thomas de Johnstoune), to whom these lands had been granted on the forfeiture of Walter de Knockys.

Page 1 (1356).—Charter by Thomas, Earl of Mar, to William de Camera of the lands of Easter Rothven in Cromarre.

Page 64 (1357).—Pardon by King David II., and restoration of the estates of Henry de Monymusk, who had passed into England and joined the king's enemies.

Pages 43-44 (1359).—Charter by King David II. to Walter Moigne of the Park of Drum, confirming a former grant of the same.

Page 58-59 (1362).—Charter by King David II., confirming the charter of Thomas, Earl of Mar, to William de Camera, of Easter Rothven.

Pages 26-27 (1377-84).—Charter by James de Douglas, son and heir of William, Earl of Douglas, to Sir Thomas de Harkar, of the lands of Largeny in Coule.

Pages 39-40 (1388).—Endenture between Alexandr of Irwyne, Lord of the Drom, and John Maigne, Lord of the Park of Drom, disposing the Park of Drom to Alexander of Irwyne.

Pages 45-46 (1393).—Charter by John Moygne to his friend Alexander de Irwyn del Droum of a chalder of meal payable by William de Burnard for the sustentation of the Park of Droum.

Pages 27-30 (1410-40).—Charter by Alexander Stewart, Earl of Marr and Garriauch and Lord of Duffle in Brabant, to Sir Alexandr Irwyne, of the lands of Davachindore and Fidelmouth in Marr. This deed is embodied in a confirmatory charter granted by Robert, Earl of Marr, Lord of Erskine, in 1440.

Pages 41-42 (1411).—Charter by Sir Robert de Keth, Mareschall of Scotland, by which he grants to his daughter, Elizabeth, and Alexandr de Irwyn of Drum, in contemplation of their marriage, lands in the barony of Strathkyn in Co. of Kyncardine.

Page 67 (1411).—Charter of the same date, regarding the same parties and of the same lands; but, in this, reference is made to the feud between the Keths Marischall and the Irvines of Drum.

Page 92 (1414).—Charter by Robert, Duke of Albany, Earl of Fife and Menteth, Governor of Scotland, confirming the gift made by Alexandr, Earl of Mar, to his cousin, Alexandr de Irwine de Drum, of the lands of Davachdore and Fidelmouth.

Page 31 (1422).—Deed of sale of the lands of Ardgrane, in the county of Buchan, to Alexandr de Irwyn of Drom.

Pages 51-52 (1446).—Charter by King James II. to Sir Alexandr Erwyn, of Drume, of the lands of Largnye in the barony of Neale in Coule, on the resignation of John de Haliburtonne of Saulyne.

Pages 74-75 (1457).—Precept of sasine for infetting Alexandr Irvyn, grandson of the late Sir Alexandr de Irwyn of Drum.

(1457).—Sasine following on the above precept.

Pages 32-33 (1457).—Charter by John Wentoun, of Edinduvy, of half of the

lands of Rylands in Strathalva, Co. Banff, to William de Wentoun. This deed is embodied in one of 1490.

Pages 5-6 (1471).—Precept by George, Earl of Huntly, to his Baillies for infefting Alexandr Irwyn, son and heir of Alexdr Irwyn, in the lands of Beldys.

Page 71 (1475).—Precept of sasine to Sir Gilbert Keith of Inverugy, and Willm Aberdour, joint Sheriffs of Aberdeenshire, to give seisin of the lands of Lumnay, Carness, etc., to Alexdr Irwyne and his spouse, Janet Keith.

Pages 6-8 (1478).—Indenture between Alexander Irwin of Drum and Alexandr Cummyrn, son and heir-apparent of William Cummyrn of Culter.

Pages 104-5 (1483).—Deed of resignation of the lands and castle of Inveralochuy by Alexandr Cummyrn, son and heir of the late William Cummyrn of Culter. And, also in 1483, deed of sale by the said Alexandr Cummyrn to his uncle, Alexander Irvine of Drum, of the said lands and castle of Inveralochquhy.

Page 12 (1485).—Bond of support by John Allardes of that ilk, to Alexdr Irwin of Drum.

Pages 90-91 (1487).—Note regarding mortgage of an annual rent from the land of Oures—mortgaged by Alexandr Irvine of Drum to Alexandr of Ketht.

Page 6 (1487).—Pardon by King James III. to Alexandr Irwin and others for the premeditated and felonious slaughter of Sir Alexandr Fraser of Philorth, his son, and George Tailseour at the Bridge of Balgony—And for the mutilation of Sir Edward Makdowell, chaplain, at the place of Drum.

Pages 8-9 (1491).—Precept and saisin of William Fresal, son and heir of the late Alexandr Fresal (Fraser) of Durris.

Pages 49-50 (1492).—Pardon by King James IV. to Alexandr Irwin of Lunmay and others for forcibly taking the place and fortalice of Inveralochquhy.

Page 72 (1494).—Brieve of succession.

Page 72 (1494).—Proclamation of this brieve.

Page 72 (1494).—Special service of Alexandr Irwin, son and heir of the late Alexandr Irwin of Drum.

Pages 9-10 (1495).—Before Alexandr Irwin of Drum, Sheriff—Special service of William Keithe, son and heir of the late Sir Gilbert Ketht of Inverugy.

Page 107 (1496).—Bond of manrent by Alexr Irvine of Drum to George, Earl of Huntly, for which the lands of Arlairies were granted in blanch-ferme.

Pages 10-11 (1496).—Discharge of assithment and recompense—kynbutt—paid by Alexandr Irwyne of Drum to William Fraser of Philortht for the slaughter of Sir Alexandr Fraser and Alexandr Fraser of Philortht.

Page 57 (1496).—Letter of slaines by William Fraser of Philortht with reference to the said slaughter, and the compensation.

Page 4 (1499).—Deed regarding claims by Catherine Crawmound, relict of Sir Thomas Malvill of Panmure, on Sir Thomas Malvill of Panmure, for certain lands.

Pages 35-37 (1499).—Charter by Alexand^r Irvine of Drome to his son and heir-apparent, Alexand^r Irvine, and his spouse, Janet Allardes, of the lands of Forglene, Co. Banff.

Pages 93-95 (1499).—Contract between Alexand^r Irvine of Drum and his son and heir Alexand^r, on the one part, and Sir Walter Ogilvie of the Boine and his eldest son and heir, George Ogilvie, on the other part—in relation to procuring a dispensation from the Pope for the marriage of the said George Ogilvie with Elspait Irvine—they having impediment of consanguinity in the third and fourth degrees.

Pages 11-12 (1500).—Dispensation by authority of Pope Alexand^r VI.—given by James, Archbishop of Saint Andrews, for the marriage of George Barclay and Mariote Auchterlowny—notwithstanding that they are within the prohibited degrees of kindred.

Pages 12-13 (1507).—Charter by Alexander, Earl of Huntlie, renewing former grants of the lands of Belties-Gordone to Alexander Irvine of Belties. The reddendo in this charter is the payment of one penny “at the Greystane of Cluny.”

Pages 13-14 (1510).—Agreement between Sir Alexand^r Irwyne of Drum and Patry Gordon of Johnesleyiss, by which Sir Alex^r agrees to let Auchindore to William (son of Patry Gordon) in feuferme for 47 merks; and also to be bound in time of war to accompany Sir Alexander or his heirs to the king’s host with five horsemen and two spearmen.

Pages 14-15 (1520).—Bond of manrent by Robert Irwynne of Belties to Sir Alexand^r Irwyne of Drum.

Pages 15-16 (1527).—Bond of manrent by Alexander Fressar of Ouchterdurriss (son and heir-apparent of William Fressar of Durriss) to Sir Alex^r Irwyne of Drum.

Pages 69-70 (1527).—Gift of nonentry by James V. to Alexand^r Irwin, son and heir of the late Sir Alexand^r Irwin of Drum for their Services in the North Month.

Pages 60-61 (1551).—Remission under the Great Seal to Alex^r Irwin, grandson and heir-apparent to Alexand^r Irwin of Drum for taking and holding the house and fortalice of Findlater from Alexd^r and John Ogilvy, Lords of Finlater.

Pages 84-85 (1573).—Grant by the Regent Morton to Robert, brother-german to Alexand^r Irwyne of Drum of part of the lands of Fedderet, etc.

Pages 16-17 (1580).—Memorandum of agreement between Alexand^r Irving of Drum and Alexand^r Burnet of Leyis.

Pages 16-17 (1585).—Confirmed testament of Elizabeth Keith, Lady Drum.

Page 17 (1587).—Acknowledgment signed by King James VI. of the receipt of five hundred merks borrowed from Alexd^r Irving of Drum—and promising “thankfully to repay the same before Whitsunday.”

Page 17 (1587).—Receipt for these five hundred merks, signed by Peter Young, his majesty's almonsser (and formerly his tutor).

Pages 19-22 (1590).—Submission and decret of Alexander Irving of Drum regarding the marches between his lands and those of Alexand^r Burnet of Leyis.

Pages 17-19 (1591).—Commission, signed by King James VI., to George, Earl of Huntley, to assemble the lieges and to besiege the castle of Fedderet, which had been taken from Alexander Irving of Drum.

Pages 76-79 (1598).—Charter by Alexander Irvine of Drum and his son and heir, of Artamford and other lands, to John Irvine, son of Alexd^r Irving of Drum.

Page 22 (1612).—Letter under the Privy Seal to Alexand^r Irvine of Drum, expressing his majesty's (King James V.) "very hearty thanks for service done in the north parts of that our Kingdom."

Pages 80-83 (1621).—Charter of the lands, fortalice, etc., of Forglen, by Alexand^r Irvine of Drum to his eldest son and heir, Sir Alexand^r Irvine, and Dame Magdalen Scrimgeour.

Page 68 (1622).—Licence by the Lords of Secret Council to Alexander Irving of Drum, his wife, and those that may be in company with them at table, to eat and feed upon fleshes in the forbidden time of Lent, and also upon Wednesdays, Fridays, and Saturdays.

Pages 96-98 (1637).—Decreet of adjudication in favour of Sir Alexander Irvine of Drum against the Earl Marischall for the sum of 214,590 merks Scots—"Vulgo twa hundredth and fourteine thousand and five hundredth foirescoir and ten merkis Scottis money."

Page 25 (1646).—Assurance by General Middleton to Sir Alexander Irvine of Drum that his life and fortune should be guaranteed "unquestioned."

Pages 23-24 and fragment (1646).—Copy letter from General Middleton to the Marquis of Huntly, with copy of the conditions offered to those who would lay down their arms in obedience to his majesty's proclamation, and assuring the Marquis of Huntley of his intention to give him every satisfaction in rendering his garrisons and restoring the houses of Drum.

Page 24 (1646).—Copy of the answer of the Marquis of Huntley to General Middleton.

Pages 88-89 (1647)[?].—Petition of Sir Alexander Irvine of Drum and Dame Magdalen Scrimzeour to the Lords and others of the Committee of Bills, claiming relief from a fine of £50,000 Scots.

Page 68 (1661).—Copy petition of Alexander Irvine, laird of Drum, to the king, stating the losses to his family in consequence of their loyalty.

Pages 25-26 (1664).—Testimonial or passport by royal authority to John Irvine, captain in the Douglas regiment of France, son of Robert Irvine, baron of Fedderet.

Page 70 (1683-84).—Royal authority to the Lord Treasurer for changing the

lands of Alexandr Irvine of Drum from simple ward to tax ward, and referring to the loyalty, services, and sufferings of the family for their adherence to the interests of the crown.

ADDITIONAL NOTICES—PRINCIPALLY REGARDING LANDS
POSSESSED BY THE IRVINES OF DRUM.

28th January, 1600.—Sasine to Alexander Irvine of Drum, on Hillside of Echt, Tilliboy, Corrensie, Thomanavin, Dalriach, etc.

28th January, 1600.—Sasine to Beatrix Gordon, daughter to umquhil Alexander Gordon of Aberzeldie, on the above-mentioned lands.

6th October, 1601.—Sasine to Alexander Irvine of Drum, on the two-part lands of Logieauldtoun and two-part lands of Halsiewall.

1st September, 1602.—Sasine to Alexander Irvine of Drum, on Whytestaines and Bogheids.

4th March, 1603.—Alexander Irwing de Drum haeres Alexandri Irwing de Drum patris, in various lands (Retours Special—Aberdeenshire, No. 90; Banffshire, No. 17; Kincardine, No. 9).

4th May, 1603.—Sasine to Alexander Irvine of Drum, on Hauch of Muresk.

12th May, 1603.—Sasine to Alexander Irvine of Drum, on Cowl.

13th May, 1603.—Sasine to Alexander Irvine of Drum, on Drumoak, Peterbrunzean, and Craigtoun of Peterculter.

5th May, 1604.—Sasine to Alexander Irvine of Drum, on Easter and Wester Cullairleys.

11th May, 1604.—Sasine to Alexander Irvine of Drum, on Easter Beltie and Milne of Beltie.

9th December, 1605.—Sasine to Janet Irvine, daughter lawful to Alexander Irvine of Drum, on Baddis, Coilfuid, Reidfuid, etc.

9th December, 1605.—Sasine to Agnes Irvine, lawful daughter to Alexander Irvine of Drum, on Donnysides, Tarsettis, Quhabbis, etc.

9th December, 1605.—Sasine to Margaret Irvine, lawful daughter to Alexander Irvine of Drum, on Mains of Drum and Miltoun of Loquhar.

7th January, 1606.—Sasine to Marioun Douglas, spouse to Alexander Irvine of Drum, on Lonmay.

22nd July, 1606.—Sasine to Alexander Irvine of Drum, on Mains of Ruthven.

16th December, 1607.—Sasine to Alexander Irvine of Drum, on Craigtoun of Peterculter.

20th May, 1608.—Sasine to Alexander Irvine of Drum, on Mains of Rathine and Lumfuid.

22nd and 23rd July, 1617.—Sasine to Sir Alexander Irvine, appearant of Drum, and his future spouse, on Kinmucks, Peithill, and Lunmay.

29th August, 1617.—Sasine to Margrat Douglas, Lady Drum, on Strèth-auchin.

30th December, 1617.—Sasine to Alexander Irvine of Drum, on the teind sheaves of Inverurin.

1st January, 1618.—Sasine to Robert Irvine, second lawful son to Alexander Irvine of Drum, on Forglen, County Banff.

29th January, 1621.—Contract and reversion between Sir Alexander Irvine, appearant of Drum, his spouse, and Robert Irvine, his brother, on Overtoun, Nethertoun, etc.

1st February, 1621.—Sasine to Sir Alexander Irvine and his spouse on Forglen, and Whytfield, County Banff.

1st February, 1621.—Bond containing reversion of Sunnyside, made by Anna Irvine, daughter of Alexander Irvine of Drum, to her father.

1st February, 1621.—Bond containing reversion by Marie Irvine, daughter to Alexander Irvine of Drum, of the lands of which she was infeft.

1st February, 1621.—Sasine to Robert Irvine, second son of the laird of Drum, on Lonmay.

24th September, 1623.—Sasine to Alexander Irvine of Drum, on Quhyt-cairns, &c.

4th October, 1624.—Sasine to Sir Alexander Irvine, appearant of Drum, Knight, and his spouse, on Quhytcairns, County Banff.

22nd December, 1624.—Sasine to Sir Alexander Irvine, appearant of Drum, Knight, and Dame Magdalen Scrimzeour his spouse, on the teind sheaves of Inverury.

15th January, 1625.—Sasine to Sir Alexander Irvine, appearant of Drum, and his spouse, on Forglen.

28th March, 1625.—Sasine to Sir Alexander Irvine, appearant of Drum, and his spouse, on Lastis.

23rd February, 1626.—Sasine to Sir Alexander Irvine, appearant of Drum, and his spouse, on Ruthven, Balnastrand, Leyis, Greystane, &c.

6th June, 1626.—Contract and reversion on Ruthven, &c., between Sir Alexander Irvine, fiar of Drum, and John and Robert Dugats.

6th June, 1626.—Redemption of Ruthven, Balnastrand, &c., granted by Margaret Seatoun and Marjorie Forbes, to Sir Alexander Irvine, fiar of Drum.

18th May, 1627.—Redemption of Largnie, grantit be Alexander Burnet, in favor of Sir Alexander Irvine, fiar of Drum.

22nd April, 1629.—Sasine to Sir Alexander Irvine, appearant of Drum,

Knight, and Robert Irvine his second lawful son, on Easter Beltie, Hill of Beltie, &c.

18th March, 1630.—Dominus Alexander Irwing de Drum, miles, haeres Alexandri Irwing de Drum, patris.—(Inquis. General, No. 1588: and Retours Special—Aberdeen, 216; and Forfar, 191.)

7th June, 1630.—Renunciation of Lastis and Milne thereof, made by Sir Alexander Irvine of Drum, Knight, and his spouse, in favor of Sir Alexander Cuming of Culter, Knight.

7th June, 1630.—Sasine to Sir Alexander Irvine of Drum, on Drum, Lonmay, Ruthvenis, Cowll, Fedderet, &c.

10th June, 1630.—Sasine to Sir Alexander Irvine of Drum, on Kenmucks, Peithill, &c.

10th July, 1630.—Sasine to Sir Alexander Irvine of Drum, on Craigtoun, Banchory-Ternan, &c.

4th November, 1630.—Sasine to Sir Alexander Irvine of Drum, on lands of Strachan, Hirne, and Easter Drumwhynes, County Kincardine.

5th November, 1630.—Sasine to Sir Alexander Irvine of Drum, on Drumoak, and Pitnabrunzean.

21st January, 1631.—Sasine to Sir Alexander Irvine of Drum, on Easter Beltie, Hill of Beltie, Collairlies.

13th June, 1631.—Sasine to Sir Alexander Irvine of Drum, on Kennerty.

18th December, 1632.—Sasine to Sir Alexander Irvine of Drum on davach of Kirklands of Strachan, County Kincardine.

18th March, 1632.—Dominus Alexander Irwing de Drum, miles, haeres masculus Alexandri Irwing de Drum, patris, in lands in County Kincardine, including Quhytrigis and Reidmyre, also Drum and Park of Drum, Aberdeenshire.

8th April, 1634.—Sasine to Sir Alexander Irvine of Drum, on Rathankarie.

8th April, 1634.—Reversion by Mr. William Wallace of Kennerty in favor of Sir Alexander Irvine of Drum.

21st October, 1634.—Sasine to Sir Alexander Irvine of Drum, on Slegmagullie and Tilliegreig.

26th May, 1635.—Sasine to Sir Alexander Irvine of Drum, on the Moss of Powlair.

7th July, 1635.—Sasine to Sir Alexander Irvine of Drum, on Tilliegreig and Slegmagullie.

3rd August, 1635.—Sasine to Sir Alexander Irvine of Drum, on Eastoun of Cromar.

23rd November, 1635.—Resignation by Alexander Farquharson of Finzean, of Eastoun, to Sir Alexander Irvine of Drum,

4th June, 1636.—Renunciation of Hilltoun of Kennertie by Christopher Man to Sir Alexander Irvine of Drum.

22nd March, 1637.—Sasine to Sir Alexander Irvine of Drum, on Meikle Crichtie, Finnerzie, and Monecht.

18th July, 1637.—Sasine to Sir Alexander Irvine of Drum, on Kinmuck.

1st July, 1641.—Instrument of Resignation of Wester Beltie, Sundayswell, and Torphines, in favor of Sir Alexander Irvine of Drum.

30th May, 1642.—Sasine to Sir Alexander Irvine of Drum, on Easter and Wester Collairlies, and on Strachan.

28th October, 1642.—Sasine to Marjorie Irvine, future spouse to James, Viscount Fren draught, on Cowbairdie.

8th November, 1642.—Sasine to Sir Alexander Irvine of Drum, on Lenturk.

7th December, 1643.—Sasine to Sir Alexander Irvine of Drum and Dame Magdalen Scrymzeour, his spouse, on Easter Cultis, etc.

22nd December, 1643.—Sasine to Dame Marie Gordone, future spouse to Alexander Irvine, fiar of Drum, on Straquhine.

18th November, 1646.—Sasine to Dame Marione Irvine, spouse to James, Viscount Fren draught, on Boignyie Pardarg, Kirk of Forgue.

25th July, 1656.—Sasine to Alexander Irvine, son of Sir Alexander Irvine of Drum, on Ediestoun.

5th May, 1658.—Alexander Irwing of Drum, heir maill of Alexander Irwing of Drum, Knight, his father, in the lands and barony of Drum, &c.—(Retours Special—Aberdeen, No. 344.)

5th May, 1658.—Alexander Irwing, now of Drum, heir maill of Alexander Irvine of Drum, Knight, his father, in the lands and barony of Auchtarloanie otherwayes called Kellie, lands of Cuthlie and Crowdie, &c., County Forfar.—(Retours Special, No. 366.)

5th May, 1658.—Alexander Irwing of Drum, heir maill of Alexander Irwing of Drum, Knight, his father, in the lands of Strauthauchen, Blackhall, Whytriggs, Redmyre, &c., Co. Kincardine.—(Ibid., No. 96.)

15th June, 1658.—Sasine to Alexander Irvine of Drum, on barronie thereof, &c.

16th June, 1658.—Sasine to Alexander Irvine of Drum, on barronies of Lenturk, Fedderet, &c.

1st July, 1662.—Sasine to Charles Irvine, third lawful son to umquhil Sir Alexander Irvine of Drum, and brother german to Alexander Irvine, now of Drum, on a rent of 900 merks Scots, out of Dovaltie, Baldarach, Ramore, rack mill of Drum, &c.

1st July, 1662.—Sasine to Elizabeth Irvine, lawful daughter to umquhil Sir Alexander Irvine of Drum, on a rent of 720 merks Scots, out of Hirne, and Milne thereof.

11th January, 1664.—Sasine to Francis Irvine, brother german to the laird of Drum, on a pleugh of Nether Tillielair, pleugh of Ydestayne, two pleughs of Upper Tillielair, Wester and Easter Tilligonie, Buharn, &c.

15th May, 1672.—Renunciation—James Mowat, merchant in Paris, and John Brown, his factor, of lands of Drum, in favor of Alexander Irvine of Drum.

1st July, 1680.—Sasine to Alexander Irvine of Drum, on Kincaraigie, Meikle and Little Mortoun, Boghead, &c.

8th June, 1681.—Sasine to Dame Mary Irvine, Lady Balquhyne, on Tulloch and Whytcross, parish of Logie-Durno, &c., Wardes, &c.

16th May, 1682.—Sasine to Margaret Irvine, second lawful daughter to Alexander Irvine of Drum on a liferent of Maryculter, Easter Tillieskeith, Essentillie, East & West Tilbourie, Stonyhill, salmon fishings on Dee, &c., in the regaltie of Torphichen, and barony of Maryculter, County Kincardine.

10th August, 1683.—Sasine to Alexander Irvine of Drum, son and heir to Alexander Irvine of Drum, on Hirne.

16th June, 1685.—Renunciation by Janet Dcuglas of a rent of £100 payable on Boghead and Mill of Kincaraigie.

23rd February, 1686.—Sasine to Alexander Irvine of Drum, on Strachan.

24th March, 1686.—Renunciation and Discharge—James Innes, &c., to the laird of Drum of a rent of £40 on Boghead and Kincaraigie.

15th May, 1686.—Discharge, &c., Robert Forbes and others, to Alexander Irvine of Drum, of their right to Belskavie and others.

21st March, 1688.—Alexander Irwing de Drum haeres masculus Alexandri Irwing de Drum in his lands in Aberdeenshire (Retours Special, 470) and in his lands in Kincardineshire.—(Retours Special, 151 and 152, and Inquisitiones General, No. 6904.)

15th June, 1688.—Sasine to Alexander Irvine of Drum, on lands and barronie thereof.

30th October, 1693.—Sasine to Mrs. Jean Irvine, lawful daughter to deceast Alexander Irvine of Drum, now spouse to Alexander Irvine of Murthill, on Murthill.

14th May, 1694.—Sasine to Alexander Irvine of Drum, on Hirne, &c.

19th May, 1694.—Sasine to Alexander Irvine of Drum, on Strachan, north of the water of Feuch.

3rd January, 1696.—Alexander Irvine of Murthill succeeded to Drum.

28th May, 1696.—Sasine to Alexander Irvine now of Drum, on lands and barronie thereof.

22nd April, 1697.—Sasine to Dame Jean Irvine, Lady Drum, on manor place of Drum, Tarland, &c.

17th October, 1698.—Alexander Irvine, of Drum, gave receipt to Sylvester

Douglas of Whytriggs, and George Keith, some time thereof, for the feu-duties due to him (Alexander Irvine of Drum) as superior thereof.

15th November, 1700.—Renunciation and Discharge by James Gordon of Barnes (brother german to George Gordon of Badensceth), and Mr. Alexander Thomson, town clerk of Aberdeen, to Alexander Irvine of Drum, of adjudication against the lands of Drum.

16th July, 1701.—Renunciation of adjudications against Alexander Irvine of Drum, by Mr. Robert Irvine.

29th July, 1701.—Renunciation of adjudications against Alexander Irvine of Drum, by James Gordon of Barnes, and Mr. Richard Irvine.

6th November, 1701.—Renunciation of adjudications against Alexander Irvine of Drum, by Dr. Andrew Burnett, tutor to James Burnett of Monboddie.

21st July, 1703.—Sasine to Alexander Irvine of Drum, on Auchtercoull, &c.

1st January, 1704.—Discharge and Renunciation—Colonel John Buchan of Cairnbulg to Alexander Irvine of Drum, on Auchtercoull, Strathauchin, &c.

14th July, 1709.—Sasine proceeding on heritable bond granted by Alexander Irvine of Drum to Mr. William Carnegie, and James Carnegie, on a rent out of Indego, &c.

12th August, 1709.—Sasine proceeding on a liferent obligation granted by Alexander Irvine of Drum to Dame Jean Irvine, Lady Drum, on manor place of Drum, Meikle Finnerzie, &c.

14th September, 1709.—Sasine proceeding on Precept of Clare Constat granted by Alexander Irvine of Drum to Mr. John Milne, Auchtercoull.

20th September, 1709.—Sasine proceeding on Charter of Confirmation de novodamus granted by Alexander Irvine of Drum to Mr. William Dingwall of Brucklaw, on Brucklaw, Ironside, &c. A mutual obligation was entered into betwixt Mr. William Dingwall of Brucklaw and Mr. Arthur Dingwall of Brownhill, on 18th August, 1709, concerning a bond of same date for 5000 merks to Alexander Irvine of Drum, for a charter to said William Dingwall, of the lands of Brucklaw and Ironside.—(MS. of A.D.F.)

25th January, 1710.—Sasine proceeding on a charter granted by Alexander Irvine of Drum to Alexander Gairdin of Troup, on lands and mill of Annochie.

19th April, 1710.—Sasine, on heritable bond granted by Alexander Irvine of Drum to Helen Meldrum, daughter to deceased William Meldrum of Hattoun, on a rent of Eastoun and Knowhead.

6th May, 1710.—Sasine proceeding on charter granted by Alexander Irvine of Drum to John Robertson of Kenmucks on a yard and toft of land at Kenmucks.

1st February, 1712.—Sasine proceeding on a precept of Clare Constat granted by Alexander Irvine of Drum to Katherine Scougall, sister german to deceased Sir James Scougall, one of the Senators of the College of Justice, on Whythill.

5th February, 1712.—Sasine proceeding on a charter granted by Alexander

Irvine of Drum to James More of Stoneywood, on Whythill, Whytingshill, Auchechoch, Aughath, &c.

8th July, 1718.—Sasine to Alexander Irvine of Drum, on Whytriggs, &c.—which before pertained to Sylvester Douglas of Whytriggs, attainted and convicted—lying in the parish of Fordoun, County Kincardine.

8th November, 1718.—Sasine to Alexander Irvine, younger of Drum, on all land belonging to the barony of Drum lying in the parishes of Logie-Mar, Kinkell, Aboyne, Tarland, Leochel, Coull, Coldstone, and Drumoak, in the shires of Aberdeen and Kincardine.

COLLATERAL BRANCHES.

ALLATHEN—IRVINE.

16th February, 1631.—Sasine to John Irvine of New Place of Balbithan on Meikle Allathine.

18th August, 1634.—Sasine to John Irvine of Allathine on Murthill.

26th November, 1634.—Discharge by John Irvine of Allathine, of 4500 merks in favour of William, Earl Marischal (Co. Kincardine).

31st May, 1635.—Charter by John Irvine of Allathyn of Quhytcairns, etc., to John Irvine of Brucklaw.—(Drum Papers and Charters.)

13th July, 1636, and 3rd September, 1640.—Sasine to John Irvine of Allathen on Quhytcarne.

3rd September, 1640.—Sasine to Isobell Irvine, spouse to John Irvine of Allathen, on Torrielieth.

ALTRIE, OR ALTRIES—IRVINE.

8th January, 1628.—Sasine to Issobell and Lucretia Irvines, lawful daughters to Alexander Irvine of Altries, on Altries.

Miscellany S.C., 1633, and Book of Annual renters, III., 116.—Alexander Irwing of Alterie; Robert Irwing, his brother; Jeane Irwing, and youngest sister, — Irwing, have claims for various sums against Sir Alexander Irvine of Drum.

8th May, 1635.—Sasine to Gilbert Irvine, son to James Irvine of Brucklaw, on Altries.—(See Brucklaw and Saphock.)

ARTAMFORD, OR AUCHINTAMFUIRD—IRVINE—CRIMOND—DRUM.

1552.—John Irvine of Artamford (fifth son of Alexander Irvine of Drum and Lady Elisabeth Keith) married Beatrix, daughter of John Irvine of Pitmurchie and Lumphanan, by whom he had eight sons—all of whom died without male issue except the second, who, through a transaction with his eldest brother, succeeded to Artamford. This was James Irvine of Artamford, who married Ann Keith, daughter of Keith of Ravensraig.—(Drum Papers.)

27th March, 1602.—John Irvine had a charter from his father.—(Nisbet's "Heraldry.")

27th February, 1604.—Sasine to John Irvine of Artamford and to Bessie Irvine, his spouse, on Pitmurchie—reserving to John Irving of Hattoun and Elisabeth Wod, his spouse, their liferent of the same, etc.

November, 1605.—In November, this year, John Irvine of Artamford was waylaid by John Forbes (brother to Forbes of Corsindae) and "The Society of the Boys." His servant, William Brown, was killed, and two of his company were wounded, near the Peill of Lumphanan.

30th January, 1622.—John Irving, eldest son of John Irving of Ardtanffort, to-day admitted burghess of Aberdeen.

4th August, 1623.—Sasine to John Irvine of Artamford on Finlargo.

25th February, 1624.—Sasine to John Irvine of Artamford on Fren draught.

28th March, 1625.—Sasine to John Irvine, younger of Artamford, and Elisabeth Forbes, his future spouse, on Artamford and Shivadoe.

17th March, 1630.—Robert Iruing, son of John Iruing of Ardtamford, to-day admitted burghess of Aberdeen (*ex gratia*).

4th June, 1630.—Sasine to John Irvine of Artamford on Old Place and Maynes of Balbithan. (Also 2nd April, 1630.)

12th January, 1631.—Sasine to John Irvine of Artamford on Craigforthie; New Place of Balbithan.

1633.—John Irvine, younger of Artamford, and James Irvine, son to John Irvine of Artamford, appear as creditors—the former for 100 merks, and the latter for 600 merks—on John Irwing of Torrielieth.—(S.C. "Book of Annual Renters.")

1633.—James Irwing, second lawful sone to John Irwing of Artamford, declared that there was restand to him and Annas Keyth his spous, lawful daughter to umquhyle Mr. Alexander Keyth, portionar of Duffus, various sums amounting to 3000 merks.—(Ibid.)

28th February, 1634.—Sasine to John Irvine of Artamford and his spous on Artamford.

1st August, 1634.—Sasine to John Irvine of Artamford and his son on Lergue,

9th July, 1634.—Sasine to John Irvine, younger of Artamford, on Easter Beltie.

9th July, 1634.—Sasine to John Irvine of Artamford on Ballogie.

26th May, 1635.—Renunciation of Balbithan by John Irvine of Artamford to Patrick Urquhart of Lethentie.

2nd March, 1636.—Joannis Irwing de Beltie Haeres Joannis Irwing de Artamfuid *Patris* in Newbigging de Balbithane, auld place of Balbithan, Hedderwick, Craigforthie, Findlarg in Cromar, etc., etc.—(Retours Special, 230.)

June, 1644.—Alexander Irvine, son of John Irvine of Artamford, was taken in Caithness by Francis Sinclair, son of the Earl of Caithness, and conveyed prisoner to Edinburgh. A reward of 3000 merks was offered for his apprehension.—(Spalding's "Trubles," II., pp. 379-80.)

1647.—James Irvine of Artamford is included with other heritors in a summons obtained by the minister of Auchredie (New Deer).—(Papers; D. Fordyce, E.A.D.F. MS.)

15th November, 1663.—Disposition and retrocession by Mr. Richard Irvine, lawful sone to deceast John Irvine of Artamford on Pitfoddels, etc.

22nd February, 1669.—Sasine to James Irvine of Artamford on Wester Migvie.

22nd August, 1670.—Sasine to Master Alexander Irvine of Lonmay—James Irvine of Artamford, Alexander and Robert Irvine, his lawful sones on Whytstanes—over Yonder and Meikle Bomakellies and Uppertown of Lonmay.

14th September, 1672.—Sasine to James Irvine of Artamford on Aulmad.

22nd January, 1674.—Sasine to James Irvine of Artamford and Margaret Sutherland, his spouse, on Artamford.

8th December, 1675.—Jacobus Irvine de Artamford haeres Jacobi Irvine de Artamford *patris*.—(General Retours, 5853.)

30th September, 1685.—James Irwing of Artamford had a son brought forth by Margaret Sutherland his Lady, named Thomas. Godfathers—Thomas Sutherland of Killminity and Thomas Forbes of Auchreddy.—(Parish register, New Deer.)

19th August, 1687.—Another son of James Irvine and M. Sutherland, named Richard. Godfathers—Richard Irwing of Cairnfiedell and Thomas Sutherland of Killminity.—(Registers.)

16th September, 1687.—Sasine to James Irvine of Artamford on Artamford, Shivadoe, etc.

13th December, 1689.—Sasine to James Irvine of Artamford on Fedderet, Lonmay, etc.

29th March, 1695.—James Irvine of Artamford had a son, brought forth by his lady, Margaret Sudderland, named Francis. Godfathers—John Gordon of Nethermuir and Alexander Forbes of Auchreddy.—(Parish Registers, New Deer.)

27th May, 1697.—James Irvine of Artamford had a daughter brought forth by his lady, Margaret Sudderland, named Anna. Godfathers—Alexander Forbes of

Auchreddy and Patrick Forbes, younger. Godmothers—Anna Irvine, Lady of Glack, and Christian Irvine, Lady of Auchreddy.—(Ibid.)

28th September, 1698.—Ana Irvine, daughter of Artamfuird, was buried.—(Ibid.)

3rd November, 1700.—Hugh Rose of Clava, parish of Nairn, was married with Mrs. Margaret Irvine, daughter to James Irvine of Auchtamford. Witnesses—George Keith of Whytrigs and James Keith of Clakria.—(Ibid.)

16th March, 1703.—Sasine to Alexander Irvine of Artamford on Crimond.

18th March, 1703.—Renunciation and Reduction—Robert Cumine of Birnes to Alexander Irvine of Artamford, on Crimond.

17th November, 1703.—Sasine to Alexander Irvine of Crimond, sometime of Artamford, on Crimond, etc. (This Alexander Irvine succeeded to the estate of Drum, 1737.)

8th January, 1705.—William Irvine of Artamford had three sons brought forth by his lady, Isobel Keith—1st, George; 2nd, James; 3rd, William. Godfathers—George Keith of Clakria and James Keith of Crichtie.—(Ibid.)

6th February, 1707.—William Irvine of Artamford and his lady, Isobell Keith, had a son, baptised the 7th, named Alexander.—(Ibid.)

26th March, 1710.—William Irvine of Artamford and Isobell Keith had a son, baptised 29th, named Hugh.

28th February, 1712.—Sasine proceeding on a charter granted by Alexander Irvine of Drum to William Irvine of Artamford, on Artamford, Shivadoe, and Pundlecroft.

1st March, 1712.—Sasine proceeding on a contract matrimonial by William Irvine of Artamford to Issobell Keith, his spouse, on liferent annuity of Artamford.

20th June, 1718.—Sasine to Jean Leslie, relict of deceased George Keith of Clachriach in liferent, and Alexander, George, and Margaret Irvines, children of William Irvine of Artamford, in fee on Artamford, etc., lying in barony of Fedderat, New Deer.

1721.—William Irvine of Artamford, brother to Irvine of Crimond, is mentioned.—(S.C. "Antiquities," I., p. 406.)

February, 1752.—James Ferguson of Kinmundy, parish of Old Deer, was married to Mrs. Margaret Irvine, eldest lawful daughter to William Irvine of Artamford. Witnesses—Mr. William Taylor, minister at Auchreddy, and Mr. Ferguson, younger of Kinmundy.

18th April, 1754.—Sasine to William Murray, merchant in Aberdeen, served heir-general to deceased Mr. Alexander Murray, late Episcopal minister at Banff, and Mrs. Ann Irvine, spouse to said defunct, for security, on Artamford, etc., for 11,000 merks Scots granted by William Irvine of Artamford to said William Murray and Mrs. Ann Irvine.

26th August, 1767.—William Urquhart of Craigston, Esqre, was married at Kinmundy to Miss Margaret Irvine, only daughter to George Irvine of Artamford.—(*Aberdeen Journal*.)

8th October, 1771.—Died at Aberdeen, aged 78, Charles Irvine, sometime an eminent merchant at Rouen, afterwards a member of the Swedish East India Company at Gottenburg. He was the son of James Irvine of Artamford and Margaret Sutherland. The portrait of this Charles Irvine is at Drum.

20th October, 1788.—Died at Aberdeen, in the 76th year of her age, Mrs. Margaret Irvine, relict of James Ferguson of Kinmundy. (*Vide* 1752).—(*Ibid*.)

24th December, 1789.—Died at Hendon Place, near London, Captain Alexander Irvine of the First Regiment of Guards, son of the late George Irvine of Artamford.—(*Ibid*.) This Alexander Irvine had sold Artamford. He married Miss Peters, daughter of — Peters, banker in London. Their son, George Peters Irvine, is now (1851) alive.

Alexander Irvine of Artamford, who acquired Crimond in 1703, about the same time disposed of Artamford to his next brother, William, and Alexander afterwards succeeded in 1737 as heir of entail to the estate of Drum.

ARDLOGIE—IRVINE.

1547.—Alexander Irvine of Forglen and Lunmay, killed at Pinkie in 1547, eldest son and heir of Alexander Irvine of Drum, had, by his wife, Elisabeth Ogilvie, six sons and three daughters. The second son, William Irvine of Ardlogie, was father to old Margaret Irvine, Lady Pitmedden—Panton.—(MS. Drum Papers.)

AUCHMUNZIEL—IRVINE.

30th September, 1685.—Thomas Irvine, the fourth son of James Irvine of Artamford by Margaret, daughter of James Sutherland of Kinminity, was born 30th September, 1685. This Thomas Irvine was afterwards styled of Auchmunziel.

8th April, 1761.—Sasine to John Irvine, eldest lawful son of Thomas Irvine of Auchmunziel, on a rent out of Artamford, Pundlecroft, etc., proceeding on Precept of Sasine contained in the heritable bond granted by George Irvine of Artamford.

8th April, 1761.—Sasine to John Irvine, late merchant in Gottenburg (presently residing in Aberdeen), on an annual rent out of Mikle Allathen.

26th June, 1761.—Submission by Captain Thomas Irvine of Auchmunziel for

himself and as taking burden for the heirs of William of Artamford, &c.—(Official Register.)

23rd February, 1795.—John Irvine died 23rd February, 1795, in the 73rd year of his age. His monument, on which is his coat of arms, in the churchyard of St. Nicholas, Aberdeen, also records the death of his daughter, Ann Irvine, on the 19th April, 1807.

1st December, 1796.—James Smith, Esq^{re}, of Brechin, was married to Margaret, daughter of the deceast John Irvine, Esq^{re}.

15th November, 1800.—Rachel Irvine, youngest daughter of the deceast John Irvine, Esq^{re}, Aberdeen, was married to Alexander Bannerman, who, on the death of his father, became Sir Alexander Bannerman of Elsick, Baronet.

Thomas Irvine, mentioned above (date 1685), married — Elphinstone, and left his property of Auchmunziel at her disposal. In her old age (and under influence it is asserted) she left the estate to her younger, in prejudice to her eldest, son John. This John married his cousin, Margaret, daughter of Chalmers of Auldbar.

1st June, 1803.—Their son, Patrick Irvine, Writer to the Signet, married, 1st June, 1803, Margaret, daughter of Patrick Orr, Esq^{re} of Bridgeton.

AULDQUHAT—IRVINE.

1586.—Gilbert Irwyng, "Brother of the Laird of Drum," was infeft on Auldquhat in 1565.—(Deed in Drum charter-room.)

1586.—Gilbert Irving of Auldquhat, "Brother german of Alexander Irving of Drum," resigned his lands for a new charter. His seal shows three single holly leaves—two and one.—(Ibid.)

15th March, 1596.—Charter to Gilbert Irving, his spouse Jean Menzies, and his eldest son, Alexander, of Auldquhat, Quhytcairns, and Stevensburne, by King James VI.—(Ibid.)

20th December, 1599.—Alexander Irving, haeres Gilberti Irving de Auldquhat, Patris.—(Inquis. General, 27.)

15th September, 1614.—Acquittance by James Irvine, curator to Master Gilbert Irvine, son to the late Gilbert Irvine of Auldquhat, to Alexander Irvine of Drum (brother of said James Irvine).—(Drum Papers.)

9th February, 1621.—Sasine to Anna Irving, daughter to the Laird of Murthill, on Auldquhat.

19th August, 1621.—Band betwixt Sir Alexander Fraser of Fraserburgh, Knight, James Fraser his son, and Alexander and John Irvines in Bunzetoun.

29th December, 1621.—Sasine to John Irvine, brother german to Alexander

Irvine of Aulquhat, and his spouse, on Cardne, Fornathekenbeg; also same day on Bunzetoun.

27th May, 1624.—Sasine to Alexander Irvine, sometime of Auldquhat, and his spouse, on Whytcairns.

12th June, 1624.—Sasine to Alexander Irvine of Quhytcairns, on Meikle Artrochie; and, *July 10th*, on three pleuchs of Pitmedden.

28th March, 1625.—Sasine to Johne Irvine, eldest lawful son to Mr. Gilbert of Auldquhat and Isobell Irvine, his spouse, on the New Place of Balbithan.

18th May, 1627.—Sasine to Alexander Irvine of Quhytcairns, on Murthill.

BADDINSCOTH, AND LASTS—IRVINE.

3rd February, 1595.—Metilda alias Meat Irving, haeres portionaria Alexandri Irving, avi,—in terris de Lastis infra baroniam de Culter,—terris de Over et Nether Contlouis, etc.—(Retours Special, Supplement, 566.)

10th November, 1599.—Joneta Irving, haeres portionaria Margaretæ Allirdes, aviae,—in quarta parte terrarum de Baddinscothe,—quarta parte de Onseat de Baddinscothe, et terrarum molendinarium, in baronia de Auchterless.—(Retours Special, No. 65.)

10th November, 1599.—Metilda alias Meat Irving, haeres portionaria Margaretæ Alirdes, aviae, in terris ut supra.—(Ibid., 66.)

BALBITHAN, AND NEW PLACE OF—IRVINE.

Balbithan, one mile east from the Church of Kinkell.—(S.C. "Antiquities," I., p. 574.)

29th December, 1621.—Sasine to John Irvine, brother german to Alexander Irvine of Auldquhat, and his spouse, on Cardne Fornathekenbeg; and on Bunzetoun.

15th July, 1624.—Sasine to John Irvine and his spouse on the Manor Place of Balbithan.

28th March, 1625.—Sasine to Johne Irvine, eldest lawful son to Gilbert Irvine of Auldquhat and Issobell Irvine, his spouse, on the New Place of Balbithan.

26th June, 1627.—Sasine to John Irvine of Balbithan, on Torrielieth.

8th August, 1627.—Sasine to John Irvine of Balbithan and his spouse on — and Ednay and Blackwater.

16th February, 1631.—Renunciation of New Place of Balbithan and Boig of Hedderwick, made by John Irvine in the former, and Issobell Irvine, his spouse, in favor of John Irvine of Artamford.

30th July, 1631.—Sasine to John Irvine of New Place of Balbithan, on Meikle Allathine.

30th July, 1631.—Sasine to Anna and Isobell Irvines, oyes to Robert Irvine of Murthill, on Allathine, Muttonbrae, etc.

1633.—John Irwing of Balbithan, called also John Irwing of New Place, appears as owing to Alexander Irving of Tarsettis 300 merks out of 1350 originally borrowed.—(Book of Annual Renters.)

15th August, 1634.—Sasine to John Irvine of Allathine, on Murthill.

26th November, 1634.—Discharge by John Irvine of Allathine of 4500 merks in favor of William, Earl Marischal.

13th July, 1636.—Sasine to Johne Irvine of Allathine, on Quhytearnes.

3rd September, 1640.—Sasine to Issobell Irvine, spouse to Johne Irvine of Allathine, on Torrieleith.

BANDAR—IRVINE.

12th September, 1656.—Sasine to Robert Irvine of Bandar, on Argowes.

BELTIE (IRVINE)—EASTER BELTIE, WESTER BELTIE, AND BELTIES-GORDON.

1411.—Robert Irvine, the second son of Sir Alexander Irvine (who succeeded to the estate of Drum, and married Elisabeth Keith, daughter of Sir Robert Keith, Marischal of Scotland in 1411), distinguished himself on the side of the Earl of Huntly at the battle of Brechin in 1452. His father, Sir Alexander Irvine, gave him the lands of Whytriggs and Redmires, and the Earl of Huntly gave him a charter of the lands of Beltie. From him are descended the Irvines of Lenturk, and the Irvines of Germany.—(Drum Papers.)

9th October, 1471.—Precept from George, Earl of Huntly, directing his Baillies to give seizin of the lands of Easter and Wester Baldys to Alexander Irvine, son and heir apparent of Alexander Irvine of Beldys, on the resignation of Alexander Irvine the father, and reserving his life rent and a third for his wife Isabella if required.—(Ibid.)

6th February, 1483.—Alexander Irvine of Beldeis is a witness to a charter of the lands of Forglan.—(S.C. "Antiquities," I., p. 516.)

17th April, 1483.—Alexander Irvine of Belde is a witness to a deed of manrent given to the Earl of Erroll by Alexander Irwyn of Lunmay, son and heir to Sir Alexander Irvine of the Drum.—(S.C. "Miscellany," II., p. 254.)

24th November, 1485.—Alexander Irvine of Belties is a witness to a bond of support given by John Allardes of that ilk, to Alexander Irvine of Drum.—(Drum Papers.)

17th June, 1508.—Feu Charter by Alexander, Earl of Huntly, in favor of Alexander Irvine of Belties, his heirs and assignees whatsoever, of the lands of Belties-Gordon, dated at Drum.

8th November, 1520.—Sasine on lands of Belties-Gordon in favour of Robert Irvine as heir to Alexander Irvine, his father, proceeding on Precept of Clare Constat from the Earl of Huntly.

15—.—Patrick Forbes of Corse (grandfather of Bishop Patrick Forbes), who was born in 1564, married Marjory, daughter of Lumsden of Cushnie, by whom he had four sons and five daughters, whereof the second was married to Irvine of Beltie.—(Douglas's "Baronage," p. 75.)

26th July, 1560.—Alexander Irvine of Beltie gives bond of manrent to the Earl of Huntly to support him "contrar ony person or personis, the auctorite the Laird of Drome and his airs, and obediens service and homage aucht to them alenerlie except."

9th August, 1560.—Sasine on lands of Belties-Gordon in favour of Alexander Irvine, heir to Robert Irvine, his grandfather, proceeding on Precept of Clare Constat from George, Earl of Huntly.

22nd July, 1594.—Charter under the Great Seal by James VI., immediate superior of the lands of Belties by the forfeiture of George, Earl of Huntly, in favour of Alexander Irvine and his heirs male, bearing the surname and arms of Irvine.

14th June, 1595.—Sasine in favour of Alexander Irvine of Belties, following on precept from Chancery.

25th March, 1597.—Contract of sale by Alexander Irvine of Beltie (in consideration of a sum of 11,500 merks) to Alexander Irvine of Drum, of the town and lands of Easter Beltie, Hill of Beltie, Mill of Beltie, Auchwislie, also Wester Beltie, Sunday's Wells, Torphins, etc. Also Charter of same date.

26th March, 1597.—Sasine to Alexander Irvine of Drum.

27th March, 1652.—Charter of these lands by Alexander Irvine of Drum in favour of his son, William Irvine, and the heirs male of his body; whom failing, to the heirs male of the granter, being proprietors of Drum and bearing the surname and arms of Irvine.

1st April, 1602.—Sasine to William Irvine, fourth son of Alexander Irvine of Drum, on Easter Beltie. This William Irvine was fourth son of Alexander Irvine of Drum and Lady Elisabeth Keith, daughter of the Earl Marischal. He

married a daughter of the Laird of Durris, Fraser, and had two sons and two daughters. The second son was a Capuchin.—(Drum Papers.)

6th November, 1607.—John Forbes, brother to William Forbes of Corsindae, was accused of attacking William Irvine, brother to the Laird of Drum, and firing a pistol at him, between his own house and the Kirk of Kinkardine.—(Pitcairn's "Criminal Trials," II., p. 532.)

23rd February, 1609.—Alexander Irwing, apparens de Lenturk, haeres Alexandri Irving de Wester Beltie, Patris.

20th May, 1619.—Renunciation of the lands of Nethertoun of Crimondgorth, granted by Alexander Irvine of Beltie in favour of Alexander Hay of Logie.

17th July, 1620.—Sasine to William Irvine of Easter Beltie on Wester Camphill.

19th July, 1621.—Sasine to William Irvine of Beltie, on Craigtoun; and (January 8) Sasine to Jeane Lumsden, daughter to John Lumsden of Cushnie, on Craigtoun.

30th January, 1622.—William Irving of Beltie, son of Robert Irving of Fedderet, to-day admitted burgess of Aberdeen (*ex gratiâ*).

8th March, 1622.—Sasine to Alexander Irvine, appearand of Beltie, on Easter Beltie.

10th January, 1623.—Sasine to Alexander Irvine, fiar of Beltie, and his spouse, on Over and Nether Altries.

2nd June, 1626.—Resignation of Easter Beltie, Hill of Beltie, etc., made by William Irvine of Beltie, and Alexander Irvine, fiar thereof, in favor of Alexander Irvine of Drum; and (November 3rd) redemption of four oxengait lands of Wester Beltie, granted by William Irvine of Beltie to John Lay.

1627 (?)—In the commencement of the reign of King Charles I. the name of Alexander Irwin, younger of Beltie, appears in a list of "Ressaitteris of Seminaries and Jesuites that as yet are nocht excommunicat nor denounced."—(S.C. "Miscellany," II., Preface, lvi.)

15th November, 1627.—Resignation of Easter Beltie, made by William Irvine of Beltie, and his son, in the hands of Alexander Irvine of Drum.

22nd April, 1629.—Renunciation and Discharge, Easter Beltie, Hill of Beltie, etc., made by William Irvine of Beltie and Alexander Irvine, fiar thereof, in favor of Alexander Irvine of Drum.

1633.—Robert Irvine, son to William Irvine of Beltie, is mentioned.—(Book of Annual Renters; *Ibid.*, III., p. 117.)

9th July, 1634.—Sasine to John Irvine, younger of Artamford, on Easter Beltie.

4th June, 1636.—Sasine to John Irvine of Beltie, on Balbithan, called Newbigging.

2nd November, 1636.—Joannes Irwing de Beltie, haeres Joannis Irwing de

Artamfuird, patris, in terris de Balbithan, Hedderwick, Craigforthie, et Findlairg, in Parochia de Lumphanan.—(Retours Special, No. 230.)

28th November, 1636.—Sasine to John Irvine of *Mid Beltie*, on Finlague.

5th March, 1641.—Catherina Irvinge, spousa Magistri Robarti Gordoun de Straloch, haeres Alexandri Irwing de Beltie, patris, in terris de Wester Beltie, et Sundayswall, cum terris de Torffynes, infra baronium de Cluny.—(Ibid., No. 253.)

1st July, 1641.—Instrument of Resignation of Wester Beltie, Sundayswalls, and Torffynes in favor of Sir Alexander Irvine of Drum, by Robert Irvine of Lenturk.

1643.—John Irvine of Beltie was a Commissioner of Taxation for Aberdeenshire.—(Acts of Parliament.)

1644.—John Irvine of Beltie was a Commissioner of War for Aberdeenshire.—(Ibid.)

24th December, 1649.—Sasine to John Irvine of Beltie, and his spouse, on Easter Beltie.

25th April, 1655.—Patrick Irving, heir of John Irving of Artamphuird, his guidsir, in the lands of Pitmurchie, the lands of Haltoun and Collicroft, the lands of Craigtoun of Lumphanan, within the barony and parish of Lumphanan.—(Special Retours, Aberdeen, No. 325.)

28th January, 1658.—Sasine to Patrick Irvine of Beltie, on Pitmurchie.

1st January, 1659.—Sasine to Patrick Irvine, on Easter Beltie, etc.

5th April, 1665.—Patricius Irving, de Beltie, haeres Joannes Irving de Artamford—avi, in terris de Ballogie, terris de Millholl, terris de Makterrie infra Parochium de Midmarr partibus terrarum et Baroniae de Lumphanan: et nunc unitis in Baroniae de Ballogie.—(Retours Special, No. 375; and Inquisitiones General, No. 4887.)

5th April, 1665.—Patricius Irving de Beltie haeres Joannis Irving de Beltie, Patris.—(Inquis. General, No. 4887.)

30th September, 1665.—Renunciation, and grant of redemption—Elizabeth Setone and Patrick Irvine of Beltie, in favour of Sir John Forbes of Watertoun, and Mr. Alexander Setoun, of lands of Craigallathan, etc. Alexander Seton of Pitmedden had charters in 1622, 1626, and 1630. He married Beatrix, daughter of Sir Walter Ogilvie of Dunlugas; by whom he had one son and eight daughters: whereof Elisabeth, the seventh daughter, was married to Patrick Irvine of Bealty.—(Douglas's "Baronage," p. 183.)

30th September, 1665.—Sasine to Patrick Irvine of Beltie, on Ballogie.

22nd August, 1670.—Sasine to Patrick Irvine of Beltie, on an annual rent out of Bomakellie, and Broomhill.

28th June, 1684.—Renunciation—John Douglas of Inchmarloch to Patrick Irvine of Beltie, on an annual rent of £80, and lands of Pitmurchie.

16th July, 1684.—Sasine to Patrick Irvine of Beltie, on Mergie and Pitarro, in warrandice.

8th May, 1685.—Sasine to Margaret and Jeane Irvines, daughters to Irvine of Beltie, on an annual rent of £460 out of Easter and Wester Beltie.

16th June, 1685.—Sasine to Helen Cullen on Easter Beltie.

24th March, 1686.—Sasine to James Rolland of Disblair, on an annual rent of £280 out of Easter and Wester Beltie.

29th March, 1686.—Sasine to James Rolland, younger of Disblair, and Margaret Irvine, his spouse, on Disblair.

1690.—Irvine of Beltie is mentioned amongst the freeholders of Aberdeenshire.—(Kennedy's "Annals.")

6th October, 1692.—Bond of Assignment and Ratification—Patrick Irvine of Beltie to Mr. John Irvine, minister at Peterculter; ratifying, homologating, and approving all heritable bonds, infeftments, and adjudications, and other rights and securities standing in the person of the said Mr. John Irvine on Easter and Wester Belties, Pitmurchie, Mergie, etc.

23rd November, 1692.—Irvine of Beltie, and his daughter, had a case before the Court of Session against Rolland of Disblair.—(Fountainhall's "Decisions," I., 521.)

27th September, 1693.—Sasine to James Rolland of Disblair (younger), on Wester Beltie.

September, 1695.—Margaret Irvine, sister german to Patrick Irvine of Beltie, and Jean Irvine, daughters to the said Patrick Irvine, were in Aberdeen.—(Poll Book, II., p. 610.)

15th April, 1696.—Helen Cullen, relict of umquhile Mr. William Johnstou of Frosterhill, and Patrick Irvine, her husband, for his interest, were ordained by the Commissary of Aberdeen to pay to Mary Cochran, relict of the deceased John Moir, of Barnes, the sum of £26 6s. 8d. for money advanced in an action, pursued by the Earl of Kintore and others, in 1683 and 1684, regarding fishings on the Water of Don. This Helen Cullen is, in 1663, called spouse to Mr. William Johnstou of Monkeigie, and in 1684 relict of Mr. William Johnstou of Foresterhill.—(Testament of W. Cochran, in possession of Dr. Thomas Morison of Elsick. MS., A.D.F.)

1696.—The relict of Mr. William Johnstou is now married to Irvin of Beltie.—(Poll Book, II., p. 571.)

3rd December, 1696.—Discharge and Renunciation—James Rolland, younger of Disblair, and Jean Irvine, second lawful daughter to Patrick Irvine of Beltie, of 4500 merks, and Easter and Wester Beltie, out of which the same are payable, to and in favour of said Patrick Irvine and Mr. Robert Forbes, advocate, son to the Laird of Craigievar.

11th December, 1696.—Discharge and Renunciation—James Rolland, elder

and younger of Disblair, to Patrick Irvine of Beltie, and Mr. Robert Forbes, son to Craigievar, of £1000, and Easter and Wester Beltie, Pitmurchie, Torffiness, &c.

23rd May, 1701.—Sasine to Mr. John Irvine of Easter Beltie, and Alexander Irvine, his son, on Saphock.

BEILDSIDE—IRVINE.

Before March, 1635, Hugh Irving of Beildside married Janet Chalmer, and by her had issue, Robert Irvine of Beildside, who wadset half of Beildside to John Anderson, younger, skipper in Aberdeen, and Jean Lumsden, his spouse; in virtue of which the whole lands were appraised by them from him; and he confirmed them and renounced his reversion. He also wadset to them the Haugh of Beildside, commonly called the Haugh of Auchlunies. This Anderson and his said spouse disposed these lands to Robert Irvine, second son to John, and brother to Alexander Irvine, both of Murthill.—(MS. A.D.F.)

21st January, 1639.—Sasine to Hugh Irving in Finnerisie, and to his spouse, Janet Chalmer, on Beildside.

2nd September, 1639.—Jonet Chalmer, spous to Hew Irving in Finnerisie, heir portioner of Robert Chalmer, Burgess in Aberdeen, her father.—(Inquisitiones General, No. 2447.)

13th December, 1644.—Magister Hugo Irving de Beildsyd patruus Joannis Irving filii legitimii . . . de Kincowsie,—propinquior agnatus, id est consanguineus ex parte patris dicti Joannis Irving.—(Inquisitiones de Tutela, Supplement, 1351.)

19th August, 1649.—Sasine to Mr. Hugh Irving of Beildside, on the sonie half of the third part of Meikle Finnerisie.

15th June, 1665.—Sasine to Mr. Robert Irving of Beildside, on Beildside.

16th July, 1665.—Renunciation, granted by Alexander Cuming of Culter, to and in favour of Robert Irvine of Beildside, on Beildside.

26th September, 1671.—Ratification and Discharge of reversion by Robert Irvine of Beildside to John Anderson and Jean Lumsden, his spouse.

12th July, 1672.—Robertus Irving de Beildsyd, haeres magistri Hugonis Irving de Beildsyd, patris.—(Inquisitiones General, No. 5551.)

3rd May, 1676.—Sasine to Robert Irvine on Beildside.

25th May, 1680.—Sasine to Mr. Robert Irvine, Beildside, on Cults, Milne thereof, and fishing on the Water of Dee.

BLACKHILLS—IRVINE.

1st April, 1602.—Sasine to John Irvine in Blackhills, on shadow pleuch thereof.

1st May, 1634.—John Irvine of Blackhills is witness to a sasine of the lands of Culsh in favor of John Ramsay of Culsh.—(Title-deeds of Culsh. MS. of A.D.F.)

14th June, 1649.—Alexander Irvine, son of John Irvine of Blackhills, is witness to a sasine of the lands of Culsh in favor of John Ramsay and Margaret Dalgarno, his spouse.

BOYNDLIE—IRVINE.

26th October, 1788.—George Irvin, Esqr of Boyndlie, was married to Miss Christian Gordon, daughter to the late George Gordon of Beldornie.—(*Aberdeen Journal.*)

16th November, 1797.—Died here George Irvine of Boyndlie.—(Ibid.)

BRUCKLAW—IRVINE.

Brucklaw, a castle in the parish of New Deer. James Irvine, third son of Alexander Irvine of Drum and Lady Elisabeth Keith, was styled of Brucklaw. He married his cousin, Lucretia Irvine (Fortrie's sister), daughter of Robert Irvine of Tillielair.—(MSS.)

1552 to 1598.—This James Irvine had a charter from his father dated 5th February, 1598.—(Nisbet's "Heraldry.") He left two sons—John, who succeeded him in Brucklaw; and Gilbert of Altrie, ancestor of Irvine of Saphock.—(Ibid.) John Irvine of Brucklaw died, without male issue, before 1679. In the beginning of the eighteenth century Brucklaw appears in possession of another family of the name of Irvine—Adam Irvine, son of the parson of Towie.—(S.C. "Antiquities," I., p. 406.)

12th April, 1602.—Reversion to Mr. Robert Irvine, by James Irvine of Auchechoch, his brother, on half of Moncoffer, Easter and Wester Gowners, Milne and Milne lands, salmon fishings on Deveron: lands of Foulzie.

21st April, 1602.—Sasine to James Irvine of Auchzeoch, on half of Moncoffer, Easter and Wester Gowners, etc.

5th May, 1602.—Sasine to James Irvine of Auchzeoch, on Kethedenie, Little Auchzeoch, Girshill, and Irneside.

16th January, 1609.—Sasine to James Irvine of Auchechoch, on Mains of Crimond.

21st Junc, 1622.—Sasine to James Irvine of Brucklaw, on half of Housahill.

8th April, 1624.—Sasine to James Irvine of Brucklaw, on shadow half of Housahill.

17th March, 1630.—Gilbert Irving, son of James Irving of Brucklaw, to-day admitted burgess of Aberdeen (*ex gratiâ*).

2nd October, 1633.—Joannis Irving haeres Jacobi Irwing de Brucklaw patris.—(Inquisitiones General, No. 1990.)

2nd October, 1633.—Joannis Irwing haeres masculus Jacobi Irwing Patris in Little Auquheoch—Brucklaw, Guischochell, Irneside, Crimond, etc.—(Retours Special, No. 222.)

1st January, 1634.—Sasine to John Irvine of Brucklaw, on Crimond.

25th April, 1635.—Sasine to John Irvine of Brucklaw, on Altries—Over and Nether.

25th April, 1635.—Sasine to Margrat Urquhart, dochtr to Sir Thomas Urquhart of Cromarty, on Altries, and (*eod die*) on Auchcoch, Brucklaw, etc.

8th May, 1635.—Sasine to Gilbert Irvine, son to James Irvine of Brucklaw, on Altries.

4th June, 1636.—Disposition of Housahill by John Irvine of Brucklaw, to Alexander Fraser of Philorth.

13th July, 1636.—Sasine to John Irvine of Brucklaw, on Whyteairnes.

1st October, 1636.—Joannis Irwing de Brucklaw, haeres Jacobi Irwing de Brucklaw, Patris, in terris et baronia de Menmure terris dominical de Balnamoon, etc.—(Retours Special, Forfarshire, No. 234.)

10th December, 1638.—Assignment to Reversion by John Irvine of Brucklaw, on Tilliekirie, to Andro Phinnie in Peterhead.

5th June, 1640.—Sasine to Alexander Irvine, son to John Irvine of Brucklaw, on Over and Nether Yrensydes.

1647.—Amongst the heritors in the parish of New Deer, included in a summons of this year, on a decreet of locality, by the minister of Auchreddy, are John Irvine of Brucklaw and Alexander Irvine of Ironsyde.—(Papers of D. Fordyce of Brucklaw—MS. A.D.F.)

1648.—This year John Irvine of Brucklaw was a Commissioner of War for Aberdeenshire.—(Acts of S. Parliament.)

15th June, 1657.—Sasine to Alexander Forbes, appearand air to Thomas Forbes of Meikle Auchreddie, and Christian Irvine, his spouse, on Auchmaleidie.

22nd December, 1675.—Sasine to Arthour Dingwall, and Lucrez Irvine his spous, on half of Broomhill, etc.

20th September, 1679.—Of this date Christian Irvine, eldest lawful daughter of the deceased John Irvine of Brucklaw, and Alexander Forbes of Auchmaladdie,

her husband; Lucretia Irvine, also lawful daughter of the said John Irvine and Arthur Dingwall of Brownhill, her husband and eldest brother of George Dingwall in Biffie; and Marion Irvine, only child of the said John Irvine, by Jean Johnston, his second wife, were charged by the said George Dingwall to enter heirs to their father, the said John Irvine.—(Papers of Mr. Fordyce of Culsh; MS. A.D.F.)

4th February, 1691.—The son of Robert Keith, laird of Fedderet, by his wife, Marion Irvine, was born, and another son was born by her on 26th December, 1694.

23rd March, 1697.—Sasine to Marion Irvine, spouse to Robert Keith of Fedderet, on an annuity thereon.

13th November, 1701.—Mr. Robert Irvine, minister at Towie, and Adam Irvine, laird of Brucklaw, are witnesses to a baptism in the parish church of New Deer.—(Parish Registers.)

12th January, 1706.—Adam Irvine, junior of Brucklaw, is procurator for John Irvin (son of the second marriage of Mr. Alexander Irvine of Murthill, with Agnes Gray).—(MS. A.D.F.)

20th September, 1715.—Adam Irvine, of Brucklaw, was amongst a body of gentlemen who attended the Earl Marischal when he entered Aberdeen and proclaimed the Chevalier.—(“Book of Bon-Accord.”)

11th July, 1728.—Irvine of Brucklaw was confirmed as Collector of Supply for the Mearns.—(Kaimes’ “Dictionary of Decisions.”)

CAIRNFIELD, OR CAIRNFEIDELL—IRVINE.

Cairnfield was called Balgowny when possessed by the Menzies; Cairnfield, when possessed, first by the Irvines, and afterwards by Lord Gray’s family; when it came into possession of Mr. Fraser, brother to Lord Saltoun, he named it Fraserfield.—(S.C. “Antiquities,” I., p. 231.)

25th April, 1659.—Sasine to Mr. Richard Irvine, on Kirkton of Brasse, Palfour, etc.

13th May, 1662.—Sasine to Gilbert Irvine in Larachmoir, Mr. Richard Irvine, his brother germane, and Master Thomas Cheyne in Cullairly, on two crofts called Diraes Croft, and five crofts lying in Ballogie, with lands of Craigshannoch.

15th November, 1663.—Disposition and Retrocession grantit be Mr. Richard Irvine, lawful son to the deceased John Irvine of Artamford, on Pittfodels and other lands therein mentioned.

1st August, 1668.—Sasine to Mr. Richard Irvine, on Nether Park.

21st April, 1671.—Sasine to Mr. Richard Irvine of Cairnfield, on Kirkton of Rayne.

4th July, 1672.—Mr. Richard Irvine of Cairnfield is witness to a contract of marriage between Alexander Irvine, younger of Murthill, and Agnes Gray.—(MS. A.D.F.)

22nd July, 1680.—Sasine to Mr. Richard Irvine of Cairnfield, on an annual rent out of Govills, Lochhills, Perwinnes, and Hiltoun.

28th July, 1682.—Sasine to Mr. Richard Irvine of Cairnfield, on Meikle and Little Largneys, Mill, lands, and pertinents thereof lying within the parish of Kincardine and sheriffdom of Aberdeen.

15th September, 1685.—Sasine to Mr. Richard Irvine of Cairnfield, on Over and Nether Park.

19th August, 1687.—Richard Irvine of Cairnfield, and Thomas Sudderland of Killminity, were godfathers to a son of James Irvine of Artamford and his lady, Margrett Sutherland. The child was called Richard.—(Parish Registers, New Deer.)

2nd October, 1695.—Sasine to Margaret Adie, spouse to Mr. Richard Irvine of Cairnfield, on Kirktoon of Rayne, and New Lands of Auld Rayne.

5th March, 1697.—Disposition and Renunciation—Mr. Richard Irvine of Cairntoun, designed of Kirktoon of Rayne, and David Adie of Newark, to Hendrie Pantoun of Hiltoun, of a yearly annual rent of £297 2s. 6d., and lands of Govills, Lochhills, Perwinnis, and Hilltoun—wherewith the same are burdened.

29th July, 1701.—Renunciation—James Gordon of Barnes, brother german to George Gordon of Badenscoth, as assignay to Alexander Irvine of Drum, of Mr. Richard Irvine's adjudications against the barronie of Drum.

4th July, 1703.—Richard Irvine died, aged 77.—(Tombstone, St. Fergus churchyard.)

COLLAIRLIE—IRVINE.

1526.—Alexander Irvine, son and heir-apparent to Alexander Irvine of Drum, married Elisabeth, daughter of Ogilvie of Findlater. This Alexander Irvine was killed at the battle of Pinkie in 1547. His fourth son, by Elisabeth Ogilvie, was Gilbert Irvine of Collairlie.

2nd February, 1582.—Gilbert Irvine is witness to a deed executed by his brother, Alexander Irvine of Drum, at Drum. He married Jean, daughter to Menzies of Pitfoddells, relict of Mr. Robert Lumsden, brother to the nine sisters of Cushnie, and had three sons—Alexander, Gilbert, and John of Murthill.—(MS. Papers.)

Robert Irvine of Tillylair (son of the above-mentioned Alexander Irvine and Elizabeth Ogilvie) was elder brother of Gilbert Irvine of Collairlie, and father to Irvine of Fortrie, who left "but three daughters, married to Alexander and

John of Culairly, brothers to Gilbert Irvine, and carried away the whole estate."—(MS. Papers.)

4th December, 1612.—John Irwing, son to the deceast Gilbert Irving of Collairlie, was one of the scholars implicated and expelled for taking and keeping possession of the Grammar Schoolhouse from 1st to the 3rd December, 1612.—(Council Register of Aberdeen, 1612.)

27th November, 1663.—Sasine given to Alexander Irvine in Easter Collairlie, and Helen Drom, his spouse, on the shadow half of Easter Culairly.

8th May, 1704.—Sasine to Alexander Irvine, lawful son to deceast Alexander Irvine, sometime in Culairly, on the shadow half of Culairly.

CAMALEGEY, OR COLMELEGY—IRVINE.

27th August, 1530.—Lyon, of Colmelegy, was one of the fifteen barons and landed gentlemen fined for not appearing to pass on the assise at the trial of the Master of Forbes this day.—(Tytler's "History of Scotland," V., p. 373.)

1601.—To Alexander Irvine, portioner of Camalagey, and Margaret Lyon, his spouse, Lord Saltoun wadsetted Midthird, in the parish of Drumblade and shire of Aberdeen.—(Session Papers, A.D.F.)

EASTER, AND WESTER CLUNE—IRVINE.

1721.—Easter and Wester Cluin, in the parish of Brass (Birse) formerly (belonged) to Rose, now to Irvine.—(S.C. "Antiquities," I., p. 634.)

26th September, 1721.—Sasine to Alexander Irvine of Easter Clune, on Wester Ennochie, Easter Clune, Mid-Clune, etc., on Easter Ennochie, with liberty of shealing in forests of Birse and Glenavon, and on forest of Glenavon, &c.

CORBISHILL—IRVINE.

3rd June, 1606.—Sasine given to Robert Irvine of Corbishill, on Byith, Cairnfaulds, Balnakellie.

CORNIHAUGH—IRVINE.

The property of Cornihaugh lies on the north end of the Foreman-hill, opposite to Mayen, on Deveron.—(*Edinburgh Magazine*. 1761.)

1st June, 1664.—Sasine to William Irvine of Cornihaugh, on Cornihaugh.

22nd January, 1674.—Sasine to William Irvine of Cornihaugh, on Baebuss.

15th August, 1678.—Sasine to William Irvine, on lands of Cornihaugh with pertinents.

15th April, 1684.—Sasine to Robert Irvine, lawful son to William Irvine of Cornihaugh, on Cornihaugh and teinds thereof lying within the barony of Fren-draught and parish of Forgue.

15th April, 1684.—Sasine to Robert Irvine, on Baebuss.

15th March, 1688.—Sasine to Isobel Davidstone, spouse to Robert Irvine of Cornihaugh, on Cornihaugh.

8th January, 1689.—Sasine to Robert Irvine of Cornihaugh and Isobel Davidstone, his spouse—Alexander Gordon, barber in Aberdeen, Helen Davidson, his spouse—and Margaret Davidson, on Parkdarg.

13th June, 1696.—Sasine to Elisabeth Crichtoune, spouse to Robert Irvine of Cornihaugh, on sune half of said lands.—(Sasine produced by Mr. James Irvine, writer in Aberdeen.)

1696.—List of pollable persons on the interest of Cornihaugh—Robert Irvine, heritor, his wife, three sones and one daughter, one whereof of age, with Margaret Davidson, his wife's daughter.

1761.—The property of Cornihaugh belongs to ——— Irvine.—(*Edinburgh Magazine*.)

COULL—IRVINE.

8th and 10th August, 1539.—Alexander Irvine of Coul (along with Alexander Fraser of Philorth, Thomas Menzies of Pitfoddells, and John Keith of Craig) is a witness to a charter of the lands of Halhill in favour of Mr. Henry Balneaves and Christian Schivas, his spouse.—(Douglas's "Baronage," p. 443.)

31st July, 1541.—Alexander Irvine of Coull is witness to a bond of manrent by John Lesly of Syid, to the Earl of Huntly.—(S.C. "Miscellany," IV., p. 205.)

CRAIGTON—IRVINE (*see* HILTON.)

CRIMOND—IRVINE.

1727.—Crimond, in Crimond parish, the seat of Irvine of Crimond.—(S.C. "Antiquities," I., p. 425.) For particulars see Artamford and Drum.

CULTS—IRVINE.

Cults, the work and seat of Mr. Robert Irwin, son to John Irvine of Murthill, in Peterculter, of Drum's family, 1727.—(Ibid.)

1633.—Mr. Hew Irving of Cultis appears as owing 900 merks to William Smyth in Blairdaff.—(S.C. "Miscellany," III., p. 86.)

3rd May, 1676.—Sasine to Robert Irvine, second son to John Irvine of Murthill, on Beildside.

21st March, 1678.—Jean Irvine, spouse of Robert Irvine of Cults, died. (This is his first wife.)—(Tombstone, churchyard of Peterculter.)

3rd June, 1679.—John Thomson of Cults disposed the lands of Cults and Over Boddam to Robert Irvine, of Beildside.—(MS. A.D.F.)

25th May, 1680.—Sasine to Mr. Robert Irvine of Beildside, on Cults, Milne thereof, and fishing on the river Dee.

10th July, 1683.—Renunciation, Robert Irvine of Cults, of Easter Tilburies, and half Wester Tilburies, with fishings on Dee pertaining to said lands, to Gilbert Menzies, now of Pitfoddells.

26th November, 1689.—Sasine to Issobel Irvine, lawful daughter of Robert Irvine of Cults, on Cairniewhin, Grein, and Tilmabo.

1690.—Irvine of Cults is on the roll of freeholders.—(Kennedy's "Annals.")

22nd June, 1692.—Discharge and Renunciation, James Gregorie, lawful son of, and heir to, unquhile Mr. James Gregorie, Professor of Mathematics at Edinburgh, to Robert Irvine of Cults, and Captain John Anderson, skipper in Aberdeen, of the sum of 2000 merks of annual rents, and lands of Beildside.

18th August, 1697.—Sasine to Mr. Robert Irvine of Cults and Robert Irvine, his sone, on eight ox-gait land of Meikle Finnersie.

29th March, 1698.—Sasine to Robert Irvine of Cults, on Over and Nether Park, West Milne of Drum, &c.

9th March, 1699.—Sasine to Robert Irvine of Cults, on same lands.

16th July, 1701.—Renunciation of Mr. Robert Irvine's adjudication against the barony of Drum, etc.

1701.—Alexander Irvine, younger of Cults, major in Douglas's regiment, is mentioned as being in Flanders.—(MS. A.D.F.)

1710.—This year died Margaret Coutts (second wife of Robert Irvine of Cults), aged forty-five years.—(Tombstone in churchyard of Peterculter.)

10th July, 1725.—Robert Irvine of Cults disposed the lands of Over Boddam to his son, Charles Irvine.

10th April, 1728.—Died Robert Irvine of Cults, aged 89 years.

7th June, 1733.—Charles Irvine of Cults was married to Mrs. Euphemia Douglas.—(Registers, Banchory-Ternan.)

15th April, 1734.—The laird of Cults had a daughter baptised, Agnes.

19th September, 1735.—The laird of Cults had a daughter baptised, Margaret.

24th May, 1736.—Sasine to Charles Irvine of Cults, on Cults, and to Mrs. Euphemia Douglas, his spouse, on an annuity out of Beildside.

21st December, 1766.—Died Euphemia Douglas, spouse of Charles Irvine, aged 55.—(Tombstone, churchyard of Peterculter.)

28th March, 1779.—Died, Charles Irvine, Esq., aged 83.

DRUMBRECK—IRVINE.

3rd October, 1598.—Irvine of Drumbreck appears on the roll of freeholders of Aberdeenshire.—(Kennedy's "Annals.")

DRUMQUHENDIL—IRVINE.

3rd October, 1598.—Irvine of Drumquhendil is on the roll of freeholders of Aberdeenshire.—(Ibid.)

DUNLUGAS—IRVINE.

3rd October, 1598.—Irvine of Dunlugas appears on the roll of freeholders of Aberdeenshire.—(Ibid.)

ECHT—IRVINE.

3rd October, 1598.—Irvine of Echt appears on the roll of freeholders of Aberdeenshire.—(Ibid.)

EDINGARIAUCHE—IRVINE.

3rd October, 1598.—Irvine of Edingariauche appears on the roll of freeholders for Aberdeenshire.—(Ibid.)

FEDDERET—IRVINE.

8th November, 1573.—The Regent Morton, in name of the king, granted to Robert Irvine, brother german to Alexander Irvine of Drum, the wards, non-

entries, profits, etc., of Mikle Allathen, Mutton Brae, and Pikillum in the barony of Fedderet, "together with any farther right of recognition if it shall happen through alienation of the rest of the barony of Fedderet."—(Drum Papers.)

13th April, 1583.—Charter under the Great Seal to Alexander Irvine of Drum, of the whole barony of Federett, with the tower and fortalice, and the dominical and other lands attached.

1590.—The ruins of the castle of Fedderet are situated in the parish of New Deer. The castle was forcibly seized by the Crawfords (its ancient possessors) from Irvine of Drum about A.D. 1590. They were denounced as rebels; and authority was given to the Earl of Huntly to assemble the lieges in arms and besiege the castle. The Irvines regained possession; and some of the defenders were brought to a trial, the result of which is unknown.—(MS., and Pitcairn's "Criminal Trials.")

16 (?)—Sir Alexander Irvine of Drum granted the place and lands of Fedderet to his second son by Lady Marion Douglas, Robert Irvine, afterwards styled of Fedderet. He had previously—in 1618—been infeft in Forglen, which he resigned to his eldest brother, in 1621.

24th and 26th October, 1621.—Contract of marriage was signed betwixt Robert Irvine of Fedderet, with consent of his father, Sir Alexander Irvine of Drum, and Sir Duncan Campbell of Glenurchy (ancestor of the Earl of Breadalbane) for his daughter, Elisabeth Campbell.—(Contract, Drum Papers.)

2nd to 9th December, 1621.—An account of the marriage of Robert Irvine of Fedderet, second son of Alexander Irvine of Drum, with Elisabeth, second daughter of Sir Duncan Campbell of Glenurchy, is in the Household Book of Balloch (now called Taymouth), and appears in Cosmo Innes's "Sketches of early Scottish History," p. 377, note.

30th January, 1622.—Robert Irving of Fedderet, second son of Alexander Irving of Drum, to-day admitted burghess of Aberdeen (*ex gratiâ*).

24th September, 1623.—William Irving of Beltie, son of Robert Irving of Fedderet also admitted (*ex gratiâ*).

24th September, 1623.—Sasine to Robert Irvine of Fedderet, on Auldquhat.

24th October, 1623.—Sasine to Robert Irvine of Fedderet, on Fechil and Culs (Co. Banff).

1st May, 1624.—Sasine to Robert Irvine of Fedderet, on Bomakellie.

24th January, 1628.—Sasine to Robert Irvine of Fedderet, on Quqythills; also, on 2nd June, on the same.

8th January, 1630.—Sasine to Robert Irvine of Fedderet, of the heritable office of baillie, within the baronies of Drum and Fedderet.

14th June, 1632.—Sasine to Robert Irvine of Fedderet, on Maynes of Esslemont.

1633.—Robert Irvine of Fedderet appears as procurator for Dame Marion

Douglas, Lady Drum, his mother.—(Book of Annual Renters, S.C. "Miscellany," III., p. 106.)

13th January, 1634.—Sasine to Robert Irvine of Fedderet, on Murthill and Westoun.

19th April, 1634.—Sasine to Robert Irvine of Fedderet, on Pitsheltie, Mondyne, etc., county Kincardine.

24th June, 1636.—Renunciation by Robert Irvine of Fedderet, of Esslemont, to the Earl of Erroll.

13th July, 1636.—Sasine to Robert Irvine of Fedderet, on Kinnairnie, Badintooth, and lands and barony of Midmar.

22nd December, 1637.—Procuratory of Resignation by Alexander Gordon of Abergeldie, of the land of Ballogie, to Robert Irvine of Fedderet.

1st August, 1638.—Sasine to Robert Irvine of Fedderet, on Lurge.

28th January, 1639.—Sasine to Robert Irvine of Fedderet, on Midmar.

1643.—Robert Irvine of Fedderet was a Commissioner of War and Taxation for Aberdeenshire.—(Acts of S. Parliament.)

1648.—Robert Irvine of Fedderet was a Commissioner of War for Aberdeenshire.

22nd February, 1656.—Sasine to Robert Irvine of Fedderet, on Over and Nether Ironesyde.

Robert Irvine of Fedderet, by his wife Elisabeth Campbell, daughter of Glenurchy, had four sons and three daughters—1st, Alexander, married to Lady Elisabeth Ogilvie, Findlater's daughter; 2nd, John, a soldier in France; 3rd, Robert; 4th, James. All these sons died without male issue. The daughters were:—1st, Lucretia, Lady Gight; 2nd, Marion, Lady Strichen, Fraser; 3rd, Ann.—(MS. Papers, Drum.) This Robert Irvine (and his spouse Elisabeth Campbell) got a letter of assedation of the lands of Fedderet and Lonmay from his father, Sir Alexander Irvine, in 1623.—(Drum Papers.)

22nd May, 1656.—Sasine to Marione Irvine, daughter to Robert Irvine of Fedderet, on Mains and Manor-Place of Kindrought.

27th August, 1657.—Sasine to Alexander Irvine, eldest lawful son to Robert Irvine of Fedderet, on Lonmay.

31st August, 1657.—Sasine to Lady Elisabeth Ogilvie, daughter of Patrick, Earl of Findlater, on Lonmay and others.

1661.—Robert Irvine of Fedderet was a Commissioner of Supply for Aberdeenshire.

20th August, 1662.—Sasine to James Irvine, fourth lawful son to Robert Irvine of Fedderet, on Over and Nether Ironesyde.

14th July, 1663.—Sasine to Alexander Irvine, younger of Fedderet, on lands and baronie of Midmar, commonly called lands and baronie of Ballogie.

24th June, 1664.—Testimonial, or passport, granted by order of King

Charles II. to John Irvine, captain in the Douglas regiment of France, son of Robert Irvine, baron of Fedderet, the second son of the chief of the ancient and famous family of the Irvines.—(Family Papers, Drum.)

13th November, 1665.—There is a receipt by Dame Elisabeth Ogilvie, relict of the deceased Alexander Irving of Fedderet, to Robert Irvine, her brother-in-law, dated at Fedderet, for money lent by him.

1681.—Ratification in favour of Alexander Forbes of Ballogie (Midmar), on the resignation of Robert Irvine of Fedderet—Alexander Irvine, younger of Fedderet, and Patrick Irvine of Beltie.—(Acts of S. Parliament, VIII., p. 313.)

26th November, 1690.—Sasine to Jean Fraser, Ladie Fedderet, on Lonmay.

FORNET AND MONCOFFER—IRVINE.

1552.—Alexander Irvine, grandson and heir-apparent of Alexander Irvine of Drum, married, in 1552, Lady Elisabeth Keith, daughter of William, Earl Marischal, by whom he had five sons. Soon after his marriage he succeeded to the estate of Drum. His second son, Robert, was styled of Fornet and Moncoffer. He married Lady Bogg, daughter of Dalgety-Hay. His second wife was Margaret Skene, daughter to Skene of that ilk. He was Master of the Household to the Earl Marischal when he went to Denmark for Queen Ann. The male line of the Irvines of Fornet and Moncoffer became extinct.—(MS. and Drum Papers.) Alexander Skene of that ilk married Margaret, daughter of George Johnston of Caskieben, by whom he had a son, Alexander, his heir, and a daughter, married first to Robert Irvine of Fornet and Moncoffer, and secondly to John Forbes of Leslie.—(Douglas's "Baronage," 559.)

11th June, 1601.—Sasine to Robert Irvine of Moncoffer, on Glascoforest and Glascoego.

12th April, 1602.—Reversion by James Irvine of Auchechoch to Mr. Robert Irvine, his brother, on half of Moncoffer, Easter and Wester Gowners, Milne and Milne lands, salmon fishings of Deveron called Kirkpotts and Malysoune—lands of Foulzie, etc.

7th December, 1604.—Sasine to Margaret Skeen, spouse to Mr. Robert Irvine of Moncoffer on half Mains thereof and fishing on the water of Devcron.

12th December, 1604.—Sasine to Margaret Skein, on Fornet.

25th April, 1606.—Sasine to Robert Irvine of Fornet, on Sunaside.

11th December, 1606.—Robert Irving of Moncoffer and three others were indicted for "hamesucken and slaughter," in having cruelly and unmercifully slain John Forbes, younger of Milnebouie. They were acquitted.—(Pitcairn's "Criminal Trials," II., p. 494.)

3rd July, 1607.—Sasine to Robert Irvine of Moncoffer, on Mains of Arnage.

28th August, 1619.—Assignment and Reversion, of Cuttieshill, made by Thomas Moutray, of Clubsgovill, and Agnes Gray, his spouse, in favor of Robert Irvine of Moncoffer:

15th May, 1622.—Sasine to Robert Irvine of Moncoffer, on Over and Nether Tullos, Co. Banff.

1633.—Robert Irvine of Moncoffer is mentioned; also his brother Alexander Irvine; also Jean Irvine, daughter of the *late* Robert Irvine of Moncoffer.—(S.C. “Miscellany,” III., p. 106.)

15th August, 1634.—Sasine to Robert Irvine of Moncoffer, on Aberzeldie.

8th December, 1635.—Sasine to Hellen Cümming, spouse to Robert Irvine of Moncoffer, on Gownies and Milnecroft.

16th October, 1637.—Sasine to Margrat Skeyne, spouse to John Forbes of Leslie, on Edingarroch, etc.

23rd May, 1645.—Sasine to Robert Irvine of Moncoffer, on Culter.

19th August, 1645.—Reversion of Culter, granted by Robert Irvine of Moncoffer in favor of Sir Alexander Cumming of Culter.

27th May, 1648.—Birth brieve of John Irvine, second son of Robert Irvine of Moncoffer, and Margaret Skene, in presence of Patrick Leslie of Whythall, provost of Aberdèen.—(S.C. “Miscellany,” V., p. 331.)

14th July, 1649.—Sasine to Margrat Irvine, eldest lawful daughter to Robert Irvine of Moncoffer, on Moncoffer.

24th April, 1650.—Joannes Irwing, frater germanus Roberti Irwing de Montcoffer, haeres Jacobi Irwing in Larochoir, fratris germani.—(Retours General, No. 3615.)

14th June, 1654.—Disposition, Robert Irvine of Fornet, in favour of John Jaffray, Baillie of Aberdeen, of Milne of Durno.

March, 1656.—Renunciation, Robert Irvine of Moncoffer, in favour of the laird of Culter.

1st January, 1663.—Sasine to Margaret Irvine, eldest lawful daughter to Robert Irvine of Moncoffer, of eight chalders of victual out of Little Tibbertie.

1663.—Robert Irvine of Fornet was one of the curators to Patrick Dunn, eldest lawful son to the deceased Dr. Patrick Dunn, doctor of medicine.—(Papers of Dr. Morison of Elswick, and MS. A.D.F.)

16th December, 1674.—Robertus Irwing, de Moncoffer, haeres Magistri Roberti Irvine de Moncoffer, patris.—(Inquis. General, No. 5776.)

8th July, 1688.—Receipt for money paid to Robert Irvine, younger of Fornet, by Alexander Irvine of Murthill, as administrator for Alexander Irvine, now of Drum.—(Drum Papers.)

FORTRIE, ALSO TILLIELAIR—IRVINE.

Alexander Irvine of Forglen, son and heir-apparent of Alexander Irvine of Drum, married, in 1526, Elizabeth Ogilvie, daughter of the laird of Findlater.

1547.—This Alexander Irvine of Forglen was killed at Pinkie, in 1547, leaving six sons and three daughters. The third of these sons, Robert Irvine, called of Tillielair, was father to Irvine of Fortrie, who had but three daughters, married to Alexander and John of Collairlie (brothers to Gilbert Irvine), and carried away the whole estate.—(Drum MS. Papers.)

14th September, 1573.—Contract between "honourable personis, Robert Irvying of Murthill, brother to the laird of Drum," by which he obliges himself to infest Roger Strathauchin in Glithno, and Catherine Blaklauris his wife, and John Irvying in Kirktoon of Straquhyne, and Isobel Strathauchine, his spouse, in the lands of Torryleith in Aberdeenshire—redeemably.—(Aberdeen Register of Deeds, Contracts, &c., furnished by A.D.F.)

2nd December, 1605.—Sasine to William Irvine of Pitmurchie, on Fortrie and milne thereof.

1633.—John Irving of Torrieleith declared that he was indebted to Alexander Irving of Fortrie in the sum of 1200 merks.—(Book of Annual Renters, S.C. "Miscellany," III., p. 106.)

24th June, 1636.—Bonds made betwixt Alexander Irvine of Fortrie and John Irvine of Torrieleith.

25th October, 1665.—Sasine to Alexander Irvine of Fortrie, on Wastoun, and others.

14th July, 1685.—Alexander Irvine of Fortrie is witness to a disposition by Alexander Irvine of Murthill in favour of John Irvin, &c.—(Papers, late A. D. Fordyce of Culsh, and MS. A.D.F.)

Mr. William Irvine (son of Alexander Irvine of Fortrie in the parish of Ellon) was one of the bishops consecrated in Scotland after 1688. He attended the Earl of Dunfermline into France in 1690. Having been at "Gillykranky," he was imprisoned at Dundee, but escaped from thence to St. Germain.

1715.—He was taken at Preston in 1715, and thence carried to the Fleet prison. After that he lived commonly at Lithgow.

1725.—He died at Edinburgh, December 9th, 1725, and was buried beside Bishop Ross at Restalrig.—(S.C. "Antiquities," I., p. 306.)

GERMANY AND PRUSSIA—IRVINES.

(In Labian, Tilsit, Koenigsburgh, Hesse-Cassel, Dantzic, &c.)

Sir Alexander Irvine of Drum married Elizabeth de Keth (daughter of Robert, Marischal of Scotland) in 1411. The second son by this marriage, Robert Irving, got from his father the lands of Whiteriggs and Redmyres.

1452.—He distinguished himself at the battle of Brechin in 1452, against the Earl of Crawford, and under the Earl of Huntly, who gave him a charter of the lands of Beltie. From this Irvine are descended the Irvines of Lenturk and the Irvines in Germany.—(Drum MS. Papers.)

9th October, 1471.—Precept from George, Earl of Huntly, Lord Gordon and Badzenacht, directing his baillies to give sasine of the lands of Easter and Wester Beltie, etc., to Alexander Irwin, son and heir-apparent of Alexander Irwin of Beldys, on the resignation of Alexander Irvine the father—reserving to himself the liferent and a third for his wife Isabella, if required.—(Precept in Drum Papers.)

6th February, 1483.—Alexander Irwyn, de Beldeis, is a witness to a charter of the lands of Forglen, to Alexander Irwyn of Drum.—(S.C. "Antiquities," I., p. 516.)

24th November, 1485.—Alexander Irwyn of Belties is a witness to a bond of support given by John Allardes of that ilk to Alexander Irwyn of Drum.—(Drum Papers.)

The following memoranda are taken from a letter of Baron William de Irwing, dated at Berlin, 20th March, 1756—(Ibid.):—

In or before the year 1486, Gilbert Irwing, a native of Scotland, came from Aberdeen to Prussia. The time of his arrival in Prussia is uncertain; but in that year he was there as an officer of the army of the Teutonic Knights, who were then masters of Prussia.

The son of this Gilbert Irwing, Alexander, Baron de Irwing, was born in 1508. He had several children; and was settled at Labian.

1569.—His son William was born in 1569.

1630.—His son John, Baron de Irwing, was born in 1630. This John, Baron de Irwing, was wealthy, charitable, and religious, and contributed very largely to the building of the church of the reformed religion at Tilsit; at which place he was settled. He had two sons. The eldest, named John Gilbert, "Conseil-leur de Tribunal a Koenigsburgh," died about the year 1736, leaving two sons. The eldest of these had no family; the second was Ephraim, Baron de Irwing, who, in 1756, was minister of the reformed church at Tilsit; near to which place he possessed a small estate. His wife was a lady of Scotch descent, named Durham, whose family was settled at Memel. His eldest son, named Ephraim, was in

1756 seventeen years of age, and was at Berlin in the Royal Corps of Noble Cadets. His second son was named William, and there were, besides, three sons and two daughters, and more expected.

The second son of John, Baron de Irwing (mentioned above as born 1630) was William, born in 1687. He studied at Koenigsburgh and Halle, travelled in France, England, and Holland; and, on his return to Berlin, was, in 1716, made "Conseiller du grande Consistoire." He married a daughter of Tablonski (of an ancient Polish family), who had been ambassador to England, and was president of the Academy of Sciennes.

1748.—In 1748 this William, Baron de Irwing, was made "Counsellor of the Superior Court of Justice." He and his wife, with three sons and four daughters, were alive in 1756. The eldest of these sons—

1725.—William, Baron de Irwing, was born in 1725, and served in the campaigns of the Great Frederick as lieutenant in the Regiment Der Kalkstein. It is from a letter of this William that these remarks are compiled.

1728.—The second son, Charles Francis, was born in 1728, and in 1756 was "Referendaire de Chambre superieure de justice."

1739.—The third son, Christian, was born in 1739, and in 1756 was ensign in the Regiment General de Forcade. Of the four daughters, the eldest was in 1756 about forty years of age, and the youngest eighteen; and all were unmarried.

Alexander, Baron de Irwing (above mentioned as born in 1508), besides a son William, of whose descendants we have been writing, had other children, and a son, whose name is not mentioned, who settled at Frankfort-on-the-Meyn. He also had a son whose name is not mentioned, but who left two sons—viz., James and William de Irwing. This James de Irwing was a celebrated and rich merchant at Dantzic. He died without leaving any family. His brother, William de Irwing, was a colonel in the service of the Landgrave of Hesse-Cassel, and died in 1739. His wife, Marie de Claubers, was of a Danish family. They had three sons and one daughter. The eldest son died very young. Their second son, William, was lieutenant in the army of Hesse-Cassel, and had been in Scotland with his regiment. He was killed at the battle of Minden.

Their third son, Charles, was born in 1723. He entered the Prussian service, and was lieutenant in the regiment of the Count de Hacke. This young man was rich, having succeeded to the large fortune of his uncle, James de Irwing. He became aide-de-camp to the general, and was also much noticed by the king; but when only twenty years of age was killed by a cannon-shot that carried off his left arm. For his sake, says the writer, the Irwings are looked on with favour by the king. The sister of these (the daughter of Colonel William de Irwing) married Baron de Schardt, Mareschall of the Court of Saxe-Eisenach and Weimar. At this date (1756) she is about thirty years of age, highly accomplished, and much esteemed.

The address of the writer of these notes regarding the Irwings in Germany was Baron William de Irving, lieutenant in the Regiment de Kalkstein, in the service of His Majesty the King of Prussia, at Berlin. The date of the letter is 20th March, 1756.

GLASSELL—IRVINE.

(Parish of Banchory-Ternan, County Kincardine.)

8th November, 1616.—Decreet Arbitral of the laird of Drum, dividing the lands of William Irvine of Easter Beltie from those of Robert Irvine of Glassell.

16th November, 1617.—Sasine to Alexander Irvine and Issobell Carnegie, his spouse, on Glassell.

4th February, 1619.—Sasine to Issobell Irvine, spouse to Robert Irvine of Glassell, on a yearly rent of six bolls of oatmeal, out of Glassell.

10th February, 1674.—Alexander Irvine of Glashild had a son baptised James.—(Parish Registers, Banchory-Ternan.)

17th May, 1676.—Alexander Irvine of Glassell had a daughter baptised Jeane.

8th August, 1677.—Alexander Irvine of Glassell had a son baptised John.

18th August, 1682.—Sasine to Alexander Irvine of Glassell and Jeane Fraser, his spouse, on Kirktoon of Gateside, lying within the parish of Strachan, County Kincardine.

13th April, 1683.—Sasine to Alexander Irvine of Glassell, on Glassell, lying in the parish of Banchory-Ternan, etc.

23rd December, 1685.—Sasine to Alexander Irvine of Glassell, on a rent of £64, out of Kenertie.

15th January, 1688.—Alexander Irvine of Glassell had a son baptised Robert.

15th January, 1689.—John Irvin, younger of Glassell, had a daughter baptised Elspet.

28th June, 1691.—Jean Fraser is mentioned as relict of Alexander Irvine of Glassell.

12th January, 1693.—Alexander Irvine de Glassill, haeres Alexandri Irvine de Glassill, patris,—in terris de Glassill, &c., partibus terrarum de Tillieluid vocatis Kirktoon et Gaitsyde in Strachan.—(Retours Special, Kincardine, No. 160.)

28th April, 1693.—Sasine to Alexander Irvine of Glassell, on Glassell and others.

17th May, 1693.—Sasine to Margaret Strachane, spouse to Alexander Irvine of Glassell, on manor place and lands of Glassell in liferent.—(William Strachan,

Notary. Sasine presented by Mr. Alexander Strachan, son to Mr. John Strachan, parson of Strachan.)

24th December, 1693.—Alexander Irvine of Glassell had a son baptised John.

19th December, 1694.—Sasine to Alexander Irvine of Glassell, on John Donaldson's half-tenement in Stonhyve, and pertinents.

5th & 8th June, 1695.—Sasine to Alexander Irvine of Glassell, on Tillieheads, called the Kirkton and Gaitside.

5th June, 1696.—Sasine to Alexander Irvine of Glassell, on Kinertie.

17th September, 1696.—Sasine on one-third annual rent of 120 merks, out of Knockhill and Pilmuir.

20th January, 1699.—Renunciation and Discharge, Alexander Irvine of Glassell, to George Crichton of Clunie, of 1600 merks annual rent thereof, and lands of Kenertie wherewith the same was burdened.

14th August, 1700.—Alexander Irvine of Glassell had twins baptised Martine and Thomas.

16th March, 1705.—Alexander Irvine of Glassell had a child baptised John.

24th March, 1708.—Alexander Irvine of Glassell had a son baptised William.

26th September, 1721.—James Irvine, son of the deceased Alexander Irvine of Glassell, is mentioned as presenting the sasine of Alexander Irvine of Easter Clune.

29th May, 1756.—Mr. James Irvine (brother of Mr. Irvine of Glassell deceased) died at Aberdeen in the 85th year of his age. He had been many years factor on the estate of Durris.

GLENCUTHILL—IRVINE.

(In Parish of Abdour. Also of Maines in Forfarshire.)

1364.—“Carta to Ade Irwine of the lands of Maynes and fourth part of Coull in vic. de Forfar.—(Robertson's “Index,” 51-36.) This grant is in the same roll, and within one, in the list of “Carta to Walter Moygne of the office of Sherifship of Aberdeen ad vitam.”—(Ibid., 38.) Sir Walter Moygne appears to have been appointed Sheriff about 1364.—(See Registrum Epis. Aberdon., I., pp. 107 & 160.)

1422.—“Reginaldus de Irwyne, dominus de Maines” gives to Patrick de Ogilvy of Grandoun (son and heir of Alexander de Ogilvy of Auchterhouse), and Christian de Keyth his spouse, his lands of Maines, and the fourth part of Coule, in the sheriffdom of Forfar, in exchange for the place and lands of Glencuthill, in Aberdeenshire.—(S.C. “Antiquities,” II., p. 380.) This exchange was dated 28th May, 1422, and confirmed 19th June of same year by the Regent Albany.

The granter of the above deed—viz., Reginald de Irwyne—had appended his seal, which showed three holly leaves with a mullet in the centre.—(Ibid.)

1534.—In this year the lands of Glencuthill, and Auchmeddan in the barony of Glendowachy and shire of Banff, were granted by John, Earl of Buchan, to Andrew Bard of Levroklaw.—(Ibid.)

GORDONSMILL—IRVINE.

25th January, 1659.—Sasine to Robert Irvine of Gordonsmill, on the lands thereof.

11th January, 1680.—Mr. Alexander Irwine, son to Robert Irwine, sometime at Gordonsmill, preached at Peterculter.—(Session Register of Peterculter, A.D.F.)

HATTOUN—IRVINE.

24th February, 1604.—Sasine to John Irvine of Artamford and Bessie Irvine his spouse, on Pitmurchie, reserving to John Irving of Hattoun and Elizabeth Wod, his spouse, their liferent of the same.

27th February, 1604.—Renunciation given by Mr. Alexander Irvine and Jonet Irvine, his spouse, and by James Irvine, his son, to John Irvine of Hattoun, and John Irvine of Artamford.

HILLSIDE OF DAVILSONE—IRVINE.

22nd November, 1626.—Reversion of the lands of Whytmar grantit by Robert Irvine of Hillside of Davilsone, in favour of Robert Innes of that ilk.—(Co. Banff.)

HILLTON; ALSO GOVILL—IRVINE.

1493.—Sir Alexander Irvine of Drum, who died in 1493, had by his first wife, Elizabeth, daughter of Alexander, first Lord Forbes, three sons and one daughter. The sons were :—(1) Alexander, (2) Richard, and (3) Henry. Sir Alexander Irvine was succeeded by his eldest son, Alexander. The second son, Richard Irvine, married Elizabeth Fraser, daughter to the laird of Durris, who bore to him—

Archibald Irvine of Craigtoune, who married Marjory Lumsden, one of the

nine sisters of Cushnie (of whom are come many good families, as Forbes of Corse, etc.), and had by her a son—Richard Irvine of Hilton.—(MS. Drum Papers.)

1st February, 1622.—Sasine to Issobell Irvine, dochter to Richard Irvine of Hilton, on Over and Nether Altries.

15th September, 1626.—Sasine to Alexander Irvine of Hilton, on Hilton and Sowercroft.

1633.—Robert Irving of Fedderet declarit that William, Earl of Erroll, was due him on the wadset of the lands of Essilmont 33,000 merks—"quhair of thair belongis justlie to Mr. Alexander Irwing of Hiltoun fyftein thowsand merkis, quhilk fyftein thowsand merkis is givin be the said Mr. Alexander to the toun of Abirdein."—(Book of Annual Renters, S.C. "Miscellany," III., p. 122.)

23rd November, 1633.—Reversion by Robert Irvine of Little Govills and Walkmilne thereof, to the Marquis of Huntly.

7th February, 1634.—Sasine to Robert, brother to Alexander Irvine of Hilton, on Little Govills.

5th June, 1634.—Sasine to Alexander Irvine of Hillton, on Clubsgovill (now Parkhill).

3rd March, 1635.—Sasine to Alexander Irvine of Hillton and his spouse, on Little Govills.

24th June, 1636.—Renunciation by Dr. William Gordon to Alexander Irvine of Hillton, of lands of Arrieburnes.

1644.—The rents of Alexander Irvine of Lochhills, and his brother Robert Irvine, are made over to Arthur Forbes of Echt by the Estates—the Irvines being Papists.—(Spalding's "Trubles," II., p. 433.)

1st December, 1652.—Francis Irwing, heir of Maister Alexander Irwing of Hiltoun, his father, in ane halff nets salmond fishing of the water of Done, on both sydes of the brig of Done, called the brig of Balgonie, etc.; the town and lands of Clubsgovell, with the Milne of Clubsgovill, the outsetts called Arrieburne and Halkhillock, and salmon fishing thereof on the Done; the town and lands of Lochhills, with the loch thereof called Bishopes-Loch; the toun and lands of Perwinnes; the town and lands of Little Govill and salmon fishings, Walk Milne and Milne Croft and fishing upon the water of Done, etc.—(Retours Special, No. 314.)

2nd June, 1653.—Sasine to Francis Irvine of Hillton, on half nets salmon fishing on the water of Don, and on lands of Clubsgovill.

22nd June, 1653.—Renunciation by Mr. Patrick Gordon of Clubsgovill in favour of Francis Irvine now of Hillton, of the lands of Clubsgovill.

9th May, 1656.—Amongst a list of excommunicated persons is Francis Irwing of Govills "excommunicate for poperie and for educating his children in that way."—(S.C. "Ecclesiastical Records of Aberdeen," p. 234.)

2nd April, 1660.—Sasine to Anna Irvine, on Meikle and Little Perwinnes, and others.

12th November, 1662.—Sasine to Robert Irvine, and Jeanc Menzies his Spouse, on Hillton.

16th September, 1691.—Sasine to Hendrie Panton of Boghill, on Hillton, Clubsgovill, milne, fishings, etc., therein specified.

24th February, 1693.—Anna Irvine, sponsa Henrici Pantoune, de Hiltoun, haeres Francisci Irvine de Hiltoun, patris.—(Inquisitiones General, No. 7336.)

24th February, 1693.—Anna Irvine haeres dicti patris, etc.—(Retours Special, No. 490.)

24th February, 1693.—Anna Irvine sola filia Francisci Irvine de Hiltoun, sponsa Henrici Pantoun de Hiltoun, haeres Magistri Alexandri Irvine de Hiltoun, avi, in Little Govill, etc.—(Retours Special, No. 491.)

26th May, 1693.—Sasine to Anna Irvine, spouse to Hendrie Pantoun of Hillton, on Lochhills and others.

24th October, 1693.—James Webster, Burgess of Aberdeen, disponed to Mr. Alexander Fraser, Regent in King's College, Old Aberdeen, "that little piece or portion of yeard which sometime pertained to the deceast Robert Irvine, sone to Mr. Richard Irvine of Hiltoun, lying in the east side of the Gallowgate of Aberdeen."

26th March, 1694.—Discharge and Renunciation, James Gordon of Seaton to Anna Irvine and Hendrie Pantoun, her husband, of two heritable bonds granted by Francis Irvine of Hillton—one for the principal sum of £8727 9s. 4d. Scots, and the other for £1211 money foresaid, etc.

30th March, 1694.—Discharge and Renunciation, Mr. John Gordon, younger of Seaton, Commissioner's clerk, Aberdeen, to Anna Irvine and Hendrie Pantoun of Hillton, her husband, of 6000 merks contained in an heritable bond granted by umquhill Francis Irvine of Hillton to the said Mr. John Gordon.

17th April, 1694.—Sasine to Anna Irvine, spouse to Hendrie Pantoun of Hillton, on Hillton and pertinents.

18th April, 1694.—Instrument of Resignation, James Gordon of Seaton and John Gordon, Commissioners' clerk of Aberdeen, his son, in favour of Anna Irvine, spouse to Hendrie Pantoun of Hillton of Clubsgovill, Arrieburnes, Perwinnes, Bodochran, etc.

21st April, 1694.—Sasine to Hendrie Panton of Hillton, on Clubsgovill, Lochhills, Halkhill, Arrieburn, Little Govill, Boddochrann, salmon fishings, etc.

28th April, 1694.—Sasine to Anna Irvine, spouse to Hendrie Panton of Hillton, in liferent, on Lochhills, Clubsgovill and milne thereof, Arrieburn, Halkhill, etc.

12th June, 1694.—Sasine to Anna Irvine, spouse to Hendrie Pantoun of Hillton, on the Howcroft.

5th March, 1697.—Discharge and Renunciation, Mr. Richard Irvine of Cairnfield to Hendrie Pantoun of Hiltoun of an annual rent of £297 2s. 6d.; and lands of Govills, Lochhills, Perwinnes, and Hiltoun, wherewith the same are burdened.

IN HUNGARY—IRVINE, IRIN (?)

Dr. Christopher Irvine (of the family of Bonshaw), writing about 1670, says, "There is a noble family in Hungary descended from Irvines who went to the wars in that country," and adds, "To this day they are Earls; and a brother (of the Earl) of his, who was a monk, was very kind to my son at Rome, and acknowledged his descent from the Irvines of Scotland; they write themselves Irin."—(MS. of Christopher Irvine, M.D.)

IRONSIDE—IRVINE.

1647.—Amongst the heritors of the parish of New Deer included in a summons on a decret of locality this year is Alexander Irvine of Ironside.—(Papers of A. D. Fordyce of Culsh and Brucklay and MS. of A.D.F.)

1655.—Disposition by Alexander Irvine of Ironside to Alexander Irvine of Learnie.—(Drum Papers.)

KINGCAUSSIE—IRVINE.

1457 & 1493.—Sir Alexander Irvine of Drum, who succeeded in 1457, and died in 1493, had by his first wife Elizabeth (daughter of Alexander, 1st Lord Forbes) three sons and one daughter. The sons were Alexander, his successor; 2nd, Richard of Craigton, from whom are descended the Irvines of Hiltoun; and 3rd, Henry, from whom are descended the Irvines of Kingcaussie.—(MS. Drum Papers.)

1551 or 1552.—In a complaint against the magistrates of Aberdeen, it appears that they had alienated the lands of Shedokisley to umquhil Gilbert Tullidaff and Johnne Irving of Kincowsie and their heirs."—(S.C. "Miscellany," III., p. 159.)

2nd February, 1582.—Johnne Irvine of Kincowsie is witness to a deed executed by Alexander Irvine of Drum.

25th September, 1592.—Alexander Irvin, third son of John Irvine in Kincowsie, to-day admitted burghess of Aberdeen.

28th May, 1596.—Andrew, eldest son, to-day admitted burghess.

28th October, 1606.—John Irwing, now of Kyncowsie, son of the late John Irwing, to-day admitted burgess.

28th February, 1625.—In a contract entered into, at the kirk of Echt, between Robert Forbes of Echt and various other persons, John Irvine of Kincaussie appears on behalf of his spouse, Marjorie Knolls, who was the relict of umquhil Magnus Keith, portioner of Fynnersie.—(Papers of late John Harvey of Kinnettles, in MS. of A.D.F.)

3rd December, 1629.—Mr. Hugh Irwing, second son of the late John Irwing of Kincoussie, to-day admitted burgess.

17th March, 1630.—Alexander Irwing, now of Kincowsie, eldest son of the late John Irwing of Kincowsie, to-day admitted burgess of Aberdeen, and also served heir to his father in half a net's salmon fishing on the water of Don.

14th August, 1630.—Alexander Irwing de Kincoussie haeres Joannis Irwing de Kincoussie, patris.—(Retours Special, Kincardine, No. 55.)

31st December, 1631.—Sasine to Alexander Irvine, of Kingcaussie, on Kingcaussie.

8th January, 1635.—Sasine to Alexander Irvine of Kingcaussie, on Auchorthies (County Kincardine).

1635 (?)—Thomas Johnston of Craig, eldest son of the second marriage of John Johnston of that ilk with Catherine Lundy (and brother of Sir George Johnston, Bart.), got a charter in 1635. He married Mary, daughter of Kingoussie, by whom he had issue.—(Douglas's "Baronage," p. 38.) (I presume Kingoussie is intended for Kingcaussie.—J. F.)

25th January, 1642.—Renunciation of Kincoussie by Gilbert Menzies of Pitfoddells, in favour of Alexander Irvine of Kingcaussie.

13th December, 1644.—Magister Hugo Irwing de Beildsyd, patruus Joannis Irwing filii legitimi . . . de Kincowsie propinquior agnatus, id est consanguineus ex parte patris dicti Joannis Irwing.—(Retours de Tut., No. 1351.)

17th August, 1644.—Alexander Irwing of Kincaussie was shot at the Crabstone, near Aberdeen, by William Forbes, natural son of John Forbes of Leslie. The Committee of Estates directed the assassin to be rewarded with 2000 merks. But after the Restoration, in 1661, for the same deed he was outlawed.—(Spalding's "Trubles," and Acts of S. Parliament.) This Alexander Irvine left a widow and five children.—(Spalding's "Trubles.")

28th December, 1652.—John Irvine of Kingcaussie, heir of Alexander Irvine of Kingcaussie, his father, in the lands of Kincoussie, Auchorthies, etc.—(County Kincardine, Retours Special, No. 85.)

29th May, 1654.—Sasine to John Irvine, son to the deceased Alexander Irvine of Kingcaussie, on Kingcaussie.

18th May, 1658.—Sasine to John Irvine of Kingcaussie and his spouse, on Culsche.

25th August, 1655.—Precept for infefting Elizabeth Ramsay as heir to her father, John Ramsay of Culsh, New Deer.

27th December, 1657.—Elizabeth Ramsay, with consent of her husband, John Irvine of Kincoussie, resigned her land of Culshe (for new infeftment), into the hands of Oliver, Lord Protector.

29th June, 1659.—John Irvine of Kingcaussie and his spouse, Elizabeth Ramsay, wadset the lands of Culsh to William Lindsay, writer in Edinburgh.

9th May, 1663.—John Irvine and Elizabeth Ramsay, for an additional sum, discharged their right to redeem the lands of Culshe.

31st July, 1668.—John Irvine of Kingcaussie finally resigned the lands of Culsh to William Lindsay.—(Title deeds of A. D. Fordyce of Culsh and MS. A.D.F.)

22nd January, 1661.—The Estates of Parliament, on the petition of John Irvine of Kincoussie, declared William, bastard son of John Forbes of Leslie, to be a fugitive and rebel, unless he surrendered himself to answer for the slaughter of the late Alexander Irvine of Kincoussie. The time for surrender of the said William Forbes extended to the 26th January.—(Acts of S. Parliament.)

29th January, 1661.—Parliament appoints the declaration of William Forbes as fugitive, but grants a farther delay of ten days in case he finds caution to appear.—(Ibid.)

1662.—John Irvine of Kingcaussie was one of the Commissioners of Excise for Kincardineshire.

1663.—John Irvine of Kingcaussie is in the list of Commissioners of Peace.—(Acts of S. Parliament.)

14th August, 1663.—Sasine to John Irvine of Kingcaussie, on Auchorthies and milne thereof.

1st April, 1673.—Sasine to Issobell Irvine, daughter to John Irvine of Kingcaussie, on Falsyde and Breeks.

1678.— — Irvine of Kincoussie is one of the Commissioners for County Kincardine, according to the act of the Convention of Estates.—(Ibid.)

23rd May, 1678.—Renunciation, Mr. David Lyell, minister at Montrose, in favour of John Irvine of Kingcaussie, of the principal sum of 2500 merks, and lands of Auquhorthies, with which the same was burdened.

18th July, 1681.—Renunciation, John Mill, in Countesswells, of a yearly £40 Scots, as the annual rent of 1000 merks to be uplifted out of Auchlie, parish of Nether Banchorie, to John Irvine of Kingcaussie.

8th September, 1681.—Joannes Irving de Kincousie, haeres Joannis Irving de Kincousie, proavi.—(Inquisitiones General, Nos. 632-8.)

8th December, 1687.—Sasine to Elizabeth Ramsay, on Auquhorthies.

8th December, 1687.—Sasine to John Irvine, younger of Kingcaussie, on Kingcaussie, Auquhorthies, and others.

4th July, 1703.—Henry, lawful son of John Irvine, younger of Kingcaussie, and Margaret Forbes, his spouse, was born and baptised same day.—(Parish Registers, Maryculter.)

13th July, 1703.—Sasine to Margaret Forbes, lawful daughter to deceased Thomas Forbes, merchant, in Aberdeen, now spouse to John Irvine, younger of Kingcaussie, on Auquhorthies and others, in liferent.

1704.—Alexander Irvine of Kincaussie is amongst the list of students in the first class, Marischal College, Aberdeen.—(College Records and MS. A.D.F.)

12th January, 1705.—Thomas, son lawful to John Irvin of Kincaussie and his spouse, Margaret Forbes, born and baptised same day.—(Parish Registers, Maryculter.)

18th December, 1706.—Marjory, lawful daughter to John Irvine and Margaret Forbes of Kingcaussie, born and baptised same day. One of the witnesses to the baptism is John Irvin, senior of Kingcaussie, grandfather to the child.—(Ibid.)

12th May, 1709.—Charles, son of John Irvine and Margaret Forbes, born and baptised same day. John Irvine, senior of Kingcaussie, is a witness.

20th June, 1710.—Sasine, proceeding on a heritable bond granted by John Irvine, senior, and John Irvine, junior of Kingcaussie, to Mr. James Irvine, Sheriff-clerk of Kincardine, on an annual rent out of Swellhead, Maryculter.

4th June, 1711.—Margaret, daughter to John Irvine and Margaret Forbes, born and baptised same day. John Irvine, senior of Kingcaussie, is a witness.—(Parish Registers, Maryculter.)

12th February, 1713.—Isobel, daughter of John Irvine and Margaret Forbes, born and baptised the same day.

20th September, 1715.—Irving of Kincaussie was one of a body of gentlemen who accompanied the Earl Marischal to Aberdeen to proclaim the Chevalier.—(“Book of Bon-Accord.”)

19th January, 1715.—John, son of John Irvine and Margaret Forbes, born 19th and baptised 20th January, 1715.

1st January, 1717.—James, son of John Irvine (and Margaret Forbes) of Kingcaussie, born 1st and baptised on the 2nd January, 1717.

24th July, 1723.—Emilia, daughter to John Irvine of Kingcaussie, and Margaret Forbes his spouse, born 24th and baptised 26th July, 1723.

23rd July, 1742.—Sasine to Margaret Irvine, only daughter procreat betwixt James Irvine of Kincaussie and the deceased Mary Gordon his spouse, on one-third part of Fechil, in parish of Ellon, proceeding on a precept furth of Chancery in favour of said Margaret Irvine, as nearest and lawful heir to her said mother.

30th December, 1764.—Died in the 83rd year of her age, Mrs. Margaret Forbes, relict of the late John Irvine of Kincaussie.—(Aberdeen Journal and MS. A.D.F.)

21st May, 1782.—By a deed, William Murray, merchant in Aberdeen, made

disposition of his property, in which James Irvine of Kingcaussie and his heirs are mentioned.—(MS. A.D.F.)

30th December, 1794.—Died at Edinburgh, James Irvine, Esq. of Kincaussie.—(*Edinburgh Evening Courant.*)

22nd November, 1797.—Died at her house in Edinburgh, the Right Honourable Lady Mary Irvine, daughter of George, Earl of Granard, and widow of James Irvine of Kincaussie.—(Ibid.)

10th December, 1841.—Died at Edinburgh, Mrs. Boswell, senior of Balmuto, relict of the Honourable Claud Irvine Boswell, late one of the Senators of the College of Justice.—(*Aberdeen Journal.*)

KINNOCK—IRVINE.

4th November, 1585.—Bond of manrent, of the 4th November, 1585, by Turtill Macleod, fiar of the Lewis, and his eldest son and heir, Johnn, to the Earl of Huntlie, is witnessed by John Irwing in Kinnock.

4th November, 1585.—This John Irwing is also witness to a bond of manrent, of the same date, from Colin M'Kenzie of Kyntail to the Earl of Huntlie. In this bond he is called John Irwing of Kynnock.—(S.C. "Miscellany," IV., pp. 231-2.)

24th November, 1599.—John Irvine of Kynnock was one of the jury in criminal trials at Edinburgh.—(Pitcairn's "Criminal Trials," II., p. 99.)

21st January, 1602.—Assignment to ane Reversion by John Irvine of Kinnock to Alexander Irvine, fiar of Drum, on the lands of Tilliefroskie and Bogheads.

In the Register of Sasines are various transactions between these parties and William Strachan of Kirkton of Kincardine O'Neil.

17th July, 1602.—Sasine to Reversion of John Irvine of Kinnock, on Tilliefroskie and Bogheads.

30th January, 1622.—Alexander Irving, eldest son of James Irving of Kynnock, to-day admitted burghess of Aberdeen (*ex gratiâ*).

KIRKTOUN OF RAYNE—IRVINE.

1st June, 1666.—Sasine to Claud Irvine, lawful daughter to Robert Irvine of the Kirkton of Rayne, on the lands thereof.

1st April, 1671.—Sasine to Mr. Richard Irvine of Cairnfield, on Kirkton of Rayne.

2nd October, 1695.—Sasine to Margaret Adie, spouse to Richard Irvine of Cairnfield, on Kirktoun of Rayne and New Lands of Old Rayne.

1696.—Kirktoun of Rayne. Mr. Richard Irvine is heritor, but lives in Aberdeeni.—(Poll Book of Aberdeenshire, I., p. 277.)

29th June, 1697.—Discharge and Renunciation, Claudia Irvine, onlie lawful daughter and chyld of the deceast Captain Robert Irvine, and with consent of Charles Innes of Presholm, her husband, of 4000 merks, and lands of Learnie, wherewith the same was burdened, in favour of the representatives of Mr. Alexander Irvine of Learnie, and Mr. Robert Forbes, advocate.

LARACHMOIR—IRVINE.

24th April, 1650.—Joannes Irwing, frater germanus Roberti Irwing de Montcoffer, haeres Jacobi Irwing in Larachmoir, fratris germani.—(Inquis. General, No. 3615.)

31st January, 1659.—Sasine to Gilbert Irvine of Larachmoir, on Little Leargnies.

13th May, 1662.—Sasine to Gilbert Irvine in Larachmoir, Mr. Richard Irvine, his brother germane, and Maister Thomas Cheyne in Cullairlie, on crofts of land called Dirae's Crofts, and five crofts of land lying in Ballogie, with lands of Blairshannoch.

29th September, 1665.—Resignation and Disposition, Gilbert and Mr. Richard Irvines, to Master Alexander Irvine.

12th July, 1670.—Sasine to Gilbert Irvine of Larachmoir, on Abertoun and Netherton of Lonmay.

15th July, 1687.—Mariota et Anna Irvines, haeredes portionariae Gilberti Irvine in Larechmore, patris.—(Inquis. General, No. 6853.)

LEARNIE, LERGNIE, LARGNYE—IRVINE.

1377 to 1384 (?)—James de Douglas (afterwards Earl of Douglas and Mar) granted by charter the lands of Largeny, in the barony of Coule, in Aberdeenshire, to Sir Thomas de Harkar.—(Drum Papers.)

7th June, 1446.—King James II. granted a charter to Sir Alexander Erwyn of Drume, of the lands of Largnye, in the barony of Neale in Coule, on the resignation of John de Haliburton of Saulyne.—(Drum Papers.)

1st August, 1634.—Sasine to John Irvine of Artamford and his son, of Lergne.

9th July, 1634.—Sasine to John Irvine, younger of Artamford, on Easter Beltie.

9th July, 1634.—Sasine to John Irvine of Artamford, on Ballogie.

8th July, 1658.—Sasine to Mr. Alexander Irvine of Lergnie, on Over and Nether Ironsides.

5th June, 1666.—Sasine to Alexander Irvine of Lergnie, and Mr. Richard Irvine, on Kirktoon of Rayne.

25th October, 1672.—Sasine to Alexander Irvine of Lergnie, on Ironside and Whytkairnes.

28th July, 1682.—Sasine to Richard Irvine of Cairnfield, on Meikle and Little Largneys, etc., in the parish of Kincardine.

1690.—Irvine of Learnie appears on the roll of freeholders of Aberdeenshire.—(Kennedy's "Annals.")

22nd June, 1697.—Claudia Irving, filia unica Capitanei Roberti Irving patris germani Magistri Alexandri Irving de Learnie, haeres dicti Roberti Irving, patris.—(Inquis. General, No. 7852.)

29th January, 1697.—Discharge and Renunciation, Claudia Irvine, only lawful daughter and chyld of deceast Captain Robert Irvine, with consent of Charles Innes of Preshome, her husband, of 4000 merks, and lands of Learnie, quhairwith the same were burdened, in favour of the representatives of Alexander Irvin of Learnie, etc.

1727 (?)—Preshome—Presholme—by some called Priestholm—Enzie, has been for some time the seat of a Catholic priest.—(S.C. "Antiquities," I., p. 648.)

15th October, 1710.—Sasine proceeding on a liferent disposition granted by John Irvine of Kincoussie and Alexander Irvine of Learnie, to Jeane Gordon, relict of deceased Alexander Irvine of Learnie.

LENTURK (ABERDEENSHIRE)—IRVINE.

Lenturk, in the parish of Leochel, was a castle, surrounded by a fosse. Both the castle and the chapel of Lenturk have now disappeared. This harony from an early period was the property of an ancient family of the name of Strathachin or Strachan. About the middle of the sixteenth century they proved themselves either to be accomplices with the Master of Forbes in a design to take the life of King James V., or they were conspirators to destroy, on a charge of treason, the Master of Forbes. In the latter attempt, backed by the influence of the Earl of Huntly, they succeeded.

14th July, 1537.—The Master of Forbes was tried, condemned, and executed

on the 14th July, 1537. With him, in one act of violence, the Strachans had been associated, but for that deed of blood he had received a royal pardon; and John Strachan, the principal witness against him, had twice been concerned in slaughters, and twice owed his safety to royal interposition.

The Master of Forbes may have been guilty, but I entirely dissent from the opinion of the historian of Scotland (Tytler) that he had a fair trial, or that his conviction proved anything except the active malignity of hereditary enemies, stimulated by the unworthy, but not unnatural, passions and prejudices which King James V. entertained against the whole race of Douglas. That monarch had declared that, whilst he lived, "no Douglas should find a resting-place in Scotland," and to that sentiment must be referred not only the execution of the turbulent Master of Forbes, but also the ferocious cruelty exercised on the beautiful Jane Douglas, Lady Glamis, who, three days after the judicial murder of the Master of Forbes (*17th July, 1537*), was publicly burned to death for treason, that savage act being only the consummation of a series of persecutions.

In addition to the statements of several contemporary historians, who doubted, or denied, that the Master of Forbes was guilty of treason, we have proof that the accusation was brought forward and urged by the Earl of Huntly, the hereditary enemy of his house, that the witnesses were men of infamous character, and that the members of the jury were selected from those who had injuries to revenge against the name of Forbes. It is satisfactory to find that, from the monarch downwards, retributive justice seems to have overtaken those persons, or their families, who were principally instrumental in forwarding these barbarous executions. Amongst others, to these events was owing the ruin of the family of Strachan; and soon after we find their barony and castle of Lenturk in possession of the Irvines.

The Irvines of Lenturk were descended from Irvine of Beltie, the eldest cadet of the family of Drum. (See Beltie.)

3rd February, 1603.—Sasine to Christian Irvine, daughter to Irvine of Lenturk, on Meikle and Little Maidlairs.

3rd May, 1604.—Provision of Resignation made by Alexander Irvine of Lenturk, in the bands of George, Earl of Huntly, as immediate superior of the lands, for new infeftment to be given to Alexander Irvine of Drum.

23rd February, 1609.—Alexander Irwing de Lenturk (apparens) haeres Alexandri Irwyng de Wester Beltie, patris.—(Retours General, No. 403.) This is probably that "Alexander Irwing of Lenturk, a learnt jurisconsult," mentioned in "Mr. James Gordon's 'Description of Aberdeen.'" He wrote "De Jure Regni," published at Leyden in 1627. Robert Gordon of Straloch (the eminent geographer) was born at Kinmundy, in Aberdeenshire, 14th September, 1580. After an absence of two years he returned to Scotland on his father's death; and in 1608 married a daughter of Alexander Irvine of Lenturk. He bought the estate

of Straloch, ten miles north of Aberdeen. He died 18th August, 1661, aged 80 years. His wife died 3rd August, 1662.

17th November, 1614.—Alexander Irving, fiar of Lenturk, to-day admitted burghess of Aberdeen.

June, 1619.—Sasine to Robert Gordon and Catherine Irvine, his spouse, on Pitlurg.—(County Banff.)

6th July, 1619.—Sasine to Robert Gordon and Catherine Irvine on Kinmiddle, etc.

29th February, 1620.—Resignation of Quhytriggs and Reidmyres made by Alexander Irvine of Lenturk, in the hands of the Earl Marischal.—(County Kincardine.)

22nd July, 1625.—Sasine to Catherine Irvine, spouse to Robert Gordon of Straloch, on her conjunct fee lands of Straloch, and (eod die) over Straloch and Whytrashies.—(County Banff.)

12th January, 1637.—Sasine to Catherine Irvine, spouse to Robert Gordon of Straloch, on Millhill, Milnebruk, Pitemarcus, and Smallburne.

5th March, 1641.—Catharina Irwing sponsa Magistri Roberti Gordoun de Straloche, haeres Alexandri Irwing de Beltie, *patris*—in terris de Wester Beltie et Sundayiswale, cum terris de Torffynes, infra baroniam de Cluny.—(Retours Special, No. 253.)

23rd June, 1641.—Robertus Irwing in Bandar, *haeres masculus* Alexandri Irwing de Lenturk, filii patruī,—in villa et terris de Lenturk, etc.—(Ibid., No. 254.)

1st July, 1641.—Sasine to Robert Irvine of Lenturk, on Wester Beltie, Torphines, and Sundayswall.

18th September, 1641.—Sasine to Robert Irvine, on Lenturk.

15th December, 1642.—Disposition and Renunciation by Catherine Irvine, spouse to Robert Gordon of Straloch, with his consent, of Wester Beltie, in favour of Sir Alexander Irvine of Drum.

8th August, 1682.—Sasine to Mr. Alexander Irvine, minister at Logie-Buchan, on Lenturk, mills, etc.

14th December, 1684.—Alexander Irvine of Lenturk had a child, lawfully begotten; baptised John.—(Parish Registers of Foveran.)

18th October, 1710.—Sasine, proceeding on a liferent disposition, granted by John Irvine of Kinoussie and Alexander Irvine of Learnie, to Jeane Gordone, relict of the deceast Alexander Irvine of Lenturk, on a liferent of Lenturk, Bridgend, and Milne of Lenturk.

6th June, 1711.—Sasine proceeding on a precept of Clare Constat, granted by Alexander Irvine of Drum to Alexander Irvine of Lenturk, on Lenturk, Little Lenturk, Drumdarg, Bridgend, and Millne of Lenturk.

LONMAY, LEMNAY, LENMAY, LUNMAY—IRVINE.

From a portion of an old MS. it would appear that Lonmay came into the possession of the Irvines of Drum by marriage, in 13—, with — de Montfort.

In the Links of Lonmay, near the sea, is the site of an old castle called the Castle of Lonmay.—(New Statistical Account of Scotland, XXV., p. 224.)

The lands of Lunmay were in the possession of Sir Alexander Irvine of Drum, who died in July, 1457, as appears by the brieve of succession to his grandson.

James Cunin of Inveralochy (whose grandson got a dispensation for his marriage in 1480) married Elizabeth Irvine, daughter to the Laird of Lenway.—(Nisbet's "Heraldry.")

8th July, 1475.—In 1475 precept of sasine was directed to Sir Gilbert Keith of Inverugy, or William Aberdour, to give seisin of the lands of Lunmay, Salquhok, Corskelly, Ardnabethy, and Carness to Janet Keith, and her husband Alexander Irvine, son and heir-apparent of Alexander Irvine of Drum, on whose resignation the precept is issued.

17th April, 1483.—In 1483 Alexander Irvine of Lonmay gave bond of manrent to William, Earl of Erroll.—(Erroll Papers.)

24th November, 1484.—John of Ketht of Ludquharne gave bond of manrent to William, Earl of Erroll, in which it is noted that, not having a seal of his own, he has procured the use of the seal of his brother-in-law, Alexander Irvine of Lunmay.—(Ibid.)

17th June, 1492.—In 1492 Alexander Irvine of Lonmay was Sheriff of Aberdeen, from which office his father had been dismissed.—(S.C. "Antiquities," I., p. 278, and Aberdeen Council Register, p. 420.)

As the lands of Lunmay, although occasionally granted to the heir-apparent and eldest sons of Irvine of Drum, always reverted to the head of the family, and never gave name to a separate branch, it is unnecessary to specify more particulars of this part of the property of the Irvines.

MAKLIEMOIR—IRVINE.

9th February, 1622.—Thomas Irwing, heir of John Irwing of Makliemoir, his father.—(Retours General, No. 1001.)

MONCOFFER—IRVINE.

(See also Fornet and Moncoffer.)

11th December, 1606.—Robert Irvine of Moncoffer was tried and acquitted of hamesucken and the slaughter of John Forbes, younger of Mylnebowie.—(Pitcairn's "Criminal Trials," II., p. 494.)

1633.—In 1633, Robert Irvine of Moncoffer is mentioned, also his brother Alexander Irvine, also Jean Irvine, daughter of the late Robert Irvine of Moncoffer.—(S.C. "Miscellany," III., p. 106.)

24th April, 1650.—Joannes Irwing frater germanus Roberti Irwing de Montcoffer, haeres Jacobi Irwing in Larochoir, fratris germani.—(Inquis. General, No. 3615.)

16th December, 1674.—Robertus Irwing de Moncoffer haeres Magistri Roberti Irwine de Moncoffer patris.—(Inquisitiones General, No. 5776.)

MONBODDO (KINCARDINESHIRE)—IRVINE.

17th June, 1623.—Renunciation of Phaisdoe by Captain Robert Irvine and James Wishart to Sir Alexander Strachan of Thornton, knight.—(County Kincardine.)

26th February, 1631.—Sasine to Captain Robert Irvine of Monboddo and Elizabeth Irvine, his spouse, and Robert Irvine, their eldest lawful son, on Reidhall.

22nd February, 1636.—Sasine to Alexander Irvine, lawful sone to Robert Irvine of Monboddo, on an annual rent out of Pitingerdyne.—(County Kincardine.)

22nd February, 1636.—Sasine to Margaret Irvine, dochter to Robert Irvine of Monboddo.

22nd February, 1636.—Sasine to Elizabeth Irvine, dochter to Robert Irvine of Monboddo.

13th November, 1637.—Renunciation and Redemption by Captain Robert Irvine of Monboddo, David Barclay of Mathers, and John Barclay of Johnstoun, of an annual rent of 700 merks yeirly, out of Kincardine, in favour of Sir Alexander Strachane of Thornetoun.

Sir William Douglas of Glenbervie, second son of William, ninth Earl of Angus, was knighted by King James VI., and married Elizabeth, daughter of Sir George Auchinleck of Balmanno, by whom he had five sons and three daughters, of whom the youngest, Elizabeth Douglas, married Irvine of Monboddo, of whom James Burnett, Esq., one of the Senators of the College of Justice, is descended.—(Douglas's "Baronage.")

23rd January, 1638.—Sasine to Elizabeth Douglas, spous to Captain Robert Irvine of Monboddo, on Drumsllae.

26th June, 1638.—Sasine to Marie Irvine, lawful douchter to Captain Robert Irvine of Monboddo, on a yearly rent out of Balfeich.

26th October, 1641.—Sasine to Mariorie Irvine, lawful douchter to Captain Robert Irvine of Monboddo, on an annual rent out of Balfeiche.

1st November, 1643.—Sasine to Alexander Irvine, second lawful son to Sir Robert Irvine of Monboddo, on Abaytoun.

18th November, 1644.—Sasine to Elizabeth Irvine, lawful dauchter to Captain Robert Irvine of Monboddo, on an annual rent of 240 merks out of Balfeich.

29th April, 1651.—Sasine to Robert and Alexander Irvines, lawful sones to ane honourable man, Captain Robert Irvine of Monboddo, on Monboddo.

6th December, 1654.—There is a receipt, dated at Monboddo, for 540 merkis, granted by Marie, Marione, and Jeane Irving, with consent of their father, Captain Robert Irving, and their mother, Elizabeth Douglas, to Sir Alexander Irving of Drum.—(Drum Papers.)

6th March, 1668.—Sasine to Alexander Irvine, on Monboddo, and others.

16th November, 1668.—Sasine to Robert Irvine and Jeane Irvine, his spouse, on Monboddo, and others.

1665 & 1675.—Agnes Colquhoun, being married to Irvine of Monboddo in 1665, by their contract of marriage she dispones to him the lands of Kippoch, etc., wherein she was infeft as heir to her father, and he obliges himself to infeft her in a liferent jointure out of his own lands of Monboddo. He being in great debts, not only his own proper lands of Monboddo, but likewise those disponed to him by his wife, are seized by his creditors and adjudged from him; and he dying about 1675, several of his creditors enter into possession of the lands that came to him by his wife. And Burnet of Alagaven purchased his own lands of Monboddo.—(Fountainhall's "Decisions.")

1st September, 1678.—Sasine to James Burnet of Lagavin, Elizabeth Irvine, his ladie, and Alexander Burnet, their sone, on Lagavane and others, with pertinents.

MOSTOUN—IRVINE.

5th June, 1634.—Renunciation by Johne Irvine of Torrielieth, and Alexander Irvine of Mostoune, of lands of Pitmill, to John Irwing of Foveran.

MURTHILL—IRVINE.

Alexander Irvine, son and heir-apparent to Alexander Irvine of Drum, married, in 1526, Elizabeth, daughter of Ogilvie of Findlater. This Alexander Irvine was killed at Pinkie in 1547. Their fourth son, Gilbert Irvine of Collairlie, married Jeane, daughter to Menzies of Pitfoddels, relict of Mr. Robert Lumsden, brother to the nine sisters of Cushnie. This Gilbert of Collairlie had three sons—Alexander, Gilbert, and John of Murthill. (*Vide* Collairlie.)

26th September, 1573.*—A deed is witnessed “Gilberto Irving de Merthill.”—(A. D., Esq.)

4th December, 1612.—In 1612, John Irving, son to the deceased Gilbert Irvine of Collairlie, was one of the schollars implicated and expelled for taking and keeping possession of the “sang scuill” from 1st to the 3rd December.—(S.C. “Council Register of Aberdeen.”)

John Irvine married one of the three daughters of Irvine of Fortrie. (*Vide* Collairly.)

9th February, 1621.—Sasine to Anna Irvine, lawful daughter to the laird of Murthill, on Auldquhat.

15th February, 1626.—Alexander Irwing de Quhytkairnis,—*propinquier agnatus*, id est consanguineus ex parte patris Margaretæ Irwing filæ legitimæ Gulielmi Irwing de Murthill.—(Inquisitiones de Tutela, No. 414.)

4th April, 1627.—Alexander Irwing de Murthill, haeres masculus Gulielmi Irwing filii patruī,—in $\frac{3}{4}$ ths terrarum de Wastoun, in Cromar.—(Retours Special, No. 200.)

18th May, 1627.—Sasine to Alexander Irvine of Quhytcarnes, on Murthill.

28th February, 1629.—Sasine to Alexander Irvine of Murthill, on three-quarter davach of Wastoun.

10th March, 1630.—Sasine to Alexander Irvine of Murthill, on a fourth part of Wastoun.

30th July, 1631.—Sasine to Anna and Isobel Irvines, oyes to Robert Irvine of Murthill, on Allathin, Muttonbrae.

1633.—Alexander Irwing of Murthill appears as owing 200 merks to John Cowtis in Culairlies.—(Book of Annual Renters.)

15th August, 1634.—Sasine to Johne Irvine of Allathen, on Murthill.

27th March, 1637.—Sasine to Johne Irvine of Murthill, on Murthill.

24th February, 1646.—John Irvine of Murthill had a child baptised, called Luces. Witnesses—Alexander Coming, elder and younger.—(Peterculter Parish Registers.)

* 1573, September 14th.—See this date under the head of “Fortrie.”

29th December, 1650.—John Irvine of Murthill, a daughter baptised Magdalene.

28th May, 1659.—Disposition by John Forbes of Waterton to John Irvine of Murthill, of the teinds of Torrielieth.

18th August, 1661.—Sasine to Mr. Alexander Irvine, son lawful to John Irvine of Murthill and Jeane Cumeing, his spouse, on Broomhill, Torrielieth, and Murethill.

26th May, 1662.—Alexander Irvine of Murthill, a daughter baptised Isabell.—(Ibid.)

3rd July, 1664.—Alexander Irvine, appearand of Murthill, a daughter baptised Isabell.

23rd March, 1672.—Charter by John Irvine of Murthill, and Alexander Irvine his son, of the lands and teinds of Torrielieth, to Andrew Walker, writer in Edinburgh.—(Writs of Torrielieth.)

20th April, 1672.—Sasine to John Irvine of Murthill, on the teinds of Torrielieth.

4th July, 1672.—Contract of marriage, dated at Aberdeen, 4th July, 1672, betwixt Alexander Irvine, younger of Murthill, with consent of John Irvine of Murthill, his father, and Agnes Gray, eldest lawful daughter of the late Thomas Gray, Provost of Aberdeen, with consent of her mother, Issobel Farquhar, and Mr. Thomas Gray, regent of Marischal College, Aberdeen.—(Paper of the late Mr. Dingwall Fordyce of Culsh.)

1st August, 1672.—Sasine to Alexander Irvine, on Easter Essentillies, Tillie-buries, and others.

October, 1672.—Sasine to Agnes Gray, Lady Murthill, on one-half lands of Wester Tillburies, etc.

27th October, 1676.—Sasine to Mr. Robert Irvine, second son to John Irvine of Murthill, on Haugh of Auchlunies.

9th November, 1676.—Alexander Irvine of Murthill had a child baptised Agnes.

20th December, 1677.—Alexander Irvine of Murthill had a child baptised Mary.

30th June, 1684.—Alexander Irvine of Murthill had a child baptised Robert.

14th July, 1685.—Disposition of a tenement of inland, mentioned in his contract of marriage by Alexander Irvine of Murthill, in favour of John Irvine, eldest lawful son procreat betwixt him and Agnes Gray, his spouse, and failing of him by decease before arriving at 21 years of age, or his marriage, to the said John's surviving brethren of the second marriage. Alexander Irvine of Fortrie is a witness to this deed.—(Papers of Mr. Dingwall Fordyce of Culsh.)

18th June, 1688.—Alexander Irvine of Murthill had a child baptised Katherine.

1692.—Alexander Irvine of Murthill (the first nominee in the Drum entail) died.

26th August, 1692.—Alexander Irvine de Murthill, hæres masculus Magistri Alexandri Irvine de Murthill, *patris*, in villis et terris de Murthill, etc.—Retours Special, No. 486.)

22nd November, 1692.—Sasine to Alexander Irvine of Murthill, on lands thereof.

6th October, 1693.—Alexander Irvine de Murthill, hæres Alexandri Irvine de Murthill, *patris*.—(Inquis. General, No. 7398.)

30th October, 1693.—Sasine to Mrs. Jean Irvine, lawful daughter to deceast Alexander Irvine of Drum, now spouse to Alexander Irvine of Murthill, on Murthill.

21st August, 1694.—Sasine to Alexander Irvine of Murthill, on Hirne, etc.

3rd January, 1696.—Alexander Irvine of Drum died without issue, and, in consequence of a deed of tailzie, was succeeded in his estates by Alexander Irvine of Murthill, thereafter of Drum.

1696.—In the Poll Book, 1696, John, Robert, Issobell, Margrat, and Jean Irvins are mentioned as children of Mr. Alexander Irvin of Murthill, also their aunt Margrat Irvin.

1st May, 1696.—Alexander Irving de Murthill filius natu maximus Magistri Alexandri Irving de Murthill, hæres tailliae Alexandri Irvine junioris de Drum.—(Retours Special, No. 498; and Kinkardin, No. 167, Special.)

3rd February, 1704.—John Irvine, eldest son to the deceast Alexander Irvine of Murthill by his second wife (the deceast) Agnes Gray, with consent of various relations, dispones a certain tenement to John Gordoun.—(Paper of D.F. of Culsh.)

15th January, 1756.—Died, Mrs. Helen Irvine, daughter to Alexander Irvine of Murthill, and relict of the deceast Alexander Walker, Provost of Aberdeen.—(*Aberdeen Journal*.)

PITMURCHIE—IRVINE.

24th February, 1604.—Sasine to John Irvine of Artamford and to Bessie Irvine his spouse, on Pitmurchie, reserving to John Irvine of Hattoun and Elizabeth Wod, his spouse, their liferent of the same, etc.

27th February, 1604.—Renunciation by Mr. Alexander Irvine and Jonet Irvine, his spouse, and by James Irvine his sone, to John Irvine of Hattoun, and John Irvine of Artamford, on Pitmurchie.

26th May, 1604.—Renunciation by Robert Duighood of Auchinhuiff (Duguid of Auchinrove) in favour of John Irvine of Pitmurchie, and John Irvine of Artamfuir, on Pitmurchie.

2nd December, 1605.—Sasine to William Irvine of Pitmurchie, on Fortrie and milne thereof.

25th April, 1655.—Patrick Irving, heir of Johne Irvine of Artamfuird his guidisir, in lands of Pitmurchie, lands of Hattoun, Craigtoun of Lumphanan, all in barony of Lumphanan.—(Retour Special, No. 325.)

SAPHOCK—IRVINE.

1724.—The house of Irvine of Saphock is east from the church of Daviot one mile, east from Mounie $\frac{1}{2}$ a mile, and north from the House of Barra two miles.—(S.C. "Antiquities," I., p. 581; and *Edinburgh Magazine*, 1761.)

James Irvine, third son of Alexander Irvine of Drum and Lady Elizabeth Keith, was styled of Bruclaw. He married his cousin, Lucretia Irvine (Fortrie's sister), daughter to Robert Irvine of Tillielair.—(MS.) This James Irvine had a charter from his father dated 5th February, 1598.—(Nisbet's "Heraldry.") He left two sons—John, who succeeded him, and Gilbert of Altree. John died without male issue. Gilbert married Janet Innes, daughter to Innes of Untoch, brother to the laird of Innes, and had two sons, viz., John Irvine of Saphock and James.—(Nisbet's "Heraldry.")

8th May, 1635.—Sasine to Gilbert Irvine, son to James Irvine of Bruclaw, on Altries—(*vide* Bruclaw). John Irvine of Saphock married Janet Birnie, daughter of Mr. Robert Birnie, minister of Lanark, and sister to John Birnie of Broomhill.—(Nisbet's "Heraldry.")

11th January, 1674.—Mr. David Lindsay, minister at Drumcock, preached at Peterculter, and did receive and admit Mr. John Irvine, late minister at Kilmacolme, in the diocese of Glasgow, to the ministrie of the Church of Peterculter.—(Session Registers of Peterculter.)

14th February, 1675.—On this day (and at various other times afterwards) Mr. James Irvine, brother german to the minister of Peterculter, preached there.—(Ibid.)

31st August, 1674.—Mr. John Irvine, minister at Peterculter, had a child baptised Elizabeth.

15th November, 1676.—Mr. John Irvine, minister at Peterculter, a child baptised Mary.

11th February, 1679.—Mr. John Irvine, minister at Peterculter, had a child baptised Alexander.

30th June, 1684.—Sasine to Mr. John Irvine, minister at Peterculter, on an annual rent of £120, out of Easter Beltie.

5th January, 1685.—Mr. John Irvine, minister, had a child baptised Helen.

29th March, 1686.—Mr. John Irvine, minister, had a child baptised Margaret.

24th March, 1686.—Sasine to Mr. John Irvine, minister at Peterculter, on a yearly rent of £280, out of Easter and Wester Belties.

30th December, 1687.—Mr. John Irvine, minister at Peterculter, had a child baptised James.

In 1683 Alexander Irvine of Drum executed an entail of his estates, and in 1687 he nominated the heirs of entail, failing heirs of his own body, to the Irvines of Murthill, Artamford, and Cults, and their heirs male in order. From some dislike, Irvine of Saphock was entirely omitted in the heirs of entail, although he was nearest heir male, failing the entailer's family. Irvine of Artamford was nearest heir male after the Irvines of Saphock, but in the deed of entail was nominated after Irvine of Murthill.

6th October, 1692.—Bond, assignation, and ratification, Patrick Irvine of Beltie to Mr. John Irvine, minister at Peterculter, approving all heritable bonds, infestments, securities, etc., standing in the name of said Mr. John Irvine on Easter and Wester Belties, Pitmurchie, Mergie, and others.

30th May, 1693.—Sasine to Mr. John Irvine, minister at Peterculter, on Easter Beltie and others.

22nd December, 1695.—Mr. James McKdugal, minister at Mearns, in the presbytery of Paisley, having lectured and preached, did declare the Kirk of Peterculter vacant by an order of the presbytery.—(Session Registers of Peterculter.)

29th December, 1695.—Mr. John Irvine, late incumbent at Peterculter, preached there.—(Ibid.)

23rd August, 1696.—Mr. Thomas Ramsay, minister at Aberdeen, moderator of that presbytery, enquired at the heritors of Peterculter if they had agreed in giving a call to some fit person and well affected to the Government—the present Government—that he might be their spiritual pastor, seeing the present incumbent could no longer officiate among them, conform to the laws of the kingdom.

18th March, 1699.—Sasine to Alexander Forbes (alias Barnes), portioner of Inverurie, and Christian Irvine, his spouse, on an annual rent of £68, out of Mounie and “eod die.” Sasine to Mr. John Irvine of Saphock, late minister at Peterculter, on an annual rent of £160 out of Mounie.

23rd May, 1701.—Sasine to Mr. John Irvine of Easter Beltie and Alexander Irvine his sone, on Saphock.

8th September, 1710.—In 1710 Alexander Irvine of Saphock was witness to a submission betwixt William and Arthur Dingwall, sons of the deceased Arthur Dingwall of Brownhill, regarding the lands of Brucklaw, Brownhill, etc.—(Papers of A. Dingwall Fordyce of Culsh.)

1725.—Helen Irvine, daughter of John Irvine of Saphock, bequeathed 300 merks Scots to the Church Session of Aberdeen for the benefit of indigent persons belonging to the town.—(Kennedy's “Annals.”)

1725.—January, 1725, Alexander Irvine of Saphock, advocate, purchased the lands of Tillygreig, Knapperna, etc., in the parishes of Udny and Ellon, from Samuel Forbes of Knapperna, which were, together with the lands and barony of Saphock, by a charter under the great seal, dated 26th July, 1725, erected into the barony of Irvine. This Alexander Irvine of Saphock married (contract dated 2nd March, 1724) Barbara, daughter of Dundas of that ilk. Their daughter, Mary Irvine, was married 9th December, 1744, to Mr. Alexander Ramsay, son to Charles Ramsay, merchant in Montrose (and nephew to Sir Alexander Ramsay of Balmain, Bart.), who thereupon took the name and arms of Irvine, in addition to those of Ramsay.—(Papers of late John Harvey of Kinnettles, and *Scots Magazine*, and in MS. of A.D.F.) Alexander Irvine of Saphock had another daughter, who died, aged 13 years, in November, 1740.—(*Scots Magazine*.)

30th June, 1743.—Alexander Irvine of Saphock executed an entail of his lands.—(Shaw's "Index of Entails.")

1744 or 1745.—Alexander Irvine of Saphock died in 1744 or early in 1745.

10th June, 1745.—A revocation of the entail of Alexander Irvine of Saphock was registered in the Books of Session, and the lands he had inherited and acquired passed to the family of Ramsay of Balmain. By the death of this Alexander Irvine without surviving issue (male), Alexander Irvine of Drum, then in possession of Drum as heir of entail, became also heir of line and heir male of William de Irwin, who received the original grant of Drum from King Robert Bruce.

TARSETTS, TARSETTIS—IRVINE.

1633.—In the Book of Annual Renters and Wadsettaris, Alexander Irwing of Tarsettis is repeatedly mentioned.—(S.C. "Miscellany," III.) Also his sister Girsell Irvine.—(Ibid., p. 84.)

21st October, 1634.—Sasine to Alexander Irvine of Tarsets, on Carnhill and Gask.

12th January, 1637.—Disposition and Assignation by Andro Phinnie, Baillie in Peterheid, of ane part of Broadland to Alexander Irvine of Tarsets.

28th June, 1637.—Renunciation by Gilbert Keith in Ardconnand, of ane — in Rattray, in favour Alexander Irvine of Tarsets.

TILLIEHARMACK (COULL)—IRVINE.

13th January, 1682.—Alexander Irving, haeres Alexandri Irving in Tillieharmack, patris.—(Inquis. General, No. 6348.)

22nd August, 1690.—Sasine to Alexander Irvine, lawful sone to umquhill Alexander Irvine of Tillieharmack, on a yeirly rent of £129 12s. out of three pleuchs of Harlaw.

27th June, 1693.—Discharge and Renunciation, Alexander Irvine, son to the deceast Alexander Irvine in Tillieharmack, sometime of Kinraigie, thereafter of Harlaw, of an annual rent of £129, out of three pleuchs of Harlaw, to Patrick Gordon, sometime of Kinraigie, now of Harlaw.

TILLYLAIR—IRVINE (*see* FORTRIE).

TILLITURK—IRVINE.

25th March, 1597.—Robert Irvine of Tilliturk was on an assize of a justiciary court held at Aberdeen, in which Margaret Clerk, alias Bain, was convicted on ten points of witchcraft, “and to be ane sorcerer.”—(S.C. “Miscellany,” I., p. 162.)

TORRIELIETH—IRVINE.

26th June, 1627.—Sasine to John Irvine of Balbithan, on Torrielieth.

1633.—John Irwing of Torrielieth declared William, Earl Marischal, to be owing to him in 10,000 merks.—(Book of Annual Renters.)

5th June, 1634.—Renunciation by John Irvine of Torrielieth and Alexander Irvine of Mostoun, of lands of Pitmill, to John Turing of Foveran. Same date, John Irvine of Torrielieth is a witness to a sasine of lands of Culsh.

24th June, 1636.—Bands betwixt Alexander Irvine of Fortrie and Johne Irvine of Torrielieth.

7th June, 1637.—Sasine to John Irvine in Torrielieth, on ane part of Wastoun, in Cromar.

3rd September, 1640.—Sasine to Issobell Irvine, spouse to Johnc Irvine of Allathene, on Torrielieth.

TULLOCHT—IRVINE.

10th August, 1531.—Alexander Irwing, de Tulloch, is a witness to a deed regarding the lands of Lityll Forg.—(S.C. “Antiquities,” II., pp. 325-26.)

WHYTCAIRNS—IRVINE.

15th February, 1626.—Alexander Irwing de Quhytkairnis,—propinquior agnatus id est consanguineus ex parte patris Margaretæ Irwing filia legitimæ Gulielmi Irwing de Murthill.—(Inquisitiones de Tutela, No. 414.)

4th April, 1627.—Alexander Irwing de Murthill, hæres masculus Gulielmi Irwing filii patruī,—in certain portions of the lands of Wastoun in Cromar.—(Retours Special, No. 200.)

WHYTESTAINES—IRVINE.

24th February, 1602.—Obligation of this date, by Archibald Irvine of Whytestaines, to Alexander Irvine, fiar of Drum, for infetting the said Alexander in Whytestaines.

PARISH MINISTERS.

MINISTER AT CULLEN AND FORDYCE—MR. ALEXANDER IRVINE.

1709 (?)—Mr. Alexander Irvine was appointed minister of Cullen about 1709, and about 1717 was translated to the parish of Fordyce. His mother's name is said to have been Toash. He died at Fordyce in 1746.—(MS. A.D.F.)

Mr. Alexander Irvine, minister at Fordyce, married Isabel Ogilvie, daughter of Colonel William Ogilvie of Bauchlay, near Banff. Their son, James Irvine, studied medicine, and in 1748 is stated to be surgeon to General Bland's regiment of dragoons. He died, unmarried, about 1760.

Their daughter, Isabel Irvine, married, in 1727, Mr. Patrick Reid, minister at ——. Had issue, and died about 1732.

Their daughter, Elizabeth Irvine, married Mr. George Gordon, junior, merchant in Aberdeen, sometime Dean of Guild. Had issue. Died in 1776.

Their daughter, Barbara Irvine, married Mr. Archibald Campbell, minister of Grange, and died 23rd June, 1795.

Their daughter, Janet Irvine, married, first, Mr. James Adamson, minister at Ordequhile (who died 1749), and, secondly, Mr. Robert Michie, minister of Cluny, to the latter of whom she had issue, and died 9th April, 1790.

Their daughter, Mary Irvine, married Mr. Thomas Johnston, minister of Glenbucket, and afterwards of Boharm; had issue, and died 10th January, 1792.—(MS. A.D.F.)

MINISTER AT ELGIN—MR. ALEXANDER IRVINE.

2nd January, 1759.—The Rev. Alexander Irvine, minister of the Gospel at Elgin, died January 2nd, 1759.—(*Aberdeen Journal.*)

MINISTER AT FORBES—MR. ALEXANDER IRVINE.

1633.—Mr. Alexander Irwing, persone of Forbes, appears to have lent one hundred merks to Mr. James Herwie, minister at the New Kirk of Sanct Machar.—(*Book of Annual Renters.*)

1st September, 1634.—Sasine to Mr. Alexander Irwing, minister at Forbes, on a croft of land in Old Aberdeen, and on a croft and yard in Old Aberdeen.

MINISTERS AT GLENBERVIE—MR. JOHN IRVINE AND MR. ROBERT IRVINE.

8th May, 1677.—Sasine to Mr. John Irvine, minister at Glenbervie, on a tenement and croft in the town of Cowie.

17th January, 1690.—Magister Robertus Irvine minister verbi Dei apud Glenbervie, haeres Magistri Joannis Irvine, patris.—(*Inquis. General, No. 6990.*)

13th June, 1691.—Margareta Gordon relicta Magistri Joannis Irvine rectoris ecclesiae de Glenbervie, etc.—(*Ibid., No. 7147.*)

KILBRIDE (WESTER)—MR. ALEXANDER IRVINE.

23rd December, 1697.—Magister Alexander Irvine nuper minister verbi Dei apud Wester Kilbraid, haeres Magistri Gulielmi Irvine ministri verbi Dei apud Udney, fratris.—(*Ibid., No. 7919.*)

MINISTER OF LONGSIDE—MR. ALEXANDER IRVINE.

1641.—William, Earl Marischal (umquhill), “causit build ane new Kirk,” “and nameit the samen the Kirk of Longsyde. Lyikas he presented Mr. Alexander Irving thairto.” Parliament in 1641 erected Longsyde into a separate parish, “disuniting the same from the Mother Kirk of Peterugie,” and confirming Mr. Alexander Irving as minister.—(*Acts of Scottish Parliament.*)

15th February, 1643.—Sasine to Mr. Alexander Irving, minister at Longside, on a tenement in Old Aberdeen, called the Archdeacon's manse.

7th January, 1646.—Sasine to John Forbes of Asloun, and Mr. Alexander Irvine, minister at Longside, on two pleuchs of Argethine.

26th May, 1656.—Sasine to Margrat Irvine, daughter to Mr. Alexander Irvine, minister at Longside, on the lands and maines of Tilligonie.

22nd November, 1658.—Sasine to Mr. Alexander Irvine, minister at Longside, on Tilligonie, and, on 26th November, on Mains of Tilligonie.

24th August, 1659.—Sasine to Mr. Alexander Irvine, minister of Longside, on one-third of Achtegall.

31st July, 1666.—Sasine to Margaret Guthrie, relict of Mr. Alexander Irvine of Longside, on a tenement and yaird and others, in Old Aberdeen.

MINISTER AT LUNAN—MR. CHARLES IRVINE.

19th May, 1717.—Mr. Charles Irvine, minister at Lunan, preached at Peterculter.—(Session Registers of Peterculter and MS. A.D.F.)

MINISTER AT LOGIE-BUCHAN—MR. ALEXANDER IRVINE.

12th July, 1681.—Sasine to Mr. Alexander Irvine, minister at Logiebuchan, on a tenement of land with the closs tail of the yeard or croft lyand in Old Aberdeen, and (eod die) on that croft lyand contiguous to the tail of the rector of Kinkell's manse lyand within the parioch of St. Machar and sheriffdom of Aberdeen, as also on that croft and yaird of the chaplanes of Westhall, lyand within the territorie of the chanonrie of Aberdeen.

8th August, 1682.—Sasine to Mr. Alexander Irvine, minister of Logiebuchan, on Lenturk, etc.

MINISTER AT LONMAY—MR. JAMES IRVINE.

22nd March, 1692.—Jacobus Irvine haeres Mariae Irvine sponsae Magistri Jacobi Irvine ministri verbi Dei apud ecclesiam de Lonmay, matris.

22nd March, 1692.—Jacobus Irvine, haeres Magistri Jacobi Irving nuper ministri verbi Dei apud ecclesiam de Lonmay, patris.—(Inquis. General, Nos. 7236-7.)

MINISTERS AT TOUCH—MR. JAMES IRVINE AND MR. ROBERT IRVINE.

25th May, 1602.—Reversion to Arthour, Master of Forbes, by Mr. James Irvine, minister at Touch, and Helen Strawchan, his spouse, on eight oxgait lands of Cowlie; and (*May 31st*) Sasine to Mr. James Irvine, minister at Touch, and Helen Strawchan, his spouse, on eight oxgait of the lands of Cowlie.

5th July, 1604.—Mr. James Irvine, minister at Touch, was present at the General Assembly held at Aberdeen, 5th July, 1604.—(Calderwood's "Chronological History," and MS. A.D.F.)

6th July, 1605.—Mr. James Irvine, minister at Touch, was one of the clergymen who were imprisoned for attending the General Assembly held at Aberdeen, 6th July, 1605, after it had been interdicted by the king's letters.—(S.C. "Miscellany," II., Introduction lvii.)

26th June, 1608.—Sasine to Mr. James Irvine, minister at Touch, on Ardguis.

27th February, 1677.—Sasine to Mr. Robert Irvine, minister at Touch, on an annual rent of £80, out of Glenkindie.

MINISTER AT TOWIE—MR. ROBERT IRVINE.

2nd March, 1682.—The good nature of the Council encouraged more applications, and, March 2nd, Mr. Robert Irvine, minister at Towie, petitions to be admitted to take the Test; and the Lord Primate is allowed to administer it to him.—(MS. A.D.F., from Wodrow's "Church History.")

30th June, 1684.—Sasine to Mr. Robert Irvine, minister at Towie, and his spouse, on Galtouns and other lands.

30th September, 1684.—Sasine to Mr. Robert Irvine, minister at Kirk of Towie, on Logie and Eavin.

6th January, 1688.—Sasine to Mr. Robert Irvine, parson of Towie, on an annual rent of £36, out of Kinaldie.

15th March (?), 1688.—Sasine to Alexander Gairden of Troup, on an annual rent of £28 1s. 8d. Scots, out of Old Morlich.

15th March, 1688.—Sasine to Alexander Strachane of Glenkindie, on an annual rent of £20, out of Old Morlich.

15th March, 1688.—Sasine to Mr. Robert Irvine, minister at the Kirk of Towie, and Agnes Murray, his spouse, on Old Morlich.

24th December, 1690.—Sasine to Mr. Robert Irvine, rector of Towie, on an annual rent of £120, out of Haughhead of Coul.

13th November, 1701.—Of this date Mr. Robert Irvine, minister of Towie,

and Adam Irvine, laird of Brucklay, are witnesses to a baptism in the parish of New Deer.

1727 (?)—Brucklaw Castle in Aberdeenshire was at one time possessed by Irvine, son to the parson of Towie.—(S.C. "Antiquities," I., p. 406.)

MINISTER AT UDNY—MR. WILLIAM IRVINE.

16th January, 1673.—Sasine to Mr. William Irvine, minister at Udny, on the lands of the Chappell of Westhall, and (eod die) on some tenements of lands in Old Aberdeen.

23rd December, 1697.—Magister Alexander Irvine nuper minister verbi Dei apud Wester Kilbraid, haeres Magistri Gulielmi Irvine ministri verbi Dei apud Udney, fratris.—(Inquis. General, No. 7919.)

MISCELLANEOUS IRVINES.

WARD MILL AND MILL OF DRUM—IRVINES RESIDING THERE.

30th January, 1719.—Sasine to Arthur Irvine, in Milntoun of Drum, on an annual rent on the barony of Auchtercoull, Mains and Manor Place thereof, &c., for the principal sum of 5200 merks Scots. Also on lands of Tarland.

5th June, 1719.—Sasine to Jean Wyld, relict of Alexander Irvine in Wardmill, now spouse to William Fraser there, in liferent, and to Patrick, Arthur, Alexander, and John Irvines, her children, in fee, on an annual rent of the principal sum of 1000 merks Scots, out of Auchtercoull, in the parish of Coul, &c.

26th May, 1721.—Sasine to Arthur Irvine, in Milntoun of Drum, on superiority of part of Auchtercoull, &c.

23rd January, 1725.—Sasine to Alexander Irvine, eldest lawful son and heir to the deceast Arthur Irvine, sometime in Milntoun of Drum, on an annual rent of the principal sum of 5200 merks Scots, out of the barony of Auchtercoull—redeemable, &c.

23rd January, 1725.—Sasine to Cecil Barclay, relict of Arthur Irvine, sometime in Milntoun of Drum, in liferent, and George, James, Charles, Katherine, and Dorotheus Irvines, their children, on the principal sum of 5200 merks Scots, out of the barony of Auchtercoull, &c., as above.

29th November, 1775.—Cecilia Irvine, relict of Mr. Arthur Irvine, and daughter of Mr. George Barclay, sometime minister at Mordington, was born 31st December, 1689, and died 29th November, 1775. Her son, Charles Irvine,

Esquire, of Jamaica, after having resided there forty-three years, returned to Scotland, and died 30th May, 1794, in the seventy-fourth year of his age.

George Leslie (son-in-law of Cecilia Irvine), merchant in Aberdeen, died 23rd July, 1788, aged seventy-one years; and his wife, Catherine Irvine, died 29th April, 1797, aged eighty years. (These dates, from 1775 inclusive, are from a gravestone in the churchyard of St. Nicholas, Aberdeen, and MS. of A.D.F.)

17th February, 1778.—The king was pleased to grant unto William Leslie, late of the city of Aberdeen, but now of the city of London, his royal licence to take and use the surname of Irvine, in addition to his present name of Leslie, and to bear the arms of Irvine.—(*Scots Magazine* and MS. of A.D.F.)

OVERPARK—BURGESS OF MONTROSE—IRVINE RESIDING THERE.

12th August, 1633.—Robertus Irwing, haeres Magistri Patricii Irving in Overpark burgensis de Montrois, patris.—(Inquis. General, No. 8623.)

12th August, 1633.—Robertus Irwing, haeres Alexandri Irving filii legitimi quondam Magistri Partricii Irving in Overpark burgensis de Montrois, fratris germani.—(Ibid., No. 8624.)

STRATHAUCHIN (KIRKTON)—IRVINE RESIDING THERE.

13th January, 1588.—Joannis Irving haeres Joannis Irving in Kirkton of Strathauchin, patris.

ABERDEEN—BAILLIE IRVING.

25th January, 1618.—Alexander Pantoun was admonished for painting a crucifix. This offence he had been guilty of at the request of Mr. Alexander Irwyng, son of the deceased Mr. Richard Irwyng, sometime baillie and burgess of Aberdeen—at whose funeral the crucifix was to have been carried; but this was prevented by the authority of the magistrates. This Mr. Richard Irving was the husband of one of the three illegitimate daughters of the learned and celebrated John Leslie, Bishop of Ross—who was also the illegitimate son of a priest, Gavin Leslie, parson of Kingussie, and official of the diocese of Moray. The Bishop of Ross was one of the members of the Chapter of Aberdeen, who, on the approach of the Reformation, gave, at the request of their Ordinary, the Lord Bishop of Aberdeen, a memorial of advice, dated at Aberdeen, 5th January, 1558. It commenced by recommending “That my Lord of Aberdeen cause the Kirkmen

within his Lordschips Diocie to reforme thaimselfis in all their sclanderous maner of lving, and to remove their oppin concubinis, als well greit as small." And they in conclusion pray and exhort my Lord their Ordinary to "be so gude as to schew gude and edificative example; in speciale in removing and discharging himself of company of the gentilwoman be quhom he is gretlie slanderit. That quhen his Lordschip plesis to vesity the fieldis to repois himself he cheis sic company as efferis till his Lordschips awin estate, and cause his Lordschips servands to reforme themselves."—"Book of Bon-Accord," p. 377; and Registrum Epis. Aberdon., I., Preface pp. lxi. and lxiv.)

MR. JOHN IRVINE.

18th October, 1643.—Joannes Irwing, haeres Alexandri Irwing, fratris immediate junioris,—in terris et terris dominicalibus ac baronia de Aberzeldie.—(Retours Special, No. 271.)

30th August, 1644.—Sasine to John Irvine, immediate elder brother to Alexander Irvine, on the lands and barronie of Abergeldie.

IN SEATTOUN—IRVINE.

13th August, 1658.—Sasine to John Irvine in Seattoun and Janet Tailzer, his spouse, on a tenement in Old Aberdeen.

12th August, 1669.—Sasine to Robert Irvine and Barbara Mitchel, his spouse, on a tenement in Old Aberdeen.

24th December, 1697.—Magister Jacobus Irwing clericus vice-comitatus de Kincardine, filius natu maximus Roberti Irwing in Seattoun, haeres Joannis Irwing alequando in Seattoun, avi,—in tenemento et horto in civitate Veteris Aberdoniae et infra lie Chanrie ejusdem.—(Retours Special, No. 504.)

20th June, 1710.—Sasine proceeding on an heritable bond granted by John Irvings—elder and younger—of Kincoussie to Mr. James Irwing, sheriff-clerk of Kinkardine, on an annual rent out of Swellhead.

6th July, 1724.—Sasine to Alexander Irwing, lawful son to Mr. James Irwing, sheriff-clerk of Kincardine, on an annual rent of the principal sum of 2000 merks Scots, out of Swellhead, lying within the parish of Maryculter and shire of Kincardine.

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