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HISTORY
OF THE
JOHNSTONES
1191-1909

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HISTORY
OF THE
JOHNSTONES^c

1191-1909

WITH DESCRIPTIONS OF BORDER LIFE

BY

C. L. JOHNSTONE

AUTHOR OF "HISTORICAL FAMILIES OF DUMFRIESSHIRE"



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PREFACE.

THE eminent genealogist, Mr Fleming, Q.C., asserted in the House of Lords that no pedigree ever compiled was not capable of alteration or additions, and although many thousands of original documents in the Register House of Edinburgh, the Record Office in London, several private charter chests, the Hotel des Archives in Paris, and MSS. in the British Museum had been examined before this book was begun fresh information is constantly being produced. Many families have never troubled about their antecedents or kept any family letters or family Bibles; others have sent no reply to inquiries; and if nothing has brought any member of these families prominently before the public, it is a work of too much time and labour to find out anything but their names.

Twelve hundred registered documents were presented to the House of Lords concerning the Johnstone family by the claimants of the Annandale Peerages in 1876-81; but the main object of this book is to show that, besides the acknowledged heir through females—Mr Hope Johnstone of Annandale—the ancient Johnstoun chiefs are still represented in the male line.

By the insertion of family letters and domestic details in the seventeenth and eighteenth centuries it is hoped that a more agreeable impression of the civilisation of Scotland—at least in Dumfriesshire—may be suggested, than has been gathered from some of the descriptions which have appeared in modern times of the manners and customs of that period.

The different ways of spelling the name are of no consequence. In the sixteenth and seventeenth centuries phonetic spelling was in vogue. Brougham is spelt Brume; Tollemache, Talmash; Graham, Graeme; and Johnstone in

thirteen different ways, but always with the *z*. Those families who left Dumfriesshire before 1715 generally spelt it without the *z*.

Several correspondents were under the impression that they descended directly from one of the Earls of Annandale, but the belief was founded on traditions handed down by their own near relatives; and since the Earldom was created sufficient proof is forthcoming to account for all the legitimate descendants in the male line of those later Johnstone chiefs.

Special thanks are due to Professor Christopher Johnston, of Baltimore, for copies of original documents; to J. Humphreys Johnston, Chevalier of the Legion of Honour, Venice, for the same; to Mr George Harvey Johnston for the use of his collection of charters, and for the addition of the Pedigrees and the copious index; to Colonel G. Hamilton Johnston of Kilmore for information about the Johnstons of Ireland; to Senator Joseph Forney Johnston for his MS. on the Johnstons of America; to Miss Frances Mary Johnstone for the use of her family pictures of the Johnstones of Alva, and to Mr C. C. Johnstone for photographing them; also to the Rev. John Anderson, Curator of the Historical and Antiquarian Department, Edinburgh.

C. L. J.

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WINDSOR.

November 1909.

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THE JOHNSTONS OF POLDEAN.

THE JOHNSTONS OF KILMORE.

JOHNSTON OF THAT ILK AND CASKIEBEN, ABERDEENSHIRE.

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NOTES AND ERRATA.

- Page 27, line 7.* This name is written M'Culloch, then M'Guffog, and finally M'Guffock, when Hew of Rusco was chosen to represent the Barons of Kirkcudbright in the Scottish Parliament of 1700.
- Page 29, line 23.* The decision of the Ecclesiastical Court is not extant, but Gavin the younger could not have inherited if it had been unfavourable.
- Page 42, line 6.* Maximilian von Johnston und Kroegeborn wishes the statement that he is a Count to be contradicted.
- Page 43, line 35.* Symon was returned heir to his grandfather, Ninian.
- Page 57, line 42.* Buchanan says he was brother to the Laird of Roslin.
- Page 63, line 37.* In 1542 the Lord Treasurer's Account records a small payment to James Johnstoun of Cottis, "sent to England by his Grace to get advertisement of the Englishmen's purposes." Also to "the Laird of Graitney for a horse for his Grace, and for horses to move his Grace."
- Page 69, line 13.* The evidence submitted to the House of Lords in 1881 stated that John of Wamfray left no heir, but further research shows that John married Janet, daughter of Sir John Spens, she being endowed with the annual rent of a house in Dumfries. The couple left a son, John, who married Katherine Boyle, and died *s.p.*
- Page 70, line 17.* The date of Bombie's murder is given from an old "Scottish Peerage," but the remission to his eight assailants, granted Jan. 13, 1538-39, states that it occurred in 1527-28.
- Page 132, line 6.* Sir John Dillon was made a Baron of the Holy Roman Empire by the Emperor Joseph II. of Austria (eighteen years before he was made a Baronet), on account of his success as a member of the Irish House of Commons in obtaining permission for Roman Catholics to attend their own churches.
- Page 139, line 32.* A petition was presented to the Privy Council in 1661 from the wife, daughters, and remaining children of Archibald, late Lord Warrieston, praying that the execution may be suspended owing to his severe "illness, till he has recovered his memory and strength of mind." Lauderdale insisted on it being carried out at once.
- Page 165, line 3.* For "brother" read "nephew."
- Page 182, line 16.* Captain Gideon Johnstone died at Hawkhill, Edinburgh, May 12, 1788.
- Page 316, line 29.* Of the Johnstons of Eccles, Colonel George Johnston left four daughters, besides his son, George Arthur. Three brothers of the grandfather went to America—Patrick, Adam and William. An account of Dr George Johnston and his books is in the *Dict. Nat. Biog.*
- Page 327, line 32.* Buchanan says that when Buccleuch, Bothwell, Maxwell, and Mark Ker were released from Edinburgh Castle in 1530 "to gratify the King, one of the hostages, Walter Scott, killed Robert Johnston," a man of notorious violence, who seems to have been also a hostage. The Laird of Johnstoun is elsewhere mentioned as being put in ward with the above chiefs, and Robert may have replaced him; but they were probably nearly related, as the slaughter "bred a deadly feud between the Johnstouns and Scotts."

CHAPTER I.

THE EARLIEST JOHNSTOUNS—BRUCES—WALLACE—DOUGLAS.

SO late as the time of Sir Walter Scott, Dumfriesshire was still known as the Southern Highlands. Its Keltic inhabitants, aided by the Scoto-Irish immigrants were the most determined opponents of the Roman legions and of all who followed them, till they were subdued by the peaceful policy of David I.

This prince, the son of Malcolm III. and of Margaret, the sister of Edgar Atheling, accompanied his sister to England when she married Henry I. He was struck with the result of the superior education of the Normans, and the advantages of the feudal system in enabling the King to control a mixed community; and as the independent tribes of Dumfriesshire were a thorn in the side of England when she annexed Cumberland, peopled as it was by the same race, he followed the example of William Rufus, who had planted colonies free of taxes in Westmoreland and Cumberland, not only to defend the border but to repress the natives. David gave the lordship of Annandale to his old companion in arms, Robert de Brus, and encouraged settlers from Flanders to introduce a superior style of building. Sir Herbert Maxwell thinks it probable that the Houses of Douglas and Moray¹ were derived from a common Frisian or Flemish stock.

The Danes and Norsemen had already made settlements in Dumfriesshire, and probably found wives among the natives, who were undoubtedly mixed with the descendants of the Roman Legion formerly quartered in those parts.

The ancestors of de Brus, or Bruce, had an early connection with Orkney when they were Norwegian chiefs, and the family owned estates in Normandy and Yorkshire. In 1123 they were accompanied or preceded to Dumfriesshire by the seigneurs of Bailleul or Baliol (also from Yorkshire), Jardine and Comin, with others of the Anglo-Norman race.

Bruce and his son did not appreciate Annandale, because there was "no wheaten bread," and the elder lived chiefly in England, but the 500 followers of his descendant, and of Prince David of Scotland, who accompanied Richard I. to the Holy Land, included a large proportion of Dumfriesshire

¹ *House of Douglas.*

men, "three-score Carvels (Carliles) from Cockpool," and a Corrie, Crichton, Kirkpatrick, Jardine, and Johnstoun, with retainers. These families still use the same shield as their chief, Bruce, with a saltire or St. Andrew's Cross to show their part in the Crusades, but with different augmentations.

David of Scotland had severe experiences. He was shipwrecked in Egypt, taken captive by the Turks, and bought by a Venetian, who carried him to Constantinople, then a Greek city. Here he was recognised and set at liberty by an English merchant. At last he arrived safely at Alectum, in Scotland, and gave it the name of Dei Donum, corrupted to Dundee, in gratitude for his return, but it is unlikely that the Scots who accompanied him were able to effect their escape.

Again a contingent from Annandale accompanied Robert Bruce, father of the king, to the Crusade, in which Edward I. and Louis IX. took part. Bruce was a more fortunate leader than Prince David. He even had the honour of lending £40 to Edward, so was probably able to bring his clansmen safely home.

The wars between two countries now happily united have little interest at the present day, except to show that if nations once so bitterly hostile could amalgamate, no hereditary enemies need be irreconcilable. It was the Border warriors who for centuries preserved Scotland's integrity, and bore the brunt of every invasion, and Camden, writing in the time of James VI., points out that among these the Johnstouns were the most noted. They owed their civilisation, superior in the Middle Ages to that prevailing in Galloway and the Northern Highlands, to the Norman blood pervading the chief families. The adaptable Normans intermarried with the natives of the districts where they received lands, and introduced law, order, and a rude justice.

A Scottish Border antiquary (d. 1851) was of opinion that the original Johnstoun,¹ like Bruce, Baliol, Gordon and Jardine, came from France with William I. He identified him with the Seigneur de Jeanville mentioned by the old chronicler, Guillaume de Tailleir, as assisting at the battle of Hastings, and the name appears again, half Saxonised into Janvil, on the roll of Battle Abbey.

Gulielmo de Joyneville signed a deed connected with a grant to the Carlile family in Dumfriesshire from William Bruce between 1191 and 1215, and Geoffrey, or Guibert, de Jeanville, for he is called both in different copies, an adherent of Baliol, came to France in 1299 with the English Commissioners, all nobles, knights or bishops, to sign a Treaty between Edward I. and the Scottish king, John, with Philip of France. The Scottish Commissioner, like his English colleagues, must have been a man of weight.

¹ The horrible incidents connected with the Wolf of Badenoch and that recorded in the *Legend of Montrose* in the sixteenth century show a different social standard to that of the Johnstoun chief who in 1598 wrote to the English Warden that he considered all his horses of less value than the life of one servant; or to the Laird of Newbie, who in his Will, 1576, directed his son to be good and friendly to the poor men of Annan, his tenants. The wills and documents with their own signatures of the Keltic families at that date are rare compared to those of men of Norman origin by marriage and descent. Lord Carlile in 1568 could not write his own name, and Johnstoun autographs are found throughout that century. The head of a Keltic clan in Dumfriesshire could not write in 1613.

The Scottish form of the name appears first between 1194 and 1214, but at the earliest Court held by William Bruce as Lord of Annandale, about 1191, Dunegal, son of Udard, resigns to Bruce nearly one hundred acres of land in Wormanbie and fifty in Annan for the use of Gilbert, son of John. Among the vassals represented are Hoddam, Kirkpatrick, Jardine, Pennersax, Dinwoodie, Lockerbie, Herries, and Corrie, Kirkpatrick being only called Ivo. As Wormanbie was owned by Johnstoun in 1574, though feued by Carruthers, Gilbert, son of John, is apparently the same as Gilbert de Jonistun, who soon afterwards is a witness to a Charter from William Bruce to Ivo, now called Kirkpatrick. A little later Jonistun is one of seven cautioners that Bruce should fulfil a compact between Bruce and his mother, remarried to Patrick, Earl of Dunbar. He or his son is called Sir Gilbert de Jonestoune when he witnesses a grant of rights by Robert Bruce in the wood of Stapleton (near Graitney and Annan) before 1245. The same is witness to an agreement between Robert Bruce, the competitor, and one of his tenants at a court at Dryfesdale, in 1249, that Bruce and his heirs should for ever own the lands and advowson of Ecclefechan.

The next link seems to be Hugo de Johnstoune, as about 1285 his son, Sir John, confirmed a grant of lands in Haddington made by his father to the monastery of Soltray, or Salsit, and added the advowson of the church of Johnstoun as his own gift for the good of their souls. Salsit was particularly intended for the reception of pilgrims and strangers, and for many years the Abbot was always a Johnstoun. Sir John de Jonstone and his wife, Maria, daughter of Robert, Earl of Strathearn, also appear in the cartulary of the Abbey of Inchaffray, Perthshire, founded by her ancestor, Gilbert, in 1200.

Sir Johann de Jonestone, Chevalier del Comitad de Dumfries, his son, Gilbert, and Thomas, John, and Walter Jonestone signed in 1296 the Bond commonly known as the *Ragman's Roll*, which acknowledged Edward I. and his heirs for ever to be sovereigns of Scotland. Nearly all the gentlemen of Scotland did sign it, though each only on his own behalf, not on that of his family. It was forced from many of them (as was pleaded in a memorial to the Pope in 1320) "by the threats and horrid tortures" to which Edward I. had subjected all who opposed him. The attempt of Wallace to effect the emancipation of Scotland from Edward I. occurred between 1296 and the flight of Bruce from England in 1305. In Dumfriesshire the Keltic population welcomed Wallace, for Edward's wars were wars of race.

In Blind Harry's *Life of Wallace* it is stated that when Wallace took the Castle of Lochmaben he sent for Johnstoun, "a man of good degree who had married the second daughter of Halliday, Wallace's dear nephew," and made him great Captain of Lochmaben. Halliday's elder daughter was married to Sir John the Graham (connected with Johnstoun, as his mother was daughter to an Earl of Strathearn), one of Wallace's warmest supporters. Another supporter was Kirkpatrick, related to Wallace's mother. She was a daughter of Sir Ronald Crawford, Sheriff of Ayr. While Johnstoun held Lochmaben, Kirkpatrick was sent with his men into Eskdale, where John Johnstoun,

evidently the same man, had a tower and retainers. These, with Adam Corrie¹ and his men, reinforced Wallace on a subsequent occasion at Lochar Moss, when his own horses and followers were exhausted, "good Currie" providing the Chief with a fresh mount, so that they were able to chase Maxwell out of Carlaverock, put up there for the night, and the next morning ride on merrily to Dumfries.

It is a long step from the aristocracy of Europe—the progenitors of its kings—to plain John, a Keltic peasant without a surname, whom a modern author prefers to have been the founder of the family. Yet the first mention of the Tower of Johnstoun in a Charter is to be found in the Laird James's retour to his father's lands, which included Cavertholme and Dunsbellie, near Graitney, in 1513. This was more than 230 years after Johnstouns had signed their names to Charters granted by the Bruces, and more than 200 years after the Chief in Eskdale had assisted Wallace. Sir W. Fraser thinks that the first Johnstoun "must have been a person of considerable importance" (1170-94). If so, he probably had a surname when he "obtained lands in the heart of Bruce's great lordship," for all but peasants had surnames. Even the Norman foot soldier was called after the town whence he came.

Anyway, at a time that the Norman nobility were more civilised than the natives, and when French and Latin was the speech of educated men, the Johnstouns held their own, and from the term "gentle" applied to them later on were accredited with long descent. Yet they owned very little in Annandale, and that little was scattered, compared to Carlile, Corrie, Carruthers, Charteris, and Crichton before the middle of the fifteenth century, and the name of Johnstoun on the old rent rolls and title-deeds is less common about Lochwood and the parish of Johnstone than farther south. Lands called Joinville are early found in Eskdale and Annandale.

The author of the *Bruces and Cummings* says that the Johnstouns intermarried with the Bruces, and in that way obtained lands in Annandale, but it is a question if they did not precede the first Bruce.

Gilbert, the son of Thomas de Jonestoune (probably the Thomas who signed the *Ragman's Roll*), had a grant of Redmyre and Whitriggs in Kincardine from David II., lands which later belonged to Irving of Drum. In 1334 a Charter of lands in Annandale from Edward Baliol, Rex, to Henry Percy is signed by Gilbert de Johnstoune of Brakenhwaite, an estate owned later by the Carliles, who at this very time possessed Lochwood, or Loughwood, the chief Johnstoun stronghold in the sixteenth century. A grant from Thomas Randolph, Earl of Moray (d. 1322), of Ruthwell and Comlongan to his nephew, William Murray, is signed by John de Johnestoune and his son, Gilbert, and in 1347 Gilbert de Johnestoune is cited by the English king, who owned Annandale while David II. was a prisoner in England, to preside over the jury which declared Carlile to be his uncle's heir.

John, the son of Gilbert, was Warden of the Borders, and knighted by

¹ The Corries held the Barony of Corrie, which included Newbie at that time. The Hallidays owned Hoddam and other estates in Dumfriesshire under the Bruces.



LOCHWOOD TOWER, DUMFRIES.



LOCHHOUSE TOWER, DUMFRIES.

King David Bruce. He is the Chief described by Andrew Wyntoun, the Prior of Lochleven,¹ in his *Original Chronicle*, circa 1405, which records the fame of Bruce and of the Scottish leaders, his contemporaries, for in 1370 this knight defeated the English army which invaded Scotland towards the end of the reign of Edward III.

Sir John de Johnnestoun's son, John, is mentioned in a letter from Robert II. (1385), where the King thanks Charles VI. of France for the succour he has given him against the English, and for 40,000 livres which Charles sent to be divided among his faithful allies, the Scottish nobles. Johnnestoun received 300 of them. He also fought under Douglas at Chevy Chase. He was one of the "scutiferi," or constables, appointed to keep order on the Borders, and in 1384 obtained a safe conduct to England.

In 1413 a safe conduct to England was given to Adam, Lord of Johnstoun, sent by the Earl of Douglas, superior of Annandale and Galloway, as one of the securities for a debt owed to Sir John Philip by the Princess Margaret Steuart, wife of Douglas. He was back in 1419, as he then witnessed a Charter at Lochmaben, and was a witness at Pennersax in 1432 and 1441. He was a conservator of the peace on the Scottish border (1449-53).

In 1421 James, William, John, and Walter Johnstoun were released with other Scottish prisoners of war from the Tower of London, and allowed to return to Scotland to bring their ransoms. After depositing the money they would be free to go home.

In 1464 a safe conduct was given to Adam of Johnstoun, Robert and John Johnstoun, Gilbert de Johnstoun, and Matthew de Johnstoun for a whole year in England, with ten Scotsmen in their company, also for two of them to trade at English ports with three boats of 15 tons burden, manned by competent masters and mariners. This seems to be the earliest effort in Dumfriesshire to create a mercantile marine, but it was soon stopped by the Albany rebellion. In 1485 Gilbert de Johnstoun and many other Borderers applied for a safe conduct to England.

Thomas de Johnnestoun signs a Charter for the first Earl of Erroll, Constable of Scotland (1452-63).

In 1459 Andrew Ker of Cessford, John Johnstoun of that Ilk, who succeeded his father Adam, Charles Murray of Cockpool, William Carlile of Torthorald, among others, are bracketed as "scutiferi" or constables. Again

¹ "When att the watty of Solway
Schyr Jhon of Jhonystown on a day
Of Inglismen wencust a grete dele
He bore him at that time sa wele
That he and the Lord of Gordoune
Had a sowerane gude renowne
Of any that was of that degree
For full they war of grete bownte."

Buchanan wrote in 1572 of the same period, when the English were driven out of Annandale: "In the Western Borders John Johnnestoun so managed it that he got both honour and booty; for he so exercised his neighbouring foes, with small, but frequent incursions, that he did them as much mischief as a great army could have done."

their names appear as "naval admirals" in the list of Border chiefs charged with the care of the Marches, James II. having made some effort to establish a navy.

One of the duties of the sheriffs and constables was to see that beacon fires were maintained along the frontier. At a conference with the freeholders, held by Douglas in 1448, ten places were appointed for that purpose—Gallowhill, Kinnelknock, Blois, Brownmuirhill, Barr (near Hoddam), Dryfesdale, Quhitwoollen, Cowdens, Trailtrow, and Lochmabenstane in Gretna. It was a necessary precaution, as Dumfries had been burnt twice in an English raid in thirty-three years.

Note.—Mr G. H. Johnston's book, *Heraldry of the Johnstons*, describes the crest and arms of the various branches of his family. The records of the Tower of London show that Johnstouns were imprisoned there, and tradition says that one of them warned Bruce to escape secretly to Scotland by sending a spur with a grouse wing attached. It was adopted as the family crest.

CHAPTER II.

THE JOHNSTOUNS' SERVICES TO THE CROWN—JAMES IV. PRESIDES AT AN
ASSIZE IN DUMFRIES.

THE annexation of Dumfriesshire by Edward I. proved that the south was Scotland's most vulnerable point. It was essential for her independence to have strong men of tried loyalty on the Borders, chiefs whose relatives and dependers formed an unpaid standing army "always ready," the Johnstone motto, to defend it.

Robert I. gave the lordship of Annandale and Galloway to his friend James Douglas, whose heir, also Lord of Nithsdale, was too powerful for the safety of the Sovereign, and excited the jealousy of other Border chiefs. He compelled the weak Robert III. to break his word to the Earl of March, late Warden of the Borders, who in revenge joined with England to annex Dumfriesshire in 1400.

Again the county was agitated throughout the Duke of Albany's Regency, after which Douglas increased in power, till his sudden death gave his rival, the Chancellor, Sir William Crichton, an opportunity of crushing it. He invited the young Earl and his brother, David, boys of fourteen and fifteen, to meet King James II. at Edinburgh. They came with a grand retinue and had supper with the Royal youth, when they were suddenly seized and executed in the courtyard. The previous year (1439) Norman de Johnstoun gave up Comlongan Castle to Douglas. It had been granted to Norman by James I. in 1430, being part of the escheated property of the Earl of March.

A grand-uncle succeeded young Douglas, so no immediate revenge was taken, and his son at eighteen was made Commander of the King's army, the Douglasses were exalted to keep the Crichtons in their place. But James II. in a fit of passion stabbed his General after supper in the palace at Stirling (1452), and this brought on the great Douglas rebellion, which stirred up not only the south-west, but all Scotland, before it was suppressed. The rebel chief gave Comlongan Castle to Symon Carruthers of Mouswald, to attach a strong man to his cause.

A civil war on the Borders always brought an English army to assist the rebels, though Douglas pointed out how little advantage could be gained by a

march into Scotland. "The houses of the gentlemen are small towers with thick walls which even fire will not destroy. As for the common people, they dwell in mere huts, and, if the English choose to burn them, a few trees from the wood is all that is required to rebuild them."

The murder of Douglas was the more impolitic as his brother had commanded the army which defeated 6000 Englishmen under Earl Percy and Sir John Pennington in Oct. 1448. His colleagues were "Sir John Wallace, the Lord of Johnstoun, Lord Somerville's son, Steuart of Castlemilk, the Sheriff of Ayr, with other sundry gentles of the Westland. Their men were called 4000." So far the chronicler of Auchinleck; but Holinshed also mentions Maxwell. The battle was fought at Lochmabenstane, in Graitney, but Murray, who claimed both Comlongan and Graitney, is not mentioned. It was obvious that so important a post as Graitney could not be left unguarded or in doubtful hands, and five years afterwards Gilbert de Johnstoun de Gretno signs his name to a Maxwell retour at Dumfries, showing that one of Sir Adam de Johnstoun's relatives was in Graitney Tower. The Johnstouns had opposed the Welsh (or Galloway) men, the fiercest detachment of the enemy—a special service to the county where Galloway men were notorious for their barbarity.

The next time that the English with Douglas's followers entered Scotland they avoided Graitney and came by Langholm, where they were defeated by the Maxwells, Johnstouns, Scotts, and Carliles in 1455.

According to the Auchinleck chronicler the Lord of Johnstoun's two sons took the royal Castle of Lochmaben from the two sons of Carruthers of Mouswald, and they kept it for the King; and as Mouswald's Tower at Lochwood and one of Douglas's forts at Lochous came to Johnstoun at this time, it was probably in acknowledgment of these services. But the chief part of the Douglas and March estate was given by the King to his second son, Alexander, Duke of Albany, a child of three, who was made Lord of Annandale and Galloway. Before he was seven his father was killed by the bursting of a gun, and twenty-four years later he recalled Douglas from his long exile in England to assist him in driving his brother, James III., from the throne. Henry VII. sent an army to assist the wild crew which Albany had recruited in Galloway, but they were defeated at Lochmaben and on the Kirtle by Maxwell, Johnstoun, Murray of Cockpool, Crichton of Sanquhar, Carruthers of Holmains, and Charteris of Amisfield in 1484, and Albany's lands appropriated to the Crown and redistributed among the loyal chiefs.

The Crown had no power on the Borders except through the chiefs, and the recipients had to secure the confiscated lands as they best could, opposed by the armed dependents of the late owners, and as often by neighbours, who thought they had a prior claim. There were no maps, and the kings of Scotland were certainly not acquainted with the details of the estates they gave away. The Carliles had a grant "from Wamfray to Greistna grene inclusive," from William the Lion; and the Murray grant of 1320, of Comlongan, Ruvell, and Rampatrack (Gretna, Dornock, etc.), overlapped the Carlile boundaries. The Corries succeeded the Carliles, and the Barony of Corrie, confiscated for



LOCHMABEN STONE, DUMFRIES.



LOCHMABEN CASTLE, DUMFRIES.

George Corrie's share in the rebellion of 1483, was given to Thomas Carruthers of Holmains, a loyalist, though his kinsman had joined Douglas.

The Corrie Barony included Newbie, and subsequent events point to this portion having been conferred on Johnstoun, who would otherwise have had nothing for his services in 1483. It was essential to him to possess it, for he was the pledge (*i.e.*, bound in a sum of money) that George Corrie should not return to his estates, while Corrie, being connected with Lord Herries of Hoddam and Cuthbert Murray of Cockpool, near neighbours to Newbie, had their support. Murray got a Charter for himself of the Barony of Corrie from Lord Maxwell, the Warden, Feb. 8, 1492. Two years later John Murray, as a descendant of the first grantee, was returned his father's heir in Cockpool, Ruthwell, and Rampatrick including Graitney, although for forty years or more Johnstoun had controlled Graitney, and a footing on the Solway was absolutely necessary for his duty as a constable of the Border. If the Murrays reclaimed Graitney, the owner of Newbie could block Johnstoun's only other passage to the Solway by the Annan. Probably his small ships assisted in war, hence the naval rank conferred upon him.

John of Johnstoun joined the expedition which the King led in person against Thrieve Castle, Douglas's stronghold in Galloway. On Nov. 20, 1469, "Domino de Johnston" was one of the nobles present in the Parliament at Edinburgh.

Johnstoun was assignee to the late Cockpool in spite of their differences—there had been a Murray and Johnstoun marriage—but in 1503 James, Master of Johnstone, was surety for his father, Adam, and his father was surety for him, that Murray should be safe from attacks either from themselves or their followers. That this arrangement included the cession of Graitney to Johnstoun and no further resistance to his claim on Corrie and Newbie¹ in exchange for Comlongan seems probable, as in 1511 Adam Johnstoun *de Newbie* was a baron of assize, and William Johnstoun in 1513 is called the young laird of Graitney.

In 1516, after long delay, James of Johnstoun (great-grandson of the "Admiral") received a Crown Charter of the Barony of Corrie, and his second son, Adam, married the heiress.² The same year Herbert Corrie sold his shadowy claim on Newbie to his cousin, Thomas Corrie of Kelwood, and a Crown Charter emphasised it.

Lords Maxwell and Crichton had greatly increased their property in the scramble of the fifteenth century, when Maxwell, Cuthbert Murray, and Johnstoun were by turns Warden of the Borders. On Oct. 26, 1476, Johnstoun was commissioned by James III. to adjust a Crichton dispute, which ended in his purchase of Wamfray.

The Chief of Johnstoun (Adam), who fought at Lochmabenstane in 1448,

¹ Robert Corrie of Corrie paid the taxes for Newbie, and therefore owned it in 1464. Murray's attacks on Newbie cost him 160 golden angels to Corrie, 1483, and in 1492, £1000. See *Reg. Decrets*.

² See Corrie's *Records of the Corrie Family*: London, 1899.

was married to Janet (widow of William, Lord Seton), a daughter of the rebel Earl, George, of March and Dunbar, and his eldest son's wife was the daughter of Lord Maxwell. As the next brother was named Gilbert, but had not yet married Agnes of Elphinstone, he is possibly the Gilbert de Johnstoun de Gretna who signed the retour of the young Lord Maxwell in 1453. He was knighted for his services against the English, and was a guarantor of the peace signed with England in 1483. When Sheriff of Edinburgh the next year, he deputed his nephew, Adam of Johnstoun, to summon Sir James Liddel to surrender on a charge of "ganging awa' into England with the Duke of Albany." His elder brother, John, was the Chief who, like himself, fought at Arkinholme in 1483. The citation is witnessed by Robert of Johnstoun and William Johnstoun, besides John of Carruthers, Sir John of Murray (the chaplain), and others.

Sir Gilbert of Elphinstone was Sheriff-Depute of Dumfries in 1472, when he received a gift of the lands of Drumgrey (Rahills, etc.) from the Crown. They were granted "for faithful service" in 1408 to his relative, William of Johnstoun,¹ but were now claimed by Robert Charteris of Amisfield (ancestor to Earl Wemyss). Charteris was ordered to show his writs of the time of Robert III. and James I., for which the Clerk of Registers in Edinburgh was also to search, and Sir Gilbert was summoned to appear there on his own behalf. Gilbert was sued in 1491 for non-payment for "certain merchandize from Ellen Halyburton, as was proved by the said Ellen's compt book." She gained her case, but agreed to delay the execution of letters of distress till Whit Sunday,—a judgment very creditable for that time. The debt was not paid till after Gilbert's death, when his son, Adam, was sued for it.

The rebellion of 1484 was hardly crushed when the new one broke out in Dumfriesshire under Archibald Douglas, Earl of Angus, in which James III. lost his life (1488). Maxwell was nominally on the side of the King, but contrived to gain the favour of his opponents, and was appointed with the rebel Angus to rule Dumfriesshire during the minority of the young James IV.

Adam of Johnstoun, nephew to Sir Gilbert, was on the side of the King. He was cousin to Maxwell, and married to Marion Scott of Buccleuch. A precept of sasine from the Earl of Bothwell in 1493 to our lovit Adam of Johnstoun of that ilk and others charges them to infeft Walter Scott of Buccleuch in the lands of Roberthill, one of the earliest possessions of this family in Annandale.

In 1504 James IV. held an assize at Dumfries, when Adam of Johnstoun and his son, James, were pledges for each other, and both for several of the Murrays. James Johnstoun was returned heir to his father in 1513 in the Barony of Johnstoun, the advowson of its church, the mill and lands of Duns-kellie or Cove, Cavertholme, and Brotis, within the parish of St. Patrick (Kirkpatrick Fleming, and Graitney) and Wamfray, all "sequestered at the King's instance for certain fines of Justice Courts, which now his Majesty freely discharges and disposes the land to him again."

This meant that no rents had been received by the Laird or his family for some years, and was perhaps connected with Adam of Johnstoun's attack on

¹ In William's Charter they are described as in the Barony of Amisfield.

Glendining, in Eskdale, a fief claimed by the Armstrongs, a Keltic family, who were unruly as early as 1261, and allied to the Maxwells. Gavin Johnstoun of Elsieschellis assisted his Chief and the Laird of Dunwiddie. The case was tried before James IV. at Dumfries, when Kirkpatrick was pledged for Dunwiddie and Johnstoun himself for Gavin that they should pay compensation to Glendining, who was Sheriff of Eskdale.

It often happened when there was a specially active laird of Johnstoun that one of his rivals obtained the support of the Crown to put him into ward, and the family were increasing their estates considerably just then. Yet the possession of Newbie and Graitney enabled his clan to become the bulwark of Scotland on the south-west.

CHAPTER III.

THE JOHNSTOUNS OF ELPHINSTONE.

THE descendants of Sir Gilbert de Johnnestoun and Agnes of Elphinstone took little part in the affairs of Dumfriesshire after 1587. In the comparative calm of East Lothian they prospered, and filled posts in the Government, and seem to have been able to give assistance to their Chief when the clan was hard pressed by foreign invasion and civil war.

Sir Gilbert died about 1501, and his son, Adam, in 1507. This Adam, described as son and heir of Sir Gilbert Johnnestoun, brought an action before the Lords Auditors in 1484 against John, Laird of Johnnestoun, apparently a result of the Laird's purchase of Broomehills in 1480. Gilbert, Adam's son, appears in 1507-8. John of Johnnestoun was one of the conservators of the peace with England in 1457, a Warden of the Marches, and always acted, writes Douglas, "with vigour and intrepidity against the enemies of his country."

Sir Adam of Elphinstone (he was knighted) had a brother, George, who was possibly identical with George of Johnstoun, mentioned in 1463 with regard to South Dumfriesshire. Andrew Johnstoun in Stapleton (Tower) appears a little later, and his son, George, in 1504. Stapleton, where David I. signed the grant of Annandale to Bruce, is described as one of the strongest and most roomy towers on the Border, and, like Graitney Tower, required armed men to defend it. These posts were filled by the relatives of the land-owners, and in times of peace, as well as in war, the garrisons so close to the English border more than once joined their lawless neighbours in the Debateable Land in a foray over the Solway to revenge old injuries, but it was returned with double interest. Stapleton was afterwards incorporated in the Barony of Newbie; but in earlier times, like Graitney, it was under the control of the Earls of March when Keepers of the Borders.

Sir Adam Johnstoun of Elphinstone was succeeded by his son, Gilbert, who was killed at Flodden in 1513. The next year Andrew Johnstoun was returned heir to Leuchie, part of the Elphinstone property; and in 1533 there is an action by "Dame Amabel (also called Agnes) Hog, relict of the late Sir Adam, against Andrew of Elphinstone, Superior of the lands of Nethermagask, concerning her liferent of the same." The case went on for some years. A daughter of Andrew of Elphinstone married Sir William Cranstoun, according to a writ in favour of this couple and their son, 30th May 1533.

The Johnstoun descent qualified a future Cranstoun for the Provostship of Annan in 1607, as it was essentially a Johnstoun preserve. Another daughter married Crichton of Drylaw.

In the cartulary of the Abbey of Inchaffray a lease is signed by Archibaldus Jonstone, and witnessed by Sir Maurice Johnstoun, chaplain, July 18, 1521. This Archibald probably belonged to the Elphinstone branch. The Sinclairs of Roslin, near neighbours to Elphinstone, were, like the Johnstouns, descendants of the founder of Inchaffray, Gilbert, Earl of Strathearn.

There is an action by Andrew Johnstoun of Elphinstone, on June 30, 1526, against George, Lord Seton, for damages relating to a "coal trench," showing that his family had already begun to make use of the coal in that neighbourhood. Andrew's ancestress, Agnes of Elphinstone, was only endowed with a portion of the estate, not enough to support younger sons. But Seton was killed at Pinkie, and on Sept. 15, 1549, the Crown gave to Andrew Johnstoun of Elphinstone, "his heirs and assignees, the ward and non-entry of the lands of Elphinstone and Tranent, Sheriffdom of Edinburgh and Constabulary of Haddington, in the Queen's hands by ward since the death of George, Lord Seton, last possessor thereof, and for all time till the lawful serving of the righteous heir." After this he was in difficulty about his son's marriage contract, as on Feb. 11, 1553, there is a "gift to Margaret Johnstoun, elder, Agnes Johnstoun, Margaret Johnstoun, younger, and Janet Johnstoun, daughters to Andro Johnstoun of Elphinstone, their heirs and assignees, of the goods of the said Andro, now in the Queen's hands by escheat, by decret interponed to a contract between the deceased William, Lord Ruthven, and Margaret Ruthven, his daughter, on one side, and him and James Johnstoun, his son, on the other."

Andrew was married to Margaret Douglas of Corhead, and left four, if not more, sons—James, Robert, Adam, and John. In 1551 he was one of the twelve jurors who returned Alexander as heir to his father, George, Lord Home.

In 1561 a decret, signed at Holyrood House, gives Andrew of Elphinstone "license to remain at home from all the Queen's armies and from all presence at assemblies, and from appearing and passing or serving of briefs, for all the days of his life." He was alive June 12, 1562, when his heir, James, signs an agreement with his brother, Robert.

This James, having acted as cautioner for Lord Ruthven in a money bond, incurred sequestration of his estate for the payment. But he was able to buy the ten pound land of Ballincreeff, confirmed to him by "Henry and Mary, King and Queen of Scots," in 1565, and the next year he was concerned with Lord Ruthven and others in the murder of David Rizzio in the presence of the King and Queen. He was respited for his share in this tragedy; and on July 18, 1566 another precept for remission is dated at Edinburgh to James Johnstoun of Elphinstone and John Crichton of Brunstoun for their treachery and participation with James, Earl of Morton, the deceased Patrick, Lord Ruthven, and Patrick, Lord Lindsay, in the detention of the persons of the

King and Queen within their palace of Holyrood House in the month of March last.

The Laird of Elphinstone was denounced in 1584 for supporting his Chief against Maxwell.

In 1587 there is an action by the youthful Laird of Johnstoun against the Earl of Angus, his uncle, Robert Johnstoun, parson of Lochmaben, and others, his curators, he being now over fourteen, for the purpose of continuing the tutorship during his minority, and adding James Johnstoun, Laird of Elphinstone, to the list.

During his father's lifetime Elphinstone had been granted the goods of Edward Duncan of Cousland, escheated by the Queen on account of Duncan having severely wounded Elphinstone's servant, George Wood. Duncan was probably a tenant, as there had been a dispute between Lord Ruthven and Laird Andrew in 1532 about the division of the lands of Cousland, near Elphinstone, which both claimed. There is a grant of them from William, Earl of Gowrie, Lord Ruthven, with consent of Dorothy Stewart, his spouse, to Elphinstone in 1583.

There is no proof but the fact that Cousland was part of the Elphinstone Barony to show any kinship with the occupants, but in 1620 there is a marriage contract between William Johnstoun, indweller in Cousland, and Christian Lindsay on behalf of Thomas Johnstoun, his eldest son, and Agnes, daughter of the said Christian, and her late husband, James Hopkirk. Edward Johnstoun is the witness. The Will of Edward Johnstoun of Cousland, in "Innerask parish, Sheriffdom of Edinburgh," is dated July 24, 1627, when he was too ill to write. His wife was Agnes Hunter, and his eldest son, William. His brother, Thomas Johnstoun; Thomas Johnstoun, the elder; Sir Jerome Lindsay; and James Wood sign it.

The value of the goods and money owed to the deceased was £2216, 10s.; his property, besides crops, included three staigs valued at £10 each, six horses and mares valued at £30 each, eleven oxen at 40 marks each, and sixteen sheep with eight lambs.

In 1588 James, the elder of Elphinstone, was one of the witnesses to the Laird of Johnstoun's retour. He died in 1594, having married, first, Margaret, daughter of William, Lord Ruthven (1549-50), and had James, Patrick, John, perhaps more; secondly, Janet, daughter of Sir James Melvill (1564), and had James, Robert, and John. Leuchie was settled on Robert in 1575. He died before 1620, as that year Archibald Douglas of Tofts proceeds against his widow, Susanna Hamilton, and their son, John, as well as against "Samuel Johnstone, oy and heir to the late James Johnstoun of Elphinstone, his guidsir, anent right to the non-entres of the Lands of Leuchie."

Among the registered obligations is one by the Rt. Hon. James Johnstoun of Elphinstone, Oct. 29, 1613. He died, as appears from the above, before 1620; and in 1625 Samuel Johnstoun, his heir, borrowed money from Sir John Hamilton of Preston, Kt. Perhaps it was to purchase the baronetcy of Nova Scotia, which he obtained in 1627. Samuel's father, Patrick, whose Will was proved in 1607, married Elizabeth Dundas, and left four younger children—



STAPLETON TOWER, DUMFRIES.



ELPHINSTONE TOWER, HADDINGTON.

Patrick, Barbara, Martha, and Mary. Samuel married Jean Douglas of Spott, and, besides John, the second Baronet, left five daughters—Jean, Elizabeth (who married, first, John Seton, and for her second husband the Earl of Hartfell), Helen, Mary, and Anna.

Samuel was an enterprising man, who, in conjunction with the Primroses, ancestors of the Earl of Rosebery, began to export the coal that his predecessors had worked in East Lothian, a business which eventually ruined the family. It was stopped by the Lords in Council for fear the supply should become exhausted. Elphinstone represented the loss he was incurring, and that, worked as he was doing it, the coal would last 100 years in spite of exportation. On April 23, 1623, an Act of the Privy Council decreed that "as Samuel Johnstoun of Elphinstone had already expended 20,000 marks upon his coal heughs, to his great hurt and apparent wreck, in supporting forty families of men, women, and children at their work, whose weekly charges exceeded 200 marks," he was allowed to export coal for seven more years. Miners were serfs by a law passed in 1606, but that he was a humane employer is shown by the average weekly gain of a collier's family being 5 marks, or 5s. 6d.

Elphinstone obtained a permit to visit England and the Continent in 1635. He died Feb. 18, 1637, leaving his only son and heir, John, his sole executor, his house at Elphinstone and his residuary legatee. To his unmarried daughter, Mariot, two parts of his goods; and to his youngest daughter, Anna, a third of all his goods and gear, appraised at £959, 6s. 8d., but he was owed £516, 12s. He also owed an arrear of teind duty of the lands of Elphinstone to James Johnstoun, Lord Bishop of Edinburgh, wages to one maid and four menservants, besides sums to three more, probably tradespeople or workmen. His brother, Patrick, left neither wife nor child, and his debts exceeded his assets. Sir David Home of Wedderburn and his son, George, were in his debt.

Sir John married Margaret Keith, and died in 1662. There is a discrepancy between his Will and the retour of the next heir, as the first distinctly states that Margaret, Jean, Elizabeth, and Anna, his daughters, were the only nearest of kin to him, "David Sinclair of Rysie being spouse to the said Elizabeth." Like his uncle, Patrick, he died in difficulties, as the inventory is only sworn at £180, and he left debts. John M'Cara, son to the Commissary Clerk at Inverness, is cautioner, and John Lightfoot, Writer in Edinburgh, his only executor. Elphinstone Tower appears to have been already alienated. But on May 5, 1666, "*Dominus Jacobus Jonstoun de Elphinstoun miles baronnetus*" is returned as heir to his father, John, "*militis baronnetti*," and to his grandfather, Sir Samuel. On June 2, 1673, he was returned heir to his father in the lands of Leuchie. It may be assumed that James was not a lawful heir, but perhaps, as a suit was being carried on against Sir John's daughters, it was worth no one's while to prove it. He was buried, it is believed, in Greyfriars Churchyard, Edinburgh, where four boundary stones, erected in 1727, with just the name, marked the grave.

Things seem to have gone on prosperously with the Elphinstones till

the export of coal from Haddington was finally stopped by the Lords in Council. As the home trade was overstocked, and the employers had to support their men, misfortune overtook them. James is said to have moved to Newmonkland, where he again farmed and mined for coal about 1693, but except his traditional grave nothing more is known of him; and in the eighteenth century it was believed by the Marquis of Annandale and the Johnstones of Westerhall that the descendants of the Baronets of Elphinstone were extinct.

But this is not easily proved of the collaterals, particularly of those who had mixed in the life of the neighbouring city. James Johnstoun of Elphinstone left younger sons, one of whom, John, was probably the John Johnstoun who, in Sept. 1567, received the clerkship of the Commissary of Edinburgh, "which was given by the King's mother to Sebastian Denellourt, Frenchman, but now taken from him because of his unfitness for the office, and because of his holding of the same is against the treaty made by the said King's mother, promising to give no such office to foreigners." In 1596 John Johnstoun, Writer¹ to the Signet, was appointed to the clerkship of the Commissariat of Edinburgh in succession to James Johnstoun (who was connected with Elphinstone). John resigned the next year, 1597, when his eldest son, another James Johnstoun, was appointed to the post.

In 1599 John Johnstoun of Elphinstone and others were "directed by the Town Council of Edinburgh to make a perfect inventory of all the town evidents (writs) being in the Charter House to put them in good order and to call in the writs that are given forth or missing." In 1602 he was made Commissioner "for taking order with all the town's affairs concerning the Kirk's livings within and without this burgh."

This John Johnstoun's Will, dated at Prestonpans, near Elphinstone, Oct. 31, 1607, is witnessed by Samuel Johnstoun of Elphinstone and John Ramsay. Among his many debtors was the tutor of Borthwick, Mr Mungo Rig of Carbery, Sir James Bannatyne of Brochtoun, Sir Robert Melvill, Bessie Borthwick, relict of Mr Adam Johnstoun, Provost of Crichton, and James Johnstoun, her son. Altogether he was owed £17,202, 3s. 8d., the amount being confirmed by David Home of Godscroft, and the inventory was only £696, 13s. 4d. He left no debts. His executors were his two sons-in-law—Mr John Ker, Minister at Prestonpans, and Sir Robert Hamilton—and his youngest daughter, Rachel. His son, John, is not mentioned except in a decret in 1613 with his sisters, Barbara, called of Elphinstone in 1635 (the Rev. John Ker's wife), Janet, and Rachel.

John Johnstoun of Elphinstone, merchant in Edinburgh, appears in 1581. He seems to have been Andrew Johnstoun's younger son, John, described as "an indweller in Edinburgh," and father "of Jonathas" of Elphinstone, who was at Douay College in 1581, after being under a tutor at Seton.

¹ There had been many political changes between 1567-96, and, as the Johnstouns warmly embraced the cause of the Queen and fought at Langside, he was probably deprived of his post and reappointed in 1596.

In 1587 there was a gift to Mr James Johnstoun and Martha Johnstoun, their heirs, etc., of the escheat of the estate of James Johnstoun of Elphinstone, now belonging to the King on account of the said James being denounced a rebel since Nov. 28 for non-fulfilment of a contract with Robert Richardson. This is followed six months later by an escheat of William Bonar of Rossie being given to Robert Johnstoun, Elphinstone's son, for the non-fulfilment of an obligation. Such escheats seem to have been generally given to a creditor, or were purchased by relatives who restored the goods to the old owners for an equivalent, and Mr James Johnstoun was probably Elphinstone's eldest son. In 1591 Mr John Johnstoun, son lawful to James Johnstoun of Elphinstone, is given his father's escheat, and it appears that Elphinstone had been security to the deceased Lord Ruthven, who had made the contract.

John Johnstoun of Elphinstone, who is called brother to Patrick Johnstoun of Elphinstone, was cautioner for Sir G. Home of Wedderburn when he borrowed money from David Johnstone of Newbie, merchant of Edinburgh, in 1606. He had a brother-german, also called John.

Mr James Johnstoun [ante] burgess of Edinburgh, died there in August 1597. He is described in his Will as Clerk-deliverer of the Bills before the Lords of Session, and Clerk of the Commissariat of Edinburgh, but resigned in 1596, Michael Finlayson being one of the witnesses. He left £2043, 2s. 9d., and was owed £6448, 17s. 11d. His mother, Margaret Clerk, was among his creditors. His wife was Marion Laurie, a widow when he married her, as appears by his legacies of 1200 marks to her two unmarried daughters, Katrena and Helen Symson, and £200 each to his wife's grandchildren, Marion and Christian Marjoribanks. His sons, David and John, were minors, but he directs that John should "be trained by Joseph Marjoribanks in the trade of merchandise." He left his own brother, John, as well as John "callit of Elphinstone, to be overseers and helpers to his said spouse and bairns, his only executors." From several of the Home family, including the Chief, being among his creditors, with a Douglas, Lady Airlic, Sir Michael Balfour of Burlic and others, the testator appears to come off the House of Elphinstone, and possibly from one of the two younger sons of Andrew Johnstoun of Elphinstone.¹

George Johnstoun, his wife, Isobel Leslie, and their son, John, appear in 1613, and in 1617-19, with regard to the ownership of the Abbey Mill of Haddington.

John Johnston of Polton was a baillie of Edinburgh in 1672, when the Earl of Annandale appointed him one of the guardians of his children. From this he would appear to have been a relative, and probably from the Elphinstone branch. He recorded arms in the Lyon Office, 1676, which are cut on the stone dial still at Polton House, and left an only daughter, Magdalen, who married Sir James Murray, fifth Baronet of Hilhead

¹ The conjectural descendants of Elphinstone appear in Chapter XXVII.

CHAPTER IV.

THE JOHNSTOUNS OF WESTRAW—FRANCIS JOHNSTOUN—CASTLEHILL—TUNDERGARTH—
HALLEATHS—COWHILL—AUSTRALIA—CLAUCHRIE AND DUCHRAE—AMERICA.

THE parish of Peddinane, adjoining Carstairs in Clydesdale, is a picturesque spot among the hills in Lanark, and was the residence of Johnstoun of Westraw for 150 years. No evidence has been found to dispute the theory that it was given to the Chief of Johnstoun as a reward for the services of his clan in suppressing the Douglas rebellion, and by him bequeathed to one of his sons, though no official document exists to confirm it. But Matthew of Johnstoun, Armiger (Esq.), was granted a Charter in 1455 of "the lands and house of Andrew Clercson, commonly called Westraw," and, as was customary, summoned the tenants to confirm them in their occupation of the lands.

A MS. preserved at Auchinleck of uncertain date, describing the Douglas rebellion, states that "the laird of Johnstoun's two sons took the castle of Lochmaben from the laird of Mouswald called Carruthers and his two sons, and other two or three men, and all through treason of the porter and since then the King gave them the keeping of the house to his profit." One of these Johnstouns was Herbert, who received £40 as captain of the castle for the year 1455. That the other was Matthew, and that they were brothers, rests on conjecture, but it appears that a Matthew Johnstoun received payment for twenty lance staves (4s. 6d. each), besides gunpowder, and charcoal to make it, supplied to the castle for its defence by John of Dalrymple in Flanders, by order of the King, in 1456; and in the year ending July 1460 Matthew and Herbert Johnstoun were fined for not producing Andrew Halliday at the criminal court at Dumfries.

As to the tradition of the division of the £40 lands of Pettinane by the Crown between Lord Carlile and Johnstoun in 1455, Carlile claimed the whole as his heritage. There were several actions by the Carliles against the Johnstouns. One in 1476, before the Lords in Council, when John Johnstoun was fined £40, and again in 1498, Pettinane being "wrongously laboured by Adam of Johnstoun and others." A judgment against Symon Carruthers of Mouswald (married to Adam's aunt), Gavin of Johnstoun, grandson to the late Gavin of Esbie, and Adam of Johnstoun, grandson and heir of the late John of Johnstoun of that Ilk, has reference to this, as William, Lord Carlile, grandson and heir of the late John Carlile, claimed money due to his grandfather from Carruthers and from the late Lairds of Johnstoun and Esbie. In 1503, in the

same record, John Johnstoun of Pettinane is mentioned, and in 1504 Adam of Johnstoun of that Ilk was pledge for Matthew Johnstoun, John Johnstoun, and Clement Johnstoun of Wamfray. Lord Carlile brought another action in 1517 against Herbert Johnstoun of Pettinane and William Johnstoun for occupying his land.

The Johnstouns of Westraw were far removed from the troubles which wrecked the fortunes of some branches of the clan. They do not appear to have taken part against the English in the numerous invasions which wasted Dumfriesshire in the sixteenth century and the last part of the fifteenth. On Jan. 5, 1545, a respite under the Great Seal is granted by Queen Mary "to Herbert Johnstoun of Westraw, his son Herbert and sundry other persons for their treasonable remaining at home from the Army convened by the late King (James V.) for resisting the Duke of Norfolk and the army of England." In 1548 Herbert of Westraw was one of the jury to return James Lockhart as the heir to Allen Lockhart of Lee.

Johnstoun of Westraw is not mentioned among those who were respited after the battle of Dryfe Sands, but when his Chief, through the aid of several courtiers, was expecting a respite to be granted to himself and his surviving followers for their part in that battle, Westraw accompanied him secretly within five miles of Edinburgh to await the result of the deliberations of the Privy Council. Lord Hamilton was sent to seize Johnstoun, but he had already been warned by Sir John Carmichael, who sent a page on one of the King's horses to advise him to escape, 1594.

A Charter was granted in 1560 to John, brother to James Johnstoun of Westraw. He was a merchant in Edinburgh, where his Will is proved in 1576, and in which he mentions another brother, named John. James Johnstoun of Westraw and James Johnstoun of Elphinstone were accused in 1565 of being concerned with Ruthven and Douglas, to whom both were related, in the murder of David Rizzio in Holyrood Palace.

The nearest connection between Westraw and Elphinstone was through the Homes and Douglasses, with whom they intermarried, and both acted as pledge for William Johnstoun of Reidhall when the Regent Moray was encamped at Canonby in October 1569 after the battle of Langside.

Westraw reappears in Annandale affairs in 1588, when Patrick Porteus of Hawkshaw makes over his gift of the escheat of the liferent, goods, etc., of James of Westraw and of his mother, Florence Somerville, to the Laird of Johnstoun. The escheat was in consequence of the slaughter of Henry Williamson in Walterheid. The transfer is signed at Moffat, Dec. 10, and witnessed by Robert Johnstoun, lay parson of Lochmaben, his son, Robert, afterwards tutor of Johnstoun, and John Johnstoun of Graitney.

Before this date Westraw and Johnstoun had become connected on the maternal side—the mother of Florence Somerville's husband, who died in 1570, being sister to David Douglas, afterwards seventh Earl of Angus, the second husband of Margaret Hamilton, mother of the Laird John of Johnstoun who died in 1586, in fact, step first cousins.

Matthew de Johnstoun, the first of Westraw, was dead in 1491, having married Elizabeth Graham. Their son, John, who died in 1508, is believed to have married a daughter of Home of Wedderburn, and left two sons—Herbert, who lived till 1555, and John, married to Barbara Weir. David of Harthope, Matthew's younger son, made a bond of manrent with Simon Johnstoun of Powdene, and both with Lord Maxwell in 1520, one of the witnesses being Robert Johnstoun. David was able to write, but Simon signed with his hand at the pen.

David of Harthope died about 1523. In 1535 Herbert Johnstoun of Westraw made a protest against James Johnstoun, the Sheriff of Lanark, apparently his nephew, for refusing to return him as Harthope's heir. His eldest son, Herbert, who married a Douglas, died before him, but his grandson, James of Westraw, was returned heir to Harthope in 1569, and David is then described as brother to Westraw's great-grandfather. There had been serious disputes on the subject between the Chief and Westraw, so that the Chief bound himself to have "no communing with any Johnstoun of Westraw." But in 1604 Westraw obtained the Charter of the coveted land, and is at that time described by his connection, Lord Somerville, as "a stout asserter of his chief's interest, in whose just quarrels and his own defence he committed many slaughters, being one of the famousest Border Riders." Yet Westraw and Somerville had a noted quarrel, which ended in a fight in the street at Edinburgh, 1594.

The elder Herbert of Westraw had a younger son, John, whose son, Robert, only appears once in the records, but he left a son, James Johnstoun of Lanark. The younger Herbert, husband to Angus's sister, died in 1554. His son, James of Westraw, was given the escheat in 1588 of either his own brother's or uncle's goods, "Gavin, son to the deceased Herbert Johnstoun of Westraw, now in the Queen's hands, through putting of the said Gavin to the horn for not finding surety for art and part in the cruel slaughter of the deceased John Lindsay in Corsig."

James, Laird of Westraw, was killed after the siege of Draffan in 1570 by his connections, Claud and John Hamilton, sons of the Duke of Chatelherault and lay Abbots of Paisley and Arbroath. Letters of Slain were taken out by his widow and her children, but the matter was compromised by a payment of 2000 marks, which was generally done at that time when every life was of consequence to defend the country against "its auld inimys of England." Florence signs the contract with her hand at the pen, being unable to write herself, a common difficulty with Scottish ladies in the sixteenth century. She was obliged to find sureties to obtain from her son the third part of the liferent of Westraw, her marriage settlement.¹

¹ Morals were extremely low at that period. The only tutors and spiritual advisers, the priests and monks, were abolished by law, and the Reformation had not as yet sufficient ministers to supply their place. The abuse of laymen holding Church benefices prevailed before the Reformation, when the chief patronage was in the hands of the King and the land-owners, and its continuance after the Reformation probably helped to wreck Episcopacy in Scotland.

The arrangement with the Hamiltons was possibly considered derogatory to the Johnstouns, for, in a letter to Walsingham from the English Ambassador, Nicolson writes: "As for the offers the Lord of Arbroath (Hamilton) make for the slaughter of one Westraw, the Regent does not think it good for his own surety and the King's service to have it taken up yet. The Lord of Arbroath presses the matter . . . and will demand leave to travel till it be ended, for that he dare not remain there for fear of the revenge of the dead man's friends, who be the Johnstouns and their kinsfolk and dependers of the Earl of Angus" (Sept. 19, 1574).

James of Westraw was under age when he inherited his father's property; but in 1583 he petitioned the Lords of Session to be infefted in the lands of Moit, to which he could "not obtain entry because of the deadly feud and enmity between his superior Maxwell and the laird of Johnstoun, to whom he was near friend and special depender." A year later he and his mother were still engaged in a suit against Lord Maxwell "regarding the decret he had against them to remove from Moit, in the Sherifffdom of Lanark."

Westraw married Johnstoun's sister, Margaret, in 1594, and in a post-nuptial contract settled the ten pound land of Westraw, "with its fortress and pertinents in Lanark, on the said Margaret and their children, whom failing on his own children, whom failing on Sir James of Dunskeillie and his male descendants, whom failing on William Johnstoun second lawful son to Mungo Johnstoun of Lockerbie and his heirs male, whom failing on Sir James's male heirs whatsoever, bearing the arms and surname of Johnstoun, conformable with another contract between the two parties, reserving the lady's life rent, in case of children therein named, a provision for the heirs female, and an obligation by Dunskeillie to pay 1000 marks to Westraw as a dowry with his said sister" (Feb. 8, 1594). A third contract is more in the form of a tack of the Barony and Castle of Johnstoun and other estates to Westraw and his heirs male, whom failing, to return to Dunskeillie and his heirs male bearing the surname and arms of Johnstoun, to be holden from him for 400 marks yearly, and doubling the feu-duty at the entry of every heir. This contract reserved the liferent to the granter and his wife, Sara Maxwell, and contained a clause for the redemption of the estates by payment of "a Scots thistle noble of gold valued at 11 marks Scots money" (Nov. 5, 1594).

Westraw was nominally at the horn at this very time, but on Dec. 4, 1599, he was respited by the Crown for burning the church of Lochmaben in July 1589, when his brother, Robert, was killed. The Chief of the clan was in dire straits for money, his estates were sequestered, and he had been put to the horn for the battle of Dryfe Sands. The respite to himself and his followers had cost him much, and he was just restored to the wardenship of the Borders, with the Castle of Lochmaben as a residence. Many of his dependents had got beyond his control at a time when, we are told, no man dared to take any of them into his house, and since the death of Lord Maxwell, with many followers, in that battle, the Maxwell relatives were waiting for revenge. To rid himself of the troubles of his estates, filled with ruined tenants, seemed a good idea.

His sister had been given an escheat by the Crown, so had a little of her own, and he was borrowing large sums from his relatives, the Edinburgh merchants.

Margaret died before June 6, 1599, as at that date Westraw's wife was Eufemia Oliphant, daughter to his neighbour in Lanark. The *Annandale Book* states that Margaret left children, but Westraw's heir was the son of the second wife.

In 1502 the Laird Adam of Johnstoun tried to obtain the lands of Glendining, in Eskdale, which his family had once owned, by force. Westraw bought this estate in 1605 and came to live there, apparently to escape the enmity of the Maxwells and their friends. His lands in Lanark had been escheated and given to Carmichael. In his petition about Moit in 1584 he stated that he was "cruelly left for dead in the county of Annandale" by certain of the Carliles, servants and dependers of Maxwell; and in 1607 he petitioned the Privy Council to protect him from Lord Herries, Edward Maxwell, his brother, John, Lord Maxwell, Sir Robert his brother, and others of less note.

The events which caused this enmity appear further on. The Maxwells had to find cautioners for over £2000, but the next year Dunsckellie, as he was then called, or the Chief of Johnstoun, fell a victim to the hereditary feud, and Maxwell had to hide himself in the most remote part of the country, till he was brought to justice in 1613.

The purchase of Glendining, and also of Carlile's portion of Pettinane (1601), partly with money borrowed from Gilbert Johnstoun in Edinburgh, brought Westraw into difficulties. Robert Scott, reader at Thankerton Kirk, proceeded against him in 1619, when he was still "at the horn," for a previous debt of 3000 marks, for which Gilbert Johnstoun of Corhead was cautioner, and to pay it he sold his paternal estate. The writ, in which "James Johnstoun of Westraw, superior of the lands," makes over four oxgates of land in Pettinane parish to Mr John Lindsay, is dated Edinburgh, Nov. 26, 1624, and witnessed by James Johnstoun of that Ilk, Edward Johnstoun of Ryell (Newbie), John Johnstoun, Writer, and Mr James Hamilton of Lesmahago. A second writ is "in favour of James Carmichael, sewar to Prince Charles of Scotland and Wales, of the 20 mark land of Pettinane, sometime belonging to Elizabeth, Lady Carlile; also the lands of Pettinane, now called Westraw, sometime pertaining to Alexander, Master of Elphinstone, and assignation by James Johnstoun, elder of Westraw." A ferry boat on the Clyde is included.

On June 5, 1629, there is an action by James Johnstoun of that Ilk, heir to the late Sir James Johnstoun, against James Johnstoun, sometime of Westraw, for production of a decreet dated Feb. 9, 1605. Westraw brings a counter action against his Chief. He died in 1633, and his son, James, married to Isabel Scott, a relative of the Laird's grandmother, came to an agreement with the Laird, by which Westraw acknowledged him as his superior in Harthope and Over and Nether Dryfe, while the Laird, now raised to the peerage, set forth: "It being noways the intention of the said noble lord to disquiet the said James Johnstoun of Westraw himself; regarding the weal always of the house of Westraw, which is descended from him, so he

minds not to be hard with him or any flowing from the stock his lords (hip) is come off, and in testimony thereof the noble lord binds and obliges him and his heirs never to seek any benefit of the said lands so long as the said James Johnstoun and his heirs shall bruik the same undisposed nor to move any pursuit against them."

In 1600, when Westraw was considering the purchase of Glendining, his name appears among the chiefs charged with the care of the Borders. His family was called of Westraw long after he had parted with it, and before his great-grandson obtained the Crown Charter which incorporated Glendining, Daldurhame, and other lands into a barony of Westerhall.

In 1629 an Edinburgh tailor carries a decret, obtained two years before against Westraw, to the Privy Council, for payment of £97, 2s. 8d. for clothes made for himself, his late wife, Eufemia, their son, James, their daughter, Elizabeth, and their manservant, possibly a poor relation, as he had the same name as his master. "Given for pursuer."

A MS. family history by Mrs Dewar, née Johnstone, of Westerhall, states that Westraw, who married Isabella, daughter of Walter Scott of Harden, Jan. 2, 1643, left a second son, Francis, who is said to have married an Edmonstone, and left a son, Francis, born 1669, died about 1712, having married Agnes Brown. The elder Francis is probably the same as Francis Johnstoun, merchant in Clydesdale, one of the twenty-one who on June 22, 1680, rode into Sanquhar and nailed to the Market Cross the famous "Declaration and Testimony of the True Presbyterian, Anti-Prelatic, Anti-Erastian persecuted party in Scotland," which disowned Charles II.'s authority, and brought death, exile, or a prison on all who supported it.

The merchant, Francis Johnstoun, was accompanied by Richard Cameron, who had been chaplain and tutor in the family of Scott of Harden, the maternal relative of James and Francis Johnstoun of Westerhall. Cameron was killed on the side of the Covenanters in one of the first battles.¹

The Johnstouns of Tundergarth appear in 1483, when the Lords Auditors decree that John Johnstoun of Tundergarth, his son, Matthew, and John of Ayill (Isle) should restore twenty-one oxen, four horses, and twenty-one sheep

¹ Francis is not a common Johnstoun name, but in 1714 there is a sasine in favour of Francis Johnston, second lawful son to James Johnston of Castlehill, in the lands of Langshaw, and others, also in the lands of Castlehill in Tundergarth; and in 1728 John and Francis Johnston (brothers), were baillies of Dumfries. In 1741 there is a sasine in favour of Francis Johnston, merchant, one of the baillies of Dumfries, in lands in Holywood parish for a debt. His daughter Margaret, married to John Graham, inherited lands from him in Dumfries the next year. John Graham sues James Leslie Johnston of Knockhill, who was in pecuniary difficulties in 1744.

John, the elder son of James Johnston of Castlehill, was returned his father's heir in 1730, and is called the elder in Castlehill in 1746. His son, Mr John Johnston, minister, owned the lands of Torbeck Hill in 1749; Thomas in Castlehill acts as a witness in 1714, perhaps the same who, two years before, renounces his claim to Persbie and Pressbuits in favour of John Johnston of Persbiehall, and sets up at Brocketlea, in the parish of Canonby. Thomas Johnston in Castlehill is described as a merchant in 1749.

In 1712 there is a sasine in favour of Francis Johnston, son of Mungo Johnston in Ragiwhat, in the liferent of lands belonging to Robert Johnston of Wamfray. Agnes Johnston, wife of this Francis Johnston, seems to have been a Wamfray.

taken by them from the lands of Inglistoun of Drumgrey. Possibly this was the same Matthew Johnstoun who, with William of Johnstoun, was an executor to the late Thomas Johnstoun in 1479. From that time they seem to have been a well-behaved branch, as very little is heard of them; they are mentioned in 1504, 1569, 1585, 1618, and 1671, generally as loyal followers of the Chief. Andrew Johnstoun of Tundergarth appears in 1604, and in 1613 John Johnstoun is called gudeman of Tunnergarth. John and Andrew Johnstouns of Tundergarth alternate till 1739, when "John Johnstoun, late of Tundergarth, now in Comlongan," was receiving the annual rent of lands in Penlaw. There was a connection between the Johnstouns of Castlehill (in Tundergarth) with those of Penlaw.

The Johnstouns of Halleaths appear in the sixteenth century. In 1672 an heiress, Agnes Johnstoun, married to John Kennedy, owned Halleaths; after that the lands were mortgaged to a Johnstoun of Priestdykes. In 1715, during the Jacobite rising, Johnstone of Broadholm was one of the sheriff's deputies at Dumfries.

In 1721 Janet Forsyth, the widow of William Johnston, in conjunction with John Forsyth, brought an action against George Kennedy of Halleaths and obtained the liferent of Over Halleaths; and in 1739 John, Samuel, David, and Nicolas Johnston, children of the late George Johnston, drew the rents of the lands of Halleaths.

In 1740 William Johnston, surgeon in Dumfries, brought an action against Herbert Kennedy in Halleaths, and another the same year against Thomas Johnston of Clochrie, also against Archibald Douglas, younger of Dornock, in 1743.

The present owner of Halleaths, John Johnstone, was eldest son of Andrew Scott Johnstone, J.P. (died 1901), who married Margaret, daughter of James Mackie of Bargaly and Ernespie, Kirkcudbright. Mr Johnstone, like his father, was educated at Eton. He was born in 1881, and lives on his estate.

From their arms the Johnstons of Cowhill, mentioned in 1769 as new proprietors, appear to be cadets of Westerhall. George Johnston of Cowhill, previously of Conheath, born 1738, was at the drinking competition at Friar's Carse in 1789, immortalised by Burns in his poem "The Whistle." Sir Robert Laurie, M.P., Mr Riddell, an elder of the kirk, and Fergusson of Craigdarroch, competed for an heirloom in the same way in which it had been won some centuries before. When Sir Robert fell under the table Riddell withdrew from the "unholy contest," leaving Fergusson to win by finishing five bottles of claret, as was certified by M'Murdo, the judge, and witnessed by Patrick Millar and Cowhill. If such feats were at all common, it accounts for the reduced average of life and extinction of families in the male line which is rather noticeable in the eighteenth century.

Mr Johnston bought Cowhill from a Jacobite Maxwell in 1750, and pulled down the tower to replace it by a large modern house. He was cousin to Major George Johnston, who commanded a regiment in Australia during the Governorship of Admiral Bligh, the cause of the celebrated mutiny of the

Bounty. Bligh had an illness, which, in the tropical summer of New South Wales, made him violent, so, in 1805, Johnston arrested him on his own responsibility and sent him to England. The voyage cured him, and he brought a charge of mutiny against Johnston, with the result that the Major was cashiered and outlawed, and made his permanent home in Australia. His descendants are among its wealthiest inhabitants.

The late owner of Cowhill was William Johnston, Esq., J.P., formerly in the Civil Service in India. He was born in 1831, and the son of the late Admiral Charles Johnston of Cowhill and of Lillias M'Alpine, his wife. He married first, 1854, Elizabeth, daughter of the late Hon. J. Thomason, Lieutenant-Governor of the North-West Provinces of India; and secondly, Eleanor Jane, daughter of C. W. M'Killop, Esq., Bengal Civil Service, by whom he had a son, James Thomason, born 1860.

The Johnstons of Clouthrie, or Clauchrie, near Closeburn, are cadets of Westerhall. Walter, their ancestor, appears in Knokilshane, Co. Dumfries, early in the sixteenth century, and Roger, described as his son, bought lands in Auldgirth in 1561. The same Charter transfers to him the share of his late brother, George, bought of the same vendor, William of Dunduff.

A family of Johnstoun, who lived as feuars on the lands of Duchrae, in Galloway, seem to belong to the Clauchries, who were particularly associated with Dumfries and Glasgow in the sixteenth and seventeenth centuries. Thomas Johnston of Clouthrie and John, his brother, are the last two names on the respite to the Laird of Johnstoun and his followers (1594) after the battle of Dryfe Sands, and John Johnston, "called Clouthrie," was, among a Jardine and several Johnstouns, accused (March 2, 1619) by John Jardine of abstracting the tithe sheafs from the complainer's land at Apilgarth. This was a mild protest against the Reformation by those who had not yet accepted it. John of Clauchrie got into other difficulties, and fraternised with the more lawless members of the clan.

Archibald Johnston of Clauchrie married Bessie Williamson of Castle Robert, and was on the War Committee of Dumfries in 1644. He lent £885 to Roger Kirkpatrick of Wod and others in 1612, and probably, owing to losses in the Civil War, was obliged, with consent of his son, John, in 1653 to mortgage Clauchrie to Robert Neilson, sometime servitor to Sir Robert Grierson of Lag. The mortgage was paid off to Charles Neilson (Robert's nephew) by John Johnston, a merchant and magistrate in Glasgow, in 1663, with 9084 marks, including interest and sheriff's fee. His brother, James, witnessed it, also George Edgar, servant to their late father, Archibald.

The Charter of Clauchrie included the lands of Nether Clochrie, Knowhead, Auldgirth, and Dunduff. John of Clauchrie recorded arms in the *Lyon Office* in 1673. He married, 1633, Janet, daughter of John Craik, a merchant of Dumfries, and had a sister married to Robert Herries, and two brothers, George of Castle Robert (1649), and Alexander of Clochrie (1678).

In 1675 there is a sasine in favour of John, only son of Mr John Johnston, doctor of physic in Paisley, and Elizabeth Cunningham, daughter of the

deceased Mr John Cunningham of Dargavell, *alias* Lochermore. If he is the same as the physician who died in 1714, he married twice, and his younger children, George, and Helen, who married Donald Gowan, belonged to his second wife, Helen Little.

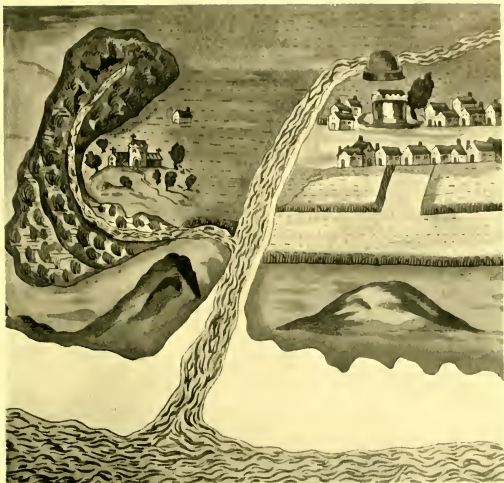
In 1690 a Charter under the Great Seal settles Clochrie on John Johnston, M.D., and his direct heirs, whom failing, to his brother, George. He was the first Professor of Medicine appointed to the University of Glasgow, and probably, like most Scottish doctors at that time, educated at Padua or in Paris. His Will calls him "doctor of medicine of Paisley," while his wife's Will styles him "doctor of medicine in Glasgow," and his brother's, "Johnston of Clochrie." He died in 1714, his widow, Helen Little (from Gretna), living till 1728. Dr Johnston was the eldest son of the merchant, from whom he inherited Upper, Mid, and Nether Dargavell. His son, John, a baillie in Glasgow, appears to be the same as John Johnston in Glasgow, married to Janet Cumyng, and the father of two younger sons—John, who received £1000 legacy from his great-uncle, James, and James, who had £400 from the same uncle—besides his heir, Thomas, who married Janet, daughter of Edward Maxwell, and owned Over and Mid Clauchrie (March 8, 1733). Thomas left one child, Margaret, married to Hugh M'Cornoch, of Dumfries.

A Crown Charter of 1706 grants to Captain Robert Johnston of Kelton (born 1642, died 1715), late Provost of Dumfries, second brother to Clauchrie (*i.e.*, the M.D.), and to Robert, his son, the lands of Threive Grange on the Dee, and the hereditary keepership of the Castle of Threive. Kelton was buried at Dumfries, where his handsome monument is still seen. He married Grizel Craik, who died 1732. Their son, Robert, married Margaret, lawful daughter to Sir A. Hope of Kerse Bank. He carried on a suit against John Little, in Gretna, where his family had bought land. He died *s.p.* about 1730, his sisters, Ann and Mary Ann Johnston, being his heirs.

Of the direct descendants of Dr Johnston, the third grandson, James, married Barbara Maxwell of Barncleuch, and their son, who was a surgeon in Calcutta, on inheriting his uncle's lands took the name of Maxwell. Wellwood Johnston Maxwell married Catherine Maxwell, and had thirteen children; the eldest surviving son, J. H. Maxwell, died 1843, was a Writer to the Signet. He married his cousin, Clementine Herries Maxwell, and their son, Wellwood, born 1817, married Jane, the eldest daughter of Sir W. Jardine. The present representative, Mr William Jardine Herries Maxwell is at the Scottish Bar. He was born in 1852, and married Dora, second daughter of C. M. Kirwan of Dalgin Park, Co. Mayo. He was an M.P. for Dumfriesshire in 1892, and succeeded his father in Barncleuch and Munches in 1900. Three of his great-uncles, Wellwood, Alexander, and George, were merchants in Liverpool.

As Duchrae, now Hensol, near Dalry, was once owned by Charteris¹ of Amisfield, the superior of some lands held by Johnstouns of Powdene, and Elsiefields in Dumfriesshire, a scion of one of these branches possibly migrated

¹ A family of Charteris, or Charters, lived in Duchrae till recent times, and married with the Johnstouns.



The town of Amald
1563-6



MAINS OF DUCHRAE, KIRKCUDBRIGHT.

to Galloway—the distance would not be more than about twenty-five miles. But the Christian names and connections point to a probable relation with their nearer neighbours of Clauchrie, of whom the first who appears in those parts, Captain David Johnston, seems to have been a cadet. His Will describes him "in Orchardtoun" in 1685. His heir and executor is his eldest son, William, and the witness, Sir Godfrey M'Culloch of Myrton.

In 1685 Hew M'Culloch of Rusco disposes of a tack of Parks in Netherlaw, held of Sir George Maxwell of Orchardton to William Johnstoun, Patrick Vans being the witness. In 1706 William wrote from Ballywillwill, Ireland (Chapter XXVIII.), to Sir George Maxwell, speaking of his tack of Netherlaw, his brother's illness, and of money owed to him by Maxwell. About this time William appears as a feuar in Duchrae, which was bought by the Provost of Dumfries, William Craik of Arbigland, in 1681. The district must have been nearly deserted, for the struggle carried on between the Covenanters and the troops sent to coerce them, from 1661 till 1689, had begun there, and continued with pitiless energy till the accession of William III. William Johnstoun in Duchrae was married to a daughter of a cadet of Grierson of Lag, and his landlord, Craik, was brother to the wife of John Johnstoun of Clauchrie, married in 1633. Duchrae's wife's relatives had also transactions with the Clauchries, and were connected with Dumfries, where the notorious Sheriff-Depute of Galloway, Sir Robert Grierson of Lag (Scott's Sir Robert Redgauntlet) ended his long life in a house in the High Street in 1733.

William Johnstoun in Duchrae appears to have founded a branch in Ireland; but a younger son was Robert Johnstoun of Nether Barcaple in Tongland, who in 1713 married a second wife, Mary Wallace, a relation of the Craiks, and whose family lived in Clauchrie. Their younger son, William, born 1718, feued lands in Duchrae from another William, probably his uncle or grandfather, and married an Ayrshire girl, Janet M'Cready, born 1721.

His maternal grandmother was a Neilson, as he was heir to two aunts of that name owning lands in Duchrae, but which were sold years before their death,¹ and his eldest son, William, born 1745, settled in Carlisle. A young brother, Robert, was drowned in the Bay of Luce, presumably in the engagement with the French fleet under Thurot, when several local ships assisted the British squadron (1759). A sister married Laidlaw of Mossgrove. The youngest brother, John, born at Balmaghie, 1749, the seventh son of a seventh son, died 1841, married Dorothea Proudfoot, daughter of an old Covenanting family at Moffat, and on her death, leaving an only child (John), married again, and had a second family.

John, the younger, settled in New York in 1804 at the age of twenty-three, and married Margaret, daughter of John Taylor, of Glasgow, the widow of R. Howard. Among other family treasures, he carried to America books and a seal bearing the family crest. He kept up his connection with Scotland by visits to Edinburgh and Galloway, and by sending donations to the churches in

¹ The lands were sold, says family tradition, because the old ladies had no title-deeds. After their death two silk bonnets were found with the lost writs cut up inside the silk.

Kirkcudbrightshire—perhaps to follow the old Scottish custom of giving donations to the neighbouring churches on the occasion of a death. His son, John Taylor Johnston, married Miss Frances Colles, of New Orleans, and was one of the founders, and the first President of the Metropolitan Art Museum of New York (1820-93). They left a son, John Herbert, and three daughters.

The younger of the first generation born in New York, James Boorman Johnston (1822-87), married (1853) Mary, daughter of M. Humphreys, of Philadelphia, eldest son of Major R. Humphreys, and left two daughters and a son, born 1857. This son, John Humphreys Johnston, of New York, and of Pallazzo Contarini del Zaffo, Venice, was created a Chevalier of the Legion of Honour in 1901.

Mrs Bard, the only sister of Mr J. B. Johnston, died at Rome in 1875. She and her husband founded St. Stephen's College on their property, Annandale, on the Hudson. The estate was so called by its former owners—Johnstons—from the Southern States.

Possibly John Johnstoun, the merchant, described as of Westoun, Peddinane, and brother to the late James Johnstoun of Westraw, and who died in 1576, was the ancestor of John Johnstoun, a physician in Edinburgh, who sailed for New Amsterdam (New York) in 1645. The ship, 100 feet long, contained Gordons, Irvings, and other Dumfriesshire names, and was three months on the road. Nearly all the passengers died of scurvy before it arrived, but Johnstoun was spared to settle on lands in New Jersey, and there some of his descendants remain. He brought over books and his coat of arms (those of Johnstoun without a difference),¹ which are carefully preserved. His family believe that he came off the Westerhall branch. They have always kept aloof from American political life.

There was another scion of Westerhall, James Johnstoun, brother's son to the Laird of Westraw, in 1619, and William Johnstoun, called of Westerhall, after the Civil War took shelter in the Debateable Land in 1648.

¹ The Douglas heart was not added to the Westerhall coat of arms till the eighteenth century.

CHAPTER V.

JOHNSTOUNS OF ELSIESHIELDS—KIRK—KIRKTON—WARRISTON—KELLOBANK—AUCHINSKEOCH—LAY ABBOTS OF SAULSIT—MILNBANK AND LOCKERBIE—BEIRHOLME—GUTTERBRAES—ANNAN.

THE English Warden of the Marches, writing in 1583, estimates the men of the name of Johnstoun able to respond to a summons in time of war as 300 in Annandale, besides those near the Esk and Sark, about twelve more. He points out that this unity of all of the same surname constituted the strength of their Chief. The small possessions of the family as it increased in number obliged many to settle as copyholders or tenants on the lands of other leaders—Murray, Herreis, Carruthers, Crichton, Charteris, Gordon, Kirkpatrick, Jardine, Maxwell, Irving, Stewart, Douglas, and Scott. Some of them were paying feus to rivals of their own clan, but joined under the Laird of Johnstoun's banner directly it was unfurled, which led to many difficulties with their landlords. It was only ties of blood that could have kept these unpaid armies together with ruin to individuals; and there is no doubt that Elsie shields was one of the early Johnstoun cadets.

This eminent branch divided into several families in the sixteenth and seventeenth centuries. The estate lay near the royal Castle of Lochmaben, in the centre of the invasions and civil wars which long afflicted Annandale. It grew a bold, strong race, who spread over Mid-Annandale into East and Mid-Lothian, into Berwickshire, Yorkshire, and other parts. Gavin Johnstoun of the Wood, who appears in 1419, married Mariota Scott, and lived till 1485; his son, Archibald, predeceased him in 1480. Archibald's property was disputed on the score of the illegitimacy of the claimant, Gavin of Esbie, whose tutor was William of Johnstoun; but another Gavin, probably the second son of the old man, was ready to take it if the decision of the Lords in Council was against Archibald's son. Whoever succeeded was born about 1465.

Thomas Johnstoun of Brackenhill, who, with his wife, Katherine, appears in 1496, was an Elsie shields.

Adam Johnstoun and his wife, Margaret Simpson, citizens of Edinburgh, the proprietors of Mossop, under the superiority of Lord Hereis, in the parish of Moffat, in 1511, probably belonged to the Elsie shields branch. The witnesses

to the Charter are John Williamson, parson of Dornock, Mungo Hereis, James Johnstoun, Sir Matthew Simpson, chaplain, Thomas Hamilton, etc.

William, second son of the elder Gavin, inherited Marjoribanks, near Moffat, and was ancestor of the Johnstouns of Dryfesdale and Lockerbie. From Gavin, the younger, living in 1498, came, among others, the line of Esbie, Elsiefields, Kirkton, Middlegill, Reidhall, Beirholme, Hilton, Sheens, Warriston, and Kellobank. Gavin Johnstoun of Kirkton, with his brother Herbert, appear in 1526. The Laird of Elsiefields was one of the five Johnstoun Lairds in Dumfriesshire in 1597, the other four being Johnstoun, Newbie, Graitney, and Corhead.

Archibald, younger son of the younger Gavin, gave up Greskin and Malinshaw to his Chief.

William, the eldest son of the younger Gavin, married, first, Katherine Douglas (1521), by dispensation from Pope Clement VII.; secondly, Katherine, daughter of Sir Alexander Kirkpatrick, in 1528. He was sent to the Castle of Edinburgh in 1533 for hindering the Warden of the Marches in arresting rebels. He was dead in 1536, when Katherine Kirkpatrick and her son, John Johnstoun, had a gift of the ward and marriage of John Johnstoun of Elsiefields, and the mails and duties of the lands of Chapelton and Esbie, held by the said John of the Crown, and also of the marriage of any other heir, male or female, of the late Johnstoun who died in Elsiefields. She was remarried to Jardine of Apilgirth. Probably Gavin Johnstoun of Kirkton was younger brother to William, whose second son seems to have been William Johnstoun of Reidhall.

Among those outlawed by Act of Parliament in 1548 for a surrender to the English were Gavin Johnstoun of Kirkton and Cuthbert Johnstoun of Lockerbie.

Gavin of Elsiefields and Kirkton was dead in 1555; his son was James of Kirkton. His nephew, John of Elsiefields, was given the escheat of the Laird of Johnstoun's goods when he was imprisoned in 1563, having been one of his curators three years before.

John Johnstoun of Elsiefields died Dec. 1574, and left a Will (Dec. 10), witnessed by James Johnstoun in Brumhill, Archibald Johnstoun in Kirk, William Johnstoun in Toddellmuir, and others. He owed £289, 16s. 8d., including rent, to Lord Maxwell, Lord Herries, and James Johnstoun, burgess of Dumfries. This was more than the value of his estate, but Herbert Jardine owed him £133, 1s. 2d., being a legacy from Katherine Kirkpatrick, his father's spouse. He desired to be buried in Lochmaben Kirk, and leaves his wife, Elizabeth McMath, and William, his eldest son, generally called Wilkin, his executors.

Among those respiteed in 1594 after the battle of Dryfe Sands were William, Adam, and James, brothers to William Johnstoun of Elsiefields, and about twenty more related to the same house. A resignation by Archibald Johnstoun, lawful son to Gavin Johnstoun of Elsiefields, in 1577 is signed by Sir Stephen Jardine, parson of Apilgarth, William Johnstoun of Foulderis, Sir Edward Johnstoun (a priest), and Adam Johnstoun of Moffat.

In 1554 Queen Mary charged all of the name of Johnstoun to assist their

Chief in arresting thieves; the order is repeated in 1560 by King Francis and Queen Mary to "the lesser families of Johnstoun and Graham"—for Elsiefields, Wamfray, and Corrie had been very deficient in that respect.

In 1580 Andrew Johnstoun was given the escheat of his own father, Andrew Johnstoun of Marjoribanks. In 1584 he received or bought "the escheat of all goods, movable and immovable, etc., which belonged to Sir Henry Loch, late Prebendary of St. Giles's Kirk, in Edinburgh, and Margaret Crauford, his spouse, now in England, also of all rents of the heritages, by reason of the said Sir Henry and his spouse passing to and abiding in England without permission of the King (Holyrood, Nov. 6)."

Seven years later one of the causes frequently brought against the Elsiefields and Powdene Johnstouns is recorded. Adam and Robert, brothers to Elsiefields, David Johnstoun in Reidhall, James and William Johnstoun in Hesilbrae, Nicolas Johnstoun in Elsiefields, and others of the same group, are sued for their "wrong spoliation of the complainer's horses, cattle, corn, goods, and gear." The whole clan has suffered in reputation from these lawless followers. If an assassin were wanted, he could be obtained at short notice, and while England and Scotland were disunited they were too useful in war to be effectually checked.

An act of revenge on the part of Johnstoun of Reidhall, a cadet of Elsiefields, for the death of his Chief, as well as of some of his near relatives, might have been one of the causes which induced the King, a few years later, to reduce the power of the clan, if his Majesty had not connived at it(?). The victim (Maxwell of Newlaw) is said to have been a zealous Protestant. The King, after his mother's execution, came to Dumfries in 1587 nominally to arrest Lord Maxwell, also to allay the agitation which Mary's death had caused in that quarter. The Proclamation he signed at Dumfries, April 4, describes the outrage. "Forasmuch as the late John Maxwell of Newlaw (ex-Provost of Dumfries), brother german to our dearest cousin and councillor, William, Lord Herries, being a gentleman answerable in all good qualities to his birth, but specially remarkable for the zeal and affection he always bore to our service, being specially employed by us, accompanied with the lieutenant and others of our guard, was on his way beset and most unmercifully murdered by Irving of Gretna Hill, Johnstoun of Reidhall, and others, their adherents and accomplices, thieves of detestable and most unworthy memory, without respect or reasonable pretext. . . . Our will is that ye pass to the market crosses of Dumfries, Lochmaben, etc., denouncing them by fire and sword."

Reidhall or his father had cost his securities, Elphinstone and Westraw, 2000 marks already by an escape from justice, and he got off again. The Elsiefields lands were thickly peopled, and not easily attacked in the heart of the Johnstoun territory, but an extract from the Privy Council Records shows that it was avenged. "In Feb. 1602 Lord Maxwell, with twenty followers armed with jacks, swords, steel bonnets, lance staves, hagbuts, pistolets, and other forbidden weapons, having conceived a deadly feud, rancour, and malice against the late William Johnstoun, brother to Wilkin Johnstoun of Elsiefields,

for divers bloods standing unreconciled between the names of Maxwell and Johnstoun, went to the town of Dalfibble, in the Sheriffdom of Dumfries, and there cruelly slew the said William, at the same time setting fire to his dwelling-house and biggings therein." Another account says he was with a Johnstoun of Hesilbrae in the house of James Johnstoun of Briggs, who was ninety years old, and perished in the flames. Maxwell was outlawed. William Maxwell of Kirkhous, whose brother was created Earl of Dirleton, assisted at it.

In 1608 there is a complaint by Sir Robert M'Clellan of Bomby that David, son of Willie of Reidhall, and another Johnstoun, his brother, and George Johnstoun, his brother's son, who for these twenty-four years past have been outlawed for the murder of John Maxwell, Provost of Dumfries, the complainer's (wife's) uncle, have been frequently received by Gilbert Brown in Land, nephew to the Johnstouns of Newbie and to the ex-Abbot of Sweetheart, but the defendant declared on oath that the complaint was not true, and was acquitted.

The next Laird of Elsiefields, another William or Wilkin, was Provost of Lochmaben in 1616, when he had four sons—James, who predeceased him, Archibald, William, and Adam. His brother, Robert, and Robert's son, John, were also living at that time. William or Wilkin was dead in 1626, and, as his eldest grandson died the next year, Archibald, his son, was returned his heir in 1630 to Elsiefields and to Howes (copyhold), in Newbie. The third brother, William, owned Templand, and was probably dead when another brother, Adam, obtained the Charter of it in 1636. Archibald carried on a suit against Lord Herries for several years in defence of his claim to his estate.

The Will of John Johnstoun of Elsiefields, grandson of Wilkin or William, was proved Jan. 11, 1688. He was Provost of Lochmaben and M.P. for the Dumfries Burghs (Chapter XIV.) (1665-82). His son, Alexander, was M.P. for the same (1693-1702). The younger Elsiefields married, first, Marion Grierson in 1684, by whom he had a daughter, Marion. His second wife, Janet Carruthers, was the mother of his two sons, and after his death in 1703 she married James Maxwell of Barncleuch. Gavin Johnstoun was served heir to his father in the lands of Elsiefields and Esbie, and of Newton in Kirkcudbright, and in 1707 he and his infant half-brother, James of Barncleuch were served heirs to his mother, Janet. Gavin's brother and heir, Alexander died childless in 1738, when the lands of Esbie went to James Maxwell, and Elsiefields to the heir of his half-sister, Marion, who had married Robert Edgar, a Writer in Dumfries. Their son, Theodore, who married Esther Pearson, was returned heir to his grandfather, Alexander, in 1738, and died in 1784. His sister's daughter, Marion, married John Dickson, of London, and their daughter, Marion, married William Byrne, also of London.

Their grandson, Theodore Edgar Dickson Byrne of Elsiefields, a J.P. for Dumfriesshire and Kirkcudbright (1833-82), was a medical officer in the Navy during the Crimean War, and eldest son of John William Byrne of Elsiefields and of Eleanor MacAlpine, his wife, who died in 1876. Mr Byrne died in 1882,

leaving by his wife, Ellen Eykyn, the present representative of this branch, Theodore Edgar Dickson Byrne, born 1879, and other children.

Archibald Johnstoun in Kirk, mentioned in the Will of 1574, had two sons, James and Cuthbert. The last came to Newbie when it was sold to the Laird of Johnstoun in 1606, and married Bessie Fareis, widow of John Johnstoun of Mylnfield. Their grandson, John M'Millan, was returned heir to Cuthbert in 1669. James and Joan M'Millan, with John, their son, held the lands that Cuthbert owned in Dryfesdale and the M'Millan lands in Galloway, in 1688. In 1701 these were sold to Robert Johnston, Dean of Dumfries, and Jean Cannon, his wife, from whom they came to the family of Elsie Shields.

James Fareis of Dalfibble, a relative to Bessie, was a witness before the Privy Council about the Maxwell outrage in 1602.

More than a century earlier two of the junior branches of Elsie Shields had become more important than its head. In 1587 Gavin of Kirkton, who had a Government post in Edinburgh, carried private letters from the wife of Sir John Johnstoun to be delivered personally to the King. His sister-in-law is stated, on no good authority, to have given the *coup de grace* to Lord Maxwell at Dryfe Sands, when lying wounded on the field he saw her looking for her husband, and asked her to assist him. This battle outlawed the whole clan, but her husband, James of Kirkton, and his father before him were in business in Edinburgh, and he only returned to Dumfriesshire to assist his Chief. Their son, Archibald, married Rachel Arnot, the daughter of the Lord Provost, Sir John Arnot, and must have been one of the richest men of his time. He paid £10,500 to the Laird of Johnstoun for a mortgage of Newbie Castle and estate, and appears to have bought the escheat of Westraw from Carmichael (Chapter IV.), as James Johnstoun of Westraw obtained his consent and that of his son, James, before finally parting with his hereditary lands. Archibald died in 1619, two years after his son, James, and, as his eldest grandson, Archibald, afterwards Lord Warrieston, was not of age, and the grandfather, Thomas Craig, was his tutor, a family suit about the division of a previous marriage settlement was not brought into Court till Feb. 16, 1627, when Craig was dead.

The case is thus recorded. Archibald, eldest son to the late James Johnstoun, merchant burgess of Edinburgh, Mr Samuel Johnstoun of Sheens, advocate, and Mr Joseph Johnstoun, his brother (Archibald's uncles and tutors), against Elspeth Craig, relict of the said late James, regarding a contract of marriage made between the late Mr Thomas Craig, advocate, Helen Arnot, his spouse, and the late Archibald Johnstoun, merchant burgess of Edinburgh, Rachel Arnot, his spouse, and the said late James Johnstoun, their son, and Elspeth Craig. A month later the same plaintiffs carry on the suit against Archibald's mother, Elspeth Craig, and his sisters, Rachel, Margaret, and Beatrix, and against Mr Robert Burnet (afterwards Lord Crimond), spouse to the said Rachel (parents to Gilbert Burnet, Bishop of Salisbury, author of *A History of our own Times*). In 1636 Elspeth Craig lent money to Francis, Earl of Bothwell. Her daughter, Beatrix, was the witness.

Besides belonging to the same branch of Elsie Shields, the Johnstouns

of Kellobank were nearly connected with those of Kirkton through the Craig family, as the mother of Archibald Johnstoun (of Warriston) was niece to Margaret Craig, James Johnstoun of Kellobank's wife. They came off the family of Elsie Shields early in the sixteenth century. A Charter of the lands of Kellobank was granted by Michael, Lord Carlile, to James Johnstoun, burgess of Edinburgh, and another portion resigned to the same by Andrew Kirkpatrick in 1552. James was the son of William Johnstoun of Elsie Shields and Reidhall, whose son, William of Reidhall, was living in 1569. A second Charter of these lands is made out to John Johnstoun, son of the said James, in 1573.¹

The burgess of Edinburgh and owner of Kellobank, who married the sister of the King's physician, Dr John Craig, a member of a highly educated family, was as unlike his brother William as Jacob was to Esau. He died in 1572, when his effects were proved by his widow, Margaret Craig, Robert Johnstoun, his brother's son, also a burgess of Edinburgh, and Archibald Johnstoun to amount to £6800, including sums owed to him by the Earls of Huntly and Sutherland, James Johnstoun of Middlegill, Robert Scott of Thirlestane, the Abbot of Salsit, the Regent, James, Earl of Morton, William Johnstoun, Oliver Sinclair, James Douglas, the Laird of Balfour, Robert Craig, Adam Moffat, and others. He left Sir Thomas Craig, advocate, and John Arnot tutors to John, his eldest son; and in trust to his nephew, Robert, his share of the ship *Greyhound* for Robert's daughter, Margaret. Among the witnesses are Gilbert Prymrois, chirurgion (brother to Archibald, the Earl of Rosebery's direct ancestor), and William Johnstoun, son and heir of the late William Johnstoun, burgess of Edinburgh.

In 1572 John Johnstoun of Kellobank and Symon Johnstoun were pledges for John Johnstoun, Abbot of Salsit, who was convicted of celebrating mass according to the Roman use.

In 1573 there is a complaint by John Johnstoun of Kellobank against John Urwen, callit the Duke's John, respecting lands in Trailtrow. He also bought Dunwoodie, and eventually Castlemilk from the Laird of Johnstoun, having, as his grandson wrote, "a plentiful fortune left him by his father, James Johnstoun, of the family of Elsie Shield." He was an advocate, and married Barbara, daughter of Nicol Udward, Lord Provost of Edinburgh. The King made him lay Abbot of Salsit, and afterwards of Holywood, and at the time of his death, in 1613, he was Sheriff-Depute of Annandale. Of his four sons, the eldest, Thomas,² after losing the large property which he inherited, took service as a captain under Gustavus Adolphus in 1625. He appears in several deeds as late as 1620, when his brothers, Alexander and John, were securities for his tailor's bill in Edinburgh, and he was summoned that year as his father's heir

¹ William, Gudeman of Kellobank, produced the above Charters in 1619, when there was an enquiry into the titles of those who held land in Dumfriesshire. Forged writs as well as forged money were not unknown at that time.

² "My grandmother's brother," wrote Thomas's nephew, Nathaniel Johnston, "gave my oldest uncle such an education in France, &c., and encouraged him in such a prodigal way of living that he involved him in great debts" (M.S., Brit Mus.)

on account of a trust, but, as his stepfather, Edward Johnstoun of Ryehill, and other connections acted for him, he had probably left Scotland (Chapter XI).

The Johnstouns in Auchinskeoch (near Drumlanrig) were connected with the Elsiefields branch. They were feuars, and appear no more after 1622, when a Lyndsay, on the Dumfries Assize, is described as of Auchinskeoch. George Johnstoun, who was outlawed in 1513 for the slaughter of Ivon Corrie, is the first recorded.

William Johnstoun in Auchinstock, probably George's grandson, died in 1576. His Will was proved by his widow, Katherine Cuthbert, and his son, William, his only executors, the witnesses being Patrick Johnstoun in Auchinleck and James Johnstoun in Auchinstock, the Vicar of Kirkpatrick, and others. He left £414, 6s. 8d., and owed nearly as much to the Abbot and Convent of Paisley, to the Castle of Dumbarton, to the Minister of Kirkpatrick, Thomas Robertson, and Janet Atkins. Patrick Johnstoun in Auchinstock was among those resipited after Dryfe Sands.

John Johnstoun, an advocate, brother to this William, purchased from the Crown the dues and lands belonging to the secularised Abbey of Salsit in 1595, and his Chief was ordered to put the new Abbot in possession of Garwald and Couran, which were given by their ancestor for the support of the religious house. The Commendator, as he was now called, paid the Laird 900 marks and £28 to maintain and defend him in these lands, which the Laird undertook to do, and he was legally established there, "when, on Nov. 8, 1595, the said Sir James directed, and sent out the following: his domestic servants, Symon his brother natural, Adam and James Johnstoun in Hesliebray, and William his son, James, son to David Johnstoun in Nether Garwald, William Johnstoun in Moling, and Ninian Johnstoun in Rowantrieknow, and others their accomplices, all being fugitives from the laws for cruel murders and depredations. They came to Couran and Garwald and violently ejected the said Commendator and Symon his brother forth thereof, and cast forth of the same, Cuthbert Johnstoun, their brother, being an impotent and decrepit person of 92 years or thereby, and Andrew Johnstoun, their brother's son; and intrenched themselves therein."

This appeal to the Privy Council gives a list of the stock which the Laird's friends had seized: Forty bolls of oats, and also fodder; seven cows, worth £20 each; forty ewes, worth 1s. each; two horses, £20 each; and the furniture and stores in the house. None of the defendants appeared, and Sir James was often called without effect, so a sentence of outlawry was passed against him, only a year after he had received a pardon for Dryfe Sands.

The Commendator died in 1599, when John Johnstoun of Kellobank and Castlemilk was appointed Abbot of Salsit. Nineteen years later John Johnstoun in Auchinstock—son to the late William, brother to the late Symon, brother to the late John Johnstoun, Commendator of Salsit, and apparent heir to the said Symon—and Robert Johnstoun of Raecleuch proceed against Captain James Johnstoun of Lochous to compel him to produce his title to the lands of Drumgrey, which the late Symon held in feu of Sir Alexander

Kirkpatrick. John, the plaintiff, produced the Kirkpatrick writ, and another, showing that he had sold his own rights to Robert Johnstoun of Raecleuch in 1608. The case went on for some time, judgment being given in favour of the appellants.

The new lay Abbot of Salsit retired in 1601 in favour of William Adair, having just received the more valuable endowment of Holywood, which Sir James Johnstoun had been obliged to resign. Holywood included a seat in Parliament.

The Lockerbie Johnstouns descend from William Johnstoun of Marjoribanks, the second son of the elder Gavin Johnstoun of Elsieshields. Cuthbert Johnstoun in Lockerbie appears in 1559, and was followed by Robert, Mungo, and his sons Francis, Symon, and William, the last a close friend and servitor of the Chief who was killed by Maxwell in 1608. In 1602 Andrew Johnstoun of Milnbank and John, his son, are accused of cattle-lifting from lands of Craufurd, in Lanark; and, rather later, Christopher Johnstoun of Milnbank joins with other tenants and feuars in resisting the new taxation imposed by James VI. Milnbank was a younger son's appanage in the same parish as Lockerbie, and had a strong tower, shown in Bleau's map, in 1660.

In 1678 Mungo Johnstoun is returned to Lockerbie as lawful heir to his father, Andrew. His brothers were Alexander, a notary in 1675, Robert of Roberthill, and George, a writer in Edinburgh (described as of Gumenbie, and son to Andrew Johnstoun of Lockerbie), who bought the estate of Knockhill, in Hoddam, from John Irving in 1655. George married Isabel Weir, and died in 1672, leaving a son, Andrew, two years old, who married Janet Corrie of Annan. His grandson, James, and his great-grandson, Andrew, fought on the side of the Jacobites in 1715 and 1745.

Mungo Johnstoun of Lockerbie's sons were Andrew, a Commissioner of Supply for Dumfriesshire in 1689, James, and Mungo, who married Lilius Johnstoun, and was in money difficulties in 1701. Andrew Johnstoun, younger of Milnbank, witnessed a sasine for the elder Mungo in 1681. He was probably the son who was owner of Lockerbie in 1688.

In 1716 there is a Charter of the lands of Dryfesdale in favour of James Johnstoun in Lockerbie, great-grandchild and apparent heir of the deceased Andrew Johnstoun in Milnbank. For his descendants, the Johnstone Douglasses, *see* Chapter XIV.

In 1739 David Johnstoun is called portioner of Lockerbie. He had two sons, George and Robert.

James, the elder brother of Archibald Johnstoun, the merchant, succeeded his father in Beirholme and Middelgill. His son, Thomas, feuor of Beirholme in 1618, had a suit with Adam Johnstoun of Marjoribanks. Another son, Andrew, married the daughter of Christopher Irving.¹ Thomas's sons, Andrew and John, were living at Beirholme in 1621.

¹ Christopher was the son of John Irving of Bonshaw, died 1593, and of Mary, his wife, daughter of John Johnstoun of Newbie. He settled in Ireland, and founded the Irish branch of Irving.

William Johnston, the son of Archibald Johnston, and great-grandson of James of Beirholme, was a Commissioner of Supply in 1685 and Collector of the Customs in Dumfries in 1699.

A letter to Lord Annandale from Kennedy of Halleaths in 1702 reminds him that Archibald Johnston of Beirholme's second son is idle, "which is ill-breeding for a young man, and is not his choice. Your lordship posted his brother in Dumfries, and I hope he shall do very well in it." The writer suggests that there is a vacancy among the macers of the King's Guard at Edinburgh. "If your lordship would get that for Archie it would be a means of subsistence, and put him in a better capacity to be a servant to your lordship and your family."¹

In 1723 William Johnston of Beirholm appears in a suit against Gavin Johnston of Elsieshields, and the next year, when he renews the suit, he is a citizen and innkeeper in London. In 1726 he was still in London, and a merchant, and in 1729 he is in Annan. He married Sara Douglas, and was dead in 1750, when a sasine is granted in favour of "Marie Johnston, wife of the Rev. John Nimmo, minister at Johnston, Grizel Johnston, relict of William Hamilton of Eldershaw, Charlotte Johnston, daughter of the deceased William Johnston of Beirholm, and Sara Douglas, only daughter of the deceased Janet Johnston, also daughter of the said deceased William Johnston, and Captain Alexander Douglas, husband of the said Sara Douglas, all as heirs of the said William, father of the said Mary, Grizel, and Charlotte Johnston, and grandfather of the said Sara Douglas, in the lands of Newton and Pashgillfoot." William had a brother, Archibald, living in 1723.

Robert Johnston of Gotterby, who acted as witness for the Laird in Edinburgh about 1624, was probably a member of a Mid-Annandale branch, and followed his Chief when he settled at Newbie. Johnston of Gotterbraes appears in 1625, and later as a baillie of Annan, and John Johnston of Gutterbraes was Provost in 1745. He married the daughter of Mr Howie, minister at Annan (1703-54), and their youngest son, Dr Bryce Johnston, was born there March 2, 1747. After studying at Edinburgh, he was licensed as a preacher Oct. 4, 1769, and ordained two years later as assistant to Mr Hamilton, minister of the Church at Holywood, whom he succeeded, and he remained there till he died, 1805. He supplied the article on Holywood Parish in Sinclair's *Statistical Account of Scotland* (1794), a volume of sermons, and one or two essays.

The local belief is that the name came from a Gutter running down the hill close to the house of this family in the town of Annan, but Gotterby is a well-known place in Dryfesdale. Mr John Johnstone of Beech Hill, Annan, and Dr Thomas Johnstone of Annandale, Harrogate, are the modern representatives.

Dr John Johnston of Sunnybrae, Bolton, is also an Annan man of Mid-Annandale descent. His grandparents, John Johnston and Elizabeth Beattie, came from Stobohill, in Corrie, and from Kirkpatrick to Annan, where they

¹ *Annandale Book*.

died, but they are buried in Dryfesdale Churchyard among their relatives. Dr Johnston's father, William, was born at Annan in 1824. William and his father composed the firm of Johnston, Builders, in Annan, and, acting up to the reputation of the Johnstoun clan, "that ever are true and stout,"¹ no structural deficiency or jerry building was ever found in their work. The Commercial Bank and some of the most important modern erections in the district were built by this firm, and when business was slack William sailed from Waterfoot to Liverpool to help in the completion of St. George's Hall. Before the railway, steamers carried the mails from Waterfoot to Liverpool.

William Johnston married Helen Roxburgh. Their youngest son, William Joseph, is a lawyer in Annan and Treasurer of the burgh; the elder, John, who graduated M.D. at Edinburgh with honours in 1877, late Hon. Surgeon to the Bolton Infirmary, was born at Carlyle's place, Annan, and has written an interesting memoir of his worthy parents. Besides contributions to the medical journals, he is the author of *The Wastage of Child Life*, *Musa Medica*, *Hospital Heroes*, *Doctors and Patients*, *Facts and Fallacies about Alcohol*, *In the Land of the Moor*, *A Spanish Bull Fight*, *A Visit to the Land of Burns*, and about eight or nine other books.

¹ *i.e.*, brave (*Lay of the Last Minstrel*).

CHAPTER VI.

JOHNSTOUNS OF POLDEAN — SMALLGILLS — CRAIGABURN — COUNT MAXIMILIAN VON JOHNSTOUN UND KROEGERBORN — NEWTON, ETC. — EMIGRATION — JOHNSTONS OF HAZLEBANK.

THE Johnstouns of Powdene, or Poldean, were an early branch who held their little estate in Wamfray from Jardine of Apilgirth. The first recorded, Herbert of Johnstoun of Powdene, was dead in 1496, when his widow, married to Jardine of Apilgirth, disputed with Symon Johnstoun of Powdene for the possession of the estate.

Symon, with the Laird of Johnstoun, Gavin Johnstoun of Esbie, and John Johnstoun of Wamfray, was a witness in 1514 to the retour of Lord Herries. In 1520 Symon of Powdene and David Johnstoun of Harthope formed a bond of manrent with Lord Maxwell. In 1514 Symon had a Charter of Poldean and Milkymoss from Jardine, and a year later he received the gift of the ward of a 5 mark land in Wamfray, a 10s. land in Poldean, a $\frac{1}{2}$ mark in Grethead, and other small properties which belonged to Haliday of Brumehills, being, through his death, in the King's hands till the entry of the lawful heir, "for good and thankful service to the King and the Duke of Albany, his tutor."

On Jan. 28, 1532, Symon resigned the lands of Smallgills, in Moffat, to his son, Thomas, who is confirmed the same day in these lands, "for great and gratuitous service" against the English, by James V. Later on the same Thomas possessed Craigaburn. Symon was occupied less creditably, and was sued for it by James Johnstoun, burgess of Edinburgh, in oppressing the plaintiff's lands (*i.e.*, tenants) at Chapel Hill.

This James was Sheriff of Lanark and lay parson of Lochmaben, in which capacity he sued Gordon of Lochinvar and other Chiefs for debt. He was also Sheriff of Ayr. His son, William, was made Procurator for the Crown and one of the commissioners for trying heretics at Dumfries, Aug. 25, 1534, when the Reformers were entering Scotland from Holland and Germany. Sheriff James came off the Westerhall branch, but Chapelhill a little later belonged to Craigaburn.

Craigaburn was more important than Powdene, but Thomas got into difficulties, and was deprived of Smallgills "in default of goods distrainable." The King restored it by Charter in Oct. 1541 to Thomas's son, John of Craiga-

burn, who surrendered to the English in 1547 with sixty-four men, and was outlawed by Act of Parliament the next year.

Besides Thomas, Herbert, Gilbert, and James are mentioned in 1545 as sons of the deceased Symon Johnstoun of Poldean.

John, the son of Thomas, appears to have died before 1565, when a full pardon was proclaimed. He was probably elder brother to Thomas of Craigaburn, Herbert of Powdene, Gilbert of Corhead, and William—all brothers. In 1550 Thomas Johnstoun of Craigaburn was a witness to the bond of manrent between the Chief and his brother, James Johnstoun of Wamfray, and was also one of the delegates sent by his Chief to Edinburgh in 1576 to adjust their differences with the Maxwell clan.

In 1563 there is a contract between honourable persons, Herbert Johnstoun of Powdene and Gilbert Johnstoun of Corhead. They are not described as brothers, although two other documents prove this. John, son of the said Herbert, consents to the document and signs it. Herbert died in 1576. John married Katherine Carruthers, and had a son, Gilbert.

The eldest son of Thomas Johnstoun of Craigaburn, John Johnstoun of Smallgills, also called "in Corhead,"¹ was dead in 1577, when his brother, Symon, took over Smallgills. In 1581 Symon was killed by the Armstrongs, several of whom offered compensation to the Chief, and to the children of Symon, and to James Johnstoun in Chapelhill, his brother. They proposed to come "to the church of Moffat or other convenient place in our linen clothes, kneeling on our knees with our swords drawn in our hands, and shall deliver them to you by the hilts, in token of repentance for that wicked and unprovoked slaughter." This was an ordinary way of obtaining pardon for murder, and avoiding hereditary feuds.

Thomas of Craigaburn died in July 1581. He left many descendants, and appears to have been the third largest landholder among the Johnstouns. A Charter from George Douglas of Corhead entails upon Thomas, his son, John, and his heirs male whatsoever of the name of Johnstoun, reserving the liferent to Katherine Johnstoun, his wife, the town and lands of Moffat, Granton, Newton, and Corhead, except an acre of land called the Douglas Acre lying at the end of the town of Moffat, with buildings, mills, woods, and fishing, to be held of James, Earl of Morton, the superior. As Corhead was not held of the Crown it was not a lairdship, but the next heir to Craigaburn, young Thomas, called himself "of Corhead," so Monypenny places it among the Laids of the name of Johnstoun in 1587.

Thomas of Craigaburn's two Wills are dated at Craigaburn in June 1580 and July 1581. He begs his sons to rally round his eldest grandson, Thomas, as the head of their branch of the clan, under the leadership of the Laird of Johnstoun. His son, Symon, being also dead, he left Dryhead to Symon's son, James, half the lands of Smallgills to his widow, and the other half to his own son, James, in trust for Symon's son, John, James to enjoy the profits, but to keep the said bairn in meat and clothes till he was sixteen, if his

¹ He drowned himself, and Symon received his estate as an escheat.

mother cannot hold him (*i.e.*, support him), and to be his tutor till he was twenty-one. To the said James he left Chapelhill, to be held of Lord Herries; Gavelhill, in Wamfray, and Langhope, in Tweeddale, to his grandsons, John and James (the last to be held of Michael, Lord Fleming), and to his sons, Thomas, William, and Gilbert, to divide among themselves without cavil. Other lands he shares between his heirs and his wife, to whom he gives all his "moveable goods quick or dead, house and corn, horses, cows, etc., to sustain herself thereby . . . with the advice of her sons, James, Thomas, and Gilbert, making account of the same twice in the year, and the profits to be employed for the sustenance of his children and grandchildren in necessity, unless they prove wilful and ignorant, and will not use advice." He makes his Will with the consent of all the family, and *obliges* his children to live in the fear of God, and to serve the Laird of Johnstoun well and truly, "even if he be unkind to you." He leaves a charge of £40 a year to his widowed daughter-in-law, Marion Mure; and exhorts his descendants to send their corn to be ground at the mill at Moffat,¹ as Thomas, his "oy," is the leader of their branch under the Laird. To James, his second son, he left Glenquotto and lands on Tallow Water in Tweeddale. To his wife, his kindlie right to Glenhutton. His horses, cattle, sheep, grain, etc., are valued at £331, 11s. 8d.; the money owed to him £412, 4s. 10d., the creditors being Robert Johnstoun of Newton, for violent occupation of the lands of Newton, Robert and Thomas Moffat, the heirs of James Johnstoun of Middlegill, and of John Johnstoun of Langwodend; and he owed £351. The Will is complicated in its details, but the distribution to the minors, John, James, Frances, George, and John, was entirely left to his sons. No lawyer was employed, the dwellers on the lands were to serve their new masters; the patriarch's desire was a command, and it was all carried out as he wished.

The widow died on Nov. 1, 1582. Her sons, "James in Chapelhill, Thomas in Moffat, William there, and Gilbert in Corhead," were her executors. Her husband's debts were paid, and her sons were her only creditors except one merchant, but none of her husband's debtors had paid their accounts.

Symon Johnstoun, a son of one of the Johns mentioned in Craigaburn's Will, migrated to Poland, where there was a large colony of Scottish Romanists. He married Anna Becker, and his son, John, an author and naturalist, was born at Sambter, in Posen, in 1603.

John, Symon's son, was educated at Thorn, but in 1622 entered the University of St. Andrews, where he gained distinction in Hebrew and natural science. He returned to Poland in 1625, but four years later came to Cambridge to study botany and medicine, and continued it in London, where he wrote the chief part of his most important work, *Thaumatographia Naturalis*, an ambitious production in ten parts, illustrated with copper plates. This book was much esteemed in the seventeenth century, and translated from Latin into German, Dutch, and English. It is dedicated to four Polish noblemen, with two of whose sons he revisited England after he had graduated M.D. at Leyden, to

¹ This was a usual clause. It appears in the Laird's tacks.

receive the same degree at Cambridge. He eventually settled at Leyden, where he married, and had a large practice, but refused the Chair of Medicine at the University as well as a similar offer from the Elector of Brandenburg, and retired in 1665 to his private estate near Leignitz, in Silesia. He died there in June 1675, leaving one daughter, but his father's male descendants are represented by Count Maximilian von Johnstoun und Kroegeborn, Chamberlain to the Emperor of Germany, who printed two histories of his family, in 1891 and 1895.

Young Thomas Johnstoun of Craigaburn and Corhead received a gift of the 40s. land of Hennaland and all profits since the death of a Moffat of Knok in 1584; but a few years later Corhead was owned by James Johnstoun of Lochous, a near relative of the Chief, from whom it went to a natural son. Craigaburn also belonged to the Laird of Johnstoun in 1633, partly owing to escheat, as the family seem to have been active among the objectors to the tithes and other taxes introduced after the Union of the Crowns. There were several of this branch at the battle of Dryfe Sands.

Herbert Johnstoun of Powdene, brother to Thomas of Craigaburn, mortgaged part of his lands to Thomas, and on the death of their brother, Gilbert of Corhead, Gilbert the younger parted with his share of this estate to his cousins of Craigaburn. Ninian Johnstoun, Herbert's grandson, was in the Edinburgh Tolbooth with James Johnstoun of Westraw and others (for slaying Sir John Maxwell of Pook), when he was returned heir by Westraw, Robert Johnstoun of Corhead, Gavin Johnstoun, James Johnstoun of Brakinside, and several more of his fellow prisoners, to his grandfather's (Herbert of Powdene) lands in Peebles, which had been in the hands of the superior, Lord Hay of Yester, since 1573. Powdene and Westraw seem to have been for many years on very friendly terms. In 1621 Ninian Johnstoun of Poldean, Gawyne Johnstoun of Carterton, and James Johnstoun of Wylleis (later outlawed for slaughter) were witnesses to the written statement by the Laird of Johnstone and his curators, James Johnstoun of Westraw and Edward Johnstoun of Ryhill, concerning the ejection of Robert Johnstoun of Raecleuch from Newbie Tower.

In 1605 Ninian Johnstoun signed the Bond of Peace which Gilbert Johnstoun of Wamfray promoted among his kin, and in return received pardon for all former crimes. Ten other Johnstouns signed it—Ninian's brother (James of Milkymoss, also called of Smallgills and Wylleis), Gavin Johnstoun of Annanholme, John Johnstoun of Howgill, John, William, and Robert of Kirkhill, Thomas Johnstoun of Fingland, Cuthbert, Nicholas, and John.

In Murray's information of the *Feuars of Annandale* (1611-5) he ridicules the pretence of Powdene to be a Laird, as his land was held of Apilgirth, not of the King. He shows that Ninian Johnstoun married his cousin, one of two sisters, Janet and Helen, who were co-heiresses of four generations of a branch of Powdene.

A precept, signed at Edinburgh March 15, 1553, pardons four brothers—James, William, James, and David Johnstoun in Brumehill—and William and John Johnstoun in Rigfoot for "their treachery with the old enemies of Eng-

land, and for the murder of John Harknes of Reidhall and the burning of his house." In 1603 two Johnstouns of Brumehill were hanged for theft; so it is pleasant to find that their brother, David, in 1611, "lawful son to the late Gilbert, brother-german to the late Herbert, who was son and heir to the late Symon Johnstoun of Powdene," was making an honest living as a tailor in Edinburgh when he parted with Brumehill to Symon Johnstoun in Woodheid and Gavin Johnstoun, burgess of Edinburgh.¹ He left three, if not more, sons, William, David, and John, and three daughters, Helen, and Grizel and Bessie, who were twins.

Christopher Johnston, another of the Powdenes, was a sailmaker in Edinburgh in 1618, a trade followed by sailors on shore.

The Powdene group—Milkymoss, Newton, Annandholme, Hesilbank, Rowantriebrae, etc.—were the "old gang of Wamfray" whom the Government regarded as most troublesome in 1569, and only distant cousins to the descendants of James Johnstoun, who obtained a Charter of Wamfray in 1545. The Laird's domestic retainers seem to have been selected from among them, for they lived near Lochwood and were poor, so they were mixed up in every disturbance in which the Chief or his sons or uncles were engaged. In 1557 a pardon was granted to Gavin Johnstoun of Newton, son of Robert Johnstoun in Newton, and to Robert and John Johnstoun, brothers of the said Gavin, for assent, art, and part in the murder of Robert Moffat (not a fortnight before) during service in the Church of Moffat. It was before the Reformation, and the victim was possibly a church brawler, as the Edinburgh Court evidently thought there were extenuating circumstances.

In 1567 a pardon is granted to Robert and John, sons of the Laird of Johnstoun, to Gilbert Johnstoun of Poldean, and Graham and Carruthers for the murder of James Johnstoun of Middlegill and the mutilation of Gilbert Johnstoun in Howcleuch on his left and right arms. This was possibly done in a skirmish with the formidable two-handed sword used in Mid-Annandale.

Ambrose Johnston was returned heir to his grandfather, Ninian, in Poldean, as it was then called, and was living in 1650, when some of the soldiers of Charles II. were quartered in the house. It appears to have been haunted by a ghost, which, besides helping the family in many ways,² probably kept away any more of these hungry visitors. Ambrose had a brother, John, and two sons, Symon, who died *s.p.*, and Ambrose. Their father in 1644 was one of the War Committee, and signed the Covenant.

On March 30, 1724, Marie Johnston, lawful daughter of the late Robert Johnston, son of the deceased Ambrose, younger of Poldean, succeeded to the lands of Poldean and Milkymoss.

James Johnston of Milkymoss, Ninian's brother, left descendants, known as of Stenris Hill, by his first wife, and those of his second wife, Janet Porteous, were called of Granton. Ambrose Johnston, the representative of Stenris Hill, was a Colonel in the Guards about 1738. Of the younger family, James John-

¹ Son to James Johnstoun of Brackenside.

² Paterson's *Wamphray*.

ston of Granton, married to Betty, a daughter of John Johnston, merchant in Moffat, was living about 1739.

Either from John, the brother of Ambrose (1650), or from Habe or Herbert Johnstoun in Hesilbank, it may be assumed that the later Johnstons of Hazlebank descend. This Habe, who seems identical with a son of Herbert of Powdene (1576), and his three brothers, who would be Thomas, Symon, and Gilbert, were in 1585 ordered to find security for their good conduct. Thomas Johnstoun of Fingland was their pledge. Hazlebank and Poldean are very near, and owned by the same superior. Hazlebank was the appanage of younger sons.

The decrease of the population in Annandale during more than 150 years was partly caused by the enormous emigration to America. Ships, more or less ill-provided for carrying human beings, went direct from Waterfoot, at the mouth of the Annan, and among those who came to Maryland from Moffat was Christopher Johnston, the son of John, a merchant at Moffat, and his wife, Janet Swan, and the grandson of Christopher Johnston in Hazlebank, Wamfray, and of Elizabeth Corrie, his wife.¹ Mutual connections and a similarity in Christian names add to the probability that they came off the Poldean family.

The elder Christopher, born 1664, died 1724. The younger Christopher, born 1750, married Susanna, daughter of Griffin Stith, and died at Baltimore in 1819, leaving, with other issue, a son, Christopher, born 1800, who married Eliza, daughter of Captain Lemuel Gates, U.S.A., and died 1835. Their son, Christopher, M.D., Professor of Surgery in the University of Maryland, Baltimore, was born 1822, married Sarah Lucretia Clay Smith, of Washington, and died 1891, leaving, with other children, Christopher, born 1856, Professor of Oriental History and Archæology in John Hopkins' University, Baltimore, married to Madeline Tasker Tilghman, and has a son, Christopher, and two daughters.

Dr Johnston practised medicine, 1880-88, but early devoted much time to the study of ancient and modern languages. He wrote *Epistolary Literature of the Assyrians and Babylonians*, and has contributed many articles to technical journals, chiefly on Assyrian and Egyptology.

Christopher, the elder of Hazlebank, presumably had other sons besides John, of Moffat, and a Christopher Johnston, married to Elizabeth Campbell, had a daughter, Mary, born in Glasgow in 1718.

¹ For Corrie of Corrie and Newbie, see *ante*, *et seq.*

CHAPTER VII.

VARIOUS JOHNSTOUNS IN THE FIFTEENTH CENTURY, AND THEIR RELATIONSHIP TO THE CHIEF—GREтна OR GRAITNEY AND LOCHMABENSTANE—EARLY MARRIAGES.

ADAM of Johnstoun, the Laird who assisted at the great battle of Lochmabenstane in 1448, was married to Lady Janet Dunbar. "She bare to him many sons," says the historian. She was probably his second wife, though not young, for her father was a Commissioner of the Peace with England in 1380; her eldest sister had been betrothed to David, the eldest son of Robert III., an engagement broken off by the influence of Douglas in 1402; her eldest son was killed in battle in 1424; and her grandson, Sir John Seton, was Ambassador Extraordinary to the Court of England in 1448.

Adam's sons were John, who married the daughter of Lord Maxwell, Warden of the Marches, Gilbert,¹ possibly the Gilbert de Johnstoun de Gretno who witnessed the young Lord Maxwell's retour in 1453, but known later as of Elphinstone, Herbert, Archibald, William, Patrick, James, most probably Matthew of Westraw. Thomas de Johnstoun de Breckonside has generally been omitted in a list of Adam of Johnstoun's family, but in a Murray Charter, dated 1438, he is called son and heir² of Johnstoun of that Ilk. Laurence de Johnstoun, brother of the said Thomas, is also mentioned as a witness. The other names in this Charter are Charles Murray, Laird of Ruthwell, William Jardine of Apilgarth, John Carruthers of Mouswald, Andrew of Gask, rector of Rampatrick (Dornock, Graitney and Kirkpatrick Fleming), Thomas Dyndum, rector of Annan, and Cuthbert Macbriar, rector of Hutton.

The Laird Adam died before 1455. His heir, John, had a second wife, Janet Hereis, mother of John of Wamfray, an estate bought from the Crichtons by his father. John's eldest son, James, died before him. David Johnstoun is called the son of John of Johnstoun in a Charter of 1476. The Laird owned Brotis, near Dunskeillie or Cove, in 1460-4, as he paid the taxes for it during those years, and it was conferred on him by Crown Charter in 1465. That of 1476 is a sale of the 40s. land of Daubate by Haleday to David, son of John of Johnstoun of Brotis. As Laird of Brotis,

¹ His mother's family had owned Gretna Tower.

² Long after this, the term heir is used for all legal sons.

David was a Judge of the Assize at Edinburgh in 1511, with Adam Johnstoun de Newbie, Roger Carruthers of Wormanbie, the Laird of Castlemilk, and other local names, when a Jardine of Apilgirth was tried. The non-entres and lands of Brotis were bestowed by the Crown on the Chief in 1546, till another heir should appear, showing that David's direct heirs were extinct.

In 1476 Lord Carlile brought an action against John of Johnstoun of that Ilk for "occupying the lands of Overdryfe for the last nine years, since 'decessum' of his brother William of Johnstoun"; and Carlile claimed them. The case was brought before the Lords Auditors in Edinburgh, and John was ordered to give up the lands and pay 40 marks. Two years later another case before the Lords in Council was brought by William of Johnstoun, probably nephew to the preceding one, and five witnesses proved that the Sheriff, Robert Weir (Vere), had seized a herd of swine which belonged to him, on account of money owed by Lord Hamilton. William gained his case, and paid 15s. to the witnesses.

The Laird John must have been very old when he died in 1493. His daughter married Archibald Carruthers of Mouswald, and Marion Scott, the widow of another Archibald Carruthers, married his grandson, Adam of Johnstoun (1488-1509), as his second wife. The first seems to have been a Murray. John had made over his estate to his grandson, John, when his eldest son, James, died about 1484. The younger John only survived about four years, and then the estates of Johnstoun, Kirkpatrick Fleming and Cavartholme were transferred to Adam, already shown to have fought on the side of his sovereign at Lochmaben in 1484, and who now saw the chief authority in Dumfriesshire given over to his rival, Maxwell, a change practically felt by all his dependents. Johnstoun had a hard struggle to prevent his family being altogether pushed aside. Probably his father and uncle had been killed in the battles of 1484 and 1488, as their deaths took place in those years.

In 1498 there is an action against Adam of Johnstoun, Gavin Johnstoun of Elsieshields, Symon of Johnstoun, and John of Johnstoun for occupying Carlile's property in Pettinane. The two last may have been the Laird's near relatives, as, though not an invariable rule, "of" before Johnstoun usually describes a son, uncle, or brother of the Laird. The same Symon of Johnstoun is proceeded against by William Jardine and his wife, Elspeth Carruthers, for keeping back the rents of Powdene, which were owned by the said Elizabeth or Elspeth, spouse to the late Herbert of Johnstoun of Powdene, who left two daughters. Symon's heirs owned it, or claimed it for several generations.

Sir Symon Carruthers left only daughters, Margaret, Elspeth, and Janet, but a younger Symon Carruthers, the son of the late Archibald, apparently Laird Adam's stepson, took part with his stepfather, Murray of Cockpool, and others in one of these cases. In another action before the Lords in Council, 1498, the Crown sues Adam of Johnstoun of that Ilk, Thomas Dunwedy, Gavin Johnstoun of Elsieshields, Symon of Johnstoun and John of Johnstoun. The case is heard again in 1500, when John of Johnstoun, younger, showed that the said Adam of Johnstoun was pledge and security for them all.

This John, the younger, was probably Adam's grandson. The other who is mentioned in 1496 as John Johnstoun of that Ilk (the security that John, Lord Carlile, should not molest William Carlile, his heir) may have been brother or son to Laird Adam. Patrick Johnstoun of that Ilk, mentioned in 1542, appears to have been another of Adam's sons. Robert Johnstoun of Over Howcleuch, who had a dispute with a neighbour about some cows, a horse and some swine, July 13, 1492, is called in two documents the son of Adam of Johnstoun of that Ilk; in another "of the late Adam of Johnstoun of Pensak," Pensak or Pennersax having been owned by Kirkpatrick, who sold it to George of Corrie. A MS. pedigree, 149 years old, makes Adam of Pensak son to the Laird Adam (1413-54). These chiefs and their relatives, like the patriarchs of old, returned to their flocks and herds when the country was at peace.

Adam of Johnstoun was ordered by the Lords Auditors to deliver to Marion Liddell, widow of Sir Patrick Brown, a sack of wool, of 23 stone weight, owed to the late Sir Patrick by the late John of Johnstoun, his brother. The Laird's goods were to be distrained by force, as he was often called, but did not appear. No patriotic sacrifices in those days excused a man from paying family debts.

George de Johnstoun appears in 1463, in conjunction with William Douglas of Drumlanrig, Oswald Lokert, Robert de Crichton, John Sinclair, David Herries, apparent of Terregles, and Carmichael. Possibly this George is the same as George Johnstoun of Elphinstone.

Adam Johnstoun of that Ilk was pledge with Steuart of Castlemilk for James Johnstoun of Castlemilk, Thomas Johnstoun of Graitney, George Corrie of Corrie, and John Jardine of Apilgirth, 1493. In 1502 Thomas Johnstoun of Graitney is pledge for Humphrey Johnstoun, Murray of Cockpool, John Carruthers of Holmends, Robert Graham of Thornik, and John, the son of Laurence Johnstoun, while Laurence Johnstoun of Woodhous is pledge for his brother, John. The Woodhous estate returned to the Laird in 1544 owing to the failure of heirs.

In 1506-7 Carruthers of Holmends, who feued Wormanbie, near Annan, disputed the fines he was called upon to pay by the Warden for depredations by feuars for whom he was responsible on the Borders; and to save his property from being seized, Thomas Johnstoun of Graitney (Tower?) was ordered to pay £41 for William Irving, "flee by the sky"; and Gavin Irving was amerced for "certain other sums." His Majesty's Treasurer also proceeded against Lord Maxwell, Adam of Johnstoun, and Murray to pay various sums on behalf of certain depredators whom they were pledged to bring up for justice.

Among witnesses to Charters between 1493 and 1504 we find John Johnstoun in Hoddam, Fergus Johnstoun in Woodcoker, John Johnstoun of Hayhill, and Michael Johnstoun in Graitney. These names all refer to the lords of the soil or their relatives. The peasantry would not have witnessed Charters, and in other causes they were dealt with by the barons without the trouble of appearing before a court of justice.

Adam of Johnstoun was dead in Oct. 1508, though his son, James, was not returned his heir till 1513. Reference is made at this time to the late Laird having been pledge for Irving of Bonshaw, a fief of Corrie, which shows that his ownership of the Corrie Barony was a fact.

The records are too much broken to know if the Laird Adam and his kin had a right from escheats conferred by the previous King to lands which they persistently claimed. The "good old rule, the simple plan" was very much in force, but it was the policy of the Crown to preserve the balance of power among the nobles, and the Johnstouns must have been much impoverished by their losses in battle. The chance of a rich prisoner's ransom was all the payment that even a chief received unless he got a grant of land, and it often had to be divided among several captors.

James VI. was asserted to have given money with his own hand to the Chief of a clan of thieves on the Borders to resist the power of the King's Warden, and the same kind of secret influence was exercised a century before. That Maxwell was growing too powerful for safety was shown a few years later, when he chased the Sheriff out of Dumfries. He already held one gateway into England through his allies, the Armstrongs. The other—Gretna—was safer in the hands of a small, brave clan, Maxwell's rivals, than with the Murrays who had followed their rebel Chief, and formed a bond of manrent with Maxwell.¹

Gretna Green² is still called Lochmabenstane, its old name, in a document which Murray of Cockpool drew up in 1615 to show his ancient claim to it and to criticise the alleged rights of most of his neighbours. Murray stated that it only came lately to the Johnstouns, since the death of the Earl of Dunbar. He gives the names of the generations who had owned Graitney—John, then living; George, his father; William, his grandfather; and another whose Christian name is a blank, but whom an uncertified document of 1542 calls William. There were many scions of the family named William. Besides those already mentioned, one is alluded to in a Charter by John Halliday, who mortgaged some land in Hoddam to John Carruthers of Mouswald, May 31, 1439, for £10, lent him in his great "myster"—*i.e.*, need—"it was some time Will of Johnstoun's." Another William was son of the Laird Adam (1488-1509). In a lease by John Lindsay of Covington he is described as brother to James Johnstoun of that ilk³ (1509-24), who had himself a son named William, probably the same who was ordered to qualify himself for the office of sheriff-depute in 1523. The age of this last William may be approximated by the

¹ Aug. 27, 1487, the Murrays signed a bond of manrent with Maxwell, witnessed by Adam of Johnstoun and Herbert of Johnstoun.

² "From an ancient inscription in the Churchyard of Graitney it appears that a near relation of Wallace is buried there, and the ashes of many of the Johnstones of Annandale are said to repose within the precincts of the ancient church. At Redkirk Point once stood the Church of Redpatrick (or Rampatrick); not a vestige now remains."—*New Statistical Account of Scotland*, 1845.

³ The Laird made several arrangements with John Lindsay of Covington, who leased to him for nineteen years the land of Polmoody, in Moffat. The Murrays of Cockpool held a mortgage on Polmoody.

brother who came next above him being married to a Corrie in 1516, and in receipt of a pension from the Crown for his services in 1531.¹

The eldest brother is presumably the John of Johnestoun, younger, mentioned in 1500, and who was fined 100 marks for shielding Carruthers when he attacked Newbie in 1508, and obtained a safe conduct to England the next year in company with Lord Maxwell. Life began early and lasted long in Dumfriesshire, when not ended accidentally. Boys and girls married at eleven, twelve, and thirteen. Robert Johnstoun of Raecleuch was eleven when he fought at the battle of Dryfe Sands, and was respited twelve months later, in 1594. He was six when he acted as a witness in a document concerning his Chief in 1588. There are other instances of these very young witnesses at a time when only lairds and their sons, the clergy, physicians, and notaries, were expected to be able to write.

Thomas Johnson in 1404 married Margaret Douglas, who received from her sister, the Countess of Mar, a grant of the Mains of Bonjedward. Thomas and Margaret were probably ancestors of the Douglasses of Bonjedward.

¹ William Johnstoun in 1509 is among the signatories to a Charter for Edward Maxwell at Tynwald, and his mother, Margaret Douglas, wife of the late John Carlile. Another of that name, on Feb. 15, 1513, witnesses a Charter confirming lands to the Edinburgh churches "dedicated to S. John the Baptist and S. John the Evangelist by John Craufurd, Prebendary of the Collegiate Church of the Blessed Giles."

CHAPTER VIII.

MAXWELL ATTACKS THE CRICHTONS—JOHNSTOUN IS PLEDGE FOR THE YOUNG LAIRD OF GRAITNEY AND OTHERS—WAR WITH ENGLAND—JOHNSTOUN'S SETTLEMENT—THE BATTLE OF SOLWAY MOSS—DEATH OF JAMES V.—CAPTURE OF ANNAN AND CONQUEST OF DUMFRIESSHIRE—THE INFANT QUEEN—PEACE—THE GRAHAMS.

AS the kings of Scotland had to depend on the loyalty of the Dumfriesshire chiefs to repel invasions and control robbers, whose depredations might lead to difficulties with England, they naturally took the side of the strongest in disputes between the clans, and probably their information was generally one-sided. In the time of Bruce, who, as Lord of Annandale, had seen the difficulties of the situation, the district between the Esk, Sark, and Leven, 8 miles long and 4 wide, called the Debateable Land, was set apart as a refuge for outlaws. In course of time whole clans crowded on it, with nothing to keep them but fish, game, and robbery. For Scotland it was an unfortunate arrangement, as these refugees could be easily bought, and England was more able to buy them. They furnished the necessary spies, and brought over their relatives farther inland to the English cause. The Maxwells were born courtiers and diplomatists, and by these qualities more than by arms gradually took the leading part in Annandale as well as Nithsdale, where their East Border ancestor had obtained Carlaverock by marrying the heiress of Galloway. They supplanted the Crichtons in Nithsdale, making use of some of the more simple Johnstouns to effect it. Then they turned round on the Johnstouns and undermined their influence in Annandale, and in the quality of Sheriff or Steward of that district outlawed the Johnstoun chiefs for protecting their own men.

In 1509 Lord Crichton of Sanquhar, the Sheriff of Nithsdale, held a Court at Dumfries. He brought a large number of followers, who were posted on the lower sandbeds outside the town, when they were attacked by Lord Maxwell—who held the office of Warden of the Marches, Baillie of New Abbey and Holywood, and Sheriff of Annandale—and by Sir William Douglas of Drumlanrig, coming along the Annan road. The Crichtons were put to flight, and Robert Crichton of Kirkpatrick, the Lairds of Dalziel and Cranchlay, and many others were killed. It was not till Sept. 1512 that Douglas, with his ally, Fergusson of Craigdarroch, was tried at Edinburgh in presence of the King and

an assize of twenty-five barons. They were acquitted on the ground that Robert Crichton was an outlaw.

Four barons were enough, in April 1513, to sit on those for whom the Deputy-Warden, the Laird of Johnstoun, was made responsible—George Johnstoun of Auchinsbork for the slaughter of Ivon Corrie; William Johnstoun of Fouleduris for slaughter; Robert Graham, John Carmichael (the son of Laird Carmichael), John Vere, John Lockhart, and Robert Bertoon for the slaughter of William, Laird of Dalziel. Of these, the two first and the last were put to the horn and their goods escheated. The same sentence was inflicted on Thomas Johnstoun de Gretna, with £100 fine for his non-appearance; William Johnstoun, the young Laird of Gretna, was accused of underlying the law, and 100 marks penalty for his non-appearance. David Johnstoun, brother of John Johnstoun in Bartycupen (near Lochwood), was put to the horn, and cost his Chief 100 marks for his non-appearance, as did Adam Scott of Tuschelaw, who was also put to the horn and his goods escheated. James Johnstoun of Skare had the same penalty. Johnstoun himself had not received back his estates since their sequestration, but they were restored immediately afterwards.¹

John Johnstoun of Wamfray was fined £40 for himself, and Douglas and Maxwell were ordered to make compensation to Lord Crichton.² To support the junior members of his own family and of his own clan was the duty of a chieftain, but on this occasion Johnstoun, who was a peacemaker in other matters, agreed to pay half of Maxwell's costs. There was a marriage connection between the two, for either the Laird or his eldest son, John, had married Maxwell's daughter. The older Maxwell histories say it was John.

The judgment was given just before the battle of Flodden, and Maxwell,³ who was going to join the King with all the forces he could muster, had neither time nor money to spare. He with four of his brothers shared their Sovereign's fate, and was left dead on the field, besides an Irving of Bonshaw, Lord Herries of Terregles with his brother Andrew, Gilbert Johnstoun of Elphinstone, and many other Dumfriesshire gentlemen.

The English Warden, Lord Dacre, followed up the victory by an inroad into Scotland through Eskdale. Writing in Oct. 1513, he describes the great devastation he had made, "continually burning from break of day till one in the afternoon, and bringing away 400 head of cattle, 300 sheep, some horses, and much furnishing."

¹ Pitcairn gives an abstract of this trial, pointing out the mistake that either the Justiciary Record or the old Peerages make in Dalziel's Christian name. "This entry," he says, "is very obscurely expressed. It does not appear from it which of these parties were struck and which of them slain, or whether they were all struck and slain."

² In the Lord High Treasurer's accounts for Aug. 1508 there is payment to a messenger for summoning the Lord Maxwell and the Laird of Johnstoun to ward (prison). In April 1513 there is the same for summoning Lord Maxwell and the Laird of Johnstoun to ward. In the M.S. account of the Herries family it is stated that Maxwell was imprisoned for this fray, "and paid a great composition for himself and all those who were with him."

³ John, Lord Maxwell, was in possession of his father's estate Feb. 14, 1477. He married Agnes, daughter of Sir Alexander Stewart of Garlies, who was Laird in 1477 and dead in 1501, when his son, Alexander, succeeded him. Robert Maxwell succeeded his father in 1513 and died 1546.

The Scots retaliated, and, to show it was not from too great leniency on his part, Dacre writes on May 17, 1514: "For one cattle taken by the Scots we have taken 100, and for one sheep certainly 200. I assure your lordships I have caused to be burnt and destroyed six times more towns and houses within the West and middle Marches of Scotland, in the same season, than is done to us, all waste now, no corn sown upon none of the said grounds. . . . Upon the West Marches I have burnt and destroyed the townships of Annan [with thirty-three others described], and destroyed 400 ploughs and above; no man dwelling in them to this day save only in the towers of Annan, Steppell [Stapleton], and Wauchope."

The English Warden had deprived the Scots of the means of living, so they made raids into England to recover their live property and to rob farms.¹ The late King's cousin, the Duke of Albany, was Regent for the infant James V., and Dacre was not at all pleased with the little trouble he took after peace was made to restrain his subjects, the Queen, sister to Henry VIII., during the short time she acted as Regent, "being more diligent in the matter."

The young Laird of Gretna, assisted by two of the Irvings and Peter Graham, made a raid, in which an Englishman and three traitor Scots were killed. Again, on Nov. 12, 1515, Dacre writes that "The Warden of the Scottish Borders, with Lord Carlile, Sir John Murray of Cockpool, the Laird of Johnstoun, Symon Carruthers of Mouswald, Sir Alexander Jardine (Comptroller of the Duke of Albany's house), Carruthers of Holmains, Charteris of Amisfield, William Johnstoun of Gretna, Dunwiddie, the Laids of Knok, Castlemilk, Kirkconnel, Tynewald, and others, came to Solam Chapel in England," where the said Warden "sent forth in a scrymmage the Laird of Johnstoun, Captain of Lochmaben, and others to the number of 400 horsemen and more. They came to Arthuret (on the Esk), burnt a grange and a whole village to the number of 16 houses."

Returning to Scotland, the Warden sent forth "in another scrymmage Sir John Murray, Jardine, Charteris, Tynewald, the Provost of Dumfries, and others, in all 700 horsemen," who robbed Bowness and burnt eighteen houses, with much corn and hay, and, after assaulting the tower for half an hour, returned.

In the Lord High Treasurer's accounts in 1516 there is payment to a

¹ The reader of the old story, that a Borderer's wife put nothing but spurs under a dish-cover at breakfast as a hint to her sons that the larder was empty, does not always realise that wild deer and other game were plentiful among the hills round Annandale, and that salmon were speared from horseback, a process of catching them described by several travellers in the eighteenth century. It need not have meant that they were to steal their food from England; yet when the laws of Scotland allowed "spulzie" from a neighbour as justifiable if the neighbour was in debt to the spoiler, it would have taken many more raids into England than are recorded to repay the Borderers for the cruel and unprovoked wasting of their lands by English armies in the fifteenth and sixteenth centuries, and the constant robberies committed by Armstrongs, Trumbles, and others protected by England. The fasts enforced by law for economic reasons as late as 1649, during Lent and at other seasons, made a close time for game. Buchanan's surprise at the fasts not being kept in Spain shows that he was accustomed to see them observed.

messenger who carries seven letters from the Regent to the Lairds of Johnstoun, Mouswald, Newbie, Holmains, and Cockpool.

In 1523 the Laird of Johnstoun was "ordained keeper of the West Borders." He died the next year. Lord Maxwell succeeded him, and entered into an arrangement with the new English Warden to pacify the Debateable Land, which was chiefly occupied by the Armstrongs.

The Earl of Northumberland, writing to the King's Treasurer in 1582, estimated the Armstrongs with their adherents to be capable of mustering 3000 horsemen.¹ A Cumberland MS. of the sixteenth century says they were tolerated by England because at any time they could produce 300 or 400 men to oppose the Scots.

Just before the above agreement was signed, the Earl of Angus ravaged the Armstrong territory as if it had been an enemy's, burnt many houses, and drove off 600 cattle, 3000 sheep, 500 goats, and many horses. The Armstrongs retaliated on the English border. But Maxwell saw that they might help him to reduce the influence of the Johnstouns and drive them out of Newbie. He formed a bond of manrent with their Chief, the celebrated Johnnie, and feued to him the lands of Stablegorton and Langholm, for the Johnstoun family claimed and owned Glendining and Arkilton in that neighbourhood.

John Johnstoun² succeeded his father as laird in 1524. The Keltic blood inherited from Scotts, Maxwells, Carruthers, Carliles, and other maternal ancestors predominated over any other in his composition, and many years of his life were passed in prison, or "at the horn" (as an outlaw), besides sharing in any dispute which happened to be taking place. He had already appeared before a court for molesting the Corries in Newbie, and enlarged his mind by a visit to England with Lord Maxwell, who was killed at Flodden.

There is no doubt that he supported William Johnstoun of Graitney in his occupation of Newbie in 1524, the year that Laird James, having been Warden for a year, died, and while Thomas Corrie was "at the horn." The Barony of Corrie after long delay had been conferred by Crown Charter on Laird James in 1516, and the same year his second son, Adam, married the heiress of Sir Thomas de Corrie. This settled the question of the part of the Barony called Corrie, and Adam Johnstoun inherited it without opposition on the death of his father. No deed exists to show how Arkilton and Cavertholme came to William of Graitney. The last is included in Laird James's retour and in the retours of his ancestors, but appears in the possessions of William in 1536, and his descendant owned it till 1618.

¹ Ten times more than the estimate of the Johnstone Clan in 1583.

² Sir W. Fraser, with no authority but the special pleading of Mr Fleming, Q.C., says that John was born in 1507. Mr Fleming interpreted the ward of his estate to refer to minority, whereas the term was used at that time when the Crown had outlawed a laird and sequestered the rents, and it suited Mr Fleming's case to make him as young as possible. The evidence is against this date. Why are his tutors or his "tutary" not mentioned, and who else was the John of Johnstoun who went to England with Lord Maxwell, and for whom Adam of Johnstoun stood security? Sir W. Fraser once stated that his younger brother, Adam, was married in 1516, and the Crown gave this Adam a "pension" in 1531. John's daughter was married in 1531.

Since the Royal Proclamation charging George de Corrie with treachery and rebellion in 1484 and depriving him of his estates, Newbie, the southern half of his Barony, had been persistently attacked by the Johnstouns and Corrie's neighbours. Its strong tower, its excellent fishings, mills, and pasturage, added to the Tower of Stapleton, and its seaport, with its command of the mouth of the Annan, made it a special prize. First the Murrays attacked it; then John Lindsay of Wauchope, who also acted as security for Thomas Rae, who destroyed the mill, house, and property in Newbie in 1488. Lindsay on the first occasion was ordered to pay a grey horse to William of Corrie, six cows to James Corrie, and £100 to Thomas Corrie, but it was not till 1530 that he was called upon to pay £140 and 16 marks to Corrie on Rae's behalf. In 1494 Symon Carruthers, Johnstoun's stepson, attacked Newbie. Then a Johnstoun appears in the Tower of Stapleton, in the Newbie Barony, and, as Adam of Johnstoun is made responsible for him as well as for William Johnstoun of Graitney, he must have been his "dependor." Then a Carruthers of Wormanbie attacks Newbie, in company with Andrew Johnstoun and some Armstrongs, and kills a labourer and a tenant, and for this Carruthers is condemned to be hanged, but as his friends and neighbours were his judges they possibly let him escape.

In 1511 Adam Johnstoun de Newbie is on the Assize,¹ in company with David Johnstoun de Brotis, Roger Carruthers of Wormanbie, John Herries, and others. Whether this Adam Johnstoun de Newbie was the same who became Adam de Corrie when he afterwards married the heiress, or some other relative, it shows that Newbie was recognised as a Johnstoun possession twelve years before William of Graitney made it his own.

It has been shown that the acquisition of Newbie and Corrie by the Johnstouns influenced Maxwell in his patronage of the Armstrongs. They bordered on both halves of the Barony, and could feed their hungry families with Johnstoun's corn and cattle without invading England; and could effectually weaken Johnstoun by keeping his followers always on the defence. Maxwell was half-hearted in his allegiance to his own King, who was not the character to command a strong man's respect, and he was accredited with the intention to make the office of Warden, a lucrative as well as influential post, hereditary in his own family.

The King desired peace with his uncle, Henry VIII., and the Armstrongs disturbed it. Apparently by his wish, if not by his direct command, Johnstoun chased them as far as Carlisle, just after they had burned Netherby in revenge for Lord Dacre having pursued them into the Debateable Land. Johnstoun's action was represented by his enemies as a raid on English territory. The King in Parliament declared himself to be entirely ignorant of it, and Maxwell

¹ Buchanan (1572) explains how these courts were constituted. A man of position and good repute was placed at the head as convener, and the judges (jury) consisted of twelve or more, if the services of so many men of the same class as the accused could be obtained. A little later the plaintiff chose a friend or man of good repute to be his pleader (actornate), and another might act as baillie (also a pleader) for the defendant, all being amateurs, not professionals.

in his official capacity proceeded against Johnstoun and his colleagues, John, Andrew, and Roland Bell, and William and Matthew Johnstoun, accusing them of "the cruel murder of Symon (nicknamed Mickle) Armstrong" (the incendiary). James Douglas of Drumlanrig was their cautioner, and as they failed to appear they were all denounced rebels, so, for the second time in twenty-seven years, Johnstoun's estates were sequestered, while his rival triumphed.

As William Johnstoun was engaged with his Chief against the Armstrongs, the opportunity was taken to respite Thomas Corrie, who had been an outlaw for four years, and enable him to proceed against the present owner of Newbie. An interim decret, dated March 1527, is "anent the summons made at the instance of Kelwood, against William Johnstoun of Greitknow, for the wrong and violent, and masterful occupation, labouring and manuring (*i.e.*, settling labourers on the land) by himself, his servants and his accomplices, &c., without licence of the said Thomas Corrie, of the two parts of all and whole his lands and lordship of Newbie." William was summoned, but did not appear, being engaged in defending his country. It was decreed that he should cease from his occupation of Newbie, and repay Corrie for the fishing, the use of the mill, and profits of timber, etc. An unfortunate moment for a dispute over a Border tower, when the English were threatening war on account of the moss troopers of Liddesdale, Corrie's allies.

Lord Dacre wrote to Cardinal Wolsey in 1528 that "the Debateable Land is now clear waste owing to the Johnstoun and Maxwell feuds." On April 2, 1529, "the Lord Maxwell caused the Armstrongs to make a raid upon the Lord of Johnstoun, his own sister's son, who is at deadly feud with them for the killing of Mickle Armstrong, where they killed three of his friends, and the Lord Maxwell himself lay in ambush purposely to have killed the said Lord of Johnstoun if he had pursued them."

The same year Johnstoun and Edward Maxwell took the head of a thief to Edinburgh, and received £100 from the King.

Wharton succeeded Dacre as Warden of the Borders, and wrote to Henry VIII. in 1542 that "Lochinvar (Gordon) and the Johnstouns are the greatest enemies Maxwell had," owing to their wish to supplant him in the offices he held on the East and West Borders—one in Annandale, the other in Galloway.

Perhaps the young King James became a little alarmed at the English attitude, for he summoned Bothwell of Liddesdale, Maxwell, Johnstoun, Home, who called himself Earl of Dunbar, and Walter Scott of Buccleuch to Edinburgh, and imprisoned them in the Castle; while he marched with 8000 men to the Borders, and summoned the chiefs to meet him on the Solway. He hanged Johnnie Armstrong with thirty-one well-horsed followers, caused Sandie Scott, "a proud thief," to be burnt alive for burning a widow's house with some of her children, and, in short, asserted the Royal supremacy.¹

¹ Johnstoun was pardoned in 1529 for (being in ward) not meeting the King on the Solway.

In 1536 the King went to look for a bride in France. He took Maxwell with him, but Johnstoun was imprisoned in the Castle of Doune, in Galloway, during his absence, and his lands sequestrated. At once an English raid crossed the frontier and attacked Lochmaben. William Johnstoun of Elsie-shields appealed for help to Ninian Crichton of Sanquhar, who had been Johnstoun's ally in a tribal quarrel, but was told that it had never been Sanquhar's duty to protect the Border. This forced the King to release Johnstoun, whose brother, Adam of Corrie, acted as his pledge. At the same time he formed a bond of manrent with Maxwell, in whose domains he was imprisoned, as a condition of his release.

Henry VIII. was incensed by his nephew's refusal to marry the Princess Mary, and James declined to meet his uncle in York to discuss it. The English seized twenty-eight Scottish ships, and enlisted the services of the Earl of Angus, once Regent (James's stepfather), and of his brother, Sir George Douglas, who were both in exile.

The Border was crossed on the East and West Marches, and William of Graitney and Newbie was made a "hereditary baron for good, faithful, and gratuitous service," and his Barony entailed on heirs male, or, in default of heirs male, on heirs bearing the name and arms of Johnstoun, Jan. 2, 1542. On the East Marches the Earls of Huntley and Home defeated the English, and took the commander, Sir Robert Bowes, prisoner at Haddon Rig.

James vainly applied to Henry VIII. for an indemnity for these forays, and went to Dumfries to inspect the Border liegemen, who were mustering to defend their King. By possessing Newbie and Graitney the Johnstouns commanded the services of the brave Irvings, Romes, and Bells, some of whom, it is stated in a legal process of 1611, lived in the Barony of Newbie without paying any dues for their military service. Irving of Drum was a laird, and unofficially the Irvings of Bonshaw¹ and Robgill were often so called. In legal writs they are gudemen or copyholders.¹ But it entailed on Newbie the responsibility for their misdeeds, and the fines that were imposed on him for Irving and Graham lawlessness obliged his family eventually to part with the estate.

When Sir Thomas Wharton, the English Warden, heard that James V. was in Dumfries, he proposed to Henry VIII. that, as the King had but a small escort, he might be seized and brought across the Border—just as, 260 years later, the Spanish Princes were brought across the Pyrenees by Napoleon. Henry was much pleased with the idea, but when he submitted it to his Council they advised that Wharton should "let no creature know that it had ever been thought of, on account of the scandal and deadly feud which it might cause." They also pointed out the thick population between Dumfries and the

¹ See *Monypeny's Chronicle*. "Callit the Laird" is a term used in legal documents; "Dukes" of Hoddam seems to have been a nickname. Robgill was feued to an Irving by Thomas Corrie of Newbie, and was included in the Newbie estate when William of Graitney bought it; but his Chief claimed it later as a fief of Lochwood. The tack of Sarkbrig and Conheath, as well as Stapleton, given by William Johnstoun of Graitney to Irvings, is often alluded to in the family papers, and were copyhold.

English Border, which would require so large a force to oppose, when retreating with the captive, that it would be almost impossible for that force to reach Dumfries unobserved, or to bring away the King alive.

It is noticeable that William Johnstoun of Graitney was ennobled before his Chief, and it must have been one of the last honours that James V. conferred.

A year later the Laird of Johnstoun was released from prison at Dumbarton, and his estates restored to him by the Regent Arran, acting for the infant Queen, and they were erected into a barony in the same terms that were used in the patent of William of Newbie. His eldest son was at that moment a prisoner of war in England, and Lord Maxwell, also a prisoner, was intriguing to place Dumfriesshire, if not all Scotland, under Henry VIII., but the brave Chieftain found time only a month or two after his release to make an elaborate settlement of his lands. In case his direct male heirs were extinguished, he settled his estate first on his brother, Adam of Corrie, and his male heirs, then on his brother, William, and his male heirs, and in the usual order on the younger brothers, Symon and John, and their male heirs. Another brother, James of Wamfray, is not mentioned—they were not on good terms; but in 1550 Wamfray formed a bond of manrent with the Laird, who is described in it as his brother-german. Johnstoun had long been a free baron, with the power of life and death over his dependents, but this was the first hereditary honour bestowed on the direct ancestor of the Marquises of Annandale. At the same time he was made Warden, his rivals in that office having been captured at the unfortunate battle of Solway Moss.

The circumstances of this battle were extraordinary. James V. wished to lead his army after the victory of Haddon Rig to attack the Duke of Norfolk, who was advancing on the English side of the Border with reinforcements, and who, as Earl of Surrey, had defeated James IV. at Flodden. But the Border Chiefs, who were responsible for their followers and had to support the widows and children, were at the end of their resources. A famine was imminent unless some returned home to get in the harvest;¹ and by crossing the East Border into England they would leave Dumfriesshire open to a raid from the Cumberland "statesmen." The King was enraged at this opposition, but apparently consented to Lord Maxwell's offer to lead the Border clans direct on to Carlisle—Maxwell for personal reasons again obtaining Johnstoun's arrest.

The Borderers were crossing the Esk and Solway Moss when they encountered a body of Englishmen. Oliver Sinclair, a gentleman of the King's household, at once exhibited a Royal Commission appointing himself Commander-in-Chief over the Warden and everyone else. He mounted on the shoulders of two stalwart horsemen, so that all might see it, and, according to Holinshed (1577), the Earls and Lords there present "thought themselves too much debased to have such a mean gentleman advanced in authority above them, and refusing to fight under him, willingly suffered themselves to be over-

¹ In Patten's *History of the Rebellion in 1715* he speaks of the Highland custom of returning home after a battle.

come, so were taken by the English without slaughter of anyone person on either side."¹ Sir Thomas Wharton's report says that twenty Scots were slain and some drowned, with about 1000 taken prisoners, of whom nearly 200 were gentlemen. He thought there were not ten English even missing.

The objection to serve under a man of lower rank, which wrecked the cause of Wallace, was again fatal to Scotland. Perhaps Maxwell, discontented with the King's caprice, still resented the execution of his ally, Johnnie Armstrong, and had resolved to act like one of his ancestors, and exchange his Sovereign. He may have seen that, sooner or later, southern Scotland would be joined to England, and that such a ruler as James, matched against the astute English King and Cabinet, was likely unknowingly to bring it about.² He was also in favour of the Reformation, which was dividing Scotland, as it was dividing England, and was already a factor in her policy. Oliver Sinclair had been James's chief adviser in opposing it.

James's death followed less than three weeks after this battle, and the infant daughter born to him in the interval was the sole remaining heir of his house. Another Regency, under the Earl of Arran, was necessary, when Scotland had hardly recovered from the last. The traitors Angus and Douglas were at once recalled, and Maxwell's first act on being released on parole was to give his daughter in marriage to Angus, with a handsome dowry, although this son-in-law had so lately assisted the English against the Scots, and was the divorced husband of Queen Margaret Tudor, the late King James's mother.

Before Maxwell was released on parole he subscribed a bond, with many of his fellow captives, to acknowledge Henry VIII. as Lord Superior of the Kingdom of Scotland. They swore on their knightly honour to do their utmost to put the Scottish strongholds into his hands, and to have the newly born Princess Mary delivered to his care. Maxwell was allowed to go to Scotland to further this idea with the Regent; but the first suggestion of a future marriage between Mary and young Edward seemed to the Scottish Council quite impossible. The Scots would never tolerate an English king. "If you had the lass, and we the lad, we might do it," said a Privy Councillor; but the whole country would rise against an English king.

Maxwell saw that it would be useless to make the more serious proposals. The Regent tried to persuade him to break his parole, but he refused, and returned to England, where the threat that he was to be imprisoned in the dreaded Tower, instead of remaining at Hampton Court, made him beg to be sent to Carlisle, where the Master of Johnstoun was a prisoner, that he might practise "on his own son and his sister's son." He offered to give up any castle of his own that would be commodious to the English for entering Scot-

¹ Also *Sir Ralph Sadler's Memoirs*.

² The intrigues of Wolsey and his agent, Lord Dacre, "to hold Scotland in cumber and business"—i.e., in civil war—and the money paid by Henry to this end, are described in Maxwell's *House of Douglas*, 1902. In *Sadler's Memoirs* we find that some of the Scottish nobility were in English pay, and that Argyll, Murray, Glencairn, Drumlanrig, Somerville, and Cassillis were all aiding and abetting the English invasion.

land; but Henry insisted, in addition, on the royal Castle of Lochmaben, to enable his officers to control Dumfriesshire.

Maxwell's eldest son, rather than carry out his father's order, contrived to be taken prisoner; and the next son, John, afterwards Lord Herries, whose whole career was honourable, refused to listen to any treacherous scheme. The Armstrongs, under Maxwell's influence, gave up Langholm Tower to the English, and Wharton wrote to Lord Shrewsbury, on Feb. 14, 1545, that he had placed a body of foot and fifty horsemen in it, and had long used one of Johnstoun's followers as an emissary to create discord between Johnstoun and Maxwell. A feud had broken out between them, which the Scottish Privy Council could not allay. He had offered 300 crowns to Johnstoun for himself and 100 to his brother, the Abbot of Salsit, and 100 to Johnstoun's other followers, on condition that young Maxwell should be put into his power. Johnstoun had entered into the plot, but "he and his friends were all so false" that Wharton "knew not what to say." But he would be glad "to annoy and entrap the Master of Maxwell or the Laird of Johnstoun to the King's Majesty, and his own poor honesty."

Johnstoun's "falseness" kept him true to his sovereign; and when a raid of English soldiers captured Carlaverock, or as a Scottish diary records, Oct. 28, 1545, "The Lord Maxwell delivereth Carlaverock to the English, which was great discomfort to the country," Johnstoun, Douglas of Drumlanrig, and Gordon of Lochinvar surrounded it three days afterwards with their followers, and eventually recaptured it. Meanwhile Lochmaben and Thrieve had been treacherously surrendered, but were recovered on Nov. 21.

Maxwell had taken refuge in Thrieve. He wrote to the Regent that his conduct had only been actuated by fear of death, and that he would take an oath to the infant Queen. He was pardoned, and Lochmaben was restored to his keeping, with the Wardenship of the West Marches and the post of Justiciar of Annandale, Nithsdale, and Galloway, but he died within a month (July 1546), when Johnstoun succeeded to his offices, having already renewed their former bond of manrent with his heir.

This happened directly after Johnstoun was released from prison at Dumbarton. The bond is signed by Carlile of Bridekirk, Cockpool, and others, but Andrew Johnstoun of Elphinstone is the only signature of his own name, most of his relatives being either prisoners with the English or engaged in opposing them. He alludes to "chance and fortune" having caused Maxwell's captivity, but he would not take advantage of it, and wishes to combine with all the clans to save their country. The Queen-Regent, in recognition of his loyalty, gave him all the oxen (he had to seize them) belonging to those landowners in Dumfriesshire who had refused to give or lend them to draw the Royal Artillery. He was also given (Oct. 28, 1545) a Charter of the lands of Castlemilk, "which superiority pertained to Matthew, formerly Earl of Lennox, and is now in the Queen's hands by reason of escheat on account of forfeiture against the said Earl, to be held by the said John, his heirs, and assignees of the Queen and her successors for the usual services."

His brother, Adam, being dead, he also obtained the ward of Corrie in 1544; and as the Grahams of Thornik were assisting the English, Johnstoun's daughter, Margaret, married to Ninian Graham, received a gift of all the lands belonging to the deceased Robert Graham, her father-in-law.

Laurence Johnstoun, the son of William, the son of Laurence, who was a son of the Laird (1436), being dead, his Chief received his lands of Woodhous till another heir should appear, and the lands of Brotis, owned by his great-great-uncle, David, till a nearer relative should be found. The young heir of Corrie, James, was a prisoner in England, and as he was not ransomed was induced to join the English armies. He is the only near relative of the Johnstoun chiefs who is described as having actually fought on that side, and he was outlawed till 1565. Neither he nor his son appear to have been restored to his father's position. They could not control the Irvings, for whom they were responsible; and in 1585 George Johnstoun of Corrie was denounced for assisting his Chief, and took refuge in Mylnfield on the north side of Annan.

Early in 1547 a combined effort was made to free Dumfriesshire from the English. Johnstoun, Lochinvar, and the Master of Maxwell advanced into Cumberland, while the Regent Arran captured Langholm Tower. But all forces were needed to check an invasion on the eastern border, and there the Regent sustained the terrible defeat of Pinkie.¹ Lochinvar, among others, was left dead on the field. The absence of so many men from the county enabled Sir Thomas Carleton to lead an English force by way of Teviotdale and Canonbie across to Dumfries, where he issued a proclamation calling on all to take an oath to King Henry, who was a dying man. A few lairds came in, but not Johnstoun, whom he particularly wanted to secure, for the new Lord Maxwell being in captivity, and some of his adherents having taken the oath, there only remained a small part of the county unsubdued.

Johnstoun was conquered by a ruse. Wharton sent forty light horsemen to burn Wamfray, his brother's demesne, as the flames could be seen from Lochwood Tower, and then put 300 men in ambush, "thinking that the Lord Johnstoun," as he wrote to Somerset, "would come to view them, and so he did, and pursued them sharply to their ambush." After a hard fight the Scottish Warden was captured, with the Laird of Corrie and the Abbot of Salsit,² though not till three spears had been broken on him and he had been severely wounded in the thigh. "140 of his men were taken prisoners, eight were killed, and many hurt, but only four Englishmen were hurt, never one slain nor taken."

¹ In *Sadler's Memoirs* it is stated that many Scots regarding this as a Holy War (owing to James V. having been advised by Henry to fill his coffers with the spoils of churches and monasteries), a whole regiment of bishops, priests, and monks carrying sacred banners were cut down at Pinkie.

² James Johnstoun of Wamfray, brother to the Laird (1524-67) has been confused with the Abbot of Salsit; but there seems no doubt that the last was a priest, and the day he was captured with his Chief was Thursday before Easter, when the family chaplain would be in attendance. His name, James, may have been a mistake for John, or he may have died in England, for in 1552, 1565, and 1569 John Johnstoun was Abbot of Salsit, and he was a priest, as he was "convicted of celebrating Mass" according to the Roman use. Synion, the youngest brother, received the lands of Ernemynie in the Barony of Crossmichael (Kirkcudbright) from his father, but resigned them to Johnstoun in 1546.

The English contingent at once escorted their prisoners to England, and did not trouble about Lochwood; but Carleton wrote a little later that, as the Laird of Drumlanrig and Carlile of Bridekirk with his son would not come in, he tried to get hold of some castle where he might be nearer the enemy. "Sander Armstrong came and told me he had a man called John Lynton who was born in the head of Annandale near to the Loughwood, being the Laird Johnstoun's chief house, and the said Laird and his brother, the Abbot of Salsit, were taken prisoners not long before, and were remaining in England. It was a fair large tower, able to lodge all our company safely, with a barnekin, hall, kitchen, and stables, all within the barnekin, and was but kept with two or three fellows and as many wenches."

This garrison was easily overpowered, and the place found to be well stocked with salted beef, malt, butter, and cheese. Carleton put Armstrong in the tower to keep it, and went on to Moffat, where he ordered the people to swear fealty to Edward VI.

King Henry's death seems to have saved Scotland, for the Duke of Somerset rushed home to secure the Protectorship during his nephew's minority, but all the power of England was now concentrated on Dumfriesshire, aided by the traitors within it. The Armstrongs and Fergus Graham offered to show to Carleton the road into Lanarkshire, hitherto untrodden by the enemy, "for at Crawford and Lamington he would find much booty and many sheep." He burned "Lamington and James Douglas's castle, where the men and cattle were all devoured with smoke and fire," and then returned to Lochwood or Loughwood, an isolated tower standing on a hill in the midst of marshes, which could only be crossed by strangers with a guide. From this fortress of the Chief, who, languishing in an English dungeon, still declined to take the oath to Edward VI., Carleton wrote: "We remained here very quietly, as if we had been at home in our own houses." Fergus Graham was made Captain of Castlemilk with a guard of English soldiers for its defence.

Writing to the Duke of Somerset (Protector), Wharton states that he has bribed the Earl of Lennox, and that those Scots he has spoken with "say they will serve King Edward in any part of the world. . . . They are more conformable from the little ministrations of justice I use among them, and they hope to live in peace and quiet under his Highness's laws. . . . It is the noblemen (*i.e.*, the lairds) that is the only let to this Godly purpose."

Johnstoun petitioned the Scottish Parliament for a loan to pay his ransom, and described his cruel imprisonment, first in Carlisle, then Lowther, Pontefract, Wharton Hall, and Hartley. "They laid irons and fetters upon me," he wrote, "and troubled me therewith in such manner that I behoved to lie on my back with all my clothes on my body as well by day as night. Intending to have gotten me secretly destroyed they gave me evil and unwholesome meats and drinks, and through eating and drinking thereof, I took heavy sickness, and lay therein by the space of six weeks in peril of my life." Yet he would not listen to "the mischievous purpose proposed to him by Wharton towards the hurt and destruction of this realm." So the Scottish chief had to stay where he was,

while the other leaders of his clan, having no assistance from the Regent, were making the only terms they could with the enemy.

The south of Annandale still resisted Wharton's lieutenant in the north; but on Sept. 8, 1547, Lord Lennox and Wharton crossed the Esk, and halted at Graitney. The next day they marched to Castlemilk, which they reported to have walls 14 feet thick, and captured it. On Sept. 20 they encamped near Annan, and summoned Lyon, the captain of the castle, who defended it with 100 Scots, to surrender. The castle was built by Robert Bruce, and the chapel adjoining it was the only church in Annan. It stood in the midst of the old graveyard, where all that remained of the fortress in 1870 was a small heap of stones, now swept away. "The English," wrote Holinshed, "brought their artillery to bear against the walls, and undermined them, so that the roof of the church was shaken down, and many of those within crushed to death. At last the captain, moved by the Earl of Lennox, to whom he was related, gave himself up with the garrison on condition that their lives should be saved," although the captain must go a prisoner into England. As soon as they left the steeple the mines were fired, and both church and steeple vanished in the air. The town was sacked and burnt, "not one stone being left standing, for it had ever been a noisome neighbour to England. The Englishmen had conceived such spite to it, that if they saw but a piece of timber remaining unburnt they would cut the same in pieces. The country herewith was stricken in such fear that the next day all the Kilpatrick and the Jardines, the Lairds of Kirkmichel, Aplegirth, Closeburn, Howmendes, Nuby (Newbie), and the Irrewings, the Belles, the Riggies, the Murrays, and all the clans and the surnames of the nether part of Annandale, came and received an oath of obeisance as subjects to the King of England, delivering pledges for their assured loyalty."

The invaders were again assisted by "Richie Graham brother to Fergus," and by some of the Armstrongs, Beatties, Thomsons, Littles, and other Border stragglers not dependent on any Border chief.¹

When writing of the Borderers the English Wardens often confused Christian names and relationships, which is not surprising, when, besides the numbers bearing the same surname, the same Christian names appear even among brothers. This partly arose from the Scottish custom of naming sons after both grandfathers, and after the father. In the Johnstoun family alone the old Laird had two brothers besides himself called John; he had two sons named James, and two named John; and William of Newbie had also two sons named John. It is rather difficult to suppose that Wharton did not mean another Laird of the name, and not the stubborn patriot, when he

¹ "Sundry of the surname of Yrwen (Irving) offered to serve his Majesty with 200 men their friends, and except the bodies of Lord Johnston and John Maxwell to compel all the dwellers from the King's Majesty's possession unto the town of Dumfries to serve his Majesty if they might have entertainment being they said in poverty. . . . The King now hath prisoners the Maxwells and Johnstons who hath borne a great rule of the West part of Scotland." Wharton to Somerset, April 7, 1547. A spy reported to Sadler in "1543 that Nithsdale and Galloway were the most poor countries not able to victual themselves, and Annandale was in great poverty without corn for herself."



BEN JONSON, 1573-1637.

wrote to the Protector: "Laird Johnstoun is a good example on these marches, for when his house was won and all his goods taken, he requested to be sworn in the King's service." It seems more likely that he was speaking of the Laird of Graitney and Newbie, whose Barony was not devastated till Lennox and Wharton invaded Scotland, and whose sturdy followers had obliged those commanders to go round by Langholm, and wait to close upon them and their Chief at Annan when the rest of the county was subdued.

Johnstoun of Lochwood was not released from an English prison till peace was made in 1550; and of him Wharton had written to the Protector: "I have despatched both my sons and my son-in-law Mr Musgrave and other gentlemen with light horsemen to make a foray in Nithsdale near Dumfries, and the part of Annandale not yet won. They have burnt nine or ten towns, and brought away prisoners, and spoil of goods with no hurt. Since I last wrote 500 lairds and gentlemen have come in, and I have in all 2400 Scottish horse. I have removed Laird Johnston from Carlisle to my house at Wharton. All his men have refused him; his own brothers and others have taken oath and given hostages for their service. They are a great band of proper men, and do good service."¹

In Bell's M.S., preserved in the Carlisle Cathedral Library, there is a list of chiefs and their men who submitted to the English at Annan when it was burnt. It differs slightly from the lists preserved in the State papers of Edward VI., as do those lists from each other, both as to names and the number of followers. In one the Lairds of Wamfray and Elsie shields are omitted, and the Graitney Johnstouns mentioned twice. In another Lord Carlile is mentioned twice, with a different number of followers. William Johnstoun, brother to the Laird, and his three brothers are mentioned with 235 men under them. George Johnstoun (the Laird of Graitney) and those under him. Another list says the Laird of Newbie and Graitney surrendered with 122 men. George Johnstoun, called the Laird of Graitney, was a son of William of Newbie.²

In the next session of Parliament in Edinburgh, June 12, 1548, those chiefs who had taken an oath of fidelity to Edward VI. were declared guilty of high treason and outlawed. "William Kirkpatrick of Kirkmichael; John Jardine of Aplegirth; John Carruthers of Holmends; — of Ros; the Lairds of Knok, of Grantoun, of Gillisbe; Grahame of Thornik; Gawyne Johnstoun of Kirkton; Johnstoun of Craigeburn; James Johnstoun of Cottis; — of Newbie; Michael, Lord Carlile; Carruthers of Mouswald; Cuthbert Irvine of Robgill; — of Cowquhate; Cuthbert Johnstoun of Lockerbie; James, sometime Abbot of

¹ Wharton wrote to Somerset of "the Abbot of Salsit and other chiefs of that name. . . . I have found the best sort of Scot. . . . I trust yet to cause those Johnstons to be with others a scourge to the Maxwells." (March 13, 1548).

² Ben Jonson (1573?-1637) believed that his grandfather was a Johnstoun of Annandale, but took service under Henry VIII.; probably he was a prisoner of war. Ben's father was born at Carlisle, lost his property and was imprisoned in Mary's reign, took Holy Orders, and died a month before the poet was born. But Johnson is found very early in England.

Saulside; and Tweedie of Drumnelzear." The Laird of Johnstoun and his son, also Maxwell, were still prisoners in England.

Only a month before the death of Henry VIII., May 17, 1547, a letter was written in the young Scottish Queen's name to remonstrate about the English invasion, and the capture of the Abbot of Dryburgh, "who was passing to the ports of France on his own affairs," and "Master John Hay sent to the most Christian King of France to perform such business as was committed unto him." They were taken on the sea by English ships of war, and imprisoned, although Scotland was nominally at peace with England and France. "Also your subjects have lately by open foray invaded our realm upon the West Borders at the parts of Annandale and there taken the Laird of Johnstoun on his own ground for defence of his lands and goods. The which unjust attempts are not only against the 'peace' foresaid; but also most unnaturally enterprised against us and our lieges without any respect unto the proximity and tenderness of our blood and mutual friendship, that should continue between us and our realms. Therefore we pray you, our dearest brother and cousin in our most effective manner to put the said Abbot of Dryburgh, Master John Hay, Lord Johnstoun and others taken with them to liberty and freedom, so that they may without any impediment freely pass on to the realm of France, or if it please them to return again within our realm," etc.

This letter, dated from Stirling, had no effect, and the ravages continued. The official list of the towns, monasteries, castles, villages, mills and hospitals destroyed by the English in 1547 is given as 287, and fills ten closely written pages of a State paper, still preserved in the London Record Office. Graitney, Sark and Cavertholme, belonging to Johnstoun of Newbie, Blacket House, Ryehill Castle, and all within fifteen miles of the English frontier are included, and Dumfriesshire was subject to the King of England for a year and a half. But in the meantime the King of France sent a contingent from Gascony to assist his Scottish allies. The English Privy Council, hearing they were expected, not only ordered the enlistment of Germans, Italians, and a Spanish corps for service in Scotland, but instructed Wharton to execute some of the pledges at Carlisle, which was done, and among others who perished was the Warden of Greyfriars at Dumfries, and the Vicar of Carlaverock, who was pledge for Lord Maxwell, his near relative.

The war spread to East Scotland, and the actual peril of the young Queen, when the enemy advanced upon Edinburgh, which was burnt, induced the Regent to send her to France in 1548, and there she was brought up. Her marriage to the delicate Dauphin Francis, who was thenceforward styled King of Scotland in legal documents, gave Henry II. the pretext for making her sign a document bequeathing Scotland to him in the event of his son's early death; and with this in view he compelled the English forces to quit Scotland by attacking Dunkirk and Calais.

A truce was signed for ten years at Norham in March 1550, when the Laird of Johnstoun was released. It provided that the Debateable Land between the Esk and the Sark should belong to neither kingdom but lie waste;

but in 1552 it was divided, the upper half including Canonbie annexed to Scotland, and the southern half with Kirkandrews joined to England. The treaty is signed by John Johnstoun of that Ilk, John Johnstoun of *Nitove* (supposed to be a copyist's error for Newbie), Charles Murray of Cockpool, and others. It was ratified on Dec. 15 by the Warden, Maxwell of Herries and the Laird of Johnstoun for Scotland, and by Sir Richard Musgrave and Sir Thomas Dacre for England.

Richie Graham was rewarded by Henry VIII. for his aid, with the lands of Netherby; but Lord Scrope, writing to Secretary Cecil in 1583, points out that the idea of thereby attaching the Graham clan to England had been frustrated, chiefly by the Lairds of Graitney and Newbie. Richie's family had been outlawed in Scotland, but Johnstoun of Graitney married one of his nieces, and the Laird of Newbie settled her brother, Arthur Graham,¹ on the Mote or Moat adjacent to Newbie, and married him to one of his own daughters, so that he was no longer sought for by the law. The couple had four sons, being brought up as Scotsmen. William Graham, Richard's brother, had married the sister of the Laird of Graitney, and Edward Irving of Bonshaw married Richard's daughter. These alliances gave the family more ties in Scotland than in England.

¹ Arthur Graham, after having his farm overrun and pillaged by unpaid mercenary soldiers, was killed by Thomas Musgrave, presumably by mistake, for Queen Elizabeth allowed his son, William Graham, £20 a year as compensation.

CHAPTER IX.

WILLIAM, LAIRD OF GRAITNEY—THE BARONY OF NEWBIE—MARGARET CRICHTON—WAMFRAY—QUEEN MARY—JOHNSTOUN—CIVIL WAR—THE QUEEN—DEATH OF JOHN OF NEWBIE—JOHNSTOUN WILLS—FEUD BETWEEN MAXWELLS AND JOHNSTOUNS—BATTLE OF DRYFE SANDS—THIRD BARON OF NEWBIE—THE KING VISITS NEWBIE—UNION OF THE CROWNS—CLAN SYSTEM REPRESSED—NOTE ON SCOTLAND.

THE sons of William of Graitney and Newbie were grown men before the Treaty of Peace. In the seclusion of his father, who was outlawed for submitting to the English, the eldest lawful son, John, seems to have signed it.

This William, mentioned as the young Laird of Graitney in 1513, appears in *Acta. Dom.*, June 19, 1531, as having, with Andro Roryson of Bardannoch, in Nithsdale "spulzied" from the lands of Duncan Wilson in Bardannoch. Andro's mother was a Crichton, and Graitney was one of his tutors. The spoliation was probably a seizure of grain or cattle for unpaid rent. On July 27, 1532, William is described as occupying a 10 mark land in Arkilton, and was on the assize with Grierson of Lag, William Carruthers of Orchardton, John Maitland of Auchencastle, Gordon of Craughton, Roger M'Briar of Almagill, John Kirkpatrick, Scott of Wamfray, two Douglasses, Gordon of Corhead, Thomas Moffat of Knok, Walter Steward, Lindsay, Ralston of that Ilk, etc. Two years before he witnessed a Charter for Mariot, widow of Lord Carlile.

Several actions not responded to were being carried on at that time with regard to Graitney's occupation of Newbie by the Corries; but on Jan. 24, 1535, Graitney brought an action against Corrie, and another on March 6, 1535, and at last, on Jan. 20, 1536, it is stated that Thomas Corrie of Kelwood and William Cunninghame of Cunninghamehead were constituted procurators for George Corrie, feuar of Newbie, especially for the contract between the said George and William Johnstoun of Graitney. A former contract, dated Jan. 2, 1532, was referred to, as between George Corrie and Thomas Corrie, his father, free holder of the said land. The price to be paid by William Johnstoun was 23,000 marks. The witnesses are John Kirkpatrick, Ninian Crichton, James Crichton and Andrew Rorison, who sign it in 1536.

Another record of the *Acta. Dom. Conc.*, dated 1538, is to the effect that Thomas Corrie and George Corrie, his son, show that Johnstoun of Graitney

had fulfilled the agreement concerning Newbie in all points. Thomas Corrie was killed at the battle of Pinkie in 1547.

In the Charters which later transferred Graitney to Murray of Cockpool, the estate is described as about 147 acres of corn, besides woods, moss, shore, fishings, etc. William of Graitney's father is simply mentioned as Johnstoun in a suit against the Irvings in 1606, which gives the Graitney pedigree, and there it stops; but in Nesbit's *Heraldry*, compiled for the British Government in 1722, "Johnston of Graitney" is mentioned after Elphinstone as "another cadet of Johnston of that Ilk. On an old stone on the front of the house of Graitney of the date 1598 is the shield of arms of Johnston of that Ilk with the addition of two mullets." The correct date is 1573.¹

The first regular Charter of the lands of Newbie obtained by William Johnstoun is dated Jan. 31, 1535. It is granted to William Johnstoun of Gretna and Margaret Crichton, his wife, and their male heirs by George Corrie, with the consent of his father, Thomas.² In case of the failure of the said male heirs, the lands to descend to the male heirs of the said couple whatsoever, and, in default of direct male heirs, to William's nearest male heirs whatsoever. The lands included "Newbie with its tower, fortress, manor, fisheries, etc., and the fisheries of New Skares with the sands of the Eden; Clout Skar, and ascending from the same to Wyldcotray; and at Wyldcotray, and the torrent called Balsucrik; and from Balsucrik descending in the waters of Annan; and from these waters to Eden and Howtyde with its pertinents. Also all and singly the lands of Barnekirk, Croftheide, Howes, Myll, Mylfield and Howmeadow, the free barony of Stapleton, Robgill with the fisheries of Stapleton, Cummertrees and its fisheries, Ellerbeck, Myddilby, Galzandleis, Hydewood, Priestwodsyde, Ruthwell, etc., lying in the Sherifffdom of Annandale, and within the stewardship of Dumfries."

These were the lands, but not Graitney, which were erected into a Barony by James V. in Jan. 8, 1542. The Crown Charter which entailed them was described by the late Sir John Holker (Attorney-General) as the most extraordinary that had ever been brought before the House of Lords. Newbie was first to pass to William Johnstoun's and Margaret Crichton's legitimate heirs; secondly to William's legitimate male heirs; thirdly to his son, George, and his heirs; fourthly to his brother, David, and his heirs; fifthly to his son, Herbert, and his heirs; sixthly to his son, John, and his heirs; seventhly to his brother, John, and his heirs. These sons, mentioned by name, and at least one brother³ were not legitimate, as is shown by a memorandum for a Charter (March, 1543) proposing to rectify it. The relatives to whom Newbie was to descend were to bear the name and arms of Johnstoun.

¹ Mr G. H. Johnston's *Heraldry*.

² Another Charter, dated July 16, 1536, confers "the haill lands of Corre" as well as "the haill lands of Newbe on the laird of Gratno Willia Johnnestoune and Margaret Crichton his spouse," but it seems to have made no difference to Adam Johnstoun's possession of Corrie.

³ A legal expert was of opinion that neither brother, David or John, was legitimate, and it was a strange coincidence that the Laird of Johnstone had also two illegitimate brothers, David and John, who were legitimised.

The sasine feuing the lands of Arkilton, in Eskdale, to Ninian or Ringan Armstrong, who lived in Wauchope Castle in 1537, makes over to him "houses, woods, plains, moors, mills, and their sequels, fowlings, huntings, fishings, peats, coals, rabbits, pigeons, pigeon cotes, quarries of stone and lime, etc., to be held for ever of the grantor William Johnstoun of Graitney."

In the different deeds on the subject, it is referred to as having belonged to William's predecessors, and his great-grandson, Edward of Seafeld (Wyldcotray), was one of the witnesses of its transfer to Mr Eliot in 1628. Also that in 1598 it passed from William's descendants. He probably parted with the copyhold to raise money for the purchase of Newbie.

In 1544 letters under the Privy Seal grant to William "the non-entries of Graitney with the mill thereof, and all rents since the decease of Johnstoun, his father, or any other last possessor thereof for all time to come."

Then came the fiercest English invasion of the century, when Graitney was laid waste, but perhaps in pity to his dependents he surrendered the day after the fall of Annan, and saved Newbie Tower, and further destruction in the neighbourhood.

The Graitney and Newbie estates were more compact and nearly as large as those of Johnstoun, and valued for the Crown dues at only £6 less. William mortgaged Robgill and Stapleton to Christopher Irving, and leased Sarkbrig, Conheath, and Graitney Hill to Richard Irving, probably when he was in great need after the English invasion, as it appears that at that date no rents were drawn from Newbie for eleven years.

From the time William was outlawed for submitting to the English he disappears, and probably retired a few miles to the north. Some of the Charters connected with him are signed by himself, others with "his hand at the pen," the ordinary way of signing at that time, the pen being guided by the notary. He was dead in 1565; and appears to have married after 1517, as in that year Sir John Charteris became surety for Ninian Crichton of Sanquhar in his wardship of Margaret Crichton. Her father was Sir Robert,¹ who is known in the Marquis of Bute's pedigree (Crichton being his ancestor) as the second Lord Crichton. It was a connection of which John, the eldest son of William and Margaret, was evidently proud, as he gave three of his sons, Robert, Edward and Abraham, regular Crichton names. Margaret was living when John Johnstoun, the second Baron Newbie, was returned the eldest lawful heir to his father and mother in 1565, as she had a liferent on the estate. The witnesses to the retour are John Carruthers of Holmends (Newbie's father-in-law), John Kennedy of Halleath, Robert French of Frenchland, William Maxwell of Ile, Adam Carlile of Bridekirk, Edward Irving of Bonshaw, Herbert Maxwell in Cavers, John Maxwell there, Robert Johnstoun of Newton, George Carruthers, junior of Holmends, Herbert de Powdene, John Johnstoun in Malinshaw, Adam

¹ His wife was the daughter of Murray of Cockpool, and his mother, Lady Marion Stewart, daughter of the Earl of Lennox. His father seems to have married a second time, as in 1527 "Dame Marion Maxwell, who had the great tierce of Lord Crichton's lands," dies, and Elizabeth Murray, his relict, claims them, opposed by Ninian Crichton.

Johnstoun de Beatok, John Johnstoun de Elsieschellis, and William Johnstoun in Hayhill. Maxwell of Cowhill was the Deputy-Sheriff.

Men did not look far for a wife when John, the second Baron of Newbie, was young. A neighbour's daughter or a cousin had the first chance. So John married Marion, the daughter of John Carruthers, the father of seven sons, and Laird of Holmends, whose lands included Wormanbie, a fief of the Laird of Johnstoun and the adjoining estate to Newbie. Marion's mother was Blanche Murray, daughter of John's cousin, the Laird of Cockpool; and another daughter of Holmends married Gilbert, second son to the Laird of Wamfray.

Wamfray, formerly owned by Avenel, Graham, Carlile, Corrie, Kirkpatrick, Boyle, Scott, and Crichton, was sold by Crichton to Laird Johnstoun in 1476. He gave it, but only in feu, to his younger son, John, who married Katherine Boyle, but appears to have left no legitimate male heirs. In 1528 Wamfray was owned by James of Pocornwell, brother-german to the Laird. Being a very poor district his retainers had the worst character for thieving and lawlessness of all belonging to the clan.¹ Possibly, like Crichton, he did not feel that it was his duty to guard the Borders; but when his brother chiefs were called out with all their able-bodied men to oppose the English, it left him great opportunities for annexing cattle and horses. It does not appear that he assisted at all in the war in 1541; and in 1546 he obtained the lands of Aldtoun and others from his second son's father-in-law, Carruthers of Holmends. The next year his "town" was burned by the enemy. He is mentioned in one State paper, but not in all, as surrendering to the English with 102 men. In 1549 his estate was erected into a Barony by Queen Mary, and settled on himself, his wife, Margaret McClellan, and his eldest son, James. His possession of Wamfray was as much disputed as that of his kinsman to Newbie; but in 1550 he paid Adam Scott, son and heir of Robert Scott (whose mother, John Johnstoun's widow, Katherine Boyle, had married a Scott), for his rights to Wamfray with the exception of Ryeholme.

The surviving Scottish prisoners straggled back from England when the heavy ransoms demanded for them could be paid. Cuthbert Murray of Cockpool is described by the English Warden as worth little or nothing. James, the eldest son of the Laird of Johnstoun, died soon after his release. His widow, Margaret Hamilton, niece of the Regent Arran, was re-married in 1552 to David Douglas, and made an exchange of land—Howcleuch for Harthope—with William Johnstoun, described as brother of the Laird. David Johnstoun in Nether Garvald witnessed the deed. This is the last mention of the Laird's second brother, William, who signed one document himself, another with his hand at the pen; and unless the identity of William Johnstoun of Graitney with this William is proved he left no legal descendant. The same may be said of his uncle, William, brother to Laird James (1509-24).

When the Laird returned home in 1550 he formed a bond of manrent with Wamfray, and this bound them to defend each other at home and abroad. He

¹ In 1530 James Charteris sues William, Thomas, David, and James Johnstoun, brothers, in Wamfray for trespassing in Drumgrey.

did not care to remain in the famine-stricken district, which his once troublesome brother was now pledged to defend, so he retired to Stirling with his second or third wife, Nicolas Douglas, the daughter of Drumlanrig, and bought a house there. But Wamfray died in 1561, and his brother took steps to reduce the power of his Barony with the aid of his second son, Robert, parson of Lochmaben. The Reformation had emptied the Church benefices, and on the Borders the patrons at once took possession of the tithes, and prevented any Reformed priest from being instituted. Lady Wamfray, who owned the liferent of the estate, had counted upon the Wamfray parsonage as her chief means of living, but Robert sold it to Sir James Carruthers, a Roman priest, and burned the tower in which she lived, seized the cattle, and "destroyed or eat her corn." She asked for the Queen's protection from her "brother-in-law, a great man having a clan of the country at his command," in 1566, but in spite of many appeals she continued to be oppressed.

Her family, the McClellans of Bombie, shared with Stewart of Garlies and the Maxwells the superiority in Galloway; but her father had been killed in a street in Edinburgh by Douglas of Drumlanrig in 1516, and Agnes Johnstoun, probably a sister of the Chief, had married a McClellan, so, as Johnstoun had a legal right to a part of Wamfray and the church patronage, his sister-in-law could hardly expect her own brother's help. Her sons, Gilbert and John, were both accused by the Privy Council of dispossessing their mother of houses at Dumfries and in Wamfray. Perhaps they claimed them to prevent her enemies turning her out.

Newbie was peaceably disposed, and possibly in agreement with his Chief he took a lease of Dundoran in Wamfray, which once belonged to his mother's family, in exchange for a holding on his own estate, where he planted his brother-in-law, Gilbert of Wamfray, who also owned land at Kirtlebrig. Newbie was obliged to support his share of 200 spearmen to guard the Border, so could employ indigent younger sons. Gilbert's elder brother, James, was dead in 1585, but it was not till 1591 that Gilbert was returned his heir at the cost of £53, in the usual manner by twelve friends and kinsmen. Up to that time he was a merchant, a most useful adjunct to a baronial property, and carried on business with Edinburgh and Dumfries. His son, Edward, did the same; while his sons, Robert, James, and John (who witnessed Newbie's Will in 1576) probably helped to look out for cruisers and danger signals,¹ which could easily be seen from Newbie Castle standing on the very edge of the Solway. Gilbert had another brother, William, who remained at Wamfray, possibly more; but prior to registers unless a younger son came before a law court no record need exist of him.

In 1542 John of Newbie witnessed a resignation by the Laird in favour of his son, James, and in 1549 he was one of four "proud and discreet men" who witnessed a Charter for Agnes Hereis, eldest daughter and co-heir of Lord Hereis. In 1550 he was one of the witnesses to the retour of Lord Maxwell.

¹ The English Grahams robbed the townships of Newbie and Holmends in 1575.

His father's lands were divided to provide for the numerous brothers. George had Graitney, an important but much smaller holding than Newbie; John, a younger son, received a farm in Cummertrees; and Herbert (whose sons, Adam, James, and Arthur sign a bond in 1578), a farm in Croftheid—as “gudemen” under the Baron of Newbie.

Besides the Barony Newbie inherited the church land of Kirkpatrick Fleming, and obtained a Crown Charter for it, and he bought a copyhold of Dornock part of the lands of the Abbey of Dundrennan, for both glebes intersected his Barony.

In the first session of Parliament at Edinburgh after the peace of 1552 it was proposed that an annual tax should be levied on the Borders to support a large standing army, in place of the Royal Statute of 1455 which ordained that 200 spearmen and as many archers should be maintained upon the East and Middle Marches for their defence, and that those “near the Border should have good households, and armed men as offers and to be ready at their principal place, and to pass with the Wardens when and where they shall be charged.” Nearly 200 of the Border chiefs and gentlemen, including Newbie, assembled at Edinburgh to protest against this tax. They would defend the realm as their forefathers had done, but had no money. Yet as Newbie and Graitney covered a large extent of Border, the burden of defence came rather heavily upon their families.

Among the feuars of Newbie who helped in the agricultural duties were Gibsons, Hallidays, Potts, Wylds, and Raes, landowners themselves in earlier days; while the sons of the house, always armed, kept by turns a vigilant watch on the opposite shore. There were no traitors among them, so the frontier was usually crossed much farther east by the enemy. This happened only five years after the peace was signed. John Maxwell, now known as Lord Hereis, and a colleague were actually at Carlisle to arrange on the part of Scotland that she should continue at peace with England, although her ally, France, was engaging in a war with Spain, which involved the English Queen Mary as the wife of a Spanish Prince.

An English army suddenly crossed the east Borders, and Lord Hereis, to keep it out of Dumfriesshire, patriotically formed a bond of manrent, in return for the restoration of land,¹ with the head of the Armstrongs, who had assisted the enemy only seven years before and actually captured Johnstoun. Some of this clan as usual helped the English in 1557, and defeated Bothwell, the Lord of Liddesdale, who, on his side, defeated the English. Still their partial adherence to the Scots hastened the peace, which was signed in 1559.

This year the Protestants first formed themselves into a league in Scotland, and the Reformed faith was officially recognised in 1560. The young Queen a year later returned a widow to her native land, and there were hopes that she might be induced to accept it herself. Lord Maxwell and Murray

¹ The lands granted to Lord Hereis's father when James IV. hanged Johnnie Armstrong and the leading men of his clan.

with other influential men opposed her unfortunate marriage with Darnley in 1565, on the ground that it was prejudicial to the Protestant interests, also because his father had joined England in 1547. But when the old or the Reformed faith became a question of loyalty to the Queen or to the base-born Regent who supplanted her, there was a reaction on the Borders, aided by her personal attractions. She had paid a visit to Dumfries and passed a night under Lord Hereis's roof on Aug. 20, 1563; and she came again with her second husband, Henry Darnley, in 1565 with an army of 500 men. Among other recipients of her favour, John Johnstoun of Newbie received the escheat of the lands of Ryehill and a 5 mark land in Cummertrees.

The Laird of Johnstoun was a member of the Parliament which established the Reformation, but it was all the part he took in it. Still he was charged with maintaining Gilbert Johnstoun of Poldean, a fugitive accused of theft and fire-raising, and of "pressing to marry his daughter to Edward Irving of the Bonshaw's son. He was told that he was displeased with all good order as his life and doings did declare, and unless he kept his possession in a more orderly condition the Queen's Majesty will so vigorously punish him, that the West Marches shall take example and his house never forget it."

One of Johnstoun's daughters, Margaret, married Ninian Graham in 1531; and his grand-daughter had long been the wife of the Master of Carlile. Another daughter, Elizabeth, married Richard Graham.

It is easy to understand the old man's anxiety to marry all his daughters rather than let them become wards of the Crown. His niece, a daughter of Symon Carruthers of Mouswald, had killed herself rather than accept the selected husband. Bessie or Elizabeth, his youngest, seems to have married James Galloway. Two generations later the Laird could only settle on a daughter the escheat of an Elsieshields. In 1566 the Laird endowed his daughter—Irving's wife—with the rents of Wormanbie, also the copyhold of Stapleton, "the Laird of Newbie the superior."

The agitation was so great in Dumfriesshire when the Queen was sent a prisoner to Loch Leven Castle in 1567 that Parliament, in the name of the infant King James, summoned nine chiefs, including the Bishop of Wigton and the Laird of Johnstoun, to Edinburgh to consult on the best means of pacifying it. Johnstoun died at Edinburgh two months later. The Queen's escape the next year set the county in a flame, and her army of nearly 600 men was chiefly gathered from Galloway, Nithsdale, Annandale and Liddesdale, including the Chiefs of Johnstoun and Newbie with their men.

Eleven Borderers of note signed a bond to support Queen Mary—Hay, Lord Yester, Maxwell, Hereis, Edward Maxwell, Crichton, the Abbot of Dundrennan, and the Lairds of Ros, Somerville, young Johnstoun for his whole clan, and Lochinvar—while Drumlanrig, Lord Home, Glencairn, Lindsay, the Earl of Morton, and many more took the part of the Regent. The rival forces met at Langside on May 13, 1568, when the Queen's army sustained a total defeat, and, escaping on horseback through Crawford, Sanquhar, and