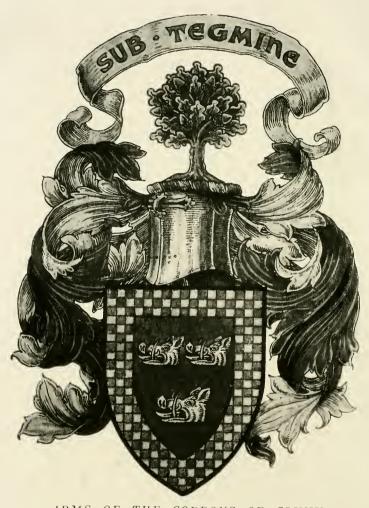


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ARMS OF THE GORDONS OF CLUNY

## THE GORDONS OF CLUNY

FROM THE EARLY YEARS OF THE EIGHTEENTH CENTURY DOWN TO THE PRESENT TIME

JOHN MALCOLM BULLOCH

PRIVATELY PRINTED





### "THE GORDONS OF CLUNY"-ADDENDA

Page 45, second line from bottom :-

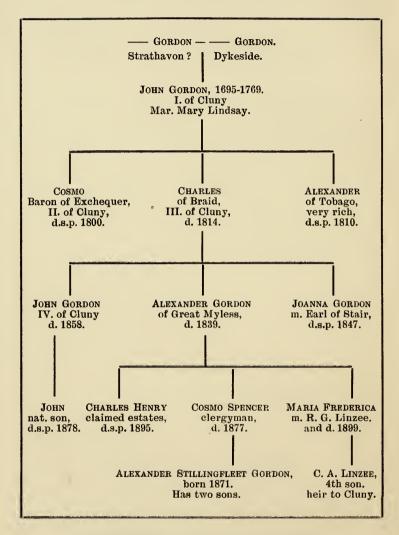
The sentence beginning "The grounds were" should read "The grounds of the defence were." The ground on which the pursuer based his action has by an oversight been omitted. This was that an entail in favour of heirs whatsoever" (legal heirs, heirs at law, heirs according to the ordinary course of intestate succession) was not an entail, because an entail implied an alteration of the ordinary course of succession. The pleas for the defence were as stated, (1) that there was an exclusion of heirs portioners, which was an alteration of the ordinary course of succession (though the Lord Ordinary held that this was not enough); and (2) that, as applied to Captain John Gordon, "heirs whatsoever" could only mean "heirs of the body," which (if these words had been used) would undoubtedly have been an effective entail.

Page 48, line 3 from top, delete the words "( . . . . . . of whom he had none, as he left no issue)".

### THE GORDONS OF CLUNY

Though disguised by a common surname, at least two different branches of the family of Gordon have owned Cluny. The first started nobly, being founded by Alexander Gordon, second son of the 3rd Earl of Huntly, but it came to an end in the early part of the eighteenth century. A fallacious sense of continuity was, however, maintained, for the estate was bought by a certain mysterious John Gordon, whose origin is practically unknown, but who understood the art of success so well that his grandson died 90 years after him credited with a fortune of €2,000,000.

With all his wealth and the acquisition of Cluny, there was possibly a great desire in John Gordon's mind to found a family which should continue the traditions of the old This desire was clearly stated by his Gordons of Cluny. grandson, also John Gordon, who laid it down in one of his testamentary injunctions that the holder of the estate should be known as "Gordon of Cluny," much on the analogy of the famous "Ross-of-Bladensburg." There was, therefore, something very pathetic, reminding one of Scott's Abbotsford, in the childlessness which has attended John Gordon's descendants. Two of his three sons, Cosmo and Alexander, died without issue. His grandson, Colonel John Gordon, never married, having only (four) illegitimate children; and though he bequeathed them his wealth, which resulted in twenty years of costly litigation, everyone of them died without issue. Moreover, his nephew and heir-at-law. General Charles Henry Gordon, who survived the Colonel's specially-designed heir (John), also died without issue. To-day there are but three of the founder's descendants bearing the name of Gordon, and by a curious circumstance the heir of the estate was born not Gordon but Linzee



#### THE MODERN GORDONS OF CLUNY

The heir to the estates is Charles Linzee, son of Maria Frederica Gordon, who was the sister of Major Gen. Charles Henry Gordon.

# JOHN GORDON I. OF CLUNY DIED 1769

This John Gordon's origin is practically unknown. He is said (by General William Gordon, C.I.E., in his tabular pedigree of the Cairnfield family) to have been the son of —— Gordon, who married —— Gordon, sister of Alexander Gordon of Dykeside and Salterhill and of Barbara Gordon, who married Robert Gordon of Lunan, and became the mother of Alexander, VII. of Cairnfield.

As he was 74 when he died in 1769, he must have been born in or about 1695. Jervise ("Epitaphs," ii., 131) and Bain ("Nairnshire," p. 451) says that he came from Glenlivet or Strathavon. Certain it is he was factor to the 3rd Duke of Gordon (after whom he named his eldest son), and he also leased the fishings on the Spey. He was so important in fact that he was a tutor with Katherine, Duchess of Gordon, and Alexander Udny of Udny to the 4th Duke of Gordon, and with them leased Fort-William to the Government in 1754 (Record Office: S.P. Dom., Geo. II., Bundle 128, No. 82.)

He also seems to have struck out for himself, for on May 22, 1740, he is (first) spoken of as a merchant in Edinburgh. He appears in the Bellie Register, in connection with the baptising of his son James in 1749, as "John Gordon, Esq., late curator to His Grace the Duke of Gordon," while he witnessed as "John Gordon of Clunie" the baptism of the son (John) of Patrick Gordon, officer of excise, on December 13, 1757 (Bellie Register).

His double, or rather triple, capacities as curator, merchant, and Laird of Cluny are all referred to in an assignation, dated at Minmore, July 27, 1759, by which Robert Gordon in Castleton, eldest lawful son of the deceased

Robert Gordon of Auchdregnie, assigns to William Gordon in Auchnarrow the sum of £1000 Scots, "contained in a bond, dated 26 March, 1736, granted by the now deceast Cosmo George Duke of Gordon with consent of Henereta, Duchess of Gordon, and of George Gordon of Buckie, and John Gordon, merchant in Edinburgh, now of Clunie, all three his Grace's curators" (Elgin Commissary Record).

In any case, John Gordon accumulated a great deal of money. He must have been quite a character, making a deep impression on his contemporaries, for, ninety years after his death, the "Banffshire Journal" (July, 1858) gave an extraordinary account of him:—

"His habits were of the most penurious description. He saved every penny of his income, and every acquisition was carefully hoarded. A gentleman acquainted with his history and character, speaking of him, observes, 'that every shilling he got within his fingers stuck to them.' Amassing money, the curator (as he was called, from his connection with the Spey salmon fishings, etc.), as shrewd men of those times did, embarked in the purchase of property, which, in the then disturbed state of the kingdom, was to be had at low rates."

The earliest historic reference to him which I have seen shows him to have got hold of Kinminity and Tarmore in Keith:—

1738, Oct. 10.—Sasine to John Gordon, factor to the Duke of Gordon, of Kinminity and Tarmore ("Banffshire Sasines.")

1740, May 22.—Sasine to John Gordon, Merchant in Edinburgh, of Tarmore (Ibid.)

He got hold of Cluny somewhere between 1729 and 1753. On Nov. 18, 1729, Kenneth Gordon, advocate, was served heir to his nephew, Robert Gordon of Cluny (who died in April, 1729), in the lands and mains of Cluny and others. But in 1753 John Gordon got a grant of the Gordon of Cluny arms from the Lyon Office.

Meantime John Gordon went on buying up land:-

1757, April.—Sasine was granted to John Gordon of Clunie upon all and whole an oxgate of land called the Northfield and Wester Inchkiel in the parish of Duffus, Barony thereof, shire of Elgin and Forres, on a disposition granted by the deceased William Sutherland of Rosehaugh of date 7 February, 1756, to George Kay and Elizabeth Sutherland, his spouse, with consent of Lewis Kay his eldest son, to John Gordon, dated 22 April, 1757. Sasine dated 8 March, registered 14 May, 1760 ("Elgin Sasines," folio 327). This property, like that of Kinminity and Tarmore, had belonged to the Sutherlands, who got into financial difficulties and lost their lands, which the enterprising "Curator" bought up.

1760, May 21.—Sasine to John Gordon of Cluny, on Nether Achinwreath (Ibid.)

1760, Aug. 26.—Sasine to John Gordon of Cluny, on Tynet and Blair (Ibid.)

John Gordon of Cluny died at Fochabers on Thursday, Sept. 14, 1769, aged 74 ("Scots Mag.")

The Cairnfield pedigree says he was married to a "south lady." The "Aberdeen Journal" calls her Mary Lindsay. The marriage must have taken place before June 10, 1749, on which date James, the lawful son of "John Gordon, Esq." (late Curator to his Grace the Duke of Gordon) and Mrs Mary Lindsay in Fochabers, was baptised (Bellie Register). The "Aberdeen Journal" (April 24, 1775) says she died at Fochabers on April 14, 1775, in the 67th year of her age. "The deceased was a lady of strict probity, unsullied virtue, universal benevolence, extreme charity, and exemplary piety, loved and esteemed by all who had the pleasure of her acquaintance while living, and now very greatly lamented when she is to us no more.

Virtues like these should challenge candid praise, And in the fair just exultation raise; Such praise to Lindsay are a tribute due, Desir'd by many, tho' deserved by few." John Gordon of Cluny and his wife had at least three sons and two daughters:—

- 1. Cosmo Gordon of Cluny (d. 1800).
- 2. Charles Gordon of Braid and Cluny (d. 1814).
- 3. Alexander Gordon of Bellmount, Tobago, made a fortune in that island. He is described in the "Political State of Scotland," 1788, as "entirely independent" (p. 241). His brother Cosmo left him an "annuity of £200 stg." in the event that "by the vicissitudes of fortune to which his property is exposed he shall be reduced in his circumstances so as to declare that he is not possessed, and has belonging to him, subjects to the value of £300 stg." Alexander Gordon died unmarried at Bath on January 11, 1801 ("Gentleman's Magazine" and "Service of Heirs.") The Gordon Mausoleum in St. Cuthbert's, Edinburgh, gives the date as Oct. 2, 1801.
- 4. James Gordon, baptised June 10, 1749. Witnesses—Mr Thos. M'Culloch, son of the minister of the Gospel at Bellie, and Mr Alexander Murray, schoolmaster at Fochabers (Bellie Register).
- 5. Katherine Gordon married James Ross, cashier to the Duke of Gordon. She was a widow in 1784, when she got a legacy of £5000 stg. from her brother Cosmo.
- 6. Jean Gordon, "youngest daughter of the late John Gordon of Cluny," died at Elgin, Aug. 14, 1791 ("Scots Mag.," vol. 53, p. 415). Her brother Cosmo bequeathed her £50 stg. annuity, which she did not live to receive.

### COSMO GORDON II. OF CLUNY

### DIED WITHOUT ISSUE, 1800

Cosmo Gordon was the eldest son of John Gordon of Cluny, to whom he was served heir on March 21, 1770.

He was born about 1736, and was named after his father's employer Cosmo, Duke of Gordon. He entered Marischal College in 1749, and was called to the Scots Bar on July 29, 1758.

A keen politician, he is said to have manufactured numerous votes out of his property in Nairnshire ("Bain's Nairnshire," p. 451), and represented that county in Parliament (1774-7) until he was appointed by Lord North a Baron of Exchequer in succession to the deceased John Grant, on March 29, 1777 ("Scots Mag.)" The "Banffshire Journal" (July, 1858) thought that he was called "the Baron" from his "noble and generous qualities."

Gordon took the keenest interest in his property and in local affairs. Thus, he was made an elder of Bellie on October 25, 1761, and he became a member of the Aberdeen County Club in 1771.

He added to his patrimony by buying the estate of Kinsteary, which belonged to the Sutherlands. On December 20, 1770, a few months after being served heir to his father, precept of Clare Constat was granted to him by Alexander Duke of Gordon infefting him as heir to his father in the town and lands of Letter-finlay and others in Lochaber, adjudged from Cosmo Duke of Gordon, the granter's father, under reversion dated at Gordon Castle, Dec. 20, 1770; witnesses—Charles Gordon, W.S., Edinburgh, and James Ross, the granter's cashier, who married John Gordon of Cluny's daughter ("Laing Charter," No. 3327). It was probably Cosmo who acquired, on the failure of Sir Ludovick Grant of Delvey (died 1790), the properties of Fleans,

Kinnadie, Park, Knocknagellan, Bognafuran, and other cstates (Bain's "Nairnshire," p. 451).

The "Banffshire Journal" (July, 1858), says that he was a most mild and lenient landlord. His rule in letting property was that the tenant on entering paid no rent the first year: the second he paid only his first year's rent, and on the third his second, and so on. It adds that he was not a moneymaker, and that, if he had held estates long, "they would not have accumulated to the large extent which they have done."

He was particularly interested in his Buckie property, and in 1780 forwarded a scheme for developing it, as described in the advertisement columns of the "Aberdeen Journal" (April 24, 1780):—

Mr Baron Gordon, Proprietor of the Lands of Buckie and Seatown thereof in the parish of Rathven, being to crect a village adjoining to the Seatown, where there is now a number of fishing boats and skilful fishers, and where a harbour for vessels of considerable burden may at some future time be erected, is willing to grant fcu-rights or tenements on easy terms to all persons of industry and good character who incline to settle and build there. The situation of the intended village is along the sea shore in a cheap and well cultivated country. Such as take tenements may be accommodated, if they incline, with land and lease for any number of years that may be agreed upon. The situation of the village with the size and relative situation of the different tenements is delineated upon a plan, which with an authenticated copy of a feu charter containing the prestations and conditions, according to which the tenements may be feued off, is lodged with Mr Alexander Chalmers at Tynet near Fochabers, who is impowered by Mr Baron Gordon to set off tenements in the said village and to enter into the minutes of agreement, to be binding on the Baron till the particular feu charters can be executed.

All artificers and manufacturers may depend on every encouragement that is usually given. There are some annual fairs already in the neighbourhood, and it is proposed to have a weekly market in the village, and likewise an annual fair, in such season of the year as shall seem most necessary and least to interfere with the fairs already established. Mr Chalmers will be found in Buckie every Thursday forenoon.

Another illustration of the interest he took in Buckie affairs is afforded by a petition, signed at Buckie on March 20, 1797 (and printed in the "Aberdeen Journal" eight days later):—

We, the under subscribers, His Majesty's most loyal subjects, fishermen, inhabitants of Buckie, tenants of the Hon. Mr Baron Gordon, having been informed that our enemies are threatening actual invasion of Great Britain, and being uncertain where the attempt may be, hereby make a tender of our services in defence of our King and our Country and the British Constitution, either by sea or land along this coast, in any manner of way we may be directed by the Lord Lieutenant of this county; and in case of actual invasion, our services shall extend to the coasts of the counties of Banff, Aberdeen, and Murray.

The document was signed by 72 fishermen, of whom 32 bore the name of Cowie, 17 that of Murray, and 11 that of Thomson. The other names include Coul, Cormack, Hay, Jappie, Reid, Riach, and Scott.

In the following year (July 27, 1798), when Gordon was living at Buckie Lodge; he inspected Captain Geddes's company of the Enzie Volunteers. The "Aberdeen Journal" (August 6, 1798), states that a "good part of the company are made up of the Baron's tenants and their sons. The company were all dressed in their arms and uniforms, and are a well-looked body of men and well disciplined. The Hon. Baron, as a testimony of his satisfaction, ordered the men a liberal gratuity to drink; after which they gave his

Honour three cheers, and expressed their satisfaction of living under the protection of a good landlord and a pleasant captain. After exercising was over, the Volunteers had a liberal drink, accompanied with a dance, and spent the evening with proper decency, decorum, and joy, and all dismissed with unanimous good humour."

His interest in local affairs, and his inherent culture, won for him, in 1782, the Rectorship of Marischal College, an office which he held till 1787. His was the first election ever noted in a newspaper ("Aberdeen Journal," March 4, 1782). His selection was largely due to Dr Beattie, with whom he had struck up a warm friendship. In January (1782) Beattie had requested Gordon to allow himself to be nominated. interesting office was actually in the gift of the students, but, as the ratification of the appointment by the Principal and professors was necessary to render the election valid, Beattie assured him that the professors and the students "understood one another, and by the influence of the former the whole matter is determined." In reply, Gordon wrote two letters, one of which, to be laid before the Senatus, assured the professors that he feels "highly flattered by the proposal, and embraces it with much satisfaction." In a covering letter to Beattie, he goes on in a jocular strain to inquire whether he could lay claim to all "the load of accomplishment" imposed by the Foundation Charter on one holding the office of Rector—whether he could be truly inscribed as "Vir probus, doctus, gravis, et juris peritus."

After the election took place (in March), he again wrote to Beattie (Margaret Forbes's "Beattie and His Friends," p. 182):— "I do assure you I am much flattered by the election and the manner it came about. I am but little acquainted with Principal Campbell, and not at all with your other colleagues; so that I consider myself as indebted to you for this piece of public respect, and value it the more on that account as a flattering mark of your acquaintance and the attention you are pleased to honour me with. I am still uncertain when I may move northwards, but I must be in

Aberdeenshire before the beginning of May, and then I shall be under your direction as to the ceremonials of my new dignity, which I expect you'll tutor me in without any reserve. Pray tell me if there is any speech to be made, and whether it ought to be in Latin or English?"

The installation took place towards the end of May, and Gordon gave a dinner in honour of the occasion on May 31.

Gordon's friendship with Beattie indicates that he was a man of real culture, and Sir William Forbes, in his life of Beattie, corroborates this impression (i., 398):—"Possessed of an ample paternal fortune, which by economy he had himself considerably improved, he [Gordon] lived with splendid hospitality, and very successfully cultivated letters and courted the society of men of learning, having the advantage himself of a correct taste and much classical learning, particularly for the best Roman authors, with whom he was familiarly acquainted: Mr Baron Gordon was a most entertaining companion, as well as an excellent correspondent. He was much attached to Dr. Beattie, who frequently spent some days with him at his seat of Cluny; and to him, jointly with Major Mercer, Mr Arbuthnot, and myself. Dr Beattie dedicated the volume of his son's miscellanies and the account of his life, which was printed soon after his death. I enjoyed the benefit of Mr Baron Gordon's intimate acquaintance from a very early period of life."

It was about the year 1776 that Gordon and Beattie struck up their friendship. They had met the previous summer in Edinburgh at Lord Monboddo's, when, among other literary subjects, the eleventh book of "Æneid" had been discussed. Gordon, in his first letter, reverts to this discussion. He had lately been reading the book, and had formed some opinions about it, of which he is diffident, unless they correspond with better judgments; and, having forgotten what Beattie had said on the subject, begs him to repeat it, adding, "You may, with some justice, think this a singular request from a Senator, but Parliament is still adjourned, and I neither read

novels nor go a-shopping in the forenoon' (Miss Forbes's 'Beattie,' p. 133).

On Feb. 6, 1776, Beattie wrote from Aberdeen to Gordon (Sir William Forbes's "Beattie," i., 398):—"The last time I read Virgil, I took it into my head that the tenth and eleventh books of the 'Æneid' were not so highly finished as the rest. Everybody knows that the last six books are less perfect than the first six; and I fancied that some of the last six came nearer to perfection than others. I cannot now recollect my reasons for this conceit; but I purpose to read the 'Æneid' again as soon as I have got rid of this publication [a book on which he was engaged]; and I hope I shall then be in condition to give something of a reasonable answer to any question you may do me the honour to prepare in regard to the matter."

Gordon took an interest in Beattie's son, James Hay Beattie (1768-90), concerning whom he writes in 1787 (Miss Forbes's "Beattie," p. 225):—"Might not you [Dr Beattie] apply to the Duchess of Gordon immediately, and inform her of your plan [to get father and son appointed co-professors]? She could easily talk with Mr Dundas, and the business might be so far done in perfect consistency with the union [of the two universities] in all its prospects. . . . My short acquaintance with Courts and Ministers was sufficient to teach me what use can be made of a pretended fore-engagement, and how much benefit often ensues from an early application."

Gordon belonged to the Poker Club, being one of the 66 members (increased by 16 in 1786), which was composed mainly of Edinburgh lawyers, and included the Duke of Buccleuch, Lord Elibank, Dr Alexander Carlyle, and also William Gordon, son of Charles Hamilton Gordon of Newhall, Ross-shire. A full list of the members of the Poker Club appears in Lord Woodhonselea's "Life of Lord Kames" (ii., supplement 34-5).

Gordon died in St. Andrews Square, Edinburgh, on Nov. 19, 1800 ("Gentleman's Mag.," vol. 70, part ii., p. 117;

and "Aberdeen Journal"). According to Jervise, however ("Epitaphs," ii., 130), the date on the Gordon Mausoleum. St. Cuthbert's, Edinburgh, where he is buried, is Nov. 22. His will was confirmed Dec. 20, 1800, Alexander Grant, W.S., being cautioner ("Edinburgh Commissariot"). There are three "eiks" to it. The will was dated at Cluny on August 26, 1784, and the inventory was given up partly by Gordon's brother, Charles, who was his executor, and on whom "all my humble subjects, of whatever nature and extent, must devolve, both by law and by my own inclination." He left £150 stg. for a monument to the memory of his father and mother in the churchvard of Bellie. There were owing to him debts by John, Viscount Arbuthnot; by George Black, Mains of Buckie; Captain Alexander Smollett, 16th Light Dragoons; and by Alexander Smollett of Symington, per bond to George Bruce, writer in Edinburgh, dated May 23, 1786, and assigned to Gordon on June 10, 1791. In the third "eik," the executor gives up the sum of £2000 stg. per bill by his brother. Alexander Gordon of Tobago, dated Dec. 17, 1799. The summa of the inventar was £50,653 13s Scots. Gordon left legacies to his brothers and others as already noted, and to the following persons, whom I have arranged alphabetically :-

> George Anderson, his servant. Dr. James Beattie, the poet. Dr. Hugh Blair ("The Grave"). James Burnett of Monboddo. Walter Campbell of Shawfield. William Dunbar, W.S. Henry Dundas (Lord Melville). Robert Dundas, vr. of Arniston, Mrs. Hannah Elliot, alias Warmouth, his housekeeper. Alexander, Duke of Gordon. General James Grant of Ballindalloch. William King of Newmill. James M'Laurin, advocate. James Montgomery, Lord Chief Baron of Exchequer. David Ross of Inkerville. Adam Smith. Commissioner of Customs.

David Stewart Moncrieff, Baron of Exchequer. James Sutherland, his servant. Jean White, widow of Valentine White, at Braelean.

Gordon married at Jerviston on June 30, 1786, Mary Baillie, daughter of Henry Baillie of Carnbroe ("Scots Mag.," vol. 48, p. 360). She is described (in the "Political State of Scotland," 1788, p. 238), as a niece of John Spens Munro of Earnside, merchant, Glasgow. Her "exquisite taste," according to Skene Keith ("Agriculture," p. 99), endowed Cluny Castle with "one of the best gardens in the country." She died May 27, 1791 ("Scots Mag.," vol. 53, p. 259). On her death, Gordon presented to the parish church of Cluny two communion cups, "in consequence of an intention expressed by his amiable and accomplished spouse, Mary Baillie, who was unexpectedly carried off by a putrid fever after a few days' illness on the 27th day of May, 1791, in the 23rd year of her age" (Jervise's "Epitaphs," ii., 130). According to Jervise, the date of her death on the Gordon mausoleum at St. Cuthbert's, Edinburgh, is May 30, 1791.

Gordon was inconsolable about the death of his wife, and received much sympathy from his friends. The Duchess of Gordon wrote Beattie about it, and he, in turn, sent a letter of condolence to Gordon, who replied as follows (Miss Forbes's "Beattie and His Friends," p. 261):—"Your letter proves your sensibility and your knowledge of the human frame. Persons who suffer such overwhelming calamities as I have done are not objects of consolation, which many have attempted in vain. They are the wretched objects of prayer and pity, and their composure is to be obtained by prayer alone: for their sufferings are beyond the remedy of wealth, or power, or any earthly advantage whatever. My calamity is so weighty and overwhelming that I resign all hopes of happiness or enjoyment, and wish only for a small degree of relief from that distraction of mind and that agonising sorrow that perpetually haunt me. It is to Heaven only that I look for such relief, and my expectations would be

greatly strengthened by the sentiments and conversation of a person so learned and pious as you are. It will be a charity, therefore, as well as friendship, when your occasions admit of it, and you hear that I am at this place [Cluny Castle], to come to me."

It was apparently in reference to this proposed visit that Gordon wrote to Beattie as follows (Ibid., p. 278):—"I thought myself singularly obliged to you for your kind visit last October, but, if God should spare us both till next season, you must come to me a little earlier and stay longer. One infirmity, among a great many others, that increasing age brings on me, is a growing impatience of nonsense, ignorance, dulness, and absurdity; impressed by that weakness, I frequently suffer much in the country and cannot complain. You must, therefore, be sensible how much I am cheered and comforted by your company and instructive conversation, and how much I am flattered by your enduring any shallow remark that may happen to come from me."

Gordon seems to have sought distraction in travel, for in the same year (1793) as he wrote this letter to Beattie he visited Buxton, and met the Rev. Thomas Somerville at the lodgings of Sir John and Lady Clerk of Penicuik, the company including Anna Seward (the "Swan of Lichfield"); William Seward (1747-99), the author of "Anecdotes of Some Distinguished Persons" (who was no relation of Miss Seward); Sir Adam Ferguson; and Sir Archibald Grant ("My Own Life and Times," by the Rev. Thomas Somerville, p. 280).

By way of postscript, one may add a letter written by Beattie to the Baron on March 30, 1783, for it recalls the political situation of to-day (and every day):—

"I really do not know what to say, or what to think, of the times. They seem to exhibit scenes of confusion, which are too extensive for my poor head either to arrange or to comprehend. We had much need of peace; but I know not whether we have reason to rejoice in the peace we have made. Yet Lord Shelburne spoke plausibly for it; but Lord Loughborough was as plausible on the other side. When a controversy turns upon a fact, in regard to which the two contending parties are likely never to agree, a decision is not to be expected; and people may continue to wrangle, and to make speeches, till death, like the president of the Robin-Hood, knock them down with his hammer, without coming one inch nearer the truth than they were at first. This seems to be the present case. If we were as much exhausted, and our enemies as powerful, as one party affirms, we had nothing for it but to surrender at discretion, and any peace was good enough for us; but if we were as little exhausted, and our enemies as little powerful as the other party says, we might have made a struggle or two more before we called out for mercy.

"To the present confusion in our councils I can foresee no end, till the rage of party subside, or till the executive power regain some part of that influence, which it has been gradually losing ever since I was capable of attending to The encroachments that have lately been public affairs. made on the power of the crown are so great as to threaten, in my opinion, the subversion of the monarchy. government is too democratical; and what we want, in order to secure its permanence, is not more liberty, for we have too much, but the operation of a despotical principle to take place in cases of great public danger. If it had not been for this, the consular state of Rome would not have existed two hundred years. I hate despotism, and love liberty, as much as any man; but because medicine has sometimes killed as well as cured, I would not for that reason make a vow never to swallow a drug as long as I lived. The despotical principle I speak of might be a little violent in its operation, like James's powders and laudanum; but if it could allay paroxysms and fevers in the body-politic (which, by judicious management, it certainly might do). it would be a valuable addition to the materia medica of government."

# CHARLES GORDON I. OF BRAID AND III. OF CLUNY

### DIED 1814

Charles Gordon was the second son of John Gordon I. of Cluny, and brother of Cosmo Gordon II. of Cluny, to whom he was served heir on February 2, 1805. He was apprenticed to William Fraser of Ford, and admitted W.S. on July 15, 1763. He was made a Clerk of Session by Dundas, on the recommendation (Jan. 26, 1788) of the Duke of Gordon ("Chatham Papers," P.R.O., bundle 139). He and his brother Cosmo are described in the "Political State of Scotland," 1788 (p. 238), as "men of character and abilities."

He acquired the estate of Braid, near Edinburgh, on the south-west side of the hill of Blackburn, known to readers of Scott as the point from which Sir Walter makes Marmion look down upon Dunedin. Gordon also had some connection with Glenbucket, for by a decreet arbitral of Aug. 7 and Sept. 10, 1787, he had to pay an annuity of £5 to Clementina Gordon, a daughter of "old Glenbucket." He also acquired the estate of Slains, in or about 1801, for in May and June of that year he leased the Kirkton of Slains to John Anderson, against whom his son, Colonel John Gordon, raised an action in the Court of Session on Dec. 20, 1820, as to whether Anderson was entitled to carry off the straw of his way-going The pleadings in the case are in King's College, Aberdeen. Slains was purchased by Gordon from Sir James Callander of Crichton. Mair ("Ellon," p. 387) shows that Charles Gordon, as a heritor in Slains in March, 1806, with his fellow heritor, General Gordon of Pitlurg, agreed with the Presbytery about a new church. It was on the farm of Brownhill on the estate of Slains that John Gordon of Cluny introduced the steam plough into Aberdeenshire, April 24, 1872.

Gordon died at Braid on May 8, 1814 ("Aberdeen Journal"); the Gordon mausoleum, Edinburgh, gives the date as May 13. "The Times" (July 23, 1858) says that he "had all the penuriousness, if not all the ability for management, of his father. As he advanced in years the passion for saving became a perfect disease. He declined to move about for fear of incurring expense, and latterly he refused even to get up out of bed, on the ground that he could not afford it. It is told that the Duke of Gordon went to Cluny to bring him across to Gordon Castle, as he was injuring his health by confinement. The old man declined the offer, alleging that he had no servants nor any one to take him across. 'Oh,' said the duke, 'I'll take you over, and it won't cost you a penny.' But we believe his grace's well meant efforts were unsuccessful."

He married on Nov. 8, 1775, Joanna (usually known as ''Jackie'') Trotter, daughter of Thomas Trotter of Mortonhall, Midlothian (a family described at length in Burke's ''Landed Gentry''). She died at Weymouth, Aug. 10, 1798 (''Gentleman's Mag.,'' vol. 68, p. 729). The Gordon mausoleum in St. Cuthbert's, Edinburgh, gives the date as Sept. 7.

Charles Gordon had at least three sons and three daughters:—

- 1. John Gordon IV. of Cluny.
- 2. Alexander Gordon of Great Myless, Essex. For a time he occupied Terregles House, in the parish of that name in Kirkcudbright, but whether he actually owned land there I cannot say. In 1775 a John Gordon had sasine of an annual rent of £6 10s out of the one Merkland of Nunwood-head, formerly called Carlyle lands of old extent in Terregles ("Dumfries Particular Sasines Register"). The Harrow School Register certainly describes Alexander Gordon as "of

Terregles." He died at Nunton on Benbecula on September 13, 1839 ("Gentleman's Magazine," vol. 12, N.S., p. 550). The Gordon mausoleum in St. Cuthbert's, Edinburgh, gives the date as Oct. 12. He married Eleanor ——, who died March 2, 1850 ("Gentleman's Magazine," vol. 33, N.S., p. 451). He had six sons and four daughters:—

(1) Charles Henry Gordon, born at Edinburgh, Oct. 7. 1816. Educated at Harrow School, which he entered in 1830. He joined the 93rd Sutherland Highlanders as ensign, Nov. 24, 1835: becoming lieut., July 28, 1838: captain, May 13, 1842: brevet major, June 20, 1854: major, Oct. 10, 1854: brevet lieut.-col., June 6, 1856: col., March 17, 1862: major general, April 1, 1869: retiring on full pay. He served with his regiment in the Canadian Rebellion of 1838: the Crimea, 1854-July 11, 1855, including the battles of Alma and Balaclava, the expedition to the Sea of Azof, the capture of Kertch and Yenikali: and the siege of Sevastopol. He then went through the Mutiny under Sir Colin Campbell, Sept., 1857-April, 1858, including the relief of Lucknow, the action at Cawnpore, and the final capture of At the relief of Lucknow he commanded the 53rd Foot, for which he got his C.B. He commanded the left wing of the 93rd at the storming of the Begum's Palace, and was specially mentioned in despatches as commanding a part of the 93rd at Lucknow. Sir Colin Campbell in his official despatch stated that the storming of the Secunderbagh was done "in the most brilliant manner by the remainder of the Highlanders and the 53rd and the 4th Punjab Infantry." A keen and gallant race took place between the Sikhs and Highlanders, as Gokul Singh of the Sikhs, waving his "tulwar" over his head, dashed in front of his men and Paul of the 4th Punjab Infantry, with voice and action urged on his wild followers, closely followed by Gordon of the Brigadier General Lugard, in recommending his services for honourable mention, speaks of Gordon as a "most excellent and gallant officer." For several years he commanded the (93rd) Highland Depot Battalion. He married on Aug. 10, 1685, at St. Paul's, Knightsbridge, Georgina, elder daughter of Sir Edmund H. K. Lacon, 3rd bart. of Great Yarmouth, which lady, who resides at Weymouth, has adopted the additional name of Lacon. General Gordon, who resided latterly at the Warren, Ascot, died at Albert Hall Mansions, London, May 24, 1895, leaving no issue. He had made a gallant fight to get the Cluny estates, as we shall see later.

(2) Alexander Queensbury Gordon: educated at Harrow, which he entered with his brother Charles in 1830: died of smallpox, June 16, 1844, at Ashurst Park ("Gentleman's Mag.," vol. 22, N.S., p. 107).

(3) Rev. Cosmo Spencer Gordon, born at Culloden, February 21, 1820 ("Scots Mag."). He matriculated at Exeter College, Oxford, March 18, 1837, and took his B.A. in 1841. He was made deacon in 1843, and priest in 1844: and held various curacies for 18 years as follows:—St. Martin, Leicester, 1843: Harpole, Northants, 1844: Stanford River, Essex, 1845-9: St. Mark, North Audley St., London, 1849: Amersham, Bucks, 1851-6; Ongar, Essex, 1858-9: Sunningdale, Berks, 1861, when he became vicar of Messing, Kent, holding the

living till his death on Nov. 10, 1877. He married at East Thorpe, Nov. 21, 1877, Mary Matilda, eldest daughter of the Rev. George Cranley Bowles of Easthorpe Rectory, Kelveden, Essex, the ceremony being performed by the bride's uncle, the Rev. Albany Bowles ("Times"). He had one child

Alexander Stillingfleet Gordon, born 1871:
married April 30, 1901, Kathleen Mary
(born June 9, 1870), daughter of Major
Arthur Hervey Byng (who is a great
grandson of the 5th Viscount Torrington). He resides at Lessland, Nettlestone, Isle of Wight, and has two sons:
Roderick Cosmo Gordon, born 1902.
John Kenneth Maitland Gordon,
born 1903.

- (4) George Augustus Gordon, born at Terregles House, January 23, 1822. He entered the 93rd Highlanders as an ensign, Sept. 18, 1840, but retired, by the sale of his commission, 1843. He then went to Australia, and died there, May 18, 1900. He married Martha Maria Selden, born February 23, 1817; eldest daughter of Miliam Cule Selden, M.D., Bath, and died July 23, 1909. They had three children:
  - i. John Cluny Gordon; died aged 11 months.
  - ii. Alice Esther Anna Gordon; married, Dec., 1896, George Outram Woolley, and lives at the Pines, Eurobin, Australia.
  - iii. Gordon (daughter); married Dent, Australia.
- (5) John Francis Gordon, twin of George, died in Australia, May 9, 1880.

- (6) James Gordon; died in the gold fields in Victoria in the early fifties.
- (7) Eleanor Joanna Gordon, perhaps the daughter born at Terregles, Jan. 21, 1882 ("Scots Magazine"); lived with her younger sister, Marion, for many years in Edinburgh, and died unmarried in 1910.
- (8) Maria Frederica Gordon, second daughter, born at Terregles (on Aug. 17, 1825). She married on Oct. 18, 1858, at St. George's, Hanover Square, Robert George Linzee, of Hampton Lodge, Farnham, second son of the late Rev. Edward Linzee, rector of West Tilbury, Essex ("Gentleman's Magazine," vol. 33, N.S., p. 75). The Linzee family lived at Jermyns, near Romney, and were connected with Southampton for 200 years. Mr Linzee died August 31, 1889, and his wife in 1899. They had four sons and three daughters:
  - i. Edward Gordon Linzee, of Brambridge Lodge, Bishopstoke; born 1853; married 1890, Emily Laura, one of the seventeen children of the Rev. Samuel Vere Dashwood, Stanford Park, Notts (of the baronet family, Dashwood of Kirklington) and widow of H. G. Colmore. He has no issue.
  - ii. Alexander Grosvenor Linzee, born 185—;married Ethel Oakley, daughter of T. D. Galpin, and has issue
    - (i) Robin Gordon Hood Linzee, born 1900.
    - (ii.) Frances Ethel Linzee, born 1901.
  - iii. Henry Robert Linzee; married Ellen Louisa, daughter of the Rev. T. Coult-

hard, and has one child, Dorothy Phyllis, born April 17, 1894.

- iv. Charles Arthur Linzee, the future laird of Cluny, resides at Bramdean Lodge, Alresford, Hants; he married Emily Caroline, daughter of the Rev. H. M. Richards, rector of St. Lawrence, Winchester, and has
  - (i.) Beatrice Hood Linzee, born Aug. 15, 1891.
  - (ii.) Marjory Linzee, born 1894; died Nov. 19, 1907.
- v. Emily Frederica Linzee, born 1851; died March 30, 1900.
- vi. Mabel Catherine Linzee, born 1868; married Rev. A. Musgrave, Windlesham, Surrey, and has one daughter, Madeline Gordon Musgrave, born 1897.
- vii. Gertrude Susan Hood Linzee, born 1871; married, 1900, George Kendall Channer, captain in the 3rd Gurkhas, son of General G. N. Channer, C.B., V.C., and has
  - (i.) Vivian Channer.
  - (ii.) Gwynneth Channer.
- (9) Marion Margaret Gordon (daughter of Alexander Gordon of Great Myless) died unmarried, 1907.
- 3. Cosmo George Gordon, "youngest son of Gordon of Braid," died there Sept. 8, 1795 ("Scots Mag."). The Gordon mausoleum at St. Cuthbert's, Edinburgh, gives the date as Sept. 12.
- 4. Joanna (''Jacky'') Gordon. Margaret Mackintosh, daughter of John Mackintosh of Corrybrough More, on the Findhorn, writes to her sister Anne, about 1802, that she had met "Miss," that is Jacky, Gordon at the "practising," and that she was "ridiculously"

dressed ("Balfours of Pilrig," 196). Her ridiculousness, however, did not prevent her capturing, two years later (May 28, 1804), the future Earl of Stair. At that time he was plain Mr John William Henry Dalrymple, son of General the Hon. William Dalrymple, who was uncle of the 6th Earl of Stair. He was an officer in the 5th Dragoon Guards, and met Joanna Gordon when his regiment was stationed in Edinburgh, being at the time of his marriage only 20 years of age. He told her that family circumstances rendered it necessary to keep the marriage secret during the life time of his father. Miss Gordon "yielded to his injunctions of secrecy," and the pair simply exchanged mutual written promises to this effect:--"I do solemnly promise, as soon as it is in my power, to marry you, and never any other person." Upon the faith of these promises, they conducted themselves towards each other as man and wife, and at a subsequent period exchanged further acknowledgments of the relation in which they stood to each other to this purport:—"I hereby acknowledge Joanna Gordon to be my lawful wife," and signed respectively. When the youthful bridegroom's regiment left Scotland, he obtained a written promise of secrecy from his bride, in which she declared that nothing but the strongest necessity, "a necessity which circumstances alone could justify," should ever force her to declare her marriage with him. He earnestly continued his injunctions to her on this point till almost the moment of his departure for England, constantly addressing her by letter from Portsmouth, and even when abroad, and pointing out to her the agency of Sir Rupert George as the channel of their communication. Some time afterwards, the correspondence was discontinued by Dalrymple, and Miss Gordon in consequence wrote to his father for her husband's address. Dalrymple heard of this, he directed a Mr Hawkins

of Brighton to intercept her letters to his father. Hawkins, however, found such difficulty in doing this that he wrote Miss Gordon to stop her writing. February 23, 1807, Dalrymple's father, the General, died, and Miss Gordon, considering herself released from her promise of secrecy, immediately made a frank avowal to Hawkins of her marriage. Dalrymple was stationed in Malta at the time; but he returned suddenly home, determined to foil the lady. "hinted" to his friend Hawkins that he intended to throw her overboard. Hawkins used every argument to dissuade him from doing so, and, as he had reason from his conduct to think, with success. On June 3, 1808, Dalrymple married at St. George's, Hanover Square, by special licence, Laura Manners (youngest daughter of John Manners, by Louisa, afterwards suo jure Countess of Dysart), on the ground that his marriage with Miss Gordon was invalid. Miss Gordon carried her case to law, and it was decided in her favour in the Consistory Court at Doctors' Commons on July 16, 1811, by Sir Walter Scott, afterwards Lord Stowell (whose younger brother, Lord Eldon, the well known Lord Chancellor, had taken a similar step by a run-away marriage at Gretna Green in 1772). The Dalrymple case is described to the length of a column in the "Times" of July 17, 1811, and is discussed by Riddell in his "Inquiry into the Law and Practice of Scottish Peerages." Riddell states (p. 388) that the marriage was "held lawful merely in virtue of private writings and correspondence containing simple promises and acknowledgments of marriage, not formally authenticated or attested by others." He also notes that Lord Stowell's decision "was held to settle material points in the Scottish law of marriage and legitimacy." Charles Kirkpatrick Sharpe, always ill-natured, wrote to the Rev. Kenneth Mackenzie about the decision (Oct. 18, 1811):—"Did

you laugh when you saw in the newspapers Miss Laura Manners' degradation from the altar of Hymen? Unfortunate Laura! I fear she will now be reduced to divest herself, like her sister, the Duchess [of St. Albans]; but Jacky Gordon is certainly not a heroine—she carries everything with flame and fury. In fact, a woman of her temper, after she has been debauched, swells forth like a demon. The spear of Ithuriel is applied, and the toad starteth up a devil." Writing to Lady Charlotte Campbell, in 1811, Sharpe suggests that Miss Manners should marry Lord Stair, who was the bachelor cousin of Dalrymple, "and have children in revenge. As to Miss Gordon, she's a Venus well suited to such a Vulcan, whom nothing but money and a title could have rendered tolerable even to a kitchen wench. It is said that the matrimonial correspondence between the couples is shortly to be published—full of sad and scandalous relations, of which you may be sure scarcely a word is true. What a cargo of amiable creatures! Yet will some people scarcely believe in the existence of Pandemonium" (C. K. Sharpe's "Correspondence").

On June 19, 1812, Miss Manners, designing herself "Mrs. Laura Manners or Dalrymple, spouse of John William Henry Dalrymple, Esq., residing in Edinburgh," raised an action of declarator and of putting to silence before the Consistory Court of Edinburgh against the said J. W. H. Dalrymple and Mrs Johanna Gordon or Dalrymple, designed in the summons "Miss Johanna Gordon, eldest daughter of Charles Gordon, Esq., of Cluny." The objects of the actions were to have it found and declared that Miss Manners and Mr Dalrymple were married persons, to have decreet of adherence pronounced against him, and that Johanna Gordon should be put to perpetual silence. When Miss Manners brought her action in Edinburgh an appeal was being heard at the instance of Dalrymple

against the decision of the Consistorial Court in England. Defences were lodged for Johanna Gordon objecting to the competency of this action, on the ground of lis alibi pendens. On April 2, 1813, the Commissary Court considered the action of Miss Manners to be relevant, but, in respect that Johanna Gordon had an action going on in England, they sisted further procedure. Miss Manners petitioned against their decision, but her petition was refused in June of the same year. It appears that Dalrymple instituted an action of divorce against Mrs Johanna Gordon, on the head of adultery, which, after a variety of procedure, was ultimately dismissed by the Commissaries, the pursuer having altogether failed to establish any of his allegations. Fergusson ("Consistorial Law," 1829) says that both cases were argued at much length, but, "as they were not submitted to review in the superior tribunal, the report has been limited to this brief abstract."

Miss Jacky subsequently got into real trouble, for in June, 1820, her marriage with Dalrymple was "annulled . . . the said Joanna being divorced for adultery. . . ." This statement by G. E. C. ("Complete Peerage," vii., 226) is apparently taken from the "Gentleman's Magazine" at the time of her death (April, 1847, p. 454). According to the "Scots Peerage" (iii. 414) the marriage was annulled "by the Lords of Session": but I have failed to find any report of the case. Apparently as an outcome of the divorce Joanna's brother, John, applied to the Court of Session for the appointment of a curator bonis to her, Charles Ross, advocate, being selected.

Though divorced, Joanna still called herself the "Countess Dowager of Stair." She was quite a character, as may be judged from Sharpe's letter just quoted and from one written on March 2, 1809, to Sharpe by A. Robertson, who tells of a "cause she

was engaged in last summer. The adversary was a peruke maker, or barber, who was engaged to make a peruke for Miss Jacky, that was to be composed of a certain quality of hair, for which she was to pay a certain sum of money. It seems the peruke happened to fit Miss Jacky to a hair, and she wore it with great satisfaction; but, having a lynx eye, she discovered there was a hair's breadth difference in the stipulated quality and refused to pay the full price. The barber was obstinate and Jacky determined. So they both repaired to the Small Debt, or as it is vulgarly called 'dirt,' court, where every man's his own lawyer. Every eye pronounced in favour of the barber, when Jacky exclaimed in an agony—'Stop, maister judge, there's a net must be put in wi' hair!' Alas! the net turned the balance entirely in her favour; the poor barber was non-suited; and Jacky returned in triumph with her net, which doubtless she will spread on some future occasion. So do you keep out of her way, and never let her catch you at the golf house." None of the parties to the 1811 suit married again, and Jacky, the toughest of them, outlived the co-Miss Manners, who had become Lady defenders. Louisa Tollemache on the succession of her mother to the Dysart peerage in 1821, was the first to die (July 11, 1834). Dalrymple, who had succeeded his uncle, the 6th Earl of Stair (also in 1821) was confined to his bed during the last eleven years of his life, "speechless and almost unconscious," and died in his hotel in the Rue de Clichy, Paris, on March 20, 1840, the male issue of the first and notorious Earl of Stair expiring with him. But Jacky went gaily on for seven years more, dying as "Countess Dowager of Stair" in Edinburgh on February 16, 1847. It is to be noted that her brother John, in mentioning her in one of his many testamentary documents, calls her "Mrs Joanna Gordon or Dalrymple."

- 5. Mary Gordon, died unmarried, July 7, 1846 (Gordon Mausoleum, Edinburgh).
- 6. Charlotte Gordon is described by Col. Gordon as "my third sister." Margaret Mackintosh met her at the "practising" in Edinburgh in 1802, and says she "looked very well," in contrast to her sister Jacky, who was "very ridiculously dressed" ("Balfours of Pilrig." 196). Sir James Dalziel of Binns (1774-1841) was with her: "he is a constant attendant of Charlotte, and they say he will be a match." As a matter of fact, he died unmarried, while Charlotte herself married at Edinburgh, May 18, 1805, Captain (afterwards Sir) John Lowther Johnstone of the Coldstream Guards, son of Governor George Johnstone (1730-1787) and nephew of Sir William Pulteney ("Scots Magazine''). Governor Johnstone, who was Governor of Pensacola, West Florida, was the fourth son of Sir James Johnstone, 3rd bart, of Westerhall, Dumfries (1697-1772), who was succeeded in turn by his sons James and William, and then by his grandson (Governor Johnstone's son) John Lowther Johnstone (1783-1811). (It may be noted in parenthesis that Governor Johnstone's younger brother John Johnstone of Alva had a daughter Elizabeth who married James Gordon of Craig, while his grandson Charles Kinnaird Johnstone married the daughter of Francis Gordon of Craig.) Sir John Lowther Johnstone (1783-1811), who claimed the marguisate of Annandale, died Dec. 24, 1811. His widow married on Sept. 21, 1820, Richard Weyland of Woodeaton. Oxford (1780-1864), and died on Dec. 1, 1845. seems to have offended her brother the Colonel, for he ruled her out of his entail. By Johnstone she had a son and two daughters:-

Sir George Frederic Johnstone, 7th bart. (1810-1841), who left posthumous twins:—

Sir Frederic John William Johnstone, 8th bart., who married Laura, widow of the 4th Earl of Wilton, and has no issue.

By her second marriage, Charlotte Gordon had John Weyland of Woodeaton (born 1821), who married, in 1850, Lady Catherine de Burgh, daughter of the Marquis of Clanricarde, and had issue.

Richard Henry Weyland, died Feb. 28, 1868. Elizabeth Joanna Weyland, married the 2nd Earl of Verulam, and died, 1886, aged 61, leaving issue.

## COLONEL JOHN GORDON, IV. OF CLUNY

### **DIED 1858**

John Gordon was the eldest son of Charles Gordon of Braid and Cluny, and was served

To his father (July 17, 1820)—Heir special in the lands of Braid and Slains with fishings, etc.; and on April 15, 1835, to Hillend and other parts of the estate of Kinsteary.

To his uncle, Alexander Gordon of Bellmont, Tobago—Heir of line and provision special in Pitlurg, Auquhorties (Banffshire), and subjects in Auldearn, Nairnshire: April 15, 1835.

According to the "Banffshire Journal" (July 1, 1858), John Gordon and his brother Alexander got a good education from their father. John travelled through Europe, Palestine, and Egypt. He returned in 1805, coming home "in the same vessel which brought to England the remains of the immortal Nelson," though how he managed to get a passage on a man-o'-war—for all that was left of Nelson was borne on the Victory—and on such a momentous voyage is not quite clear.

Gordon entered the Royal Aberdeenshire Light Infantry as a second lieutenant on Dec. 2, 1800. He became a lieutenant of the 7th company of the 55th, Aberdeenshire, Militia on April 25, 1804; major, Aug. 11, 1808; lieut. col., June 6, 1820; and honorary colonel, in succession to the Earl of Aboyne, 1836.

He was admitted a member of the Highland Society, January 13, 1807; of the Aberdeen County Club, 1816; and subscribed to the Aberdeen Horse Races, 1817-1821. He represented Weymouth and Melcombe Regis Borough in Parliament, being returned 29 April, 1826; 2 Aug., 1830; 4 May, 1831. The "Banffshire Journal" (July 1, 1858) says that he got into disputes with his law agent and "abandoned a Parliamentary career in disgust."

According to the "Banffshire Journal" (July 1, 1858), Gordon devoted a great deal of time to the management of his enormous estates, labouring most assiduously to effect their increase. "While most careful in husbanding and making the best of his property, the colonel could hardly, in a proper sense, be said to be a severe landlord. He was faithful to his bargains, and upon the whole his tenantry sat under him upon easy terms. He had a system of not giving leases, which at first was unpopular, but his tenants held their farms under him from year to year with the fullest confidence, and it was only now and then that a farm was put to the market. A feature in the management of his estate was that he liked to have about him the old tenantry, seldom parting with any who had occupied his land for any considerable time and were willing to remain on it."

Dissatisfied at the returns obtained in the way of interest and dividends, he began to buy property. He first purchased the estate of Shiels, adjoining Cluny. Then he secured the Islands of Benbecula and South Uist, in the Hebrides, which cost him £150,000. Next he bought Midmar, also lying adjacent to Cluny, at between £60,000 and £70,000. bought Kebbatty for £45,000. He bought Barra in 1838 from General Macneill, who died in 1863 (Mackenzie's "History of the Outer Hebrides," p. 495), and South Uist in 1841 from Reginald George Macdonald, XXX. of Clan Ranald, who, "driven desperate by family losses, and debts which had been accumulating ever since the disasters of the '45, hopeless of alleviating the distresses of his people and an unwilling party to the cruelties of the trustees and factors," parted with the property to Gordon (Miss Goodrich-Freer's "Outer Hebrides," p. 130). By 1845 Bornish, with all North Uist had fallen into the hands of what Mr Fraser Mackintosh called "the unlamented Aberdonian, . . . who wished to turn the isle into a convict settlement, and

was ready to dispose of it as such to Government, no doubt first by clearing off the whole population as was done in Clan Ranald's other islands of Rum and Canna after their sale."

The island of South Uist, including Benbecula and Eriskay, which, geographically, belong to it, is thirty-eight miles in length, and from two to nine miles in breadth. It contains some 137 square miles, of which, according to Campbell's survey, 40,000 acres are adapted for cultivation. "There is nothing but a common name to associate the two islands of North and South Uist (says Miss Goodrich-Freer, p. 150). They are separated by the island of Benbecula; they are under different proprietors: the one is Presbyterian, the other Roman Catholic; the one has certain connexions with the life of the outer world: it is, so to speak, the seat of government for the Long Island; the other is as separate from all that is human, kindly, genial, as if it were a suburb of the North Pole."

These island purchases brought Gordon a deputy lieutenancy of Inverness (Dec. 1, 1852), and a world of trouble to him and his descendants. Gordon has been fiercely impeached by many writers on the Highlands for his treatment of his Hebridean tenants, and the whole matter was thrashed out at great length by the Crofters' Commission. Thus Mackenzie ("Outer Hebrides," p. 551) says he earned "an unenviable notoriety," and pillories him in detail:—

"He was confronted with the perplexing problem of dealing with the surplus population of Barra. For the deceitful promises by which the people were induced to assemble at Loch Boisdale; for the scenes which occurred when the disillusioned peasants fled to the mountains and were dragged on board the transports [for Canada] by main force: for such acts as these, which were the counterpart of the worst abuses of the slave trade, Colonel Gordon must share the responsibility with his agents, the chief of whom was a minister, who seems to have been a disgrace to the cloth."

Miss Goodrich-Freer in her book on the Outer Hebrides takes up the case of the crofters with impassioned fervour (pp. 130-6), and quotes the following remarkable passage from the "Quebec Times" of 1851:—

"Many of our readers may not be aware that there lives such a person as Colonel Gordon, proprietor of large estates in South Uist and Barra, in the Highlands of Scotland. appears that his tenants on the above-mentioned estates were on the verge of starvation, and had probably become an eyesore to the gallant Colonel! He decided on shipping What they were to do there was a them to America. question he never put to his conscience. Once landed in Canada he had no further concern about them. Up to last week some 1100 souls from his estates had landed in Quebec and begged their way to Upper Canada [most of them knowing no word of any language but Gaelic]; when in the summer season, having only a daily morsel of food to procure, they probably escaped the extreme misery which seems to be the lot of those who followed them. On their arrival here they voluntarily made and signed the following statement:—

'We, the undersigned passengers (per Admiral from Stornoway in the Highlands of Scotland), do solemnly depose to the following facts: That Colonel Gordon is proprietor of estates in South Uist and Barra; that among many hundreds of tenants and cottars whom he has sent this season from his estates to Canada, he gave directions to his factor, Mr Fleming, of Cluny Castle, Aberdeenshire, to ship on board of the abovenamed vessel a number of nearly 450 of said tenants and cottars from the estate in Barra; that accordingly a great majority of these people, among whom were the undersigned, proceeded to embark on board the Admiral at Loch Boisdale, on or about the 11th of August, 1851; but that several of the people who were intended to be shipped for this port, Quebec, refused to proceed on board, and, in fact, absconded from their homes, to avoid the embarkation. Whereupon, Mr

Fleming gave orders to a policeman, who was accompanied by the ground officer of the estate in Barra, and some constables, to pursue the people who had run away among the mountains; which they did, and succeeded in capturing about twenty from the mountains and islands in the neighbourhood, but only came with the officers on an attempt being made to handcuff them; and that some who ran away were not brought back, in consequence of which four families at least have been divided, some having come in the ships to Quebec, while other members of the same families are left in the Highlands.

'The undersigned further declare that those who voluntarily embarked did so under promise to the effect that Colonel Gordon would defray their passage to Quebec; that the Government Emigration Agent there would send the whole party free to Upper Canada, where, on arrival, the Government Agents would give them work, and furthermore grant them land on certain conditions.

'The undersigned finally declare that they are now landed in Quebec so destitute that, if immediate relief be not afforded them, and continued until they are settled in employment, the whole will be liable to perish with want.

[Signed] 'Hector Lamont' and seventy others.

'If as men the sufferings of these, our fellow-creatures, find sympathy in our hearts, as Canadians their wrongs concern us more dearly. The 1500 souls whom Colonel Gordon has sent to Quebee this season have all been supported for the past week at least, and conveyed to Upper Canada at the expense of the colony, and on their arrival in Toronto and Hamilton the greater number have been dependent on the charity of the benevolent for a morsel of bread. Four hundred are in the river at present, and will arrive in a day or two, making a total of nearly 2000 of Colonel Gordon's tenants and cottars whom the province will have to support.

The winter is at hand, work is becoming scarce in Upper Canada. Where are these people to find food?"

Colonel Gordon, it ought to be stated, did not stand alone, for, as Miss Goodrich-Freer admits, "thousands more were evicted from their homes in Lewis, the property of Sir William Matheson, and from Tyree, the property of the Duke of Argyll; and those who remained were driven, for the most part, to little patches of bog or moor, the most barren of the whole district, while the country, fertile from centuries of the labour of their forefathers, was laid waste to make room for sheep."

Father Allan, quoted by Miss Goodrich-Freer (p. 174), has recorded a curious fragment of Gaelic verse, which gives one an insight into the conditions of life at this period:

McLeod is the clever man,
I fear I shall lose his help
Since it is he who stands true to the right.

The factor spoke then:

McIntyre has tortured me, If he remain in Glac-nan-Ruari I shall leave of my own accord.

Colonel Gordon spoke majestically:

Knock you down your house at Martinmas And put out the wife and the children, Though they should die in consequence;

the point being that anything like complaint brought

summary punishment upon the person injured. .

There is another side of the story. One of Gordon's tenants was Dr Donald William MacGillivray, a younger brother of Professor William MacGillivray. Gordon "entertained a warm friendship" for him and offered him the tenancy of the large farm of Eoligary, in Barra, where MacGillivray carried on extensive and successful farming for many years, at the same time giving the inhabitants of the island the benefit of his medical advice gratuitously. He died at Eoligary in 1886, aged 77. He was much interested in ornithology as also is his son William Lachlan

MacGillivray, who now farms Eoligary, where he has a fine ornithological collection (MacGillivray's "Life of William MacGillivray," p. 112).

A bronze leaf-shaped sword in fine preservation which was found in South Uist was presented by Gordon to the Society of Antiquaries of Scotland Museum ("Proceedings," vi., 271). It measures 39 inches in length, its greatest breadth being 2 inches. The handle plate measures  $4\frac{1}{2}$  inches in length and is pierced with four holes for rivets.

Bain ("Nairnshire," p. 452) says that Colonel Gordon resided a good deal at Kinsteary and carried out great improvements on the property. The authors of the "Survey of Moray," writing in 1794, state that there was an elegant country seat at Kinsteary, "but this is doubtful. The present lodge of very humble dimensions was the house in which the great millionaire lived, and in which his youngest son died. He is said to have projected building a residence there after the style of Cluny Castle, but he never carried out his purpose. He had a great liking for Nairnshire, and, according to common report, offered to build at Nairn in the west corner of the links a harbour sufficient to accommodate the largest vessels at low water provided he got the shore dues. The Town Council did not see its way, however, to accept the offer. Perhaps it was never made."

According to the "Banffshire Journal" (July 1, 1858), Colonel Gordon's habits were "most laborious, as he took a supervision of the entire properties—nearly every receipt for rent, we believe, being signed by his own hand.

"About thirty years ago he built a splendid addition to the house at Cluny, enveloping the old mansion in a complete new castellated front, the exterior now presenting one of the finest pieces of architecture in the north. The house, however, remains unfurnished. About eight years ago he spent a large sum in erecting a splendid new suite of stables, which are believed to be unequalled in that part of the country. The only passion which he gratified, regardless of expense, was his desire to have good horses, of which he

always had an excellent stud. He had an inveterate hatred of toll-bars, and would often travel several miles round, and expose his carriage (which he generally drove himself, fourin-hand) to danger and destruction over miserable roads in order to escape the exaction of the toll-keeper. He boasted that he could, and we know that he almost invariably did. travel from Cluny to Slains, a distance of thirty miles, without paying a single toll.

"In person Colonel Gordon was above the middle size, and of a stout, athletic make. He was possessed of a hardy constitution, as may be imagined from the fact that at the time of his death he had attained the age of eighty-four. Deceased was possessed of great intelligence, and was very well bred. In his own house he was most hospitable."

Gordon died at 4 St. Andrew's Square, Edinburgh, on Friday, July 16, 1858. He had been in his usual health, but took ill on July 14 and quickly sank. An extraordinary account of his career was given in the "Scotsman" and copied into the "Times" of July 23, 1858, while the "Gentleman's Magazine" (vol. 5, N.S., p. 310) gives long extracts from the obituary in the "Banffshire Journal." In these obituaries it is stated that Gordon "had achieved the distinction of being the richest commoner in the northern part of the Kingdom."

Gordon never married, but he had four natural children, all of whom, except one, predeceased him. I understand that they were all by the same mother, and that she was his housekeeper, subsequently marrying a Nairnshire farmer.

They were :-

1. John Gordon, V. of Cluny.

2. Charles Gordon, died Dec. 12, 1857 (Gordon Mauso-The "Banffshire Journal" (July 1, 1858) says he died at Kinsteary, "aged about 36."

3. Susan Gordon, "last surviving daughter," died at Braid Hermitage, August 6, 1856 ("Aberdeen Journal").

4. Mary Steel Gordon, died July 13, 1833 (Gordon Mausoleum).

## THE FAMOUS SUCCESSION LAWSUITS

Though Gordon had legal heirs bearing his name, he arranged by an elaborate series of transactions that his enormous estates should pass to his own illegitimate issue. Despite all his care, however, to ensure this result, the steps he took were called in question—first by his own surviving son, John, and, finally, by his nephew, Charles Henry Gordon; and the litigation which ensued covered a period of twenty years (1861-1881), creating for the professional lawyer a case of great legal interest and for the general reader an absorbing human document. The enormous costs thus accumulated by Gordon in death form an ironic comment on his exceeding carefulness in life, for he seems to have had a dislike of the law if we may judge by the fact that he is represented in the Court of Session reports by only three actions—against James Hoyes in 1815: Henry Trotter of Mortonhall, his uncle (over Braid), in 1817: and Sir John Marjoribanks in 1818.

I have summarised the twenty years of litigation from the official reports, as follows:—

- 1862—John Gordon v. C. H. Gordon and Gordon's Trustees (Court of Session Reports, March 1, 24 D. 687). The pursuer won, but the First Division on appeal dismissed the action without deciding the merits.
- 1864—McGregor v. John Gordon (Ibid., Dec. 1, 3 M. 148). The Lord Ordinary decided in favour of Gordon, and the whole court on appeal upheld this (Ibid., 3 M. 257).
- 1866—John Gordon v. Gordon's Trustees and C. H. Gordon (Ibid., March 2, 4 M. 501). Decided in John Gordon's favour.
- 1881—Charles Henry Gordon v. Gordon's Trustees (with John Gordon's Trustees, Lady Gordon Cathcart and

Charles Arthur Linzee and his brothers, the heirs called to succeed as fiars of the Cluny Mainland estates) (Ibid., Oct. 28; 9 Rettie's Cases, p. 51). Decided both in the Court of Session and the House of Lords against Charles Henry Gordon.

These cases turnéd on several legal steps taken by Colonel John Gordon and the Trustees appointed by him as follows:

1833, Dec. 28—Deed of entail, which was never feudalised.

1835, Oct. 15-New deed of entail.

1837, April 27—Will as to English and West Indian properties.

1847—Supplementary deed as to the Inverness-shire estates.

1852, Feb. 21—Conveyance of Midmar to his son John.

1852, June 21—A further settlement.

1852, June 21—Codicil to his will of 1837.

1853, May 28—Final disposition and trust settlement.

1859, June 15—Deed of entail executed by the Trustees.

1869, Jan. 4—Trust disposition and deed of settlement by Captain John Gordon, the Colonel's son.

The genesis of these documents was probably a fit of repentance, arising out of the death of his daughter, Mary Steel Gordon, which occurred on July 13, 1833. performance of a promise made to my dearest departed and ever-to-be-lamented daughter," he set about ensuring that his remaining children would suffer nothing from the fact that they were not legitimate. The first step he took to execute was a deed of entail, Dec. 28, 1833, nearly six months after the death of his "ever-to-be-lamented daughter." "For the better preservation of his estates, family, and name, and for other good and weighty causes and considerations," he resolved to execute in the firmest manner an entail of his lands in favour of himself and "the eldest son procreated or to be procreated of his body and his heirs male," etc. After other destinations in favour of his descendants, the deed bore:—"Whom all failing, to any person or persons to be named by me in any nomination or other writing to be executed by me at any time of my life, and—failing of such nomination or of the person or persons to be therein named, or of the heir of their bodies to be therein called to the succession—then to Alexander Gordon, my brother, and the heirs whatsover of his body"; whom failing, to his sister, "Mrs Johanna Gordon or Dalrymple;" then to his second sister, Mary; and then to his third sister, Charlotte. This deed, which was found in Gordon's repositories after his death, was never feudalised.

He let the matter alone for nearly two years, and then took another step, on Oct. 15, 1835, executing a second deed in which he boldly declares:—

Seeing that it is not at present my intention to marry so as to have lawful heirs of my own body to succeed me under said deed of entail, and that in performance of a promise made to my dearest departed and ever-tobe-lamented daughter, I am desirous to call to the succession of said entailed estates after my death my two natural sons. Charles Gordon and John Gordon, at present residing in family with me at Cluny Castle; . . . Therefore, in virtue of the powers reserved to me by said deed of entail, I do hereby nominate and appoint my son, the said Charles Gordon [who was actually the younger son], and his heirs whatsoever, on his attaining the age of 25 years complete, but not sooner, to succeed to me under said deed of entail in the whole lands and estates therein enumerated, with special exceptions; and, failing my said son Charles and his heirs whatsoever, I hereby nominate my said son, John Gordon, and his heirs whatsoever to succeed.

Gordon's third step was to make a will, on April 27, 1837, to which he added a codicil on June 21, 1852. These documents show his desire to establish a family, for he laid it down that the entail should contain an express clause providing that the whole heirs of entail succeeding under the entail "shall be bound and obliged constantly to bear, use,

and retain the surname of 'Gordon' and arms and designation of 'Gordon of Cluny,' in all time after their succession to, or obtaining possession of, my said lands and estates, as their proper surname, arms, and designation.'

Meantime Gordon had apparently taken a dislike to his youngest sister (I cannot say why) and to his maternal relatives the Trotters of Mortonhall (against whom he had raised an action in 1817), for he provided and declared, that "my third sister, Charlotte Gordon or Johnstone, or Weyland, and the heirs whatsoever of her body shall be expressly excluded from all right of succession to the said estates in the deed or deeds of entail to be executed by my said Trustees. And further declaring that no member of the family of Trotter of Mortonhall possessing that estate shall be entitled to succeed to any part of my estates of Braid or Craighouse, in the county of Edinburgh, under the deed or deeds of entail to be executed as aforesaid. And I further appoint my Trustees to execute a deed or deeds of strict entail in terms of the Act of Parliament of Scotland passed in the year 1685 of the estate of South Uist. Benbecula, and Barra . . . . specially disponed to and in favour of my said youngest son, Charles Gordon, and his heirs whatsoever; whom failing, to my said eldest son, John Gordon, and his heirs whatsoever."

By the sixth proviso of the Trust, the Trustees were directed to invest the whole residue of the truster's estate in the purchase of lands and heritages "situated as near and convenient as they can reasonably be had to the estate of Cluny or the truster's other principal estates, to be entailed," with the same destination as above.

On June 21, 1852, the same date as his codicil, Gordon took another step, by granting a bond of provision in favour of his only surviving daughter Susan, in which he says:— "Being desirous to prevent the possibility of my children's welfare being defeated by the said deeds [of the previous years], or any of them from any cause rendered inoperative or ineffective to the detriment of my said children, and contrary to my declared wishes and intentions, I have come

to the determination of granting them presents in manner underwritten"—to his son John, £750,000; to his second son, Charles, £250,000; and to his daughter Susan, £10,000, to be paid after the Colonel's death.

Gordon's final step—and this was the crux of the whole litigation—was taken on May 28, 1853, when he executed a trust disposition which virtually superseded the deed of entail. This document vested the estate in Trustees, who were directed to execute a deed of entail of certain estates in favour of his son John and his heirs whatsoever; whom failing, in favour of his son Charles and his heirs whatsoever; and to execute another deed of entail of certain other estates in favour of his son Charles and his heirs whatsoever; whom failing, in favour of his son John and his heirs whatsoever; and further to expend the residue of his general Trust Estate in the purchase of other lands and to entail them in favour of John, and so on; whom failing, Charles, and so on, as above-mentioned.

Charles predeceased Colonel Gordon; and accordingly the Trustees executed a deed of entail (registered June 15, 1859) of the whole estates in favour of John and his heirs whatsoever, whom failing, the heirs whatsoever and assignees of Colonel Gordon. The estates were Cluny, Shiels, East Blairdaff, Midmar, Slains, Kebbaty and others in Aberdeenshire; Buckie in Banffshire; Kinsteary and others in Nairnshire; South Uist, Benbecula and Barra in Inverness; Braid, Craighouse, Canaan Park and others in Midlothian.

John entered into possession of the lands so entailed, but on March 27, 1861, he raised an action (Gordon v. Gordon and Gordon's Trustees, 1862, 24 D. 687) against his father's heir-at-law, Charles Henry Gordon (to whom he expressed the hope that the proceedings might not disturb the friendly feelings existing between them) and his father's Trustees, to have it found and declared that the entail was invalid under the Act of 1685 and that he was proprietor in fee simple of the estates. The grounds were—(1) that it contained an exclusion of heirs portioners, and (2) that being

of illegitimate birth, the term "heirs whatsoever," when used with reference to him, could only mean heirs of his body. "Heirs portioners" is the term used in Scots law to describe female heirs on the occasion of a succession opening to them. By the feudal law the principle of primogeniture did not apply to females, so that when a proprietor of land died intestate and left only daughters, they succeeded him jointly in equal portions. This result was therefore excluded in every deed of entail, it being declared that the eldest heir female should succeed just as in the case of males. second of the two contentions referred to hardly requires any explanation. A natural child has no heirs unless he marries and leaves issue. Failing that, if he dies intestate, his estate goes to the Crown. The Lord Ordinary (Neaves) decided on Dec. 12, 1861, in pursuer's favour; but, on appeal, the First Division (March, 1862) dismissed the action without deciding the merits, on the ground that there was no proper defender in the shape of an heir of entail.

John Gordon then sold a small portion of the estate of Braid, near Edinburgh, to a certain Donald McGregor for the sum of £300, on the footing, of course, that Gordon was fee simple proprietor. McGregor refused to pay the price on the ground that Gordon was only an heir of entail and unable to give him a good title. Gordon thereupon threatened "diligence" or execution to compel payment, and McGregor brought an action of "Suspension" to prevent this. The Lord Ordinary decided in favour of Gordon—that is to say, he held the entail invalid. The Second Division, on appeal, considered the case of such importance that it was sent to the whole Court of thirteen judges (including the Lord Ordinary), and with one dissentient they all concurred in affirming the decision (McGregor v. Gordon, 1864, 3 M. 257, decided Dec. 1, 1864).

The whole prior purposes of Colonel Gordon's Trust having been fulfilled, the residue, amounting to over £250,000, was held by the Trustees for the purpose of purchasing lands and executing deeds of entail thereof, as

above mentioned. But John Gordon next raised an action (Gordon v. Gordon's Trustees, etc., 1866, 4 M. 501) against his father's Trustees and also Charles Henry Gordon to have it found and declared that the trust deed did not contain a direction to execute a valid entail, and that accordingly the pursuer had right to receive payment of the residue as absolute proprietor. This action also went ultimately to the whole Court, who decided by a majority in the pursuer's favour.

Fortified by these decisions, John Gordon executed on January 4, 1869, a Trust Disposition and Deed of Settlement, dealing with the lands as absolute proprietor in fee simple. He conveyed to his Trustees the whole of the lands vested in him by the deed of 1859. He also directed them to convey the estates in the Hebrides to his widow absolutely in the event (which happened) of his predeceasing her without leaving heirs of his body, with a destination to the same heirs of entail as those mentioned in the previous entails, which destination the widow had power, if she chose, to abandon. The Trustees granted a disposition of these lands to Mrs Gordon (now Lady Gordon Cathcart), whom failing, the various heirs of entail; but by a subsequent disposition (July 23, 1878) Mrs Gordon conveyed the estates to herself and her heirs and assignees whomsoever. She has therefore power to dispose of these estates as she pleases.

But one more action yet remained. On Dec. 3, 1880, Charles Henry Gordon raised an action (Gordon v. Gordon's Trustees, etc., 1881, 9 R. 51 and H. of L. 101) against Colonel Gordon's Trustees, John Gordon's Trustees, and also John Gordon's widow and other beneficiaries under his deed of settlement, concluding for the annulment of the deed of entail (1859) executed by Colonel Gordon's Trustees and of John Gordon's deed of settlement (1869), and for declarator that the said Trustees were bound to execute and deliver to him a deed of entail of Colonel Gordon's lands, with a destination in favour of Charles Henry Gordon and the heirs whatsoever of his body.

The theory of this was that the Trustees should have executed an entail in favour of John Gordon and the "heirs of his body" (not "heirs whatsoever," of whom he had none as he left no issue); whom failing, Charles Henry Gordon and the heirs of his body: and that, as they had not done so, and as John was now dead without heirs of his body, they should now execute the entail in favour of Charles Henry Gordon as next heir. As an alternative scheme, he claimed that in the event of the Court's finding that the entail executed by Colonel Gordon's Trustees was properly executed in terms of his Trust Deed, then the same should be declared a valid entail, and that he was entitled to succeed Captain John Gordon as next heir of entail thereunder. The pursuer founded upon the deed of entail executed by Colonel Gordon in 1833, and on various subsequent testamentary writings (all of which were revoked by his final Trust Deed "in so far as inconsistent with same"), as shewing that Colonel Gordon's intention was to make a valid entail, and that accordingly the Trustees ought to have given effect to that intention by making the destination in favour of Captain Gordon and the heirs whatsoever of his body, or alternatively, this intention should be read into the deed of entail which the Trustees did execute. This action was ingenious in the extreme. But the spirit of Scots law has been to construe entails from the point of view solely of the language used and not of the intention of the entailer: which is just the reverse of the construction of wills. In short, the Courts picked holes in entails wherever they could, the theory being that they imposed restraints on commerce in land, were a snare to trading people, and unfair to widows and younger children.

Charles Henry Gordon therefore lost his case, for on June 26, 1881, Lord Curriehill decided in favour of the defenders. The upper court upheld this decision, and the House of Lords did the same (July, 1882). The "Banffshire Journal" (Aug. 1, 1882) states that the decision was "the occasion of hearty expressions of satisfaction by the tenants.

# JOHN GORDON, V. OF CLUNY

#### **DIED 1878**

John Gordon was the eldest of the four natural children of Colonel John Gordon, but I have failed to find his birthday. The "Banffshire Journal" stated that he was "about 40 years old" when he succeeded his father, which would place his birth in 1818. The "Aberdeen Jorunal," in recording his death in 1878, says he was "about 58," which places it in 1820.

On February 21, 1852, Colonel John Gordon granted a disposition of Midmar in favour of himself in life rent, and of his son John in fee, to enable the latter to qualify as a Deputy Lieutenant. The "Banffshire Journal" states that he had been "some time in possession of the estate of Buckie" before his father's death. He became a captain in the Aberdeenshire Militia on March 29, 1852.

He succeeded his father—not without great difficulty as I have shewn—in 1858, and applied himself with "unremitting and enlightened zeal" to the improvement of his The grounds in the neighbourhood of Cluny property. Castle were improved on a "princely scale," in the laying out of the policies, the construction of artificial lakes, and extension, as well as judicious planting of trees. He also improved and enlarged the building of Cluny Castle, which was finished in 1840, having been constructed on the site of the old castle. The material used in the building, says Smith ("Aberdeenshire," p. 350), is grey granite. It is "a most commodious mansion in the castellated style of architecture, and forms four sides of a square with high parapets and turrets at the angles. The front elevation, which looks to the south, has three storeys full relief above ground, and at

the back it has four, which are chiefly occupied by the domestic part of the establishment. On the north-east corner a small connecting and cross building was built in 1872, which contains on the upper floor the private sanctuary of the family, and is fitted up inside in a gorgeous style of church architecture. The floor is laid with rich encaustic tiles and seated with dark carved oak benches, open oak roof, which rests upon faint pink-coloured polished Corennie granite pilasters (which have a rather sickly appearance), and profusely ornamented with gilded cornices, scrolls, etc., which must have cost many a thousand pounds. The most striking features in the front main building are the corridor and staircase, which are unusually large, but without further intruding among the various private apartments, which are all well combined, the principal rooms appear to sink into insignificance compared with the corridor and staircase. The architect was John Smith, Aberdeen."

Gordon also improved Buckie Harbour, and did much for the Hebridean fishermen. Indeed, his plans for the improvement of his property are estimated to have cost £400,000. He took a great interest in scientific agriculture, and was the first to use a steam plough in Aberdeenshire, namely, on the farm of Brownhill, Slains, on April 24, 1872. Gordon was an active member of the Clydesdale Horse Society. In 1864 he formed a fine herd of shorthorns at Cluny Castle by the purchase of a few cows descended from the famous stock brought to the north by Captain Barclay of Urv and the bull Masterman bred by Mr Cruickshank, Sittyton. Other purchases were made from the Duke of Richmond and Gordon, and Mr Mitchell, Alloa. were bought also from the Royal herd at Windsor, from Mr Booth and Mr Torr, at the great dispersion sale of the last named in 1875, the cow Waterloo Banner being purchased for 380 guineas. Since 1893 the sires, with one exception, have been of the popular Aberdeenshire variety. By 1898 the herd became so numerous that a large portion of it was taken to Milton of Brogan farm on the Slains estate.

When that farm was let five years later, a sale was held at Cluny Castle (Oct. 15, 1903), when 91 animals fetched £2771 9s 6d, an average of £30 9s 1d. On that occasion Mr A. J. Balfour bought Patience 33rd for 30 guineas. Mr Gordon, Arabella, Ross-shire (of Upper Decside origin) was also a purchaser.

John Gordon died at his house, 39 Park Lane, London, on March 31, 1878. He had been ill for some time, but the cause was "one that appears to have baffled the best medical skill to treat or even understand." The "Aberdeen Journal" says he was a man of "quiet, but self possessed dignity of character. Though of a retiring disposition, he had sterling business capacity, ripe information, and sound judgment."

He was twice married, but left no issue. In the first instance he married, on January 8, 1862, at Bonchurch, in the Isle of Wight, Clara Margaret Jean, the daughter of the Rev. James White of Bonchurch ("Gentleman's Magazine," vol. 12, N.S., p. 222). White (1803-62) was younger son of John White of Dunmore, Stirling, and was long vicar of Longley, until on coming into a competency, he retired to the Isle of Wight where he led a literary life, producing several Scots historical tragedies and other historical and miscellaneous writings, including "The Eighteen Christian Centuries," 1858; "Landmarks of English History," and "Landmarks of Grecian History." He is dealt with in the "Dictionary of National Biography" (vol. 61, p. 51). White married Rosa, only daughter of Col. Popham Hill, and had a son James (1841-88) and three daughters. Carnie ("Reminiscences," ii., 66) says that Gordon's marriage with one of these daughters was the "occasion of rejoicings of an unusual character . . . over the widely situated estates of the bridegroom in the Lothians, Aberdeenshire, Nairnshire, and the distant islands." At his Aberdeenshire Castle, "'a mix and mingle, married and single' festivity, pretty common at that time but not much heard of now, is recorded. After dinner, when the tables were cleared, the noble Baron of Beef in the centre of the hall gave place to a bushel measure



filled to the brim with reeking toddy, from whence all glasses around were replenished" (Ibid., ii., 84). Mrs Gordon died at Bonchurch, Feb. 12, 1864 ("Gentleman's Magazine," vol. 16, N.S., p. 405). She is commemorated by a marble medallion portrait in the Gordon mausoleum, St. Cuthbert's, Edinburgh, and by a stone in Bonchurch churchyard (Woodward's "History of Hampshire").

Gordon then married on Dec. 19, 1865, at St. John's Episcopal Church, Edinburgh, Emily Eliza Steele Pringle, the only daughter of John Robert Pringle, Madras Civil Service (by Hester, niece of Alexander McNeill of Colonsay) and grand-daughter of Sir John Pringle of Stitchel and Newhall, 5th bart. ("Gentleman's Magazine," vol. 1, N.S., p. 267). Stitchel, which is in Roxburgh, had originally belonged to the Gordons of Lochinvar, who sold it to Robert Pringle in 1628. Mrs Gordon married secondly on Dec. 5, 1880, at St. George's Hanover Square, Sir Reginald Archibald Edward Cathcart (born 1838), 6th bart., of Killochan Castle, near Girvan, Ayr, and has no issue.

Lady Gordon Cathcart, as she is known, has taken a very active part in the management of her enormous estates and has figured prominently in connection with the crofter problem. In February, 1908, she issued in pamphlet form an account of her stewardship there by printing the correspondence which had passed between her and the Secretary for Scotland, prefacing it with an interesting summary of her association with the Outer Hebrides during thirty years. She pointed out that while the population of Barra in 1861 was 1853, it had risen by 1901 to 2545. In 1908 the total area in small holdings was over 15,500 acres, as against 8000 when she succeeded. In 1883 she settled seven families between Moosomin and Wapella in Manitoba. In 1884. twenty-five more families went out. The first ten or twelve years were a struggle, but the young men grew up able to earn money, and Mr Obed Smith, then Commissioner of Emigration at Winnipeg, reported in Nov., 1907, that the "settlement to-day is all right and the people doing well."

The average cultivation of land for each settler is about 160 acres.

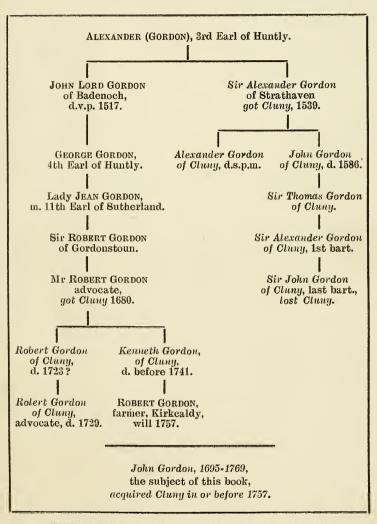
This, however, did not remove all the discontent at home. The most recent outbreak ocurred in 1906-7. A band of crofters from Barra took their cattle across in boats to the island of Vatersay, which led to much discussion in the House of Commons, and is described in a Parliamentary paper of 1908.

The Cluny arms, as registered at the Lyon Office in 1753, are—Az. three boars' heads couped or within a bordered chequy of the first and last Motto—"Sub tegmine." A drawing of the arms, by Mr Graham Johnston, Heraldic Artist to the Lyon Office, is reproduced as a frontispiece.

## THE EARLY GORDONS OF CLUNY

Since the first of these pages went to press some months ago, I have thought it advisable to sketch in tabular form the Gordon ownership of Cluny previous to its purchase by the existing family. In working this out, I find that two branches of the Gordon owned Cluny before its purchase by John Gordon, in the eighteenth century, and both of them came to financial grief. The first group of owners was founded by the 3rd Earl of Huntly. The second group who succeeded them came from the latter's elder brother. Much remains to be done to work out all the descendants of these two families, but the table on the opposite page gives a rough and ready account of their connection.

It remains to be noted that an "Alexander Gordon, Cluny, merchant in Aberdeen," died in 1722. Whether he owned, or came from Cluny, I cannot say, but he bore a strong family resemblance to the first two groups set forth in the table by having died a bankrupt—in marked contradistinction to the present modern family, which acquired vast fortunes.



THE PREVIOUS GORDON LAIRDS OF CLUNY.

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